

116TH CONGRESS
1ST SESSION

H. R. 266

AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

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

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Department of the Interior, environment, and related
4 agencies for the fiscal year ending September 30, 2019,
5 and for other purposes, namely:

6

TITLE I

7

DEPARTMENT OF THE INTERIOR

8

BUREAU OF LAND MANAGEMENT

9

MANAGEMENT OF LANDS AND RESOURCES

10 For necessary expenses for protection, use, improve-
11 ment, development, disposal, cadastral surveying, classi-
12 fication, acquisition of easements and other interests in
13 lands, and performance of other functions, including main-
14 tenance of facilities, as authorized by law, in the manage-
15 ment of lands and their resources under the jurisdiction
16 of the Bureau of Land Management, including the general
17 administration of the Bureau, and assessment of mineral
18 potential of public lands pursuant to section 1010(a) of
19 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,196,143,000,
20 to remain available until expended, including all such
21 amounts as are collected from permit processing fees, as
22 authorized but made subject to future appropriation by
23 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
24 U.S.C. 191), except that amounts from permit processing
25 fees may be used for any bureau-related expenses associ-

1 ated with the processing of oil and gas applications for
2 permits to drill and related use of authorizations: *Pro-*
3 *vided*, That of the amounts made available under this
4 heading, \$2,000,000 shall be made available to carry out
5 the Colorado River Basin salinity control program.

6 In addition, \$39,696,000 is for Mining Law Adminis-
7 tration program operations, including the cost of admin-
8 istering the mining claim fee program, to remain available
9 until expended, to be reduced by amounts collected by the
10 Bureau and credited to this appropriation from mining
11 claim maintenance fees and location fees that are hereby
12 authorized for fiscal year 2019, so as to result in a final
13 appropriation estimated at not more than \$1,196,143,000,
14 and \$2,000,000, to remain available until expended, from
15 communication site rental fees established by the Bureau
16 for the cost of administering communication site activities.

17 LAND ACQUISITION

18 For expenses necessary to carry out sections 205,
19 206, and 318(d) of Public Law 94–579, including admin-
20 istrative expenses and acquisition of lands or waters, or
21 interests therein, \$26,016,000, to be derived from the
22 Land and Water Conservation Fund and to remain avail-
23 able until expended.

1 OREGON AND CALIFORNIA GRANT LANDS

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

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
2 315b, 315m) and the amount designated for range im-
3 provements from grazing fees and mineral leasing receipts
4 from Bankhead-Jones lands transferred to the Depart-
5 ment of the Interior pursuant to law, but not less than
6 \$10,000,000, to remain available until expended: *Pro-*
7 *vided*, That not to exceed \$600,000 shall be available for
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary to improve, pro-
3 tect, or rehabilitate any public lands administered through
4 the Bureau of Land Management which have been dam-
5 aged by the action of a resource developer, purchaser, per-
6 mittee, or any unauthorized person, without regard to
7 whether all moneys collected from each such action are
8 used on the exact lands damaged which led to the action:
9 *Provided further*, That any such moneys that are in excess
10 of amounts needed to repair damage to the exact land for
11 which funds were collected may be used to repair other
12 damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

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

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements and reimburs-

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

1 in the care of the Bureau or its contractors or for the
2 sale of wild horses and burros that results in their destruc-
3 tion for processing into commercial products.

4 UNITED STATES FISH AND WILDLIFE SERVICE
5 RESOURCE MANAGEMENT

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

19 CONSTRUCTION

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

1 LAND ACQUISITION

2 For expenses necessary to carry out chapter 2003 of
3 title 54, United States Code, including administrative ex-
4 penses, and for acquisition of land or waters, or interest
5 therein, in accordance with statutory authority applicable
6 to the United States Fish and Wildlife Service,
7 \$45,189,000, to be derived from the Land and Water Con-
8 servation Fund and to remain available until expended:
9 *Provided*, That none of the funds appropriated for specific
10 land acquisition projects may be used to pay for any ad-
11 ministrative overhead, planning or other management
12 costs.

13 COOPERATIVE ENDANGERED SPECIES CONSERVATION

14 FUND

15 For expenses necessary to carry out section 6 of the
16 Endangered Species Act of 1973 (16 U.S.C. 1535),
17 \$49,495,000, to remain available until expended, of which
18 \$18,695,000 is to be derived from the Cooperative Endan-
19 gered Species Conservation Fund; and of which
20 \$30,800,000 is to be derived from the Land and Water
21 Conservation Fund.

22 NATIONAL WILDLIFE REFUGE FUND

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

1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions
3 of the North American Wetlands Conservation Act (16
4 U.S.C. 4401 et seq.), \$43,000,000, to remain available
5 until expended.

6 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

10 MULTINATIONAL SPECIES CONSERVATION FUND

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

19 STATE AND TRIBAL WILDLIFE GRANTS

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

1 mentation of programs for the benefit of wildlife and their
2 habitat, including species that are not hunted or fished,
3 \$65,571,000, to remain available until expended: *Pro-*
4 *vided*, That of the amount provided herein, \$4,209,000 is
5 for a competitive grant program for Indian tribes not sub-
6 ject to the remaining provisions of this appropriation: *Pro-*
7 *vided further*, That \$6,362,000 is for a competitive grant
8 program to implement approved plans for States, terri-
9 tories, and other jurisdictions and at the discretion of af-
10 fected States, the regional Associations of fish and wildlife
11 agencies, not subject to the remaining provisions of this
12 appropriation: *Provided further*, That the Secretary shall,
13 after deducting \$10,571,000 and administrative expenses,
14 apportion the amount provided herein in the following
15 manner: (1) to the District of Columbia and to the Com-
16 monwealth of Puerto Rico, each a sum equal to not more
17 than one-half of 1 percent thereof; and (2) to Guam,
18 American Samoa, the United States Virgin Islands, and
19 the Commonwealth of the Northern Mariana Islands, each
20 a sum equal to not more than one-fourth of 1 percent
21 thereof: *Provided further*, That the Secretary shall appor-
22 tion the remaining amount in the following manner: (1)
23 one-third of which is based on the ratio to which the land
24 area of such State bears to the total land area of all such
25 States; and (2) two-thirds of which is based on the ratio

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

19 ADMINISTRATIVE PROVISIONS

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

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

1 such non-toxic shot type or coating applications and revis-
2 ing regulations as necessary, and shall remain available
3 until expended.

4 NATIONAL PARK SERVICE

5 OPERATION OF THE NATIONAL PARK SYSTEM

6 For expenses necessary for the management, oper-
7 ation, and maintenance of areas and facilities adminis-
8 tered by the National Park Service and for the general
9 administration of the National Park Service,
10 \$2,500,369,000, of which \$10,032,000 for planning and
11 interagency coordination in support of Everglades restora-
12 tion and \$141,961,000 for maintenance, repair, or reha-
13 bilitation projects for constructed assets and
14 \$149,075,000 for cyclic maintenance projects for con-
15 structed assets shall remain available until September 30,
16 2020: *Provided*, That funds appropriated under this head-
17 ing in this Act are available for the purposes of section
18 5 of Public Law 95–348: *Provided further*, That notwith-
19 standing section 9(a) of the United States
20 Semiquincentennial Commission Act of 2016 (Public Law
21 114–196; 130 Stat. 691), \$500,000 of the funds made
22 available under this heading shall be provided to the orga-
23 nization selected under section 9(b) of that Act for ex-
24 penditure by the United States Semiquincentennial Com-
25 mission in accordance with that Act.

1 NATIONAL RECREATION AND PRESERVATION

2 For expenses necessary to carry out recreation pro-
3 grams, natural programs, cultural programs, heritage
4 partnership programs, environmental compliance and re-
5 view, international park affairs, and grant administration,
6 not otherwise provided for, \$64,138,000.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the National
9 Historic Preservation Act (division A of subtitle III of title
10 54, United States Code), \$91,910,000, to be derived from
11 the Historic Preservation Fund and to remain available
12 until September 30, 2020: *Provided* , That of the funds
13 provided for the Historic Preservation Fund, \$500,000 is
14 for competitive grants for the survey and nomination of
15 properties to the National Register of Historic Places and
16 as National Historic Landmarks associated with commu-
17 nities currently under-represented, as determined by the
18 Secretary, \$13,000,000 is for competitive grants to pre-
19 serve the sites and stories of the Civil Rights movement,
20 \$8,000,000 is for grants to Historically Black Colleges
21 and Universities, and \$5,000,000 is for competitive grants
22 for the restoration of historic properties of national, State
23 and local significance listed on or eligible for inclusion on
24 the National Register of Historic Places, to be made with-
25 out imposing the usage or direct grant restrictions of sec-

1 tion 101(e)(3) (54 U.S.C. 302904) of the National Histor-
2 ical Preservation Act: *Provided further*, That such com-
3 petitive grants shall be made without imposing the match-
4 ing requirements in section 302902(b)(3) of title 54,
5 United States Code, to States and Indian tribes as defined
6 in chapter 3003 of such title, Native Hawaiian organiza-
7 tions, local governments, including Certified Local Govern-
8 ments, and non-profit organizations.

9 CONSTRUCTION

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

1 Park Service Construction appropriation: *Provided further*,
2 That the Secretary of the Interior shall consult with the
3 Committees on Appropriations, in accordance with current
4 reprogramming thresholds, prior to making any charges
5 authorized by this section.

6 LAND ACQUISITION AND STATE ASSISTANCE

7 For expenses necessary to carry out chapter 2003 of
8 title 54, United States Code, including administrative ex-
9 penses, and for acquisition of lands or waters, or interest
10 therein, in accordance with the statutory authority appli-
11 cable to the National Park Service, \$174,444,000, to be
12 derived from the Land and Water Conservation Fund and
13 to remain available until expended, of which \$124,006,000
14 is for the State assistance program and of which
15 \$15,000,000 shall be for the American Battlefield Protec-
16 tion Program grants as authorized by chapter 3081 of title
17 54, United States Code.

18 CENTENNIAL CHALLENGE

19 For expenses necessary to carry out the provisions
20 of section 101701 of title 54, United States Code, relating
21 to challenge cost share agreements, \$23,000,000, to re-
22 main available until expended, for Centennial Challenge
23 projects and programs: *Provided*, That not less than 50
24 percent of the total cost of each project or program shall
25 be derived from non-Federal sources in the form of do-

1 nated cash, assets, or a pledge of donation guaranteed by
2 an irrevocable letter of credit.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 In addition to other uses set forth in section
6 101917(c)(2) of title 54, United States Code, franchise
7 fees credited to a sub-account shall be available for ex-
8 penditure by the Secretary, without further appropriation,
9 for use at any unit within the National Park System to
10 extinguish or reduce liability for Possessory Interest or
11 leasehold surrender interest. Such funds may only be used
12 for this purpose to the extent that the benefitting unit an-
13 ticipated franchise fee receipts over the term of the con-
14 tract at that unit exceed the amount of funds used to ex-
15 tinguish or reduce liability. Franchise fees at the benefit-
16 ting unit shall be credited to the sub-account of the origi-
17 nating unit over a period not to exceed the term of a single
18 contract at the benefitting unit, in the amount of funds
19 so expended to extinguish or reduce liability.

20 For the costs of administration of the Land and
21 Water Conservation Fund grants authorized by section
22 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
23 of 2006 (Public Law 109–432), the National Park Service
24 may retain up to 3 percent of the amounts which are au-

1 thORIZED to be disbursed under such section, such retained
2 amounts to remain available until expended.

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

8 UNITED STATES GEOLOGICAL SURVEY

9 SURVEYS, INVESTIGATIONS, AND RESEARCH

10 For expenses necessary for the United States Geo-
11 logical Survey to perform surveys, investigations, and re-
12 search covering topography, geology, hydrology, biology,
13 and the mineral and water resources of the United States,
14 its territories and possessions, and other areas as author-
15 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
16 to their mineral and water resources; give engineering su-
17 pervision to power permittees and Federal Energy Regu-
18 latory Commission licensees; administer the minerals ex-
19 ploration program (30 U.S.C. 641); conduct inquiries into
20 the economic conditions affecting mining and materials
21 processing industries (30 U.S.C. 3, 21a, and 1603; 50
22 U.S.C. 98g(1)) and related purposes as authorized by law;
23 and to publish and disseminate data relative to the fore-
24 going activities; \$1,148,457,000, to remain available until
25 September 30, 2020; of which \$100,000 shall be made

1 available to the United States Geological Survey Mineral
2 Resources Program for the development of a map depict-
3 ing pyrrhotite occurrences throughout the United States;
4 of which \$84,337,000 shall remain available until ex-
5 pended for satellite operations; and of which \$15,164,000
6 shall be available until expended for deferred maintenance
7 and capital improvement projects that exceed \$100,000 in
8 cost: *Provided*, That none of the funds provided for the
9 ecosystem research activity shall be used to conduct new
10 surveys on private property, unless specifically authorized
11 in writing by the property owner: *Provided further*, That
12 no part of this appropriation shall be used to pay more
13 than one-half the cost of topographic mapping or water
14 resources data collection and investigations carried on in
15 cooperation with States and municipalities: *Provided fur-*
16 *ther*, That of the amounts made available under this head-
17 ing, not less than \$200,000 shall be used for activities to
18 better understand mechanisms that result in toxins being
19 present in harmful algal blooms.

20 ADMINISTRATIVE PROVISIONS

21 From within the amount appropriated for activities
22 of the United States Geological Survey such sums as are
23 necessary shall be available for contracting for the fur-
24 nishing of topographic maps and for the making of geo-
25 physical or other specialized surveys when it is administra-

1 tively determined that such procedures are in the public
2 interest; construction and maintenance of necessary build-
3 ings and appurtenant facilities; acquisition of lands for
4 gauging stations, observation wells, and seismic equip-
5 ment; expenses of the United States National Committee
6 for Geological Sciences; and payment of compensation and
7 expenses of persons employed by the Survey duly ap-
8 pointed to represent the United States in the negotiation
9 and administration of interstate compacts: *Provided*, That
10 activities funded by appropriations herein made may be
11 accomplished through the use of contracts, grants, or co-
12 operative agreements as defined in section 6302 of title
13 31, United States Code: *Provided further*, That the United
14 States Geological Survey may enter into contracts or coop-
15 erative agreements directly with individuals or indirectly
16 with institutions or nonprofit organizations, without re-
17 gard to 41 U.S.C. 6101, for the temporary or intermittent
18 services of students or recent graduates, who shall be con-
19 sidered employees for the purpose of chapters 57 and 81
20 of title 5, United States Code, relating to compensation
21 for travel and work injuries, and chapter 171 of title 28,
22 United States Code, relating to tort claims, but shall not
23 be considered to be Federal employees for any other pur-
24 poses.

1 BUREAU OF OCEAN ENERGY MANAGEMENT

2 OCEAN ENERGY MANAGEMENT

3 For expenses necessary for granting and admin-
4 istering leases, easements, rights-of-way and agreements
5 for use for oil and gas, other minerals, energy, and ma-
6 rine-related purposes on the Outer Continental Shelf and
7 approving operations related thereto, as authorized by law;
8 for environmental studies, as authorized by law; for imple-
9 menting other laws and to the extent provided by Presi-
10 dential or Secretarial delegation; and for matching grants
11 or cooperative agreements, \$179,266,000, of which
12 \$129,450,000 is to remain available until September 30,
13 2020, and of which \$49,816,000 is to remain available
14 until expended: *Provided*, That this total appropriation
15 shall be reduced by amounts collected by the Secretary
16 and credited to this appropriation from additions to re-
17 ceipts resulting from increases to lease rental rates in ef-
18 fect on August 5, 1993, and from cost recovery fees from
19 activities conducted by the Bureau of Ocean Energy Man-
20 agement pursuant to the Outer Continental Shelf Lands
21 Act, including studies, assessments, analysis, and miscella-
22 neous administrative activities: *Provided further*, That the
23 sum herein appropriated shall be reduced as such collec-
24 tions are received during the fiscal year, so as to result
25 in a final fiscal year 2019 appropriation estimated at not

1 more than \$129,450,000: *Provided further*, That not to
2 exceed \$3,000 shall be available for reasonable expenses
3 related to promoting volunteer beach and marine cleanup
4 activities.

5 BUREAU OF SAFETY AND ENVIRONMENTAL
6 ENFORCEMENT

7 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

8 For expenses necessary for the regulation of oper-
9 ations related to leases, easements, rights-of-way and
10 agreements for use for oil and gas, other minerals, energy,
11 and marine-related purposes on the Outer Continental
12 Shelf, as authorized by law; for enforcing and imple-
13 menting laws and regulations as authorized by law and
14 to the extent provided by Presidential or Secretarial dele-
15 gation; and for matching grants or cooperative agree-
16 ments, \$145,475,000, of which \$121,351,000 is to remain
17 available until September 30, 2020, and of which
18 \$24,124,000 is to remain available until expended: *Pro-*
19 *vided*, That this total appropriation shall be reduced by
20 amounts collected by the Secretary and credited to this
21 appropriation from additions to receipts resulting from in-
22 creases to lease rental rates in effect on August 5, 1993,
23 and from cost recovery fees from activities conducted by
24 the Bureau of Safety and Environmental Enforcement
25 pursuant to the Outer Continental Shelf Lands Act, in-

1 cluding studies, assessments, analysis, and miscellaneous
2 administrative activities: *Provided further*, That the sum
3 herein appropriated shall be reduced as such collections
4 are received during the fiscal year, so as to result in a
5 final fiscal year 2019 appropriation estimated at not more
6 than \$121,351,000.

7 For an additional amount, \$41,765,000, to remain
8 available until expended, to be reduced by amounts col-
9 lected by the Secretary and credited to this appropriation,
10 which shall be derived from non-refundable inspection fees
11 collected in fiscal year 2019, as provided in this Act: *Pro-*
12 *vided*, That to the extent that amounts realized from such
13 inspection fees exceed \$41,765,000, the amounts realized
14 in excess of \$41,765,000 shall be credited to this appro-
15 priation and remain available until expended: *Provided*
16 *further*, That for fiscal year 2019, not less than 50 percent
17 of the inspection fees expended by the Bureau of Safety
18 and Environmental Enforcement will be used to fund per-
19 sonnel and mission-related costs to expand capacity and
20 expedite the orderly development, subject to environmental
21 safeguards, of the Outer Continental Shelf pursuant to the
22 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
23 seq.), including the review of applications for permits to
24 drill.

1 OIL SPILL RESEARCH

2 For necessary expenses to carry out title I, section
3 1016, title IV, sections 4202 and 4303, title VII, and title
4 VIII, section 8201 of the Oil Pollution Act of 1990,
5 \$12,700,000, which shall be derived from the Oil Spill Li-
6 ability Trust Fund, to remain available until expended.

7 OFFICE OF SURFACE MINING RECLAMATION AND

8 ENFORCEMENT

9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions
11 of the Surface Mining Control and Reclamation Act of
12 1977, Public Law 95–87, \$114,900,000, to remain avail-
13 able until September 30, 2020: *Provided*, That appropria-
14 tions for the Office of Surface Mining Reclamation and
15 Enforcement may provide for the travel and per diem ex-
16 penses of State and tribal personnel attending Office of
17 Surface Mining Reclamation and Enforcement sponsored
18 training.

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

1 *Provided further*, That the sum herein appropriated from
2 the general fund shall be reduced as collections are re-
3 ceived during the fiscal year, so as to result in a fiscal
4 year 2019 appropriation estimated at not more than
5 \$114,900,000.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the
8 Surface Mining Control and Reclamation Act of 1977,
9 Public Law 95–87, \$22,952,000, to be derived from re-
10 ceipts of the Abandoned Mine Reclamation Fund and to
11 remain available until expended: *Provided*, That pursuant
12 to Public Law 97–365, the Department of the Interior is
13 authorized to use up to 20 percent from the recovery of
14 the delinquent debt owed to the United States Government
15 to pay for contracts to collect these debts: *Provided fur-*
16 *ther*, That funds made available under title IV of Public
17 Law 95–87 may be used for any required non-Federal
18 share of the cost of projects funded by the Federal Gov-
19 ernment for the purpose of environmental restoration re-
20 lated to treatment or abatement of acid mine drainage
21 from abandoned mines: *Provided further*, That such
22 projects must be consistent with the purposes and prior-
23 ities of the Surface Mining Control and Reclamation Act:
24 *Provided further*, That amounts provided under this head-
25 ing may be used for the travel and per diem expenses of

1 State and tribal personnel attending Office of Surface
2 Mining Reclamation and Enforcement sponsored training.

3 In addition, \$115,000,000, to remain available until
4 expended, for grants to States and federally recognized In-
5 dian Tribes for reclamation of abandoned mine lands and
6 other related activities in accordance with the terms and
7 conditions in Senate report 115-276: *Provided*, That such
8 additional amount shall be used for economic and commu-
9 nity development in conjunction with the priorities in sec-
10 tion 403(a) of the Surface Mining Control and Reclama-
11 tion Act of 1977 (30 U.S.C. 1233(a)): *Provided further*,
12 That of such additional amount, \$75,000,000 shall be dis-
13 tributed in equal amounts to the 3 Appalachian States
14 with the greatest amount of unfunded needs to meet the
15 priorities described in paragraphs (1) and (2) of such sec-
16 tion, \$30,000,000 shall be distributed in equal amounts
17 to the 3 Appalachian States with the subsequent greatest
18 amount of unfunded needs to meet such priorities, and
19 \$10,000,000 shall be for grants to federally recognized In-
20 dian Tribes without regard to their status as certified or
21 uncertified under the Surface Mining Control and Rec-
22 lamation Act of 1977 (30 U.S.C. 1233(a)), for reclama-
23 tion of abandoned mine lands and other related activities
24 in accordance with the terms and conditions in Senate re-
25 port 115-276 and shall be used for economic and commu-

1 nity development in conjunction with the priorities in sec-
2 tion 403(a) of the Surface Mining Control and Reclama-
3 tion Act of 1977: *Provided further*, That such additional
4 amount shall be allocated to States and Indian Tribes
5 within 60 days after the date of enactment of this Act.

6 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
7 EDUCATION

8 OPERATION OF INDIAN PROGRAMS
9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for the operation of Indian
11 programs, as authorized by law, including the Snyder Act
12 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
13 termination and Education Assistance Act of 1975 (25
14 U.S.C. 5301 et seq.), the Education Amendments of 1978
15 (25 U.S.C. 2001–2019), and the Tribally Controlled
16 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
17 \$2,403,890,000, to remain available until September 30,
18 2020, except as otherwise provided herein; of which not
19 to exceed \$8,500 may be for official reception and rep-
20 resentation expenses; of which not to exceed \$76,000,000
21 shall be for welfare assistance payments: *Provided*, That
22 in cases of designated Federal disasters, the Secretary
23 may exceed such cap, from the amounts provided herein,
24 to provide for disaster relief to Indian communities af-
25 fected by the disaster: *Provided further*, That federally rec-

1 ognized Indian tribes and tribal organizations of federally
2 recognized Indian tribes may use their tribal priority allo-
3 cations for unmet welfare assistance costs: *Provided fur-*
4 *ther*, That not to exceed \$680,673,000 for school oper-
5 ations costs of Bureau-funded schools and other education
6 programs shall become available on July 1, 2019, and
7 shall remain available until September 30, 2020: *Provided*
8 *further*, That not to exceed \$54,174,000 shall remain
9 available until expended for housing improvement, road
10 maintenance, attorney fees, litigation support, land
11 records improvement, and the Navajo-Hopi Settlement
12 Program: *Provided further*, That notwithstanding any
13 other provision of law, including but not limited to the
14 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
15 et seq.) and section 1128 of the Education Amendments
16 of 1978 (25 U.S.C. 2008), not to exceed \$81,036,000
17 within and only from such amounts made available for
18 school operations shall be available for administrative cost
19 grants associated with grants approved prior to July 1,
20 2019: *Provided further*, That any forestry funds allocated
21 to a federally recognized tribe which remain unobligated
22 as of September 30, 2020, may be transferred during fis-
23 cal year 2021 to an Indian forest land assistance account
24 established for the benefit of the holder of the funds within
25 the holder's trust fund account: *Provided further*, That

1 any such unobligated balances not so transferred shall ex-
2 pire on September 30, 2021: *Provided further*, That in
3 order to enhance the safety of Bureau field employees, the
4 Bureau may use funds to purchase uniforms or other iden-
5 tifying articles of clothing for personnel.

6 CONTRACT SUPPORT COSTS

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

16 CONSTRUCTION

17 (INCLUDING TRANSFER OF FUNDS)

18 For construction, repair, improvement, and mainte-
19 nance of irrigation and power systems, buildings, utilities,
20 and other facilities, including architectural and engineer-
21 ing services by contract; acquisition of lands, and interests
22 in lands; and preparation of lands for farming, and for
23 construction of the Navajo Indian Irrigation Project pur-
24 suant to Public Law 87-483; \$359,419,000, to remain
25 available until expended: *Provided*, That such amounts as

1 may be available for the construction of the Navajo Indian
2 Irrigation Project may be transferred to the Bureau of
3 Reclamation: *Provided further*, That not to exceed 6 per-
4 cent of contract authority available to the Bureau of In-
5 dian Affairs from the Federal Highway Trust Fund may
6 be used to cover the road program management costs of
7 the Bureau: *Provided further*, That any funds provided for
8 the Safety of Dams program pursuant to the Act of No-
9 vember 2, 1921 (25 U.S.C. 13), shall be made available
10 on a nonreimbursable basis: *Provided further*, That for fis-
11 cal year 2019, in implementing new construction, replace-
12 ment facilities construction, or facilities improvement and
13 repair project grants in excess of \$100,000 that are pro-
14 vided to grant schools under Public Law 100–297, the
15 Secretary of the Interior shall use the Administrative and
16 Audit Requirements and Cost Principles for Assistance
17 Programs contained in part 12 of title 43, Code of Federal
18 Regulations, as the regulatory requirements: *Provided fur-*
19 *ther*, That such grants shall not be subject to section
20 12.61 of title 43, Code of Federal Regulations; the Sec-
21 retary and the grantee shall negotiate and determine a
22 schedule of payments for the work to be performed: *Pro-*
23 *vided further*, That in considering grant applications, the
24 Secretary shall consider whether such grantee would be
25 deficient in assuring that the construction projects con-

1 form to applicable building standards and codes and Fed-
2 eral, tribal, or State health and safety standards as re-
3 quired by section 1125(b) of title XI of Public Law 95-
4 561 (25 U.S.C. 2005(b)), with respect to organizational
5 and financial management capabilities: *Provided further*,
6 That if the Secretary declines a grant application, the Sec-
7 retary shall follow the requirements contained in section
8 5206(f) of Public Law 100-297 (25 U.S.C. 2504(f)): *Pro-*
9 *vided further*, That any disputes between the Secretary
10 and any grantee concerning a grant shall be subject to
11 the disputes provision in section 5208(e) of Public Law
12 107-110 (25 U.S.C. 2507(e)): *Provided further*, That in
13 order to ensure timely completion of construction projects,
14 the Secretary may assume control of a project and all
15 funds related to the project, if, within 18 months of the
16 date of enactment of this Act, any grantee receiving funds
17 appropriated in this Act or in any prior Act, has not com-
18 pleted the planning and design phase of the project and
19 commenced construction: *Provided further*, That this ap-
20 propriation may be reimbursed from the Office of the Spe-
21 cial Trustee for American Indians appropriation for the
22 appropriate share of construction costs for space expan-
23 sion needed in agency offices to meet trust reform imple-
24 mentation: *Provided further*, That of the funds made avail-
25 able under this heading, \$10,000,000 shall be derived

1 from the Indian Irrigation Fund established by section
2 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
3 1749).

4 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
5 MISCELLANEOUS PAYMENTS TO INDIANS

6 For payments and necessary administrative expenses
7 for implementation of Indian land and water claim settle-
8 ments pursuant to Public Laws 99–264, 100–580, 101–
9 618, 111–11, 111–291, and 114–322, and for implemen-
10 tation of other land and water rights settlements,
11 \$55,457,000, to remain available until expended: *Pro-*
12 *vided*, That the Secretary shall make payments in such
13 amounts as necessary to satisfy the total authorized
14 amount for the Navajo Nation Water Rights Trust Fund.

15 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

16 For the cost of guaranteed loans and insured loans,
17 \$9,279,000, of which \$1,252,000 is for administrative ex-
18 penses, as authorized by the Indian Financing Act of
19 1974: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That these funds are available to subsidize total loan
23 principal, any part of which is to be guaranteed or insured,
24 not to exceed \$123,565,389.

1 ADMINISTRATIVE PROVISIONS

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

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

11 Notwithstanding any other provision of law, no funds
12 available to the Bureau of Indian Affairs for central office
13 oversight and Executive Direction and Administrative
14 Services (except executive direction and administrative
15 services funding for Tribal Priority Allocations, regional
16 offices, and facilities operations and maintenance) shall be
17 available for contracts, grants, compacts, or cooperative
18 agreements with the Bureau of Indian Affairs under the
19 provisions of the Indian Self-Determination Act or the
20 Tribal Self-Governance Act of 1994 (Public Law 103-
21 413).

22 In the event any tribe returns appropriations made
23 available by this Act to the Bureau of Indian Affairs, this
24 action shall not diminish the Federal Government's trust
25 responsibility to that tribe, or the government-to-govern-

1 ment relationship between the United States and that
2 tribe, or that tribe's ability to access future appropria-
3 tions.

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

10 No funds available to the Bureau of Indian Edu-
11 cation shall be used to support expanded grades for any
12 school or dormitory beyond the grade structure in place
13 or approved by the Secretary of the Interior at each school
14 in the Bureau of Indian Education school system as of
15 October 1, 1995, except that the Secretary of the Interior
16 may waive this prohibition to support expansion of up to
17 one additional grade when the Secretary determines such
18 waiver is needed to support accomplishment of the mission
19 of the Bureau of Indian Education, or more than one
20 grade to expand the elementary grade structure for Bu-
21 reau-funded schools with a K-2 grade structure on Octo-
22 ber 1, 1996. Appropriations made available in this or any
23 prior Act for schools funded by the Bureau shall be avail-
24 able, in accordance with the Bureau's funding formula,
25 only to the schools in the Bureau school system as of Sep-

1 tember 1, 1996, and to any school or school program that
2 was reinstated in fiscal year 2012. Funds made available
3 under this Act may not be used to establish a charter
4 school at a Bureau-funded school (as that term is defined
5 in section 1141 of the Education Amendments of 1978
6 (25 U.S.C. 2021)), except that a charter school that is
7 in existence on the date of the enactment of this Act and
8 that has operated at a Bureau-funded school before Sep-
9 tember 1, 1999, may continue to operate during that pe-
10 riod, but only if the charter school pays to the Bureau
11 a pro rata share of funds to reimburse the Bureau for
12 the use of the real and personal property (including buses
13 and vans), the funds of the charter school are kept sepa-
14 rate and apart from Bureau funds, and the Bureau does
15 not assume any obligation for charter school programs of
16 the State in which the school is located if the charter
17 school loses such funding. Employees of Bureau-funded
18 schools sharing a campus with a charter school and per-
19 forming functions related to the charter school's operation
20 and employees of a charter school shall not be treated as
21 Federal employees for purposes of chapter 171 of title 28,
22 United States Code.

23 Notwithstanding any other provision of law, including
24 section 113 of title I of appendix C of Public Law 106-
25 113, if in fiscal year 2003 or 2004 a grantee received indi-

1 rect and administrative costs pursuant to a distribution
2 formula based on section 5(f) of Public Law 101–301, the
3 Secretary shall continue to distribute indirect and admin-
4 istrative cost funds to such grantee using the section 5(f)
5 distribution formula.

6 Funds available under this Act may not be used to
7 establish satellite locations of schools in the Bureau school
8 system as of September 1, 1996, except that the Secretary
9 may waive this prohibition in order for an Indian tribe
10 to provide language and cultural immersion educational
11 programs for non-public schools located within the juris-
12 dictional area of the tribal government which exclusively
13 serve tribal members, do not include grades beyond those
14 currently served at the existing Bureau-funded school,
15 provide an educational environment with educator pres-
16 ence and academic facilities comparable to the Bureau-
17 funded school, comply with all applicable Tribal, Federal,
18 or State health and safety standards, and the Americans
19 with Disabilities Act, and demonstrate the benefits of es-
20 tablishing operations at a satellite location in lieu of incur-
21 ring extraordinary costs, such as for transportation or
22 other impacts to students such as those caused by busing
23 students extended distances: *Provided*, That no funds
24 available under this Act may be used to fund operations,
25 maintenance, rehabilitation, construction or other facili-

1 ties-related costs for such assets that are not owned by
2 the Bureau: *Provided further*, That the term “satellite
3 school” means a school location physically separated from
4 the existing Bureau school by more than 50 miles but that
5 forms part of the existing school in all other respects.

6 DEPARTMENTAL OFFICES

7 OFFICE OF THE SECRETARY

8 DEPARTMENTAL OPERATIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for management of the De-
11 partment of the Interior and for grants and cooperative
12 agreements, as authorized by law, \$131,673,000, to re-
13 main available until September 30, 2020; of which not to
14 exceed \$15,000 may be for official reception and represen-
15 tation expenses; and of which up to \$1,000,000 shall be
16 available for workers compensation payments and unem-
17 ployment compensation payments associated with the or-
18 derly closure of the United States Bureau of Mines; and
19 of which \$9,000,000 for the Office of Valuation Services
20 is to be derived from the Land and Water Conservation
21 Fund and shall remain available until expended; and of
22 which \$9,704,000 for Indian land, mineral, and resource
23 valuation activities shall remain available until expended:
24 *Provided*, That funds for Indian land, mineral, and re-
25 source valuation activities may, as needed, be transferred

1 to and merged with the Bureau of Indian Affairs and Bu-
2 reau of Indian Education “Operation of Indian Programs”
3 account and the Office of the Special Trustee for Amer-
4 ican Indians “Federal Trust Programs” account: *Provided*
5 *further*, That funds made available through contracts or
6 grants obligated during fiscal year 2019, as authorized by
7 the Indian Self-Determination Act of 1975 (25 U.S.C.
8 5301 et seq.), shall remain available until expended by the
9 contractor or grantee: *Provided further*, That within avail-
10 able amounts provided under this heading, the Secretary
11 of the Interior shall designate the rest area bound by Alex-
12 andria Avenue, West Boulevard Drive, and the George
13 Washington Memorial Parkway on the Mount Vernon
14 Trail within the George Washington Memorial Parkway
15 as the “Peter B. Webster III Memorial Area” and any
16 reference in a law, map regulation, document, paper, or
17 other record of the United States to the rest area shall
18 be deemed to be a reference to the “Peter B. Webster III
19 Memorial Area”; *Provided further*, That the Secretary of
20 the Interior shall accept and expend private contributions
21 for the design, procurement, preparation, and installation
22 of a plaque honoring Peter B. Webster III on the condition
23 that the Director of the National Park Service shall ap-
24 prove the design and placement of the plaque: *Provided*
25 *further*, That of the amounts made available under this

1 heading, \$400,000 shall be made available to the commis-
2 sion established by section 3(a) of the Alyce Spotted Bear
3 and Walter Soboleff Commission on Native Children Act
4 (Public Law 114–244; 130 Stat. 981).

5 ADMINISTRATIVE PROVISIONS

6 For fiscal year 2019, up to \$400,000 of the payments
7 authorized by chapter 69 of title 31, United States Code,
8 may be retained for administrative expenses of the Pay-
9 ments in Lieu of Taxes Program: *Provided*, That the
10 amounts provided under this Act specifically for the Pay-
11 ments in Lieu of Taxes program are the only amounts
12 available for payments authorized under chapter 69 of
13 title 31, United States Code: *Provided further*, That in the
14 event the sums appropriated for any fiscal year for pay-
15 ments pursuant to this chapter are insufficient to make
16 the full payments authorized by that chapter to all units
17 of local government, then the payment to each local gov-
18 ernment shall be made proportionally: *Provided further*,
19 That the Secretary may make adjustments to payment to
20 individual units of local government to correct for prior
21 overpayments or underpayments: *Provided further*, That
22 no payment shall be made pursuant to that chapter to oth-
23 erwise eligible units of local government if the computed
24 amount of the payment is less than \$100.

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, \$100,688,000, of which: (1)
7 \$91,240,000 shall remain available until expended for ter-
8 ritorial assistance, including general technical assistance,
9 maintenance assistance, disaster assistance, coral reef ini-
10 tiative activities, and brown tree snake control and re-
11 search; grants to the judiciary in American Samoa for
12 compensation and expenses, as authorized by law (48
13 U.S.C. 1661(c)); grants to the Government of American
14 Samoa, in addition to current local revenues, for construc-
15 tion and support of governmental functions; grants to the
16 Government of the Virgin Islands, as authorized by law;
17 grants to the Government of Guam, as authorized by law;
18 and grants to the Government of the Northern Mariana
19 Islands , as authorized by law (Public Law 94–241; 90
20 Stat. 272); and (2) \$9,448,000 shall be available until
21 September 30, 2020, for salaries and expenses of the Of-
22 fice of Insular Affairs: *Provided*, That all financial trans-
23 actions of the territorial and local governments herein pro-
24 vided for, including such transactions of all agencies or
25 instrumentalities established or used by such governments,

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

21 COMPACT OF FREE ASSOCIATION

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

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector
12 General, \$52,486,000.

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, \$112,380,000, to remain available
20 until expended, of which not to exceed \$19,016,000 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 2019, as authorized by
6 the Indian Self-Determination Act of 1975 (25 U.S.C.
7 5301 et seq.), shall remain available until expended by the
8 contractor 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 shall
12 continue to maintain sufficient records to determine the
13 balance of the individual accounts, including any accrued
14 interest and income, and such funds shall remain available
15 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, fuels management activities, and
22 rural fire assistance by the Department of the Interior,
23 \$1,116,076,000, to remain available until expended, of
24 which not to exceed \$18,427,000 shall be for the renova-
25 tion or construction of fire facilities: *Provided*, That such

1 funds are also available for repayment of advances to
2 other appropriation accounts from which funds were pre-
3 viously transferred for such purposes: *Provided further*,
4 That of the funds provided \$188,000,000 is for fuels man-
5 agement activities: *Provided further*, That of the funds
6 provided \$20,470,000 is for burned area rehabilitation:
7 *Provided further*, That persons hired pursuant to 43
8 U.S.C. 1469 may be furnished subsistence and lodging
9 without cost from funds available from this appropriation:
10 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
11 sums received by a bureau or office of the Department
12 of the Interior for fire protection rendered pursuant to 42
13 U.S.C. 1856 et seq., protection of United States property,
14 may be credited to the appropriation from which funds
15 were expended to provide that protection, and are avail-
16 able without fiscal year limitation: *Provided further*, That
17 using the amounts designated under this title of this Act,
18 the Secretary of the Interior may enter into procurement
19 contracts, grants, or cooperative agreements, for fuels
20 management activities, and for training and monitoring
21 associated with such fuels management activities on Fed-
22 eral land, or on adjacent non-Federal land for activities
23 that benefit resources on Federal land: *Provided further*,
24 That the costs of implementing any cooperative agreement
25 between the Federal Government and any non-Federal en-

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

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

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

1 and cooperative agreements to support the Office of Nat-
2 ural Resource Revenue's collection and disbursement of
3 royalties, fees, and other mineral revenue proceeds, as au-
4 thorized by law.

5 ADMINISTRATIVE PROVISION

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

13 OFFICE OF NATURAL RESOURCES REVENUE

14 For necessary expenses for management of the collec-
15 tion and disbursement of royalties, fees, and other mineral
16 revenue proceeds, and for grants and cooperative agree-
17 ments, as authorized by law, \$137,505,000, to remain
18 available until September 30, 2020; of which \$41,727,000
19 shall remain available until expended for the purpose of
20 mineral revenue management activities: *Provided*, That
21 notwithstanding any other provision of law, \$15,000 shall
22 be available for refunds of overpayments in connection
23 with certain Indian leases in which the Secretary con-
24 curred with the claimed refund due, to pay amounts owed

1 to Indian allottees or tribes, or to correct prior unrecover-
2 able erroneous payments.

3 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
4 (INCLUDING TRANSFERS OF FUNDS)

5 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

19 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

20 SEC. 102. The Secretary may authorize the expendi-
21 ture or transfer of any no year appropriation in this title,
22 in addition to the amounts included in the budget pro-
23 grams of the several agencies, for the suppression or emer-
24 gency prevention of wildland fires on or threatening lands
25 under the jurisdiction of the Department of the Interior;

1 for the emergency rehabilitation of burned-over lands
2 under its jurisdiction; for emergency actions related to po-
3 tential or actual earthquakes, floods, volcanoes, storms, or
4 other unavoidable causes; for contingency planning subse-
5 quent to actual oil spills; for response and natural resource
6 damage assessment activities related to actual oil spills or
7 releases of hazardous substances into the environment; for
8 the prevention, suppression, and control of actual or po-
9 tential grasshopper and Mormon cricket outbreaks on
10 lands under the jurisdiction of the Secretary, pursuant to
11 the authority in section 417(b) of Public Law 106–224
12 (7 U.S.C. 7717(b)); for emergency reclamation projects
13 under section 410 of Public Law 95–87; and shall trans-
14 fer, from any no year funds available to the Office of Sur-
15 face Mining Reclamation and Enforcement, such funds as
16 may be necessary to permit assumption of regulatory au-
17 thority in the event a primacy State is not carrying out
18 the regulatory provisions of the Surface Mining Act: *Pro-*
19 *vided*, That appropriations made in this title for wildland
20 fire operations shall be available for the payment of obliga-
21 tions incurred during the preceding fiscal year, and for
22 reimbursement to other Federal agencies for destruction
23 of vehicles, aircraft, or other equipment in connection with
24 their use for wildland fire operations, with such reimburse-
25 ment to be credited to appropriations currently available

1 or at a price to members lower than to subscribers who
2 are not members.

3 AUTHORIZED USE OF FUNDS, INDIAN TRUST

4 MANAGEMENT

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

14 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

15 AFFAIRS

16 SEC. 105. Notwithstanding any other provision of
17 law, the Secretary of the Interior is authorized to redis-
18 tribute any Tribal Priority Allocation funds, including
19 tribal base funds, to alleviate tribal funding inequities by
20 transferring funds to address identified, unmet needs,
21 dual enrollment, overlapping service areas or inaccurate
22 distribution methodologies. No tribe shall receive a reduc-
23 tion in Tribal Priority Allocation funds of more than 10
24 percent in fiscal year 2019. Under circumstances of dual
25 enrollment, overlapping service areas or inaccurate dis-

1 tribution methodologies, the 10 percent limitation does not
2 apply.

3 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

19 OUTER CONTINENTAL SHELF INSPECTION FEES

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

1 (b) Annual fees shall be collected for facilities that
2 are above the waterline, excluding drilling rigs, and are
3 in place at the start of the fiscal year. Fees for fiscal year
4 2019 shall be:

5 (1) \$10,500 for facilities with no wells, but with
6 processing equipment or gathering lines;

7 (2) \$17,000 for facilities with 1 to 10 wells,
8 with any combination of active or inactive wells; and

9 (3) \$31,500 for facilities with more than 10
10 wells, with any combination of active or inactive
11 wells.

12 (c) Fees for drilling rigs shall be assessed for all in-
13 spections completed in fiscal year 2019. Fees for fiscal
14 year 2019 shall be:

15 (1) \$30,500 per inspection for rigs operating in
16 water depths of 500 feet or more; and

17 (2) \$16,700 per inspection for rigs operating in
18 water depths of less than 500 feet.

19 (d) The Secretary shall bill designated operators
20 under subsection (b) within 60 days, with payment re-
21 quired within 30 days of billing. The Secretary shall bill
22 designated operators under subsection (c) within 30 days
23 of the end of the month in which the inspection occurred,
24 with payment required within 30 days of billing.

1 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
2 AND ENFORCEMENT REORGANIZATION

3 SEC. 108. The Secretary of the Interior, in order to
4 implement a reorganization of the Bureau of Ocean En-
5 ergy Management, Regulation and Enforcement, may
6 transfer funds among and between the successor offices
7 and bureaus affected by the reorganization only in con-
8 formance with the reprogramming guidelines described in
9 Senate report 115-276.

10 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
11 BURRO HOLDING FACILITIES

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

1 MASS MARKING OF SALMONIDS

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

11 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

12 SEC. 111. Notwithstanding any other provision of
13 law, during fiscal year 2019, in carrying out work involv-
14 ing cooperation with State, local, and tribal governments
15 or any political subdivision thereof, Indian Affairs may
16 record obligations against accounts receivable from any
17 such entities, except that total obligations at the end of
18 the fiscal year shall not exceed total budgetary resources
19 available at the end of the fiscal year.

20 HUMANE TRANSFER OF EXCESS ANIMALS

21 SEC. 112. Notwithstanding any other provision of
22 law, the Secretary of the Interior may transfer excess wild
23 horses or burros that have been removed from the public
24 lands to other Federal, State, and local government agen-
25 cies for use as work animals: *Provided*, That the Secretary

1 may make any such transfer immediately upon request of
2 such Federal, State, or local government agency: *Provided*
3 *further*, That any excess animal transferred under this
4 provision shall lose its status as a wild free-roaming horse
5 or burro as defined in the Wild Free-Roaming Horses and
6 Burros Act: *Provided further*, That any Federal, State, or
7 local government agency receiving excess wild horses or
8 burros as authorized in this section shall not: destroy the
9 horses or burros in a way that results in their destruction
10 into commercial products; sell or otherwise transfer the
11 horses or burros in a way that results in their destruction
12 for processing into commercial products; or euthanize the
13 horses or burros except upon the recommendation of a li-
14 censed veterinarian, in cases of severe injury, illness, or
15 advanced age.

16 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
17 PROGRAM

18 SEC. 113. (a) Notwithstanding any other provision
19 of law relating to Federal grants and cooperative agree-
20 ments, the Secretary of the Interior is authorized to make
21 grants to, or enter into cooperative agreements with, pri-
22 vate nonprofit organizations designated by the Secretary
23 of Labor under title V of the Older Americans Act of 1965
24 to utilize the talents of older Americans in programs au-

1 thORIZED by other provisions of law administered by the
2 Secretary and consistent with such provisions of law.

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

6 (1) result in the displacement of individuals
7 currently employed by the Department, including
8 partial displacement through reduction of non-over-
9 time hours, wages, or employment benefits;

10 (2) result in the use of an individual under the
11 Department of the Interior Experienced Services
12 Program for a job or function in a case in which a
13 Federal employee is in a layoff status from the same
14 or substantially equivalent job within the Depart-
15 ment; or

16 (3) affect existing contracts for services.

17 PAYMENTS IN LIEU OF TAXES (PILT)

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

21 SAGE-GROUSE

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

1 (B) the estimated impact on visitorship to
2 covered facilities open to the public as a result
3 of a volcanic eruption; and

4 (3) a plan—

5 (A) to restore or replace covered facilities;
6 and

7 (B) to restore visitorship levels to covered
8 facilities open to the public to historic
9 visitorship levels.

10 (c) In preparing the plan required under subsection
11 (b)(3), the Secretary of the Interior shall—

12 (1) engage the community in which the covered
13 facility is located, including the State and units of
14 local government; and

15 (2) include the estimated costs of carrying out
16 the activities described in the plan.

17 SEC. 118. (a) There are appropriated under the head-
18 ing “Operation of Indian Programs” under the heading
19 “Bureau of Indian Affairs and Bureau of Indian Edu-
20 cation”, in addition to any other amounts made available
21 under such heading and in order to provide additional
22 funding for hiring staff for tribal detention facilities, in-
23 cluding addressing the needs of newly funded tribal deten-
24 tion facilities, \$2,000,000, to remain available until Sep-
25 tember 30, 2020.

1 (b) Notwithstanding any other provision of this Act,
2 the total amount appropriated under the heading “Work-
3 ing Capital Fund” for the Department of the Interior is
4 hereby reduced by \$2,000,000.

5 TITLE II

6 ENVIRONMENTAL PROTECTION AGENCY

7 SCIENCE AND TECHNOLOGY

8 (INCLUDING RESCISSION OF FUNDS)

9 For science and technology, including research and
10 development activities, which shall include research and
11 development activities under the Comprehensive Environ-
12 mental Response, Compensation, and Liability Act of
13 1980; necessary expenses for personnel and related costs
14 and travel expenses; procurement of laboratory equipment
15 and supplies; and other operating expenses in support of
16 research and development, \$717,723,000, to remain avail-
17 able until September 30, 2020: *Provided*, That of the
18 funds included under this heading, \$5,000,000 shall be for
19 Research: National Priorities as specified in Senate report
20 115-276: *Provided further*, That of unobligated balances
21 from appropriations made available under this heading,
22 \$11,250,000 are permanently rescinded: *Provided further*,
23 That no amounts may be rescinded pursuant to the pre-
24 ceding proviso from amounts made available in the first
25 proviso for Research: National Priorities: *Provided further*,

1 That of the amounts made available under this heading,
2 not less than \$5,000,000 shall be used to investigate
3 health impacts from exposure to harmful algal blooms and
4 cyanobacteria toxins, and to develop innovative methods
5 to monitor, characterize, and predict blooms for early ac-
6 tion.

7 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

8 (INCLUDING RESCISSION OF FUNDS)

9 For environmental programs and management, in-
10 cluding necessary expenses, not otherwise provided for, for
11 personnel and related costs and travel expenses; hire of
12 passenger motor vehicles; hire, maintenance, and oper-
13 ation of aircraft; purchase of reprints; library member-
14 ships in societies or associations which issue publications
15 to members only or at a price to members lower than to
16 subscribers who are not members; administrative costs of
17 the brownfields program under the Small Business Liabil-
18 ity Relief and Brownfields Revitalization Act of 2002; im-
19 plementation of a coal combustion residual permit pro-
20 gram under section 2301 of the Water and Waste Act of
21 2016; and not to exceed \$9,000 for official reception and
22 representation expenses, \$2,659,675,000, to remain avail-
23 able until September 30, 2020: *Provided*, That of the
24 funds included under this heading, \$15,000,000 shall be
25 for Environmental Protection: National Priorities as speci-

1 fied in Senate report 115-276: *Provided further*, That of
2 the funds included under this heading, \$454,958,000 shall
3 be for Geographic Programs specified in the tables in the
4 explanatory statement described in section 436 of this Act:
5 *Provided further*, That of the unobligated balances from
6 appropriations made available under this heading,
7 \$61,676,000 are permanently rescinded: *Provided further*,
8 That no amounts may be rescinded pursuant to the pre-
9 ceding proviso from amounts made available in the first
10 proviso for Environmental Protection: National Priorities,
11 from amounts made available in the second proviso for Ge-
12 ographic Programs, or from the National Estuary Pro-
13 gram (33 U.S.C. 1330).

14 In addition, \$5,000,000 to remain available until ex-
15 pended, for necessary expenses of activities described in
16 section 26(b)(1) of the Toxic Substances Control Act (15
17 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
18 ant to that section of that Act and deposited in the “TSCA
19 Service Fee Fund” as discretionary offsetting receipts in
20 fiscal year 2019 shall be retained and used for necessary
21 salaries and expenses in this appropriation and shall re-
22 main available until expended: *Provided further*, That the
23 sum herein appropriated in this paragraph from the gen-
24 eral fund for fiscal year 2019 shall be reduced by the
25 amount of discretionary offsetting receipts received during

1 fiscal year 2019, so as to result in a final fiscal year 2019
2 appropriation from the general fund estimated at not more
3 than \$0: *Provided further*, That to the extent that amounts
4 realized from such receipts exceed \$5,000,000, those
5 amount in excess of \$5,000,000 shall be deposited in the
6 “TSCA Service Fee Fund” as discretionary offsetting re-
7 ceipts in fiscal year 2019, shall be retained and used for
8 necessary salaries and expenses in this account, and shall
9 remain available until expended: *Provided further*, That of
10 the funds included in the first paragraph under this head-
11 ing, the Chemical Risk Review and Reduction program
12 project shall be allocated for this fiscal year, excluding the
13 amount of any fees appropriated, not less than the amount
14 of appropriations for that program project for fiscal year
15 2014.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$41,489,000, to remain available
20 until September 30, 2020.

21 BUILDINGS AND FACILITIES

22 For construction, repair, improvement, extension, al-
23 teration, and purchase of fixed equipment or facilities of,
24 or for use by, the Environmental Protection Agency,
25 \$34,467,000, to remain available until expended.

1 HAZARDOUS SUBSTANCE SUPERFUND
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses to carry out the Comprehen-
4 sive Environmental Response, Compensation, and Liabil-
5 ity Act of 1980 (CERCLA), including sections 111(c)(3),
6 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
7 \$1,091,947,000, to remain available until expended, con-
8 sisting of such sums as are available in the Trust Fund
9 on September 30, 2018, as authorized by section 517(a)
10 of the Superfund Amendments and Reauthorization Act
11 of 1986 (SARA) and up to \$1,091,947,000 as a payment
12 from general revenues to the Hazardous Substance Super-
13 fund for purposes as authorized by section 517(b) of
14 SARA: *Provided*, That funds appropriated under this
15 heading may be allocated to other Federal agencies in ac-
16 cordance with section 111(a) of CERCLA: *Provided fur-*
17 *ther*, That of the funds appropriated under this heading,
18 \$8,718,000 shall be paid to the “Office of Inspector Gen-
19 eral” appropriation to remain available until September
20 30, 2020, and \$17,398,000 shall be paid to the “Science
21 and Technology” appropriation to remain available until
22 September 30, 2020.

1 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
2 PROGRAM

3 For necessary expenses to carry out leaking under-
4 ground storage tank cleanup activities authorized by sub-
5 title I of the Solid Waste Disposal Act, \$91,941,000, to
6 remain available until expended, of which \$66,572,000
7 shall be for carrying out leaking underground storage tank
8 cleanup activities authorized by section 9003(h) of the
9 Solid Waste Disposal Act; \$25,369,000 shall be for car-
10 rying out the other provisions of the Solid Waste Disposal
11 Act specified in section 9508(c) of the Internal Revenue
12 Code: *Provided*, That the Administrator is authorized to
13 use appropriations made available under this heading to
14 implement section 9013 of the Solid Waste Disposal Act
15 to provide financial assistance to federally recognized In-
16 dian tribes for the development and implementation of
17 programs to manage underground storage tanks.

18 INLAND OIL SPILL PROGRAMS

19 For expenses necessary to carry out the Environ-
20 mental Protection Agency's responsibilities under the Oil
21 Pollution Act of 1990, \$18,209,000, to be derived from
22 the Oil Spill Liability trust fund, to remain available until
23 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 \$3,575,041,000, to remain available until expended, of
6 which—

7 (1) \$1,394,000,000 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 \$864,000,000 shall be for
11 making capitalization grants for the Drinking Water
12 State Revolving Funds under section 1452 of the
13 Safe Drinking Water Act: *Provided*, That for fiscal
14 year 2019, to the extent there are sufficient eligible
15 project applications and projects are consistent with
16 State Intended Use Plans, not less than 10 percent
17 of the funds made available under this title to each
18 State for Clean Water State Revolving Fund capital-
19 ization grants shall be used by the State for projects
20 to address green infrastructure, water or energy effi-
21 ciency improvements, or other environmentally inno-
22 vative activities: *Provided further*, That for fiscal
23 year 2019, funds made available under this title to
24 each State for Drinking Water State Revolving
25 Fund capitalization grants may, at the discretion of

1 each State, be used for projects to address green in-
2 frastructure, 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 2019 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 2019,
17 notwithstanding the provisions of subsections (g)(1),
18 (h), and (l) of section 201 of the Federal Water Pol-
19 lution Control Act, grants made under title II of
20 such Act for American Samoa, Guam, the common-
21 wealth of the Northern Marianas, the United States
22 Virgin Islands, and the District of Columbia may
23 also be made for the purpose of providing assistance:
24 (1) solely for facility plans, design activities, or
25 plans, specifications, and estimates for any proposed

1 project for the construction of treatment works; and
2 (2) for the construction, repair, or replacement of
3 privately owned treatment works serving one or
4 more principal residences or small commercial estab-
5 lishments: *Provided further*, That for fiscal year
6 2019, notwithstanding the provisions of such sub-
7 sections (g)(1), (h), and (l) of section 201 and sec-
8 tion 518(c) of the Federal Water Pollution Control
9 Act, funds reserved by the Administrator for grants
10 under section 518(c) of the Federal Water Pollution
11 Control Act may also be used to provide assistance:
12 (1) solely for facility plans, design activities, or
13 plans, specifications, and estimates for any proposed
14 project for the construction of treatment works; and
15 (2) for the construction, repair, or replacement of
16 privately owned treatment works serving one or
17 more principal residences or small commercial estab-
18 lishments: *Provided further*, That for fiscal year
19 2019, notwithstanding any provision of the Federal
20 Water Pollution Control Act and regulations issued
21 pursuant thereof, up to a total of \$2,000,000 of the
22 funds reserved by the Administrator for grants
23 under section 518(c) of such Act may also be used
24 for grants for training, technical assistance, and
25 educational programs relating to the operation and

1 management of the treatment works specified in sec-
2 tion 518(c) of such Act: *Provided further*, That for
3 fiscal year 2019, funds reserved under section
4 518(c) of such Act shall be available for grants only
5 to Indian tribes, as defined in section 518(h) of such
6 Act and former Indian reservations in Oklahoma (as
7 determined by the Secretary of the Interior) and Na-
8 tive Villages as defined in Public Law 92–203: *Pro-*
9 *vided further*, That for fiscal year 2019, notwith-
10 standing the limitation on amounts in section 518(c)
11 of the Federal Water Pollution Control Act, up to a
12 total of 2 percent of the funds appropriated, or
13 \$30,000,000, whichever is greater, and notwith-
14 standing the limitation on amounts in section
15 1452(i) of the Safe Drinking Water Act, up to a
16 total of 2 percent of the funds appropriated, or
17 \$20,000,000, whichever is greater, for State Revolv-
18 ing Funds under such Acts may be reserved by the
19 Administrator for grants under section 518(c) and
20 section 1452(i) of such Acts: *Provided further*, That
21 for fiscal year 2019, notwithstanding the amounts
22 specified in section 205(c) of the Federal Water Pol-
23 lution Control Act, up to 1.5 percent of the aggre-
24 gate funds appropriated for the Clean Water State
25 Revolving Fund program under the Act less any

1 sums reserved under section 518(c) of the Act, may
2 be reserved by the Administrator for grants made
3 under title II of the Federal Water Pollution Control
4 Act for American Samoa, Guam, the Commonwealth
5 of the Northern Marianas, and United States Virgin
6 Islands: *Provided further*, That for fiscal year 2019,
7 notwithstanding the limitations on amounts specified
8 in section 1452(j) of the Safe Drinking Water Act,
9 up to 1.5 percent of the funds appropriated for the
10 Drinking Water State Revolving Fund programs
11 under the Safe Drinking Water Act may be reserved
12 by the Administrator for grants made under section
13 1452(j) of the Safe Drinking Water Act: *Provided*
14 *further*, That 10 percent of the funds made available
15 under this title to each State for Clean Water State
16 Revolving Fund capitalization grants and 20 percent
17 of the funds made available under this title to each
18 State for Drinking Water State Revolving Fund cap-
19 italization grants shall be used by the State to pro-
20 vide additional subsidy to eligible recipients in the
21 form of forgiveness of principal, negative interest
22 loans, or grants (or any combination of these), and
23 shall be so used by the State only where such funds
24 are provided as initial financing for an eligible re-
25 cipient or to buy, refinance, or restructure the debt

1 obligations of eligible recipients only where such debt
2 was incurred on or after the date of enactment of
3 this Act, or where such debt was incurred prior to
4 the date of enactment of this Act if the State, with
5 concurrence from the Administrator, determines that
6 such funds could be used to help address a threat
7 to public health from heightened exposure to lead in
8 drinking water or if a Federal or State emergency
9 declaration has been issued due to a threat to public
10 health from heightened exposure to lead in a munic-
11 ipal drinking water supply before the date of enact-
12 ment of this Act: *Provided further*, That in a State
13 in which such an emergency declaration has been
14 issued, the State may use more than 20 percent of
15 the funds made available under this title to the
16 State for Drinking Water State Revolving Fund cap-
17 italization grants to provide additional subsidy to eli-
18 gible recipients;

19 (2) \$15,000,000 shall be for architectural, engi-
20 neering, planning, design, construction and related
21 activities in connection with the construction of high
22 priority water and wastewater facilities in the area
23 of the United States-Mexico Border, after consulta-
24 tion with the appropriate border commission: *Pro-*
25 *vided*, That no funds provided by this appropriations

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

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

1 Water Pollution Control Act (33 U.S.C. 1301) or
2 the Consolidated Farm and Rural Development Act
3 (7 U.S.C. 1921 et seq.) which shall allocate not less
4 than 25 percent of the funds provided for projects
5 in regional hub communities;

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

1 (5) \$50,000,000 shall be for grants under title
2 VII, subtitle G of the Energy Policy Act of 2005;

3 (6) \$50,000,000 shall be for targeted airshed
4 grants in accordance with the terms and conditions
5 in Senate report 115-276;

6 (7) \$4,000,000 shall be to carry out the water
7 quality program authorized in section 5004(d) of the
8 Water Infrastructure Improvements for the Nation
9 Act (Public Law 114–322); and

10 (8) \$1,093,041,000 shall be for grants, includ-
11 ing associated program support costs, to States, fed-
12 erally recognized tribes, interstate agencies, tribal
13 consortia, and air pollution control agencies for
14 multi-media or single media pollution prevention,
15 control and abatement and related activities, includ-
16 ing activities pursuant to the provisions set forth
17 under this heading in Public Law 104–134, and for
18 making grants under section 103 of the Clean Air
19 Act for particulate matter monitoring and data col-
20 lection activities subject to terms and conditions
21 specified by the Administrator, of which:
22 \$47,745,000 shall be for carrying out section 128 of
23 CERCLA; \$9,646,000 shall be for Environmental
24 Information Exchange Network grants, including as-
25 sociated program support costs; \$1,498,000 shall be

1 for grants to States under section 2007(f)(2) of the
2 Solid Waste Disposal Act, which shall be in addition
3 to funds appropriated under the heading “Leaking
4 Underground Storage Tank Trust Fund Program”
5 to carry out the provisions of the Solid Waste Dis-
6 posal Act specified in section 9508(c) of the Internal
7 Revenue Code other than section 9003(h) of the
8 Solid Waste Disposal Act; \$17,848,000 of the funds
9 available for grants under section 106 of the Federal
10 Water Pollution Control Act shall be for State par-
11 ticipation in national- and State-level statistical sur-
12 veys of water resources and enhancements to State
13 monitoring programs; \$27,000,000 shall be for mul-
14 tipurpose grants, including interagency agreements.

15 WATER INFRASTRUCTURE FINANCE AND INNOVATION

16 PROGRAM ACCOUNT

17 For the cost of direct loans and for the cost of guar-
18 anteed loans, as authorized by the Water Infrastructure
19 Finance and Innovation Act of 2014, \$5,000,000, to re-
20 main available until expended: *Provided*, That such costs,
21 including the cost of modifying such loans, shall be as de-
22 fined in section 502 of the Congressional Budget Act of
23 1974: *Provided further*, That these funds are available to
24 subsidize gross obligations for the principal amount of di-
25 rect loans, including capitalized interest, and total loan

1 principal, including capitalized interest, any part of which
2 is to be guaranteed, not to exceed \$610,000,000.

3 In addition, fees authorized to be collected pursuant
4 to sections 5029 and 5030 of the Water Infrastructure
5 Finance and Innovation Act of 2014 shall be deposited
6 in this account, to remain available until expended.

7 In addition, for administrative expenses to carry out
8 the direct and guaranteed loan programs, notwithstanding
9 section 5033 of the Water Infrastructure Finance and In-
10 novation Act of 2014, \$5,000,000, to remain available
11 until September 30, 2020.

12 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

13 PROTECTION AGENCY

14 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

15 For fiscal year 2019, notwithstanding 31 U.S.C.
16 6303(1) and 6305(1), the Administrator of the Environ-
17 mental Protection Agency, in carrying out the Agency's
18 function to implement directly Federal environmental pro-
19 grams required or authorized by law in the absence of an
20 acceptable tribal program, may award cooperative agree-
21 ments to federally recognized Indian tribes or Intertribal
22 consortia, if authorized by their member tribes, to assist
23 the Administrator in implementing Federal environmental
24 programs for Indian tribes required or authorized by law,
25 except that no such cooperative agreements may be award-

1 ed from funds designated for State financial assistance
2 agreements.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate pesticide reg-
5 istration service fees in accordance with section 33 of the
6 Federal Insecticide, Fungicide, and Rodenticide Act, as
7 amended by Public Law 112–177, the Pesticide Registra-
8 tion Improvement Extension Act of 2012.

9 Notwithstanding section 33(d)(2) of the Federal In-
10 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
12 mental Protection Agency may assess fees under section
13 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

14 The Administrator is authorized to transfer up to
15 \$300,000,000 of the funds appropriated for the Great
16 Lakes Restoration Initiative under the heading “Environ-
17 mental Programs and Management” to the head of any
18 Federal department or agency, with the concurrence of
19 such head, to carry out activities that would support the
20 Great Lakes Restoration Initiative and Great Lakes
21 Water Quality Agreement programs, projects, or activities;
22 to enter into an interagency agreement with the head of
23 such Federal department or agency to carry out these ac-
24 tivities; and to make grants to governmental entities, non-
25 profit organizations, institutions, and individuals for plan-

1 ning, research, monitoring, outreach, and implementation
2 in furtherance of the Great Lakes Restoration Initiative
3 and the Great Lakes Water Quality Agreement.

4 The Science and Technology, Environmental Pro-
5 grams and Management, Office of Inspector General, Haz-
6 ardous Substance Superfund, and Leaking Underground
7 Storage Tank Trust Fund Program Accounts, are avail-
8 able for the construction, alteration, repair, rehabilitation,
9 and renovation of facilities, provided that the cost does
10 not exceed \$150,000 per project.

11 For fiscal year 2019, and notwithstanding section
12 518(f) of the Federal Water Pollution Control Act (33
13 U.S.C. 1377(f)), the Administrator is authorized to use
14 the amounts appropriated for any fiscal year under section
15 319 of the Act to make grants to Indian tribes pursuant
16 to sections 319(h) and 518(e) of that Act.

17 The Administrator is authorized to use the amounts
18 appropriated under the heading “Environmental Pro-
19 grams and Management” for fiscal year 2019 to provide
20 grants to implement the Southeastern New England Wa-
21 tershed Restoration Program.

22 The Administrator of the Environmental Protection
23 Agency is authorized to collect and obligate fees in accord-
24 ance with section 3024 of the Solid Waste Disposal Act
25 (42 U.S.C. 6939g) for fiscal year 2019.

1 Of the unobligated balances available for the “State
2 and Tribal Assistance Grants” account, \$109,078,000 are
3 hereby permanently rescinded: *Provided*, That no amounts
4 may be rescinded from amounts that were designated by
5 the Congress as an emergency requirement pursuant to
6 the Concurrent Resolution on the Budget or the Balanced
7 Budget and Emergency Deficit Control Act of 1985 or
8 from amounts that were made available by subsection (a)
9 of section 196 of the Continuing Appropriations Act, 2017
10 (division C of Public Law 114–223), as amended by the
11 Further Continuing and Security Assistance Appropria-
12 tions Act, 2017 (Public Law 114–254).

13 Using funds appropriated under this title, the Admin-
14 istrator of the Environmental Protection Agency shall im-
15 plement the recommendations described in the report of
16 the Office of Inspector General of the Environmental Pro-
17 tection Agency entitled “Management Weakness Delayed
18 Response to Flint Water Crisis”, numbered 18–P–0221,
19 and dated July 19, 2018, to ensure clean and safe water
20 compliance under the Safe Drinking Water Act (42 U.S.C.
21 300f et seq.). If the Administrator of the Environmental
22 Protection Agency does not implement 1 or more rec-
23 ommendations required by the preceding sentence, the Ad-
24 ministrator shall submit to the Committees on Appropria-
25 tions and Environment and Public Works of the Senate

1 and the Committees on Appropriations and Energy and
2 Commerce of the House of Representatives a report ex-
3 plaining why the Administrator did not implement the rec-
4 ommendation and identifying specific actions the Adminis-
5 trator is implementing to address the concerns raised in
6 the report.

7 TITLE III

8 RELATED AGENCIES

9 DEPARTMENT OF AGRICULTURE

10 OFFICE OF THE UNDER SECRETARY FOR NATURAL

11 RESOURCES AND ENVIRONMENT

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

19 FOREST SERVICE

20 FOREST AND RANGELAND RESEARCH

21 For necessary expenses of forest and rangeland re-
22 search as authorized by law, \$300,000,000, to remain
23 available through September 30, 2022, of which not less
24 than \$500,000 shall be made available for wood utilization
25 research to develop woody and agricultural biomass con-

1 version of low-value woody biomass using microwave-as-
2 sisted liquefaction: *Provided*, That of the funds provided,
3 \$77,000,000 is for the forest inventory and analysis pro-
4 gram: *Provided further*, That all authorities for the use
5 of funds, including the use of contracts, grants, and coop-
6 erative agreements, available to execute the Forest and
7 Rangeland Research appropriation, are also available in
8 the utilization of these funds for Fire Science Research.

9 STATE AND PRIVATE FORESTRY

10 For necessary expenses of cooperating with and pro-
11 viding technical and financial assistance to States, terri-
12 tories, possessions, and others, and for forest health man-
13 agement, and conducting an international program as au-
14 thorized, \$333,990,000, to remain available through Sep-
15 tember 30, 2022, as authorized by law; of which
16 \$65,490,000 is to be derived from the Land and Water
17 Conservation Fund to be used for the Forest Legacy Pro-
18 gram, to remain available until expended.

19 NATIONAL FOREST SYSTEM

20 For necessary expenses of the Forest Service, not
21 otherwise provided for, for management, protection, im-
22 provement, and utilization of the National Forest System,
23 and for hazardous fuels management on or adjacent to
24 such lands, \$1,937,653,000, to remain available through
25 September 30, 2022: *Provided*, That of the funds pro-

1 vided, \$40,000,000 shall be deposited in the Collaborative
2 Forest Landscape Restoration Fund for ecological restora-
3 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
4 *vided further*, That of the funds provided, \$368,000,000
5 shall be for forest products: *Provided further*, That of the
6 funds provided, \$435,000,000 shall be for hazardous fuels
7 management activities, of which not to exceed
8 \$15,000,000 may be used to make grants, using any au-
9 thorities available to the Forest Service under the “State
10 and Private Forestry” appropriation, for the purpose of
11 creating incentives for increased use of biomass from Na-
12 tional Forest System lands: *Provided further*, That
13 \$20,000,000 may be used by the Secretary of Agriculture
14 to enter into procurement contracts or cooperative agree-
15 ments or to issue grants for hazardous fuels management
16 activities, and for training or monitoring associated with
17 such hazardous fuels management activities on Federal
18 land, or on non-Federal land if the Secretary determines
19 such activities benefit resources on Federal land: *Provided*
20 *further*, That funds made available to implement the Com-
21 munity Forestry Restoration Act, Public Law 106–393,
22 title VI, shall be available for use on non-Federal lands
23 in accordance with authorities made available to the For-
24 est Service under the “State and Private Forestry” appro-
25 priations: *Provided further*, That notwithstanding section

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

13 CAPITAL IMPROVEMENT AND MAINTENANCE

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Forest Service, not
16 otherwise provided for, \$449,000,000, to remain available
17 through September 30, 2022, for construction, capital im-
18 provement, maintenance and acquisition of buildings and
19 other facilities and infrastructure; and for construction,
20 reconstruction, decommissioning of roads that are no
21 longer needed, including unauthorized roads that are not
22 part of the transportation system, and maintenance of for-
23 est roads and trails by the Forest Service as authorized
24 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
25 *vided*, That funds becoming available in fiscal year 2019

1 under the Act of March 4, 1913 (16 U.S.C. 501) shall
2 be transferred to the General Fund of the Treasury and
3 shall not be available for transfer or obligation for any
4 other purpose unless the funds are appropriated.

5 LAND ACQUISITION

6 (INCLUDING RESCISSION OF FUNDS)

7 For expenses necessary to carry out the provisions
8 of chapter 2003 of title 54, United States Code, including
9 administrative expenses, and for acquisition of land or
10 waters, or interest therein, in accordance with statutory
11 authority applicable to the Forest Service, \$74,099,000,
12 to be derived from the Land and Water Conservation
13 Fund and to remain available until expended.

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

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

10 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

11 For acquisition of lands, such sums, to be derived
12 from funds deposited by State, county, or municipal gov-
13 ernments, public school districts, or other public school au-
14 thorities, and for authorized expenditures from funds de-
15 posited by non-Federal parties pursuant to Land Sale and
16 Exchange Acts, pursuant to the Act of December 4, 1967
17 (16 U.S.C. 484a), to remain available through September
18 30, 2021, (16 U.S.C. 516–617a, 555a; Public Law 96–
19 586; Public Law 76–589, 76–591; and Public Law 78–
20 310).

21 RANGE BETTERMENT FUND

22 For necessary expenses of range rehabilitation, pro-
23 tection, and improvement, 50 percent of all moneys re-
24 ceived during the prior fiscal year, as fees for grazing do-
25 mestic livestock on lands in National Forests in the 16

1 Western States, pursuant to section 401(b)(1) of Public
2 Law 94–579, to remain available through September 30,
3 2022, of which not to exceed 6 percent shall be available
4 for administrative expenses associated with on-the-ground
5 range rehabilitation, protection, and improvements.

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

8 For expenses authorized by 16 U.S.C. 1643(b),
9 \$45,000, to remain available through September 30, 2022,
10 to be derived from the fund established pursuant to the
11 above Act.

12 MANAGEMENT OF NATIONAL FOREST LANDS FOR
13 SUBSISTENCE USES

14 For necessary expenses of the Forest Service to man-
15 age Federal lands in Alaska for subsistence uses under
16 title VIII of the Alaska National Interest Lands Conserva-
17 tion Act (16 U.S.C. 3111 et seq.), \$2,500,000, to remain
18 available through September 30, 2022.

19 WILDLAND FIRE MANAGEMENT
20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses for forest fire presuppression
22 activities on National Forest System lands, for emergency
23 wildland fire suppression on or adjacent to such lands or
24 other lands under fire protection agreement, and for emer-
25 gency rehabilitation of burned-over National Forest Sys-

1 tem lands and water, \$3,229,620,000, to remain available
2 through September 30, 2022: *Provided*, That such funds
3 including unobligated balances under this heading, are
4 available for repayment of advances from other appropria-
5 tions accounts previously transferred for such purposes:
6 *Provided further*, That any unobligated funds appropriated
7 in a previous fiscal year for hazardous fuels management
8 may be transferred to the “National Forest System” ac-
9 count: *Provided further*, That such funds shall be available
10 to reimburse State and other cooperating entities for serv-
11 ices provided in response to wildfire and other emergencies
12 or disasters to the extent such reimbursements by the For-
13 est Service for non-fire emergencies are fully repaid by the
14 responsible emergency management agency: *Provided fur-*
15 *ther*, That funds provided shall be available for support
16 to Federal emergency response: *Provided further*, That the
17 costs of implementing any cooperative agreement between
18 the Federal Government and any non-Federal entity may
19 be shared, as mutually agreed on by the affected parties:
20 *Provided further*, That funds designated for wildfire sup-
21 pression, shall be assessed for cost pools on the same basis
22 as such assessments are calculated against other agency
23 programs.

1 ADMINISTRATIVE PROVISIONS—FOREST SERVICE
2 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

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

16 Notwithstanding any other provision of this Act, the
17 Forest Service may transfer unobligated balances of dis-
18 cretionary funds appropriated to the Forest Service by
19 this Act to or within the National Forest System Account,
20 or reprogram funds to be used for the purposes of haz-
21 ardous fuels management and urgent rehabilitation of
22 burned-over National Forest System lands and water,
23 such transferred funds shall remain available through Sep-
24 tember 30, 2022: *Provided*, That none of the funds trans-
25 ferred pursuant to this section shall be available for obli-

1 gation without written notification to and the prior ap-
2 proval of the Committees on Appropriations of both
3 Houses of Congress: *Provided further*, That this section
4 does not apply to funds appropriated to the FLAME Wild-
5 fire Suppression Reserve Fund or funds derived from the
6 Land and Water Conservation Fund.

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

24 Funds appropriated to the Forest Service shall be
25 available for expenditure or transfer to the Department

1 of the Interior, Bureau of Land Management, for removal,
2 preparation, and adoption of excess wild horses and burros
3 from National Forest System lands, and for the perform-
4 ance of cadastral surveys to designate the boundaries of
5 such lands.

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

13 None of the funds available to the Forest Service may
14 be reprogrammed without the advance approval of the
15 House and Senate Committees on Appropriations in ac-
16 cordance with the reprogramming procedures contained in
17 Senate report 115-276.

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

1 requested by the Forest Service in order to obtain services
2 from the Department of Agriculture's National Informa-
3 tion Technology Center and the Department of Agri-
4 culture's International Technology Service.

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

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 funds made
2 available by the Forest Service on at least a one-for-one
3 basis: *Provided further*, That the Foundation may transfer
4 Federal funds to a Federal or a non-Federal recipient for
5 a 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 The Forest Service shall not assess funds for the pur-
9 pose of performing fire, administrative, and other facilities
10 maintenance and decommissioning.

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

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

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

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

10 DEPARTMENT OF HEALTH AND HUMAN
11 SERVICES

12 INDIAN HEALTH SERVICE

13 INDIAN HEALTH SERVICES

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

1 Self-Determination and Education Assistance Act of 1975
2 (25 U.S.C. 450), shall be deemed to be obligated at the
3 time of the grant or contract award and thereafter shall
4 remain available to the tribe or tribal organization without
5 fiscal year limitation: *Provided further*, That \$2,000,000
6 shall be available for grants or contracts with public or
7 private institutions to provide alcohol or drug treatment
8 services to Indians, including alcohol detoxification serv-
9 ices: *Provided further*, That \$964,819,000 for Purchased/
10 Referred Care, including \$53,000,000 for the Indian Cat-
11 astrophic Health Emergency Fund, shall remain available
12 until expended: *Provided further*, That of the funds pro-
13 vided, up to \$36,000,000 shall remain available until ex-
14 pended for implementation of the loan repayment program
15 under section 108 of the Indian Health Care Improvement
16 Act: *Provided further*, That of the funds provided,
17 \$15,000,000 shall remain available until expended to sup-
18 plement funds available for operational costs at tribal clin-
19 ics operated under an Indian Self-Determination and Edu-
20 cation Assistance Act compact or contract where health
21 care is delivered in space acquired through a full service
22 lease, which is not eligible for maintenance and improve-
23 ment and equipment funds from the Indian Health Serv-
24 ice, and \$58,000,000 shall be for costs related to or result-
25 ing from accreditation emergencies, of which up to

1 \$4,000,000 may be used to supplement amounts otherwise
2 available for Purchased/Referred Care: *Provided further,*
3 That the amounts collected by the Federal Government
4 as authorized by sections 104 and 108 of the Indian
5 Health Care Improvement Act (25 U.S.C. 1613a and
6 1616a) during the preceding fiscal year for breach of con-
7 tracts shall be deposited to the Fund authorized by section
8 108A of that Act (25 U.S.C. 1616a–1) and shall remain
9 available until expended and, notwithstanding section
10 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
11 be available to make new awards under the loan repay-
12 ment and scholarship programs under sections 104 and
13 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
14 *further,* That the amounts made available within this ac-
15 count for the Substance Abuse and Suicide Prevention
16 Program, for opioid Prevention, Treatment and Recovery
17 Services, for the Domestic Violence Prevention Program,
18 for the Zero Suicide Initiative, for the housing subsidy au-
19 thority for civilian employees, for aftercare pilot programs
20 at Youth Regional Treatment Centers, to improve collec-
21 tions from public and private insurance at Indian Health
22 Service and tribally operated facilities, and for accredita-
23 tion emergencies shall be allocated at the discretion of the
24 Director of the Indian Health Service and shall remain
25 available until expended: *Provided further,* That funds pro-

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

ities Education Act (20 U.S.C. 1400 et seq.): *Provided*
further, That the accreditation emergency funds may be
used, as needed, to carry out activities typically funded
under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

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

INDIAN HEALTH FACILITIES

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

1 ice Act with respect to environmental health and facilities
2 support activities of the Indian Health Service,
3 \$877,504,000, to remain available until expended: *Pro-*
4 *vided*, That notwithstanding any other provision of law,
5 funds appropriated for the planning, design, construction,
6 renovation or expansion of health facilities for the benefit
7 of an Indian tribe or tribes may be used to purchase land
8 on which such facilities will be located: *Provided further*,
9 That not to exceed \$500,000 may be used by the Indian
10 Health Service to purchase TRANSAM equipment from
11 the Department of Defense for distribution to the Indian
12 Health Service and tribal facilities: *Provided further*, That
13 none of the funds appropriated to the Indian Health Serv-
14 ice may be used for sanitation facilities construction for
15 new homes funded with grants by the housing programs
16 of the United States Department of Housing and Urban
17 Development: *Provided further*, That not to exceed
18 \$2,700,000 from this account and the “Indian Health
19 Services” account may be used by the Indian Health Serv-
20 ice to obtain ambulances for the Indian Health Service
21 and tribal facilities in conjunction with an existing inter-
22 agency agreement between the Indian Health Service and
23 the General Services Administration: *Provided further*,
24 That not to exceed \$500,000 may be placed in a Demoli-
25 tion Fund, to remain available until expended, and be used

1 by the Indian Health Service for the demolition of Federal
2 buildings.

3 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

4 Appropriations provided in this Act to the Indian
5 Health Service shall be available for services as authorized
6 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
7 equivalent to the maximum rate payable for senior-level
8 positions under 5 U.S.C. 5376; hire of passenger motor
9 vehicles and aircraft; purchase of medical equipment; pur-
10 chase of reprints; purchase, renovation and erection of
11 modular buildings and renovation of existing facilities;
12 payments for telephone service in private residences in the
13 field, when authorized under regulations approved by the
14 Secretary of Health and Human Services; uniforms or al-
15 lowances therefor as authorized by 5 U.S.C. 5901–5902;
16 and for expenses of attendance at meetings that relate to
17 the functions or activities of the Indian Health Service:
18 *Provided*, That in accordance with the provisions of the
19 Indian Health Care Improvement Act, non-Indian patients
20 may be extended health care at all tribally administered
21 or Indian Health Service facilities, subject to charges, and
22 the proceeds along with funds recovered under the Federal
23 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
24 be credited to the account of the facility providing the
25 service and shall be available without fiscal year limitation:

1 *Provided further*, That notwithstanding any other law or
2 regulation, funds transferred from the Department of
3 Housing and Urban Development to the Indian Health
4 Service shall be administered under Public Law 86–121,
5 the Indian Sanitation Facilities Act and Public Law 93–
6 638: *Provided further*, That funds appropriated to the In-
7 dian Health Service in this Act, except those used for ad-
8 ministrative and program direction purposes, shall not be
9 subject to limitations directed at curtailing Federal travel
10 and transportation: *Provided further*, That none of the
11 funds made available to the Indian Health Service in this
12 Act shall be used for any assessments or charges by the
13 Department of Health and Human Services unless identi-
14 fied in the budget justification and provided in this Act,
15 or approved by the House and Senate Committees on Ap-
16 propriations through the reprogramming process: *Pro-*
17 *vided further*, That notwithstanding any other provision
18 of law, funds previously or herein made available to a tribe
19 or tribal organization through a contract, grant, or agree-
20 ment authorized by title I or title V of the Indian Self-
21 Determination and Education Assistance Act of 1975 (25
22 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
23 be deobligated and reobligated to a self-determination con-
24 tract under title I, or a self-governance agreement under
25 title V of such Act and thereafter shall remain available

1 to the tribe or tribal organization without fiscal year limi-
2 tation: *Provided further*, That none of the funds made
3 available to the Indian Health Service in this Act shall
4 be used to implement the final rule published in the Fed-
5 eral Register on September 16, 1987, by the Department
6 of Health and Human Services, relating to the eligibility
7 for the health care services of the Indian Health Service
8 until the Indian Health Service has submitted a budget
9 request reflecting the increased costs associated with the
10 proposed final rule, and such request has been included
11 in an appropriations Act and enacted into law: *Provided*
12 *further*, That with respect to functions transferred by the
13 Indian Health Service to tribes or tribal organizations, the
14 Indian Health Service is authorized to provide goods and
15 services to those entities on a reimbursable basis, includ-
16 ing payments in advance with subsequent adjustment, and
17 the reimbursements received therefrom, along with the
18 funds received from those entities pursuant to the Indian
19 Self-Determination Act, may be credited to the same or
20 subsequent appropriation account from which the funds
21 were originally derived, with such amounts to remain
22 available until expended: *Provided further*, That reim-
23 bursements for training, technical assistance, or services
24 provided by the Indian Health Service will contain total
25 costs, including direct, administrative, and overhead costs

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

12 NATIONAL INSTITUTES OF HEALTH

13 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

14 SCIENCES

15 For necessary expenses for the National Institute of
16 Environmental Health Sciences in carrying out activities
17 set forth in section 311(a) of the Comprehensive Environ-
18 mental Response, Compensation, and Liability Act of
19 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
20 Superfund Amendments and Reauthorization Act of 1986,
21 \$78,349,000.

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

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

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18 SALARIES AND EXPENSES

19 For necessary expenses in carrying out activities pur-
20 suant to section 112(r)(6) of the Clean Air Act, including
21 hire of passenger vehicles, uniforms or allowances there-
22 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
23 ices authorized by 5 U.S.C. 3109 but at rates for individ-
24 uals not to exceed the per diem equivalent to the maximum
25 rate payable for senior level positions under 5 U.S.C.

1 5376, \$11,000,000: *Provided*, That the Chemical Safety
2 and Hazard Investigation Board (Board) shall have not
3 more than three career Senior Executive Service positions:
4 *Provided further*, That notwithstanding any other provi-
5 sion of law, the individual appointed to the position of In-
6 spector General of the Environmental Protection Agency
7 (EPA) shall, by virtue of such appointment, also hold the
8 position of Inspector General of the Board: *Provided fur-*
9 *ther*, That notwithstanding any other provision of law, the
10 Inspector General of the Board shall utilize personnel of
11 the Office of Inspector General of EPA in performing the
12 duties of the Inspector General of the Board, and shall
13 not appoint any individuals to positions within the Board.

14 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Navajo and
17 Hopi Indian Relocation as authorized by Public Law 93-
18 531, \$7,400,000, to remain available until expended: *Pro-*
19 *vided*, That funds provided in this or any other appropria-
20 tions Act are to be used to relocate eligible individuals and
21 groups including evictees from District 6, Hopi-partitioned
22 lands residents, those in significantly substandard hous-
23 ing, and all others certified as eligible and not included
24 in the preceding categories: *Provided further*, That none
25 of the funds contained in this or any other Act may be

1 used by the Office of Navajo and Hopi Indian Relocation
2 to evict any single Navajo or Navajo family who, as of
3 November 30, 1985, was physically domiciled on the lands
4 partitioned to the Hopi Tribe unless a new or replacement
5 home is provided for such household: *Provided further*,
6 That no relocatee will be provided with more than one new
7 or replacement home: *Provided further*, That the Office
8 shall relocate any certified eligible relocatees who have se-
9 lected and received an approved homesite on the Navajo
10 reservation or selected a replacement residence off the
11 Navajo reservation or on the land acquired pursuant to
12 section 11 of Public Law 93–531 (88 Stat. 1716).

13 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
14 CULTURE AND ARTS DEVELOPMENT

15 PAYMENT TO THE INSTITUTE

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

22 SMITHSONIAN INSTITUTION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Smithsonian Institu-
25 tion, as authorized by law, including research in the fields

1 of art, science, and history; development, preservation, and
2 documentation of the National Collections; presentation of
3 public exhibits and performances; collection, preparation,
4 dissemination, and exchange of information and publica-
5 tions; conduct of education, training, and museum assist-
6 ance programs; maintenance, alteration, operation, lease
7 agreements of no more than 30 years, and protection of
8 buildings, facilities, and approaches; not to exceed
9 \$100,000 for services as authorized by 5 U.S.C. 3109; and
10 purchase, rental, repair, and cleaning of uniforms for em-
11 ployees, \$739,894,000, to remain available until Sep-
12 tember 30, 2020, except as otherwise provided herein; of
13 which not to exceed \$6,917,000 for the instrumentation
14 program, collections acquisition, exhibition reinstallation,
15 and the repatriation of skeletal remains program shall re-
16 main available until expended; and including such funds
17 as may be necessary to support American overseas re-
18 search centers: *Provided*, That funds appropriated herein
19 are available for advance payments to independent con-
20 tractors performing research services or participating in
21 official Smithsonian presentations.

22 FACILITIES CAPITAL

23 For necessary expenses of repair, revitalization, and
24 alteration of facilities owned or occupied by the Smithso-
25 nian Institution, by contract or otherwise, as authorized

1 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
2 and for construction, including necessary personnel,
3 \$303,503,000, to remain available until expended, of
4 which not to exceed \$10,000 shall be for services as au-
5 thorized by 5 U.S.C. 3109.

6 NATIONAL GALLERY OF ART

7 SALARIES AND EXPENSES

8 For the upkeep and operations of the National Gal-
9 lery of Art, the protection and care of the works of art
10 therein, and administrative expenses incident thereto, as
11 authorized by the Act of March 24, 1937 (50 Stat. 51),
12 as amended by the public resolution of April 13, 1939
13 (Public Resolution 9, Seventy-sixth Congress), including
14 services as authorized by 5 U.S.C. 3109; payment in ad-
15 vance when authorized by the treasurer of the Gallery for
16 membership in library, museum, and art associations or
17 societies whose publications or services are available to
18 members only, or to members at a price lower than to the
19 general public; purchase, repair, and cleaning of uniforms
20 for guards, and uniforms, or allowances therefor, for other
21 employees as authorized by law (5 U.S.C. 5901–5902);
22 purchase or rental of devices and services for protecting
23 buildings and contents thereof, and maintenance, alter-
24 ation, improvement, and repair of buildings, approaches,
25 and grounds; and purchase of services for restoration and

1 repair of works of art for the National Gallery of Art by
2 contracts made, without advertising, with individuals,
3 firms, or organizations at such rates or prices and under
4 such terms and conditions as the Gallery may deem prop-
5 er, \$144,202,000, to remain available until September 30,
6 2020, of which not to exceed \$3,620,000 for the special
7 exhibition program shall remain available until expended.

8 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

1 JOHN F. KENNEDY CENTER FOR THE PERFORMING
2 ARTS
3 OPERATIONS AND MAINTENANCE

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

7 CAPITAL REPAIR AND RESTORATION

8 For necessary expenses for capital repair and restora-
9 tion of the existing features of the building and site of
10 the John F. Kennedy Center for the Performing Arts,
11 \$16,800,000, to remain available until expended.

12 WOODROW WILSON INTERNATIONAL CENTER FOR
13 SCHOLARS

14 SALARIES AND EXPENSES

15 For expenses necessary in carrying out the provisions
16 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
17 1356) including hire of passenger vehicles and services as
18 authorized by 5 U.S.C. 3109, \$12,000,000, to remain
19 available until September 30, 2020.

20 NATIONAL FOUNDATION ON THE ARTS AND THE
21 HUMANITIES

22 NATIONAL ENDOWMENT FOR THE ARTS
23 GRANTS AND ADMINISTRATION

24 For necessary expenses to carry out the National
25 Foundation on the Arts and the Humanities Act of 1965,

1 \$155,000,000 shall be available to the National Endow-
2 ment for the Arts for the support of projects and produc-
3 tions in the arts, including arts education and public out-
4 reach activities, through assistance to organizations and
5 individuals pursuant to section 5 of the Act, for program
6 support, and for administering the functions of the Act,
7 to remain available until expended.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National
11 Foundation on the Arts and the Humanities Act of 1965,
12 \$155,000,000 to remain available until expended, of which
13 \$143,700,000 shall be available for support of activities
14 in the humanities, pursuant to section 7(c) of the Act and
15 for administering the functions of the Act; and
16 \$11,300,000 shall be available to carry out the matching
17 grants program pursuant to section 10(a)(2) of the Act,
18 including \$9,100,000 for the purposes of section 7(h):
19 *Provided*, That appropriations for carrying out section
20 10(a)(2) shall be available for obligation only in such
21 amounts as may be equal to the total amounts of gifts,
22 bequests, devises of money, and other property accepted
23 by the chairman or by grantees of the National Endow-
24 ment for the Humanities under the provisions of sections
25 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-

1 ceding fiscal years for which equal amounts have not pre-
2 viously been appropriated.

3 ADMINISTRATIVE PROVISIONS

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

21 COMMISSION OF FINE ARTS

22 SALARIES AND EXPENSES

23 For expenses of the Commission of Fine Arts under
24 chapter 91 of title 40, United States Code, \$2,771,000:
25 *Provided*, That the Commission is authorized to charge

1 fees to cover the full costs of its publications, and such
2 fees shall be credited to this account as an offsetting col-
3 lection, to remain available until expended without further
4 appropriation: *Provided further*, That the Commission is
5 authorized to accept gifts, including objects, papers, art-
6 work, drawings and artifacts, that pertain to the history
7 and design of the Nation's Capital or the history and ac-
8 tivities of the Commission of Fine Arts, for the purpose
9 of artistic display, study, or education: *Provided further*,
10 That one-tenth of one percent of the funds provided under
11 this heading may be used for official reception and rep-
12 resentation expenses.

13 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

14 For necessary expenses as authorized by Public Law
15 99-190 (20 U.S.C. 956a), \$2,750,000.

16 ADVISORY COUNCIL ON HISTORIC PRESERVATION

17 SALARIES AND EXPENSES

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

20 NATIONAL CAPITAL PLANNING COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Capital Plan-
23 ning Commission under chapter 87 of title 40, United
24 States Code, including services as authorized by 5 U.S.C.
25 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-

1 cent of the funds provided under this heading may be used
2 for official reception and representational expenses associ-
3 ated with hosting international visitors engaged in the
4 planning and physical development of world capitals.

5 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
6 HOLOCAUST MEMORIAL MUSEUM

7 For expenses of the Holocaust Memorial Museum, as
8 authorized by Public Law 106–292 (36 U.S.C. 2301–
9 2310), \$59,500,000, of which \$1,715,000 shall remain
10 available until September 30, 2021, for the Museum’s
11 equipment replacement program; and of which \$4,000,000
12 for the Museum’s repair and rehabilitation program and
13 \$1,500,000 for the Museum’s outreach initiatives program
14 shall remain available until expended.

15 DWIGHT D. EISENHOWER MEMORIAL COMMISSION
16 SALARIES AND EXPENSES

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

20 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

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

1 WORLD WAR I CENTENNIAL COMMISSION

2 SALARIES AND EXPENSES

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

15 TITLE IV

16 GENERAL PROVISIONS

17 (INCLUDING TRANSFERS OF FUNDS)

18 RESTRICTION ON USE OF FUNDS

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

1 OBLIGATION OF APPROPRIATIONS

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

5 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

17 MINING APPLICATIONS

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

23 (b) EXCEPTIONS.—Subsection (a) shall not apply if
24 the Secretary of the Interior determines that, for the claim
25 concerned (1) a patent application was filed with the Sec-

1 retary on or before September 30, 1994; and (2) all re-
2 quirements established under sections 2325 and 2326 of
3 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
4 lode claims, sections 2329, 2330, 2331, and 2333 of the
5 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
6 claims, and section 2337 of the Revised Statutes (30
7 U.S.C. 42) for mill site claims, as the case may be, were
8 fully complied with by the applicant by that date.

9 (c) REPORT.—On September 30, 2020, the Secretary
10 of the Interior shall file with the House and Senate Com-
11 mittees on Appropriations and the Committee on Natural
12 Resources of the House and the Committee on Energy and
13 Natural Resources of the Senate a report on actions taken
14 by the Department under the plan submitted pursuant to
15 section 314(c) of the Department of the Interior and Re-
16 lated Agencies Appropriations Act, 1997 (Public Law
17 104–208).

18 (d) MINERAL EXAMINATIONS.—In order to process
19 patent applications in a timely and responsible manner,
20 upon the request of a patent applicant, the Secretary of
21 the Interior shall allow the applicant to fund a qualified
22 third-party contractor to be selected by the Director of the
23 Bureau of Land Management to conduct a mineral exam-
24 ination of the mining claims or mill sites contained in a
25 patent application as set forth in subsection (b). The Bu-

1 reau of Land Management shall have the sole responsi-
2 bility to choose and pay the third-party contractor in ac-
3 cordance with the standard procedures employed by the
4 Bureau of Land Management in the retention of third-
5 party contractors.

6 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

7 SEC. 405. Sections 405 and 406 of division F of the
8 Consolidated and Further Continuing Appropriations Act,
9 2015 (Public Law 113–235) shall continue in effect in fis-
10 cal year 2019.

11 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019

12 LIMITATION

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

1 or for repayments of payments for settlements or judg-
2 ments awarding contract support costs for prior years.

3 FOREST MANAGEMENT PLANS

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

19 PROHIBITION WITHIN NATIONAL MONUMENTS

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

1 U.S.C. 431 et seq.) as such boundary existed on January
2 20, 2001, except where such activities are allowed under
3 the Presidential proclamation establishing such monu-
4 ment.

5 LIMITATION ON TAKINGS

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

17 TIMBER SALE REQUIREMENTS

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

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

8 PROHIBITION ON NO-BID CONTRACTS

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

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

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

1 age Fellowship, or American Jazz Masters Fellow-
2 ship.

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

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

15 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

16 PRIORITIES

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

25 (b) In this section:

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

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

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

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

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

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

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

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

16 STATUS OF BALANCES OF APPROPRIATIONS

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

1 PROHIBITION ON USE OF FUNDS

2 SEC. 416. Notwithstanding any other provision of
3 law, none of the funds made available in this Act or any
4 other Act may be used to promulgate or implement any
5 regulation requiring the issuance of permits under title V
6 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
7 dioxide, nitrous oxide, water vapor, or methane emissions
8 resulting from biological processes associated with live-
9 stock production.

10 GREENHOUSE GAS REPORTING RESTRICTIONS

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

16 FUNDING PROHIBITION

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

22 CONTRACTING AUTHORITIES

23 SEC. 419. Section 412 of Division E of Public Law
24 112–74 is amended by striking “fiscal year 2019” and in-
25 serting “fiscal year 2020”.

1 EXTENSION OF GRAZING PERMITS

2 SEC. 420. The terms and conditions of section 325
3 of Public Law 108–108 (117 Stat. 1307), regarding graz-
4 ing permits issued by the Forest Service on any lands not
5 subject to administration under section 402 of the Federal
6 Lands Policy and Management Act (43 U.S.C. 1752),
7 shall remain in effect for fiscal year 2019.

8 FUNDING PROHIBITION

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

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

17 FOREST SERVICE FACILITY REALIGNMENT AND
18 ENHANCEMENT ACT

19 SEC. 422. Section 503(f) of the Forest Service Facil-
20 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
21 580d note; Public Law 109–54) is amended by striking
22 “2018” and inserting “2019”.

23 USE OF AMERICAN IRON AND STEEL

24 SEC. 423. (a)(1) None of the funds made available
25 by a State water pollution control revolving fund as au-

1 thORIZED by section 1452 of the Safe Drinking Water Act
2 (42 U.S.C. 300j-12) shall be used for a project for the
3 construction, alteration, maintenance, or repair of a public
4 water system or treatment works unless all of the iron and
5 steel products used in the project are produced in the
6 United States.

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

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

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

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

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

1 (c) If the Administrator receives a request for a waiv-
2 er under this section, the Administrator shall make avail-
3 able to the public on an informal basis a copy of the re-
4 quest and information available to the Administrator con-
5 cerning the request, and shall allow for informal public
6 input on the request for at least 15 days prior to making
7 a finding based on the request. The Administrator shall
8 make the request and accompanying information available
9 by electronic means, including on the official public Inter-
10 net Web site of the Environmental Protection Agency.

11 (d) This section shall be applied in a manner con-
12 sistent with United States obligations under international
13 agreements.

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

19 MIDWAY ISLAND

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

1 JOHN F. KENNEDY CENTER REAUTHORIZATION

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

5 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
6 There is authorized to be appropriated to the Board to
7 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
8 2019.

9 “(b) CAPITAL PROJECTS.—There is authorized to be
10 appropriated to the Board to carry out subparagraphs (F)
11 and (G) of section 4(a)(1), \$16,800,000 for fiscal year
12 2019.”.

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

16 SEC. 426. The Secretary of the Interior is authorized
17 to enter into grants and cooperative agreements with vol-
18 unteer fire departments, rural fire departments, rangeland
19 fire protection associations, and similar organizations to
20 provide for wildland fire training and equipment, including
21 supplies and communication devices. Notwithstanding
22 121(c) of title 40, United States Code, or section 521 of
23 title 40, United States Code, the Secretary is further au-
24 thorized to transfer title to excess Department of the Inte-
25 rior firefighting equipment no longer needed to carry out

1 Control Act; and of which \$300,000,000 shall be for
2 making capitalization grants for the Drinking Water
3 State Revolving Funds under section 1452 of the
4 Safe Drinking Water Act;

5 (2) \$30,000,000 shall be for grants for small
6 and disadvantaged communities authorized in sec-
7 tion 2104 of the Water Infrastructure Improvements
8 for the Nation Act (Public Law 114–322);

9 (3) \$25,000,000 shall be for grants for lead
10 testing in school and child care program drinking
11 water authorized in section 2107 of the Water Infra-
12 structure Improvements for the Nation Act (Public
13 Law 114–322);

14 (4) \$15,000,000 shall be for grants for reduc-
15 ing lead in drinking water authorized in section
16 2105 of the Water Infrastructure Improvements for
17 the Nation Act (Public Law 114–322).

18 (c) For an additional amount for “Environmental
19 Protection Agency—Water Infrastructure Finance and In-
20 novation Program Account”, \$53,000,000, to remain
21 available until expended, for the cost of direct loans, for
22 the cost of guaranteed loans, and for administrative ex-
23 penses to carry out the direct and guaranteed loan pro-
24 grams, of which \$3,000,000, to remain available until Sep-
25 tember 30, 2020, may be used for such administrative ex-

1 penses: *Provided*, That these additional funds are available
2 to subsidize gross obligations for the principal amount of
3 direct loans, including capitalized interest, and total loan
4 principal, including capitalized interest, any part of which
5 is to be guaranteed, not to exceed \$6,100,000,000.

6 POLICIES RELATING TO BIOMASS ENERGY

7 SEC. 428. To support the key role that forests in the
8 United States can play in addressing the energy needs of
9 the United States, the Secretary of Energy, the Secretary
10 of Agriculture, and the Administrator of the Environ-
11 mental Protection Agency shall, consistent with their mis-
12 sions, jointly—

13 (1) ensure that Federal policy relating to forest
14 bioenergy—

15 (A) is consistent across all Federal depart-
16 ments and agencies; and

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

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

23 (A) reflect the carbon-neutrality of forest
24 bioenergy and recognize biomass as a renewable
25 energy source, provided the use of forest bio-

1 mass for energy production does not cause con-
2 version of forests to non-forest use;

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

6 (i) working forests;

7 (ii) harvesting operations;

8 (iii) forest improvement operations;

9 (iv) forest bioenergy production;

10 (v) wood products manufacturing; or

11 (vi) paper manufacturing;

12 (C) encourage forest management to im-
13 prove forest health; and

14 (D) recognize State initiatives to produce
15 and use forest biomass.

16 CLARIFICATION OF EXEMPTIONS

17 SEC. 429. None of the funds made available in this
18 Act may be used to require a permit for the discharge
19 of dredged or fill material under the Federal Water Pollu-
20 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
21 identified in subparagraphs (A) and (C) of section
22 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

23 SMALL REMOTE INCINERATORS

24 SEC. 430. None of the funds made available in this
25 Act may be used to implement or enforce the regulation

1 issued on March 21, 2011 at 40 CFR part 60 subparts
2 CCCC and DDDD with respect to units in the State of
3 Alaska that are defined as “small, remote incinerator”
4 units in those regulations and, until a subsequent regula-
5 tion is issued, the Administrator shall implement the law
6 and regulations in effect prior to such date.

7 RECREATION FEES

8 SEC. 431. Section 810 of the Federal Lands Recre-
9 ation Enhancement Act (16 U.S.C. 6809) shall be applied
10 by substituting “October 1, 2020” for “September 30,
11 2019”.

12 SEC. 432. (a) None of the funds appropriated or oth-
13 erwise made available under this Act may be used by the
14 Department of the Interior, the Environmental Protection
15 Agency, the Forest Service, the Indian Health Service, or
16 the Smithsonian Institution to acquire telecommunications
17 equipment produced by Huawei Technologies Company,
18 ZTE Corporation or a high-impact or moderate-impact in-
19 formation system, as defined for security categorization in
20 the National Institute of Standards and Technology’s
21 (NIST) Federal Information Processing Standard Publi-
22 cation 199, “Standards for Security Categorization of
23 Federal Information and Information Systems” unless the
24 agency has—

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

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

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

23 (b) None of the funds appropriated or otherwise
24 made available under this Act may be used to acquire a
25 high-impact or moderate impact information system re-

1 viewed and assessed under subsection (a) unless the head
2 of the assessing entity described in subsection (a) has—

3 (1) developed, in consultation with NIST and
4 supply chain risk management experts, a mitigation
5 strategy for any identified risks;

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

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

17 SEC. 433. Within available funds, not later than 180
18 days after the date of enactment of this Act, the Comp-
19 troller General of the United States shall issue a report
20 on efforts by the Department of Housing and Urban De-
21 velopment and the Environmental Protection Agency re-
22 lating to the removal of lead-based paint and other haz-
23 arduous materials, which shall include—

1 (1) a description of direct removal efforts by
2 the Department of Housing and Urban Development
3 and the Environmental Protection Agency;

4 (2) a description of education provided by the
5 Department of Housing and Urban Development
6 and the Environmental Protection Agency to other
7 Federal agencies, local governments and commu-
8 nities, recipients of grants made by either entity,
9 and the general public relating to the removal of
10 lead-based paint and other hazardous materials;

11 (3) a description of assistance received from
12 other Federal agencies relating to the removal of
13 lead-based paint and other hazardous materials; and

14 (4) any best practices developed or provided by
15 the Department of Housing and Urban Development
16 and the Environmental Protection Agency relating
17 to the removal of lead-based paint and other haz-
18 ardous materials.

19 SEC. 434. (a) Within available funds for the National
20 Forest System, the Secretary of Agriculture shall conduct
21 an inventory and evaluation of certain land, as generally
22 depicted on the map entitled “Flatside Wilderness Adja-
23 cent Inventory Areas” and dated November 30, 2017, to
24 determine the suitability of that land for inclusion in the
25 National Wilderness Preservation System.

1 (b) The Chief of the Forest Service shall submit to
2 the Committees on Agriculture, Nutrition, and Forestry,
3 Appropriations, and Energy and Natural Resources of the
4 Senate the results of the inventory and evaluation required
5 under subsection (a).

6 ADDRESSING PEDIATRIC CANCER RATES IN THE UNITED
7 STATES

8 SEC. 435. (a) REPORT IDENTIFYING GEOGRAPHIC
9 VARIATION OF TYPES OF PEDIATRIC CANCER.—Using
10 funds appropriated under the heading “Toxic Substances
11 and Environmental Health” for the Agency for Toxic Sub-
12 stances and Disease Registry, the Secretary of Health and
13 Human Services, not later than 180 days after the date
14 of enactment of this Act, shall submit to the Committee
15 on Health, Education, Labor, and Pensions of the Senate,
16 the Committee on Appropriations of the Senate, the Com-
17 mittee on Energy and Commerce of the House of Rep-
18 resentatives, and the Committee on Appropriations of the
19 House of Representatives, a report that provides details
20 on the geographic variation in pediatric cancer incidence
21 in the United States, including—

22 (1) the types of pediatric cancer within each of
23 the 10 States with the highest age-adjusted inci-
24 dence rate of cancer among persons aged 20 years
25 or younger;

1 (2) geographic concentrations of types and
2 prevalence of pediatric cancers within each such
3 State, in accordance with Centers for Disease Con-
4 trol and Prevention guidelines; and

5 (3) an update on current activities related to
6 pediatric cancer, including with respect to carrying
7 out section 399V–6 of the Public Health Service Act
8 (42 U.S.C. 280g–17).

9 (b) SUPPORT FOR STATES WITH HIGH INCIDENCE
10 OF PEDIATRIC CANCER.—Using funds appropriated under
11 the heading “Toxic Substances and Environmental Public
12 Health” for the Agency for Toxic Substances and Disease
13 Registry, the Secretary of Health and Human Services
14 may conduct public outreach, in collaboration with State
15 departments of health, particularly in the 10 States with
16 the highest age-adjusted incidence rate of cancer among
17 persons aged 20 years or younger, to improve awareness
18 by residents, clinicians, and others, as appropriate, of pos-
19 sible contributing factors to pediatric cancer, including en-
20 vironmental exposures, in a manner that is complementary
21 of, and does not conflict with, ongoing pediatric cancer-
22 related activities supported by the Department of Health
23 and Human Services.

24 (c) PRIVACY.—The Secretary of Health and Human
25 Services shall ensure that all information with respect to

1 patients that is contained in the reports under this section
2 is de-identified and protects personal privacy of such pa-
3 tients in accordance with applicable Federal and State pri-
4 vacy law.

5 EXPLANATORY STATEMENT

6 SEC. 436. The explanatory statement regarding divi-
7 sion A of H.R. 21, printed in the Congressional Record
8 on January 3, 2019, and submitted by the Chair of the
9 Committee on Appropriations, shall have the same effect
10 with respect to allocation of funds and implementation of
11 this Act as if it were a joint explanatory statement of a
12 committee of conference.

13 COMPENSATION FOR FEDERAL EMPLOYEES FURLOUGHED
14 DURING A GOVERNMENT SHUTDOWN

15 SEC. 437. (a) Employees furloughed as a result of
16 any lapse in appropriations beginning on or about Decem-
17 ber 22, 2018 and ending on the date of enactment of this
18 Act shall be compensated at their standard rate of com-
19 pensation, for the period of such lapse in appropriations,
20 as soon as practicable after such lapse in appropriations
21 ends.

22 (b) For purposes of this section, “employees” means
23 any Federal employees whose salaries and expenses are
24 provided in this Act.

1 (c) All obligations incurred in anticipation of the ap-
2 propriations made and authority granted by this Act for
3 the purposes of maintaining the essential level of activity
4 to protect life and property and bringing about orderly ter-
5 mination of Government functions, and for purposes as
6 otherwise authorized by law, are hereby ratified and ap-
7 proved if otherwise in accord with the provisions of this
8 Act.

9 STATES, TERRITORIES, POSSESSIONS AND OTHER FED-
10 ERAL GRANTEES IMPACTED BY A GOVERNMENT
11 SHUTDOWN

12 SEC. 438. (a) If a State (or another Federal grantee)
13 used State funds (or the grantee's non-Federal funds) to
14 continue carrying out a Federal program or furloughed
15 State employees (or the grantee's employees) whose com-
16 pensation is advanced or reimbursed in whole or in part
17 by the Federal Government—

18 (1) such furloughed employees shall be com-
19 pensated at their standard rate of compensation for
20 such period;

21 (2) the State (or such other grantee) shall be
22 reimbursed for expenses that would have been paid
23 by the Federal Government during such period had
24 appropriations been available, including the cost of
25 compensating such furloughed employees, together

1 with interest thereon calculated under section
2 6503(d) of title 31, United States Code; and

3 (3) the State (or such other grantee) may use
4 funds available to the State (or the grantee) under
5 such Federal program to reimburse such State (or
6 the grantee), together with interest thereon cal-
7 culated under section 6503(d) of title 31, United
8 States Code.

9 (b) For purposes of this section, the term “State”
10 and the term “grantee,” including United States terri-
11 tories and possessions, shall have the meaning given such
12 terms under the applicable Federal program under sub-
13 section (a). In addition, “to continue carrying out a Fed-
14 eral program” means the continued performance by a
15 State or other Federal grantee, during the period of a
16 lapse in appropriations, of a Federal program that the
17 State or such other grantee had been carrying out prior
18 to the period of the lapse in appropriations.

19 (c) The authority under this section applies with re-
20 spect to any period in fiscal year 2019 (not limited to peri-
21 ods beginning or ending after the date of the enactment
22 of this Act) during which there occurs a lapse in appro-
23 priations with respect to any department or agency of the
24 Federal Government receiving funding in this Act which,
25 but for such lapse in appropriations, would have paid, or

1 made reimbursement relating to, any of the expenses re-
2 ferred to in this section with respect to the program in-
3 volved. Payments and reimbursements under this author-
4 ity shall be made only to the extent and in amounts pro-
5 vided in advance in appropriations Acts.

6 This Act may be cited as the “Department of the In-
7 terior, Environment, and Related Agencies Appropriations
8 Act, 2019”.

Passed the House of Representatives January 11,
2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 266

AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.