

**Calendar No. 521**114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3068****[Report No. 114–281]**

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

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IN THE SENATE OF THE UNITED STATES

JUNE 16, 2016

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

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**A BILL**

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

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

1 TITLE I  
2 DEPARTMENT OF THE INTERIOR  
3 BUREAU OF LAND MANAGEMENT  
4 MANAGEMENT OF LANDS AND RESOURCES

5 For necessary expenses for protection, use, improve-  
6 ment, development, disposal, cadastral surveying, classi-  
7 fication, acquisition of easements and other interests in  
8 lands, and performance of other functions, including main-  
9 tenance of facilities, as authorized by law, in the manage-  
10 ment of lands and their resources under the jurisdiction  
11 of the Bureau of Land Management, including the general  
12 administration of the Bureau, and assessment of mineral  
13 potential of public lands pursuant to section 1010(a) of  
14 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,088,470,000,  
15 to remain available until expended, including all such  
16 amounts as are collected from permit processing fees, as  
17 authorized but made subject to future appropriation by  
18 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30  
19 U.S.C. 191), except that amounts from permit processing  
20 fees may be used for any bureau-related expenses associ-  
21 ated with the processing of oil and gas applications for  
22 permits to drill and related use of authorizations; of which  
23 \$3,000,000 shall be available in fiscal year 2017 subject  
24 to a match by at least an equal amount by the National  
25 Fish and Wildlife Foundation for cost-shared projects sup-

1 porting conservation of Bureau lands; and such funds  
2 shall be advanced to the Foundation as a lump-sum grant  
3 without regard to when expenses are incurred; and of  
4 which \$100,000 shall be available for establishment of the  
5 Bureau of Land Management Foundation, which the Sec-  
6 retary is authorized to establish, shall be established as  
7 a charitable and non-profit corporation under section  
8 501(c)(3) of the Internal Revenue Code of 1986, shall be  
9 granted the same authorities granted to the National Park  
10 Foundation for its activities to benefit the National Park  
11 Service at 54 U.S.C. subtitle I, division A, chapter 1011,  
12 subchapter II, and the details of which are outlined in the  
13 report accompanying this Act, and the purpose of which  
14 is to provide opportunities for the Bureau to address a  
15 variety of specific challenges that could be better ad-  
16 dressed with the support of a foundation, including: the  
17 reclamation of legacy wells, contaminated native lands,  
18 and abandoned mine land sites; sustainable management  
19 of wild horses and burros; expanded scientific under-  
20 standing of responsible development techniques; voluntary  
21 conservation activities; and the proper identification and  
22 cataloging of cultural and historical treasure on the public  
23 lands.

24 In addition, \$39,696,000 is for Mining Law Adminis-  
25 tration program operations, including the cost of admin-

1 istering the mining claim fee program, to remain available  
2 until expended, to be reduced by amounts collected by the  
3 Bureau and credited to this appropriation from mining  
4 claim maintenance fees and location fees that are hereby  
5 authorized for fiscal year 2017, so as to result in a final  
6 appropriation estimated at not more than \$1,088,470,000,  
7 and \$2,000,000, to remain available until expended, from  
8 communication site rental fees established by the Bureau  
9 for the cost of administering communication site activities.

10 LAND ACQUISITION

11 For expenses necessary to carry out sections 205,  
12 206, and 318(d) of Public Law 94–579, including admin-  
13 istrative expenses and acquisition of lands or waters, or  
14 interests therein, \$33,416,000, to be derived from the  
15 Land and Water Conservation Fund and to remain avail-  
16 able until expended.

17 OREGON AND CALIFORNIA GRANT LANDS

18 For expenses necessary for management, protection,  
19 and development of resources and for construction, oper-  
20 ation, and maintenance of access roads, reforestation, and  
21 other improvements on the revested Oregon and California  
22 Railroad grant lands, on other Federal lands in the Or-  
23 egon and California land-grant counties of Oregon, and  
24 on adjacent rights-of-way; and acquisition of lands or in-  
25 terests therein, including existing connecting roads on or

1 adjacent to such grant lands; \$102,946,000, to remain  
2 available until expended: *Provided*, That 25 percent of the  
3 aggregate of all receipts during the current fiscal year  
4 from the revested Oregon and California Railroad grant  
5 lands is hereby made a charge against the Oregon and  
6 California land-grant fund and shall be transferred to the  
7 General Fund in the Treasury in accordance with the sec-  
8 ond paragraph of subsection (b) of title II of the Act of  
9 August 28, 1937 (43 U.S.C. 1181f).

10 RANGE IMPROVEMENTS

11 For rehabilitation, protection, and acquisition of  
12 lands and interests therein, and improvement of Federal  
13 rangelands pursuant to section 401 of the Federal Land  
14 Policy and Management Act of 1976 (43 U.S.C. 1751),  
15 notwithstanding any other Act, sums equal to 50 percent  
16 of all moneys received during the prior fiscal year under  
17 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.  
18 315b, 315m) and the amount designated for range im-  
19 provements from grazing fees and mineral leasing receipts  
20 from Bankhead-Jones lands transferred to the Depart-  
21 ment of the Interior pursuant to law, but not less than  
22 \$10,000,000, to remain available until expended: *Pro-*  
23 *vided*, That not to exceed \$600,000 shall be available for  
24 administrative expenses.

## 1 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

2 For administrative expenses and other costs related  
3 to processing application documents and other authoriza-  
4 tions for use and disposal of public lands and resources,  
5 for costs of providing copies of official public land docu-  
6 ments, for monitoring construction, operation, and termi-  
7 nation of facilities in conjunction with use authorizations,  
8 and for rehabilitation of damaged property, such amounts  
9 as may be collected under Public Law 94–579 (43 U.S.C.  
10 1701 et seq.), and under section 28 of the Mineral Leasing  
11 Act (30 U.S.C. 185), to remain available until expended:  
12 *Provided, That,* notwithstanding any provision to the con-  
13 trary of section 305(a) of Public Law 94–579 (43 U.S.C.  
14 1735(a)), any moneys that have been or will be received  
15 pursuant to that section, whether as a result of forfeiture,  
16 compromise, or settlement, if not appropriate for refund  
17 pursuant to section 305(c) of that Act (43 U.S.C.  
18 1735(c)), shall be available and may be expended under  
19 the authority of this Act by the Secretary to improve, pro-  
20 tect, or rehabilitate any public lands administered through  
21 the Bureau of Land Management which have been dam-  
22 aged by the action of a resource developer, purchaser, per-  
23 mittee, or any unauthorized person, without regard to  
24 whether all moneys collected from each such action are  
25 used on the exact lands damaged which led to the action:

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

5 MISCELLANEOUS TRUST FUNDS

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

14 ADMINISTRATIVE PROVISIONS

15 The Bureau of Land Management may carry out the  
16 operations funded under this Act by direct expenditure,  
17 contracts, grants, cooperative agreements and reimburs-  
18 able agreements with public and private entities, including  
19 with States. Appropriations for the Bureau shall be avail-  
20 able for purchase, erection, and dismantlement of tem-  
21 porary structures, and alteration and maintenance of nec-  
22 essary buildings and appurtenant facilities to which the  
23 United States has title; up to \$100,000 for payments, at  
24 the discretion of the Secretary, for information or evidence  
25 concerning violations of laws administered by the Bureau;

1 miscellaneous and emergency expenses of enforcement ac-  
2 tivities authorized or approved by the Secretary and to be  
3 accounted for solely on the Secretary's certificate, not to  
4 exceed \$10,000: *Provided*, That notwithstanding Public  
5 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-  
6 operative cost-sharing and partnership arrangements au-  
7 thorized by law, procure printing services from cooperators  
8 in connection with jointly produced publications for which  
9 the cooperators share the cost of printing either in cash  
10 or in services, and the Bureau determines the cooperator  
11 is capable of meeting accepted quality standards: *Provided*  
12 *further*, That projects to be funded pursuant to a written  
13 commitment by a State government to provide an identi-  
14 fied amount of money in support of the project may be  
15 carried out by the Bureau on a reimbursable basis: *Pro-*  
16 *vided further*, That section 35 of the Mineral Leasing Act  
17 (30 U.S.C. 191) shall be applied for fiscal year 2017 as  
18 if the following were inserted after the period in subsection  
19 (d)(4):

20           “(5) There is appropriated to the Fee Account  
21           established in subsection (c)(3)(B)(ii) of this section,  
22           out of any money in the Treasury not otherwise ap-  
23           propriated, \$26,000,000 for fiscal year 2017, to re-  
24           main available until expended, for the processing of  
25           applications for permit to drill and related use au-

1       thorizations, to be reduced by amounts collected by  
2       the Bureau and transferred to such Fee Account  
3       pursuant to subsection (d)(3)(A)(ii) of this section,  
4       so as to result in a final fiscal year 2017 appropria-  
5       tion from the general fund estimated at not more  
6       than \$0. Any offsetting receipts received in excess of  
7       \$26,000,000 in fiscal year 2017 that would have  
8       otherwise been transferred to the Fee Account estab-  
9       lished in subsection (c)(3)(B)(ii) of this section pur-  
10      suant to subsection (d)(3)(A)(ii) of this section shall  
11      instead be deposited in the general fund of the  
12      Treasury.”.

13 Appropriations herein made shall not be available for the  
14 destruction of healthy, unadopted, wild horses and burros  
15 in the care of the Bureau or its contractors or for the  
16 sale of wild horses and burros that results in their destruc-  
17 tion for processing into commercial products.

18           UNITED STATES FISH AND WILDLIFE SERVICE

19                           RESOURCE MANAGEMENT

20           For necessary expenses of the United States Fish and  
21 Wildlife Service, as authorized by law, and for scientific  
22 and economic studies, general administration, and for the  
23 performance of other authorized functions related to such  
24 resources, \$1,249,207,000, to remain available until Sep-  
25 tember 30, 2018: *Provided*, That not to exceed

1 \$17,411,000 shall be used for implementing subsections  
2 (a), (b), (c), and (e) of section 4 of the Endangered Spe-  
3 cies Act of 1973 (16 U.S.C. 1533) (except for processing  
4 petitions, developing and issuing proposed and final regu-  
5 lations, and taking any other steps to implement actions  
6 described in subsection (c)(2)(A), (c)(2)(B)(i), or  
7 (c)(2)(B)(ii)), of which not to exceed \$1,501,000 shall be  
8 used for any activity regarding the designation of critical  
9 habitat, pursuant to subsection (a)(3), excluding litigation  
10 support, for species listed pursuant to subsection (a)(1)  
11 prior to October 1, 2015; of which not to exceed  
12 \$1,501,000 shall be used for any activity regarding peti-  
13 tions to list species that are indigenous to the United  
14 States pursuant to subsections (b)(3)(A) and (b)(3)(B);  
15 and, of which not to exceed \$1,504,000 shall be used for  
16 implementing subsections (a), (b), (c), and (e) of section  
17 4 of the Endangered Species Act of 1973 (16 U.S.C.  
18 1533) for species that are not indigenous to the United  
19 States.

20 CONSTRUCTION

21 For construction, improvement, acquisition, or re-  
22 moval of buildings and other facilities required in the con-  
23 servation, management, investigation, protection, and uti-  
24 lization of fish and wildlife resources, and the acquisition

1 of lands and interests therein; \$16,935,000, to remain  
2 available until expended.

3 LAND ACQUISITION

4 For expenses necessary to carry out chapter 2003 of  
5 title 54, United States Code, including administrative ex-  
6 penses, and for acquisition of land or waters, or interest  
7 therein, in accordance with statutory authority applicable  
8 to the United States Fish and Wildlife Service,  
9 \$47,871,000, to be derived from the Land and Water Con-  
10 servation Fund and to remain available until expended:  
11 *Provided*, That none of the funds appropriated for specific  
12 land acquisition projects may be used to pay for any ad-  
13 ministrative overhead, planning or other management  
14 costs.

15 COOPERATIVE ENDANGERED SPECIES CONSERVATION

16 FUND

17 For expenses necessary to carry out section 6 of the  
18 Endangered Species Act of 1973 (16 U.S.C. 1535),  
19 \$53,495,000, to remain available until expended, of which  
20 \$22,695,000 is to be derived from the Cooperative Endan-  
21 gered Species Conservation Fund; and of which  
22 \$30,800,000 is to be derived from the Land and Water  
23 Conservation Fund.

## 1 NATIONAL WILDLIFE REFUGE FUND

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

## 4 NORTH AMERICAN WETLANDS CONSERVATION FUND

5 For expenses necessary to carry out the provisions  
6 of the North American Wetlands Conservation Act (16  
7 U.S.C. 4401 et seq.), \$38,145,000, to remain available  
8 until expended.

## 9 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

## 13 MULTINATIONAL SPECIES CONSERVATION FUND

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

## 22 STATE AND TRIBAL WILDLIFE GRANTS

23 For wildlife conservation grants to States and to the  
24 District of Columbia, Puerto Rico, Guam, the United  
25 States Virgin Islands, the Northern Mariana Islands,

1 American Samoa, and Indian tribes under the provisions  
2 of the Fish and Wildlife Act of 1956 and the Fish and  
3 Wildlife Coordination Act, for the development and imple-  
4 mentation of programs for the benefit of wildlife and their  
5 habitat, including species that are not hunted or fished,  
6 \$62,571,000, to remain available until expended: *Pro-*  
7 *vided*, That of the amount provided herein, \$4,084,000 is  
8 for a competitive grant program for Indian tribes not sub-  
9 ject to the remaining provisions of this appropriation: *Pro-*  
10 *vided further*, That \$5,487,000 is for a competitive grant  
11 program to implement approved plans for States, terri-  
12 tories, and other jurisdictions and at the discretion of af-  
13 fected States, the regional Associations of fish and wildlife  
14 agencies, not subject to the remaining provisions of this  
15 appropriation: *Provided further*, That the Secretary shall,  
16 after deducting \$9,571,000 and administrative expenses,  
17 apportion the amount provided herein in the following  
18 manner: (1) to the District of Columbia and to the Com-  
19 monwealth of Puerto Rico, each a sum equal to not more  
20 than one-half of 1 percent thereof; and (2) to Guam,  
21 American Samoa, the United States Virgin Islands, and  
22 the Commonwealth of the Northern Mariana Islands, each  
23 a sum equal to not more than one-fourth of 1 percent  
24 thereof: *Provided further*, That the Secretary shall appor-  
25 tion the remaining amount in the following manner: (1)

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

22 ADMINISTRATIVE PROVISIONS

23 The United States Fish and Wildlife Service may  
24 carry out the operations of Service programs by direct ex-  
25 penditure, contracts, grants, cooperative agreements and

1 reimbursable agreements with public and private entities.  
2 Appropriations and funds available to the United States  
3 Fish and Wildlife Service shall be available for repair of  
4 damage to public roads within and adjacent to reservation  
5 areas caused by operations of the Service; options for the  
6 purchase of land at not to exceed \$1 for each option; facili-  
7 ties incident to such public recreational uses on conserva-  
8 tion areas as are consistent with their primary purpose;  
9 and the maintenance and improvement of aquaria, build-  
10 ings, and other facilities under the jurisdiction of the Serv-  
11 ice and to which the United States has title, and which  
12 are used pursuant to law in connection with management,  
13 and investigation of fish and wildlife resources: *Provided*,  
14 That notwithstanding 44 U.S.C. 501, the Service may,  
15 under cooperative cost sharing and partnership arrange-  
16 ments authorized by law, procure printing services from  
17 cooperators in connection with jointly produced publica-  
18 tions for which the cooperators share at least one-half the  
19 cost of printing either in cash or services and the Service  
20 determines the cooperator is capable of meeting accepted  
21 quality standards: *Provided further*, That the Service may  
22 accept donated aircraft as replacements for existing air-  
23 craft: *Provided further*, That notwithstanding 31 U.S.C.  
24 3302, all fees collected for non-toxic shot review and ap-  
25 proval shall be deposited under the heading “United

1 States Fish and Wildlife Service—Resource Management”  
2 and shall be available to the Secretary, without further  
3 appropriation, to be used for expenses of processing of  
4 such non-toxic shot type or coating applications and revis-  
5 ing regulations as necessary, and shall remain available  
6 until expended.

7 NATIONAL PARK SERVICE

8 OPERATION OF THE NATIONAL PARK SYSTEM

9 For expenses necessary for the management, oper-  
10 ation, and maintenance of areas and facilities adminis-  
11 tered by the National Park Service and for the general  
12 administration of the National Park Service,  
13 \$2,405,627,000, of which \$10,032,000 for planning and  
14 interagency coordination in support of Everglades restora-  
15 tion and \$114,461,000 for maintenance, repair, or reha-  
16 bilitation projects for constructed assets shall remain  
17 available until September 30, 2018: *Provided*, That funds  
18 appropriated under this heading in this Act are available  
19 for the purposes of section 5 of Public Law 95–348.

20 NATIONAL RECREATION AND PRESERVATION

21 For expenses necessary to carry out recreation pro-  
22 grams, natural programs, cultural programs, heritage  
23 partnership programs, environmental compliance and re-  
24 view, international park affairs, and grant administration,  
25 not otherwise provided for, \$62,638,000.

## 1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the National  
3 Historic Preservation Act (division A of subtitle III of title  
4 54, United States Code), \$67,910,000, to be derived from  
5 the Historic Preservation Fund and to remain available  
6 until September 30, 2018, of which \$500,000 is for com-  
7 petitive grants for the survey and nomination of properties  
8 to the National Register of Historic Places and as Na-  
9 tional Historic Landmarks associated with communities  
10 currently underrepresented, as determined by the Sec-  
11 retary, and of which \$10,000,000 is for a competitive  
12 grant program to preserve the sites and stories of the Civil  
13 Rights movement: *Provided*, That such competitive grants  
14 shall be made without imposing the matching require-  
15 ments in section 302902(b)(3) of title 54, United States  
16 Code to States and Indian tribes as defined in chapter  
17 3003 of such title, Native Hawaiian organizations, local  
18 governments, including Certified Local Governments, and  
19 nonprofit organizations.

## 20 CONSTRUCTION

21 For construction, improvements, repair, or replace-  
22 ment of physical facilities, and compliance and planning  
23 for programs and areas administered by the National  
24 Park Service, \$217,320,000, to remain available until ex-  
25 pended: *Provided*, That, notwithstanding any other provi-

1 sion of law, for any project initially funded in fiscal year  
 2 2017 with a future phase indicated in the National Park  
 3 Service 5-Year Line Item Construction Plan, a single pro-  
 4 curement may be issued which includes the full scope of  
 5 the project: *Provided further*, That the solicitation and  
 6 contract shall contain the clause availability of funds  
 7 found at 48 CFR 52.232–18: *Provided further*, That Na-  
 8 tional Park Service Donations, Park Concessions Fran-  
 9 chise Fees, and Recreation Fees may be made available  
 10 for the cost of adjustments and changes within the origi-  
 11 nal scope of effort for projects funded by the National  
 12 Park Service Construction appropriation: *Provided further*,  
 13 That the Secretary of the Interior shall consult with the  
 14 Committees on Appropriations, in accordance with current  
 15 reprogramming thresholds, prior to making any charges  
 16 authorized by this section.

17 LAND AND WATER CONSERVATION FUND

18 (RESCISSION)

19 The contract authority provided for fiscal year 2017  
 20 by section 200308 of title 54, United States Code, is re-  
 21 scinded.

22 LAND ACQUISITION AND STATE ASSISTANCE

23 For expenses necessary to carry out chapter 2003 of  
 24 title 54, United States Code, including administrative ex-  
 25 penses, and for acquisition of lands or waters, or interest



1 extinguish or reduce liability for Possessory Interest or  
2 leasehold surrender interest. Such funds may only be used  
3 for this purpose to the extent that the benefitting unit an-  
4 ticipated franchise fee receipts over the term of the con-  
5 tract at that unit exceed the amount of funds used to ex-  
6 tinguish or reduce liability. Franchise fees at the benefit-  
7 ting unit shall be credited to the sub-account of the origi-  
8 nating unit over a period not to exceed the term of a single  
9 contract at the benefitting unit, in the amount of funds  
10 so expended 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; \$1,068,135,000, to remain available until  
18 September 30, 2018; of which \$73,037,189 shall remain  
19 available until expended for satellite operations; and of  
20 which \$7,280,000 shall be available until expended for de-  
21 ferred maintenance and capital improvement projects that  
22 exceed \$100,000 in cost: *Provided*, That none of the funds  
23 provided for the ecosystem research activity shall be used  
24 to conduct new surveys on private property, unless specifi-  
25 cally authorized in writing by the property owner: *Pro-*

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

6 ADMINISTRATIVE PROVISIONS

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

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

11 BUREAU OF OCEAN ENERGY MANAGEMENT

12 OCEAN ENERGY MANAGEMENT

13 For expenses necessary for granting leases, ease-  
14 ments, rights-of-way and agreements for use for oil and  
15 gas, other minerals, energy, and marine-related purposes  
16 on the Outer Continental Shelf and approving operations  
17 related thereto, as authorized by law; for environmental  
18 studies, as authorized by law; for implementing other laws  
19 and to the extent provided by Presidential or Secretarial  
20 delegation; and for matching grants or cooperative agree-  
21 ments, \$169,560,000, of which \$74,616,000, is to remain  
22 available until September 30, 2018 and of which  
23 \$94,944,000 is to remain available until expended: *Pro-*  
24 *vided*, That this total appropriation shall be reduced by  
25 amounts collected by the Secretary and credited to this

1 appropriation from additions to receipts resulting from in-  
 2 creases to lease rental rates in effect on August 5, 1993,  
 3 and from cost recovery fees from activities conducted by  
 4 the Bureau of Ocean Energy Management pursuant to the  
 5 Outer Continental Shelf Lands Act, including studies, as-  
 6 sessments, analysis, and miscellaneous administrative ac-  
 7 tivities: *Provided further*, That the sum herein appro-  
 8 priated shall be reduced as such collections are received  
 9 during the fiscal year, so as to result in a final fiscal year  
 10 2017 appropriation estimated at not more than  
 11 \$74,616,000: *Provided further*, That not to exceed \$3,000  
 12 shall be available for reasonable expenses related to pro-  
 13 moting volunteer beach and marine cleanup activities.

14           BUREAU OF SAFETY AND ENVIRONMENTAL  
 15                           ENFORCEMENT

16 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT  
 17                           (INCLUDING RESCISSION OF FUNDS)

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

1 ments, \$136,772,000, of which \$93,242,000 is to remain  
2 available until September 30, 2018 and of which  
3 \$43,530,000 is to remain available until expended: *Pro-*  
4 *vided*, That this total appropriation shall be reduced by  
5 amounts collected by the Secretary and credited to this  
6 appropriation from additions to receipts resulting from in-  
7 creases to lease rental rates in effect on August 5, 1993,  
8 and from cost recovery fees from activities conducted by  
9 the Bureau of Safety and Environmental Enforcement  
10 pursuant to the Outer Continental Shelf Lands Act, in-  
11 cluding studies, assessments, analysis, and miscellaneous  
12 administrative activities: *Provided further*, That the sum  
13 herein appropriated shall be reduced as such collections  
14 are received during the fiscal year, so as to result in a  
15 final fiscal year 2017 appropriation estimated at not more  
16 than \$93,242,000.

17 For an additional amount, \$53,000,000, to remain  
18 available until expended, to be reduced by amounts col-  
19 lected by the Secretary and credited to this appropriation,  
20 which shall be derived from non-refundable inspection fees  
21 collected in fiscal year 2017, as provided in this Act: *Pro-*  
22 *vided*, That to the extent that amounts realized from such  
23 inspection fees exceed \$53,000,000, the amounts realized  
24 in excess of \$53,000,000 shall be credited to this appro-  
25 priation and remain available until expended: *Provided*

1 *further*, That for fiscal year 2017, not less than 50 percent  
2 of the inspection fees expended by the Bureau of Safety  
3 and Environmental Enforcement will be used to fund per-  
4 sonnel and mission-related costs to expand capacity and  
5 expedite the orderly development, subject to environmental  
6 safeguards, of the Outer Continental Shelf pursuant to the  
7 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et  
8 seq.), including the review of applications for permits to  
9 drill.

10 Of the unobligated balances available for this ac-  
11 count, \$25,000,000 are permanently rescinded.

12 OIL SPILL RESEARCH

13 For necessary expenses to carry out title I, section  
14 1016, title IV, sections 4202 and 4303, title VII, and title  
15 VIII, section 8201 of the Oil Pollution Act of 1990,  
16 \$14,899,000, which shall be derived from the Oil Spill Li-  
17 ability Trust Fund, to remain available until expended.

18 OFFICE OF SURFACE MINING RECLAMATION AND

19 ENFORCEMENT

20 REGULATION AND TECHNOLOGY

21 For necessary expenses to carry out the provisions  
22 of the Surface Mining Control and Reclamation Act of  
23 1977, Public Law 95–87, \$119,711,000, to remain avail-  
24 able until September 30, 2018: *Provided*, That appropria-  
25 tions for the Office of Surface Mining Reclamation and

1 Enforcement may provide for the travel and per diem ex-  
2 penses of State and tribal personnel attending Office of  
3 Surface Mining Reclamation and Enforcement sponsored  
4 training.

5       In addition, for costs to review, administer, and en-  
6 force permits issued by the Office pursuant to section 507  
7 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-  
8 main available until expended: *Provided*, That fees as-  
9 sessed and collected by the Office pursuant to such section  
10 507 shall be credited to this account as discretionary off-  
11 setting collections, to remain available until expended:  
12 *Provided further*, That the sum herein appropriated from  
13 the general fund shall be reduced as collections are re-  
14 ceived during the fiscal year, so as to result in a fiscal  
15 year 2017 appropriation estimated at not more than  
16 \$119,711,000.

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, \$27,134,000, to be derived from re-  
21 ceipts of the Abandoned Mine Reclamation Fund and to  
22 remain available until expended: *Provided*, That pursuant  
23 to Public Law 97–365, the Department of the Interior is  
24 authorized to use up to 20 percent from the recovery of  
25 the delinquent debt owed to the United States Government

1 to pay for contracts to collect these debts: *Provided fur-*  
2 *ther*, That funds made available under title IV of Public  
3 Law 95–87 may be used for any required non-Federal  
4 share of the cost of projects funded by the Federal Gov-  
5 ernment for the purpose of environmental restoration re-  
6 lated to treatment or abatement of acid mine drainage  
7 from abandoned mines: *Provided further*, That such  
8 projects must be consistent with the purposes and prior-  
9 ities of the Surface Mining Control and Reclamation Act:  
10 *Provided further*, That amounts provided under this head-  
11 ing may be used for the travel and per diem expenses of  
12 State and tribal personnel attending Office of Surface  
13 Mining Reclamation and Enforcement sponsored training.  
14 In addition, \$90,000,000, to remain available until  
15 expended, for grants to States for reclamation of aban-  
16 doned mine lands and other related activities in accord-  
17 ance with the terms and conditions in the report accom-  
18 panying this Act: *Provided*, That such additional amount  
19 shall be used for economic and community development  
20 in conjunction with the priorities in section 403(a) of the  
21 Surface Mining Control and Reclamation Act of 1977 (30  
22 U.S.C. 1233(a)): *Provided further*, That of such additional  
23 amount, \$75,000,000 shall be distributed in equal  
24 amounts to the three Appalachian States with the greatest  
25 amount of unfunded needs to meet the priorities described

1 in paragraphs (1) and (2) of such section, and  
2 \$15,000,000 shall be distributed in equal amounts to the  
3 three Appalachian States with the subsequent greatest  
4 amount of unfunded needs to meet such priorities: *Pro-*  
5 *vided further*, That such additional amount shall be allo-  
6 cated to States within 60 days after the date of enactment  
7 of this Act.

8 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN  
9 EDUCATION

10 OPERATION OF INDIAN PROGRAMS  
11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses necessary for the operation of Indian  
13 programs, as authorized by law, including the Snyder Act  
14 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-  
15 termination and Education Assistance Act of 1975 (25  
16 U.S.C. 450 et seq.), the Education Amendments of 1978  
17 (25 U.S.C. 2001–2019), and the Tribally Controlled  
18 Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
19 \$2,326,339,000, to remain available until September 30,  
20 2018, except as otherwise provided herein; of which not  
21 to exceed \$8,500 may be for official reception and rep-  
22 resentation expenses; of which not to exceed \$74,773,000  
23 shall be for welfare assistance payments: *Provided*, That,  
24 in cases of designated Federal disasters, the Secretary  
25 may exceed such cap, from the amounts provided herein,

1 to provide for disaster relief to Indian communities af-  
2 fected by the disaster: *Provided further*, That federally rec-  
3 ognized Indian tribes and tribal organizations of federally  
4 recognized Indian tribes may use their tribal priority allo-  
5 cations for unmet welfare assistance costs: *Provided fur-*  
6 *ther*, That not to exceed \$646,782,000 for school oper-  
7 ations costs of Bureau-funded schools and other education  
8 programs shall become available on July 1, 2017, and  
9 shall remain available until September 30, 2018: *Provided*  
10 *further*, That not to exceed \$49,122,000 shall remain  
11 available until expended for housing improvement, road  
12 maintenance, attorney fees, litigation support, land  
13 records improvement, and the Navajo-Hopi Settlement  
14 Program: *Provided further*, That, notwithstanding any  
15 other provision of law, including but not limited to the  
16 Indian Self-Determination Act of 1975 (25 U.S.C. 450f  
17 et seq.) and section 1128 of the Education Amendments  
18 of 1978 (25 U.S.C. 2008), not to exceed \$75,335,000  
19 within and only from such amounts made available for  
20 school operations shall be available for administrative cost  
21 grants associated with grants approved prior to July 1,  
22 2017: *Provided further*, That any forestry funds allocated  
23 to a federally recognized tribe which remain unobligated  
24 as of September 30, 2018, may be transferred during fis-  
25 cal year 2019 to an Indian forest land assistance account

1 established for the benefit of the holder of the funds within  
2 the holder's trust fund account: *Provided further*, That  
3 any such unobligated balances not so transferred shall ex-  
4 pire on September 30, 2019: *Provided further*, That, in  
5 order to enhance the safety of Bureau field employees, the  
6 Bureau may use funds to purchase uniforms or other iden-  
7 tifying articles of clothing for personnel.

8 CONTRACT SUPPORT COSTS

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

18 CONSTRUCTION

19 (INCLUDING TRANSFER OF FUNDS)

20 For construction, repair, improvement, and mainte-  
21 nance of irrigation and power systems, buildings, utilities,  
22 and other facilities, including architectural and engineer-  
23 ing services by contract; acquisition of lands, and interests  
24 in lands; and preparation of lands for farming, and for  
25 construction of the Navajo Indian Irrigation Project pur-

1 suant to Public Law 87–483, \$192,017,000, to remain  
2 available until expended: *Provided*, That such amounts as  
3 may be available for the construction of the Navajo Indian  
4 Irrigation Project may be transferred to the Bureau of  
5 Reclamation: *Provided further*, That not to exceed 6 per-  
6 cent of contract authority available to the Bureau of In-  
7 dian Affairs from the Federal Highway Trust Fund may  
8 be used to cover the road program management costs of  
9 the Bureau: *Provided further*, That any funds provided for  
10 the Safety of Dams program pursuant to 25 U.S.C. 13  
11 shall be made available on a nonreimbursable basis: *Pro-*  
12 *vided further*, That for fiscal year 2017, in implementing  
13 new construction, replacement facilities construction, or  
14 facilities improvement and repair project grants in excess  
15 of \$100,000 that are provided to grant schools under Pub-  
16 lic Law 100–297, as amended, the Secretary of the Inte-  
17 rior shall use the Administrative and Audit Requirements  
18 and Cost Principles for Assistance Programs contained in  
19 43 CFR part 12 as the regulatory requirements: *Provided*  
20 *further*, That such grants shall not be subject to section  
21 12.61 of 43 CFR; the Secretary and the grantee shall ne-  
22 gotiate and determine a schedule of payments for the work  
23 to be performed: *Provided further*, That in considering  
24 grant applications, the Secretary shall consider whether  
25 such grantee would be deficient in assuring that the con-

1 construction projects conform to applicable building stand-  
2 ards and codes and Federal, tribal, or State health and  
3 safety standards as required by 25 U.S.C. 2005(b), with  
4 respect to organizational and financial management capa-  
5 bilities: *Provided further*, That if the Secretary declines a  
6 grant application, the Secretary shall follow the require-  
7 ments contained in 25 U.S.C. 2504(f): *Provided further*,  
8 That any disputes between the Secretary and any grantee  
9 concerning a grant shall be subject to the disputes provi-  
10 sion in 25 U.S.C. 2507(e): *Provided further*, That in order  
11 to ensure timely completion of construction projects, the  
12 Secretary may assume control of a project and all funds  
13 related to the project, if, within 18 months of the date  
14 of enactment of this Act, any grantee receiving funds ap-  
15 propriated in this Act or in any prior Act, has not com-  
16 pleted the planning and design phase of the project and  
17 commenced construction: *Provided further*, That this ap-  
18 propriation may be reimbursed from the Office of the Spe-  
19 cial Trustee for American Indians appropriation for the  
20 appropriate share of construction costs for space expan-  
21 sion needed in agency offices to meet trust reform imple-  
22 mentation.

1 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
2 MISCELLANEOUS PAYMENTS TO INDIANS

3 For payments and necessary administrative expenses  
4 for implementation of Indian land and water claim settle-  
5 ments pursuant to Public Laws 99-264, 100-580, 101-  
6 618, 111-11, and 111-291, and for implementation of  
7 other land and water rights settlements, \$49,475,000, to  
8 remain available until expended.

9 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

10 For the cost of guaranteed loans and insured loans,  
11 \$8,748,000, of which \$1,182,000 is for administrative ex-  
12 penses, as authorized by the Indian Financing Act of  
13 1974: *Provided*, That such costs, including the cost of  
14 modifying such loans, shall be as defined in section 502  
15 of the Congressional Budget Act of 1974: *Provided fur-*  
16 *ther*, That these funds are available to subsidize total loan  
17 principal, any part of which is to be guaranteed or insured,  
18 not to exceed \$119,907,851.

19 ADMINISTRATIVE PROVISIONS

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

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

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

16           In the event any tribe returns appropriations made  
17 available by this Act to the Bureau of Indian Affairs, this  
18 action shall not diminish the Federal Government’s trust  
19 responsibility to that tribe, or the government-to-govern-  
20 ment relationship between the United States and that  
21 tribe, or that tribe’s ability to access future appropria-  
22 tions.

23           Notwithstanding any other provision of law, no funds  
24 available to the Bureau of Indian Education, other than  
25 the amounts provided herein for assistance to public

1 schools under 25 U.S.C. 452 et seq., shall be available to  
2 support the operation of any elementary or secondary  
3 school in the State of Alaska.

4 No funds available to the Bureau of Indian Edu-  
5 cation shall be used to support expanded grades for any  
6 school or dormitory beyond the grade structure in place  
7 or approved by the Secretary of the Interior at each school  
8 in the Bureau of Indian Education school system as of  
9 October 1, 1995, except that the Secretary of the Interior  
10 may waive this prohibition to support expansion of up to  
11 one additional grade when the Secretary determines such  
12 waiver is needed to support accomplishment of the mission  
13 of the Bureau of Indian Education. Appropriations made  
14 available in this or any prior Act for schools funded by  
15 the Bureau shall be available, in accordance with the Bu-  
16 reau's funding formula, only to the schools in the Bureau  
17 school system as of September 1, 1996, and to any school  
18 or school program that was reinstated in fiscal year 2012.  
19 Funds made available under this Act may not be used to  
20 establish a charter school at a Bureau-funded school (as  
21 that term is defined in section 1141 of the Education  
22 Amendments of 1978 (25 U.S.C. 2021)), except that a  
23 charter school that is in existence on the date of the enact-  
24 ment of this Act and that has operated at a Bureau-fund-  
25 ed school before September 1, 1999, may continue to oper-

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

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

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

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

1                   DEPARTMENTAL OFFICES  
2                   OFFICE OF THE SECRETARY  
3                   DEPARTMENTAL OPERATIONS

4           For necessary expenses for management of the De-  
5 partment of the Interior, including the collection and dis-  
6 bursement of royalties, fees, and other mineral revenue  
7 proceeds, and for grants and cooperative agreements, as  
8 authorized by law, \$265,000,000, to remain available until  
9 September 30, 2018; of which not to exceed \$15,000 may  
10 be for official reception and representation expenses; and  
11 of which up to \$1,000,000 shall be available for workers  
12 compensation payments and unemployment compensation  
13 payments associated with the orderly closure of the United  
14 States Bureau of Mines; and of which \$12,000,000 for  
15 the Office of Valuation Services is to be derived from the  
16 Land and Water Conservation Fund and shall remain  
17 available until expended; and of which \$38,300,000 shall  
18 remain available until expended for the purpose of mineral  
19 revenue management activities: *Provided*, That notwith-  
20 standing any other provision of law, \$15,000 under this  
21 heading shall be available for refunds of overpayments in  
22 connection with certain Indian leases in which the Sec-  
23 retary concurred with the claimed refund due, to pay  
24 amounts owed to Indian allottees or tribes, or to correct  
25 prior unrecoverable erroneous payments.

## 1 ADMINISTRATIVE PROVISIONS

2 For fiscal year 2017, up to \$400,000 of the payments  
3 authorized by the Act of October 20, 1976 (31 U.S.C.  
4 6901–6907) may be retained for administrative expenses  
5 of the Payments in Lieu of Taxes Program: *Provided*,  
6 That no payment shall be made pursuant to that Act to  
7 otherwise eligible units of local government if the com-  
8 puted amount of the payment is less than \$100: *Provided*  
9 *further*, That the Secretary may reduce the payment au-  
10 thorized by 31 U.S.C. 6901–6907 for an individual county  
11 by the amount necessary to correct prior year overpay-  
12 ments to that county: *Provided further*, That the amount  
13 needed to correct a prior year underpayment to an indi-  
14 vidual county shall be paid from any reductions for over-  
15 payments to other counties and the amount necessary to  
16 cover any remaining underpayment is hereby appropriated  
17 and shall be paid to individual counties: *Provided further*,  
18 That in the event the sums appropriated for any fiscal  
19 year for payments pursuant to 31 U.S.C. 6906 are less  
20 than the full payments to all units of local government,  
21 then the payment to each local government shall be made  
22 proportionally.

## 1 INSULAR AFFAIRS

## 2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories  
4 under the jurisdiction of the Department of the Interior  
5 and other jurisdictions identified in section 104(e) of Pub-  
6 lic Law 108–188, \$93,870,000, of which: (1) \$84,007,000  
7 shall remain available until expended for territorial assist-  
8 ance, including general technical assistance, maintenance  
9 assistance, disaster assistance, coral reef initiative activi-  
10 ties, and brown tree snake control and research; grants  
11 to the judiciary in American Samoa for compensation and  
12 expenses, as authorized by law (48 U.S.C. 1661(c));  
13 grants to the Government of American Samoa, in addition  
14 to current local revenues, for construction and support of  
15 governmental functions; grants to the Government of the  
16 Virgin Islands as authorized by law; grants to the Govern-  
17 ment of Guam, as authorized by law; and grants to the  
18 Government of the Northern Mariana Islands as author-  
19 ized by law (Public Law 94–241; 90 Stat. 272); and (2)  
20 \$9,863,000 shall be available until September 30, 2018,  
21 for salaries and expenses of the Office of Insular Affairs:  
22 *Provided*, That all financial transactions of the territorial  
23 and local governments herein provided for, including such  
24 transactions of all agencies or instrumentalities estab-  
25 lished or used by such governments, may be audited by

1 the Government Accountability Office, at its discretion, in  
2 accordance with chapter 35 of title 31, United States  
3 Code: *Provided further*, That Northern Mariana Islands  
4 Covenant grant funding shall be provided according to  
5 those terms of the Agreement of the Special Representa-  
6 tives on Future United States Financial Assistance for the  
7 Northern Mariana Islands approved by Public Law 104-  
8 134: *Provided further*, That the funds for the program of  
9 operations and maintenance improvement are appro-  
10 priated to institutionalize routine operations and mainte-  
11 nance improvement of capital infrastructure with terri-  
12 torial participation and cost sharing to be determined by  
13 the Secretary based on the grantee's commitment to time-  
14 ly maintenance of its capital assets: *Provided further*, That  
15 any appropriation for disaster assistance under this head-  
16 ing in this Act or previous appropriations Acts may be  
17 used as non-Federal matching funds for the purpose of  
18 hazard mitigation grants provided pursuant to section 404  
19 of the Robert T. Stafford Disaster Relief and Emergency  
20 Assistance Act (42 U.S.C. 5170e).

21 COMPACT OF FREE ASSOCIATION

22 For grants and necessary expenses, \$3,318,000, to  
23 remain available until expended, as provided for in sec-  
24 tions 221(a)(2) and 233 of the Compact of Free Associa-  
25 tion for the Republic of Palau; and section 221(a)(2) of

1 the Compacts of Free Association for the Government of  
2 the Republic of the Marshall Islands and the Federated  
3 States of Micronesia, as authorized by Public Law 99–  
4 658 and Public Law 108–188.

5 ADMINISTRATIVE PROVISIONS

6 (INCLUDING TRANSFER OF FUNDS)

7 At the request of the Governor of Guam, the Sec-  
8 retary may transfer discretionary funds or mandatory  
9 funds provided under section 104(e) of Public Law 108–  
10 188 and Public Law 104–134, that are allocated for  
11 Guam, to the Secretary of Agriculture for the subsidy cost  
12 of direct or guaranteed loans, plus not to exceed three per-  
13 cent of the amount of the subsidy transferred for the cost  
14 of loan administration, for the purposes authorized by the  
15 Rural Electrification Act of 1936 and section 306(a)(1)  
16 of the Consolidated Farm and Rural Development Act for  
17 construction and repair projects in Guam, and such funds  
18 shall remain available until expended: *Provided*, That such  
19 costs, including the cost of modifying such loans, shall be  
20 as defined in section 502 of the Congressional Budget Act  
21 of 1974: *Provided further*, That such loans or loan guaran-  
22 tees may be made without regard to the population of the  
23 area, credit elsewhere requirements, and restrictions on  
24 the types of eligible entities under the Rural Electrifica-  
25 tion Act of 1936 and section 306(a)(1) of the Consolidated

1 Farm and Rural Development Act: *Provided further*, That  
2 any funds transferred to the Secretary of Agriculture shall  
3 be in addition to funds otherwise made available to make  
4 or guarantee loans under such authorities.

5 OFFICE OF THE SOLICITOR

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Solicitor,  
8 \$65,758,000.

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector  
12 General, \$50,047,000.

13 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

14 INDIANS

15 FEDERAL TRUST PROGRAMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the operation of trust programs for Indians by  
18 direct expenditure, contracts, cooperative agreements,  
19 compacts, and grants, \$139,029,000, to remain available  
20 until expended, of which not to exceed \$19,632,000 from  
21 this or any other Act, may be available for historical ac-  
22 counting: *Provided*, That funds for trust management im-  
23 provements and litigation support may, as needed, be  
24 transferred to or merged with the Bureau of Indian Af-  
25 fairs and Bureau of Indian Education, “Operation of In-

1 dian Programs” account; the Office of the Solicitor, “Sala-  
2 ries and Expenses” account; and the Office of the Sec-  
3 retary, “Departmental Operations” account: *Provided fur-*  
4 *ther*, That funds made available through contracts or  
5 grants obligated during fiscal year 2017, as authorized by  
6 the Indian Self-Determination Act of 1975 (25 U.S.C. 450  
7 et seq.), shall remain available until expended by the con-  
8 tractor or grantee: *Provided further*, That, notwith-  
9 standing any other provision of law, the Secretary shall  
10 not be required to provide a quarterly statement of per-  
11 formance for any Indian trust account that has not had  
12 activity for at least 15 months and has a balance of \$15  
13 or less: *Provided further*, That the Secretary shall issue  
14 an annual account statement and maintain a record of any  
15 such accounts and shall permit the balance in each such  
16 account to be withdrawn upon the express written request  
17 of the account holder: *Provided further*, That not to exceed  
18 \$50,000 is available for the Secretary to make payments  
19 to correct administrative errors of either disbursements  
20 from or deposits to Individual Indian Money or Tribal ac-  
21 counts after September 30, 2002: *Provided further*, That  
22 erroneous payments that are recovered shall be credited  
23 to and remain available in this account for this purpose:  
24 *Provided further*, That the Secretary shall not be required  
25 to reconcile Special Deposit Accounts with a balance of

1 less than \$500 unless the Office of the Special Trustee  
2 receives proof of ownership from a Special Deposit Ac-  
3 counts claimant: *Provided further*, That, notwithstanding  
4 section 102 of the American Indian Trust Fund Manage-  
5 ment Reform Act of 1994 (Public Law 103–412) or any  
6 other provision of law, the Secretary may aggregate the  
7 trust accounts of individuals whose whereabouts are un-  
8 known for a continuous period of at least five years and  
9 shall not be required to generate periodic statements of  
10 performance for the individual accounts: *Provided further*,  
11 That, with respect to the eighth proviso, the Secretary  
12 shall continue to maintain sufficient records to determine  
13 the balance of the individual accounts, including any ac-  
14 crued interest and income, and such funds shall remain  
15 available to the individual account holders.

16 DEPARTMENT-WIDE PROGRAMS

17 WILDLAND FIRE MANAGEMENT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses for fire preparedness, fire  
20 suppression operations, fire science and research, emer-  
21 gency rehabilitation, hazardous fuels management activi-  
22 ties, and rural fire assistance by the Department of the  
23 Interior, \$942,671,000, to remain available until ex-  
24 pended, of which not to exceed \$8,427,000 shall be for  
25 the renovation or construction of fire facilities: *Provided*,

1 That such funds are also available for repayment of ad-  
2 vances to other appropriation accounts from which funds  
3 were previously transferred for such purposes: *Provided*  
4 *further*, That of the funds provided \$180,000,000 is for  
5 hazardous fuels management activities: *Provided further*,  
6 That of the funds provided \$20,470,000 is for burned area  
7 rehabilitation: *Provided further*, That persons hired pursu-  
8 ant to 43 U.S.C. 1469 may be furnished subsistence and  
9 lodging without cost from funds available from this appro-  
10 priation: *Provided further*, That notwithstanding 42  
11 U.S.C. 1856d, sums received by a bureau or office of the  
12 Department of the Interior for fire protection rendered  
13 pursuant to 42 U.S.C. 1856 et seq., protection of United  
14 States property, may be credited to the appropriation from  
15 which funds were expended to provide that protection, and  
16 are available without fiscal year limitation: *Provided fur-*  
17 *ther*, That using the amounts designated under this title  
18 of this Act, the Secretary of the Interior may enter into  
19 procurement contracts, grants, or cooperative agreements,  
20 for hazardous fuels management and resilient landscapes  
21 activities, and for training and monitoring associated with  
22 such hazardous fuels management and resilient landscapes  
23 activities, on Federal land, or on adjacent non-Federal  
24 land for activities that benefit resources on Federal land:  
25 *Provided further*, That the costs of implementing any co-

1 operative agreement between the Federal Government and  
2 any non-Federal entity may be shared, as mutually agreed  
3 on by the affected parties: *Provided further*, That notwith-  
4 standing requirements of the Competition in Contracting  
5 Act, the Secretary, for purposes of hazardous fuels man-  
6 agement and resilient landscapes activities, may obtain  
7 maximum practicable competition among: (1) local pri-  
8 vate, nonprofit, or cooperative entities; (2) Youth Con-  
9 servation Corps crews, Public Lands Corps (Public Law  
10 109–154), or related partnerships with State, local, or  
11 nonprofit youth groups; (3) small or micro-businesses; or  
12 (4) other entities that will hire or train locally a significant  
13 percentage, defined as 50 percent or more, of the project  
14 workforce to complete such contracts: *Provided further*,  
15 That in implementing this section, the Secretary shall de-  
16 velop written guidance to field units to ensure account-  
17 ability and consistent application of the authorities pro-  
18 vided herein: *Provided further*, That funds appropriated  
19 under this heading may be used to reimburse the United  
20 States Fish and Wildlife Service and the National Marine  
21 Fisheries Service for the costs of carrying out their re-  
22 sponsibilities under the Endangered Species Act of 1973  
23 (16 U.S.C. 1531 et seq.) to consult and conference, as  
24 required by section 7 of such Act, in connection with  
25 wildland fire management activities: *Provided further*,

1 That the Secretary of the Interior may use wildland fire  
2 appropriations to enter into leases of real property with  
3 local governments, at or below fair market value, to con-  
4 struct capitalized improvements for fire facilities on such  
5 leased properties, including but not limited to fire guard  
6 stations, retardant stations, and other initial attack and  
7 fire support facilities, and to make advance payments for  
8 any such lease or for construction activity associated with  
9 the lease: *Provided further*, That the Secretary of the Inte-  
10 rior and the Secretary of Agriculture may authorize the  
11 transfer of funds appropriated for wildland fire manage-  
12 ment, in an aggregate amount not to exceed \$50,000,000,  
13 between the Departments when such transfers would fa-  
14 cilitate and expedite wildland fire management programs  
15 and projects: *Provided further*, That funds provided for  
16 wildfire suppression shall be available for support of Fed-  
17 eral emergency response actions: *Provided further*, That  
18 funds appropriated under this heading shall be available  
19 for assistance to or through the Department of State in  
20 connection with forest and rangeland research, technical  
21 information, and assistance in foreign countries, and, with  
22 the concurrence of the Secretary of State, shall be avail-  
23 able to support forestry, wildland fire management, and  
24 related natural resource activities outside the United  
25 States and its territories and possessions, including tech-

1 nical assistance, education and training, and cooperation  
2 with United States and international organizations.

3       For an additional amount, \$171,291,000 for wildfire  
4 suppression operations to meet the emergency and unpre-  
5 dictable aspects of wildland firefighting including support,  
6 response, and emergency stabilization activities, other  
7 emergency management activities, and funds necessary to  
8 repay any transfers needed for these costs, to remain  
9 available until expended: *Provided*, That such funds are  
10 also available for transfer to other appropriations accounts  
11 to repay amounts previously transferred for wildfire sup-  
12 pression: *Provided further*, That such amount is des-  
13 ignated by the Congress as an emergency requirement  
14 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
15 et and Emergency Deficit Control Act of 1985, except that  
16 such amount shall be available only if the President subse-  
17 quently so designates such amount and transmits such  
18 designation to the Congress.

19                   CENTRAL HAZARDOUS MATERIALS FUND

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



1 assess reasonable charges to State, local and tribal govern-  
2 ment employees for training services provided by the Na-  
3 tional Indian Program Training Center, other than train-  
4 ing related to Public Law 93-638: *Provided further*, That  
5 the Secretary may lease or otherwise provide space and  
6 related facilities, equipment or professional services of the  
7 National Indian Program Training Center to State, local  
8 and tribal government employees or persons or organiza-  
9 tions engaged in cultural, educational, or recreational ac-  
10 tivities (as defined in section 3306(a) of title 40, United  
11 States Code) at the prevailing rate for similar space, facili-  
12 ties, equipment, or services in the vicinity of the National  
13 Indian Program Training Center: *Provided further*, That  
14 all funds received pursuant to the two preceding provisos  
15 shall be credited to this account, shall be available until  
16 expended, and shall be used by the Secretary for necessary  
17 expenses of the National Indian Program Training Center:  
18 *Provided further*, That the Secretary may enter into grants  
19 and cooperative agreements to support the Office of Nat-  
20 ural Resource Revenue's collection and disbursement of  
21 royalties, fees, and other mineral revenue proceeds, as au-  
22 thorized by law.

23 ADMINISTRATIVE PROVISION

24 There is hereby authorized for acquisition from avail-  
25 able resources within the Working Capital Fund, aircraft



1 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

2       SEC. 102. The Secretary may authorize the expendi-  
3 ture or transfer of any no year appropriation in this title,  
4 in addition to the amounts included in the budget pro-  
5 grams of the several agencies, for the suppression or emer-  
6 gency prevention of wildland fires on or threatening lands  
7 under the jurisdiction of the Department of the Interior;  
8 for the emergency rehabilitation of burned-over lands  
9 under its jurisdiction; for emergency actions related to po-  
10 tential or actual earthquakes, floods, volcanoes, storms, or  
11 other unavoidable causes; for contingency planning subse-  
12 quent to actual oil spills; for response and natural resource  
13 damage assessment activities related to actual oil spills or  
14 releases of hazardous substances into the environment; for  
15 the prevention, suppression, and control of actual or po-  
16 tential grasshopper and Mormon cricket outbreaks on  
17 lands under the jurisdiction of the Secretary, pursuant to  
18 the authority in section 417(b) of Public Law 106–224  
19 (7 U.S.C. 7717(b)); for emergency reclamation projects  
20 under section 410 of Public Law 95–87; and shall trans-  
21 fer, from any no year funds available to the Office of Sur-  
22 face Mining Reclamation and Enforcement, such funds as  
23 may be necessary to permit assumption of regulatory au-  
24 thority in the event a primacy State is not carrying out  
25 the regulatory provisions of the Surface Mining Act: *Pro-*

1 *vided*, That appropriations made in this title for wildland  
2 fire operations shall be available for the payment of obliga-  
3 tions incurred during the preceding fiscal year, and for  
4 reimbursement to other Federal agencies for destruction  
5 of vehicles, aircraft, or other equipment in connection with  
6 their use for wildland fire operations, such reimbursement  
7 to be credited to appropriations currently available at the  
8 time of receipt thereof: *Provided further*, That for wildland  
9 fire operations, no funds shall be made available under  
10 this authority until the Secretary determines that funds  
11 appropriated for wildland fire operations shall be ex-  
12 hausted within 30 days: *Provided further*, That all funds  
13 used pursuant to this section must be replenished by a  
14 supplemental appropriation, which must be requested as  
15 promptly as possible: *Provided further*, That such replen-  
16 ishment funds shall be used to reimburse, on a pro rata  
17 basis, accounts from which emergency funds were trans-  
18 ferred.

19 AUTHORIZED USE OF FUNDS

20 SEC. 103. Appropriations made to the Department  
21 of the Interior in this title shall be available for services  
22 as authorized by section 3109 of title 5, United States  
23 Code, when authorized by the Secretary, in total amount  
24 not to exceed \$500,000; purchase and replacement of  
25 motor vehicles, including specially equipped law enforce-



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

10            ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

## 1           OUTER CONTINENTAL SHELF INSPECTION FEES

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

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

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

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

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

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

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

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

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

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

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

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

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

1 wild free roaming horses and burros by such organizations  
2 or entities on private land. Such cooperative agreements  
3 and contracts may not exceed 10 years, subject to renewal  
4 at the discretion of the Secretary.

5 HUMANE TRANSFER OF EXCESS ANIMALS

6 SEC. 110. Notwithstanding any other provision of  
7 law, the Secretary of the Interior may transfer excess wild  
8 horses or burros that have been removed from the public  
9 lands to other Federal, State, and local government agen-  
10 cies for use as work animals: *Provided*, That the Secretary  
11 may make any such transfer immediately upon request of  
12 such Federal, State, or local government agency: *Provided*  
13 *further*, That any excess animal transferred under this  
14 provision shall lose its status as a wild free-roaming horse  
15 or burro as defined in the Wild Free-Roaming Horses and  
16 Burros Act: *Provided further*, That any Federal, State or  
17 local agency receiving excess wild horses shall not destroy,  
18 sell, or otherwise transfer the horses or burros in way that  
19 results in their destruction for processing into commercial  
20 products.

21 LESSER PRAIRIE CHICKEN

22 SEC. 111. None of the funds made available by this  
23 Act shall be used to develop, propose, finalize, implement,  
24 enforce, or carry out any other activity leading to a deter-  
25 mination of the status of the lesser prairie-chicken

1 (Tympanuchus pallidicinctus) as a threatened species or  
2 endangered species under the Endangered Species Act of  
3 1973 (16 U.S.C. 1531 et seq.).

4                                    MASS MARKING OF SALMONIDS

5           SEC. 112. The United States Fish and Wildlife Serv-  
6 ice shall, in carrying out its responsibilities to protect  
7 threatened and endangered species of salmon, implement  
8 a system of mass marking of salmonid stocks, intended  
9 for harvest, that are released from federally operated or  
10 federally financed hatcheries including but not limited to  
11 fish releases of coho, chinook, and steelhead species.  
12 Marked fish must have a visible mark that can be readily  
13 identified by commercial and recreational fishers.

14                                    WILD LANDS FUNDING PROHIBITION

15           SEC. 113. None of the funds made available in this  
16 Act or any other Act may be used to implement, admin-  
17 ister, or enforce Secretarial Order No. 3310 issued by the  
18 Secretary of the Interior on December 22, 2010: *Provided*,  
19 That nothing in this section shall restrict the Secretary's  
20 authorities under sections 201 and 202 of the Federal  
21 Land Policy and Management Act of 1976 (43 U.S.C.  
22 1711 and 1712).

23                                    CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

24           SEC. 114. Notwithstanding any other provision of  
25 law, during fiscal year 2017, in carrying out work involv-

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

7 SAGE-GROUSE

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

12 (1) a proposed rule for greater sage-grouse  
13 (*Centrocercus urophasianus*);

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

16 REPUBLIC OF PALAU

17 SEC. 116. (a) IN GENERAL.—Subject to subsection  
18 (c), the United States Government, through the Secretary  
19 of the Interior shall provide to the Government of Palau  
20 for fiscal year 2017 grants in amounts equal to the annual  
21 amounts specified in subsections (a), (c), and (d) of sec-  
22 tion 211 of the Compact of Free Association between the  
23 Government of the United States of America and the Gov-  
24 ernment of Palau (48 U.S.C. 1931 note) (referred to in  
25 this section as the *Compact*).

1 (b) PROGRAMMATIC ASSISTANCE.—Subject to sub-  
2 section (c), the United States shall provide programmatic  
3 assistance to the Republic of Palau for fiscal year 2017  
4 in amounts equal to the amounts provided in subsections  
5 (a) and (b)(1) of section 221 of the Compact.

6 (c) LIMITATIONS ON ASSISTANCE.—

7 (1) IN GENERAL.—The grants and pro-  
8 grammatic assistance provided under subsections (a)  
9 and (b) shall be provided to the same extent and in  
10 the same manner as the grants and assistance were  
11 provided in fiscal year 2009.

12 (2) TRUST FUND.—If the Government of Palau  
13 withdraws more than \$5,000,000 from the trust  
14 fund established under section 211(f) of the Com-  
15 pact, amounts to be provided under subsections (a)  
16 and (b) shall be withheld from the Government of  
17 Palau.

18 PROHIBITION ON USE OF FUNDS

19 SEC. 117. None of the funds made available by this  
20 Act may be used to develop, adopt, implement, administer,  
21 or enforce the proposed rule issued by the United States  
22 Fish and Wildlife Service entitled “Non-Subsistence Take  
23 of Wildlife, and Public Participation and Closure Proce-  
24 dures, on National Wildlife Refuges in Alaska” (81 Fed.  
25 Reg. 887 (January 8, 2016)).

## 1 PROHIBITION ON USE OF FUNDS

2 SEC. 118. (a) Any proposed new use of the Arizona  
3 & California Railroad Company's Right of Way for convey-  
4 ance of water shall not proceed unless the Secretary of  
5 the Interior certifies that the proposed new use is within  
6 the scope of the Right of Way.

7 (b) No funds appropriated or otherwise made avail-  
8 able to the Department of the Interior may be used, in  
9 relation to any proposal to export groundwater for munic-  
10 ipal use, for approval of any right-of-way or similar au-  
11 thorization on the Mojave National Preserve or lands man-  
12 aged by the Needles Field Office of the Bureau of Land  
13 Management, or for carrying out any activities associated  
14 with such right-of-way or similar approval.

## 15 REISSUANCE OF FINAL RULES

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

1 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES  
2 PROGRAM

3 SEC. 120. (a) Notwithstanding any other provision  
4 of law relating to Federal grants and cooperative agree-  
5 ments, the Secretary of the Interior is authorized to make  
6 grants to, or enter into cooperative agreements with, pri-  
7 vate nonprofit organizations designated by the Secretary  
8 of Labor under title V of the Older Americans Act of 1965  
9 to utilize the talents of older Americans in programs au-  
10 thorized by other provisions of law administered by the  
11 Secretary and consistent with such provisions of law.

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

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

19 (2) result in the use of an individual under the  
20 Department of the Interior Experienced Services  
21 Program for a job or function in a case in which a  
22 Federal employee is in a layoff status from the same  
23 or substantially equivalent job within the Depart-  
24 ment; or

25 (3) affect existing contracts for services.



1           (2) NON-FEDERAL LAND.—The term “non-Fed-  
2           eral land” means the approximately 43,093 acres of  
3           land owned by the State as depicted on the map en-  
4           titled “Project Area Map” and dated September  
5           2012.

6           (3) REFUGE.—The term “Refuge” means the  
7           Izembek National Wildlife Refuge in the State.

8           (4) ROAD CORRIDOR.—The term “road cor-  
9           ridor” means the road corridor designated under  
10          subsection (c)(2)(A).

11          (5) SECRETARY.—The term “Secretary” means  
12          the Secretary of the Interior.

13          (6) STATE.—The term “State” means the State  
14          of Alaska.

15          (7) WILDERNESS.—The term “Wilderness”  
16          means the Izembek Wilderness designated by section  
17          702(6) of the Alaska National Interest Lands Con-  
18          servation Act (16 U.S.C. 1132 note; Public Law 96–  
19          487).

20          (c) LAND EXCHANGE REQUIRED.—

21               (1) IN GENERAL.—If the State offers to convey  
22               to the Secretary all right, title, and interest of the  
23               State in and to the non-Federal land, the Secretary  
24               shall convey to the State all right, title, and interest  
25               of the United States in and to the Federal Land.

1           (2) USE OF FEDERAL LAND.—The Federal land  
2 shall be conveyed to the State for the purposes of—

3           (A) designating a road corridor through  
4 the Refuge; and

5           (B) constructing a single-lane gravel road  
6 along the road corridor subject to the require-  
7 ments in subsection (e).

8           (3) VALUATION, APPRAISALS, AND EQUALI-  
9 ZATION.—

10           (A) IN GENERAL.—The value of the Fed-  
11 eral land and the non-Federal land to be ex-  
12 changed under this section—

13           (i) shall be equal, as determined by  
14 appraisals conducted in accordance with  
15 subparagraph (B); or

16           (ii) if not equal, shall be equalized in  
17 accordance with subparagraph (C).

18           (B) APPRAISALS.—

19           (i) IN GENERAL.—As soon as prac-  
20 ticable after the date of enactment of this  
21 Act, the Secretary and State shall select an  
22 appraiser to conduct appraisals of the Fed-  
23 eral land and non-Federal land.

24           (ii) REQUIREMENTS.—The appraisals  
25 required under clause (i) shall be con-

1           ducted in accordance with nationally recog-  
2           nized appraisal standards, including—

3                   (I) the Uniform Appraisal Stand-  
4                   ards for Federal Land Acquisitions;  
5                   and

6                   (II) the Uniform Standards of  
7                   Professional Appraisal Practice.

8           (C) EQUALIZATION.—

9                   (i) SURPLUS OF FEDERAL LAND.—If  
10                  the final appraised value of the Federal  
11                  land exceeds the final appraised value of  
12                  the non-Federal land to be conveyed under  
13                  the land exchange under this section, the  
14                  value of the Federal land and non-Federal  
15                  land shall be equalized—

16                   (I) by conveying additional non-  
17                   Federal land in the State to the Sec-  
18                   retary, subject to the approval of the  
19                   Secretary;

20                   (II) by the State making a cash  
21                   payment to the United States; or

22                   (III) by using a combination of  
23                   the methods described in subclauses  
24                   (I) and (II).

1                   (ii) SURPLUS OF NON-FEDERAL  
2 LAND.—If the final appraised value of the  
3 non-Federal land exceeds the final ap-  
4 praised value of the Federal land to be  
5 conveyed under the land exchange under  
6 this section, the value of the Federal land  
7 and non-Federal land shall be equalized by  
8 the State adjusting the acreage of the non-  
9 Federal land to be conveyed.

10                   (iii) AMOUNT OF PAYMENT.—Notwith-  
11 standing section 206(b) of the Federal  
12 Land Policy and Management Act of 1976  
13 (43 U.S.C. 1716(b)), the Secretary may  
14 accept a payment under clause (i)(II) in  
15 excess of 25 percent of the value of the  
16 Federal land conveyed.

17                   (4) ADMINISTRATION.—On completion of the  
18 exchange of Federal land and non-Federal land  
19 under this section—

20                   (A) the boundary of the Wilderness shall  
21 be modified to exclude the Federal land; and

22                   (B) the non-Federal land shall be—

23                   (i) added to the Wilderness; and

24                   (ii) administered in accordance with—

1 (I) the Wilderness Act (16  
2 U.S.C. 1131 et seq.); and

3 (II) other applicable laws.

4 (5) DEADLINE.—The land exchange under this  
5 section shall be completed not later than 180 days  
6 after the date of enactment of this Act.

7 (d) ROUTE OF ROAD CORRIDOR.—The route of the  
8 road corridor shall follow the southern road alignment as  
9 described in the alternative entitled “Alternative 2-Land  
10 Exchange and Southern Road Alignment” in the final en-  
11 vironmental impact statement entitled “Izembek National  
12 Wildlife Refuge Land Exchange/Road Corridor Final En-  
13 vironmental Impact Statement” and dated February 5,  
14 2013.

15 (e) REQUIREMENTS RELATING TO ROAD.—The re-  
16 quirements relating to usage, barrier cables, and dimen-  
17 sions and the limitation on support facilities under sub-  
18 sections (a) and (b) of section 6403 of the Omnibus Public  
19 Land Management Act of 2009 (Public Law 111–11; 123  
20 Stat. 1180) shall apply to the road constructed in the road  
21 corridor.

22 (f) EFFECT.—The exchange of Federal land and non-  
23 Federal land under this section shall not constitute a  
24 major Federal action for purposes of the National Envi-  
25 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

## 1 NATCHEZ NATIONAL HISTORICAL PARK

2 SEC. 123. The Secretary of the Interior is authorized  
3 to acquire by donation or purchase from willing sellers,  
4 any lands at the site of the historic Forks in the Road  
5 Slave Market, as generally depicted on the map entitled  
6 “Natchez National Historical Park—Proposed Boundary  
7 Addition”, numbered 339/116045, and dated April 2016.  
8 Upon acquisition of any land or interests in land, the Sec-  
9 retary shall revise the boundary of Natchez National His-  
10 torical Park to reflect the acquisition and the land shall  
11 be managed in accordance with the laws and regulations  
12 applicable to the park. Section 7 of Public Law 100–479  
13 (16 U.S.C. 410oo–6) is repealed.

## 14 DANIEL J. EVANS WILDERNESS

15 SEC. 124. Subsection (a) of section 101 of Public  
16 Law 100–668 (102 Stat. 3961; 16 U.S.C. 90 note) is  
17 amended by striking “Olympic Wilderness” and inserting  
18 “Daniel J. Evans Wilderness”.

19 SPECIAL RESOURCE STUDY TO PRESERVE CIVIL RIGHTS  
20 SITES

21 SEC. 125. (a) STUDY.—The Secretary of the Interior  
22 (referred to in this section as the “Secretary”) shall con-  
23 duct a special resource study of significant civil rights  
24 sites, including—

1           (1) the home of the late civil rights activist  
2 Medgar Evers, located at 2332 Margaret Walker Al-  
3 exander Drive, Jackson, Mississippi;

4           (2) the Tallahatchie County Courthouse, located  
5 at 100 North Court Street, Sumner, Mississippi;

6           (3) the site of Bryant's Store, located at the  
7 intersection of County Road 518 and County Road  
8 24, Money, Mississippi;

9           (4) the site of the former office of Dr. Gilbert  
10 Mason, Sr., located at 670 Division Street, Biloxi,  
11 Mississippi; and

12           (5) the Old Neshoba County Jail, located at  
13 422 Myrtle Avenue, East, Philadelphia, Mississippi.

14       (b) CONTENTS.—In conducting the study under sub-  
15 section (a), the Secretary shall—

16           (1) evaluate the national significance of each  
17 site;

18           (2) determine the suitability and feasibility of  
19 designating each site as a unit of the National Park  
20 System;

21           (3)(A) take into consideration other alternatives  
22 for preservation, protection, and interpretation of  
23 each site by—

24                   (i) Federal, State, or local governmental  
25 entities; or

1 (ii) private or nonprofit organizations; and

2 (B) identify cost estimates for any Federal ac-  
3 quisition, development, interpretation, operation, and  
4 maintenance associated with the alternatives;

5 (4) consult with interested Federal, State, and  
6 local governmental entities, private and nonprofit or-  
7 ganizations, and other individuals;

8 (5) determine the effect of the designation of a  
9 site as a unit of the National Park System on—

10 (A) existing commercial and recreational  
11 uses; and

12 (B) State and local governments to man-  
13 age those uses; and

14 (6) identify any authorities, including con-  
15 demnation, that will compel or permit the Secretary  
16 to influence or participate in local land use decisions  
17 (such as zoning) or place restrictions on non-Federal  
18 land if a site is designated a unit of the National  
19 Park System.

20 (c) APPLICABLE LAW.—The study under subsection  
21 (a) shall be conducted in accordance with section 100507  
22 of title 54, United States Code.

23 (d) STUDY RESULTS.—Not later than 3 years after  
24 the date on which funds are initially made available for  
25 the study under subsection (a), the Secretary shall submit

1 to the Committee on Natural Resources of the House of  
2 Representatives and the Committee on Energy and Nat-  
3 ural Resources of the Senate a report that describes—

4 (1) the results of the study; and

5 (2) any relevant conclusions and recommenda-  
6 tions of the Secretary.

7 ROYALTY POLICY COMMITTEE

8 SEC. 126. (a) As soon as practicable after the date  
9 of enactment of this Act, the Secretary shall reestablish  
10 the Royalty Policy Committee in accordance with the char-  
11 ter of the Secretary dated March 26, 2010.

12 (b) Not later than 180 days after the issuance of any  
13 proposed regulations or policy relating to royalty manage-  
14 ment issues or other mineral-related policies, the Royalty  
15 Policy Committee shall advise the Secretary of the Interior  
16 on those issues or policies.

17 (c) The Royalty Policy Committee shall—

18 (1) meet not less frequently than once per year;

19 and

20 (2) provide for robust participation of State  
21 Governors and Indian tribes (as defined in section 4  
22 of the Indian Self-Determination and Education As-  
23 sistance Act (25 U.S.C. 450b)).



1 TITLE II  
2 ENVIRONMENTAL PROTECTION AGENCY  
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and  
5 development activities, which shall include research and  
6 development activities under the Comprehensive Environ-  
7 mental Response, Compensation, and Liability Act of  
8 1980; necessary expenses for personnel and related costs  
9 and travel expenses; procurement of laboratory equipment  
10 and supplies; and other operating expenses in support of  
11 research and development, \$695,910,000, to remain avail-  
12 able until September 30, 2018: *Provided*, That of the  
13 funds included under this heading, \$5,000,000 shall be for  
14 Research: National Priorities as specified in the report ac-  
15 companying this Act.

16 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

17 For environmental programs and management, in-  
18 cluding necessary expenses, not otherwise provided for, for  
19 personnel and related costs and travel expenses; hire of  
20 passenger motor vehicles; hire, maintenance, and oper-  
21 ation of aircraft; purchase of reprints; library member-  
22 ships in societies or associations which issue publications  
23 to members only or at a price to members lower than to  
24 subscribers who are not members; administrative costs of  
25 the brownfields program under the Small Business Liabil-

1 ity Relief and Brownfields Revitalization Act of 2002; and  
2 not to exceed \$9,000 for official reception and representa-  
3 tion expenses, \$2,538,545,000, to remain available until  
4 September 30, 2017: *Provided*, That of the funds included  
5 under this heading, \$15,000,000 shall be for Environ-  
6 mental Protection: National Priorities as specified in the  
7 report accompanying this Act: *Provided further*, That of  
8 the funds included under this heading, \$435,410,000 shall  
9 be for Geographic Programs specified in the report accom-  
10 panying this Act.

11 In addition, \$4,000,000 to remain available until ex-  
12 pended, for necessary expenses of activities described in  
13 section 26(b)(1) of the Toxic Substances Control Act (15  
14 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-  
15 ant to that section of that Act and deposited in the “TSCA  
16 Service Fee Fund” as discretionary offsetting receipts in  
17 fiscal year 2017 shall be retained and used for necessary  
18 salaries and expenses in this appropriation and shall re-  
19 main available until expended: *Provided further*, That the  
20 sum herein appropriated in this paragraph from the gen-  
21 eral fund for fiscal year 2017 shall be reduced by the  
22 amount of discretionary offsetting receipts received during  
23 fiscal year 2017, so as to result in a final fiscal year 2017  
24 appropriation from the general fund estimated at not more  
25 than \$0: *Provided further*, That to the extent that amounts

1 realized from such receipts exceed \$4,000,000, those  
2 amount in excess of \$4,000,000 shall be deposited in the  
3 “TSCA Service Fee Fund” as discretionary offsetting re-  
4 cepts in fiscal year 2017, shall be retained and used for  
5 necessary salaries and expenses in this account, and shall  
6 remain available until expended: *Provided further*, That of  
7 the funds included in the first paragraph under this head-  
8 ing, the Chemical Risk Review and Reduction program  
9 project shall be allocated for this fiscal year, excluding the  
10 amount of any fees appropriated, not less than the amount  
11 of appropriations for that program project for fiscal year  
12 2014.

13 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM  
14 FUND

15 For necessary expenses to carry out section 3024 of  
16 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-  
17 ing the development, operation, maintenance, and upgrad-  
18 ing of the hazardous waste electronic manifest system es-  
19 tablished by such section, \$3,674,000, to remain available  
20 until September 30, 2019.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector  
23 General in carrying out the provisions of the Inspector  
24 General Act of 1978, \$41,489,000, to remain available  
25 until September 30, 2018.

## 1 BUILDINGS AND FACILITIES

2 For construction, repair, improvement, extension, al-  
3 teration, and purchase of fixed equipment, land or facili-  
4 ties of, or for use by, the Environmental Protection Agen-  
5 cy, \$38,660,000, to remain available until expended.

## 6 HAZARDOUS SUBSTANCE SUPERFUND

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses to carry out the Comprehen-  
9 sive Environmental Response, Compensation, and Liabil-  
10 ity Act of 1980 (CERCLA), including sections 111(c)(3),  
11 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)  
12 \$1,077,784,000, to remain available until expended, con-  
13 sisting of such sums as are available in the Trust Fund  
14 on September 30, 2016, as authorized by section 517(a)  
15 of the Superfund Amendments and Reauthorization Act  
16 of 1986 (SARA) and up to \$1,077,784,000 as a payment  
17 from general revenues to the Hazardous Substance Super-  
18 fund for purposes as authorized by section 517(b) of  
19 SARA: *Provided*, That funds appropriated under this  
20 heading may be allocated to other Federal agencies in ac-  
21 cordance with section 111(a) of CERCLA: *Provided fur-*  
22 *ther*, That of the funds appropriated under this heading,  
23 \$8,778,000 shall be paid to the “Office of Inspector Gen-  
24 eral” appropriation to remain available until September  
25 30, 2018, and \$15,496,000 shall be paid to the “Science

1 and Technology” appropriation to remain available until  
2 September 30, 2018.

3 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
4 PROGRAM

5 For necessary expenses to carry out leaking under-  
6 ground storage tank cleanup activities authorized by sub-  
7 title I of the Solid Waste Disposal Act, \$91,296,000, to  
8 remain available until expended, of which \$65,927,000  
9 shall be for carrying out leaking underground storage tank  
10 cleanup activities authorized by section 9003(h) of the  
11 Solid Waste Disposal Act; \$25,369,000 shall be for car-  
12 rying out the other provisions of the Solid Waste Disposal  
13 Act specified in section 9508(c) of the Internal Revenue  
14 Code: *Provided*, That the Administrator is authorized to  
15 use appropriations made available under this heading to  
16 implement section 9013 of the Solid Waste Disposal Act  
17 to provide financial assistance to federally recognized In-  
18 dian tribes for the development and implementation of  
19 programs to manage underground storage tanks.

20 INLAND OIL SPILL PROGRAMS

21 For expenses necessary to carry out the Environ-  
22 mental Protection Agency’s responsibilities under the Oil  
23 Pollution Act of 1990, \$18,079,000, to be derived from  
24 the Oil Spill Liability trust fund, to remain available until  
25 expended.

## 1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-  
3 sistance, including capitalization grants for State revol-  
4 ving funds and performance partnership grants,  
5 \$3,613,278,000, to remain available until expended, of  
6 which—

7 (1) \$1,350,000,000 shall be for making capital-  
8 ization grants for the Clean Water State Revolving  
9 Funds under title VI of the Federal Water Pollution  
10 Control Act; and of which \$1,020,500,000 shall be  
11 for making capitalization grants for the Drinking  
12 Water State Revolving Funds under section 1452 of  
13 the Safe Drinking Water Act: *Provided*, That for fis-  
14 cal year 2017, to the extent there are sufficient eligi-  
15 ble project applications and projects are consistent  
16 with State Intended Use Plans, not less than 10 per-  
17 cent of the funds made available under this title to  
18 each State for Clean Water State Revolving Fund  
19 capitalization grants shall be used by the State for  
20 projects to address green infrastructure, water or  
21 energy efficiency improvements, or other environ-  
22 mentally innovative activities: *Provided further*, That  
23 for fiscal year 2017, funds made available under this  
24 title to each State for Drinking Water State Revolv-  
25 ing Fund capitalization grants may, at the discretion

1 of each State, be used for projects to address green  
2 infrastructure, water or energy efficiency improve-  
3 ments, or other environmentally innovative activities:  
4 *Provided further,* That notwithstanding section  
5 603(d)(7) of the Federal Water Pollution Control  
6 Act, the limitation on the amounts in a State water  
7 pollution control revolving fund that may be used by  
8 a State to administer the fund shall not apply to  
9 amounts included as principal in loans made by such  
10 fund in fiscal year 2017 and prior years where such  
11 amounts represent costs of administering the fund  
12 to the extent that such amounts are or were deemed  
13 reasonable by the Administrator, accounted for sepa-  
14 rately from other assets in the fund, and used for  
15 eligible purposes of the fund, including administra-  
16 tion: *Provided further,* That for fiscal year 2017,  
17 notwithstanding the provisions of sections 201(g)(1),  
18 (h), and (l) of the Federal Water Pollution Control  
19 Act, grants under title II of the Federal Water Pol-  
20 lution Control Act for American Samoa, Guam, the  
21 Commonwealth of the Northern Marianas, the  
22 United States Virgin Islands, and the District of Co-  
23 lumbia may also be made for the purpose of pro-  
24 viding assistance: (1) solely for facility plans, design  
25 activities, or plans, specification, and estimates for

1 any proposed project for the construction of treat-  
2 ment works; and (2) for the construction, repair, or  
3 replacement of privately owned treatment works  
4 serving one or more principal residences or small  
5 commercial establishments: *Provided further*, That  
6 for fiscal year 2017, notwithstanding the provisions  
7 of 201(g)(1), (h), and (l) and section 518(e) of the  
8 Federal Water Pollution Control Act, funds reserved  
9 by the Administrator for grants under section 518(e)  
10 of the Federal Water Pollution Control Act may also  
11 be used to provide assistance: (1) solely for facility  
12 plans, design activities, or plans, specifications, and  
13 estimates for any proposed project for the construc-  
14 tion of treatment works; and (2) for the construc-  
15 tion, repair, or replacement of privately owned treat-  
16 ment works serving one or more principal residences  
17 or small commercial establishments; Funds reserved  
18 under section 518(e) of such Act shall be available  
19 for grants only to Indian tribes, as defined in section  
20 518(h) of such Act and former Indian reservations  
21 in Oklahoma (as defined by the Secretary of the In-  
22 terior) and Native Villages as defined in Public Law  
23 92–203: *Provided further*, That for fiscal year 2017,  
24 notwithstanding any provision of the Clean Water  
25 Act and regulations issued pursuant thereof, up to

1 a total of \$2,000,000 of the funds reserved by the  
2 Administrator for grants under section 518(c) of the  
3 Federal Water Pollution Control Act may also be  
4 used for grants for training, technical assistance,  
5 and educational programs relating to the operation  
6 and management of the treatment works specified in  
7 section 518(c) of such Act; Funds reserved under  
8 section 518(c) of such Act shall be available for  
9 grants only to Indian tribes, as defined in section  
10 518(h) of such Act and former Indian reservations  
11 in Oklahoma (as determined by the Secretary of the  
12 Interior) and Native Villages as defined in Public  
13 Law 92–203: *Provided further*, That for fiscal year  
14 2017, notwithstanding the limitation on amounts in  
15 section 518(c) of the Federal Water Pollution Con-  
16 trol Act, up to a total of 2 percent of the funds ap-  
17 propriated, or \$30,000,000, whichever is greater,  
18 and notwithstanding the limitation on amounts in  
19 section 1452(i) of the Safe Drinking Water Act, up  
20 to a total of 2 percent of the funds appropriated, or  
21 \$20,000,000, whichever is greater, for State Revolv-  
22 ing Funds under such Acts may be reserved by the  
23 Administrator for grants under section 518(c) and  
24 section 1452(i) of such Acts: *Provided further*, That  
25 for fiscal year 2017, notwithstanding the amounts

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

1 loans, or grants (or any combination of these), and  
2 shall be so used by the State only where such funds  
3 are provided as initial financing for an eligible re-  
4 cipient or to buy, refinance, or restructure the debt  
5 obligations of eligible recipients only where such debt  
6 was incurred on or after the date of enactment of  
7 this Act; or, if a Federal or State emergency dec-  
8 laration has been issued due to a threat to public  
9 health from heightened exposure to lead in a munic-  
10 ipal drinking water supply, before the date of enact-  
11 ment of this Act: *Provided further*, That in a State  
12 in which such an emergency declaration has been  
13 issued, the State may use more than 20 percent of  
14 the funds made available under this title to the  
15 State for Drinking Water State Revolving Fund cap-  
16 italization grants to provide additional subsidy to eli-  
17 gible recipients.

18 (2) \$10,000,000 shall be for architectural, engi-  
19 neering, planning, design, construction and related  
20 activities in connection with the construction of high  
21 priority water and wastewater facilities in the area  
22 of the United States-Mexico Border, after consulta-  
23 tion with the appropriate border commission: *Pro-*  
24 *vided*, That no funds provided by this appropriations  
25 Act to address the water, wastewater and other crit-

1 ical infrastructure needs of the colonias in the  
2 United States along the United States-Mexico bor-  
3 der shall be made available to a county or municipal  
4 government unless that government has established  
5 an enforceable local ordinance, or other zoning rule,  
6 which prevents in that jurisdiction the development  
7 or construction of any additional colonia areas, or  
8 the development within an existing colonia the con-  
9 struction of any new home, business, or other struc-  
10 ture which lacks water, wastewater, or other nec-  
11 essary infrastructure;

12 (3) \$20,000,000 shall be for grants to the State  
13 of Alaska to address drinking water and wastewater  
14 infrastructure needs of rural and Alaska Native Vil-  
15 lages: *Provided*, That of these funds: (A) the State  
16 of Alaska shall provide a match of 25 percent; (B)  
17 no more than 5 percent of the funds may be used  
18 for administrative and overhead expenses; and (C)  
19 the State of Alaska shall make awards consistent  
20 with the Statewide priority list established in con-  
21 junction with the Agency and the U.S. Department  
22 of Agriculture for all water, sewer, waste disposal,  
23 and similar projects carried out by the State of Alas-  
24 ka that are funded under section 221 of the Federal  
25 Water Pollution Control Act (33 U.S.C. 1301) or

1 the Consolidated Farm and Rural Development Act  
2 (7 U.S.C. 1921 et seq.) which shall allocate not less  
3 than 25 percent of the funds provided for projects  
4 in regional hub communities;

5 (4) \$80,000,000 shall be to carry out section  
6 104(k) of the Comprehensive Environmental Re-  
7 sponse, Compensation, and Liability Act of 1980  
8 (CERCLA), including grants, interagency agree-  
9 ments, and associated program support costs: *Pro-*  
10 *vided*, That not more than 25 percent of the amount  
11 appropriated to carry out section 104(k) of  
12 CERCLA shall be used for site characterization, as-  
13 sessment, and remediation of facilities described in  
14 section 101(39)(D)(ii)(II) of CERCLA;

15 (5) \$25,000,000 shall be for grants under title  
16 VII, subtitle G of the Energy Policy Act of 2005;

17 (6) \$20,000,000 shall be for targeted airshed  
18 grants in accordance with the terms and conditions  
19 of the report accompanying this Act;

20 (7) \$1,087,778,000 shall be for grants, includ-  
21 ing associated program support costs, to States, fed-  
22 erally recognized tribes, interstate agencies, tribal  
23 consortia, and air pollution control agencies for  
24 multi-media or single media pollution prevention,  
25 control and abatement and related activities, includ-

1       ing activities pursuant to the provisions set forth  
2       under this heading in Public Law 104–134, and for  
3       making grants under section 103 and 105 of the  
4       Clean Air Act for particulate matter monitoring and  
5       data collection activities subject to terms and condi-  
6       tions specified by the Administrator, of which:  
7       \$47,745,000 shall be for carrying out section 128 of  
8       CERCLA; \$9,646,000 shall be for Environmental  
9       Information Exchange Network grants, including as-  
10      sociated program support costs; \$1,498,000 shall be  
11      for grants to States under section 2007(f)(2) of the  
12      Solid Waste Disposal Act, which shall be in addition  
13      to funds appropriated under the heading “Leaking  
14      Underground Storage Tank Trust Fund Program”  
15      to carry out the provisions of the Solid Waste Dis-  
16      posal Act specified in section 9508(c) of the Internal  
17      Revenue Code other than section 9003(h) of the  
18      Solid Waste Disposal Act; \$17,848,000 of the funds  
19      available for grants under section 106 of the Federal  
20      Water Pollution Control Act shall be for State par-  
21      ticipation in national- and State-level statistical sur-  
22      veys of water resources and enhancements to State  
23      monitoring programs.

1 WATER INFRASTRUCTURE FINANCE AND INNOVATION  
2 PROGRAM ACCOUNT

3 For the cost of direct loans and for the cost of guar-  
4 anteed loans, as authorized by the Water Infrastructure  
5 Finance and Innovation Act of 2014, \$25,000,000, to re-  
6 main available until expended: *Provided*, That such costs,  
7 including the cost of modifying such loans, shall be as de-  
8 fined in section 502 of the Congressional Budget Act of  
9 1974: *Provided further*, That these funds are available to  
10 subsidize gross obligations for the principal amount of di-  
11 rect loans, including capitalized interest, and total loan  
12 principal, including capitalized interest, any part of which  
13 is to be guaranteed, not to exceed \$3,049,000,000.

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

18 In addition, for administrative expenses to carry out  
19 the direct and guaranteed loan programs, notwithstanding  
20 section 5033 of the Water Infrastructure Finance and In-  
21 novation Act of 2014, \$5,000,000, to remain available  
22 until September 30, 2018.

1 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL  
2 PROTECTION AGENCY  
3 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

4 For fiscal year 2017, notwithstanding 31 U.S.C.  
5 6303(1) and 6305(1), the Administrator of the Environ-  
6 mental Protection Agency, in carrying out the Agency's  
7 function to implement directly Federal environmental pro-  
8 grams required or authorized by law in the absence of an  
9 acceptable tribal program, may award cooperative agree-  
10 ments to federally recognized Indian tribes or Intertribal  
11 consortia, if authorized by their member tribes, to assist  
12 the Administrator in implementing Federal environmental  
13 programs for Indian tribes required or authorized by law,  
14 except that no such cooperative agreements may be award-  
15 ed from funds designated for State financial assistance  
16 agreements.

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

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

1 mental Protection Agency may assess fees under section  
2 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2017.

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

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

1 For fiscal year 2017, and notwithstanding section  
2 518(f) of the Federal Water Pollution Control Act (33  
3 U.S.C. 1377(f)), the Administrator is authorized to use  
4 the amounts appropriated for any fiscal year under section  
5 319 of the Act to make grants to Indian tribes pursuant  
6 to sections 319(h) and 518(e) of that Act.

7 The Administrator is authorized to use the amounts  
8 appropriated under the heading “Environmental Pro-  
9 grams and Management” for fiscal year 2017 to provide  
10 grants to implement the Southeastern New England Wa-  
11 tershed Restoration Program.

12 Of the unobligated balances available for “State and  
13 Tribal Assistance Grants” account, \$40,000,000 are per-  
14 manently rescinded: *Provided*, That no amounts may be  
15 rescinded from amounts that were designated by the Con-  
16 gress as an emergency requirement pursuant to the Con-  
17 current Resolution on the Budget or the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

1 TITLE III  
2 RELATED AGENCIES  
3 DEPARTMENT OF AGRICULTURE  
4 FOREST SERVICE  
5 FOREST AND RANGELAND RESEARCH

6 For necessary expenses of forest and rangeland re-  
7 search as authorized by law, \$280,000,000, to remain  
8 available until expended: *Provided*, That of the funds pro-  
9 vided, \$77,000,000 is for the forest inventory and analysis  
10 program.

11 STATE AND PRIVATE FORESTRY  
12 (INCLUDING RESCISSION OF FUNDS)

13 For necessary expenses of cooperating with and pro-  
14 viding technical and financial assistance to States, terri-  
15 tories, possessions, and others, and for forest health man-  
16 agement, including treatments of pests, pathogens, and  
17 invasive or noxious plants and for restoring and rehabili-  
18 tating forests damaged by pests or invasive plants, cooper-  
19 ative forestry, and education and land conservation activi-  
20 ties and conducting an international program as author-  
21 ized, \$220,831,000, to remain available until expended, as  
22 authorized by law; of which \$61,049,000 is to be derived  
23 from the Land and Water Conservation Fund.

24 Of the unobligated balances from amounts made  
25 available for the Forest Legacy Program and derived from

1 the Land and Water Conservation Fund, \$8,297,000 is  
2 hereby permanently rescinded from projects with cost sav-  
3 ings or failed or partially failed projects that had funds  
4 returned.

5 NATIONAL FOREST SYSTEM

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Forest Service, not  
8 otherwise provided for, for management, protection, im-  
9 provement, and utilization of the National Forest System,  
10 \$1,519,672,000, to remain available until expended: *Pro-*  
11 *vided*, That of the funds provided, \$40,000,000 shall be  
12 deposited in the Collaborative Forest Landscape Restora-  
13 tion Fund for ecological restoration treatments as author-  
14 ized by 16 U.S.C. 7303(f): *Provided further*, That of the  
15 funds provided, \$369,805,000 shall be for forest products:  
16 *Provided further*, That of the funds provided, up to  
17 \$81,941,000 is for the Integrated Resource Restoration  
18 pilot program for Region 1, Region 3 and Region 4: *Pro-*  
19 *vided further*, That of the funds provided for forest prod-  
20 ucts, up to \$65,560,000 may be transferred to support  
21 the Integrated Resource Restoration pilot program in the  
22 preceding proviso: *Provided further*, That the Secretary of  
23 Agriculture may transfer to the Secretary of the Interior  
24 any unobligated funds appropriated in a previous fiscal  
25 year for operation of the Valles Caldera National Preserve:

1 *Provided further*, That notwithstanding section 33 of the  
2 Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the  
3 Secretary of Agriculture, in calculating a fee for grazing  
4 on a National Grassland, may provide a credit of up to  
5 50 percent of the calculated fee to a Grazing Association  
6 or direct permittee for a conservation practice approved  
7 by the Secretary in advance of the fiscal year in which  
8 the cost of the conservation practice is incurred. And, that  
9 the amount credited shall remain available to the Grazing  
10 Association or the direct permittee, as appropriate, in the  
11 fiscal year in which the credit is made and each fiscal year  
12 thereafter for use on the project for conservation practice  
13 approved by the Secretary.

14 CAPITAL IMPROVEMENT AND MAINTENANCE

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses of the Forest Service, not  
17 otherwise provided for, \$355,674,000, to remain available  
18 until expended, for construction, capital improvement,  
19 maintenance and acquisition of buildings and other facili-  
20 ties and infrastructure; and for construction, reconstruc-  
21 tion, decommissioning of roads that are no longer needed,  
22 including unauthorized roads that are not part of the  
23 transportation system, and maintenance of forest roads  
24 and trails by the Forest Service as authorized by 16  
25 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,

1 That \$29,000,000 shall be designated for urgently needed  
2 road decommissioning, road and trail repair and mainte-  
3 nance and associated activities, and removal of fish pas-  
4 sage barriers, especially in areas where Forest Service  
5 roads may be contributing to water quality problems in  
6 streams and water bodies which support threatened, en-  
7 dangered, or sensitive species or community water sources:  
8 *Provided further*, That funds becoming available in fiscal  
9 year 2017 under the Act of March 4, 1913 (16 U.S.C.  
10 501) shall be transferred to the General Fund of the  
11 Treasury and shall not be available for transfer or obliga-  
12 tion for any other purpose unless the funds are appro-  
13 priated: *Provided further*, That of the funds provided for  
14 decommissioning of roads, up to \$14,743,000 may be  
15 transferred to the “National Forest System” to support  
16 the Integrated Resource Restoration pilot program.

17 LAND ACQUISITION

18 For expenses necessary to carry out the provisions  
19 of chapter 2003 of title 54, United States Code, including  
20 administrative expenses, and for acquisition of land or wa-  
21 ters, or interest therein, in accordance with statutory au-  
22 thority applicable to the Forest Service, \$54,738,000, to  
23 be derived from the Land and Water Conservation Fund  
24 and to remain available until expended.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
2 ACTS

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

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

19 RANGE BETTERMENT FUND

20 For necessary expenses of range rehabilitation, pro-  
21 tection, and improvement, 50 percent of all moneys re-  
22 ceived during the prior fiscal year, as fees for grazing do-  
23 mestic livestock on lands in National Forests in the 16  
24 Western States, pursuant to section 401(b)(1) of Public  
25 Law 94–579, to remain available until expended, of which

1 not to exceed 6 percent shall be available for administra-  
2 tive expenses associated with on-the-ground range reha-  
3 bilitation, protection, and improvements.

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

6 For expenses authorized by 16 U.S.C. 1643(b),  
7 \$45,000, to remain available until expended, to be derived  
8 from the fund established pursuant to the above Act.

9 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
10 SUBSISTENCE USES

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

16 WILDLAND FIRE MANAGEMENT  
17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses for forest fire presuppression  
19 activities on National Forest System lands, for emergency  
20 fire suppression on or adjacent to such lands or other  
21 lands under fire protection agreement, hazardous fuels  
22 management on or adjacent to such lands, emergency re-  
23 habilitation of burned-over National Forest System lands  
24 and water, and for State and volunteer fire assistance,  
25 \$2,842,329,000, to remain available until expended: *Pro-*

1 *vided*, That such funds including unobligated balances  
2 under this heading, are available for repayment of ad-  
3 vances from other appropriations accounts previously  
4 transferred for such purposes: *Provided further*, That such  
5 funds shall be available to reimburse State and other co-  
6 operating entities for services provided in response to wild-  
7 fire and other emergencies or disasters to the extent such  
8 reimbursements by the Forest Service for non-fire emer-  
9 gencies are fully repaid by the responsible emergency man-  
10 agement agency: *Provided further*, That, notwithstanding  
11 any other provision of law, \$6,914,000 of funds appro-  
12 priated under this appropriation shall be available for the  
13 Forest Service in support of fire science research author-  
14 ized by the Joint Fire Science Program, including all For-  
15 est Service authorities for the use of funds, such as con-  
16 tracts, grants, research joint venture agreements, and co-  
17 operative agreements: *Provided further*, That all authori-  
18 ties for the use of funds, including the use of contracts,  
19 grants, and cooperative agreements, available to execute  
20 the Forest and Rangeland Research appropriation, are  
21 also available in the utilization of these funds for Fire  
22 Science Research: *Provided further*, That funds provided  
23 shall be available for emergency rehabilitation and restora-  
24 tion, hazardous fuels management activities, support to  
25 Federal emergency response, and wildfire suppression ac-

1 tivities of the Forest Service: *Provided further*, That of the  
2 funds provided, \$390,000,000 is for hazardous fuels man-  
3 agement activities, \$19,795,000 is for research activities  
4 and to make competitive research grants pursuant to the  
5 Forest and Rangeland Renewable Resources Research  
6 Act, (16 U.S.C. 1641 et seq.), \$80,000,000 is for State  
7 fire assistance, and \$15,000,000 is for volunteer fire as-  
8 sistance under section 10 of the Cooperative Forestry As-  
9 sistance Act of 1978 (16 U.S.C. 2106): *Provided further*,  
10 That amounts in this paragraph may be transferred to  
11 the “National Forest System”, and “Forest and Range-  
12 land Research” accounts to fund forest and rangeland re-  
13 search, the Joint Fire Science Program, vegetation and  
14 watershed management, heritage site rehabilitation, and  
15 wildlife and fish habitat management and restoration: *Pro-*  
16 *vided further*, That the costs of implementing any coopera-  
17 tive agreement between the Federal Government and any  
18 non-Federal entity may be shared, as mutually agreed on  
19 by the affected parties: *Provided further*, That up to  
20 \$15,000,000 of the funds provided herein may be used by  
21 the Secretary of Agriculture to enter into procurement  
22 contracts or cooperative agreements or to issue grants for  
23 hazardous fuels management activities and for training or  
24 monitoring associated with such hazardous fuels manage-  
25 ment activities on Federal land or on non-Federal land

1 if the Secretary determines such activities benefit re-  
2 sources on Federal land: *Provided further*, That funds  
3 made available to implement the Community Forest Res-  
4 toration Act, Public Law 106–393, title VI, shall be avail-  
5 able for use on non-Federal lands in accordance with au-  
6 thorities made available to the Forest Service under the  
7 “State and Private Forestry” appropriation: *Provided fur-*  
8 *ther*, That the Secretary of the Interior and the Secretary  
9 of Agriculture may authorize the transfer of funds appro-  
10 priated for wildland fire management, in an aggregate  
11 amount not to exceed \$50,000,000, between the Depart-  
12 ments when such transfers would facilitate and expedite  
13 wildland fire management programs and projects: *Pro-*  
14 *vided further*, That of the funds provided for hazardous  
15 fuels management, not to exceed \$15,000,000 may be  
16 used to make grants, using any authorities available to  
17 the Forest Service under the “State and Private Forestry”  
18 appropriation, for the purpose of creating incentives for  
19 increased use of biomass from National Forest System  
20 lands: *Provided further*, That funds designated for wildfire  
21 suppression shall be assessed for cost pools on the same  
22 basis as such assessments are calculated against other  
23 agency programs: *Provided further*, That of the funds for  
24 hazardous fuels management, up to \$24,000,000 may be

1 transferred to the “National Forest System” to support  
2 the Integrated Resource Restoration pilot program.

3       For an additional amount, \$490,000,000 for wildfire  
4 suppression operations to meet the emergency and unpre-  
5 dictable aspects of wildland firefighting including support,  
6 response, and emergency stabilization activities, other  
7 emergency management activities, and funds necessary to  
8 repay any transfers needed for these costs, to remain  
9 available until expended: *Provided*, That such funds are  
10 also available for transfer to other appropriations accounts  
11 to repay amounts previously transferred for wildfire sup-  
12 pression: *Provided further*, That such amount is des-  
13 igned by the Congress as an emergency requirement  
14 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
15 et and Emergency Deficit Control Act of 1985, except that  
16 such amount shall be available only if the President subse-  
17 quently so designates such amount and transmits such  
18 designation to the Congress.

19       ADMINISTRATIVE PROVISIONS—FOREST SERVICE

20               (INCLUDING TRANSFERS OF FUNDS)

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

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

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

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

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

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

1   ance of cadastral surveys to designate the boundaries of  
2   such lands.

3           None of the funds made available to the Forest Serv-  
4   ice in this Act or any other Act with respect to any fiscal  
5   year shall be subject to transfer under the provisions of  
6   section 702(b) of the Department of Agriculture Organic  
7   Act of 1944 (7 U.S.C. 2257), section 442 of Public Law  
8   106–224 (7 U.S.C. 7772), or section 10417(b) of Public  
9   Law 107–171 (7 U.S.C. 8316(b)).

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

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

1 tion Technology Center and the Department of Agri-  
2 culture's International Technology Service.

3       Of the funds available to the Forest Service, up to  
4 \$5,000,000 shall be available for priority projects within  
5 the scope of the approved budget, which shall be carried  
6 out by the Youth Conservation Corps and shall be carried  
7 out under the authority of the Public Lands Corps Act  
8 of 1993, Public Law 103-82, as amended by Public Lands  
9 Corps Healthy Forests Restoration Act of 2005, Public  
10 Law 109-154.

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

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

1 assistance, private contributions to match on at least one-  
2 for-one basis funds made available by the Forest Service:  
3 *Provided further*, That the Foundation may transfer Fed-  
4 eral funds to a Federal or a non-Federal recipient for a  
5 project at the same rate that the recipient has obtained  
6 the non-Federal matching funds.

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

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

24 Funds appropriated to the Forest Service shall be  
25 available for payments to counties within the Columbia

1 River Gorge National Scenic Area, pursuant to section  
2 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–  
3 663.

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

8 Funds available to the Forest Service, not to exceed  
9 \$65,000,000, shall be assessed for the purpose of per-  
10 forming fire, administrative and other facilities mainte-  
11 nance and decommissioning. Such assessments shall occur  
12 using a square foot rate charged on the same basis the  
13 agency uses to assess programs for payment of rent, utili-  
14 ties, and other support services.

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

1 should clearly display the sums previously transferred and  
2 the requested funding transfers.

3 An eligible individual who is employed in any project  
4 funded under title V of the Older Americans Act of 1965  
5 (42 U.S.C. 3056 et seq.) and administered by the Forest  
6 Service shall be considered to be a Federal employee for  
7 purposes of chapter 171 of title 28, United States Code.

8 DEPARTMENT OF HEALTH AND HUMAN  
9 SERVICES

10 INDIAN HEALTH SERVICE

11 INDIAN HEALTH SERVICES

12 For expenses necessary to carry out the Act of Au-  
13 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
14 tion and Education Assistance Act, the Indian Health  
15 Care Improvement Act, and titles II and III of the Public  
16 Health Service Act with respect to the Indian Health Serv-  
17 ice, \$3,650,171,000, together with payments received dur-  
18 ing the fiscal year pursuant to 42 U.S.C. 238(b) and  
19 238b, for services furnished by the Indian Health Service:  
20 *Provided*, That funds made available to tribes and tribal  
21 organizations through contracts, grant agreements, or any  
22 other agreements or compacts authorized by the Indian  
23 Self-Determination and Education Assistance Act of 1975  
24 (25 U.S.C. 450), shall be deemed to be obligated at the  
25 time of the grant or contract award and thereafter shall

1 remain available to the tribe or tribal organization without  
2 fiscal year limitation: *Provided further*, That, \$2,000,000  
3 shall be available for grants or contracts with public or  
4 private institutions to provide alcohol or drug treatment  
5 services to Indians, including alcohol detoxification serv-  
6 ices: *Provided further*, That, \$914,139,000 for Purchased/  
7 Referred Care, including \$53,000,000 for the Indian Cat-  
8 astrophic Health Emergency Fund, shall remain available  
9 until expended: *Provided further*, That, of the funds pro-  
10 vided, up to \$36,000,000 shall remain available until ex-  
11 pended for implementation of the loan repayment program  
12 under section 108 of the Indian Health Care Improvement  
13 Act: *Provided further*, That, of the funds provided,  
14 \$11,000,000 shall remain available until expended to sup-  
15 plement funds available for operational costs at tribal clin-  
16 ics operated under an Indian Self-Determination and Edu-  
17 cation Assistance Act compact or contract where health  
18 care is delivered in space acquired through a full service  
19 lease, which is not eligible for maintenance and improve-  
20 ment and equipment funds from the Indian Health Serv-  
21 ice: *Provided further*, That the amounts collected by the  
22 Federal Government as authorized by sections 104 and  
23 108 of the Indian Health Care Improvement Act (25  
24 U.S.C. 1613a and 1616a) during the preceding fiscal year  
25 for breach of contracts shall be deposited to the Fund au-

1 thORIZED BY SECTION 108A OF THE ACT (25 U.S.C. 1616a–  
2 1) AND SHALL REMAIN AVAILABLE UNTIL EXPENDED AND, NOTWITH-  
3 STANDING SECTION 108A(c) OF THE ACT (25 U.S.C. 1616a–  
4 1(c)), FUNDS SHALL BE AVAILABLE TO MAKE NEW AWARDS UNDER  
5 THE LOAN REPAYMENT AND SCHOLARSHIP PROGRAMS UNDER SEC-  
6 TIONS 104 AND 108 OF THE ACT (25 U.S.C. 1613a AND  
7 1616a): *Provided further*, That, the amounts made avail-  
8 able within this account for the Substance Abuse and Sui-  
9 cide Prevention Program, for the Domestic Violence Pre-  
10 vention Program, for the Zero Suicide Initiative, for  
11 aftercare pilots at Youth Regional Treatment Centers, to  
12 improve collections from public and private insurance at  
13 Indian Health Service and tribally operated facilities, and  
14 for accreditation emergencies shall be allocated at the dis-  
15 cretion of the Director of the Indian Health Service and  
16 shall remain available until expended: *Provided further*,  
17 That funds provided in this Act may be used for annual  
18 contracts and grants that fall within 2 fiscal years, pro-  
19 vided the total obligation is recorded in the year the funds  
20 are appropriated: *Provided further*, That the amounts col-  
21 lected by the Secretary of Health and Human Services  
22 under the authority of title IV of the Indian Health Care  
23 Improvement Act shall remain available until expended for  
24 the purpose of achieving compliance with the applicable  
25 conditions and requirements of titles XVIII and XIX of

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

21 CONTRACT SUPPORT COSTS

22 For payments to tribes and tribal organizations for  
23 contract support costs associated with Indian Self-Deter-  
24 mination and Education Assistance Act agreements with  
25 the Indian Health Service for fiscal year 2017, such sums

1 as may be necessary: *Provided*, That notwithstanding any  
2 other provision of law, no amounts made available under  
3 this heading shall be available for transfer to another  
4 budget account.

5 INDIAN HEALTH FACILITIES

6 For construction, repair, maintenance, improvement,  
7 and equipment of health and related auxiliary facilities,  
8 including quarters for personnel; preparation of plans,  
9 specifications, and drawings; acquisition of sites, purchase  
10 and erection of modular buildings, and purchases of trail-  
11 ers; and for provision of domestic and community sanita-  
12 tion facilities for Indians, as authorized by section 7 of  
13 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
14 Self-Determination Act, and the Indian Health Care Im-  
15 provement Act, and for expenses necessary to carry out  
16 such Acts and titles II and III of the Public Health Serv-  
17 ice Act with respect to environmental health and facilities  
18 support activities of the Indian Health Service,  
19 \$543,607,000, to remain available until expended: *Pro-*  
20 *vided*, That, notwithstanding any other provision of law,  
21 funds appropriated for the planning, design, construction,  
22 renovation or expansion of health facilities for the benefit  
23 of an Indian tribe or tribes may be used to purchase land  
24 on which such facilities will be located: *Provided further*,  
25 That not to exceed \$500,000 may be used by the Indian

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

19 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

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

1 chase of reprints; purchase, renovation and erection of  
2 modular buildings and renovation of existing facilities;  
3 payments for telephone service in private residences in the  
4 field, when authorized under regulations approved by the  
5 Secretary; uniforms or allowances therefor as authorized  
6 by 5 U.S.C. 5901–5902; and for expenses of attendance  
7 at meetings that relate to the functions or activities of the  
8 Indian Health Service: *Provided*, That in accordance with  
9 the provisions of the Indian Health Care Improvement  
10 Act, non-Indian patients may be extended health care at  
11 all tribally administered or Indian Health Service facili-  
12 ties, subject to charges, and the proceeds along with funds  
13 recovered under the Federal Medical Care Recovery Act  
14 (42 U.S.C. 2651–2653) shall be credited to the account  
15 of the facility providing the service and shall be available  
16 without fiscal year limitation: *Provided further*, That not-  
17 withstanding any other law or regulation, funds trans-  
18 ferred from the Department of Housing and Urban Devel-  
19 opment to the Indian Health Service shall be administered  
20 under Public Law 86–121, the Indian Sanitation Facilities  
21 Act and Public Law 93–638: *Provided further*, That funds  
22 appropriated to the Indian Health Service in this Act, ex-  
23 cept those used for administrative and program direction  
24 purposes, shall not be subject to limitations directed at  
25 curtailing Federal travel and transportation: *Provided fur-*

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

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

21 NATIONAL INSTITUTES OF HEALTH

22 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

23 SCIENCES

24 For necessary expenses for the National Institute of  
25 Environmental Health Sciences in carrying out activities

1 set forth in section 311(a) of the Comprehensive Environ-  
2 mental Response, Compensation, and Liability Act of  
3 1980 (42 U.S.C. 9660(a)) and section 126(g) of the  
4 Superfund Amendments and Reauthorization Act of 1986,  
5 \$77,349,000.

6 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

7 REGISTRY

8 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

9 HEALTH

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

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

#### 9 OTHER RELATED AGENCIES

##### 10 EXECUTIVE OFFICE OF THE PRESIDENT

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

##### 12 ENVIRONMENTAL QUALITY

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

1 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
2 SALARIES AND EXPENSES

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

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

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

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

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

8 PAYMENT TO THE INSTITUTE

9 For payment to the Institute of American Indian and  
10 Alaska Native Culture and Arts Development, as author-  
11 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part  
12 A), \$15,212,000, to remain available until September 30,  
13 2018: *Provided*, That of the funds made available under  
14 this heading, not to exceed \$7,377,000 shall become avail-  
15 able on July 1, 2017, and shall remain available until Sep-  
16 tember 30, 2018.

17 SMITHSONIAN INSTITUTION

18 SALARIES AND EXPENSES

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

1 ance programs; maintenance, alteration, operation, lease  
2 agreements of no more than 30 years, and protection of  
3 buildings, facilities, and approaches; not to exceed  
4 \$100,000 for services as authorized by 5 U.S.C. 3109; and  
5 purchase, rental, repair, and cleaning of uniforms for em-  
6 ployees, \$718,059,000, to remain available until Sep-  
7 tember 30, 2018, except as otherwise provided herein; of  
8 which not to exceed \$48,467,000 for the instrumentation  
9 program, collections acquisition, exhibition reinstallation,  
10 the National Museum of African American History and  
11 Culture, and the repatriation of skeletal remains program  
12 shall remain available until expended; and including such  
13 funds as may be necessary to support American overseas  
14 research centers: *Provided*, That funds appropriated here-  
15 in are available for advance payments to independent con-  
16 tractors performing research services or participating in  
17 official Smithsonian presentations.

18 FACILITIES CAPITAL

19 For necessary expenses of repair, revitalization, and  
20 alteration of facilities owned or occupied by the Smithso-  
21 nian Institution, by contract or otherwise, as authorized  
22 by section 2 of the Act of August 22, 1949 (63 Stat. 623),  
23 and for construction, including necessary personnel,  
24 \$142,184,000, to remain available until expended, of

1 which not to exceed \$10,000 shall be for services as au-  
2 thorized by 5 U.S.C. 3109.

3 NATIONAL GALLERY OF ART

4 SALARIES AND EXPENSES

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

1 such terms and conditions as the Gallery may deem prop-  
2 er, \$132,961,000, to remain available until September 30,  
3 2018, of which not to exceed \$3,620,000 for the special  
4 exhibition program shall remain available until expended:  
5 *Provided*, That section 6301 of title 40, United States  
6 Code is amended by striking the period at the end of sec-  
7 tion 6301(2)(C) and inserting “; and” and adding the fol-  
8 lowing:

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

19 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

20       For necessary expenses of repair, restoration and  
21 renovation of buildings, grounds and facilities owned or  
22 occupied by the National Gallery of Art, by contract or  
23 otherwise, for operating lease agreements of no more than  
24 10 years, with no extensions or renewals beyond the 10  
25 years, that address space needs created by the ongoing

1 renovations in the Master Facilities Plan, as authorized,  
 2 \$22,564,000, to remain available until expended: *Pro-*  
 3 *vided*, That contracts awarded for environmental systems,  
 4 protection systems, and exterior repair or renovation of  
 5 buildings of the National Gallery of Art may be negotiated  
 6 with selected contractors and awarded on the basis of con-  
 7 tractor qualifications as well as price.

8 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
 9 ARTS

10 OPERATIONS AND MAINTENANCE

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

14 CAPITAL REPAIR AND RESTORATION

15 For necessary expenses for capital repair and restora-  
 16 tion of the existing features of the building and site of  
 17 the John F. Kennedy Center for the Performing Arts,  
 18 \$13,000,000, to remain available until expended.

19 WOODROW WILSON INTERNATIONAL CENTER FOR  
 20 SCHOLARS

21 SALARIES AND EXPENSES

22 For expenses necessary in carrying out the provisions  
 23 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
 24 1356) including hire of passenger vehicles and services as

1 authorized by 5 U.S.C. 3109, \$10,500,000, to remain  
2 available until September 30, 2018.

3 NATIONAL FOUNDATION ON THE ARTS AND THE  
4 HUMANITIES  
5 NATIONAL ENDOWMENT FOR THE ARTS  
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 \$148,449,000 shall be available to the National Endow-  
10 ment for the Arts for the support of projects and produc-  
11 tions in the arts, including arts education and public out-  
12 reach activities, through assistance to organizations and  
13 individuals pursuant to section 5 of the Act, for program  
14 support, and for administering the functions of the Act,  
15 to remain available until expended.

16 NATIONAL ENDOWMENT FOR THE HUMANITIES  
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 \$148,442,000, to remain available until expended, of  
21 which \$138,198,000 shall be available for support of ac-  
22 tivities in the humanities, pursuant to section 7(c) of the  
23 Act and for administering the functions of the Act; and  
24 \$10,244,000 shall be available to carry out the matching  
25 grants program pursuant to section 10(a)(2) of the Act,

1 including \$8,500,000 for the purposes of section 7(h):  
2 *Provided*, That appropriations for carrying out section  
3 10(a)(2) shall be available for obligation only in such  
4 amounts as may be equal to the total amounts of gifts,  
5 bequests, devises of money, and other property accepted  
6 by the chairman or by grantees of the National Endow-  
7 ment for the Humanities under the provisions of sections  
8 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-  
9 ceding fiscal years for which equal amounts have not pre-  
10 viously been appropriated.

11 ADMINISTRATIVE PROVISIONS

12 None of the funds appropriated to the National  
13 Foundation on the Arts and the Humanities may be used  
14 to process any grant or contract documents which do not  
15 include the text of 18 U.S.C. 1913: *Provided*, That none  
16 of the funds appropriated to the National Foundation on  
17 the Arts and the Humanities may be used for official re-  
18 ception and representation expenses: *Provided further*,  
19 That funds from nonappropriated sources may be used as  
20 necessary for official reception and representation ex-  
21 penses: *Provided further*, That the Chairperson of the Na-  
22 tional Endowment for the Arts may approve grants of up  
23 to \$10,000, if in the aggregate the amount of such grants  
24 does not exceed 5 percent of the sums appropriated for  
25 grantmaking purposes per year: *Provided further*, That

1 such small grant actions are taken pursuant to the terms  
2 of an expressed and direct delegation of authority from  
3 the National Council on the Arts to the Chairperson.

4 COMMISSION OF FINE ARTS

5 SALARIES AND EXPENSES

6 For expenses of the Commission of Fine Arts under  
7 chapter 91 of title 40, United States Code, \$2,653,000:  
8 *Provided*, That the Commission is authorized to charge  
9 fees to cover the full costs of its publications, and such  
10 fees shall be credited to this account as an offsetting col-  
11 lection, to remain available until expended without further  
12 appropriation: *Provided further*, That the Commission is  
13 authorized to accept gifts, including objects, papers, art-  
14 work, drawings and artifacts, that pertain to the history  
15 and design of the Nation's Capital or the history and ac-  
16 tivities of the Commission of Fine Arts, for the purpose  
17 of artistic display, study or education: *Provided further*,  
18 That one-tenth of 1 percent of the funds provided under  
19 this heading may be used for official reception and rep-  
20 resentation expenses.

21 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

22 For necessary expenses as authorized by Public Law  
23 99-190 (20 U.S.C. 956a), \$2,000,000.

## 1       ADVISORY COUNCIL ON HISTORIC PRESERVATION

## 2                               SALARIES AND EXPENSES

3       For necessary expenses of the Advisory Council on  
4 Historic Preservation (Public Law 89–665), \$6,493,000.

## 5                               NATIONAL CAPITAL PLANNING COMMISSION

## 6                               SALARIES AND EXPENSES

7       For necessary expenses of the National Capital Plan-  
8 ning Commission under chapter 87 of title 40, United  
9 States Code, including services as authorized by 5 U.S.C.  
10 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-  
11 cent of the funds provided under this heading may be used  
12 for official reception and representational expenses associ-  
13 ated with hosting international visitors engaged in the  
14 planning and physical development of world capitals.

## 15       UNITED STATES HOLOCAUST MEMORIAL MUSEUM

## 16                               HOLOCAUST MEMORIAL MUSEUM

17       For expenses of the Holocaust Memorial Museum, as  
18 authorized by Public Law 106–292 (36 U.S.C. 2301–  
19 2310), \$57,000,000, of which \$1,215,000 shall remain  
20 available until September 30, 2019, for the Museum’s  
21 equipment replacement program; and of which \$2,500,000  
22 for the Museum’s repair and rehabilitation program and  
23 \$1,264,000 for the Museum’s outreach initiatives program  
24 shall remain available until expended.

## 1 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses, including the costs of con-  
4 struction design, of the Dwight D. Eisenhower Memorial  
5 Commission, \$1,000,000, to remain available until ex-  
6 pended.

## 7 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

## 8 SALARIES AND EXPENSES

9 For necessary expenses of the Women's Suffrage  
10 Centennial Commission, as authorized by this Act,  
11 \$2,000,000, to remain available until expended.

## 12 TITLE IV

## 13 GENERAL PROVISIONS

## 14 (INCLUDING TRANSFERS OF FUNDS)

15 SEC. 401. No part of any appropriation contained in  
16 this Act shall be available—

17 (1) for any activity or the publication or dis-  
18 tribution of literature that in any way tends to pro-  
19 mote public support or opposition to any legislative  
20 proposal on which congressional action is not com-  
21 plete or other than to communicate to Members of  
22 Congress as described in 18 U.S.C. 1913; or

23 (2) for publicity or propaganda purposes for the  
24 preparation, distribution or use of any communica-  
25 tion designed to support or defeat any proposed or

1 pending regulation, administrative action, or order  
2 issued by an executive branch agency, except in  
3 presentation to the executive branch itself or to Con-  
4 gress.

5 OBLIGATION OF APPROPRIATIONS

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

9 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

21 MINING APPLICATIONS

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

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

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

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

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

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

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

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

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2017

17 LIMITATION

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

1 agreements for fiscal year 2017 with the Bureau of Indian  
2 Affairs or the Indian Health Service: *Provided*, That such  
3 amounts provided by this Act are not available for pay-  
4 ment of claims for contract support costs for prior years,  
5 or for repayments of payments for settlements or judg-  
6 ments awarding contract support costs for prior years.

7 FOREST MANAGEMENT PLANS

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

23 PROHIBITION WITHIN NATIONAL MONUMENTS

24 SEC. 408. No funds provided in this Act may be ex-  
25 pended to conduct preleasing, leasing and related activities

1 under either the Mineral Leasing Act (30 U.S.C. 181 et  
2 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
3 1331 et seq.) within the boundaries of a National Monu-  
4 ment established pursuant to the Act of June 8, 1906 (16  
5 U.S.C. 431 et seq.) as such boundary existed on January  
6 20, 2001, except where such activities are allowed under  
7 the Presidential proclamation establishing such monu-  
8 ment.

#### 9 LIMITATION ON TAKINGS

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

#### 21 TIMBER SALE REQUIREMENTS

22 SEC. 410. No timber sale in Alaska's Region 10 shall  
23 be advertised if the indicated rate is deficit (defined as  
24 the value of the timber is not sufficient to cover all logging  
25 and stumpage costs and provide a normal profit and risk  
26 allowance under the Forest Service's appraisal process)

1 when appraised using a residual value appraisal. The west-  
2 ern red cedar timber from those sales which is surplus  
3 to the needs of the domestic processors in Alaska, shall  
4 be made available to domestic processors in the contiguous  
5 48 United States at prevailing domestic prices. All addi-  
6 tional western red cedar volume not sold to Alaska or con-  
7 tiguous 48 United States domestic processors may be ex-  
8 ported to foreign markets at the election of the timber sale  
9 holder. All Alaska yellow cedar may be sold at prevailing  
10 export prices at the election of the timber sale holder.

11 WATERS OF THE UNITED STATES

12 SEC. 411. None of the funds made available in this  
13 Act or any other Act, may be used to develop, adopt, im-  
14 plement, administer, or enforce any change to the regula-  
15 tions and guidance in effect on October 1, 2012, per-  
16 taining to the definition of waters under the jurisdiction  
17 of the Federal Water Pollution Control Act (33 U.S.C.  
18 1251, et seq.), including the provisions of the rules dated  
19 November 13, 1986, and August 25, 1993, relating to said  
20 jurisdiction, and the guidance documents dated January  
21 15, 2003, and December 2, 2008, relating to said jurisdic-  
22 tion.

23 PROHIBITION ON NO-BID CONTRACTS

24 SEC. 412. None of the funds appropriated or other-  
25 wise made available by this Act to executive branch agen-

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

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

10 (2) such contract is authorized by the Indian  
11 Self-Determination and Education Assistance Act  
12 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by  
13 any other Federal laws that specifically authorize a  
14 contract within an Indian tribe as defined in section  
15 4(e) of that Act (25 U.S.C. 450b(e)); or

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

18 POSTING OF REPORTS

19 SEC. 413. (a) Any agency receiving funds made avail-  
20 able in this Act, shall, subject to subsections (b) and (c),  
21 post on the public website of that agency any report re-  
22 quired to be submitted by the Congress in this or any  
23 other Act, upon the determination by the head of the agen-  
24 cy that it shall serve the national interest.

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

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

3           (2) the report contains proprietary information.

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

8           CARBON EMISSIONS FROM FOREST BIOMASS

9           SEC. 414. (a) IN GENERAL.—For any policy, regula-  
10 tion, or action of the Administrator of the Environmental  
11 Protection Agency (referred to in this section as the “Ad-  
12 ministrator”) specifically relating to carbon dioxide emis-  
13 sions due to the combustion of forest biomass from sta-  
14 tionary sources, the Administrator shall provide that those  
15 emissions, including forest biomass carbon dioxide emis-  
16 sions from a facility that combusts forest biomass for en-  
17 ergy, do not require regulation, control, or action if—

18           (1) the Secretary of Agriculture (referred to in  
19 this section as the “Secretary”) determines, based  
20 on the most recent annual assessment of forest and  
21 timberland carbon stocks derived from the Forest  
22 Inventory and Analysis data of the Department of  
23 Agriculture, that timberland carbon stocks in the  
24 relevant region, as described in subsection (b), are  
25 stable or increasing as compared to the assessment

1 of timberland carbon stocks for that region based on  
2 the relevant average timberland carbon stock assess-  
3 ment baseline described in subsection (c); or

4 (2) the forest biomass is derived from—

5 (A) mill product manufacturing residuals;

6 (B) harvest residues;

7 (C) biowaste (including used wood prod-  
8 ucts); or

9 (D) forest management activities that are  
10 conducted—

11 (i) to increase yield; or

12 (ii) to maintain or enhance forest  
13 health.

14 (b) REGION IDENTIFICATION.—

15 (1) IN GENERAL.—For purposes of the annual  
16 assessment of forest and timberland carbon stocks  
17 described in subsection (a)(1), the Secretary shall  
18 identify the relevant regions as the following:

19 (A) NORTH REGION.—The North Region  
20 shall be comprised of the States of Connecticut,  
21 Delaware, Illinois, Indiana, Iowa, Kansas,  
22 Maine, Maryland, Massachusetts, Michigan,  
23 Minnesota, Missouri, Nebraska, New Hamp-  
24 shire, New Jersey, New York, North Dakota,

1 Ohio, Pennsylvania, Rhode Island, South Da-  
2 kota, Vermont, West Virginia, and Wisconsin.

3 (B) SOUTH REGION.—The South Region  
4 shall be comprised of the States of Alabama,  
5 Arkansas, Florida, Georgia, Kentucky, Lou-  
6 isiana, Mississippi, North Carolina, Oklahoma,  
7 South Carolina, Tennessee, Texas, and Vir-  
8 ginia.

9 (C) INTERMOUNTAIN REGION.—The Inter-  
10 mountain Region shall be comprised of the  
11 States of Arizona, Colorado, Nevada, New Mex-  
12 ico, Utah, and Wyoming.

13 (D) PACIFIC COAST AND NORTHWEST RE-  
14 GION.—The Pacific Coast and Northwest Re-  
15 gion shall be comprised of California, Idaho,  
16 Montana, Oregon, and Washington.

17 (2) INDIVIDUAL CONSIDERATION.—For pur-  
18 poses of the annual assessment of forest and  
19 timberland carbon stocks described in subsection  
20 (a)(1), the Secretary shall consider individually any  
21 State not described in paragraph (1).

22 (c) AVERAGE CARBON STOCK ASSESSMENT BASE-  
23 LINE.—The Administrator, in consultation with the Sec-  
24 retary, shall calculate the average timberland carbon stock  
25 assessment baseline referred to in subsection (a)(1)—

1           (1) for the period beginning on the date of en-  
2           actment of this Act and ending on December 31,  
3           2029, based on the average timberland carbon stock  
4           assessment for the years 2006 through 2015;

5           (2) for the period beginning on January 1,  
6           2030, and ending on December 31, 2039, based on  
7           the average timberland carbon stock assessment for  
8           the years 2016 through 2025; and

9           (3) for the 10-year period beginning on Janu-  
10          ary 1, 2040, and ending on December 31, 2049, and  
11          for each subsequent 10-year period, based on the av-  
12          erage timberland carbon stock assessment for the  
13          10-year period following the end of the previous 10-  
14          year baseline calculation.

15          (d) ANNUAL DETERMINATION OF APPLICABILITY.—  
16          Not less frequently than annually, the Administrator shall  
17          review the most recent annual assessment of the Secretary  
18          referred to in subsection (a)(1) to determine the applica-  
19          bility of subsection (a).

20          (e) FOREST CARBON ASSESSMENTS.—Subject to ap-  
21          propriations, the Secretary shall update the measurement  
22          of forest carbon stocks with plot data not less frequently  
23          than once every 5 years.

1 NATIONAL ENDOWMENT FOR THE ARTS GRANT  
2 GUIDELINES

3 SEC. 415. Of the funds provided to the National En-  
4 dowment for the Arts—

5 (1) The Chairperson shall only award a grant  
6 to an individual if such grant is awarded to such in-  
7 dividual for a literature fellowship, National Herit-  
8 age Fellowship, or American Jazz Masters Fellow-  
9 ship.

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

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

22 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM  
23 PRIORITIES

24 SEC. 416. (a) In providing services or awarding fi-  
25 nancial assistance under the National Foundation on the

1 Arts and the Humanities Act of 1965 from funds appro-  
2 priated under this Act, the Chairperson of the National  
3 Endowment for the Arts shall ensure that priority is given  
4 to providing services or awarding financial assistance for  
5 projects, productions, workshops, or programs that serve  
6 underserved populations.

7 (b) In this section:

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

14 (2) The term “poverty line” means the poverty  
15 line (as defined by the Office of Management and  
16 Budget, and revised annually in accordance with sec-  
17 tion 673(2) of the Community Services Block Grant  
18 Act (42 U.S.C. 9902(2))) applicable to a family of  
19 the size involved.

20 (c) In providing services and awarding financial as-  
21 sistance under the National Foundation on the Arts and  
22 Humanities Act of 1965 with funds appropriated by this  
23 Act, the Chairperson of the National Endowment for the  
24 Arts shall ensure that priority is given to providing serv-  
25 ices or awarding financial assistance for projects, produc-

1 tions, workshops, or programs that will encourage public  
2 knowledge, education, understanding, and appreciation of  
3 the arts.

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

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

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

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

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

22 FINANCIAL ASSURANCE

23 SEC. 417. None of the funds made available by this  
24 Act may be used to develop, propose, finalize, implement,  
25 enforce, or administer any regulation that would establish

1 new financial responsibility requirements pursuant to sec-  
2 tion 108(b) of the Comprehensive Environmental Re-  
3 sponse, Compensation, and Liability Act of 1980 (42  
4 U.S.C. 9608(b)).

5 STATUS OF BALANCES OF APPROPRIATIONS

6 SEC. 418. The Department of the Interior, the Envi-  
7 ronmental Protection Agency, the Forest Service, and the  
8 Indian Health Service shall provide the Committees on  
9 Appropriations of the House of Representatives and Sen-  
10 ate quarterly reports on the status of balances of appro-  
11 priations including all uncommitted, committed, and unob-  
12 ligated funds in each program and activity.

13 REPORT ON USE OF CLIMATE CHANGE FUNDS

14 SEC. 419. Not later than 120 days after the date on  
15 which the President's fiscal year 2018 budget request is  
16 submitted to the Congress, the President shall submit a  
17 comprehensive report to the Committees on Appropria-  
18 tions of the House of Representatives and the Senate de-  
19 scribing in detail all Federal agency funding, domestic and  
20 international, for climate change programs, projects, and  
21 activities in fiscal years 2016 and 2017, including an ac-  
22 counting of funding by agency with each agency identi-  
23 fying climate change programs, projects, and activities  
24 and associated costs by line item as presented in the Presi-  
25 dent's Budget Appendix, and including citations and link-

1 ages where practicable to each strategic plan that is driv-  
2 ing funding within each climate change program, project,  
3 and activity listed in the report.

4 PROHIBITION ON USE OF FUNDS

5 SEC. 420. Notwithstanding any other provision of  
6 law, none of the funds made available in this Act or any  
7 other Act may be used to promulgate or implement any  
8 regulation requiring the issuance of permits under title V  
9 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon  
10 dioxide, nitrous oxide, water vapor, or methane emissions  
11 resulting from biological processes associated with live-  
12 stock production.

13 GREENHOUSE GAS REPORTING RESTRICTIONS

14 SEC. 421. Notwithstanding any other provision of  
15 law, none of the funds made available in this or any other  
16 Act may be used to implement any provision in a rule,  
17 if that provision requires mandatory reporting of green-  
18 house gas emissions from manure management systems.

19 MODIFICATION OF AUTHORITIES

20 SEC. 422. (a) Section 8162(m)(3) of the Department  
21 of Defense Appropriations Act, 2000 (40 U.S.C. 8903  
22 note; Public Law 106–79) is amended by striking “Sep-  
23 tember 30, 2016” and inserting “September 30, 2017”.

24 (b) For fiscal year 2017, the authority provided by  
25 the provisos under the heading “Dwight D. Eisenhower



1           (1) in paragraph (5), by adding at the end the  
2 following: “Notwithstanding the Materials Act of  
3 1947 (30 U.S.C. 602(a)), the Director may enter  
4 into an agreement or contract under subsection  
5 (b).”; and

6           (2) in paragraph (7), by striking “and the Di-  
7 rector”.

8           USE OF AMERICAN IRON AND STEEL

9           SEC. 427. (a)(1) None of the funds made available  
10 by a State water pollution control revolving fund as au-  
11 thorized by section 1452 of the Safe Drinking Water Act  
12 (42 U.S.C. 300j-12) shall be used for a project for the  
13 construction, alteration, maintenance, or repair of a public  
14 water system or treatment works unless all of the iron and  
15 steel products used in the project are produced in the  
16 United States.

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

23          (b) Subsection (a) shall not apply in any case or cat-  
24 egory of cases in which the Administrator of the Environ-

1 mental Protection Agency (in this section referred to as  
2 the “Administrator”) finds that—

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

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

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

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

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

24 (e) The Administrator may retain up to 0.25 percent  
25 of the funds appropriated in this Act for the Clean and

1 Drinking Water State Revolving Funds for carrying out  
2 the provisions described in subsection (a)(1) for manage-  
3 ment and oversight of the requirements of this section.

4 JOHN F. KENNEDY CENTER REAUTHORIZATION

5 SEC. 428. Section 13 of the John F. Kennedy Center  
6 Act (20 U.S.C. 76r) is amended by striking subsections  
7 (a) and (b) and inserting the following:

8 “(a) MAINTENANCE, REPAIR, AND SECURITY.—  
9 There is authorized to be appropriated to the Board to  
10 carry out section 4(a)(1)(H), \$24,000,000 for fiscal year  
11 2017.

12 “(b) CAPITAL PROJECTS.—There is authorized to be  
13 appropriated to the Board to carry out subparagraphs (F)  
14 and (G) of section 4(a)(1), \$13,000,000 for fiscal year  
15 2017.”.

16 GOOD NEIGHBOR AUTHORITY

17 SEC. 429. Section 8206(b)(2) of the Agricultural Act  
18 of 2014 (16 U.S.C. 2113a(b)(2)) is amended by adding  
19 at the end of the following:

20 “(C) FOREST DEVELOPMENT ROADS.—

21 “(i) IN GENERAL.—Notwithstanding  
22 subsection (a)(3)(B), existing roads shall  
23 be repaired or reconstructed to a satisfac-  
24 tory condition to perform authorized res-

1                   toration services including removal of tim-  
2                   ber.”.

3   BOUNDARY ADJUSTMENT, BOB MARSHALL WILDERNESS,  
4                   HELENA-LEWIS AND CLARK NATIONAL FOREST

5           SEC. 430. The boundary of the Patrick’s Basin Addi-  
6   tion to the Bob Marshall Wilderness designated by section  
7   3065(c)(1)(A) of the “Carl Levin and Howard P. ‘Buck’  
8   McKeon National Defense Authorization Act for Fiscal  
9   Year 2015” (Public Law 113–291; 128 Stat. 3835) is  
10   modified to exclude approximately 603 acres of land as  
11   generally depicted as items 1 and 2 on the map entitled  
12   “Patrick’s Basin Addition to the Bob Marshall Wilder-  
13   ness—Kenck Cabin and South Fork Sun River  
14   Packbridge Adjustments” and dated April 21, 2016,  
15   which shall be on file and available for public inspection  
16   in the appropriate offices of the Forest Service. The lands  
17   excluded from the wilderness shall be added to and admin-  
18   istered as part of the Rocky Mountain Front Conservation  
19   Management Area established in section 3065(b).

20                   ACCESS FOR INSPECTORS GENERAL

21           SEC. 431. No funds provided in this Act shall be used  
22   to deny an Inspector General funded under this Act timely  
23   access to any records, documents, or other materials avail-  
24   able to the department or agency over which that Inspec-  
25   tor General has responsibilities under the Inspector Gen-

1 eral Act of 1978, or to prevent or impede that Inspector  
2 General's access to such records, documents, or other ma-  
3 terials, under any provision of law, except a provision of  
4 law that expressly refers to the Inspector General and ex-  
5 pressly limits the Inspector General's right of access. A  
6 department or agency covered by this section shall provide  
7 its Inspector General with access to all such records, docu-  
8 ments, and other materials in a timely manner. Each In-  
9 spector General shall ensure compliance with statutory  
10 limitations on disclosure relevant to the information pro-  
11 vided by the establishment over which that Inspector Gen-  
12 eral has responsibilities under the Inspector General Act  
13 of 1978. Each Inspector General covered by this section  
14 shall report to the Committees on Appropriations of the  
15 House of Representatives and the Senate within 5 cal-  
16 endar days any failures to comply with this requirement.

## TITLE V

## WILDFIRE DISASTER FUNDING

## WILDFIRE DISASTER FUNDING AUTHORITY

1  
2  
3  
4 SEC. 501. (a) DISASTER FUNDING.—Section  
5 251(b)(2)(D) of the Balanced Budget and Emergency  
6 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is  
7 amended—

8 (1) in clause (i)—

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

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

13 (C) by adding the following:

14 “(III) the additional new budget  
15 authority provided in an appropriation  
16 Act for wildfire suppression operations  
17 pursuant to subparagraph (E) for the  
18 preceding fiscal year.”; and

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

20 “(v) Beginning in fiscal year 2019,  
21 and for each fiscal year thereafter, the cal-  
22 culation of the ‘average funding provided  
23 for disaster relief over the previous 10  
24 years’ shall include for each year within  
25 that average the additional new budget au-

1           thority provided in an appropriation Act  
2           for wildfire suppression operations pursu-  
3           ant to subparagraph (E) for the preceding  
4           fiscal year.”.

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

9           “(E) WILDFIRE SUPPRESSION.—

10                   “(i) DEFINITIONS.—In this subpara-  
11 graph:

12                           “(I) ADDITIONAL NEW BUDGET  
13 AUTHORITY.—The term ‘additional  
14 new budget authority’ means the  
15 amount provided for a fiscal year in  
16 an appropriation Act that is—

17                                   “(aa) in excess of 100 per-  
18 cent of the average costs for wild-  
19 fire suppression operations over  
20 the previous 10 years; and

21                                   “(bb) specified to pay for  
22 the costs of wildfire suppression  
23 operations.

24                           “(II) WILDFIRE SUPPRESSION  
25 OPERATIONS.—The term ‘wildfire sup-

1           pression operations’ means the emer-  
2           gency and unpredictable aspects of  
3           wildland firefighting, including—

4                   “(aa) support, response, and  
5                   emergency stabilization activities;

6                   “(bb) other emergency man-  
7                   agement activities; and

8                   “(cc) the funds necessary to  
9                   repay any transfers needed for  
10                  the costs of wildfire suppression  
11                  operations.

12           “(ii) ADDITIONAL NEW BUDGET AU-  
13           THORITY.—If a bill or joint resolution  
14           making appropriations for a fiscal year is  
15           enacted that specifies an amount for wild-  
16           fire suppression operations in the Wildland  
17           Fire Management accounts at the Depart-  
18           ment of Agriculture or the Department of  
19           the Interior, then the adjustments for that  
20           fiscal year shall be the amount of addi-  
21           tional new budget authority provided in  
22           that Act for wildfire suppression operations  
23           for that fiscal year, but shall not exceed—

1                   “(I) for fiscal year 2017,  
2                   \$1,410,000,000 in additional new  
3                   budget authority;  
4                   “(II) for fiscal year 2018,  
5                   \$1,460,000,000 in additional new  
6                   budget authority;  
7                   “(III) for fiscal year 2019,  
8                   \$1,560,000,000 in additional new  
9                   budget authority;  
10                  “(IV) for fiscal year 2020,  
11                  \$1,780,000,000 in additional new  
12                  budget authority;  
13                  “(V) for fiscal year 2021,  
14                  \$2,030,000,000 in additional new  
15                  budget authority;  
16                  “(VI) for fiscal year 2022,  
17                  \$2,320,000,000 in additional new  
18                  budget authority;  
19                  “(VII) for fiscal year 2023,  
20                  \$2,650,000,000 in additional new  
21                  budget authority;  
22                  “(VIII) for fiscal year 2024,  
23                  \$2,690,000,000 in additional new  
24                  budget authority;

1                   “(IX) for fiscal year 2025,  
2                   \$2,690,000,000 in additional new  
3                   budget authority; and

4                   “(X) for fiscal year 2026,  
5                   \$2,690,000,000 in additional new  
6                   budget authority.

7                   “(iii) AVERAGE COST CALCULATION.—  
8                   The average costs for wildfire suppression  
9                   operations over the previous 10 years shall  
10                  be calculated annually and reported in the  
11                  budget of the President submitted under  
12                  section 1105(a) of title 31, United States  
13                  Code, for each fiscal year.”.

14                  REPORTING REQUIREMENTS

15                 SEC. 502. (a) SUPPLEMENTAL APPROPRIATIONS.—If  
16                 the Secretary of the Interior or the Secretary of Agri-  
17                 culture determines that supplemental appropriations are  
18                 necessary for a fiscal year for wildfire suppression oper-  
19                 ations, a request for the supplemental appropriations shall  
20                 promptly be submitted to Congress.

21                 (b) NOTICE OF NEED FOR ADDITIONAL FUNDS.—  
22                 Prior to the obligation of any of the additional new budget  
23                 authority for wildfire suppression operations specified for  
24                 purposes of section 251(b)(2)(E)(ii) of the Balanced  
25                 Budget and Emergency Deficit Control Act of 1985 (2

1 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or  
2 the Secretary of Agriculture, as applicable, shall submit  
3 to the Committees on Appropriations and the Budget of  
4 the House of Representatives and the Committees on Ap-  
5 propriations and the Budget of the Senate written notifi-  
6 cation that describes—

7           (1) that the amount for wildfire suppression op-  
8 erations to meet the terms of section 251(b)(2)(E)  
9 of that Act for that fiscal year will be exhausted im-  
10 minently; and

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

13 (c) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

14           (1) ACCOUNTING AND REPORTING REQUIRE-  
15 MENTS.—For each fiscal year, the Secretary of the  
16 Interior and the Secretary of Agriculture shall ac-  
17 count for and report on the amounts used from the  
18 additional new budget authority for wildfire suppres-  
19 sion operations provided to the Secretary of the In-  
20 terior or Secretary of Agriculture, as applicable, in  
21 an appropriations Act pursuant to section  
22 251(b)(2)(E)(ii) of the Balanced Budget and Emer-  
23 gency Deficit Control Act of 1985 (2 U.S.C.  
24 901(b)(2)(E)(ii)).

25           (2) ANNUAL REPORT.—

1 (A) IN GENERAL.—Not later than 180  
2 days after the end of the fiscal year for which  
3 additional new budget authority is used, pursu-  
4 ant to section 251(b)(2)(E)(ii) of the Balanced  
5 Budget and Emergency Deficit Control Act of  
6 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary  
7 of the Interior or the Secretary of Agriculture,  
8 as applicable, shall—

9 (i) prepare an annual report with re-  
10 spect to the additional new budget author-  
11 ity;

12 (ii) submit to the Committees on Ap-  
13 propriations, the Budget, and Natural Re-  
14 sources of the House of Representatives  
15 and the Committees on Appropriations, the  
16 Budget, and Energy and Natural Re-  
17 sources of the Senate the annual report  
18 prepared under clause (i); and

19 (iii) make the report prepared under  
20 clause (i) available to the public.

21 (B) COMPONENTS.—The annual report  
22 prepared under subparagraph (A) shall—

23 (i) document risk-based factors that  
24 influenced management decisions with re-  
25 spect to wildfire suppression operations;

1 (ii) analyze a statistically significant  
2 sample of large fires, including an analysis  
3 for each fire of—

4 (I) cost drivers;

5 (II) the effectiveness of risk man-  
6 agement techniques and whether fire  
7 operations strategy tracked the risk  
8 assessment;

9 (III) any resulting ecological or  
10 other benefits to the landscape;

11 (IV) the impact of investments in  
12 wildfire suppression operations pre-  
13 paredness;

14 (V) effectiveness of wildfire sup-  
15 pression operations, including an anal-  
16 ysis of resources lost versus dollars in-  
17 vested;

18 (VI) effectiveness of any fuel  
19 treatments on fire behavior and sup-  
20 pression expenditures;

21 (VII) levels of exposure experi-  
22 enced by firefighters;

23 (VIII) suggested corrective ac-  
24 tions; and

1 (IX) any other factors the Sec-  
2 retary of the Interior or Secretary of  
3 Agriculture determines to be appro-  
4 priate;

5 (iii) include an accounting of overall  
6 fire management and spending by the De-  
7 partment of the Interior or the Depart-  
8 ment of Agriculture, which shall be ana-  
9 lyzed by fire size, cost, regional location,  
10 and other factors;

11 (iv) describe any lessons learned in  
12 the conduct of wildfire suppression oper-  
13 ations; and

14 (v) include any other elements that  
15 the Secretary of the Interior or the Sec-  
16 retary of Agriculture determines to be nec-  
17 essary.

18 SENSE OF THE SENATE

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

20 (1) the amendments made by section 501 fall  
21 within the exclusive jurisdiction of the Committee on  
22 the Budget; and

23 (2) the final version of an amendment made by  
24 section 501 that makes an adjustment for new budg-

1 et authority should be prepared in consultation with  
2 the Committee on the Budget of the Senate.

3 WILDFIRE RISK REDUCTION PROJECTS

4 SEC. 504. (a) IN GENERAL.—Amounts made avail-  
5 able in an annual appropriations Act for wildfire suppres-  
6 sion operations to meet the terms of section 251(b)(2)(E)  
7 of the Balanced Budget and Emergency Deficit Control  
8 Act of 1985 (2 U.S.C. 901(b)(2)(E)) for a fiscal year that  
9 are not expended for that fiscal year may be available to  
10 the Secretary concerned for wildfire risk reduction  
11 projects in accordance with subsection (b).

12 (b) PROJECT PRIORITIES.—In providing amounts  
13 made available to the Secretary concerned under sub-  
14 section (a), the Secretary concerned shall give priority to  
15 projects that are—

16 (1) conducted in areas that—

17 (A) are within or adjacent to—

18 (i) at-risk communities (as defined in  
19 section 204(b)(1)); or

20 (ii) high-value watersheds;

21 (B) have very high wildfire hazard poten-  
22 tial; and

23 (C) are in Fire Regime Group I, II, or III;

24 and

1           (2) designed to achieve 1 or more of the goals  
2 established in the report of the Secretaries entitled  
3 “The National Strategy: the Final Phase of the De-  
4 velopment of the National Cohesive Wildland Fire  
5 Management Strategy” and dated April 2014—

6                   (A) to create fire-adapted communities;

7                   (B) to restore and maintain resilient land-  
8 scapes; and

9                   (C) to achieve safe, effective fire response.

10       (c) ADDITIONAL NEW BUDGET AUTHORITY.—

11           (1) Amounts referenced in subsection (a) may  
12 only be available for wildfire risk reduction projects  
13 if no additional new budget authority for wildfire  
14 suppression operations specified for purposes of sec-  
15 tion 251(b)(2)(E)(ii) of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985 (2 U.S.C.  
17 901(b)(2)(E)(ii)) has been obligated for a fiscal  
18 year; and

19           (2) Once an amount is made available for wild-  
20 fire risk reduction projects for a fiscal year, no addi-  
21 tional new budget authority for wildfire suppression  
22 operations specified for that purpose by that Act  
23 may be obligated thereafter for that fiscal year.

24       (d) ANNUAL REPORTS.—The Secretary concerned  
25 shall submit with the annual budget of the United States

1 submitted by the President under section 1105 of title 31,  
2 United States Code, a list of projects to be implemented  
3 using amounts made available to the Secretary concerned  
4 under subsection (a).

5 ENVIRONMENTAL ANALYSIS FOR CERTAIN FOREST  
6 MANAGEMENT ACTIVITIES

7 SEC. 505. (a) APPLICATION TO CERTAIN ENVIRON-  
8 MENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT  
9 STATEMENTS.—This section shall apply in any case in  
10 which the Secretary of Agriculture or the Secretary of In-  
11 terior prepares an environmental assessment or an envi-  
12 ronmental impact statement pursuant to section 102(2)  
13 of the National Environmental Policy Act of 1969 (42  
14 U.S.C. 4332(2)) for a forest management activity that—

15 (1) is developed—

16 (A) through a collaborative process that in-  
17 cludes a diverse and balanced stakeholder rep-  
18 resentation; establishes clear expectations and  
19 goals; strives for maximum transparency in the  
20 decisionmaking process; encourages stake-  
21 holders to function as representatives; fosters  
22 long-term participation; recognizes timeframes  
23 and resources; and enhances agency decision-  
24 making;

1 (B) under the Collaborative Forest Land-  
2 scape Restoration Program established under  
3 section 4003 of the Omnibus Public Land Man-  
4 agement Act of 2009 (16 U.S.C. 7303);

5 (C) by a resource advisory committee as  
6 defined in section 201 of the Secure Rural  
7 Schools and Community Self-Determination Act  
8 of 2000 (16 U.S.C. 7121); or

9 (D) is covered by a community wildfire  
10 protection plan; and

11 (2) the primary purpose of which is—

12 (A) reducing hazardous fuel loads;

13 (B) installing fuel and fire breaks;

14 (C) restoring forest health and resilience;

15 (D) protecting a municipal water supply or  
16 a critical communication site;

17 (E) improving wildlife habitat to meet  
18 management and conservation goals, including  
19 State population goals; or

20 (F) a combination of 2 or more of the pur-  
21 poses described in subparagraphs (A) through  
22 (E).

23 (b) CONSIDERATION OF ALTERNATIVES.—In an envi-  
24 ronmental assessment or environmental impact statement  
25 described in subsection (a), the Secretary concerned shall

1 study, develop, and describe only the following alter-  
2 natives:

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

5 (2) The alternative of no action.

6 (c) ELEMENTS OF NO-ACTION ALTERNATIVE.—In  
7 the case of the alternative of no action, the Secretary con-  
8 cerned shall evaluate the effect of no action on—

9 (1) forest health;

10 (2) wildlife habitat;

11 (3) wildfire potential;

12 (4) insect and disease potential; and

13 (5) economic and social factors.

14 (d) EXCLUSIONS.—This section shall not apply to—

15 (1) any component of the National Wilderness  
16 Preservation System;

17 (2) any congressionally designated wilderness  
18 study area;

19 (3) any research natural area;

20 (4) any National Forest System land or public  
21 land on which the removal of vegetation is prohibited  
22 by Act of Congress; or

23 (5) any designated critical habitat for a Feder-  
24 ally listed threatened or endangered species, unless,  
25 after a consultation under section 7 of the Endan-

1       gered Species Act of 1973 (16 U.S.C. 1536), the  
2       Secretary of the Interior, acting through the Direc-  
3       tor of the United States Fish and Wildlife Service,  
4       determines that the forest management activity is  
5       not likely to destroy or adversely modify the critical  
6       habitat.

7       (e) ROAD BUILDING.—

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

11            (2) EXISTING ROADS.—The Secretary con-  
12      cerned may carry out necessary maintenance of, re-  
13      pairs to, or reconstruction of an existing permanent  
14      road under a forest management activity carried out  
15      under this section.

16            (3) TEMPORARY ROADS.—The Secretary con-  
17      cerned shall decommission any temporary road con-  
18      structed under a forest management activity carried  
19      out under this section by not later than 3 years after  
20      the date on which the project is completed.

21       (f) LAND AND RESOURCE MANAGEMENT PLANS.—  
22      All forest management activities carried out under this  
23      section shall be consistent with the applicable land and  
24      resource management plan.

1 TONGASS NATIONAL FOREST PLAN AMENDMENT

2 SEC. 506. (a) IN GENERAL.—The Secretary of Agri-  
3 culture shall comply with section 705(a) of the Alaska Na-  
4 tional Interest Lands Conservation Act (16 U.S.C.  
5 539d(a)).

6 (b) INVENTORY.—Using funds set aside for activities  
7 related to the proposed Transition Framework in Region  
8 10, the Secretary of Agriculture shall conduct a com-  
9 prehensive inventory of young-growth stands, as rec-  
10 ommended by the Tongass Advisory Committee.

11 (c) REQUIREMENTS.—The comprehensive inventory  
12 conducted under subsection (b) shall—

13 (1) include stand-level field work with respect to  
14 young-growth timber located on the 462,000 acres of  
15 young-growth sites in the Tongass National Forest;  
16 and

17 (2) assess all age classes of timber inventoried  
18 for the purpose of refining inventory and growth  
19 data to properly forecast yields from stands and fu-  
20 ture economic options with respect to the timber  
21 inventoried.

22 (d) RECORD OF DECISION.—The Secretary of Agri-  
23 culture shall not issue a record of decision for any forest  
24 plan amendment to the Tongass land and resource man-

1 agement plan dated 2008 that includes transition to  
2 young-growth management until the date on which—

3 (1) the comprehensive inventory is completed  
4 under subsection (b); and

5 (2) the public is notified of, and provided a pe-  
6 riod of not less than 90 days to comment regarding,  
7 the comprehensive inventory.

## 8 **TITLE VI—ALASKA LAND USE** 9 **COUNCIL ACT**

### 10 **SECTION 601. SHORT TITLE.**

11 This title may be cited as the “Alaska Land Use  
12 Council Act”.

### 13 **SEC. 602. PURPOSE.**

14 The purpose of this title is to facilitate enhanced co-  
15 ordination and cooperation among Federal, State, and  
16 Alaska Native Corporation and tribal land and resource  
17 managers in the implementation of the Alaska National  
18 Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)  
19 and other applicable land and resource management laws.

### 20 **SEC. 603. DEFINITIONS.**

21 In this title:

22 (1) **CONSERVATION SYSTEM UNIT.**—The term  
23 “conservation system unit” has the meaning given  
24 the term in section 102 of the Alaska National In-  
25 terest Lands Conservation Act (16 U.S.C. 3102).

1           (2) COUNCIL.—The term “Council” means the  
2 Alaska Land Use Council established by section  
3 4(a).

4           (3) NATIVE; NATIVE CORPORATION; REGIONAL  
5 CORPORATION; VILLAGE CORPORATION.—The terms  
6 “Native”, “Native Corporation”, “Regional Corpora-  
7 tion”, and “Village Corporation” have the meanings  
8 given the terms in section 3 of the Alaska Native  
9 Claims Settlement Act (43 U.S.C. 1602).

10           (4) SECRETARY.—The term “Secretary” means  
11 the Secretary of the Interior, except that when such  
12 term is used with respect to any unit of the National  
13 Forest System, such term means the Secretary of  
14 Agriculture.

15           (5) STATE.—The term “State” means the State  
16 of Alaska.

17 **SEC. 604. ESTABLISHMENT; MEMBERSHIP.**

18           (a) ESTABLISHMENT.—There is established the Alas-  
19 ka Land Use Council.

20           (b) COMPOSITION.—

21           (1) PERMANENT MEMBERS.—The Council shall  
22 consist of each of the following permanent members:

23           (A) FEDERAL MEMBERS.—The head of the  
24 Alaska offices of each of the following Federal  
25 agencies:

1 (i) The National Park Service.

2 (ii) The United States Fish and Wild-  
3 life Service.

4 (iii) The Forest Service.

5 (iv) The Bureau of Land Manage-  
6 ment.

7 (B) STATE MEMBERS.—The following  
8 State members:

9 (i) The Commissioner of the Alaska  
10 Department of Environmental Conserva-  
11 tion.

12 (ii) The Commissioner of the Alaska  
13 Department of Fish and Game.

14 (iii) The Commissioner of the Alaska  
15 Department of Natural Resources.

16 (iv) The Commissioner of the Alaska  
17 Department of Transportation and Public  
18 Facilities.

19 (C) ALASKA NATIVE MEMBERS.—The fol-  
20 lowing Alaska Native members:

21 (i) 2 representatives selected by the  
22 Regional Corporations, in consultation with  
23 the respective Village Corporations, that  
24 represent the 12 geographic regions de-  
25 scribed in section 7(a) of the Alaska Na-

1           tive Claims Settlement Act (43 U.S.C.  
2           1606(a)); and

3           (ii) 2 representatives of Alaska Na-  
4           tives selected through the Alaska Federa-  
5           tion of Natives, at least 1 of whom rep-  
6           resents an Alaska Native tribe.

7           (2) ADVISORY MEMBERS.—

8           (A) IN GENERAL.—In addition to the per-  
9           manent members of the Council appointed  
10          under paragraph (1), representatives of other  
11          agencies may participate, with the concurrence  
12          of the permanent members of the Council, on  
13          an ad hoc basis, with respect to specific projects  
14          or activities of the Council.

15          (B) INCLUSIONS.—Individuals that may  
16          participate on an ad hoc basis under subpara-  
17          graph (A) include representatives of—

18           (i) the Alaska Department of Com-  
19           merce, Community, and Economic Devel-  
20           opment;

21           (ii) the Citizens' Advisory Commission  
22           on Federal Areas;

23           (iii) the State ANILCA Program Co-  
24           ordinator or members of the State

- 1 ANILCA Program within the State admin-  
2 istration;
- 3 (iv) the University of Alaska;
- 4 (v) the Alaska Mental Health Land  
5 Trust Authority;
- 6 (vi) units of local government in the  
7 State;
- 8 (vii) the Bureau of Indian Affairs;
- 9 (viii) the Coast Guard;
- 10 (ix) the Environmental Protection  
11 Agency;
- 12 (x) the Federal Aviation Administra-  
13 tion;
- 14 (xi) the National Oceanic and Atmos-  
15 pheric Administration;
- 16 (xii) the Bureau of Ocean Energy  
17 Management;
- 18 (xiii) the Corps of Engineers;
- 19 (xiv) the United States Geological  
20 Survey; and
- 21 (xv) the Federal Highway Administra-  
22 tion.
- 23 (3) VACANCY.—Any vacancy on the Council  
24 shall be filled in the same manner as the original ap-  
25 pointment was made.

1           (c) PRESIDING OFFICER.—The Council shall elect a  
2 Presiding Officer from among the permanent members of  
3 the Council on an annual basis.

4           (d) LOCATION OF OFFICE.—The office of the Council  
5 shall be located in the State.

6           (e) MEETINGS.—

7               (1) IN GENERAL.—The Council shall meet at  
8 the call of the Presiding Officer, but not less than  
9 4 times each year.

10              (2) OPEN TO THE PUBLIC.—All Council meet-  
11 ings shall be open to the public.

12              (3) NOTICE.—At least 30 days before the date  
13 on which a meeting of the Council is to be held, the  
14 Presiding Officer shall publish notice of the meeting  
15 in—

16                   (A) the Federal Register;

17                   (B) newspapers of general circulation in  
18 various areas throughout the State; and

19                   (C) all Federal and State agency websites  
20 that regularly provide notice of public meetings,  
21 including any social media websites.

22           (f) RULES.—The Council shall adopt any internal  
23 rules of procedure for the Council that the Council deter-  
24 mines to be necessary.

1 **SEC. 605. COUNCIL PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—

3 (1) FEDERAL MEMBERS.—A member of the  
4 Council who is a Federal employee shall receive no  
5 additional compensation for service on the Council.

6 (2) STATE MEMBERS.—A State member of the  
7 Council shall be compensated in accordance with ap-  
8 plicable State law.

9 (3) TRAVEL EXPENSES.—A member or advisory  
10 member of the Council shall be allowed travel ex-  
11 penses, including per diem, at rates authorized for  
12 experts or consultants under section 5703 of title 5,  
13 United States Code, while away from the home or  
14 regular place of business of the member in the per-  
15 formance of the duties of the Council.

16 (b) STAFF.—The Presiding Officer may—

17 (1) create and abolish staff positions, including  
18 positions for temporary and intermittent staff;

19 (2) establish and provide for the qualification,  
20 appointment, removal, and compensation of Council  
21 staff; and

22 (3) procure office space, supplies, and equip-  
23 ment needed for the Council.

24 (c) LIMITATION ON USE OF FEDERAL FUNDS.—Dur-  
25 ing any 1 fiscal year, the Federal Government shall pro-  
26 vide not more than \$2,000,000 of the costs and other ex-

1 penses of the Council (other than salaries and benefits of  
2 members of the Council) incurred by the Council in car-  
3 rying out the duties of the Council under this title.

4 **SEC. 606. POWERS.**

5 (a) HEARINGS.—For the purpose of carrying out this  
6 title, the Council may hold such hearings, take such testi-  
7 mony, receive such evidence, and print or otherwise pre-  
8 pare, reproduce, and distribute reports relating to any pro-  
9 ceedings that the Council determines to be advisable.

10 (b) USE OF EQUIPMENT AND PERSONNEL.—

11 (1) IN GENERAL.—The Council may, with the  
12 consent of the head of the Federal or other agency,  
13 as applicable, use the services, equipment, personnel,  
14 and facilities of Federal and other agencies, with or  
15 without reimbursement.

16 (2) COOPERATION REQUIRED.—Each depart-  
17 ment and agency of the Federal Government shall  
18 cooperate fully in making the services, equipment,  
19 personnel, and facilities of the department or agency  
20 available to the Council.

21 (3) SUPERVISION.—Personnel detailed to the  
22 Council under this subsection shall be under the di-  
23 rection of the Presiding Officer (or a designee of the  
24 Presiding Officer) during any period in which the  
25 staff are detailed to the Council.

1 (c) DONATIONS.—The Council may accept and use  
2 donations, gifts, and other contributions to carry out the  
3 duties of the Council under this title.

4 **SEC. 607. DUTIES.**

5 (a) STUDIES; ADVISORY ROLE.—The Council shall  
6 conduct studies and advise the Secretary, the Secretary  
7 of Agriculture, other Federal agencies, the State, units of  
8 local government in the State, Alaska Native tribes, and  
9 Native Corporations with respect to—

10 (1) ongoing, planned, and proposed land and  
11 resource uses in the State (including transportation  
12 planning, land use designation and classification,  
13 fish and wildlife management, tourism, agricultural  
14 development, coastal zone management, and preser-  
15 vation of cultural and historical resources); and

16 (2) such other matters as may be submitted  
17 by—

18 (A) the permanent members of the Council  
19 for advice; and

20 (B) the advisory members of the Council,  
21 subject to the approval of the permanent mem-  
22 bers of the Council.

23 (b) RECOMMENDATIONS.—The Council shall make  
24 recommendations—

1           (1) to appropriate officials of the Federal Gov-  
2           ernment and the State with respect to—

3                   (A) proposed and existing regulations  
4                   issued by a Federal agency to carry out the re-  
5                   sponsibilities of the Federal agency under the  
6                   Alaska National Interest Lands Conservation  
7                   Act (16 U.S.C. 3101 et seq.) and other applica-  
8                   ble Federal laws;

9                   (B) management plans and studies re-  
10                  quired by the Alaska National Interest Lands  
11                  Conservation Act (16 U.S.C. 3101 et seq.) and  
12                  other applicable Federal laws related to public  
13                  lands (as defined in section 102 of the Alaska  
14                  National Interest Lands Conservation Act (16  
15                  U.S.C. 3102)), including plans and studies for  
16                  conservation system units, national recreation  
17                  areas, national conservation areas, the National  
18                  Petroleum Reserve—Alaska, designated wilder-  
19                  ness study areas, other areas managed for wil-  
20                  derness characteristics, and other public land  
21                  managed by the Secretary of Agriculture or the  
22                  Secretary of the Interior;

23                  (C) proposed regulations issued by the  
24                  State to carry out the responsibilities of the

1 State under the Alaska National Interest Lands  
2 Conservation Act (16 U.S.C. 3101 et seq.);

3 (D) the implementation of any regulations,  
4 management plans, or studies described in sub-  
5 paragraphs (A) through (C), including through  
6 policies, procedures, guidance, programs, or ad-  
7 ministrative directives;

8 (E) ways to improve coordination and con-  
9 sultation between the Federal Government and  
10 the State in land and wildlife management,  
11 transportation planning, natural resource devel-  
12 opment, wilderness review, and other govern-  
13 mental activities that—

14 (i) may affect land and resource re-  
15 sponsibilities of Federal, State, or Alaska  
16 Native entities; or

17 (ii) require regional or statewide co-  
18 ordination;

19 (F) ways to ensure that economic develop-  
20 ment is—

21 (i) orderly and planned;

22 (ii) consistent with the Alaska Na-  
23 tional Interest Lands Conservation Act (16  
24 U.S.C. 3101 et seq.); and

1 (iii) compatible with State and na-  
2 tional economic, social, and environmental  
3 objectives;

4 (G) any changes in laws, policies, guidance,  
5 procedures, administrative directives, and pro-  
6 grams relating to publicly managed land and  
7 resources that the Council determines to be nec-  
8 essary;

9 (H)(i) the inventory, planning, classifica-  
10 tion, management, and use of Federal land and  
11 State land, respectively; and

12 (ii) to provide to Native Corporations, on  
13 request of the Native Corporations, assistance  
14 with the activities described in clause (i);

15 (I) any necessary modifications with re-  
16 spect to existing withdrawals of Federal land  
17 and State land; and

18 (J) the programs and budgets of Federal  
19 agencies and State agencies responsible for the  
20 administration of Federal land and State land,  
21 respectively; and

22 (2) to appropriate officials of the Federal Gov-  
23 ernment, the State, and Native Corporations, with  
24 respect to land exchanges, land acquisitions, and

1 boundary adjustments among the Federal Govern-  
2 ment, the State, and Native Corporations.

3 (c) COOPERATIVE PLANNING.—

4 (1) RECOMMENDATIONS.—The Council shall  
5 recommend the establishment of cooperative plan-  
6 ning zones consisting of areas of the State in which  
7 the management of land or resources by 1 member  
8 of the Council materially affects the management of  
9 land or resources of 1 or more other members of the  
10 Council.

11 (2) COOPERATIVE AGREEMENTS.—Federal  
12 members of the Council may enter into cooperative  
13 agreements with Federal, State, and local agencies  
14 and Native Corporations that provide for mutual  
15 consultation, review, and coordination of land and  
16 resource management plans and programs within the  
17 zones recommended under paragraph (1).

18 (3) ASSISTANCE.—

19 (A) IN GENERAL.—With respect to land,  
20 water, and interests in land and water that are  
21 subject to a cooperative agreement in accord-  
22 ance with this subsection, the Secretary may  
23 provide technical and other assistance to the  
24 landowner with respect to fire control, trespass

1 control, law enforcement, resource use, and  
2 planning.

3 (B) REIMBURSEMENT NOT REQUIRED.—

4 Assistance may be provided under subpara-  
5 graph (A) without reimbursement if the Sec-  
6 retary determines that providing the assistance  
7 without reimbursement would—

8 (i) further the purposes of the cooper-  
9 ative agreement; and

10 (ii) be in the public interest.

11 (4) PUBLIC PARTICIPATION.—A cooperative  
12 agreement entered into under this subsection shall  
13 include a plan for public participation consistent  
14 with the guidelines established by the Council under  
15 section 8.

16 (d) FAILURE TO ACCEPT RECOMMENDATIONS.—

17 (1) IN GENERAL.—Except as provided in para-  
18 graph (2), if any Federal or State agency does not  
19 accept a recommendation made by the Council pur-  
20 suant to subsection (b) or (c), not later than 60 days  
21 after the date of receipt of the recommendation, the  
22 agency shall inform the Council, in writing of the  
23 reasons of the agency for the action, including, for  
24 a Federal agency, a statement of—

1 (A) whether the Federal agency will pursue  
2 part or none of the recommended action; and

3 (B) reasons for the decision of the Federal  
4 agency with respect to the recommended action.

5 (2) COUNCIL PROPOSALS FOR CHANGES TO EX-  
6 ISTING FEDERAL REGULATIONS, POLICIES, AND DE-  
7 CISIONS.—

8 (A) IN GENERAL.—If the Council rec-  
9 ommends in writing that an action be taken by  
10 a Federal agency to modify Federal regulations,  
11 policies, or decisions, the head of the Federal  
12 agency shall respond in writing to the Council  
13 not later than 90 days after the date on which  
14 the Federal agency received the recommenda-  
15 tion of the Council.

16 (B) REQUIREMENT.—In a response to the  
17 Council under paragraph (1), the head of the  
18 Federal agency shall—

19 (i) state whether the Federal agency  
20 will take all, part, or none of the rec-  
21 ommended action; and

22 (ii) provide a statement of reasons for  
23 the decision of the Federal agency with re-  
24 spect to the recommended action.

25 (e) RECORDKEEPING.—The Council shall—

1           (1) maintain complete accounts and records of  
2           the activities and transactions of the Council; and

3           (2) make accounts and records maintained  
4           under paragraph (1) available for public inspection.

5           (f) REPORT.—Not later than February 1 of each cal-  
6           endar year after the calendar year in which the Council  
7           is established, the Presiding Officer shall submit to the  
8           President, Congress, the Governor of the State, and the  
9           State legislature a report that—

10           (1) describes the activities of the Council during  
11           the previous year; and

12           (2) includes any recommendations of the Coun-  
13           cil for legislative or other actions in furtherance of  
14           the purposes of this title.

15   **SEC. 608. PUBLIC PARTICIPATION PROGRAM.**

16           (a) ESTABLISHMENT.—The Council may establish  
17           and implement a public participation program to assist the  
18           Council in carrying out the duties of the Council under  
19           this title.

20           (b) COMMITTEE OF LAND USE ADVISORS.—

21           (1) IN GENERAL.—The program established  
22           under subsection (a) may include a committee of  
23           land use advisors composed of representatives of  
24           commercial and industrial land users in the State,  
25           recreational land users, wilderness users, environ-

1 mental groups, Native Corporations, tribal organiza-  
2 tions, and other public and private organizations, to  
3 be appointed by the Council.

4 (2) MEMBERSHIP.—To the maximum extent  
5 practicable, the membership of the committee estab-  
6 lished under paragraph (1) shall provide a balanced  
7 mixture of national, State, and local perspectives  
8 and expertise on land and resource use issues.

9 (c) PROPOSED SYSTEMS.—The program established  
10 under subsection (a) may include—

11 (1) a system for the identification of persons  
12 and communities in rural and urban Alaska that  
13 may be directly or significantly affected by studies  
14 conducted, or advice and recommendations given, by  
15 the Council under this title; and

16 (2) guidelines for, and implementation of, a sys-  
17 tem for effective public participation by the persons  
18 and communities described in paragraph (1) in the  
19 development of the studies, advice, and recommenda-  
20 tions by the Council.

21 **SEC. 609. TERMINATION.**

22 (a) IN GENERAL.—Unless extended by Congress, the  
23 Council shall terminate 15 years after the date of enact-  
24 ment of this title.

1 (b) REPORT.—Not later than 1 year before the termi-  
 2 nation date under subsection (a), the Presiding Officer  
 3 shall submit to Congress a report that—

4 (1) describes the accomplishments of the Coun-  
 5 cil;

6 (2) includes recommendations of the Council as  
 7 to whether the Council should be extended; and

8 (3) if the Council determines that the Council  
 9 should not be extended, includes recommendations  
 10 for legislation or other actions to be carried out fol-  
 11 lowing the termination of the Council to continue  
 12 carrying out the purposes for which the Council was  
 13 established.

14 **SEC. 610. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Council  
 16 \$2,000,000, to remain available until expended.

17 **TITLE VII—WOMEN’S SUFFRAGE**  
 18 **CENTENNIAL COMMISSION ACT**

19 **SECTION 701. SHORT TITLE; TABLE OF CONTENTS.**

20 (a) SHORT TITLE.—This title may be cited as the  
 21 “Women’s Suffrage Centennial Commission Act”.

22 (b) TABLE OF CONTENTS.—The table of contents for  
 23 this title is as follows:

Sec. 701. Short title; table of contents.

Sec. 702. Findings.

Sec. 703. Establishment of Women’s Suffrage Centennial Commission.

Sec. 704. Duties of Centennial Commission.

Sec. 705. Powers of Centennial Commission.

Sec. 706. Centennial Commission personnel matters.

Sec. 707. Termination of Centennial Commission.

Sec. 708. Authorization of appropriations.

1 **SEC. 702. FINDINGS.**

2 Congress finds the following:

3 (1) From 1919 to 1920, the Sixty-Sixth United  
4 States Congress debated, and State legislatures con-  
5 sidered, an amendment to the United States Con-  
6 stitution to provide suffrage for women.

7 (2) A proposed women's suffrage amendment  
8 was first introduced in the United States Senate in  
9 1878 and was brought to a vote, unsuccessfully, in  
10 1887, 1914, 1918, and 1919. Finally, on May 21,  
11 1919, the House of Representatives approved a pro-  
12 posed amendment, followed by the Senate a few  
13 weeks later on June 4. Within days, the legislatures  
14 of Wisconsin, Illinois, and Michigan had voted to  
15 ratify the Amendment.

16 (3) On August 18, 1920, Tennessee became the  
17 36th State to ratify the Amendment, providing the  
18 support of three-fourths of States necessary under  
19 Article V of the United States Constitution.

20 (4) The introduction, passage, and ultimate  
21 ratification of the Nineteenth Amendment were the  
22 culmination of decades of work and struggle by ad-  
23 vocates for the rights of women across the United  
24 States and worldwide.

1           (5) Ratification of the Nineteenth Amendment  
2           ensured women could more fully participate in their  
3           democracy and fundamentally changed the role of  
4           women in the civic life of our Nation.

5           (6) The centennial offers an opportunity for  
6           people in the United States to learn about and com-  
7           memorate the efforts of the women’s suffrage move-  
8           ment and the role of women in our democracy.

9           (7) Commemorative programs, activities, and  
10          sites allow people in the United States to learn  
11          about the women’s suffrage movement and to com-  
12          memorate and honor the role of the ratification of  
13          the Nineteenth Amendment in further fulfilling the  
14          promise of the United States Constitution and pro-  
15          moting the core values of our democracy.

16 **SEC. 703. ESTABLISHMENT OF WOMEN’S SUFFRAGE CEN-**  
17 **TENNIAL COMMISSION.**

18          (a) **ESTABLISHMENT.**—There is established a com-  
19          mission to be known as the “Women’s Suffrage Centennial  
20          Commission” (referred to in this title as the “Centennial  
21          Commission”).

22          (b) **MEMBERSHIP.**—

23                  (1) The Centennial Commission shall be com-  
24          posed of 14 members, of whom—

25                          (A) 2 shall be appointed by the President;

1 (B) 2 shall be appointed by the Speaker of  
2 the House of Representatives;

3 (C) 2 shall be appointed by the minority  
4 leader of the House of Representatives;

5 (D) 2 shall be appointed by the majority  
6 leader of the Senate;

7 (E) 2 shall be appointed by the minority  
8 leader of the Senate;

9 (F) 1 shall be the Librarian of Congress,  
10 or the designee of the Librarian;

11 (G) 1 shall be the Archivist of the United  
12 States, or the designee of the Archivist;

13 (H) 1 shall be the Secretary of the Smith-  
14 sonian Institution, or the designee of the Sec-  
15 retary; and

16 (I) 1 shall be the Director of the National  
17 Park Service, or the designee of the Director.

18 (2) PERSONS ELIGIBLE.—

19 (A) IN GENERAL.—The members of the  
20 Commission shall be individuals who have  
21 knowledge or expertise, whether by experience  
22 or training, in matters to be studied by the  
23 Commission. The members may be from the  
24 public or private sector, and may include Fed-  
25 eral, State, or local employees, former Members

1 of Congress, members of academia, nonprofit  
2 organizations, or industry, or other interested  
3 individuals.

4 (B) DIVERSITY.—It is the intent of Con-  
5 gress that persons appointed to the Commission  
6 under paragraph (1) be persons who represent  
7 diverse economic, professional, and cultural  
8 backgrounds.

9 (3) CONSULTATION AND APPOINTMENT.—

10 (A) IN GENERAL.—The President, Speaker  
11 of the House of Representatives, minority lead-  
12 er of the House of Representatives, majority  
13 leader of the Senate, and minority leader of the  
14 Senate shall consult among themselves before  
15 appointing the members of the Commission in  
16 order to achieve, to the maximum extent prac-  
17 ticable, fair and equitable representation of var-  
18 ious points of view with respect to the matters  
19 to be studied by the Commission.

20 (B) COMPLETION OF APPOINTMENTS; VA-  
21 CANCIES.—The President, Speaker of the  
22 House of Representatives, minority leader of  
23 the House of Representatives, majority leader  
24 of the Senate, and minority leader of the Sen-  
25 ate shall conduct the consultation under sub-

1 paragraph (A) and make their respective ap-  
2 pointments not later than 60 days after the  
3 date of enactment of this Act.

4 (4) VACANCIES.—A vacancy in the membership  
5 of the Commission shall not affect the powers of the  
6 Commission and shall be filled in the same manner  
7 as the original appointment not later than 30 days  
8 after the vacancy occurs.

9 (c) MEETINGS.—

10 (1) INITIAL MEETING.—Not later than 30 days  
11 after the date on which all members of the Centen-  
12 nial Commission have been appointed, the Centen-  
13 nial Commission shall hold its first meeting.

14 (2) SUBSEQUENT MEETINGS.—

15 (A) IN GENERAL.—The Centennial Com-  
16 mission shall meet at the call of the Chair.

17 (B) FREQUENCY.—The Chair shall call a  
18 meeting of the members of the Centennial Com-  
19 mission not less frequently than once every 6  
20 months.

21 (3) QUORUM.—Seven members of the Centen-  
22 nial Commission shall constitute a quorum, but a  
23 lesser number may hold hearings.

1           (4) CHAIR AND VICE CHAIR.—The Centennial  
2           Commission shall select a Chair and Vice Chair from  
3           among its members.

4 **SEC. 704. DUTIES OF CENTENNIAL COMMISSION.**

5           (a) IN GENERAL.—The duties of the Centennial  
6           Commission are as follows:

7           (1) To encourage, plan, develop, and execute  
8           programs, projects, and activities to commemorate  
9           the centennial of the passage and ratification of the  
10          Nineteenth Amendment.

11          (2) To encourage private organizations and  
12          State and local governments to organize and partici-  
13          pate in activities commemorating the centennial of  
14          the passage and ratification of the Nineteenth  
15          Amendment.

16          (3) To facilitate and coordinate activities  
17          throughout the United States relating to the centen-  
18          nial of the passage and ratification of the Nine-  
19          teenth Amendment.

20          (4) To serve as a clearinghouse for the collec-  
21          tion and dissemination of information about events  
22          and plans for the centennial of the passage and rati-  
23          fication of the Nineteenth Amendment.

24          (5) To develop recommendations for Congress  
25          and the President for commemorating the centennial

1 of the passage and ratification of the Nineteenth  
2 Amendment.

3 (b) CONSULTATION.—In conducting its work, the  
4 Centennial Commission shall consult the Historian of the  
5 Senate and the Historian of the House of Representatives  
6 when appropriate.

7 (c) REPORTS.—

8 (1) PERIODIC REPORT.—Not later than the last  
9 day of the 6-month period beginning on the date of  
10 the enactment of this Act, and not later than the  
11 last day of each 3-month period thereafter, the Cen-  
12 tennial Commission shall submit to Congress and  
13 the President a report on the activities and plans of  
14 the Centennial Commission.

15 (2) RECOMMENDATIONS.—Not later than 2  
16 years after the date of the enactment of this Act, the  
17 Centennial Commission shall submit to Congress  
18 and the President a report containing specific rec-  
19 ommendations for commemorating the centennial of  
20 the passage and ratification of the Nineteenth  
21 Amendment and coordinating related activities.

22 **SEC. 705. POWERS OF CENTENNIAL COMMISSION.**

23 (a) HEARINGS.—The Centennial Commission may  
24 hold such hearings, sit and act at such times and places,  
25 take such testimony, and receive such evidence as the Cen-

1 Centennial Commission considers appropriate to carry out its  
2 duties under this title.

3 (b) POWERS OF MEMBER AND AGENTS.—If author-  
4 ized by the Centennial Commission, any member or agent  
5 of the Centennial Commission may take any action which  
6 the Centennial Commission is authorized to take under  
7 this title.

8 (c) INFORMATION FROM FEDERAL AGENCIES.—The  
9 Centennial Commission shall secure directly from any  
10 Federal department or agency such information as the  
11 Centennial Commission considers necessary to carry out  
12 the provisions of this title. Upon the request of the Chair  
13 of the Centennial Commission, the head of such depart-  
14 ment or agency shall furnish such information to the Cen-  
15 tennial Commission.

16 (d) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
17 the request of the Centennial Commission, the Adminis-  
18 trator of the General Services Administration shall provide  
19 to the Centennial Commission, on a reimbursable basis,  
20 the administrative support services necessary for the Cen-  
21 tennial Commission to carry out its responsibilities under  
22 this title.

23 (e) PROCUREMENTS AND CONTRACTS.—

1           (1) IN GENERAL.—Except as provided in para-  
2 graph (2), the Centennial Commission is author-  
3 ized—

4                   (A) to procure supplies, services, and prop-  
5 erty; and

6                   (B) to make or enter into contracts, leases,  
7 or other legal agreements.

8           (2) LIMITATION.—The Centennial Commission  
9 may not enter into any contract, lease, or other legal  
10 agreement that extends beyond the date of the ter-  
11 mination of the Centennial Commission under sec-  
12 tion 7(a).

13           (f) POSTAL SERVICES.—The Centennial Commission  
14 may use the United States mails in the same manner and  
15 under the same conditions as other departments and agen-  
16 cies of the Federal Government.

17           (g) GIFTS, BEQUESTS, AND DEVICES.—The Centen-  
18 nial Commission may solicit, accept, use, and dispose of  
19 gifts, bequests, or devises of money, services, or property,  
20 both real and personal, for the purpose of covering the  
21 costs incurred by the Centennial Commission to carry out  
22 its duties under this title.

23           (h) GRANTS.—The Centennial Commission is author-  
24 ized to award grants to States and the District of Colum-  
25 bia to support programs and activities related to com-

1 memorating the centennial of the passage and ratification  
2 of the Nineteenth Amendment.

3 **SEC. 706. CENTENNIAL COMMISSION PERSONNEL MAT-**  
4 **TERS.**

5 (a) COMPENSATION OF MEMBERS.—Members of the  
6 Centennial Commission shall serve without compensation  
7 for such service.

8 (b) TRAVEL EXPENSES.—Each member of the Cen-  
9 tennial Commission shall be allowed travel expenses, in-  
10 cluding per diem in lieu of subsistence, in accordance with  
11 the applicable provisions of title 5, United States Code.

12 (c) STAFF.—

13 (1) IN GENERAL.—The Chair of the Centennial  
14 Commission shall, in consultation with the members  
15 of the Centennial Commission, appoint an executive  
16 director and such other additional personnel as may  
17 be necessary to enable the Centennial Commission to  
18 perform its duties.

19 (2) COMPENSATION.—

20 (A) IN GENERAL.—Subject to subpara-  
21 graph (B), the Chair of the Centennial Commis-  
22 sion may fix the compensation of the executive  
23 director and any other personnel appointed  
24 under paragraph (1).

1           (B) LIMITATION.—The Chair of the Cen-  
2           tennial Commission may not fix the compensa-  
3           tion of the executive director or other personnel  
4           appointed under paragraph (1) at a rate that  
5           exceeds the rate payable for level IV of the Ex-  
6           ecutive Schedule under section 5315 of title 5,  
7           United States Code.

8           (d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon  
9           request of the Centennial Commission, the head of any  
10          Federal department or agency may detail, on a reimburs-  
11          able basis, any employee of that department or agency to  
12          the Centennial Commission to assist it in carrying out its  
13          duties under this title.

14          (e) PROCUREMENT OF TEMPORARY AND INTERMIT-  
15          TENT SERVICES.—The Chair of the Centennial Commis-  
16          sion may procure temporary and intermittent services  
17          under section 3109(b) of title 5, United States Code.

18          (f) ACCEPTANCE OF VOLUNTARY SERVICES.—Not-  
19          withstanding section 1342 of title 31, United States Code,  
20          the Centennial Commission may accept and use voluntary  
21          and uncompensated services as the Centennial Commis-  
22          sion deems necessary.

23   **SEC. 707. TERMINATION OF CENTENNIAL COMMISSION.**

24          (a) IN GENERAL.—The Centennial Commission shall  
25          terminate on the earlier of—

1           (1) the date that is 30 days after the date the  
2 completion of the activities under this title honoring  
3 the centennial observation of the passage and ratifi-  
4 cation of the Nineteenth Amendment; or

5           (2) April 15, 2021.

6           (b) APPLICATION OF FEDERAL ADVISORY COM-  
7 MITTEE ACT.—

8           (1) IN GENERAL.—Except as provided in para-  
9 graph (2), the provisions of the Federal Advisory  
10 Committee Act shall apply to the activities of the  
11 Centennial Commission under this title.

12           (2) EXCEPTION.—Section 14(a)(2) of such Act  
13 shall not apply to the Centennial Commission.

14 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS.**

15           (a) IN GENERAL.—There are authorized to be appro-  
16 priated to carry out this Act such sums as may be nec-  
17 essary for the period of fiscal years 2017 and 2021.

18           (b) AMOUNTS AVAILABLE.—Amounts appropriated  
19 in accordance with this section for any fiscal year shall  
20 remain available until the termination of the Centennial  
21 Commission.

22           This Act may be cited as the “Department of the In-  
23 terior, Environment, and Related Agencies Appropriations  
24 Act, 2017”.

Calendar No. 521

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

**S. 3068**

[Report No. 114-281]

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## **A BILL**

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

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JUNE 16, 2016

Read twice and placed on the calendar