

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2996

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## AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 Department of the Interior, environment, and related  
4 agencies for the fiscal year ending September 30, 2010,  
5 and for other purposes, namely:

6 TITLE I—DEPARTMENT OF THE INTERIOR

7 BUREAU OF LAND MANAGEMENT

8 MANAGEMENT OF LANDS AND RESOURCES

9 For necessary expenses for protection, use, improve-  
10 ment, development, disposal, cadastral surveying, classi-  
11 fication, acquisition of easements and other interests in  
12 lands, and performance of other functions, including main-  
13 tenance of facilities, as authorized by law, in the manage-  
14 ment of lands and their resources under the jurisdiction  
15 of the Bureau of Land Management, including the general  
16 administration of the Bureau, and assessment of mineral  
17 potential of public lands pursuant to Public Law 96–487  
18 (16 U.S.C. 3150(a)), \$950,496,000, to remain available  
19 until expended; and of which \$3,000,000 shall be available  
20 in fiscal year 2010 subject to a match by at least an equal  
21 amount by the National Fish and Wildlife Foundation for  
22 cost-shared projects supporting conservation of Bureau  
23 lands; and such funds shall be advanced to the Foundation  
24 as a lump sum grant without regard to when expenses are  
25 incurred.



1 interests therein, \$26,529,000, 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; \$111,557,000, 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 (50 Stat. 876).

22 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

23 (REVOLVING FUND, SPECIAL ACCOUNT)

24 In addition to the purposes authorized in Public Law  
25 102-381, funds made available in the Forest Ecosystem

1 Health and Recovery Fund can be used through fiscal year  
2 2015 for the purpose of planning, preparing, imple-  
3 menting and monitoring salvage timber sales and forest  
4 ecosystem health and recovery activities, such as release  
5 from competing vegetation and density control treatments.  
6 The Federal share of receipts (defined as the portion of  
7 salvage timber receipts not paid to the counties under 43  
8 U.S.C. 1181f and 43 U.S.C. 1181f-1 et seq., and Public  
9 Law 106-393) derived from treatments funded by this ac-  
10 count shall be deposited through fiscal year 2015 into the  
11 Forest Ecosystem Health and Recovery Fund.

12 RANGE IMPROVEMENTS

13 For rehabilitation, protection, and acquisition of  
14 lands and interests therein, and improvement of Federal  
15 rangelands pursuant to section 401 of the Federal Land  
16 Policy and Management Act of 1976 (43 U.S.C. 1701),  
17 notwithstanding any other Act, sums equal to 50 percent  
18 of all moneys received during the prior fiscal year under  
19 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.  
20 315 et seq.) and the amount designated for range improve-  
21 ments from grazing fees and mineral leasing receipts from  
22 Bankhead-Jones lands transferred to the Department of  
23 the Interior pursuant to law, but not less than  
24 \$10,000,000, to remain available until expended: *Pro-*

1 *vided*, That not to exceed \$600,000 shall be available for  
2 administrative expenses.

3 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

4 For administrative expenses and other costs related  
5 to processing application documents and other authoriza-  
6 tions for use and disposal of public lands and resources,  
7 for costs of providing copies of official public land docu-  
8 ments, for monitoring construction, operation, and termi-  
9 nation of facilities in conjunction with use authorizations,  
10 and for rehabilitation of damaged property, such amounts  
11 as may be collected under Public Law 94–579, as amend-  
12 ed, and Public Law 93–153, to remain available until ex-  
13 pended: *Provided*, That, notwithstanding any provision to  
14 the contrary of section 305(a) of Public Law 94–579 (43  
15 U.S.C. 1735(a)), any moneys that have been or will be  
16 received pursuant to that section, whether as a result of  
17 forfeiture, compromise, or settlement, if not appropriate  
18 for refund pursuant to section 305(c) of that Act (43  
19 U.S.C. 1735(c)), shall be available and may be expended  
20 under the authority of this Act by the Secretary to im-  
21 prove, protect, or rehabilitate any public lands adminis-  
22 tered through the Bureau of Land Management which  
23 have been damaged by the action of a resource developer,  
24 purchaser, permittee, or any unauthorized person, without  
25 regard to whether all moneys collected from each such ac-

1 tion are used on the exact lands damaged which led to  
2 the action: *Provided further*, That any such moneys that  
3 are in excess of amounts needed to repair damage to the  
4 exact land for which funds were collected may be used to  
5 repair other damaged public lands.

6 MISCELLANEOUS TRUST FUNDS

7 In addition to amounts authorized to be expended  
8 under existing laws, there is hereby appropriated such  
9 amounts as may be contributed under section 307 of the  
10 Act of October 21, 1976 (43 U.S.C. 1701), and such  
11 amounts as may be advanced for administrative costs, sur-  
12 veys, appraisals, and costs of making conveyances of omit-  
13 ted lands under section 211(b) of that Act, to remain  
14 available until expended.

15 ADMINISTRATIVE PROVISIONS

16 Appropriations for the Bureau of Land Management  
17 (BLM) shall be available for purchase, erection, and dis-  
18 mantlement of temporary structures, and alteration and  
19 maintenance of necessary buildings and appurtenant fa-  
20 cilities to which the United States has title; up to  
21 \$100,000 for payments, at the discretion of the Secretary,  
22 for information or evidence concerning violations of laws  
23 administered by the Bureau; miscellaneous and emergency  
24 expenses of enforcement activities authorized or approved  
25 by the Secretary and to be accounted for solely on the

1 Secretary's certificate, not to exceed \$10,000: *Provided*,  
2 That notwithstanding 44 U.S.C. 501, the Bureau may,  
3 under cooperative cost-sharing and partnership arrange-  
4 ments authorized by law, procure printing services from  
5 cooperators in connection with jointly produced publica-  
6 tions for which the cooperators share the cost of printing  
7 either in cash or in services, and the Bureau determines  
8 the cooperator is capable of meeting accepted quality  
9 standards: *Provided further*, That projects to be funded  
10 pursuant to a written commitment by a State government  
11 to provide an identified amount of money in support of  
12 the project may be carried out by the Bureau on a reim-  
13 bursable basis.

14 UNITED STATES FISH AND WILDLIFE SERVICE

15 RESOURCE MANAGEMENT

16 For necessary expenses of the United States Fish and  
17 Wildlife Service, as authorized by law, and for scientific  
18 and economic studies, general administration, and for the  
19 performance of other authorized functions related to such  
20 resources by direct expenditure, contracts, grants, cooper-  
21 ative agreements and reimbursable agreements with public  
22 and private entities, \$1,248,756,000, to remain available  
23 until September 30, 2011 except as otherwise provided  
24 herein: *Provided*, That \$2,500,000 is for high priority  
25 projects, which shall be carried out by the Youth Con-



1 servation Corps: *Provided further*, That not to exceed  
2 \$20,603,000 shall be used for implementing subsections  
3 (a), (b), (c), and (e) of section 4 of the Endangered Spe-  
4 cies Act, as amended (except for processing petitions, de-  
5 veloping and issuing proposed and final regulations, and  
6 taking any other steps to implement actions described in  
7 subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of  
8 which not to exceed \$10,632,000 shall be used for any  
9 activity regarding the designation of critical habitat, pur-  
10 suant to subsection (a)(3), excluding litigation support, for  
11 species listed pursuant to subsection (a)(1) prior to Octo-  
12 ber 1, 2009: *Provided further*, That of the amount avail-  
13 able for law enforcement, up to \$400,000, to remain avail-  
14 able until expended, may at the discretion of the Secretary  
15 be used for payment for information, rewards, or evidence  
16 concerning violations of laws administered by the Service,  
17 and miscellaneous and emergency expenses of enforcement  
18 activity, authorized or approved by the Secretary and to  
19 be accounted for solely on the Secretary's certificate: *Pro-*  
20 *vided further*, That of the amount provided for environ-  
21 mental contaminants, up to \$1,000,000 may remain avail-  
22 able until expended for contaminant sample analyses.

23 CONSTRUCTION

24 For construction, improvement, acquisition, or re-  
25 moval of buildings and other facilities required in the con-

1 servation, management, investigation, protection, and uti-  
2 lization of fishery and wildlife resources, and the acquisi-  
3 tion of lands and interests therein; \$21,139,000, to remain  
4 available until expended.

5 LAND ACQUISITION

6 For expenses necessary to carry out the Land and  
7 Water Conservation Fund Act of 1965, as amended (16  
8 U.S.C. 4601–4 through 11), including administrative ex-  
9 penses, and for acquisition of land or waters, or interest  
10 therein, in accordance with statutory authority applicable  
11 to the United States Fish and Wildlife Service,  
12 \$67,250,000 (increased by \$2,000,000), to be derived  
13 from the Land and Water Conservation Fund and to re-  
14 main available until expended, of which, notwithstanding  
15 16 U.S.C. 4601–9, not more than \$2,000,000 (increased  
16 by \$2,000,000) shall be for land conservation partnerships  
17 authorized by the Highlands Conservation Act of 2004:  
18 *Provided*, That none of the funds appropriated for specific  
19 land acquisition projects may be used to pay for any ad-  
20 ministrative overhead, planning or other management  
21 costs.

22 COOPERATIVE ENDANGERED SPECIES CONSERVATION  
23 FUND

24 For expenses necessary to carry out section 6 of the  
25 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),

1 as amended, \$100,000,000, to remain available until ex-  
2 pended, of which \$34,307,000 is to be derived from the  
3 Cooperative Endangered Species Conservation Fund, of  
4 which \$5,145,706 shall be for the Idaho Salmon and  
5 Clearwater River Basins Habitat Account pursuant to the  
6 Snake River Water Rights Act of 2004; and of which  
7 \$65,693,000 is to be derived from the Land and Water  
8 Conservation Fund.

9 NATIONAL WILDLIFE REFUGE FUND

10 For expenses necessary to implement the Act of Octo-  
11 ber 17, 1978 (16 U.S.C. 715s), \$14,100,000.

12 NORTH AMERICAN WETLANDS CONSERVATION FUND

13 For expenses necessary to carry out the provisions  
14 of the North American Wetlands Conservation Act, as  
15 amended (16 U.S.C. 4401–4414), \$52,647,000, to remain  
16 available until expended.

17 NEOTROPICAL MIGRATORY BIRD CONSERVATION

18 For expenses necessary to carry out the Neotropical  
19 Migratory Bird Conservation Act, as amended (16 U.S.C.  
20 6101 et seq.), \$5,250,000, to remain available until ex-  
21 pended.

22 MULTINATIONAL SPECIES CONSERVATION FUND

23 For expenses necessary to carry out the African Ele-  
24 phant Conservation Act (16 U.S.C. 4201–4203, 4211–  
25 4214, 4221–4225, 4241–4246, and 1538), the Asian Ele-

1 phant Conservation Act of 1997 (16 U.S.C. 4261–4266),  
2 the Rhinoceros and Tiger Conservation Act of 1994 (16  
3 U.S.C. 5301–5306), the Great Ape Conservation Act of  
4 2000 (16 U.S.C. 6301–6305), and the Marine Turtle Con-  
5 servation Act of 2004 (16 U.S.C. 6601–6606),  
6 \$11,500,000, to remain available until expended.

7 STATE AND TRIBAL WILDLIFE GRANTS

8 For wildlife conservation grants to States and to the  
9 District of Columbia, Puerto Rico, Guam, the United  
10 States Virgin Islands, the Northern Mariana Islands,  
11 American Samoa, and federally recognized Indian tribes  
12 under the provisions of the Fish and Wildlife Act of 1956  
13 and the Fish and Wildlife Coordination Act, for the devel-  
14 opment and implementation of programs for the benefit  
15 of wildlife and their habitat, including species that are not  
16 hunted or fished, \$115,000,000, to remain available until  
17 expended: *Provided*, That of the amount provided herein,  
18 \$7,000,000 is for a competitive grant program for feder-  
19 ally recognized Indian tribes not subject to the remaining  
20 provisions of this appropriation: *Provided further*, That  
21 \$5,000,000 is for a competitive grant program for States,  
22 territories, and other jurisdictions with approved plans,  
23 not subject to the remaining provisions of this appropria-  
24 tion: *Provided further*, That up to \$20,000,000 is for in-  
25 corporating wildlife adaptation strategies and actions to

1 address the impacts of climate change into State Wildlife  
2 Action plans and implementing these adaptation actions:  
3 *Provided further*, That the Secretary shall, after deducting  
4 \$32,000,000 and administrative expenses, apportion the  
5 amount provided herein in the following manner: (1) to  
6 the District of Columbia and to the Commonwealth of  
7 Puerto Rico, each a sum equal to not more than one-half  
8 of 1 percent thereof; and (2) to Guam, American Samoa,  
9 the United States Virgin Islands, and the Commonwealth  
10 of the Northern Mariana Islands, each a sum equal to not  
11 more than one-fourth of 1 percent thereof: *Provided fur-*  
12 *ther*, That the Secretary shall apportion the remaining  
13 amount in the following manner: (1) one-third of which  
14 is based on the ratio to which the land area of such State  
15 bears to the total land area of all such States; and (2)  
16 two-thirds of which is based on the ratio to which the pop-  
17 ulation of such State bears to the total population of all  
18 such States: *Provided further*, That the amounts appor-  
19 tioned under this paragraph shall be adjusted equitably  
20 so that no State shall be apportioned a sum which is less  
21 than 1 percent of the amount available for apportionment  
22 under this paragraph for any fiscal year or more than 5  
23 percent of such amount: *Provided further*, That the Fed-  
24 eral share of planning grants shall not exceed 75 percent  
25 of the total costs of such projects and the Federal share

1 of implementation grants shall not exceed 75 percent of  
2 the total costs of such projects: *Provided further*, That the  
3 non-Federal share of such projects may not be derived  
4 from Federal grant programs: *Provided further*, That no  
5 State, territory, or other jurisdiction shall receive a grant  
6 if its comprehensive wildlife conservation plan is dis-  
7 approved and such funds that would have been distributed  
8 to such State, territory, or other jurisdiction shall be dis-  
9 tributed equitably to States, territories, and other jurisdic-  
10 tions with approved plans: *Provided further*, That any  
11 amount apportioned in 2010 to any State, territory, or  
12 other jurisdiction that remains unobligated as of Sep-  
13 tember 30, 2011, shall be reapportioned, together with  
14 funds appropriated in 2012, in the manner provided here-  
15 in.

16 ADMINISTRATIVE PROVISIONS

17 Appropriations and funds available to the United  
18 States Fish and Wildlife Service shall be available for re-  
19 pair of damage to public roads within and adjacent to res-  
20 ervation areas caused by operations of the Service; options  
21 for the purchase of land at not to exceed \$1 for each op-  
22 tion; facilities incident to such public recreational uses on  
23 conservation areas as are consistent with their primary  
24 purpose; and the maintenance and improvement of aquar-  
25 ia, buildings, and other facilities under the jurisdiction of

1 the Service and to which the United States has title, and  
2 which are used pursuant to law in connection with man-  
3 agement, and investigation of fish and wildlife resources:  
4 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-  
5 ice may, under cooperative cost sharing and partnership  
6 arrangements authorized by law, procure printing services  
7 from cooperators in connection with jointly produced pub-  
8 lications for which the cooperators share at least one-half  
9 the cost of printing either in cash or services and the Serv-  
10 ice determines the cooperator is capable of meeting accept-  
11 ed quality standards: *Provided further*, That, notwith-  
12 standing any other provision of law, the Service may use  
13 up to \$2,000,000 from funds provided for contracts for  
14 employment-related legal services: *Provided further*, That  
15 the Service may accept donated aircraft as replacements  
16 for existing aircraft.

17 NATIONAL PARK SERVICE

18 OPERATION OF THE NATIONAL PARK SYSTEM

19 For expenses necessary for the management, oper-  
20 ation, and maintenance of areas and facilities adminis-  
21 tered by the National Park Service (including expenses to  
22 carry out programs of the United States Park Police), and  
23 for the general administration of the National Park Serv-  
24 ice, \$2,260,684,000, of which \$9,982,000 for planning  
25 and interagency coordination in support of Everglades res-

1 toration and \$98,622,000 for maintenance, repair or reha-  
2 bilitation projects for constructed assets, operation of the  
3 National Park Service automated facility management  
4 software system, and comprehensive facility condition as-  
5 sessments shall remain available until September 30,  
6 2011.

7                   PARK PARTNERSHIP PROJECT GRANTS

8           For expenses necessary to carry out provisions of sec-  
9 tion 814(g) of Public Law 104–333 relating to challenge  
10 cost-share agreements, \$25,000,000, to remain available  
11 until expended for Park Partnership signature projects  
12 and programs: *Provided*, That not less than 50 percent  
13 of the total cost of each project or program is derived from  
14 non-Federal sources in the form of donated cash, assets,  
15 or a pledge of donation guaranteed by an irrevocable letter  
16 of credit.

17                   NATIONAL RECREATION AND PRESERVATION

18           For expenses necessary to carry out recreation pro-  
19 grams, natural programs, cultural programs, heritage  
20 partnership programs, environmental compliance and re-  
21 view, international park affairs, statutory or contractual  
22 aid for other activities, and grant administration, not oth-  
23 erwise provided for, \$59,386,000.



## 1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the Historic  
3 Preservation Act of 1966, as amended (16 U.S.C. 470),  
4 and the Omnibus Parks and Public Lands Management  
5 Act of 1996 (Public Law 104–333), \$90,675,000 (in-  
6 creased by \$1,000,000), to be derived from the Historic  
7 Preservation Fund and to remain available until Sep-  
8 tember 30, 2011; of which \$30,000,000 (increased by  
9 \$1,000,000) shall be for Save America’s Treasures for  
10 preservation of nationally significant sites, structures, and  
11 artifacts; and of which \$6,175,000 shall be for Preserve  
12 America grants to States, federally recognized Indian  
13 Tribes, and local communities for projects that preserve  
14 important historic resources through the promotion of her-  
15 itage tourism: *Provided*, That of the funds provided for  
16 Save America’s Treasures, \$5,310,000 shall be allocated  
17 in the amounts specified for those projects and purposes  
18 in accordance with the terms and conditions specified in  
19 the explanatory statement accompanying this Act.

## 20 CONSTRUCTION

21 For construction, improvements, repair or replace-  
22 ment of physical facilities, including modifications author-  
23 ized by section 104 of the Everglades National Park Pro-  
24 tection and Expansion Act of 1989, \$214,691,000 (re-  
25 duced by \$1,000,000), to remain available until expended:

1 *Provided*, That the National Park Service shall complete  
2 a special resource study along the route of the Mississippi  
3 River in the counties contiguous to the river from its head-  
4 waters in the State of Minnesota to the Gulf of Mexico.

5 LAND AND WATER CONSERVATION FUND

6 (RESCISSION)

7 The contract authority provided for fiscal year 2010  
8 by 16 U.S.C. 460l–10a is rescinded.

9 LAND ACQUISITION AND STATE ASSISTANCE

10 For expenses necessary to carry out the Land and  
11 Water Conservation Act of 1965, as amended (16 U.S.C.  
12 460l–4 through 11), including administrative expenses,  
13 and for acquisition of lands or waters, or interest therein,  
14 in accordance with the statutory authority applicable to  
15 the National Park Service, \$103,222,000 (increased by  
16 \$10,000,000), to be derived from the Land and Water  
17 Conservation Fund and to remain available until ex-  
18 pended, of which \$30,000,000 (increased by \$10,000,000)  
19 is for the State assistance program.

20 ADMINISTRATIVE PROVISIONS

21 In addition to other uses set forth in section 407(d)  
22 of Public Law 105–391, franchise fees credited to a sub-  
23 account shall be available for expenditure by the Sec-  
24 retary, without further appropriation, for use at any unit  
25 within the National Park System to extinguish or reduce

1 liability for Possessory Interest or leasehold surrender in-  
2 terest. Such funds may only be used for this purpose to  
3 the extent that the benefiting unit anticipated franchise  
4 fee receipts over the term of the contract at that unit ex-  
5 ceed the amount of funds used to extinguish or reduce  
6 liability. Franchise fees at the benefiting unit shall be  
7 credited to the sub-account of the originating unit over  
8 a period not to exceed the term of a single contract at  
9 the benefiting unit, in the amount of funds so expended  
10 to extinguish or reduce liability.

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

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

1 UNITED STATES GEOLOGICAL SURVEY  
2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-  
4 logical Survey to perform surveys, investigations, and re-  
5 search covering topography, geology, hydrology, biology,  
6 and the mineral and water resources of the United States,  
7 its territories and possessions, and other areas as author-  
8 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as  
9 to their mineral and water resources; give engineering su-  
10 pervision to power permittees and Federal Energy Regu-  
11 latory Commission licensees; administer the minerals ex-  
12 ploration program (30 U.S.C. 641); conduct inquiries into  
13 the economic conditions affecting mining and materials  
14 processing industries (30 U.S.C. 3, 21a, and 1603; 50  
15 U.S.C. 98g(1)) and related purposes as authorized by law;  
16 and to publish and disseminate data relative to the fore-  
17 going activities; \$1,105,744,000, to remain available until  
18 September 30, 2011, of which \$65,561,000 shall be avail-  
19 able only for cooperation with States or municipalities for  
20 water resources investigations; of which \$40,150,000 shall  
21 remain available until expended for satellite operations;  
22 and of which \$7,321,000 shall be available until expended  
23 for deferred maintenance and capital improvement  
24 projects that exceed \$100,000 in cost and of which  
25 \$2,000,000 shall be available for the United States Geo-

1 logical Survey to fund the operating expenses for the Civil  
2 Applications Committee: *Provided*, That none of the funds  
3 provided for the biological research activity shall be used  
4 to conduct new surveys on private property, unless specifi-  
5 cally authorized in writing by the property owner: *Pro-*  
6 *vided further*, That no part of this appropriation shall be  
7 used to pay more than one-half the cost of topographic  
8 mapping or water resources data collection and investiga-  
9 tions carried on in cooperation with States and municipali-  
10 ties.

11 ADMINISTRATIVE PROVISIONS

12 From within the amount appropriated for activities  
13 of the United States Geological Survey such sums as are  
14 necessary shall be available for reimbursement to the Gen-  
15 eral Services Administration for security guard services;  
16 contracting for the furnishing of topographic maps and  
17 for the making of geophysical or other specialized surveys  
18 when it is administratively determined that such proce-  
19 dures are in the public interest; construction and mainte-  
20 nance of necessary buildings and appurtenant facilities;  
21 acquisition of lands for gauging stations and observation  
22 wells; expenses of the United States National Committee  
23 on Geology; and payment of compensation and expenses  
24 of persons on the rolls of the Survey duly appointed to  
25 represent the United States in the negotiation and admin-

1 istration of interstate compacts: *Provided*, That activities  
2 funded by appropriations herein made may be accom-  
3 plished through the use of contracts, grants, or coopera-  
4 tive agreements as defined in 31 U.S.C. 6302 et seq.: *Pro-*  
5 *vided further*, That the United States Geological Survey  
6 may enter into contracts or cooperative agreements di-  
7 rectly with individuals or indirectly with institutions or  
8 nonprofit organizations, without regard to 41 U.S.C. 5,  
9 for the temporary or intermittent services of students or  
10 recent graduates, who shall be considered employees for  
11 the purpose of chapters 57 and 81 of title 5, United States  
12 Code, relating to compensation for travel and work inju-  
13 ries, and chapter 171 of title 28, United States Code, re-  
14 lating to tort claims, but shall not be considered to be Fed-  
15 eral employees for any other purposes.

16                   MINERALS MANAGEMENT SERVICE

17       ROYALTY AND OFFSHORE MINERALS MANAGEMENT

18       For expenses necessary for minerals leasing and envi-  
19 ronmental studies, regulation of industry operations, and  
20 collection of royalties, as authorized by law; for enforcing  
21 laws and regulations applicable to oil, gas, and other min-  
22 erals leases, permits, licenses and operating contracts; for  
23 energy-related or other authorized marine-related pur-  
24 poses on the Outer Continental Shelf; and for matching  
25 grants or cooperative agreements, \$174,317,000, to re-

1 main available until September 30, 2011, of which  
2 \$89,374,000 shall be available for royalty management ac-  
3 tivities; and an amount not to exceed \$156,730,000, to  
4 be credited to this appropriation and to remain available  
5 until expended, from additions to receipts resulting from  
6 increases to rates in effect on August 5, 1993, and from  
7 cost recovery fees: *Provided*, That notwithstanding 31  
8 U.S.C. 3302, in fiscal year 2010, such amounts as are  
9 assessed under 31 U.S.C. 9701 shall be collected and cred-  
10 ited to this account and shall be available until expended  
11 for necessary expenses: *Provided further*, That to the ex-  
12 tent \$156,730,000 in addition to receipts are not realized  
13 from the sources of receipts stated above, the amount  
14 needed to reach \$156,730,000 shall be credited to this ap-  
15 propriation from receipts resulting from rental rates for  
16 Outer Continental Shelf leases in effect before August 5,  
17 1993: *Provided further*, That not to exceed \$3,000 shall  
18 be available for reasonable expenses related to promoting  
19 volunteer beach and marine cleanup activities: *Provided*  
20 *further*, That notwithstanding any other provision of law,  
21 \$15,000 under this heading shall be available for refunds  
22 of overpayments in connection with certain Indian leases  
23 in which the Director of MMS concurred with the claimed  
24 refund due, to pay amounts owed to Indian allottees or  
25 tribes, or to correct prior unrecoverable erroneous pay-

1 ments: *Provided further*, That for the costs of administra-  
2 tion of the Coastal Impact Assistance Program authorized  
3 by section 31 of the Outer Continental Shelf Lands Act,  
4 as amended (43 U.S.C. 1456a), in fiscal year 2010, MMS  
5 may retain up to 4 percent of the amounts which are dis-  
6 bursed under section 31(b)(1), such retained amounts to  
7 remain available until expended.

8 For an additional amount, \$10,000,000, to remain  
9 available until expended, which shall be derived from non-  
10 refundable inspection fees collected in fiscal year 2010, as  
11 provided in this Act: *Provided*, That to the extent that  
12 such amounts are not realized from such fees, the amount  
13 needed to reach \$10,000,000 shall be credited to this ap-  
14 propriation from receipts resulting from rental rates for  
15 Outer Continental Shelf leases in effect before August 5,  
16 1993.

#### 17 OIL SPILL RESEARCH

18 For necessary expenses to carry out title I, section  
19 1016, title IV, sections 4202 and 4303, title VII, and title  
20 VIII, section 8201 of the Oil Pollution Act of 1990,  
21 \$6,303,000, which shall be derived from the Oil Spill Li-  
22 ability Trust Fund, to remain available until expended.

#### 23 ADMINISTRATIVE PROVISION

24 Notwithstanding the provisions of section 35(b) of  
25 the Mineral Leasing Act, as amended (30 U.S.C. 191(b)),



1 the Secretary shall deduct 2 percent from the amount pay-  
2 able to each State in fiscal year 2010 and deposit the  
3 amount deducted to miscellaneous receipts of the Treas-  
4 ury.

5 OFFICE OF SURFACE MINING RECLAMATION AND  
6 ENFORCEMENT  
7 REGULATION AND TECHNOLOGY

8 For necessary expenses to carry out the provisions  
9 of the Surface Mining Control and Reclamation Act of  
10 1977, Public Law 95–87, as amended, \$127,180,000, to  
11 remain available until September 30, 2011: *Provided,*  
12 That appropriations for the Office of Surface Mining Rec-  
13 lamation and Enforcement may provide for the travel and  
14 per diem expenses of State and tribal personnel attending  
15 Office of Surface Mining Reclamation and Enforcement  
16 sponsored training.

17 ABANDONED MINE RECLAMATION FUND

18 For necessary expenses to carry out title IV of the  
19 Surface Mining Control and Reclamation Act of 1977,  
20 Public Law 95–87, as amended, \$32,088,000, to be de-  
21 rived from receipts of the Abandoned Mine Reclamation  
22 Fund and to remain available until expended: *Provided,*  
23 That pursuant to Public Law 97–365, the Department of  
24 the Interior is authorized to use up to 20 percent from  
25 the recovery of the delinquent debt owed to the United

1 States Government to pay for contracts to collect these  
2 debts: *Provided further*, That amounts provided under this  
3 heading may be used for the travel and per diem expenses  
4 of State and tribal personnel attending Office of Surface  
5 Mining Reclamation and Enforcement sponsored training:  
6 *Provided further*, That funds made available under title  
7 IV of Public Law 95–87 may be used for any required  
8 non-Federal share of the cost of projects funded by the  
9 Federal Government for the purpose of environmental res-  
10 toration related to treatment or abatement of acid mine  
11 drainage from abandoned mines: *Provided further*, That  
12 such projects must be consistent with the purposes and  
13 priorities of the Surface Mining Control and Reclamation  
14 Act.

15 ADMINISTRATIVE PROVISION

16 With funds available for the Technical Innovation  
17 and Professional Services program in this Act, the Sec-  
18 retary may transfer title for computer hardware, software  
19 and other technical equipment to State and tribal regu-  
20 latory and reclamation programs.

21 BUREAU OF INDIAN AFFAIRS

22 OPERATION OF INDIAN PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For expenses necessary for the operation of Indian  
25 programs, as authorized by law, including the Snyder Act

1 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-  
2 termination and Education Assistance Act of 1975 (25  
3 U.S.C. 450 et seq.), as amended, the Education Amend-  
4 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally  
5 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
6 as amended, \$2,300,099,000, to remain available until  
7 September 30, 2011 except as otherwise provided herein;  
8 of which not to exceed \$8,500 may be for official reception  
9 and representation expenses; of which not to exceed  
10 \$74,915,000 shall be for welfare assistance payments:  
11 *Provided*, That in cases of designated Federal disasters,  
12 the Secretary may exceed such cap, from the amounts pro-  
13 vided herein, to provide for disaster relief to Indian com-  
14 munities affected by the disaster; and of which, notwith-  
15 standing any other provision of law, including but not lim-  
16 ited to the Indian Self-Determination Act of 1975, as  
17 amended, not to exceed \$159,084,000 shall be available  
18 for payments for contract support costs associated with  
19 ongoing contracts, grants, compacts, or annual funding  
20 agreements entered into with the Bureau prior to or dur-  
21 ing fiscal year 2010, as authorized by such Act, except  
22 that federally recognized tribes, and tribal organizations  
23 of federally recognized tribes, may use their tribal priority  
24 allocations for unmet contract support costs of ongoing  
25 contracts, grants, or compacts, or annual funding agree-

1 ments and for unmet welfare assistance costs; of which  
2 not to exceed \$568,702,000 for school operations costs of  
3 Bureau-funded schools and other education programs  
4 shall become available on July 1, 2010, and shall remain  
5 available until September 30, 2011; and of which not to  
6 exceed \$59,895,000 shall remain available until expended  
7 for housing improvement, road maintenance, attorney  
8 fees, litigation support, the Indian Self-Determination  
9 Fund, land records improvement, and the Navajo-Hopi  
10 Settlement Program: *Provided further*, That notwith-  
11 standing any other provision of law, including but not lim-  
12 ited to the Indian Self-Determination Act of 1975, as  
13 amended, and 25 U.S.C. 2008, not to exceed \$43,373,000  
14 within and only from such amounts made available for  
15 school operations shall be available for administrative cost  
16 grants associated with ongoing grants entered into with  
17 the Bureau prior to or during fiscal year 2009 for the  
18 operation of Bureau-funded schools, and up to \$500,000  
19 within and only from such amounts made available for ad-  
20 ministrative cost grants shall be available for the transi-  
21 tional costs of initial administrative cost grants to grant-  
22 ees that assume operation on or after July 1, 2009, of  
23 Bureau-funded schools: *Provided further*, That any for-  
24 esty funds allocated to a federally recognized tribe which  
25 remain unobligated as of September 30, 2011, may be

1 transferred during fiscal year 2012 to an Indian forest  
2 land assistance account established for the benefit of the  
3 holder of the funds within the holder's trust fund account:  
4 *Provided further*, That any such unobligated balances not  
5 so transferred shall expire on September 30, 2012: *Pro-*  
6 *vided further*, That in order to enhance the safety of Bu-  
7 reau field employees, the Bureau may use funds to pur-  
8 chase uniforms or other identifying articles of clothing for  
9 personnel.

10 CONSTRUCTION

11 (INCLUDING TRANSFER OF FUNDS)

12 For construction, repair, improvement, and mainte-  
13 nance of irrigation and power systems, buildings, utilities,  
14 and other facilities, including architectural and engineer-  
15 ing services by contract; acquisition of lands, and interests  
16 in lands; and preparation of lands for farming, and for  
17 construction of the Navajo Indian Irrigation Project pur-  
18 suant to Public Law 87-483, \$200,000,000, to remain  
19 available until expended: *Provided*, That such amounts as  
20 may be available for the construction of the Navajo Indian  
21 Irrigation Project may be transferred to the Bureau of  
22 Reclamation: *Provided further*, That not to exceed 6 per-  
23 cent of contract authority available to the Bureau of In-  
24 dian Affairs from the Federal Highway Trust Fund may  
25 be used to cover the road program management costs of

1 the Bureau: *Provided further*, That any funds provided for  
2 the Safety of Dams program pursuant to 25 U.S.C. 13  
3 shall be made available on a nonreimbursable basis: *Pro-*  
4 *vided further*, That for fiscal year 2010, in implementing  
5 new construction or facilities improvement and repair  
6 project grants in excess of \$100,000 that are provided to  
7 grant schools under Public Law 100–297, as amended, the  
8 Secretary of the Interior shall use the Administrative and  
9 Audit Requirements and Cost Principles for Assistance  
10 Programs contained in 43 CFR part 12 as the regulatory  
11 requirements: *Provided further*, That such grants shall not  
12 be subject to section 12.61 of 43 CFR; the Secretary and  
13 the grantee shall negotiate and determine a schedule of  
14 payments for the work to be performed: *Provided further*,  
15 That in considering grant applications, the Secretary shall  
16 consider whether such grantee would be deficient in assur-  
17 ing that the construction projects conform to applicable  
18 building standards and codes and Federal, tribal, or State  
19 health and safety standards as required by 25 U.S.C.  
20 2005(b), with respect to organizational and financial man-  
21 agement capabilities: *Provided further*, That if the Sec-  
22 retary declines a grant application, the Secretary shall fol-  
23 low the requirements contained in 25 U.S.C. 2504(f): *Pro-*  
24 *vided further*, That any disputes between the Secretary  
25 and any grantee concerning a grant shall be subject to

1 the disputes provision in 25 U.S.C. 2507(e): *Provided fur-*  
 2 *ther*, That in order to ensure timely completion of con-  
 3 struction projects, the Secretary may assume control of  
 4 a project and all funds related to the project, if, within  
 5 eighteen months of the date of enactment of this Act, any  
 6 grantee receiving funds appropriated in this Act or in any  
 7 prior Act, has not completed the planning and design  
 8 phase of the project and commenced construction: *Pro-*  
 9 *vided further*, That this appropriation may be reimbursed  
 10 from the Office of the Special Trustee for American Indi-  
 11 ans appropriation for the appropriate share of construc-  
 12 tion costs for space expansion needed in agency offices to  
 13 meet trust reform implementation.

14 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
 15 MISCELLANEOUS PAYMENTS TO INDIANS

16 For payments and necessary administrative expenses  
 17 for implementation of Indian land and water claim settle-  
 18 ments pursuant to Public Laws 99–264, 100–580, 101–  
 19 618, 108–447, 109–379, 109–479, 110–297, and 111–11,  
 20 and for implementation of other land and water rights set-  
 21 tlements, \$47,380,000, to remain available until expended.

22 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

23 For the cost of guaranteed loans and insured loans,  
 24 \$8,215,000, of which \$1,629,000 is for administrative ex-  
 25 penses, as authorized by the Indian Financing Act of

1 1974, as amended: *Provided*, That such costs, including  
2 the cost of modifying such loans, shall be as defined in  
3 section 502 of the Congressional Budget Act of 1974: *Pro-*  
4 *vided further*, That these funds are available to subsidize  
5 total loan principal, any part of which is to be guaranteed  
6 or insured, not to exceed \$93,807,956.

7  
8 INDIAN LAND CONSOLIDATION

9 For consolidation of fractional interests in Indian  
10 lands and expenses associated with redetermining and re-  
11 distributing escheated interests in allotted lands, and for  
12 necessary expenses to carry out the Indian Land Consoli-  
13 dation Act (25 U.S.C. 2201 et seq.), as amended, by direct  
14 expenditure or cooperative agreement, \$3,000,000, to re-  
main available until expended.

15  
16 ADMINISTRATIVE PROVISIONS

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

21 tions.  
22 Notwithstanding 25 U.S.C. 15, the Bureau of Indian  
23 Affairs may contract for services in support of the man-  
24 agement, operation, and maintenance of the Power Divi-  
sion of the San Carlos Irrigation Project.



1       Appropriations for the Bureau of Indian Affairs (ex-  
2 cept the Revolving Fund for Loans Liquidating Account,  
3 Indian Loan Guaranty and Insurance Fund Liquidating  
4 Account, Indian Guaranteed Loan Financing Account, In-  
5 dian Direct Loan Financing Account, and the Indian  
6 Guaranteed Loan Program Account) shall be available for  
7 expenses of exhibits.

8       Notwithstanding any other provision of law, no funds  
9 available to the Bureau of Indian Affairs for central office  
10 oversight and Executive Direction and Administrative  
11 Services (except executive direction and administrative  
12 services funding for Tribal Priority Allocations, regional  
13 offices, and facilities operations and maintenance) shall be  
14 available for contracts, grants, compacts, or cooperative  
15 agreements with the Bureau of Indian Affairs under the  
16 provisions of the Indian Self-Determination Act or the  
17 Tribal Self-Governance Act of 1994 (Public Law 103–  
18 413).

19       In the event any federally recognized tribe returns ap-  
20 propriations made available by this Act to the Bureau of  
21 Indian Affairs, this action shall not diminish the Federal  
22 Government’s trust responsibility to that tribe, or the gov-  
23 ernment-to-government relationship between the United  
24 States and that tribe, or that tribe’s ability to access fu-  
25 ture appropriations.

1           Notwithstanding any other provision of law, no funds  
2 available to the Bureau, other than the amounts provided  
3 herein for assistance to public schools under 25 U.S.C.  
4 452 et seq., shall be available to support the operation of  
5 any elementary or secondary school in the State of Alaska.

6           Appropriations made available in this or any other  
7 Act for schools funded by the Bureau shall be available  
8 only to the schools in the Bureau school system as of Sep-  
9 tember 1, 1996. No funds available to the Bureau shall  
10 be used to support expanded grades for any school or dor-  
11 mitory beyond the grade structure in place or approved  
12 by the Secretary of the Interior at each school in the Bu-  
13 reau school system as of October 1, 1995. Funds made  
14 available under this Act may not be used to establish a  
15 charter school at a Bureau-funded school (as that term  
16 is defined in section 1146 of the Education Amendments  
17 of 1978 (25 U.S.C. 2026)), except that a charter school  
18 that is in existence on the date of the enactment of this  
19 Act and that has operated at a Bureau-funded school be-  
20 fore September 1, 1999, may continue to operate during  
21 that period, but only if the charter school pays to the Bu-  
22 reau a pro rata share of funds to reimburse the Bureau  
23 for the use of the real and personal property (including  
24 buses and vans), the funds of the charter school are kept  
25 separate and apart from Bureau funds, and the Bureau

1 does not assume any obligation for charter school pro-  
2 grams of the State in which the school is located if the  
3 charter school loses such funding. Employees of Bureau-  
4 funded schools sharing a campus with a charter school and  
5 performing functions related to the charter schools oper-  
6 ation and employees of a charter school shall not be treat-  
7 ed as Federal employees for purposes of chapter 171 of  
8 title 28, United States Code.

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

17                   DEPARTMENTAL OFFICES

18                   OFFICE OF THE SECRETARY

19                   SALARIES AND EXPENSES

20       For necessary expenses for management of the De-  
21 partment of the Interior, \$118,836,000; of which  
22 \$12,136,000 for consolidated appraisal services is to be  
23 derived from the Land and Water Conservation Fund and  
24 shall remain available until expended; of which not to ex-  
25 ceed \$15,000 may be for official reception and representa-

1 tion expenses; and of which up to \$1,000,000 shall be  
2 available for workers compensation payments and unem-  
3 ployment compensation payments associated with the or-  
4 derly closure of the United States Bureau of Mines: *Pro-*  
5 *vided*, That for fiscal year 2010 up to \$400,000 of the  
6 payments authorized by the Act of October 20, 1976, as  
7 amended (31 U.S.C. 6901–6907) may be retained for ad-  
8 ministrative expenses of the Payments in Lieu of Taxes  
9 Program: *Provided further*, That no payment shall be  
10 made pursuant to that Act to otherwise eligible units of  
11 local government if the computed amount of the payment  
12 is less than \$100.

13 INSULAR AFFAIRS

14 ASSISTANCE TO TERRITORIES

15 For expenses necessary for assistance to territories  
16 under the jurisdiction of the Department of the Interior,  
17 \$83,995,000, of which: (1) \$74,715,000 shall remain  
18 available until expended for technical assistance, including  
19 maintenance assistance, disaster assistance, insular man-  
20 agement controls, coral reef initiative activities, and brown  
21 tree snake control and research; grants to the judiciary  
22 in American Samoa for compensation and expenses, as au-  
23 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
24 ment of American Samoa, in addition to current local rev-  
25 enues, for construction and support of governmental func-

1 tions; grants to the Government of the Virgin Islands as  
2 authorized by law; grants to the Government of Guam,  
3 as authorized by law; and grants to the Government of  
4 the Northern Mariana Islands as authorized by law (Pub-  
5 lic Law 94–241; 90 Stat. 272); and (2) \$9,280,000 shall  
6 be available until September 30, 2011 for salaries and ex-  
7 penses of the Office of Insular Affairs: *Provided*, That all  
8 financial transactions of the territorial and local govern-  
9 ments herein provided for, including such transactions of  
10 all agencies or instrumentalities established or used by  
11 such governments, may be audited by the Government Ac-  
12 countability Office, at its discretion, in accordance with  
13 chapter 35 of title 31, United States Code: *Provided fur-*  
14 *ther*, That Northern Mariana Islands Covenant grant  
15 funding shall be provided according to those terms of the  
16 Agreement of the Special Representatives on Future  
17 United States Financial Assistance for the Northern Mar-  
18 iana Islands approved by Public Law 104–134: *Provided*  
19 *further*, That of the amounts provided for technical assist-  
20 ance, sufficient funds shall be made available for a grant  
21 to the Pacific Basin Development Council: *Provided fur-*  
22 *ther*, That of the amounts provided for technical assist-  
23 ance, sufficient funding shall be made available for a grant  
24 to the Close Up Foundation: *Provided further*, That the  
25 funds for the program of operations and maintenance im-

1 improvement are appropriated to institutionalize routine op-  
2 erations and maintenance improvement of capital infra-  
3 structure with territorial participation and cost sharing to  
4 be determined by the Secretary based on the grantee's  
5 commitment to timely maintenance of its capital assets:  
6 *Provided further*, That any appropriation for disaster as-  
7 sistance under this heading in this Act or previous appro-  
8 priations Acts may be used as non-Federal matching  
9 funds for the purpose of hazard mitigation grants provided  
10 pursuant to section 404 of the Robert T. Stafford Disaster  
11 Relief and Emergency Assistance Act (42 U.S.C. 5170c).

12 COMPACT OF FREE ASSOCIATION

13 For grants and necessary expenses, \$5,318,000, to  
14 remain available until expended, as provided for in sec-  
15 tions 221(a)(2), 221(b), and 233 of the Compact of Free  
16 Association for the Republic of Palau; and section  
17 221(a)(2) of the Compacts of Free Association for the  
18 Government of the Republic of the Marshall Islands and  
19 the Federated States of Micronesia, as authorized by Pub-  
20 lic Law 99-658 and Public Law 108-188.

21 ADMINISTRATIVE PROVISIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 At the request of the Governor of Guam, the Sec-  
24 retary may transfer discretionary funds or mandatory  
25 funds provided under section 104(e) of Public Law 108-

1 188 and Public Law 104–134, that are allocated for  
2 Guam, to the Secretary of Agriculture for the subsidy cost  
3 of direct or guaranteed loans, plus not to exceed three per-  
4 cent of the amount of the subsidy transferred for the cost  
5 of loan administration, for the purposes authorized by the  
6 Rural Electrification Act of 1936 and section 306(a)(1)  
7 of the Consolidated Farm and Rural Development Act for  
8 construction and repair projects in Guam, and such funds  
9 shall remain available until expended: *Provided*, That such  
10 costs, including the cost of modifying such loans, shall be  
11 as defined in section 502 of the Congressional Budget Act  
12 of 1974: *Provided further*, That such loans or loan guaran-  
13 tees may be made without regard to the population of the  
14 area, credit elsewhere requirements, and restrictions on  
15 the types of eligible entities under the Rural Electrifica-  
16 tion Act of 1936 and section 306(a)(1) of the Consolidated  
17 Farm and Rural Development Act: *Provided further*, That  
18 any funds transferred to the Secretary of Agriculture shall  
19 be in addition to funds otherwise made available to make  
20 or guarantee loans under such authorities.

21 OFFICE OF THE SOLICITOR

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of the Solicitor,  
24 \$65,076,000.

## 1 OFFICE OF INSPECTOR GENERAL

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector  
4 General, \$48,590,000.

## 5 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

## 6 INDIANS

## 7 FEDERAL TRUST PROGRAMS

## 8 (INCLUDING TRANSFER OF FUNDS)

9 For the operation of trust programs for Indians by  
10 direct expenditure, contracts, cooperative agreements,  
11 compacts, and grants, \$185,984,000, to remain available  
12 until expended, of which not to exceed \$56,536,000 from  
13 this or any other Act, shall be available for historical ac-  
14 counting: *Provided*, That funds for trust management im-  
15 provements and litigation support may, as needed, be  
16 transferred to or merged with the Bureau of Indian Af-  
17 fairs, "Operation of Indian Programs" account; the Office  
18 of the Solicitor, "Salaries and Expenses" account; and the  
19 Office of the Secretary, "Salaries and Expenses" account:  
20 *Provided further*, That funds made available through con-  
21 tracts or grants obligated during fiscal year 2010, as au-  
22 thorized by the Indian Self-Determination Act of 1975 (25  
23 U.S.C. 450 et seq.), shall remain available until expended  
24 by the contractor or grantee: *Provided further*, That, not-  
25 withstanding any other provision of law, the statute of lim-



1 itations shall not commence to run on any claim, including  
2 any claim in litigation pending on the date of the enact-  
3 ment of this Act, concerning losses to or mismanagement  
4 of trust funds, until the affected tribe or individual Indian  
5 has been furnished with an accounting of such funds from  
6 which the beneficiary can determine whether there has  
7 been a loss: *Provided further*, That, notwithstanding any  
8 other provision of law, the Secretary shall not be required  
9 to provide a quarterly statement of performance for any  
10 Indian trust account that has not had activity for at least  
11 18 months and has a balance of \$15.00 or less: *Provided*  
12 *further*, That the Secretary shall issue an annual account  
13 statement and maintain a record of any such accounts and  
14 shall permit the balance in each such account to be with-  
15 drawn upon the express written request of the account  
16 holder: *Provided further*, That not to exceed \$50,000 is  
17 available for the Secretary to make payments to correct  
18 administrative errors of either disbursements from or de-  
19 posits to Individual Indian Money or Tribal accounts after  
20 September 30, 2002: *Provided further*, That erroneous  
21 payments that are recovered shall be credited to and re-  
22 main available in this account for this purpose.

1 DEPARTMENT-WIDE PROGRAMS  
2 WILDLAND FIRE MANAGEMENT  
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, sup-  
5 pression operations, fire science and research, emergency  
6 rehabilitation, hazardous fuels reduction, and rural fire as-  
7 sistance by the Department of the Interior, \$932,780,000,  
8 to remain available until expended, of which not to exceed  
9 \$6,137,000 shall be for the renovation or construction of  
10 fire facilities: *Provided*, That such funds are also available  
11 for repayment of advances to other appropriation accounts  
12 from which funds were previously transferred for such  
13 purposes: *Provided further*, That persons hired pursuant  
14 to 43 U.S.C. 1469 may be furnished subsistence and lodg-  
15 ing without cost from funds available from this appropria-  
16 tion: *Provided further*, That notwithstanding 42 U.S.C.  
17 1856d, sums received by a bureau or office of the Depart-  
18 ment of the Interior for fire protection rendered pursuant  
19 to 42 U.S.C. 1856 et seq., protection of United States  
20 property, may be credited to the appropriation from which  
21 funds were expended to provide that protection, and are  
22 available without fiscal year limitation: *Provided further*,  
23 That using the amounts designated under this title of this  
24 Act, the Secretary of the Interior may enter into procure-  
25 ment contracts, grants, or cooperative agreements, for

1 hazardous fuels reduction activities, and for training and  
2 monitoring associated with such hazardous fuels reduction  
3 activities, on Federal land, or on adjacent non-Federal  
4 land for activities that benefit resources on Federal land:  
5 *Provided further*, That the costs of implementing any co-  
6 operative agreement between the Federal Government and  
7 any non-Federal entity may be shared, as mutually agreed  
8 on by the affected parties: *Provided further*, That notwith-  
9 standing requirements of the Competition in Contracting  
10 Act, the Secretary, for purposes of hazardous fuels reduc-  
11 tion activities, may obtain maximum practicable competi-  
12 tion among: (1) local private, nonprofit, or cooperative en-  
13 tities; (2) Youth Conservation Corps crews, Public Lands  
14 Corps (Public Law 109–154), or related partnerships with  
15 State, local, or non-profit youth groups; (3) small or  
16 micro-businesses; or (4) other entities that will hire or  
17 train locally a significant percentage, defined as 50 per-  
18 cent or more, of the project workforce to complete such  
19 contracts: *Provided further*, That in implementing this sec-  
20 tion, the Secretary shall develop written guidance to field  
21 units to ensure accountability and consistent application  
22 of the authorities provided herein: *Provided further*, That  
23 funds appropriated under this head may be used to reim-  
24 burse the United States Fish and Wildlife Service and the  
25 National Marine Fisheries Service for the costs of carrying

1 out their responsibilities under the Endangered Species  
2 Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-  
3 ference, as required by section 7 of such Act, in connection  
4 with wildland fire management activities: *Provided further*,  
5 That the Secretary of the Interior may use wildland fire  
6 appropriations to enter into non-competitive sole source  
7 leases of real property with local governments, at or below  
8 fair market value, to construct capitalized improvements  
9 for fire facilities on such leased properties, including but  
10 not limited to fire guard stations, retardant stations, and  
11 other initial attack and fire support facilities, and to make  
12 advance payments for any such lease or for construction  
13 activity associated with the lease: *Provided further*, That  
14 the Secretary of the Interior and the Secretary of Agri-  
15 culture may authorize the transfer of funds appropriated  
16 for wildland fire management, in an aggregate amount not  
17 to exceed \$50,000,000, between the Departments when  
18 such transfers would facilitate and expedite jointly funded  
19 wildland fire management programs and projects.

20 WILDLAND FIRE SUPPRESSION CONTINGENCY RESERVE  
21 FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses for transfer to “Wildland  
24 Fire Management” for fire suppression operations of the  
25 Department of the Interior, \$75,000,000, to remain avail-

1 able until expended: *Provided*, That amounts in this para-  
2 graph may be transferred and expended only if all funds  
3 appropriated for fire suppression operations under the  
4 heading “Wildland Fire Management” shall be fully obli-  
5 gated within 30 days: *Provided further*, That amounts are  
6 available only to the extent the President has issued a  
7 finding that the amounts are necessary for emergency fire  
8 suppression operations.

9           CENTRAL HAZARDOUS MATERIALS FUND

10       For necessary expenses of the Department of the In-  
11 terior and any of its component offices and bureaus for  
12 response action, including associated activities, performed  
13 pursuant to the Comprehensive Environmental Response,  
14 Compensation, and Liability Act of 1980, as amended (42  
15 U.S.C. 9601 et seq.), \$10,175,000, to remain available  
16 until expended: *Provided*, That Public Law 110–161 (121  
17 Stat. 2116) under the heading “Central Hazardous Mate-  
18 rials Fund” is amended by striking “in advance of or as  
19 reimbursement for remedial action or response activities  
20 conducted by the Department pursuant to section 107 or  
21 113(f) of such Act” and inserting in lieu thereof “includ-  
22 ing any fines or penalties”.

1 NATURAL RESOURCE DAMAGE ASSESSMENT AND  
2 RESTORATION  
3 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

4 To conduct natural resource damage assessment and  
5 restoration activities by the Department of the Interior  
6 necessary to carry out the provisions of the Comprehensive  
7 Environmental Response, Compensation, and Liability  
8 Act, as amended (42 U.S.C. 9601 et seq.), the Federal  
9 Water Pollution Control Act, as amended (33 U.S.C. 1251  
10 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701  
11 et seq.), and Public Law 101–337, as amended (16 U.S.C.  
12 19jj et seq.), \$6,462,000, to remain available until ex-  
13 pended.

14 WORKING CAPITAL FUND

15 For the acquisition of a departmental financial and  
16 business management system and information technology  
17 improvements of general benefit to the Department,  
18 \$85,823,000 (reduced by \$10,000,000), to remain avail-  
19 able until expended: *Provided*, That none of the funds in  
20 this Act or previous appropriations Acts may be used to  
21 establish reserves in the Working Capital Fund account  
22 other than for accrued annual leave and depreciation of  
23 equipment without prior approval of the House and Senate  
24 Committees on Appropriations: *Provided further*, That the  
25 Secretary may assess reasonable charges to State, local,

1 and tribal government employees for training services pro-  
2 vided by the National Indian Program Training Center,  
3 other than training related to Public Law 93–638: *Pro-*  
4 *vided further*, That the Secretary may lease or otherwise  
5 provide space and related facilities, equipment or profes-  
6 sional services of the National Indian Program Training  
7 Center to State, local, and tribal government employees  
8 or persons or organizations engaged in cultural, edu-  
9 cational, or recreational activities (as defined in 40 U.S.C.  
10 3306(a)) at the prevailing rate for similar space, facilities,  
11 equipment, or services in the vicinity of the National In-  
12 dian Program Training Center: *Provided further*, That all  
13 funds received pursuant to the two preceding provisos  
14 shall be credited to this account, shall be available until  
15 expended, and shall be used by the Secretary for necessary  
16 expenses of the National Indian Program Training Center.

17 ADMINISTRATIVE PROVISIONS

18 There is hereby authorized for acquisition from avail-  
19 able resources within the Working Capital Fund, 15 air-  
20 craft, 10 of which shall be for replacement and which may  
21 be obtained by donation, purchase or through available ex-  
22 cess surplus property: *Provided*, That existing aircraft  
23 being replaced may be sold, with proceeds derived or  
24 trade-in value used to offset the purchase price for the  
25 replacement aircraft.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR  
2 (INCLUDING TRANSFERS OF FUNDS)

3 SEC. 101. Appropriations made in this title shall be  
4 available for expenditure or transfer (within each bureau  
5 or office), with the approval of the Secretary, for the emer-  
6 gency reconstruction, replacement, or repair of aircraft,  
7 buildings, utilities, or other facilities or equipment dam-  
8 aged or destroyed by fire, flood, storm, or other unavoid-  
9 able causes: *Provided*, That no funds shall be made avail-  
10 able under this authority until funds specifically made  
11 available to the Department of the Interior for emer-  
12 gencies shall have been exhausted: *Provided further*, That  
13 all funds used pursuant to this section must be replenished  
14 by a supplemental appropriation which must be requested  
15 as promptly as possible.

16 SEC. 102. The Secretary may authorize the expendi-  
17 ture or transfer of any no year appropriation in this title,  
18 in addition to the amounts included in the budget pro-  
19 grams of the several agencies, for the suppression or emer-  
20 gency prevention of wildland fires on or threatening lands  
21 under the jurisdiction of the Department of the Interior;  
22 for the emergency rehabilitation of burned-over lands  
23 under its jurisdiction; for emergency actions related to po-  
24 tential or actual earthquakes, floods, volcanoes, storms, or  
25 other unavoidable causes; for contingency planning subse-



1 quent to actual oil spills; for response and natural resource  
2 damage assessment activities related to actual oil spills;  
3 for the prevention, suppression, and control of actual or  
4 potential grasshopper and Mormon cricket outbreaks on  
5 lands under the jurisdiction of the Secretary, pursuant to  
6 the authority in section 1773(b) of Public Law 99–198  
7 (99 Stat. 1658); for emergency reclamation projects under  
8 section 410 of Public Law 95–87; and shall transfer, from  
9 any no year funds available to the Office of Surface Min-  
10 ing Reclamation and Enforcement, such funds as may be  
11 necessary to permit assumption of regulatory authority in  
12 the event a primacy State is not carrying out the regu-  
13 latory provisions of the Surface Mining Act: *Provided*,  
14 That appropriations made in this title for wildland fire  
15 operations and shall be available for the payment of obli-  
16 gations incurred during the preceding fiscal year, and for  
17 reimbursement to other Federal agencies for destruction  
18 of vehicles, aircraft, or other equipment in connection with  
19 their use for wildland fire operations, such reimbursement  
20 to be credited to appropriations currently available at the  
21 time of receipt thereof: *Provided further*, That for wildland  
22 fire operations, no funds shall be made available under  
23 this authority until the Secretary determines that funds  
24 appropriated for “wildland fire operations” and “Wildland  
25 Fire Suppression Contingency Reserve Fund” shall be ex-

1 hausted within 30 days: *Provided further*, That all funds  
2 used pursuant to this section must be replenished by a  
3 supplemental appropriation which must be requested as  
4 promptly as possible: *Provided further*, That such replen-  
5 ishment funds shall be used to reimburse, on a pro rata  
6 basis, accounts from which emergency funds were trans-  
7 ferred.

8       SEC. 103. Appropriations made to the Department  
9 of the Interior in this title shall be available for services  
10 as authorized by 5 U.S.C. 3109, when authorized by the  
11 Secretary, in total amount not to exceed \$500,000; pur-  
12 chase and replacement of motor vehicles, including spe-  
13 cially equipped law enforcement vehicles; hire, mainte-  
14 nance, and operation of aircraft; hire of passenger motor  
15 vehicles; purchase of reprints; payment for telephone serv-  
16 ice in private residences in the field, when authorized  
17 under regulations approved by the Secretary; and the pay-  
18 ment of dues, when authorized by the Secretary, for li-  
19 brary membership in societies or associations which issue  
20 publications to members only or at a price to members  
21 lower than to subscribers who are not members.

22       SEC. 104. Appropriations made in this Act under the  
23 headings Bureau of Indian Affairs and Office of the Spe-  
24 cial Trustee for American Indians and any unobligated  
25 balances from prior appropriations Acts made under the

1 same headings shall be available for expenditure or trans-  
2 fer for Indian trust management and reform activities.  
3 Total funding for historical accounting activities shall not  
4 exceed amounts specifically designated in this Act for such  
5 purpose.

6       SEC. 105. Notwithstanding any other provision of  
7 law, the Secretary of the Interior is authorized to redis-  
8 tribute any Tribal Priority Allocation funds, including  
9 tribal base funds, to alleviate tribal funding inequities by  
10 transferring funds to address identified, unmet needs,  
11 dual enrollment, overlapping service areas or inaccurate  
12 distribution methodologies. No federally recognized tribe  
13 shall receive a reduction in Tribal Priority Allocation  
14 funds of more than 10 percent in fiscal year 2010. Under  
15 circumstances of dual enrollment, overlapping service  
16 areas or inaccurate distribution methodologies, the 10 per-  
17 cent limitation does not apply.

18       SEC. 106. Notwithstanding any other provision of  
19 law, in conveying the Twin Cities Research Center under  
20 the authority provided by Public Law 104–134, as amend-  
21 ed by Public Law 104–208, the Secretary may accept and  
22 retain land and other forms of reimbursement: *Provided*,  
23 That the Secretary may retain and use any such reim-  
24 bursement until expended and without further appropria-  
25 tion: (1) for the benefit of the National Wildlife Refuge

1 System within the State of Minnesota; and (2) for all ac-  
2 tivities authorized by 16 U.S.C. 460zz.

3       SEC. 107. The Secretary of the Interior may use dis-  
4 cretionary funds to pay private attorney fees and costs for  
5 employees and former employees of the Department of the  
6 Interior reasonably incurred in connection with Cobell v.  
7 Salazar to the extent that such fees and costs are not paid  
8 by the Department of Justice or by private insurance. In  
9 no case shall the Secretary make payments under this sec-  
10 tion that would result in payment of hourly fees in excess  
11 of the highest hourly rate approved by the District Court  
12 for the District of Columbia for counsel in Cobell v.  
13 Salazar.

14       SEC. 108. The United States Fish and Wildlife Serv-  
15 ice shall, in carrying out its responsibilities to protect  
16 threatened and endangered species of salmon, implement  
17 a system of mass marking of salmonid stocks, intended  
18 for harvest, that are released from federally operated or  
19 federally financed hatcheries including but not limited to  
20 fish releases of coho, chinook, and steelhead species.  
21 Marked fish must have a visible mark that can be readily  
22 identified by commercial and recreational fishers.

23       SEC. 109. Notwithstanding any other provision of  
24 law, the Secretary of the Interior is authorized to acquire  
25 lands, waters, or interests therein including the use of all

1 or part of any pier, dock, or landing within the State of  
2 New York and the State of New Jersey, for the purpose  
3 of operating and maintaining facilities in the support of  
4 transportation and accommodation of visitors to Ellis,  
5 Governors, and Liberty Islands, and of other program and  
6 administrative activities, by donation or with appropriated  
7 funds, including franchise fees (and other monetary con-  
8 sideration), or by exchange; and the Secretary is author-  
9 ized to negotiate and enter into leases, subleases, conces-  
10 sion contracts or other agreements for the use of such fa-  
11 cilities on such terms and conditions as the Secretary may  
12 determine reasonable.

13       SEC. 110. Title 43 U.S.C. 1473, as amended by Pub-  
14 lic Law 111–8, is further amended by striking “in fiscal  
15 years 2008 and 2009 only” and inserting “in fiscal years  
16 2010 through 2013”.

17       SEC. 111. The Secretary of the Interior may enter  
18 into cooperative agreements with a State or political sub-  
19 division (including any agency thereof), or any not-for-  
20 profit organization if the agreement will: (1) serve a mu-  
21 tual interest of the parties to the agreement in carrying  
22 out the programs administered by the Department of the  
23 Interior; and (2) all parties will contribute resources to  
24 the accomplishment of these objectives. At the discretion

1 of the Secretary, such agreements shall not be subject to  
2 a competitive process.

3       SEC. 112. Funds provided in this Act for Federal  
4 land acquisition by the National Park Service for Ice Age  
5 National Scenic Trail may be used for a grant to a State,  
6 a local government, or any other land management entity  
7 for the acquisition of lands without regard to any restric-  
8 tion on the use of Federal land acquisition funds provided  
9 through the Land and Water Conservation Fund Act of  
10 1965 as amended.

11       SEC. 113. Notwithstanding any other provision of  
12 law, for fiscal year 2010 and each fiscal year thereafter,  
13 sections 109 and 110 of the Federal Oil and Gas Royalty  
14 Management Act (30 U.S.C. 1719 and 1720) shall apply  
15 to any lease authorizing exploration for or development of  
16 coal, any other solid mineral, or any geothermal resource  
17 on any Federal or Indian lands and any lease, easement,  
18 right of way, or other agreement, regardless of form, for  
19 use of the Outer Continental Shelf or any of its resources  
20 under section 8(k) or 8(p) of the Outer Continental Shelf  
21 Lands Act (43 U.S.C. 1337(k) and 1337(p)) to the same  
22 extent as if such lease, easement, right of way, or other  
23 agreement, regardless of form, were an oil and gas lease,  
24 except that in such cases the term “royalty payment” shall  
25 include any payment required by such lease, easement,

1 right of way or other agreement, regardless of form, or  
2 by applicable regulation.

3       SEC. 114. (a) In fiscal year 2010, the Minerals Man-  
4 agement Service (MMS) shall collect a non-refundable in-  
5 spection fee, which shall be deposited in the “Royalty and  
6 Offshore Minerals Management” account, from the des-  
7 ignated operator for facilities subject to inspection by  
8 MMS under 43 U.S.C. 1348(c) that are above the water-  
9 line, except mobile offshore drilling units, and are in place  
10 at the start of fiscal year 2010.

11       (b) Fees for 2010 shall be—

12           (1) \$2,000 for facilities with no wells, but with  
13 processing equipment or gathering lines;

14           (2) \$3,250 for facilities with one to ten wells,  
15 with any combination of active or inactive wells; and

16           (3) \$6,000 for facilities with more than ten  
17 wells, with any combination of active or inactive  
18 wells.

19       (c) MMS will bill designated operators within 60 days  
20 of enactment of this bill, with payment required within  
21 30 days of billing.

22       SEC. 115. Section 4 of Public Law 89–565, as  
23 amended (16 U.S.C. 282c), relating to San Juan Island  
24 National Historic Park, is amended by striking  
25 “\$5,575,000” and inserting “\$13,575,000”.

1           SEC. 116. Section 1(c)(2) of Public Law 109–441 is  
2 amended by adding after subparagraph (D) the following  
3 new subparagraphs:

4                   “(E) Minidoka, depicted in a map entitled  
5           ‘Minidoka National Historic Site and Environs  
6           - Draft Document’, dated May 27, 2009. The  
7           Secretary is authorized to accept a donation of  
8           land or interest in land acquired with funds  
9           provided under this section, as an addition to  
10          the Minidoka National Historic Site and admin-  
11          istered in accordance with section 313(c)(5) of  
12          Public Law 110–229.

13                   “(F) Heart Mountain, depicted in Figure  
14          6.3 of the Site Document.”.

## 15           TITLE II—ENVIRONMENTAL PROTECTION

### 16                               AGENCY

#### 17                                       SCIENCE AND TECHNOLOGY

18           For science and technology, including research and  
19 development activities, which shall include research and  
20 development activities under the Comprehensive Environ-  
21 mental Response, Compensation, and Liability Act of  
22 1980, as amended; necessary expenses for personnel and  
23 related costs and travel expenses; procurement of labora-  
24 tory equipment and supplies; and other operating expenses



1 in support of research and development, \$849,649,000, to  
2 remain available until September 30, 2011.

3 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

4 For environmental programs and management, in-  
5 cluding necessary expenses, not otherwise provided for, for  
6 personnel and related costs and travel expenses; hire of  
7 passenger motor vehicles; hire, maintenance, and oper-  
8 ation of aircraft; purchase of reprints; library member-  
9 ships in societies or associations which issue publications  
10 to members only or at a price to members lower than to  
11 subscribers who are not members; administrative costs of  
12 the brownfields program under the Small Business Liabil-  
13 ity Relief and Brownfields Revitalization Act of 2002; and  
14 not to exceed \$9,000 for official reception and representa-  
15 tion expenses, \$3,022,054,000, to remain available until  
16 September 30, 2011: *Provided*, That of the funds included  
17 under this heading, not less than \$628,941,000 shall be  
18 for the Geographic Programs specified in the explanatory  
19 statement accompanying this Act.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector  
22 General in carrying out the provisions of the Inspector  
23 General Act of 1978, as amended, \$44,791,000, to remain  
24 available until September 30, 2011.

## 1 BUILDINGS AND FACILITIES

2 For construction, repair, improvement, extension, al-  
3 teration, and purchase of fixed equipment or facilities of,  
4 or for use by, the Environmental Protection Agency,  
5 \$35,001,000 (reduced by \$2,000,000), to remain available  
6 until expended.

## 7 HAZARDOUS SUBSTANCE SUPERFUND

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses to carry out the Comprehen-  
10 sive Environmental Response, Compensation, and Liabil-  
11 ity Act of 1980 (CERCLA), as amended, including sec-  
12 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.  
13 9611) \$1,306,541,000, to remain available until expended,  
14 consisting of such sums as are available in the Trust Fund  
15 on September 30, 2009, as authorized by section 517(a)  
16 of the Superfund Amendments and Reauthorization Act  
17 of 1986 (SARA) and up to \$1,306,541,000 as a payment  
18 from general revenues to the Hazardous Substance Super-  
19 fund for purposes as authorized by section 517(b) of  
20 SARA, as amended: *Provided*, That funds appropriated  
21 under this heading may be allocated to other Federal  
22 agencies in accordance with section 111(a) of CERCLA:  
23 *Provided further*, That of the funds appropriated under  
24 this heading, \$9,975,000 shall be paid to the “Office of  
25 Inspector General” appropriation to remain available until

1 September 30, 2011, and \$26,834,000 shall be paid to the  
2 “Science and Technology” appropriation to remain avail-  
3 able until September 30, 2011.

4 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
5 PROGRAM

6 For necessary expenses to carry out leaking under-  
7 ground storage tank cleanup activities authorized by sub-  
8 title I of the Solid Waste Disposal Act, as amended,  
9 \$113,101,000, to remain available until expended, of  
10 which \$78,671,000 shall be for carrying out leaking un-  
11 derground storage tank cleanup activities authorized by  
12 section 9003(h) of the Solid Waste Disposal Act, as  
13 amended; \$34,430,000 shall be for carrying out the other  
14 provisions of the Solid Waste Disposal Act specified in sec-  
15 tion 9508(c) of the Internal Revenue Code, as amended:  
16 *Provided*, That the Administrator is authorized to use ap-  
17 propriations made available under this heading to imple-  
18 ment section 9013 of the Solid Waste Disposal Act to pro-  
19 vide financial assistance to federally recognized Indian  
20 tribes for the development and implementation of pro-  
21 grams to manage underground storage tanks.

22 OIL SPILL RESPONSE

23 For expenses necessary to carry out the Environ-  
24 mental Protection Agency’s responsibilities under the Oil  
25 Pollution Act of 1990, \$18,379,000, to be derived from

1 the Oil Spill Liability trust fund, to remain available until  
2 expended.

3 STATE AND TRIBAL ASSISTANCE GRANTS

4 For environmental programs and infrastructure as-  
5 sistance, including capitalization grants for State revolving  
6 ing funds and performance partnership grants,  
7 \$5,215,446,000, to remain available until expended, of  
8 which \$2,307,000,000 shall be for making capitalization  
9 grants for the Clean Water State Revolving Funds under  
10 title VI of the Federal Water Pollution Control Act, as  
11 amended (the “Act”); of which \$1,443,000,000 shall be  
12 for making capitalization grants for the Drinking Water  
13 State Revolving Funds under section 1452 of the Safe  
14 Drinking Water Act, as amended: *Provided*, That  
15 \$20,000,000 shall be for architectural, engineering, plan-  
16 ning, design, construction and related activities in connec-  
17 tion with the construction of high priority water and  
18 wastewater facilities in the area of the United States-Mex-  
19 ico border, after consultation with the appropriate border  
20 commission; \$10,000,000 shall be for grants to the State  
21 of Alaska to address drinking water and wastewater infra-  
22 structure needs of rural and Alaska Native Villages: *Pro-*  
23 *vided further*, That, of these funds: (1) the State of Alaska  
24 shall provide a match of 25 percent; and (2) no more than  
25 5 percent of the funds may be used for administrative and

1 overhead expenses; \$160,000,000 shall be for making spe-  
2 cial project grants for the construction of drinking water,  
3 wastewater and storm water infrastructure and for water  
4 quality protection in accordance with the terms and condi-  
5 tions specified for such grants in the explanatory state-  
6 ment accompanying this Act, and, for purposes of these  
7 grants, each grantee shall contribute not less than 45 per-  
8 cent of the cost of the project unless the grantee is ap-  
9 proved for a waiver by the Agency; \$100,000,000 shall be  
10 to carry out section 104(k) of the Comprehensive Environ-  
11 mental Response, Compensation, and Liability Act of  
12 1980 (CERCLA), as amended, including grants, inter-  
13 agency agreements, and associated program support costs;  
14 \$60,000,000 shall be for grants under title VII, subtitle  
15 G of the Energy Policy Act of 2005, as amended; and  
16 \$1,115,446,000 shall be for grants, including associated  
17 program support costs, to States, federally recognized  
18 tribes, interstate agencies, tribal consortia, and air pollu-  
19 tion control agencies for multi-media or single media pol-  
20 lution prevention, control and abatement and related ac-  
21 tivities, including activities pursuant to the provisions set  
22 forth under this heading in Public Law 104–134, and for  
23 making grants under section 103 of the Clean Air Act for  
24 particulate matter monitoring and data collection activi-  
25 ties subject to terms and conditions specified by the Ad-

1 administrator, of which \$49,495,000 shall be for carrying  
2 out section 128 of CERCLA, as amended, \$10,000,000  
3 shall be for Environmental Information Exchange Net-  
4 work grants, including associated program support costs,  
5 \$18,500,000 of the funds available for grants under sec-  
6 tion 106 of the Act shall be for water quality monitoring  
7 activities, \$10,000,000 shall be for competitive grants to  
8 communities to develop plans and demonstrate and imple-  
9 ment projects which reduce greenhouse gas emissions,  
10 and, in addition to funds appropriated under the heading  
11 “Leaking Underground Storage Tank Trust Fund Pro-  
12 gram” to carry out the provisions of the Solid Waste Dis-  
13 posal Act specified in section 9508(c) of the Internal Rev-  
14 enue Code other than section 9003(h) of the Solid Waste  
15 Disposal Act, as amended, \$2,500,000 shall be for grants  
16 to States under section 2007(f)(2) of the Solid Waste Dis-  
17 posal Act, as amended: *Provided further*, That notwith-  
18 standing section 603(d)(7) of the Federal Water Pollution  
19 Control Act, the limitation on the amounts in a State  
20 water pollution control revolving fund that may be used  
21 by a State to administer the fund shall not apply to  
22 amounts included as principal in loans made by such fund  
23 in fiscal year 2010 and prior years where such amounts  
24 represent costs of administering the fund to the extent  
25 that such amounts are or were deemed reasonable by the

1 Administrator, accounted for separately from other assets  
2 in the fund, and used for eligible purposes of the fund,  
3 including administration: *Provided further*, That for fiscal  
4 year 2010, and notwithstanding section 518(f) of the Act,  
5 the Administrator is authorized to use the amounts appro-  
6 priated for any fiscal year under section 319 of that Act  
7 to make grants to federally recognized Indian tribes pur-  
8 suant to sections 319(h) and 518(e) of that Act: *Provided*  
9 *further*, That for fiscal year 2010, notwithstanding the  
10 limitation on amounts in section 518(c) of the Federal  
11 Water Pollution Control Act and section 1452(i) of the  
12 Safe Drinking Water Act, up to a total of 2 percent of  
13 the funds appropriated for State Revolving Funds under  
14 such Acts may be reserved by the Administrator for grants  
15 under section 518(c) and section 1452(i) of such Acts:  
16 *Provided further*, That for fiscal year 2010, in addition  
17 to the amounts specified in section 205(c) of the Federal  
18 Water Pollution Control Act, up to 1.2486 percent of the  
19 funds appropriated for the Clean Water State Revolving  
20 Fund program under the Act may be reserved by the Ad-  
21 ministrator for grants made under title II of the Clean  
22 Water Act for American Samoa, Guam, the Common-  
23 wealth of the Northern Marianas, and United States Vir-  
24 gin Islands: *Provided further*, That for fiscal year 2010,  
25 notwithstanding the limitations on amounts specified in

1 section 1452(j) of the Safe Drinking Water Act, up to 1.5  
2 percent of the funds appropriated for the Drinking Water  
3 State Revolving Fund programs under the Safe Drinking  
4 Water Act may be reserved by the Administrator for  
5 grants made under section 1452(j) of the Safe Drinking  
6 Water Act: *Provided further*, That no funds provided by  
7 this appropriations Act to address the water, wastewater  
8 and other critical infrastructure needs of the colonias in  
9 the United States along the United States-Mexico border  
10 shall be made available to a county or municipal govern-  
11 ment unless that government has established an enforce-  
12 able local ordinance, or other zoning rule, which prevents  
13 in that jurisdiction the development or construction of any  
14 additional colonia areas, or the development within an ex-  
15 isting colonia the construction of any new home, business,  
16 or other structure which lacks water, wastewater, or other  
17 necessary infrastructure.

18 ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL

19 PROTECTION AGENCY

20 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

21 For fiscal year 2010, notwithstanding 31 U.S.C.  
22 6303(1) and 6305(1), the Administrator of the Environ-  
23 mental Protection Agency, in carrying out the Agency's  
24 function to implement directly Federal environmental pro-  
25 grams required or authorized by law in the absence of an



1 acceptable tribal program, may award cooperative agree-  
2 ments to federally recognized Indian tribes or Intertribal  
3 consortia, if authorized by their member tribes, to assist  
4 the Administrator in implementing Federal environmental  
5 programs for Indian tribes required or authorized by law,  
6 except that no such cooperative agreements may be award-  
7 ed from funds designated for State financial assistance  
8 agreements.

9       The Administrator of the Environmental Protection  
10 Agency is authorized to collect and obligate pesticide reg-  
11 istration service fees in accordance with section 33 of the  
12 Federal Insecticide, Fungicide, and Rodenticide Act, as  
13 amended by Public Law 110–94, the Pesticide Registra-  
14 tion Improvement Renewal Act.

15       Title II of Public Law 109–54, as amended by title  
16 II of division E of Public Law 111–8 (123 Stat.729), is  
17 amended in the fourth paragraph under the heading “Ad-  
18 ministrative Provisions” by striking “2011” and inserting  
19 “2015”.

20       From unobligated balances to carry out projects and  
21 activities funded through the “State and Tribal Assistance  
22 Grants” account, \$142,000,000 are hereby permanently  
23 rescinded: *Provided*, That no amounts may be cancelled  
24 from amounts that were designated by the Congress as  
25 an emergency requirement pursuant to the Concurrent

1 Resolution on the Budget or the Balanced Budget and  
2 Emergency Deficit Control Act of 1985, as amended.

3       The Administrator is authorized to transfer up to  
4 \$475,000,000 from the “Environmental Programs and  
5 Management” account to the head of any other Federal  
6 department or agency (including but not limited to the De-  
7 partments of Agriculture, Army, Commerce, Health and  
8 Human Services, Homeland Security, the Interior, State,  
9 and Transportation), with the concurrence of such head,  
10 to carry out activities that would support the Great Lakes  
11 Restoration Initiative and Great Lakes Water Quality  
12 Agreement programs, projects, or activities; to enter into  
13 an interagency agreement with the head of such Federal  
14 department or agency to carry out these activities; and  
15 to make grants to governmental entities, nonprofit organi-  
16 zations, institutions, and individuals for planning, re-  
17 search, monitoring, outreach, and implementation in fur-  
18 therance of the Great Lakes Restoration Initiative and the  
19 Great Lakes Water Quality Agreement.

20       Not less than 30 percent of the funds made available  
21 under this title to each State for Clean Water State Re-  
22 volving Fund capitalization grants and not less than 30  
23 percent of the funds made available under this title to each  
24 State for Drinking Water State Revolving Fund capital-  
25 ization grants shall be used by the State to provide addi-

1 tional subsidy to eligible recipients in the form of forgive-  
2 ness of principal, negative interest loans, or grants (or any  
3 combination of these), except that for the Clean Water  
4 State Revolving Fund capitalization grant appropriation  
5 this section shall only apply to the portion that exceeds  
6 \$1,000,000,000.

7       To the extent there are sufficient eligible project ap-  
8 plications, not less than 20 percent of the funds made  
9 available under this title to each State for Clean Water  
10 State Revolving Fund capitalization grants and not less  
11 than 20 percent of the funds made available under this  
12 title to each State for Drinking Water State Revolving  
13 Fund capitalization grants shall be used by the State for  
14 projects to address green infrastructure, water efficiency,  
15 or energy efficiency improvements.

16       For fiscal year 2010 and each fiscal year thereafter,  
17 the requirements of section 513 of the Federal Water Pol-  
18 lution Control Act (33 U.S.C. 1372) shall apply to the  
19 construction of treatment works carried out in whole or  
20 in part with assistance made available by a State water  
21 pollution control revolving fund as authorized by title VI  
22 of that Act (33 U.S.C. 1381 et seq.), or with assistance  
23 made available under section 205(m) of that Act (33  
24 U.S.C. 1285(m)), or both.

1 For fiscal year 2010 and each fiscal year thereafter,  
2 the requirements of section 1450(e) of the Safe Drinking  
3 Water Act (42 U.S.C. 300j–9(e)) shall apply to any con-  
4 struction project carried out in whole or in part with as-  
5 sistance made available by a drinking water treatment re-  
6 volving loan fund as authorized by section 1452 of that  
7 Act (42 U.S.C. 300j–12).

8 TITLE III—RELATED AGENCIES

9 DEPARTMENT OF AGRICULTURE

10 FOREST SERVICE

11 FOREST AND RANGELAND RESEARCH

12 For necessary expenses of forest and rangeland re-  
13 search as authorized by law, \$308,612,000, to remain  
14 available until expended: *Provided*, That of the funds pro-  
15 vided, \$61,939,000 is for the forest inventory and analysis  
16 program.

17 STATE AND PRIVATE FORESTRY

18 For necessary expenses of cooperating with and pro-  
19 viding technical and financial assistance to States, terri-  
20 tories, possessions, and others, and for forest health man-  
21 agement, including treatments of pests, pathogens, and  
22 invasive or noxious plants and for restoring and rehabili-  
23 tating forests damaged by pests or invasive plants, cooper-  
24 ative forestry, and education and land conservation activi-  
25 ties and conducting an international program as author-

1 ized, \$307,486,000, to remain available until expended, as  
2 authorized by law; and of which \$76,215,000 is to be de-  
3 rived from the Land and Water Conservation Fund.

4 NATIONAL FOREST SYSTEM

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Forest Service, not  
7 otherwise provided for, for management, protection, im-  
8 provement, and utilization of the National Forest System,  
9 \$1,564,801,000 (reduced by \$25,000,000) (increased by  
10 \$25,000,000), to remain available until expended, which  
11 shall include 50 percent of all moneys received during  
12 prior fiscal years as fees collected under the Land and  
13 Water Conservation Fund Act of 1965, as amended, in  
14 accordance with section 4 of the Act (16 U.S.C. 460l-  
15 6a(i)): *Provided*, That, the Secretary may authorize the  
16 expenditure or transfer of up to \$10,000,000 to the De-  
17 partment of the Interior, Bureau of Land Management,  
18 for removal, preparation, and adoption of excess wild  
19 horses and burros from National Forest System lands,  
20 and for the performance of cadastral surveys to designate  
21 the boundaries of such lands: *Provided further*, That up  
22 to \$10,000,000 may be transferred to and made a part  
23 of other Forest Service accounts if the transfer enhances  
24 the efficiency or effectiveness of Federal activities.

## 1 CAPITAL IMPROVEMENT AND MAINTENANCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Forest Service, not  
4 otherwise provided for, \$560,637,000, to remain available  
5 until expended, for construction, capital improvement,  
6 maintenance and acquisition of buildings and other facili-  
7 ties and infrastructure; and for construction, capital im-  
8 provement, decommissioning, and maintenance of forest  
9 roads and trails by the Forest Service as authorized by  
10 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,  
11 That \$100,000,000 shall be designated for urgently need-  
12 ed road decommissioning, road and trail repair and main-  
13 tenance and associated activities, and removal of fish pas-  
14 sage barriers, especially in areas where Forest Service  
15 roads may be contributing to water quality problems in  
16 streams and water bodies which support threatened, en-  
17 dangered or sensitive species or community water sources:  
18 *Provided further*, That funds provided herein shall be  
19 available for the decommissioning of roads, including un-  
20 authorized roads not part of the transportation system,  
21 which are no longer needed: *Provided further*, That public  
22 comment should be provided before system roads are de-  
23 commissioned: *Provided further*, That the decommis-  
24 sioning of unauthorized roads not part of the official  
25 transportation system shall be expedited in response to

1 threats to public safety, water quality, or natural re-  
2 sources: *Provided further*, That funds becoming available  
3 in fiscal year 2010 under the Act of March 4, 1913 (16  
4 U.S.C. 501) shall be transferred to the General Fund of  
5 the Treasury and shall not be available for transfer or obli-  
6 gation for any other purpose unless the funds are appro-  
7 priated: *Provided further*, That up to \$10,000,000 may be  
8 transferred to and made a part of other Forest Service  
9 accounts if the transfer enhances the efficiency or effec-  
10 tiveness of Federal activities.

11 LAND ACQUISITION

12 For expenses necessary to carry out the provisions  
13 of the Land and Water Conservation Fund Act of 1965,  
14 as amended (16 U.S.C. 4601–4 through 11), including ad-  
15 ministrative expenses, and for acquisition of land or wa-  
16 ters, or interest therein, in accordance with statutory au-  
17 thority applicable to the Forest Service, \$36,782,000, to  
18 be derived from the Land and Water Conservation Fund  
19 and to remain available until expended.

20 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
21 ACTS

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

1 Forests, California, as authorized by law, \$1,050,000, to  
2 be derived from forest receipts.

3 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

4 For acquisition of lands, such sums, to be derived  
5 from funds deposited by State, county, or municipal gov-  
6 ernments, public school districts, or other public school au-  
7 thorities, and for authorized expenditures from funds de-  
8 posited by non-Federal parties pursuant to Land Sale and  
9 Exchange Acts, pursuant to the Act of December 4, 1967,  
10 as amended (16 U.S.C. 484a), to remain available until  
11 expended (16 U.S.C. 460l-516-617a, 555a; Public Law  
12 96-586; Public Law 76-589, 76-591; and Public Law  
13 78-310).

14 RANGE BETTERMENT FUND

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



1 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND  
2 RANGELAND RESEARCH

3 For expenses authorized by 16 U.S.C. 1643(b),  
4 \$50,000, to remain available until expended, to be derived  
5 from the fund established pursuant to the above Act.

6 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
7 SUBSISTENCE USES

8 For necessary expenses of the Forest Service to man-  
9 age Federal lands in Alaska for subsistence uses under  
10 title VIII of the Alaska National Interest Lands Conserva-  
11 tion Act (Public Law 96-487), \$2,582,000, to remain  
12 available until expended.

13 WILDLAND FIRE MANAGEMENT  
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses for forest fire presuppression  
16 activities on National Forest System lands, for emergency  
17 fire suppression on or adjacent to such lands or other  
18 lands under fire protection agreement, hazardous fuels re-  
19 duction on or adjacent to such lands, and for emergency  
20 rehabilitation of burned-over National Forest System  
21 lands and water, \$2,370,288,000, to remain available until  
22 expended: *Provided*, That such funds including unobli-  
23 gated balances under this heading, are available for repay-  
24 ment of advances from other appropriations accounts pre-  
25 viously transferred for such purposes: *Provided further*,

1 That such funds shall be available to reimburse State and  
2 other cooperating entities for services provided in response  
3 to wildfire and other emergencies or disasters to the extent  
4 such reimbursements by the Forest Service for non-fire  
5 emergencies are fully repaid by the responsible emergency  
6 management agency: *Provided further*, That, notwith-  
7 standing any other provision of law, \$8,000,000 of funds  
8 appropriated under this appropriation shall be used for  
9 Fire Science Research in support of the Joint Fire Science  
10 Program: *Provided further*, That all authorities for the use  
11 of funds, including the use of contracts, grants, and coop-  
12 erative agreements, available to execute the Forest and  
13 Rangeland Research appropriation, are also available in  
14 the utilization of these funds for Fire Science Research:  
15 *Provided further*, That funds provided shall be available  
16 for emergency rehabilitation and restoration, hazardous  
17 fuels reduction activities in the urban-wildland interface,  
18 support to Federal emergency response, and wildfire sup-  
19 pression activities of the Forest Service: *Provided further*,  
20 That of the funds provided, \$378,086,000 is for hazardous  
21 fuels reduction activities, \$11,600,000 is for rehabilitation  
22 and restoration, \$23,917,000 is for research activities and  
23 to make competitive research grants pursuant to the For-  
24 est and Rangeland Renewable Resources Research Act, as  
25 amended (16 U.S.C. 1641 et seq.), \$80,000,000 is for

1 State fire assistance, \$10,000,000 is for volunteer fire as-  
2 sistance, \$24,252,000 is for forest health activities on  
3 Federal lands and \$12,928,000 is for forest health activi-  
4 ties on State and private lands: *Provided further*, That  
5 amounts in this paragraph may be transferred to the  
6 “State and Private Forestry”, “National Forest System”,  
7 and “Forest and Rangeland Research” accounts to fund  
8 State fire assistance, volunteer fire assistance, forest  
9 health management, forest and rangeland research, the  
10 Joint Fire Science Program, vegetation and watershed  
11 management, heritage site rehabilitation, and wildlife and  
12 fish habitat management and restoration: *Provided fur-*  
13 *ther*, That up to \$25,000,000 of the funds provided under  
14 this heading may be transferred to and made a part of  
15 other Forest Service accounts if the transfer enhances the  
16 efficiency or effectiveness of Federal activities: *Provided*  
17 *further*, That the costs of implementing any cooperative  
18 agreement between the Federal Government and any non-  
19 Federal entity may be shared, as mutually agreed on by  
20 the affected parties: *Provided further*, That of the funds  
21 provided herein, the Secretary of Agriculture may enter  
22 into procurement contracts or cooperative agreements, or  
23 issue grants, for hazardous fuels reduction activities and  
24 for training and monitoring associated with such haz-  
25 ardous fuels reduction activities, on Federal land, or on

1 adjacent non-Federal land for activities that benefit re-  
2 sources on Federal land: *Provided further*, That the Sec-  
3 retary of the Interior and the Secretary of Agriculture  
4 may authorize the transfer of funds appropriated for  
5 wildland fire management, in an aggregate amount not to  
6 exceed \$50,000,000, between the Departments when such  
7 transfers would facilitate and expedite jointly funded  
8 wildland fire management programs and projects: *Pro-*  
9 *vided further*, That of the funds provided for hazardous  
10 fuels reduction, not to exceed \$5,000,000, may be used  
11 to make grants, using any authorities available to the For-  
12 est Service under the State and Private Forestry appro-  
13 priation, for the purpose of creating incentives for in-  
14 creased use of biomass from national forest lands: *Pro-*  
15 *vided further*, That funds designated for wildfire suppres-  
16 sion shall be assessed for cost pools on the same basis  
17 as such assessments are calculated against other agency  
18 programs.

19 WILDLAND FIRE SUPPRESSION CONTINGENCY RESERVE  
20 FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for transfer to “Wildland  
23 Fire Management” for emergency fire suppression on Na-  
24 tional Forest System lands or adjacent lands or other  
25 lands under fire protection agreement, \$282,000,000, to

1 remain available until expended: *Provided*, That amounts  
2 in this paragraph may be transferred and expended only  
3 if all funds appropriated for fire suppression under the  
4 heading “Wildland Fire Management” shall be fully obli-  
5 gated within 30 days: *Provided further*, That amounts are  
6 available only to the extent the President has issued a  
7 finding that the amounts are necessary for emergency fire  
8 suppression.

9 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

10 Appropriations to the Forest Service for the current  
11 fiscal year shall be available for: (1) purchase of passenger  
12 motor vehicles; acquisition of passenger motor vehicles  
13 from excess sources, and hire of such vehicles; purchase,  
14 lease, operation, maintenance, and acquisition of aircraft  
15 from excess sources to maintain the operable fleet for use  
16 in Forest Service wildland fire programs and other Forest  
17 Service programs; notwithstanding other provisions of law,  
18 existing aircraft being replaced may be sold, with proceeds  
19 derived or trade-in value used to offset the purchase price  
20 for the replacement aircraft; (2) services pursuant to 7  
21 U.S.C. 2225, and not to exceed \$100,000 for employment  
22 under 5 U.S.C. 3109; (3) purchase, erection, and alter-  
23 ation of buildings and other public improvements (7  
24 U.S.C. 2250); (4) acquisition of land, waters, and inter-  
25 ests therein pursuant to 7 U.S.C. 428a; (5) for expenses

1 pursuant to the Volunteers in the National Forest Act of  
2 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost  
3 of uniforms as authorized by 5 U.S.C. 5901–5902; and  
4 (7) for debt collection contracts in accordance with 31  
5 U.S.C. 3718(c).

6 Any appropriations or funds available to the Forest  
7 Service may be transferred to the Wildland Fire Manage-  
8 ment appropriation for forest firefighting, emergency re-  
9 habilitation of burned-over or damaged lands or waters  
10 under its jurisdiction, and fire preparedness due to severe  
11 burning conditions five days after the Secretary notifies  
12 the House and Senate Committees on Appropriations that  
13 all fire suppression funds appropriated under the headings  
14 “Wildland Fire Management” and “Wildland Fire Sup-  
15 pression Contingency Reserve Fund” shall be fully obli-  
16 gated within 30 days: *Provided*, That all funds used pursu-  
17 ant to this paragraph must be replenished by a supple-  
18 mental appropriation which must be requested as prompt-  
19 ly as possible.

20 Funds appropriated to the Forest Service shall be  
21 available for assistance to or through the Agency for Inter-  
22 national Development in connection with forest and range-  
23 land research, technical information, and assistance in for-  
24 eign countries, and shall be available to support forestry  
25 and related natural resource activities outside the United

1 States and its territories and possessions, including tech-  
2 nical assistance, education and training, and cooperation  
3 with United States and international organizations.

4       None of the funds made available to the Forest Serv-  
5 ice in this Act or any other Act with respect to any fiscal  
6 year shall be subject to transfer under the provisions of  
7 section 702(b) of the Department of Agriculture Organic  
8 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law  
9 106–224 (7 U.S.C. 7772), or section 10417(b) of Public  
10 Law 107–107 (7 U.S.C. 8316(b)).

11       Not more than \$78,350,000 of funds available to the  
12 Forest Service shall be transferred to the Working Capital  
13 Fund of the Department of Agriculture and not more than  
14 \$19,825,000 of funds available to the Forest Service shall  
15 be transferred to the Department of Agriculture for De-  
16 partment Reimbursable Programs, commonly referred to  
17 as Greenbook charges. Nothing in this paragraph shall  
18 prohibit or limit the use of reimbursable agreements re-  
19 quested by the Forest Service in order to obtain services  
20 from the Department of Agriculture’s National Informa-  
21 tion Technology Center.

22       Funds available to the Forest Service shall be avail-  
23 able to conduct a program of up to \$5,000,000 for priority  
24 projects within the scope of the approved budget, of which  
25 \$2,500,000 shall be carried out by the Youth Conservation

1 Corps and \$2,500,000 shall be carried out under the au-  
2 thority of the Public Lands Corps Healthy Forests Res-  
3 toration Act of 2005, Public Law 109–154.

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

7 Pursuant to sections 405(b) and 410(b) of Public  
8 Law 101–593, of the funds available to the Forest Service,  
9 \$3,000,000 may be advanced in a lump sum to the Na-  
10 tional Forest Foundation to aid conservation partnership  
11 projects in support of the Forest Service mission, without  
12 regard to when the Foundation incurs expenses, for  
13 projects on or benefitting National Forest System lands  
14 or related to Forest Service programs: *Provided*, That the  
15 Foundation shall obtain, by the end of the period of Fed-  
16 eral financial assistance, private contributions to match on  
17 at least one-for-one basis funds made available by the For-  
18 est Service: *Provided further*, That the Foundation may  
19 transfer Federal funds to Federal or a non-Federal recipi-  
20 ent for a project at the same rate that the recipient has  
21 obtained the non-Federal matching funds: *Provided fur-*  
22 *ther*, That authorized investments of Federal funds held  
23 by the Foundation may be made only in interest-bearing  
24 obligations of the United States or in obligations guaran-  
25 teed as to both principal and interest by the United States.



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

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

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

23 An eligible individual who is employed in any project  
24 funded under title V of the Older American Act of 1965  
25 (42 U.S.C. 3056 et seq.) and administered by the Forest

1 Service shall be considered to be a Federal employee for  
2 purposes of chapter 171 of title 28, United States Code.

3 Any funds appropriated to the Forest Service may  
4 be used to meet the non-Federal share requirement in sec-  
5 tion 502(c) of the Older American Act of 1965 (42 U.S.C.  
6 3056(c)(2)).

7 Funds available to the Forest Service, not to exceed  
8 \$55,000,000, shall be assessed for the purpose of per-  
9 forming fire, administrative and other facilities mainte-  
10 nance. Such assessments shall occur using a square foot  
11 rate charged on the same basis the agency uses to assess  
12 programs for payment of rent, utilities, and other support  
13 services.

14 Notwithstanding any other provision of law, any ap-  
15 propriations or funds available to the Forest Service not  
16 to exceed \$500,000 may be used to reimburse the Office  
17 of the General Counsel (OGC), Department of Agri-  
18 culture, for travel and related expenses incurred as a re-  
19 sult of OGC assistance or participation requested by the  
20 Forest Service at meetings, training sessions, management  
21 reviews, land purchase negotiations and similar non-litiga-  
22 tion related matters. Future budget justifications for both  
23 the Forest Service and the Department of Agriculture  
24 should clearly display the sums previously transferred and  
25 the requested funding transfers.

1       The 19th unnumbered paragraph under heading  
2 “Administrative Provisions, Forest Service” in title III of  
3 the Department of the Interior, Environment, and Related  
4 Agencies Appropriations Act, 2006, Public Law 109–54,  
5 is amended by striking “2009” and inserting “2014”.

6           DEPARTMENT OF HEALTH AND HUMAN  
7                           SERVICES

8                           INDIAN HEALTH SERVICE

9                           INDIAN HEALTH SERVICES

10       For expenses necessary to carry out the Act of Au-  
11 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
12 tion Act, the Indian Health Care Improvement Act, and  
13 titles II and III of the Public Health Service Act with re-  
14 spect to the Indian Health Service, \$3,657,618,000, to-  
15 gether with payments received during the fiscal year pur-  
16 suant to 42 U.S.C. 238(b) and 238b for services furnished  
17 by the Indian Health Service: *Provided*, That funds made  
18 available to tribes and tribal organizations through con-  
19 tracts, grant agreements, or any other agreements or com-  
20 pacts authorized by the Indian Self-Determination and  
21 Education Assistance Act of 1975 (25 U.S.C. 450), shall  
22 be deemed to be obligated at the time of the grant or con-  
23 tract award and thereafter shall remain available to the  
24 tribe or tribal organization without fiscal year limitation:  
25 *Provided further*, That \$16,251,000 is provided for Head-

1 quarters operations and information technology activities  
2 and, notwithstanding any other provision of law, the  
3 amount available under this proviso shall be allocated at  
4 the discretion of the Director of the Indian Health Service:  
5 *Provided further*, That \$779,347,000 for contract medical  
6 care, including \$48,000,000 for the Indian Catastrophic  
7 Health Emergency Fund, shall remain available until ex-  
8 pended: *Provided further*, That no less than \$43,139,000  
9 is provided for maintaining operations of the urban Indian  
10 health program: *Provided further*, That of the funds pro-  
11 vided, up to \$32,000,000 shall remain available until ex-  
12 pended for implementation of the loan repayment program  
13 under section 108 of the Indian Health Care Improvement  
14 Act: *Provided further*, That \$16,391,000 is provided for  
15 the methamphetamine and suicide prevention and treat-  
16 ment initiative and \$10,000,000 is provided for the do-  
17 mestic violence prevention initiative and, notwithstanding  
18 any other provision of law, the amounts available under  
19 this proviso shall be allocated at the discretion of the Di-  
20 rector of the Indian Health Service and shall remain avail-  
21 able until expended: *Provided further*, That funds provided  
22 in this Act may be used for 1-year contracts and grants  
23 which are to be performed in two fiscal years, so long as  
24 the total obligation is recorded in the year for which the  
25 funds are appropriated: *Provided further*, That the

1 amounts collected by the Secretary of Health and Human  
2 Services under the authority of title IV of the Indian  
3 Health Care Improvement Act shall remain available until  
4 expended for the purpose of achieving compliance with the  
5 applicable conditions and requirements of titles XVIII and  
6 XIX of the Social Security Act (exclusive of planning, de-  
7 sign, or construction of new facilities): *Provided further*,  
8 That funding contained herein, and in any earlier appro-  
9 priations Acts for scholarship programs under the Indian  
10 Health Care Improvement Act (25 U.S.C. 1613) shall re-  
11 main available until expended: *Provided further*, That  
12 amounts received by tribes and tribal organizations under  
13 title IV of the Indian Health Care Improvement Act shall  
14 be reported and accounted for and available to the receiv-  
15 ing tribes and tribal organizations until expended: *Pro-*  
16 *vided further*, That, notwithstanding any other provision  
17 of law, of the amounts provided herein, not to exceed  
18 \$398,490,000 shall be for payments to tribes and tribal  
19 organizations for contract or grant support costs associ-  
20 ated with contracts, grants, self-governance compacts, or  
21 annual funding agreements between the Indian Health  
22 Service and a tribe or tribal organization pursuant to the  
23 Indian Self-Determination Act of 1975, as amended, prior  
24 to or during fiscal year 2010, of which not to exceed  
25 \$5,000,000 may be used for contract support costs associ-

1 ated with new or expanded self-determination contracts,  
2 grants, self-governance compacts, or annual funding  
3 agreements: *Provided further*, That the Bureau of Indian  
4 Affairs may collect from the Indian Health Service, tribes  
5 and tribal organizations operating health facilities pursu-  
6 ant to Public Law 93–638, such individually identifiable  
7 health information relating to disabled children as may be  
8 necessary for the purpose of carrying out its functions  
9 under the Individuals with Disabilities Education Act (20  
10 U.S.C. 1400 et seq.): *Provided further*, That the Indian  
11 Health Care Improvement Fund may be used, as needed,  
12 to carry out activities typically funded under the Indian  
13 Health Facilities account.

14 INDIAN HEALTH FACILITIES

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

1 ice Act with respect to environmental health and facilities  
2 support activities of the Indian Health Service,  
3 \$394,757,000, to remain available until expended: *Pro-*  
4 *vided*, That notwithstanding any other provision of law,  
5 funds appropriated for the planning, design, construction  
6 or renovation of health facilities for the benefit of a feder-  
7 ally recognized Indian tribe or tribes may be used to pur-  
8 chase land for sites to construct, improve, or enlarge  
9 health or related facilities: *Provided further*, That not to  
10 exceed \$500,000 shall be used by the Indian Health Serv-  
11 ice to purchase TRANSAM equipment from the Depart-  
12 ment of Defense for distribution to the Indian Health  
13 Service and tribal facilities: *Provided further*, That none  
14 of the funds appropriated to the Indian Health Service  
15 may be used for sanitation facilities construction for new  
16 homes funded with grants by the housing programs of the  
17 United States Department of Housing and Urban Devel-  
18 opment: *Provided further*, That not to exceed \$2,700,000  
19 from this account and the “Indian Health Services” ac-  
20 count shall be used by the Indian Health Service to obtain  
21 ambulances for the Indian Health Service and tribal facili-  
22 ties in conjunction with an existing interagency agreement  
23 between the Indian Health Service and the General Serv-  
24 ices Administration: *Provided further*, That not to exceed  
25 \$500,000 shall be placed in a Demolition Fund, available

1 until expended, to be used by the Indian Health Service  
2 for demolition of Federal buildings.

3 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

4 Appropriations in this Act to the Indian Health Serv-  
5 ice shall be available for services as authorized by 5 U.S.C.  
6 3109 but at rates not to exceed the per diem rate equiva-  
7 lent to the maximum rate payable for senior-level positions  
8 under 5 U.S.C. 5376; hire of passenger motor vehicles and  
9 aircraft; purchase of medical equipment; purchase of re-  
10 prints; purchase, renovation and erection of modular  
11 buildings and renovation of existing facilities; payments  
12 for telephone service in private residences in the field,  
13 when authorized under regulations approved by the Sec-  
14 retary; and for uniforms or allowances therefor as author-  
15 ized by 5 U.S.C. 5901–5902; and for expenses of attend-  
16 ance at meetings that relate to the functions or activities  
17 for which the appropriation is made or otherwise con-  
18 tribute to the improved conduct, supervision, or manage-  
19 ment of those functions or activities.

20 In accordance with the provisions of the Indian  
21 Health Care Improvement Act, non-Indian patients may  
22 be extended health care at all tribally administered or In-  
23 dian Health Service facilities, subject to charges, and the  
24 proceeds along with funds recovered under the Federal  
25 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall



1 be credited to the account of the facility providing the  
2 service and shall be available without fiscal year limitation.  
3 Notwithstanding any other law or regulation, funds trans-  
4 ferred from the Department of Housing and Urban Devel-  
5 opment to the Indian Health Service shall be administered  
6 under Public Law 86–121, the Indian Sanitation Facilities  
7 Act and Public Law 93–638, as amended.

8 Funds appropriated to the Indian Health Service in  
9 this Act, except those used for administrative and program  
10 direction purposes, shall not be subject to limitations di-  
11 rected at curtailing Federal travel and transportation.

12 None of the funds made available to the Indian  
13 Health Service in this Act shall be used for any assess-  
14 ments or charges by the Department of Health and  
15 Human Services unless identified in the budget justifica-  
16 tion and provided in this Act, or approved by the House  
17 and Senate Committees on Appropriations through the re-  
18 programming process.

19 Notwithstanding any other provision of law, funds  
20 previously or herein made available to a tribe or tribal or-  
21 ganization through a contract, grant, or agreement au-  
22 thorized by title I or V of the Indian Self-Determination  
23 and Education Assistance Act of 1975 (25 U.S.C. 450),  
24 may be deobligated and reobligated to a self-determination  
25 contract under title I, or a self-governance agreement

1 under title V of such Act and thereafter shall remain avail-  
2 able to the tribe or tribal organization without fiscal year  
3 limitation.

4       None of the funds made available to the Indian  
5 Health Service in this Act shall be used to implement the  
6 final rule published in the Federal Register on September  
7 16, 1987, by the Department of Health and Human Serv-  
8 ices, relating to the eligibility for the health care services  
9 of the Indian Health Service until the Indian Health Serv-  
10 ice has submitted a budget request reflecting the increased  
11 costs associated with the proposed final rule, and such re-  
12 quest has been included in an appropriations Act and en-  
13 acted into law.

14       With respect to functions transferred by the Indian  
15 Health Service to tribes or tribal organizations, the Indian  
16 Health Service is authorized to provide goods and services  
17 to those entities, on a reimbursable basis, including pay-  
18 ment in advance with subsequent adjustment. The reim-  
19 bursements received therefrom, along with the funds re-  
20 ceived from those entities pursuant to the Indian Self-De-  
21 termination Act, may be credited to the same or subse-  
22 quent appropriation account that provided the funding,  
23 with such amounts to remain available until expended.

24       Reimbursements for training, technical assistance, or  
25 services provided by the Indian Health Service will contain

1 total costs, including direct, administrative, and overhead  
2 associated with the provision of goods, services, or tech-  
3 nical assistance.

4 The appropriation structure for the Indian Health  
5 Service may not be altered without advance notification  
6 to the House and Senate Committees on Appropriations.

7 NATIONAL INSTITUTES OF HEALTH

8 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

9 SCIENCES

10 For necessary expenses for the National Institute of  
11 Environmental Health Sciences in carrying out activities  
12 set forth in section 311(a) of the Comprehensive Environ-  
13 mental Response, Compensation, and Liability Act of  
14 1980, as amended, and section 126(g) of the Superfund  
15 Amendments and Reauthorization Act of 1986,  
16 \$79,212,000.

17 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

18 REGISTRY

19 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

20 HEALTH

21 For necessary expenses for the Agency for Toxic Sub-  
22 stances and Disease Registry (ATSDR) in carrying out  
23 activities set forth in sections 104(i) and 111(c)(4) of the  
24 Comprehensive Environmental Response, Compensation,  
25 and Liability Act of 1980 (CERCLA), as amended; section

1 118(f) of the Superfund Amendments and Reauthoriza-  
2 tion Act of 1986 (SARA), as amended; and section 3019  
3 of the Solid Waste Disposal Act, as amended,  
4 \$76,792,000, of which up to \$1,000 per eligible employee  
5 of the Agency for Toxic Substance and Disease Registry  
6 shall remain available until expended for Individual Learn-  
7 ing Accounts: *Provided*, That notwithstanding any other  
8 provision of law, in lieu of performing a health assessment  
9 under section 104(i)(6) of CERCLA, the Administrator  
10 of ATSDR may conduct other appropriate health studies,  
11 evaluations, or activities, including, without limitation,  
12 biomedical testing, clinical evaluations, medical moni-  
13 toring, and referral to accredited health care providers:  
14 *Provided further*, That in performing any such health as-  
15 sessment or health study, evaluation, or activity, the Ad-  
16 ministrator of ATSDR shall not be bound by the deadlines  
17 in section 104(i)(6)(A) of CERCLA: *Provided further*,  
18 That none of the funds appropriated under this heading  
19 shall be available for ATSDR to issue in excess of 40 toxi-  
20 cological profiles pursuant to section 104(i) of CERCLA  
21 during fiscal year 2010, and existing profiles may be up-  
22 dated as necessary.

1                   OTHER RELATED AGENCIES  
2                   EXECUTIVE OFFICE OF THE PRESIDENT  
3    COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF  
4                   ENVIRONMENTAL QUALITY

5           For necessary expenses to continue functions as-  
6 signed to the Council on Environmental Quality and Office  
7 of Environmental Quality pursuant to the National Envi-  
8 ronmental Policy Act of 1969, the Environmental Quality  
9 Improvement Act of 1970, and Reorganization Plan No.  
10 1 of 1977, and not to exceed \$750 for official reception  
11 and representation expenses, \$3,159,000: *Provided*, That  
12 notwithstanding section 202 of the National Environ-  
13 mental Policy Act of 1970, the Council shall consist of  
14 one member, appointed by the President, by and with the  
15 advice and consent of the Senate, serving as chairman and  
16 exercising all powers, functions, and duties of the Council.

17   CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

18                   SALARIES AND EXPENSES

19                   (INCLUDING TRANSFER OF FUNDS)

20           For necessary expenses in carrying out activities pur-  
21 suant to section 112(r)(6) of the Clean Air Act, as amend-  
22 ed, including hire of passenger vehicles, uniforms or allow-  
23 ances therefor, as authorized by 5 U.S.C. 5901–5902, and  
24 for services authorized by 5 U.S.C. 3109 but at rates for  
25 individuals not to exceed the per diem equivalent to the

1 maximum rate payable for senior level positions under 5  
2 U.S.C. 5376, \$10,547,000: *Provided*, That the Chemical  
3 Safety and Hazard Investigation Board (Board) shall have  
4 not more than three career Senior Executive Service posi-  
5 tions: *Provided further*, That notwithstanding any other  
6 provision of law, the individual appointed to the position  
7 of Inspector General of the Environmental Protection  
8 Agency (EPA) shall, by virtue of such appointment, also  
9 hold the position of Inspector General of the Board: *Pro-*  
10 *vided further*, That notwithstanding any other provision  
11 of law, the Inspector General of the Board shall utilize  
12 personnel of the Office of Inspector General of EPA in  
13 performing the duties of the Inspector General of the  
14 Board, and shall not appoint any individuals to positions  
15 within the Board: *Provided further*, That of the funds ap-  
16 propriated under this heading, \$150,000 shall be paid to  
17 the “Office of Inspector General” appropriation of the En-  
18 vironmental Protection Agency.

19 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION  
20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Navajo and  
22 Hopi Indian Relocation as authorized by Public Law 93–  
23 531, \$8,000,000, to remain available until expended: *Pro-*  
24 *vided*, That funds provided in this or any other appropria-  
25 tions Act are to be used to relocate eligible individuals and

1 groups including evictees from District 6, Hopi-partitioned  
2 lands residents, those in significantly substandard hous-  
3 ing, and all others certified as eligible and not included  
4 in the preceding categories: *Provided further*, That none  
5 of the funds contained in this or any other Act may be  
6 used by the Office of Navajo and Hopi Indian Relocation  
7 to evict any single Navajo or Navajo family who, as of  
8 November 30, 1985, was physically domiciled on the lands  
9 partitioned to the Hopi Tribe unless a new or replacement  
10 home is provided for such household: *Provided further*,  
11 That no relocatee will be provided with more than one new  
12 or replacement home: *Provided further*, That the Office  
13 shall relocate any certified eligible relocatees who have se-  
14 lected and received an approved homesite on the Navajo  
15 reservation or selected a replacement residence off the  
16 Navajo reservation or on the land acquired pursuant to  
17 25 U.S.C. 640d-10.

18 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
19 CULTURE AND ARTS DEVELOPMENT  
20 PAYMENT TO THE INSTITUTE

21 For payment to the Institute of American Indian and  
22 Alaska Native Culture and Arts Development, as author-  
23 ized by title XV of Public Law 99-498, as amended (20  
24 U.S.C. 56 part A), \$8,300,000.

## SMITHSONIAN INSTITUTION

## SALARIES AND EXPENSES

1           For necessary expenses of the Smithsonian Institu-  
2           tion, as authorized by law, including research in the fields  
3           of art, science, and history; development, preservation, and  
4           documentation of the National Collections; presentation of  
5           public exhibits and performances; collection, preparation,  
6           dissemination, and exchange of information and publica-  
7           tions; conduct of education, training, and museum assist-  
8           ance programs; maintenance, alteration, operation, lease  
9           (for terms not to exceed 30 years), and protection of build-  
10          ings, facilities, and approaches; not to exceed \$100,000  
11          for services as authorized by 5 U.S.C. 3109; and purchase,  
12          rental, repair, and cleaning of uniforms for employees,  
13          \$634,161,000, to remain available until September 30,  
14          2011, except as otherwise provided herein; of which not  
15          to exceed \$19,117,000 for the instrumentation program,  
16          collections acquisition, exhibition reinstallation, the Na-  
17          tional Museum of African American History and Culture,  
18          and the repatriation of skeletal remains program shall re-  
19          main available until expended; and of which \$1,553,000  
20          is for fellowships and scholarly awards; and including such  
21          funds as may be necessary to support American overseas  
22          research centers: *Provided*, That funds appropriated here-  
23          in are available for advance payments to independent con-



1 tractors performing research services or participating in  
2 official Smithsonian presentations.

3 FACILITIES CAPITAL

4 For necessary expenses of repair, revitalization, and  
5 alteration of facilities owned or occupied by the Smithso-  
6 nian Institution, by contract or otherwise, as authorized  
7 by section 2 of the Act of August 22, 1949 (63 Stat. 623),  
8 and for construction, including necessary personnel,  
9 \$140,000,000, to remain available until expended, of  
10 which not to exceed \$10,000 is for services as authorized  
11 by 5 U.S.C. 3109.

12 ADMINISTRATIVE PROVISION, SMITHSONIAN INSTITUTION

13 Notwithstanding any provision of the Department of  
14 the Interior, Environment, and Related Agencies Appro-  
15 priations Act, 2008 (Public Law 110–161; 121 Stat.  
16 2140), the funds provided for “Smithsonian Institution,  
17 Legacy Fund” under such Act may be transferred to and  
18 made a part of the appropriation for “Smithsonian Insti-  
19 tution, Facilities Capital” in this Act and utilized by the  
20 Smithsonian Institution under the same terms and condi-  
21 tions that apply to other funds contained in such appro-  
22 priation.

## 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, \$110,746,000, of which not to exceed \$3,386,000 for

1 the special exhibition program shall remain available until  
2 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, as authorized, \$56,259,000, to remain available  
8 until expended: *Provided*, That of this amount,  
9 \$40,000,000 shall be available to repair the National Gal-  
10 lery's East Building facade: *Provided further*, That con-  
11 tracts awarded for environmental systems, protection sys-  
12 tems, and exterior repair or renovation of buildings of the  
13 National Gallery of Art may be negotiated with selected  
14 contractors and awarded on the basis of contractor quali-  
15 fications as well as price.

16 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
17 ARTS

18 OPERATIONS AND MAINTENANCE

19 For necessary expenses for the operation, mainte-  
20 nance and security of the John F. Kennedy Center for  
21 the Performing Arts, \$25,000,000: *Provided*, That of the  
22 funds included under this heading, \$2,500,000 is available  
23 until expended to implement a program to train arts man-  
24 agers throughout the United States.

## 1 CAPITAL REPAIR AND RESTORATION

2 For necessary expenses for capital repair and restora-  
3 tion of the existing features of the building and site of  
4 the John F. Kennedy Center for the Performing Arts,  
5 \$17,447,000, to remain available until expended.

## 6 WOODROW WILSON INTERNATIONAL CENTER FOR

## 7 SCHOLARS

## 8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions  
10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
11 1356) including hire of passenger vehicles and services as  
12 authorized by 5 U.S.C. 3109, \$12,225,000, to remain  
13 available until September 30, 2011.

## 14 NATIONAL FOUNDATION ON THE ARTS AND THE

## 15 HUMANITIES

## 16 NATIONAL ENDOWMENT FOR THE ARTS

## 17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National  
19 Foundation on the Arts and the Humanities Act of 1965,  
20 as amended, \$170,000,000 shall be available to the Na-  
21 tional Endowment for the Arts for the support of projects  
22 and productions in the arts, including arts education and  
23 public outreach activities, through assistance to organiza-  
24 tions and individuals pursuant to section 5 of the Act, for  
25 program support, and for administering the functions of

1 the Act, to remain available until expended: *Provided*,  
2 That funds appropriated herein shall be expended in ac-  
3 cordance with sections 309 and 311 of Public Law 108-  
4 447.

5 NATIONAL ENDOWMENT FOR THE HUMANITIES

6 GRANTS AND ADMINISTRATION

7 For necessary expenses to carry out the National  
8 Foundation on the Arts and the Humanities Act of 1965,  
9 as amended, \$170,000,000, to remain available until ex-  
10 pended, of which \$155,700,000 shall be available for sup-  
11 port of activities in the humanities, pursuant to section  
12 7(c) of the Act and for administering the functions of the  
13 Act; and \$14,300,000 shall be available to carry out the  
14 matching grants program pursuant to section 10(a)(2) of  
15 the Act including \$9,500,000 for the purposes of section  
16 7(h): *Provided*, That appropriations for carrying out sec-  
17 tion 10(a)(2) shall be available for obligation only in such  
18 amounts as may be equal to the total amounts of gifts,  
19 bequests, and devises of money, and other property accept-  
20 ed by the chairman or by grantees of the Endowment  
21 under the provisions of subsections 11(a)(2)(B) and  
22 11(a)(3)(B) during the current and preceding fiscal years  
23 for which equal amounts have not previously been appro-  
24 priated.

## 1 ADMINISTRATIVE PROVISION

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

## 19 COMMISSION OF FINE ARTS

## 20 SALARIES AND EXPENSES

21 For expenses made necessary by the Act establishing  
22 a Commission of Fine Arts (40 U.S.C. 104), \$2,294,000:  
23 *Provided*, That the Commission is authorized to charge  
24 fees to cover the full costs of its publications, and such  
25 fees shall be credited to this account as an offsetting col-

1 lection, to remain available until expended without further  
2 appropriation: *Provided further*, That the Commission is  
3 authorized to accept gifts, including objects, papers, art-  
4 work, drawings and artifacts, that pertain to the history  
5 and design of the national capital or the history and activi-  
6 ties of the Commission of Fine Arts, and may be used  
7 only for artistic display, study, or education.

8 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

9 For necessary expenses as authorized by Public Law  
10 99–190 (20 U.S.C. 956a), as amended, \$10,000,000.

11 ADVISORY COUNCIL ON HISTORIC PRESERVATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Advisory Council on  
14 Historic Preservation (Public Law 89–665, as amended),  
15 \$5,908,000: *Provided*, That none of these funds shall be  
16 available for compensation of level V of the Executive  
17 Schedule or higher positions.

18 NATIONAL CAPITAL PLANNING COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by the Na-  
21 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),  
22 including services as authorized by 5 U.S.C. 3109,  
23 \$8,507,000: *Provided*, That one-quarter of 1 percent of  
24 the funds provided under this heading may be used for  
25 official reception and representational expenses associated

1 with hosting international visitors engaged in the planning  
2 and physical development of world capitals.

3 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

4 HOLOCAUST MEMORIAL MUSEUM

5 For expenses of the Holocaust Memorial Museum, as  
6 authorized by Public Law 106–292 (36 U.S.C. 2301–  
7 2310), \$48,551,000, of which \$515,000 for the Museum’s  
8 equipment replacement program, \$1,900,000 for the mu-  
9 seum’s repair and rehabilitation program, and \$1,243,000  
10 for the museum’s exhibition design and production pro-  
11 gram shall remain available until expended.

12 PRESIDIO TRUST

13 PRESIDIO TRUST FUND

14 For necessary expenses to carry out title I of the Om-  
15 nibus Parks and Public Lands Management Act of 1996,  
16 \$23,200,000 shall be available to the Presidio Trust, to  
17 remain available until expended.

18 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses, including the costs of con-  
21 struction design, of the Dwight D. Eisenhower Memorial  
22 Commission, \$2,000,000 to remain available until ex-  
23 pended.



## CAPITAL CONSTRUCTION

1  
2 For necessary expenses of the Dwight D. Eisenhower  
3 Memorial Commission for design and construction of a  
4 memorial in honor of Dwight D. Eisenhower, as author-  
5 ized by Public Law 106-79, \$10,000,000, to remain avail-  
6 able until expended.

## TITLE IV—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

7  
8  
9 SEC. 401. The expenditure of any appropriation  
10 under this Act for any consulting service through procure-  
11 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
12 to those contracts where such expenditures are a matter  
13 of public record and available for public inspection, except  
14 where otherwise provided under existing law, or under ex-  
15 isting Executive Order issued pursuant to existing law.

16 SEC. 402. No part of any appropriation contained in  
17 this Act shall be available for any activity or the publica-  
18 tion or distribution of literature that in any way tends to  
19 promote public support or opposition to any legislative  
20 proposal on which Congressional action is not complete  
21 other than to communicate to Members of Congress as  
22 described in 18 U.S.C. 1913.

23 SEC. 403. 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       SEC. 404. None of the funds provided in this Act to  
2 any department or agency shall be obligated or expended  
3 to provide a personal cook, chauffeur, or other personal  
4 servants to any officer or employee of such department  
5 or agency except as otherwise provided by law.

6       SEC. 405. Estimated overhead charges, deductions,  
7 reserves or holdbacks from programs, projects, activities  
8 and subactivities to support government-wide, depart-  
9 mental, agency or bureau administrative functions or  
10 headquarters, regional or central operations shall be pre-  
11 sented in annual budget justifications and subject to ap-  
12 proval by the Committees on Appropriations. Changes to  
13 such estimates shall be presented to the Committees on  
14 Appropriations for approval.

15       SEC. 406. None of the funds made available in this  
16 Act may be transferred to any department, agency, or in-  
17 strumentality of the United States Government except  
18 pursuant to a transfer made by, or transfer provided in,  
19 this Act or any other Act.

20       SEC. 407. (a) LIMITATION OF FUNDS.—None of the  
21 funds appropriated or otherwise made available pursuant  
22 to this Act shall be obligated or expended to accept or  
23 process applications for a patent for any mining or mill  
24 site claim located under the general mining laws.

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

13           (c) REPORT.—On September 30, 2010, the Secretary  
14 of the Interior shall file with the House and Senate Com-  
15 mittees on Appropriations and the Committee on Natural  
16 Resources of the House of Representatives and the Com-  
17 mittee on Energy and Natural Resources of the Senate  
18 a report on actions taken by the Department under the  
19 plan submitted pursuant to section 314(e) of the Depart-  
20 ment of the Interior and Related Agencies Appropriations  
21 Act, 1997 (Public Law 104–208).

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

1 third-party contractor to be selected by the Bureau of  
2 Land Management to conduct a mineral examination of  
3 the mining claims or mill sites contained in a patent appli-  
4 cation as set forth in subsection (b). The Bureau of Land  
5 Management shall have the sole responsibility to choose  
6 and pay the third-party contractor in accordance with the  
7 standard procedures employed by the Bureau of Land  
8 Management in the retention of third-party contractors.

9       SEC. 408. Notwithstanding any other provision of  
10 law, amounts appropriated to or otherwise designated in  
11 committee reports for the Bureau of Indian Affairs and  
12 the Indian Health Service by Public Laws 103–138, 103–  
13 332, 104–134, 104–208, 105–83, 105–277, 106–113,  
14 106–291, 107–63, 108–7, 108–108, 108–447, 109–54,  
15 109–289, division B and Continuing Appropriations Reso-  
16 lution, 2007 (division B of Public Law 109–289, as  
17 amended by Public Laws 110–5 and 110–28), Public  
18 Laws 110–92, 110–116, 110–137, 110–149, 110–161,  
19 110–329, 111–6, and 111–8 for payments for contract  
20 support costs associated with self-determination or self-  
21 governance contracts, grants, compacts, or annual funding  
22 agreements with the Bureau of Indian Affairs or the In-  
23 dian Health Service as funded by such Acts, are the total  
24 amounts available for fiscal years 1994 through 2009 for  
25 such purposes, except that the Bureau of Indian Affairs,

1 federally recognized tribes, and tribal organizations of fed-  
2 erally recognized tribes may use their tribal priority alloca-  
3 tions for unmet contract support costs of ongoing con-  
4 tracts, grants, self-governance compacts, or annual fund-  
5 ing agreements.

6       SEC. 409. The Secretary of Agriculture shall not be  
7 considered to be in violation of subparagraph 6(f)(5)(A)  
8 of the Forest and Rangeland Renewable Resources Plan-  
9 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because  
10 more than 15 years have passed without revision of the  
11 plan for a unit of the National Forest System. Nothing  
12 in this section exempts the Secretary from any other re-  
13 quirement of the Forest and Rangeland Renewable Re-  
14 sources Planning Act (16 U.S.C. 1600 et seq.) or any  
15 other law: *Provided*, That if the Secretary is not acting  
16 expeditiously and in good faith, within the funding avail-  
17 able, to revise a plan for a unit of the National Forest  
18 System, this section shall be void with respect to such plan  
19 and a court of proper jurisdiction may order completion  
20 of the plan on an accelerated basis.

21       SEC. 410. No funds provided in this Act may be ex-  
22 pended to conduct preleasing, leasing and related activities  
23 under either the Mineral Leasing Act (30 U.S.C. 181 et  
24 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
25 1331 et seq.) within the boundaries of a National Monu-

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

6       SEC. 411. In entering into agreements with foreign  
7 fire organizations pursuant to the Temporary Emergency  
8 Wildfire Suppression Act (42 U.S.C. 1856m–1856o), the  
9 Secretary of Agriculture and the Secretary of the Interior  
10 are authorized to enter into reciprocal agreements in  
11 which the individuals furnished under said agreements to  
12 provide wildfire services are considered, for purposes of  
13 tort liability, employees of the fire organization receiving  
14 said services when the individuals are engaged in fire sup-  
15 pression or presuppression: *Provided*, That the Secretary  
16 of Agriculture or the Secretary of the Interior shall not  
17 enter into any agreement under this provision unless the  
18 foreign fire organization agrees to assume any and all li-  
19 ability for the acts or omissions of American firefighters  
20 engaged in fire suppression or presuppression in a foreign  
21 country: *Provided further*, That when an agreement is  
22 reached for furnishing fire suppression or presuppression  
23 services, the only remedies for acts or omissions com-  
24 mitted while engaged in fire suppression or presuppression  
25 shall be those provided under the laws applicable to the

1 fire organization receiving the fire suppression or  
2 presuppression services, and those remedies shall be the  
3 exclusive remedies for any claim arising out of fire sup-  
4 pression or presuppression activities in a foreign country:  
5 *Provided further*, That neither the sending country nor  
6 any legal organization associated with the firefighter shall  
7 be subject to any legal action, consistent with the applica-  
8 ble laws governing sovereign immunity, pertaining to or  
9 arising out of the firefighter's role in fire suppression or  
10 presuppression, except that if the foreign fire organization  
11 is unable to provide such protection under laws applicable  
12 to it, it shall assume any and all liability for the United  
13 States or for any legal organization associated with the  
14 American firefighter, and for any and all costs incurred  
15 or assessed, including legal fees, for any act or omission  
16 pertaining to or arising out of the firefighter's role in fire  
17 suppression or presuppression.

18       SEC. 412. In awarding a Federal contract with funds  
19 made available by this Act, notwithstanding Federal Gov-  
20 ernment procurement and contracting laws, the Secretary  
21 of Agriculture and the Secretary of the Interior (the "Sec-  
22 retaries") may, in evaluating bids and proposals, give con-  
23 sideration to local contractors who are from, and who pro-  
24 vide employment and training for, dislocated and displaced  
25 workers in an economically disadvantaged rural commu-

1 nity, including those historically timber-dependent areas  
2 that have been affected by reduced timber harvesting on  
3 Federal lands and other forest-dependent rural commu-  
4 nities isolated from significant alternative employment op-  
5 portunities: *Provided*, That notwithstanding Federal Gov-  
6 ernment procurement and contracting laws the Secretaries  
7 may award contracts, grants or cooperative agreements to  
8 local non-profit entities, Youth Conservation Corps or re-  
9 lated partnerships with State, local or non-profit youth  
10 groups, or small or micro-business or disadvantaged busi-  
11 ness: *Provided further*, That the contract, grant, or cooper-  
12 ative agreement is for forest hazardous fuels reduction,  
13 watershed or water quality monitoring or restoration, wild-  
14 life or fish population monitoring, or habitat restoration  
15 or management: *Provided further*, That the terms “rural  
16 community” and “economically disadvantaged” shall have  
17 the same meanings as in section 2374 of Public Law 101-  
18 624: *Provided further*, That the Secretaries shall develop  
19 guidance to implement this section: *Provided further*, That  
20 nothing in this section shall be construed as relieving the  
21 Secretaries of any duty under applicable procurement  
22 laws, except as provided in this section.

23       SEC. 413. Unless otherwise provided herein, no funds  
24 appropriated in this Act for the acquisition of lands or  
25 interests in lands may be expended for the filing of dec-



1 larations of taking or complaints in condemnation without  
2 the approval of the House and Senate Committees on Ap-  
3 propriations.

4 SEC. 414. The terms and conditions of section 325  
5 of Public Law 108–108, regarding grazing permits at the  
6 Department of the Interior and the Forest Service shall  
7 remain in effect for fiscal year 2010.

8 SEC. 415. Section 6 of the National Foundation on  
9 the Arts and the Humanities Act of 1965 (Public Law  
10 89–209, 20 U.S.C. 955), as amended, is further amend-  
11 ed—

12 (1) in the first sentence of subsection (b)(1)(C),  
13 by striking “14” and inserting in lieu thereof “18”;  
14 and

15 (2) in the second sentence of subsection (d)(1),  
16 by striking “Eight” and inserting in lieu thereof  
17 “Ten”.

18 SEC. 416. The item relating to “National Capital  
19 Arts and Cultural Affairs” in the Department of the Inte-  
20 rior and Related Agencies Appropriations Act, 1986, as  
21 enacted into law by section 101(d) of Public Law 99–190  
22 (99 Stat. 1261; 20 U.S.C. 956a), is amended—

23 (1) in the second sentence of the first para-  
24 graph, by striking “\$7,500,000” and inserting  
25 “\$10,000,000”; and

1           (2) in the second sentence of the fourth para-  
2           graph, by striking “\$500,000” and inserting  
3           “\$650,000”.

4           SEC. 417. Section 339(h) of the Department of the  
5           Interior and Related Agencies Appropriations Act, 2000,  
6           as amended, concerning a pilot program for the sale of  
7           forest botanical products by the Forest Service, is further  
8           amended by striking “September 30, 2009” and inserting  
9           “September 30, 2014”.

10          SEC. 418. The second sentence of section 2 (a)(1)  
11          of the Mineral Leasing Act (30 U.S.C. 201(a)(1); relating  
12          to coal bonus bids) does not apply for fiscal year 2010.

13          SEC. 419. All monies received by the United States  
14          in fiscal year 2010 from sales, bonuses, rentals, and royal-  
15          ties under the Geothermal Steam Act of 1970 shall be dis-  
16          posed of as provided by section 20 of that Act (30 U.S.C.  
17          1019), as in effect immediately before enactment of the  
18          Energy Policy Act of 2005 (Public Law 109–58), and  
19          without regard to the amendments contained in sections  
20          224(b) and section 234 of the Energy Policy Act of 2005  
21          (42 U.S.C. 17673).

22          SEC. 420. Section 331(e) of the Department of the  
23          Interior and Related Agencies Appropriations Act, 2001,  
24          (Public Law 106–291), as added by section 336 of division  
25          E of the Consolidated Appropriations Act, 2005 (Public

1 Law 108–447), concerning cooperative forestry agree-  
2 ments known as the Colorado Good Neighbor Act Author-  
3 ity is amended by striking “September 30, 2009” and in-  
4 serting “September 30, 2013”.

5 SEC. 421. None of the funds in this or any other Act  
6 shall be used to deposit funds from any Federal royalties,  
7 rents, and bonuses derived from Federal onshore and off-  
8 shore oil and gas leases issued under the Outer Conti-  
9 nental Shelf Lands Act (43 U.S.C. 1331 et seq.) and the  
10 Mineral Leasing Act (30 U.S.C. 181 et seq.) into the  
11 Ultra-Deepwater and Unconventional Natural Gas and  
12 Other Petroleum Research Fund.

13 SEC. 422. Section 302(a) of the Secure Rural Schools  
14 and Community Self-Determination Act of 2000 (16  
15 U.S.C. 7142(a)) is amended—

16 (1) in paragraph (2)(B), by striking “; and”  
17 and inserting a semicolon;

18 (2) in paragraph (3), by striking the period and  
19 inserting “; and”; and

20 (3) by inserting after paragraph (3), the fol-  
21 lowing: “(4) to reimburse all or part of the costs in-  
22 curred by the county to pay the salaries and benefits  
23 of county employees who supervise adults or juve-  
24 niles performing mandatory community service on  
25 Federal lands.”.

1        SEC. 423. Within the amounts appropriated in this  
2 Act, funding shall be allocated in the amounts specified  
3 for those projects and purposes delineated in the table ti-  
4 tled “Congressionally Directed Spending” included in the  
5 explanatory statement accompanying this Act. The pre-  
6 ceding sentence shall apply in addition to the allocation  
7 requirements specified in this Act under the heading “Na-  
8 tional Park Service–Historic Preservation Fund” for Save  
9 America’s Treasures and under the heading “Environ-  
10 mental Protection Agency–State and Tribal Assistance  
11 Grants” for special project grants for the construction of  
12 drinking water, wastewater and storm infrastructure and  
13 for water quality protection.

14        SEC. 424. Not later than 120 days after the date on  
15 which the President’s Fiscal Year 2011 budget request is  
16 submitted to Congress, the President shall submit a report  
17 to the Committee on Appropriations of the House of Rep-  
18 resentatives and the Committee on Appropriations of the  
19 Senate describing in detail all Federal agency obligations  
20 and expenditures, domestic and international, for climate  
21 change programs and activities in fiscal year 2008, fiscal  
22 year 2009, and fiscal year 2010, including an accounting  
23 of expenditures by agency with each agency identifying cli-  
24 mate change activities and associated costs by line item  
25 as presented in the President’s Budget Appendix.

1       SEC. 425. Notwithstanding any other provision of  
2 law, none of the funds made available in this or any other  
3 Act may be used to implement any rule that requires man-  
4 datory reporting of greenhouse gas emissions from manure  
5 management systems.

6       SEC. 426. (a) None of the funds made available in  
7 this or any prior Act may be used to release an individual  
8 who is detained, as of April 30, 2009, at Naval Station,  
9 Guantanamo Bay, Cuba, into any of the United States  
10 territories of Guam, American Samoa (AS), the United  
11 States Virgin Islands (USVI), the Commonwealth of Puer-  
12 to Rico and the Commonwealth of the Northern Mariana  
13 Islands (CNMI).

14       (b) None of the funds made available in this or any  
15 other prior Act may be used to transfer an individual who  
16 is detained, as of April 30, 2009, at Naval Station, Guan-  
17 tanamo Bay, Cuba, into any of the United States terri-  
18 tories of Guam, American Samoa (AS), the United States  
19 Virgin Islands (USVI), the Commonwealth of Puerto Rico  
20 and the Commonwealth of the Northern Mariana Islands  
21 (CNMI), for the purposes of detaining or prosecuting such  
22 individual, until 2 months after the plan described in sub-  
23 section (c) is received.

24       (c) The President shall submit to the Congress, in  
25 writing, a comprehensive plan regarding the proposed dis-

1 position of each individual who is detained, as of April 30,  
2 2009, at Naval Station, Guantanamo Bay, Cuba, who is  
3 not covered under subsection (d). Such plan shall include,  
4 at a minimum, each of the following for each such indi-  
5 vidual:

6 (1) The findings of an analysis regarding any  
7 risk to the national security of the United States  
8 that is posed by the transfer of the individual.

9 (2) The costs associated with not transferring  
10 the individual in question.

11 (3) The legal rationale and associated court de-  
12 mands for transfer.

13 (4) A certification by the President that any  
14 risk described in paragraph (1) has been mitigated,  
15 together with a full description of the plan for such  
16 mitigation.

17 (5) A certification by the President that the  
18 President has submitted to the Governor and legisla-  
19 ture of the State or territory (or, in the case of the  
20 District of Columbia, to the Mayor of the District of  
21 Columbia) to which the President intends to transfer  
22 the individual a certification in writing at least 30  
23 days prior to such transfer (together with supporting  
24 documentation and justification) that the individual  
25 does not pose a security risk to the United States.

1 (d) None of the funds made available in this or any  
2 prior Act may be used to transfer or release an individual  
3 detained at Naval Station, Guantanamo Bay, Cuba, as of  
4 April 30, 2009, to a freely associated State, unless the  
5 President submits to the Congress, in writing, at least 30  
6 days prior to such transfer or release, the following infor-  
7 mation:

8 (1) The name of any individual to be trans-  
9 ferred or released and the freely associated State to  
10 which such individual is to be transferred or re-  
11 leased.

12 (2) An assessment of any risk to the national  
13 security of the United States or its citizens, includ-  
14 ing members of the Armed Services or the United  
15 States, that is posed by such transfer or release and  
16 the actions taken to mitigate such risk.

17 (3) The terms of any agreement with the freely  
18 associated State for the acceptance of such indi-  
19 vidual, including the amount of any financial assist-  
20 ance related to such agreement.

21 (e) In this section, the term “freely associated  
22 States” means the Federated States of Micronesia (FSM),  
23 the Republic of the Marshall Islands (RMI), and the Re-  
24 public of Palau.

1        SEC. 427. Notwithstanding any other provision of  
2 law, none of the funds made available in this or any other  
3 Act may be used to promulgate or implement any regula-  
4 tion requiring the issuance of permits under title V of the  
5 Clean Air Act for carbon dioxide, nitrous oxide, water  
6 vapor, or methane emissions resulting from biological  
7 processes associated with livestock production.

8        This Act may be cited as the “Department of the In-  
9 terior, Environment, and Related Agencies Appropriations  
10 Act, 2010”.

Passed the House of Representatives June 26, 2009.

Attest:

*Clerk.*





111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2996**

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**AN ACT**

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.