

Calendar No. 507

109TH CONGRESS  
2D SESSION**H.R. 5386****[Report No. 109-275]**

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IN THE SENATE OF THE UNITED STATES

MAY 19, 2006

Received; read twice and referred to the Committee on Appropriations

JUNE 29, 2006

Reported by Mr. BURNS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**AN ACT**

Making appropriations for the Department of the Interior,  
environment, and related agencies for the fiscal year  
ending September 30, 2007, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Department of the Interior, environment, and related  
6       agencies for the fiscal year ending September 30, 2007,  
7       and for other purposes, namely:

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

4        For necessary expenses for protection, use, improve-  
5 ment, development, disposal, cadastral surveying, classi-  
6 fication, acquisition of easements and other interests in  
7 lands, and performance of other functions, including main-  
8 tenance of facilities, as authorized by law, in the manage-  
9 ment of lands and their resources under the jurisdiction  
10 of the Bureau of Land Management, including the general  
11 administration of the Bureau, and assessment of mineral  
12 potential of public lands pursuant to Public Law 96-487  
13 (16 U.S.C. 3150(a)), \$867,738,000 (reduced by \$1) (in-  
14 creased by \$1), to remain available until expended, of  
15 which \$1,250,000 is for high priority projects, to be ear-  
16 nered out by the Youth Conservation Corps; and of which  
17 \$2,750,000 shall be available in fiscal year 2007 subject  
18 to a match by at least an equal amount by the National  
19 Fish and Wildlife Foundation for cost-shared projects sup-  
20 porting conservation of Bureau lands; and such funds  
21 shall be advanced to the Foundation as a lump sum grant  
22 without regard to when expenses are incurred.

23        In addition, \$32,696,000 is for Mining Law Adminis-  
24 tration program operations, including the cost of admin-  
25 istering the mining claim fee program; to remain available

1 until expended, to be reduced by amounts collected by the  
2 Bureau and credited to this appropriation from annual  
3 mining claim fees so as to result in a final appropriation  
4 estimated at not more than \$867,738,000, and  
5 \$2,000,000, to remain available until expended, from com-  
6 munication site rental fees established by the Bureau for  
7 the cost of administering communication site activities.

8 WILDLAND FIRE MANAGEMENT

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for fire preparedness, sup-  
11 pression operations, fire science and research, emergency  
12 rehabilitation, hazardous fuels reduction, and rural fire as-  
13 sistance by the Department of the Interior, \$769,253,000,  
14 to remain available until expended, of which not to exceed  
15 \$7,338,000 shall be for the renovation or construction of  
16 fire facilities: *Provided*, That such funds are also available  
17 for repayment of advances to other appropriation accounts  
18 from which funds were previously transferred for such  
19 purposes: *Provided further*, That persons hired pursuant  
20 to 43 U.S.C. 1469 may be furnished subsistence and lodge-  
21 ing without cost from funds available from this appropria-  
22 tion: *Provided further*, That notwithstanding 42 U.S.C.  
23 1856d, sums received by a bureau or office of the Depart-  
24 ment of the Interior for fire protection rendered pursuant  
25 to 42 U.S.C. 1856 et seq., protection of United States

1 property, may be credited to the appropriation from which  
2 funds were expended to provide that protection, and are  
3 available without fiscal year limitation: *Provided further,*  
4 That using the amounts designated under this title of this  
5 Act, the Secretary of the Interior may enter into procure-  
6 ment contracts, grants, or cooperative agreements, for  
7 hazardous fuels reduction activities, and for training and  
8 monitoring associated with such hazardous fuels reduction  
9 activities, on Federal land, or on adjacent non-Federal  
10 land for activities that benefit resources on Federal land:  
11 *Provided further,* That the costs of implementing any co-  
12 operative agreement between the Federal Government and  
13 any non-Federal entity may be shared, as mutually agreed  
14 on by the affected parties: *Provided further,* That notwith-  
15 standing requirements of the Competition in Contracting  
16 Act, the Secretary, for purposes of hazardous fuels reduc-  
17 tion activities, may obtain maximum practicable competi-  
18 tion among: (1) local private, nonprofit, or cooperative en-  
19 tities; (2) Youth Conservation Corps crews or related part-  
20 nerships with State, local, or non-profit youth groups; (3)  
21 small or micro-businesses; or (4) other entities that will  
22 hire or train locally a significant percentage, defined as  
23 50 percent or more, of the project workforce to complete  
24 such contracts: *Provided further,* That in implementing  
25 this section, the Secretary shall develop written guidance

1 to field units to ensure accountability and consistent appli-  
2 cation of the authorities provided herein: *Provided further,*  
3 That funds appropriated under this head may be used to  
4 reimburse the United States Fish and Wildlife Service and  
5 the National Marine Fisheries Service for the costs of ear-  
6 rying out their responsibilities under the Endangered Spe-  
7 cies Act of 1973 (16 U.S.C. 1531 et seq.) to consult and  
8 conference, as required by section 7 of such Act, in con-  
9 nection with wildland fire management activities: *Provided*  
10 *further,* That the Secretary of the Interior may use  
11 wildland fire appropriations to enter into non-competitive  
12 sole source leases of real property with local governments,  
13 at or below fair market value, to construct capitalized im-  
14 provements for fire facilities on such leased properties, in-  
15 cluding but not limited to fire guard stations, retardant  
16 stations, and other initial attack and fire support facilities,  
17 and to make advance payments for any such lease or for  
18 construction activity associated with the lease: *Provided*  
19 *further,* That the Secretary of the Interior and the Sec-  
20 retary of Agriculture may authorize the transfer of funds  
21 appropriated for wildland fire management, in an aggre-  
22 gate amount not to exceed \$9,000,000, between the De-  
23 partments when such transfers would facilitate and expe-  
24 dite jointly funded wildland fire management programs  
25 and projects: *Provided further,* That funds provided for

1 wildfire suppression shall be available for support of Fed-  
2 eral emergency response actions.

3 CONSTRUCTION

4 For construction of buildings, recreation facilities,  
5 roads, trails, and appurtenant facilities, \$11,476,000, to  
6 remain available until expended.

7 LAND ACQUISITION

8 For expenses necessary to carry out sections 205,  
9 206, and 318(d) of Public Law 94-579, including admin-  
10 istrative expenses and acquisition of lands or waters, or  
11 interests therein, \$3,067,000, to be derived from the Land  
12 and Water Conservation Fund and to remain available  
13 until expended.

14 OREGON AND CALIFORNIA GRANT LANDS

15 For expenses necessary for management, protection,  
16 and development of resources and for construction, oper-  
17 ation, and maintenance of access roads, reforestation, and  
18 other improvements on the revested Oregon and California  
19 Railroad grant lands, on other Federal lands in the Or-  
20 egon and California land-grant counties of Oregon, and  
21 on adjacent rights-of-way; and acquisition of lands or in-  
22 terests therein, including existing connecting roads on or  
23 adjacent to such grant lands; \$111,408,000, to remain  
24 available until expended: *Provided*, That 25 percent of the  
25 aggregate of all receipts during the current fiscal year

1 from the revested Oregon and California Railroad grant  
 2 lands is hereby made a charge against the Oregon and  
 3 California land-grant fund and shall be transferred to the  
 4 General Fund in the Treasury in accordance with the sec-  
 5 ond paragraph of subsection (b) of title II of the Act of  
 6 August 28, 1937 (50 Stat. 876).

7       FOREST ECOSYSTEM HEALTH AND RECOVERY FUND  
 8               (REVOLVING FUND, SPECIAL ACCOUNT)

9       In addition to the purposes authorized in Public Law  
 10 102-381, funds made available in the Forest Ecosystem  
 11 Health and Recovery Fund can be used for the purpose  
 12 of planning, preparing, implementing and monitoring sal-  
 13 vage timber sales and forest ecosystem health and recovery  
 14 activities, such as release from competing vegetation and  
 15 density control treatments. The Federal share of receipts  
 16 (defined as the portion of salvage timber receipts not paid  
 17 to the counties under 43 U.S.C. 1181f and 43 U.S.C.  
 18 1181f-1 et seq., and Public Law 106-393) derived from  
 19 treatments funded by this account shall be deposited into  
 20 the Forest Ecosystem Health and Recovery Fund.

21               RANGE IMPROVEMENTS

22       For rehabilitation, protection, and acquisition of  
 23 lands and interests therein, and improvement of Federal  
 24 rangelands pursuant to section 401 of the Federal Land  
 25 Policy and Management Act of 1976 (43 U.S.C. 1701),  
 26 notwithstanding any other Act, sums equal to 50 percent

1 of all moneys received during the prior fiscal year under  
2 sections ~~3~~ and ~~15~~ of the Taylor Grazing Act (43 U.S.C.  
3 ~~315~~ et seq.) and the amount designated for range improve-  
4 ments from grazing fees and mineral leasing receipts from  
5 Bankhead-Jones lands transferred to the Department of  
6 the Interior pursuant to law, but not less than  
7 \$10,000,000, to remain available until expended: *Pro-*  
8 *vided*, That not to exceed \$600,000 shall be available for  
9 administrative expenses.

10 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

11 For administrative expenses and other costs related  
12 to processing application documents and other authoriza-  
13 tions for use and disposal of public lands and resources;  
14 for costs of providing copies of official public land docu-  
15 ments, for monitoring construction, operation, and termi-  
16 nation of facilities in conjunction with use authorizations,  
17 and for rehabilitation of damaged property, such amounts  
18 as may be collected under Public Law 94-579, as amend-  
19 ed, and Public Law 93-153, to remain available until ex-  
20 pended: *Provided*, That, notwithstanding any provision to  
21 the contrary of section 305(a) of Public Law 94-579 (43  
22 U.S.C. 1735(a)), any moneys that have been or will be  
23 received pursuant to that section, whether as a result of  
24 forfeiture, compromise, or settlement, if not appropriate  
25 for refund pursuant to section 305(c) of that Act (43  
26 U.S.C. 1735(c)), shall be available and may be expended



1 under the authority of this Act by the Secretary to im-  
 2 prove, protect, or rehabilitate any public lands adminis-  
 3 tered through the Bureau of Land Management which  
 4 have been damaged by the action of a resource developer,  
 5 purchaser, permittee, or any unauthorized person, without  
 6 regard to whether all moneys collected from each such ac-  
 7 tion are used on the exact lands damaged which led to  
 8 the action: *Provided further*, That any such moneys that  
 9 are in excess of amounts needed to repair damage to the  
 10 exact land for which funds were collected may be used to  
 11 repair other damaged public lands.

#### 12 MISCELLANEOUS TRUST FUNDS

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

#### 21 ADMINISTRATIVE PROVISIONS

22 Appropriations for the Bureau of Land Management  
 23 shall be available for purchase, erection, and dismantling  
 24 of temporary structures, and alteration and maintenance  
 25 of necessary buildings and appurtenant facilities to  
 26 which the United States has title; up to \$100,000 for pay-

1 ments, at the discretion of the Secretary, for information  
 2 or evidence concerning violations of laws administered by  
 3 the Bureau; miscellaneous and emergency expenses of en-  
 4 forcement activities authorized or approved by the Sec-  
 5 retary and to be accounted for solely on her certificate;  
 6 not to exceed \$10,000: *Provided*, That notwithstanding 44  
 7 U.S.C. 501, the Bureau may, under cooperative cost-shar-  
 8 ing and partnership arrangements authorized by law, pro-  
 9 cure printing services from cooperators in connection with  
 10 jointly produced publications for which the cooperators  
 11 share the cost of printing either in cash or in services;  
 12 and the Bureau determines the cooperator is capable of  
 13 meeting accepted quality standards.

14       Section 28 of title 30, United States Code, is amend-  
 15 ed: (1) in section 28 by striking the phrase “shall com-  
 16 mence at 12 o’clock meridian on the 1st day of Sep-  
 17 tember” and inserting “shall commence at 12:00 ante me-  
 18 ridian on the 1st day of September”; (2) in section 28f(a),  
 19 by striking the phrase “for years 2004 through 2008”;  
 20 and (3) in section 28g, by striking the phrase “and before  
 21 September 30, 2008,”.

22       Refunds or rebates received on an on-going basis  
 23 from an information technology (IT) vendor as part of the  
 24 Bureau of Land Management (BLM) consolidated IT pro-  
 25 curements for the Department of the Interior and other

1 Federal Government departments hereafter may be depos-  
2 ited into the Management of Lands and Resources Fund  
3 to be used to offset BLM's costs incurred in providing this  
4 service.

5 UNITED STATES FISH AND WILDLIFE SERVICE  
6 RESOURCE MANAGEMENT

7 For necessary expenses of the United States Fish and  
8 Wildlife Service, as authorized by law, and for scientific  
9 and economic studies, maintenance of the herd of long-  
10 horned cattle on the Wichita Mountains Wildlife Refuge,  
11 general administration, and for the performance of other  
12 authorized functions related to such resources by direct  
13 expenditure, contracts, grants, cooperative agreements  
14 and reimbursable agreements with public and private enti-  
15 ties, \$1,016,669,000, to remain available until September  
16 30, 2008, except as otherwise provided herein: *Provided,*  
17 That \$2,500,000 is for high priority projects, which shall  
18 be carried out by the Youth Conservation Corps: *Provided*  
19 *further,* That not to exceed \$17,759,000 shall be used for  
20 implementing subsections (a), (b), (c), and (e) of section  
21 4 of the Endangered Species Act, as amended, for species  
22 that are indigenous to the United States (except for proc-  
23 essing petitions, developing and issuing proposed and final  
24 regulations, and taking any other steps to implement ac-  
25 tions described in subsection (c)(2)(A), (c)(2)(B)(i), or

1 (c)(2)(B)(ii)), of which not to exceed \$12,581,000 shall  
 2 be used for any activity regarding the designation of crit-  
 3 ical habitat, pursuant to subsection (a)(3), excluding liti-  
 4 gation support, for species listed pursuant to subsection  
 5 (a)(1) prior to October 1, 2006: *Provided further*, That  
 6 of the amount available for law enforcement, up to  
 7 \$400,000, to remain available until expended, may at the  
 8 discretion of the Secretary be used for payment for infor-  
 9 mation, rewards, or evidence concerning violations of laws  
 10 administered by the Service, and miscellaneous and emer-  
 11 gency expenses of enforcement activity, authorized or ap-  
 12 proved by the Secretary and to be accounted for solely on  
 13 her certificate: *Provided further*, That of the amount pro-  
 14 vided for environmental contaminants, up to \$1,000,000  
 15 may remain available until expended for contaminant sam-  
 16 ple analyses.

#### 17 CONSTRUCTION

18 For construction, improvement, acquisition, or re-  
 19 moval of buildings and other facilities required in the con-  
 20 servation, management, investigation, protection, and uti-  
 21 lization of fishery and wildlife resources, and the acquisi-  
 22 tion of lands and interests therein; \$39,756,000, to remain  
 23 available until expended.

#### 24 LAND ACQUISITION

25 For expenses necessary to carry out the Land and  
 26 Water Conservation Fund Act of 1965, as amended (16

1 U.S.C. 4601-4 through 11), including administrative ex-  
 2 penses, and for acquisition of land or waters, or interest  
 3 therein, in accordance with statutory authority applicable  
 4 to the United States Fish and Wildlife Service,  
 5 \$19,751,000, to be derived from the Land and Water Con-  
 6 servation Fund and to remain available until expended:  
 7 *Provided*, That none of the funds appropriated for specific  
 8 land acquisition projects can be used to pay for any ad-  
 9 ministrative overhead, planning or other management  
 10 costs.

#### 11 LANDOWNER INCENTIVE PROGRAM

12 For expenses necessary to carry out the Land and  
 13 Water Conservation Fund Act of 1965, as amended (16  
 14 U.S.C. 4601-4 through 11), including administrative ex-  
 15 penses, and for private conservation efforts to be carried  
 16 out on private lands, \$15,000,000, to be derived from the  
 17 Land and Water Conservation Fund, and to remain avail-  
 18 able until expended: *Provided*, That the amount provided  
 19 herein is for a Landowner Incentive Program established  
 20 by the Secretary that provides matching, competitively  
 21 awarded grants to States, the District of Columbia, feder-  
 22 ally-recognized Indian tribes, Puerto Rico, Guam, the  
 23 United States Virgin Islands, the Northern Mariana Is-  
 24 lands, and American Samoa, to establish or supplement  
 25 existing landowner incentive programs that provide tech-  
 26 nical and financial assistance, including habitat protection

1 and restoration, to private landowners for the protection  
 2 and management of habitat to benefit federally listed, pro-  
 3 posed, candidate, or other at-risk species on private lands.

#### 4 PRIVATE STEWARDSHIP GRANTS

5 For expenses necessary to carry out the Land and  
 6 Water Conservation Fund Act of 1965, as amended (16  
 7 U.S.C. 4601–4 through 11), including administrative ex-  
 8 penses, and for private conservation efforts to be carried  
 9 out on private lands, \$7,000,000, to be derived from the  
 10 Land and Water Conservation Fund, and to remain avail-  
 11 able until expended: *Provided*, That the amount provided  
 12 herein is for the Private Stewardship Grants Program es-  
 13 tablished by the Secretary to provide grants and other as-  
 14 sistance to individuals and groups engaged in private con-  
 15 servation efforts that benefit federally listed, proposed,  
 16 candidate, or other at-risk species.

#### 17 COOPERATIVE ENDANGERED SPECIES CONSERVATION 18 FUND

19 For expenses necessary to carry out section 6 of the  
 20 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),  
 21 as amended, \$80,507,000 to remain available until ex-  
 22 pended, of which \$20,161,000 is to be derived from the  
 23 Cooperative Endangered Species Conservation Fund and  
 24 \$60,346,000 is to be derived from the Land and Water  
 25 Conservation Fund.

1           NATIONAL WILDLIFE REFUGE FUND

2           For expenses necessary to implement the Act of Octo-  
3 ber 17, 1978 (16 U.S.C. 715s), \$14,202,000.

4           NORTH AMERICAN WETLANDS CONSERVATION FUND

5           For expenses necessary to carry out the provisions  
6 of the North American Wetlands Conservation Act, Public  
7 Law 101-233, as amended, \$36,646,000, to remain avail-  
8 able until expended.

9           NEOTROPICAL MIGRATORY BIRD CONSERVATION

10          For financial assistance for projects to promote the  
11 conservation of neotropical migratory birds in accordance  
12 with the Neotropical Migratory Bird Conservation Act,  
13 Public Law 106-247 (16 U.S.C. 6101-6109), \$4,000,000,  
14 to remain available until expended.

15          MULTINATIONAL SPECIES CONSERVATION FUND

16          For expenses necessary to carry out the African Ele-  
17 phant Conservation Act (16 U.S.C. 4201-4203, 4211-  
18 4213, 4221-4225, 4241-4245, and 1538), the Asian Ele-  
19 phant Conservation Act of 1997 (Public Law 105-96; 16  
20 U.S.C. 4261-4266), the Rhinoceros and Tiger Conserva-  
21 tion Act of 1994 (16 U.S.C. 5301-5306), the Great Ape  
22 Conservation Act of 2000 (16 U.S.C. 6301), and the Ma-  
23 rine Turtle Conservation Act of 2004 (Public Law 108-  
24 266; 16 U.S.C. 6601), \$6,057,000, to remain available  
25 until expended.

## STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally-recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$50,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That of the amount provided herein, \$5,000,000 is for a competitive grant program for Indian tribes, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$5,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following



1 manner: (1) one-third of which is based on the ratio to  
2 which the land area of such State bears to the total land  
3 area of all such States; and (2) two-thirds of which is  
4 based on the ratio to which the population of such State  
5 bears to the total population of all such States: *Provided*  
6 *further*, That the amounts apportioned under this para-  
7 graph shall be adjusted equitably so that no State shall  
8 be apportioned a sum which is less than 1 percent of the  
9 amount available for apportionment under this paragraph  
10 for any fiscal year or more than 5 percent of such amount:  
11 *Provided further*, That the Federal share of planning  
12 grants shall not exceed 75 percent of the total costs of  
13 such projects and the Federal share of implementation  
14 grants shall not exceed 50 percent of the total costs of  
15 such projects: *Provided further*, That the non-Federal  
16 share of such projects may not be derived from Federal  
17 grant programs: *Provided further*, That no State, terri-  
18 tory, or other jurisdiction shall receive a grant if its com-  
19 prehensive wildlife conservation plan is disapproved and  
20 such funds that would have been distributed to such State,  
21 territory, or other jurisdiction shall be distributed equi-  
22 tably to States, territories, and other jurisdictions with ap-  
23 proved plans: *Provided further*, That any amount appor-  
24 tioned in 2007 to any State, territory, or other jurisdiction  
25 that remains unobligated as of September 30, 2008, shall

1 be reapportioned, together with funds appropriated in  
 2 2009, in the manner provided herein: *Provided further*,  
 3 That balances from amounts previously appropriated  
 4 under the heading “State Wildlife Grants” shall be trans-  
 5 ferred to and merged with this appropriation and shall re-  
 6 main available until expended.

#### 7 ADMINISTRATIVE PROVISIONS

8 Appropriations and funds available to the United  
 9 States Fish and Wildlife Service shall be available for pur-  
 10 chase of not to exceed 54 passenger motor vehicles, of  
 11 which 54 are for replacement only (including 15 for police-  
 12 type use); repair of damage to public roads within and  
 13 adjacent to reservation areas caused by operations of the  
 14 Service; options for the purchase of land at not to exceed  
 15 \$1 for each option; facilities incident to such public rec-  
 16 reational uses on conservation areas as are consistent with  
 17 their primary purpose; and the maintenance and improve-  
 18 ment of aquaria, buildings, and other facilities under the  
 19 jurisdiction of the Service and to which the United States  
 20 has title, and which are used pursuant to law in connection  
 21 with management, and investigation of fish and wildlife  
 22 resources: *Provided*, That notwithstanding 44 U.S.C. 501,  
 23 the Service may, under cooperative cost sharing and part-  
 24 nership arrangements authorized by law, procure printing  
 25 services from cooperators in connection with jointly pro-  
 26 duced publications for which the cooperators share at least

1 one-half the cost of printing either in cash or services and  
2 the Service determines the cooperator is capable of meet-  
3 ing accepted quality standards: *Provided further*, That,  
4 notwithstanding any other provision of law, the Service  
5 may use up to \$2,000,000 from funds provided for con-  
6 tracts for employment-related legal services: *Provided fur-*  
7 *ther*, That the Service may accept donated aircraft as re-  
8 placements for existing aircraft: *Provided further*, That,  
9 notwithstanding any other provision of law, the Secretary  
10 of the Interior may not spend any of the funds appro-  
11 priated in this Act for the purchase of lands or interests  
12 in lands to be used in the establishment of any new unit  
13 of the National Wildlife Refuge System unless the pur-  
14 chase is approved in advance by the House and Senate  
15 Committees on Appropriations in compliance with the re-  
16 programming procedures contained in the statement of the  
17 managers accompanying this Act.

## 18 NATIONAL PARK SERVICE

### 19 OPERATION OF THE NATIONAL PARK SYSTEM

20 For expenses necessary for the management, oper-  
21 ation, and maintenance of areas and facilities adminis-  
22 tered by the National Park Service (including special road  
23 maintenance service to trucking permittees on a reimburs-  
24 able basis); and for the general administration of the Na-  
25 tional Park Service, \$1,754,317,000 (increased by

1 \$1,000,000), of which \$9,829,000 is for planning and  
2 interagency coordination in support of Everglades restora-  
3 tion and shall remain available until expended; of which  
4 \$86,164,000, to remain available until September 30,  
5 2008, is for maintenance, repair or rehabilitation projects  
6 for constructed assets, operation of the National Park  
7 Service automated facility management software system,  
8 and comprehensive facility condition assessments; and of  
9 which \$1,909,000 is for the Youth Conservation Corps for  
10 high priority projects: *Provided*, That the only funds in  
11 this account which may be made available to support  
12 United States Park Police are those funds approved for  
13 emergency law and order incidents pursuant to established  
14 National Park Service procedures; those funds needed to  
15 maintain and repair United States Park Police adminis-  
16 trative facilities; and those funds necessary to reimburse  
17 the United States Park Police account for the unbudgeted  
18 overtime and travel costs associated with special events for  
19 an amount not to exceed \$10,000 per event subject to the  
20 review and concurrence of the Washington headquarters  
21 office: *Provided further*, That funds in this account may  
22 be spent without regard to the “no net loss” of law en-  
23 forcement personnel policy.

## 1 UNITED STATES PARK POLICE

2 For expenses necessary to carry out the programs of  
3 the United States Park Police, \$84,775,000.

## 4 NATIONAL RECREATION AND PRESERVATION

5 For expenses necessary to carry out recreation pro-  
6 grams, natural programs, cultural programs, heritage  
7 partnership programs, environmental compliance and re-  
8 view, international park affairs, and grant administration,  
9 not otherwise provided for, \$47,161,000: *Provided*, That  
10 none of the funds in this Act for the Rivers, Trails and  
11 Conservation Assistance program may be used for cash  
12 agreements, or for cooperative agreements that are incon-  
13 sistent with the program's final strategic plan.

## 14 HISTORIC PRESERVATION FUND

15 For expenses necessary in carrying out the Historic  
16 Preservation Act of 1966, as amended (16 U.S.C. 470),  
17 and the Omnibus Parks and Public Lands Management  
18 Act of 1996 (Public Law 104-333), \$58,658,000, to be  
19 derived from the Historic Preservation Fund and to re-  
20 main available until September 30, 2008, of which  
21 \$15,000,000 shall be for Save America's Treasures for  
22 preservation of nationally significant sites, structures, and  
23 artifacts and of which \$3,000,000 shall be for Preserve  
24 America grants to States, Tribes, and local communities  
25 for projects that preserve important historic resources  
26 through the promotion of heritage tourism: *Provided fur-*

1 ~~ther~~, That any individual Save America's Treasures or  
 2 Preserve America grant shall be matched by non-Federal  
 3 funds: *Provided further*, That individual projects shall only  
 4 be eligible for one grant: *Provided further*, That competi-  
 5 tive projects to be funded shall be approved by the Sec-  
 6 retary of the Interior in consultation with the House and  
 7 Senate Committees on Appropriations and with the Advi-  
 8 sory Council on Historic Preservation prior to the commit-  
 9 ment of Preserve America grant funds.

#### 10 CONSTRUCTION

11 For construction, improvements, repair or replace-  
 12 ment of physical facilities, including the modifications au-  
 13 thorized by section 104 of the Everglades National Park  
 14 Protection and Expansion Act of 1989, \$229,934,000, to  
 15 remain available until expended: *Provided*, That none of  
 16 the funds available to the National Park Service may be  
 17 used to plan, design, or construct any partnership project  
 18 with a total value in excess of \$5,000,000, without ad-  
 19 vance approval of the House and Senate Committees on  
 20 Appropriations: *Provided further*, That notwithstanding  
 21 any other provision of law, the National Park Service may  
 22 not accept donations or services associated with the plan-  
 23 ning, design, or construction of such new facilities without  
 24 advance approval of the House and Senate Committees on  
 25 Appropriations: *Provided further*, That funds provided  
 26 under this heading for implementation of modified water

1 deliveries to Everglades National Park shall be expended  
2 consistent with the requirements of the fifth proviso under  
3 this heading in Public Law 108–108: *Provided further*,  
4 That funds provided under this heading for implementa-  
5 tion of modified water deliveries to Everglades National  
6 Park shall be available for obligation only if matching  
7 funds are appropriated to the Army Corps of Engineers  
8 for the same purpose: *Provided further*, That none of the  
9 funds provided under this heading for implementation of  
10 modified water deliveries to Everglades National Park  
11 shall be available for obligation if any of the funds appro-  
12 priated to the Army Corps of Engineers for the purpose  
13 of implementing modified water deliveries, including final-  
14 izing detailed engineering and design documents for a  
15 bridge or series of bridges for the Tamiami Trail compo-  
16 nent of the project, becomes unavailable for obligation:  
17 *Provided further*, That none of the funds provided under  
18 this heading for implementation of modified water deliv-  
19 eries to Everglades National Park shall be available for  
20 obligation if the consent decree in United States v. South  
21 Florida Water Management District is terminated prior  
22 to the achievement of the requirements of the consent de-  
23 cree as set forth in Appendix A and Appendix B, including  
24 achievement of the 10 parts per billion numeric phos-  
25 phorus criterion throughout the A.R.M. Loxahatchee Na-

1 tional Wildlife Refuge and Everglades National Park: *Pro-*  
 2 *vided further*, That hereafter, notwithstanding any other  
 3 provision of law, procurements for the National Mall and  
 4 Memorial Park, Ford's Theatre National Historical Site  
 5 accessibility and infrastructure improvements may be  
 6 issued which include the full scope of the project: *Provided*  
 7 *further*, That the solicitation and contract shall contain the  
 8 clause "availability of funds" found at 48 CFR 52.232.18.

9 LAND AND WATER CONSERVATION FUND

10 (RESCISSION)

11 The contract authority provided for fiscal year 2007  
 12 by 16 U.S.C. 4601-10a is rescinded.

13 LAND ACQUISITION AND STATE ASSISTANCE

14 For expenses necessary to carry out the Land and  
 15 Water Conservation Act of 1965, as amended (16 U.S.C.  
 16 4601-4 through 11), including administrative expenses,  
 17 and for acquisition of lands or waters, or interest therein,  
 18 in accordance with the statutory authority applicable to  
 19 the National Park Service, \$29,995,000, to be derived  
 20 from the Land and Water Conservation Fund and to re-  
 21 main available until expended, of which \$1,625,000 is for  
 22 the State assistance program administration: *Provided*,  
 23 That none of the funds provided for the State assistance  
 24 program may be used to establish a contingency fund.



## ADMINISTRATIVE PROVISIONS

1  
2 Appropriations for the National Park Service shall be  
3 available for the purchase of not to exceed ~~233~~ passenger  
4 motor vehicles; of which ~~193~~ shall be for replacement only;  
5 including not to exceed 190 for police-type use; 11 buses;  
6 and 6 ambulances: *Provided*, That none of the funds ap-  
7 propriated to the National Park Service may be used to  
8 implement an agreement for the redevelopment of the  
9 southern end of Ellis Island until such agreement has been  
10 submitted to the Congress and shall not be implemented  
11 prior to the expiration of 30 calendar days (not including  
12 any day in which either House of Congress is not in ses-  
13 sion because of adjournment of more than 3 calendar days  
14 to a day certain) from the receipt by the Speaker of the  
15 House of Representatives and the President of the Senate  
16 of a full and comprehensive report on the development of  
17 the southern end of Ellis Island, including the facts and  
18 circumstances relied upon in support of the proposed  
19 project: *Provided further*, That not to exceed \$66,000 of  
20 funds available to the National Park Service in this Act  
21 may be used to provide a grant to the Washington Tennis  
22 and Education Foundation for recreation and education  
23 programs to be offered to at-risk school children in the  
24 District of Columbia.

1       None of the funds in this Act may be spent by the  
2 National Park Service for activities taken in direct re-  
3 sponse to the United Nations Biodiversity Convention.

4       The National Park Service may distribute to oper-  
5 ating units based on the safety record of each unit the  
6 costs of programs designed to improve workplace and em-  
7 ployee safety, and to encourage employees receiving work-  
8 ers' compensation benefits pursuant to chapter 81 of title  
9 5, United States Code, to return to appropriate positions  
10 for which they are medically able.

11       If the Secretary of the Interior considers that the de-  
12 cision of any value determination proceeding conducted  
13 under a National Park Service concession contract issued  
14 prior to November 13, 1998, misinterprets or misapplies  
15 relevant contractual requirements or their underlying legal  
16 authority, then the Secretary may seek, within 180 days  
17 of any such decision, the de novo review of the value deter-  
18 mination by the United States Court of Federal Claims.  
19 This Court may make an order affirming, vacating, modi-  
20 fying or correcting the determination.

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

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

11 UNITED STATES GEOLOGICAL SURVEY

12 SURVEYS, INVESTIGATIONS, AND RESEARCH

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

1 and to publish and disseminate data relative to the fore-  
2 going activities; \$991,447,000 (reduced by \$5,000,000),  
3 of which \$64,171,000 shall be available only for coopera-  
4 tion with States or municipalities for water resources in-  
5 vestigations; of which \$7,882,000 shall remain available  
6 until expended for satellite operations; of which  
7 \$21,083,000 shall be available until September 30, 2008,  
8 for the operation and maintenance of facilities and de-  
9 ferred maintenance; of which \$2,000,000 shall be available  
10 until expended for deferred maintenance and capital im-  
11 provement projects that exceed \$100,000 in cost; of which  
12 \$175,597,000 shall be available until September 30, 2008,  
13 for the biological research activity and the operation of  
14 the Cooperative Research Units; and of which,  
15 \$13,000,000 shall be available only for the Mid-Continent  
16 Mapping Center (MCMC) in Rolla, Missouri to continue  
17 functioning as a full service mapping organization: *Pro-*  
18 *vided,* That none of the funds made available under this  
19 Act may be used to consolidate the functions, activities,  
20 operations, or archives of the Mid-Continent Mapping  
21 Center (MCMC), located in Rolla, Missouri, into the Na-  
22 tional Geospatial Technical Operations Center (NGTOC):  
23 *Provided further,* That none of the funds provided for the  
24 biological research activity shall be used to conduct new  
25 surveys on private property, unless specifically authorized

1 in writing by the property owner: *Provided further*, That  
2 no part of this appropriation shall be used to pay more  
3 than one-half the cost of topographic mapping or water  
4 resources data collection and investigations carried on in  
5 cooperation with States and municipalities.

6 ADMINISTRATIVE PROVISIONS

7 From within the amount appropriated for activities  
8 of the United States Geological Survey such sums as are  
9 necessary shall be available for the purchase and replace-  
10 ment of passenger motor vehicles; reimbursement to the  
11 General Services Administration for security guard serv-  
12 ices; contracting for the furnishing of topographic maps  
13 and for the making of geophysical or other specialized sur-  
14 veys when it is administratively determined that such pro-  
15 cedures are in the public interest; construction and main-  
16 tenance of necessary buildings and appurtenant facilities;  
17 acquisition of lands for gauging stations and observation  
18 wells; expenses of the United States National Committee  
19 on Geology; and payment of compensation and expenses  
20 of persons on the rolls of the Survey duly appointed to  
21 represent the United States in the negotiation and admin-  
22 istration of interstate compacts: *Provided*, That activities  
23 funded by appropriations herein made may be accom-  
24 plished through the use of contracts, grants, or coopera-  
25 tive agreements as defined in 31 U.S.C. 6302 et seq.: *Pro-*  
26 *vided further*, That the United States Geological Survey

1 may enter into contracts or cooperative agreements di-  
 2 rectly with individuals or indirectly with institutions or  
 3 nonprofit organizations, without regard to 41 U.S.C. 5,  
 4 for the temporary or intermittent services of students or  
 5 recent graduates, who shall be considered employees for  
 6 the purpose of chapters 57 and 81 of title 5, United States  
 7 Code, relating to compensation for travel and work inju-  
 8 ries, and chapter 171 of title 28, United States Code, re-  
 9 lating to tort claims, but shall not be considered to be Fed-  
 10 eral employees for any other purposes.

#### 11 MINERALS MANAGEMENT SERVICE

##### 12 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

13 For expenses necessary for minerals leasing and envi-  
 14 ronmental studies, regulation of industry operations, and  
 15 collection of royalties, as authorized by law; for enforcing  
 16 laws and regulations applicable to oil, gas, and other min-  
 17 erals leases, permits, licenses and operating contracts; and  
 18 for matching grants or cooperative agreements; including  
 19 the purchase of not to exceed eight passenger motor vehi-  
 20 cles for replacement only, \$157,496,000 (increased by  
 21 \$1,000,000) (reduced by \$1,000,000), of which  
 22 \$79,158,000 shall be available for royalty management ac-  
 23 tivities; and an amount not to exceed \$128,730,000, to  
 24 be credited to this appropriation and to remain available  
 25 until expended, from additions to receipts resulting from

1 increases to rates in effect on August 5, 1993, from rate  
2 increases to fee collections for Outer Continental Shelf ad-  
3 ministrative activities performed by the Minerals Manage-  
4 ment Service (MMS) over and above the rates in effect  
5 on September 30, 1993, and from additional fees for  
6 Outer Continental Shelf administrative activities estab-  
7 lished after September 30, 1993: *Provided*, That to the  
8 extent \$128,730,000 in additions to receipts are not real-  
9 ized from the sources of receipts stated above, the amount  
10 needed to reach \$128,730,000 shall be credited to this ap-  
11 propriation from receipts resulting from rental rates for  
12 Outer Continental Shelf leases in effect before August 5,  
13 1993: *Provided further*, That \$3,000,000 for computer ac-  
14 quisitions shall remain available until September 30,  
15 2008: *Provided further*, That not to exceed \$3,000 shall  
16 be available for reasonable expenses related to promoting  
17 volunteer beach and marine cleanup activities: *Provided*  
18 *further*, That notwithstanding any other provision of law,  
19 \$15,000 under this heading shall be available for refunds  
20 of overpayments in connection with certain Indian leases  
21 in which the Director of MMS concurred with the claimed  
22 refund due, to pay amounts owed to Indian allottees or  
23 tribes, or to correct prior unrecoverable erroneous pay-  
24 ments: *Provided further*, That for the costs of administra-  
25 tion of the Coastal Impact Assistance Program authorized

1 by section 31 of the Outer Continental Shelf Lands Act,  
 2 as amended (43 U.S.C. 1456a), MMS in fiscal years 2007  
 3 through 2010 may retain three percent of the amounts  
 4 which are disbursed under section 31 (b)(1), such retained  
 5 amounts to remain available until expended.

6 OIL SPILL RESEARCH

7 For necessary expenses to carry out title I, section  
 8 1016, title IV, sections 4202 and 4303, title VII, and title  
 9 VIII, section 8201 of the Oil Pollution Act of 1990,  
 10 \$6,903,000, which shall be derived from the Oil Spill Li-  
 11 ability Trust Fund, to remain available until expended.

12 OFFICE OF SURFACE MINING RECLAMATION AND

13 ENFORCEMENT

14 REGULATION AND TECHNOLOGY

15 For necessary expenses to carry out the provisions  
 16 of the Surface Mining Control and Reclamation Act of  
 17 1977, Public Law 95-87, as amended, including the pur-  
 18 chase of not to exceed 10 passenger motor vehicles, for  
 19 replacement only; \$112,109,000: *Provided*, That the Sec-  
 20 retary of the Interior, pursuant to regulations, may use  
 21 directly or through grants to States, moneys collected in  
 22 fiscal year 2007 for civil penalties assessed under section  
 23 518 of the Surface Mining Control and Reclamation Act  
 24 of 1977 (30 U.S.C. 1268), to reclaim lands adversely af-  
 25 fected by coal mining practices after August 3, 1977, to  
 26 remain available until expended: *Provided further*, That



1 appropriations for the Office of Surface Mining Reclama-  
 2 tion and Enforcement may provide for the travel and per  
 3 diem expenses of State and tribal personnel attending Of-  
 4 fice of Surface Mining Reclamation and Enforcement  
 5 sponsored training.

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, as amended, including the purchase  
 10 of not more than 10 passenger motor vehicles for replace-  
 11 ment only, \$185,936,000, to be derived from receipts of  
 12 the Abandoned Mine Reclamation Fund and to remain  
 13 available until expended; of which up to \$10,000,000, to  
 14 be derived from the Federal Expenses Share of the Fund,  
 15 shall be for supplemental grants to States for the reclama-  
 16 tion of abandoned sites with acid mine rock drainage from  
 17 coal mines, and for associated activities, through the Ap-  
 18 palachian Clean Streams Initiative: *Provided*, That grants  
 19 to minimum program States will be \$1,500,000 per State  
 20 in fiscal year 2007: *Provided further*, That pursuant to  
 21 Public Law 97–365, the Department of the Interior is au-  
 22 thorized to use up to 20 percent from the recovery of the  
 23 delinquent debt owed to the United States Government to  
 24 pay for contracts to collect these debts: *Provided further*,  
 25 That funds made available under title IV of Public Law  
 26 95–87 may be used for any required non-Federal share

1 of the cost of projects funded by the Federal Government  
 2 for the purpose of environmental restoration related to  
 3 treatment or abatement of acid mine drainage from aban-  
 4 doned mines: *Provided further*, That such projects must  
 5 be consistent with the purposes and priorities of the Sur-  
 6 face Mining Control and Reclamation Act: *Provided fur-*  
 7 *ther*, That amounts allocated under section 402(g)(2) of  
 8 such Act as of September 30, 2006, but not appropriated  
 9 as of that date, are reallocated to the allocation estab-  
 10 lished in section 402(g)(3) of the Act: *Provided further*,  
 11 That amounts provided under this heading may be used  
 12 for the travel and per diem expenses of State and tribal  
 13 personnel attending Office of Surface Mining Reclamation  
 14 and Enforcement sponsored training:

#### 15 ADMINISTRATIVE PROVISION

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

#### 21 BUREAU OF INDIAN AFFAIRS

#### 22 OPERATION OF INDIAN PROGRAMS

23 For expenses necessary for the operation of Indian  
 24 programs, as authorized by law, including the Snyder Act  
 25 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-  
 26 termination and Education Assistance Act of 1975 (25

1 U.S.C. 450 et seq.), as amended, the Education Amend-  
2 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally  
3 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
4 as amended, \$1,973,403,000, to remain available until  
5 September 30, 2008 except as otherwise provided herein,  
6 of which not to exceed \$74,179,000 shall be for welfare  
7 assistance payments and, notwithstanding any other provi-  
8 sion of law, including but not limited to the Indian Self-  
9 Determination Act of 1975, as amended, not to exceed  
10 \$151,628,000 shall be available for payments to tribes and  
11 tribal organizations for contract support costs associated  
12 with ongoing contracts, grants, compacts, or annual fund-  
13 ing agreements entered into with the Bureau prior to or  
14 during fiscal year 2007, as authorized by such Act, except  
15 that tribes and tribal organizations may use their tribal  
16 priority allocations for unmet contract support costs of on-  
17 going contracts, grants, or compacts, or annual funding  
18 agreements and for unmet welfare assistance costs; and  
19 of which not to exceed \$457,352,000 for school operations  
20 costs of Bureau-funded schools and other education pro-  
21 grams shall become available on July 1, 2007, and shall  
22 remain available until September 30, 2008; and of which  
23 not to exceed \$66,277,000 shall remain available until ex-  
24 pended for housing improvement, road maintenance, at-  
25 torney fees, litigation support, the Indian Self-Determina-

tion Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed the welfare assistance payments cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$44,060,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2006 for the operation of Bureau-funded schools, and up to \$500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2006, of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2008, may be transferred during fiscal year 2009 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided fur-*

1 *ther*, That any such unobligated balances not so trans-  
 2 ferred shall expire on September 30, 2009.

3 CONSTRUCTION

4 For construction, repair, improvement, and mainte-  
 5 nance of irrigation and power systems, buildings, utilities,  
 6 and other facilities, including architectural and engineer-  
 7 ing services by contract; acquisition of lands, and interests  
 8 in lands; and preparation of lands for farming, and for  
 9 construction of the Navajo Indian Irrigation Project pur-  
 10 suant to Public Law 87-483, \$215,799,000, to remain  
 11 available until expended: *Provided*, That such amounts as  
 12 may be available for the construction of the Navajo Indian  
 13 Irrigation Project may be transferred to the Bureau of  
 14 Reclamation: *Provided further*, That not to exceed 6 per-  
 15 cent of contract authority available to the Bureau of In-  
 16 dian Affairs from the Federal Highway Trust Fund may  
 17 be used to cover the road program management costs of  
 18 the Bureau: *Provided further*, That any funds provided for  
 19 the Safety of Dams program pursuant to 25 U.S.C. 13  
 20 shall be made available on a nonreimbursable basis: *Pro-*  
 21 *vided further*, That for fiscal year 2007, in implementing  
 22 new construction or facilities improvement and repair  
 23 project grants in excess of \$100,000 that are provided to  
 24 tribally controlled grant schools under Public Law 100-  
 25 297, as amended, the Secretary of the Interior shall use  
 26 the Administrative and Audit Requirements and Cost

1 Principles for Assistance Programs contained in ~~43~~ CFR  
2 part ~~12~~ as the regulatory requirements: *Provided further*,  
3 That such grants shall not be subject to section ~~12.61~~ of  
4 ~~43~~ CFR; the Secretary and the grantee shall negotiate and  
5 determine a schedule of payments for the work to be per-  
6 formed: *Provided further*, That in considering applications,  
7 the Secretary shall consider whether such grantee would  
8 be deficient in assuring that the construction projects con-  
9 form to applicable building standards and codes and Fed-  
10 eral, tribal, or State health and safety standards as re-  
11 quired by ~~25~~ U.S.C. 2005(b), with respect to organiza-  
12 tional and financial management capabilities: *Provided*  
13 *further*, That if the Secretary declines an application, the  
14 Secretary shall follow the requirements contained in ~~25~~  
15 U.S.C. 2504(f): *Provided further*, That any disputes be-  
16 tween the Secretary and any grantee concerning a grant  
17 shall be subject to the disputes provision in ~~25~~ U.S.C.  
18 2507(e): *Provided further*, That in order to ensure timely  
19 completion of replacement school construction projects,  
20 the Secretary may assume control of a project and all  
21 funds related to the project, if, within eighteen months  
22 of the date of enactment of this Act, any tribe or tribal  
23 organization receiving funds appropriated in this Act or  
24 in any prior Act, has not completed the planning and de-  
25 sign phase of the project and commenced construction of

1 the replacement school: *Provided further*, That this Appro-  
 2 priation may be reimbursed from the Office of the Special  
 3 Trustee for American Indians Appropriation for the ap-  
 4 propriate share of construction costs for space expansion  
 5 needed in agency offices to meet trust reform implementa-  
 6 tion.

7 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
 8 MISCELLANEOUS PAYMENTS TO INDIANS  
 9 (INCLUDING TRANSFER OF FUNDS)

10 For miscellaneous payments to Indian tribes and in-  
 11 dividuals and for necessary administrative expenses,  
 12 ~~\$39,213,000~~, to remain available until expended, for im-  
 13 plementation of Indian land and water claim settlements  
 14 pursuant to Public Laws ~~99-264~~, ~~100-580~~, ~~101-618~~,  
 15 ~~107-331~~, and ~~108-477~~, and for implementation of other  
 16 land and water rights settlements, of which ~~\$316,000~~ shall  
 17 be available for payment to the Quinault Indian Nation  
 18 pursuant to the terms of the North Boundary Settlement  
 19 Agreement dated July 14, 2000, providing for the acquisi-  
 20 tion of perpetual conservation easements from the Nation  
 21 and of which ~~\$5,067,000~~ shall be for the Idaho Salmon  
 22 and Clearwater River Basins Habitat Account pursuant  
 23 to the Snake River Water Rights Act of 2004 and of which  
 24 ~~\$200,000~~ shall be transferred to the “Bureau of Land  
 25 Management, Management of Lands and Resources” ac-

1 count for mitigation of land transfers associated with the  
2 Snake River Water Rights Act of 2004.

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

4 For the cost of guaranteed and insured loans;  
5 \$6,262,000, of which \$626,000 is for administrative ex-  
6 penses, as authorized by the Indian Financing Act of  
7 1974, as amended: *Provided*, That such costs, including  
8 the cost of modifying such loans, shall be as defined in  
9 section 502 of the Congressional Budget Act of 1974: *Pro-*  
10 *vided further*, That these funds are available to subsidize  
11 total loan principal, any part of which is to be guaranteed,  
12 not to exceed \$87,376,744.

13 ADMINISTRATIVE PROVISIONS

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

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

23 Appropriations for the Bureau of Indian Affairs (ex-  
24 cept the revolving fund for loans, the Indian loan guar-  
25 antee and insurance fund, and the Indian Guaranteed  
26 Loan Program account) shall be available for expenses of



1 exhibits, and purchase and replacement of passenger  
2 motor vehicles.

3       Notwithstanding any other provision of law, no funds  
4 available to the Bureau of Indian Affairs for central office  
5 oversight and executive direction and administrative serv-  
6 ices (except executive direction and administrative services  
7 funding for Tribal Priority Allocations and regional of-  
8 fices) shall be available for tribal contracts, grants, com-  
9 pacts, or cooperative agreements with the Bureau of In-  
10 dian Affairs under the provisions of the Indian Self-Deter-  
11 mination Act or the Tribal Self-Governance Act of 1994  
12 (Public Law 103–413).

13       In the event any tribe returns appropriations made  
14 available by this Act to the Bureau of Indian Affairs for  
15 distribution to other tribes, this action shall not diminish  
16 the Federal Government’s trust responsibility to that  
17 tribe, or the government-to-government relationship be-  
18 tween the United States and that tribe, or that tribe’s abil-  
19 ity to access future appropriations.

20       Notwithstanding any other provision of law, no funds  
21 available to the Bureau, other than the amounts provided  
22 herein for assistance to public schools under 25 U.S.C.  
23 452 et seq., shall be available to support the operation of  
24 any elementary or secondary school in the State of Alaska.

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

1 ation and employees of a charter school shall not be treat-  
2 ed as Federal employees for purposes of chapter 171 of  
3 title 28, United States Code.

4       Notwithstanding ~~25 U.S.C. 2007(d)~~, and imple-  
5 menting regulations, the funds reserved from the Indian  
6 Student Equalization Program to meet emergencies and  
7 unforeseen contingencies affecting education programs ap-  
8 propriated herein and in Public Law 109–54 may be used  
9 for costs associated with significant student enrollment in-  
10 creases at Bureau-funded schools during the relevant  
11 school year.

12       Notwithstanding any other provision of law, including  
13 section ~~113~~ of title I of appendix C of Public Law 106–  
14 ~~113~~, if a tribe or tribal organization in fiscal year 2003  
15 or 2004 received indirect and administrative costs pursu-  
16 ant to a distribution formula based on section 5(f) of Pub-  
17 lic Law 101–301, the Secretary shall continue to dis-  
18 tribute indirect and administrative cost funds to such tribe  
19 or tribal organization using the section 5(f) distribution  
20 formula.

21                               DEPARTMENTAL OFFICES

22                               INSULAR AFFAIRS

23                               ASSISTANCE TO TERRITORIES

24       For expenses necessary for assistance to territories  
25 under the jurisdiction of the Department of the Interior,

1 \$77,561,000, of which: (1) \$69,537,000 shall remain  
2 available until expended for technical assistance, including  
3 maintenance assistance, disaster assistance, insular man-  
4 agement controls, coral reef initiative activities, and brown  
5 tree snake control and research; grants to the judiciary  
6 in American Samoa for compensation and expenses, as au-  
7 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
8 ment of American Samoa, in addition to current local rev-  
9 enues, for construction and support of governmental func-  
10 tions; grants to the Government of the Virgin Islands as  
11 authorized by law; grants to the Government of Guam,  
12 as authorized by law; and grants to the Government of  
13 the Northern Mariana Islands as authorized by law (Pub-  
14 lie Law 94-241; 90 Stat. 272); and (2) \$8,024,000 shall  
15 remain available until September 30, 2008, for salaries  
16 and expenses of the Office of Insular Affairs: *Provided*,  
17 That all financial transactions of the territorial and local  
18 governments herein provided for, including such trans-  
19 actions of all agencies or instrumentalities established or  
20 used by such governments, may be audited by the Govern-  
21 ment Accountability Office, at its discretion, in accordance  
22 with chapter 35 of title 31, United States Code: *Provided*  
23 *further*, That Northern Mariana Islands Covenant grant  
24 funding shall be provided according to those terms of the  
25 Agreement of the Special Representatives on Future

1 United States Financial Assistance for the Northern Mar-  
 2 iana Islands approved by Public Law 104-134: *Provided*  
 3 *further*, That of the amounts provided for technical assist-  
 4 ance, sufficient funds shall be made available for a grant  
 5 to the Pacific Basin Development Council: *Provided fur-*  
 6 *ther*, That of the amounts provided for technical assist-  
 7 ance, sufficient funding shall be made available for a grant  
 8 to the Close Up Foundation: *Provided further*, That the  
 9 funds for the program of operations and maintenance im-  
 10 provement are appropriated to institutionalize routine op-  
 11 erations and maintenance improvement of capital infra-  
 12 structure with territorial participation and cost sharing to  
 13 be determined by the Secretary based on the grantee's  
 14 commitment to timely maintenance of its capital assets:  
 15 *Provided further*, That any appropriation for disaster as-  
 16 sistance under this heading in this Act or previous appro-  
 17 priations Acts may be used as non-Federal matching  
 18 funds for the purpose of hazard mitigation grants provided  
 19 pursuant to section 404 of the Robert T. Stafford Disaster  
 20 Relief and Emergency Assistance Act (42 U.S.C. 5170e).

#### 21 COMPACT OF FREE ASSOCIATION

22 For grants and necessary expenses, \$5,362,000, to  
 23 remain available until expended, as provided for in sec-  
 24 tions 221(a)(2), 221(b), and 233 of the Compact of Free  
 25 Association for the Republic of Palau, and section

1 221(a)(2) of the Compacts of Free Association for the  
 2 Government of the Republic of the Marshall Islands and  
 3 the Federated States of Micronesia, as authorized by Pub-  
 4 lic Law 99-658 and Public Law 108-188.

#### 5 DEPARTMENTAL MANAGEMENT

#### 6 SALARIES AND EXPENSES

7 For necessary expenses for management of the De-  
 8 partment of the Interior, \$118,303,000 (reduced by  
 9 \$3,000,000) (reduced by \$1,000,000) (reduced by  
 10 \$18,000,000) (reduced by \$1,800,000); of which  
 11 \$7,915,000 for appraisal services and Take Pride in  
 12 America activities is to be derived from the Land and  
 13 Water Conservation Fund and shall remain available until  
 14 expended; of which not to exceed \$8,500 may be for offi-  
 15 cial reception and representation expenses; and of which  
 16 up to \$1,000,000 shall be available for workers compensa-  
 17 tion payments and unemployment compensation payments  
 18 associated with the orderly closure of the United States  
 19 Bureau of Mines: *Provided*, That none of the funds in this  
 20 Act or previous appropriations Acts may be used to estab-  
 21 lish reserves in the Working Capital Fund account other  
 22 than for accrued annual leave and depreciation of equip-  
 23 ment without prior approval of the House and Senate  
 24 Committees on Appropriations.

1                                    PAYMENTS IN LIEU OF TAXES

2            For expenses necessary to implement the Act of Octo-  
3 ber 20, 1976, as amended (31 U.S.C. 6901–6907),  
4 \$228,000,000 (increased by \$16,000,000), of which not  
5 to exceed \$400,000 shall be available for administrative  
6 expenses: *Provided*, That no payment shall be made to oth-  
7 erwise eligible units of local government if the computed  
8 amount of the payment is less than \$100.

9                                    CENTRAL HAZARDOUS MATERIALS FUND

10          For necessary expenses of the Department of the In-  
11 terior and any of its component offices and bureaus for  
12 the remedial action, including associated activities, of haz-  
13 ardous waste substances, pollutants, or contaminants pur-  
14 suant to the Comprehensive Environmental Response,  
15 Compensation, and Liability Act, as amended (42 U.S.C.  
16 9601 et seq.), \$9,923,000, to remain available until ex-  
17 pended.

18                                    OFFICE OF THE SOLICITOR

19                                    SALARIES AND EXPENSES

20          For necessary expenses of the Office of the Solicitor,  
21 \$56,755,000.

22                                    OFFICE OF INSPECTOR GENERAL

23                                    SALARIES AND EXPENSES

24          For necessary expenses of the Office of Inspector  
25 General, \$39,688,000.

1 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS  
2 FEDERAL TRUST PROGRAMS

3 For the operation of trust programs for Indians by  
4 direct expenditure, contracts, cooperative agreements,  
5 compacts, and grants, \$150,036,000, to remain available  
6 until expended, of which not to exceed \$45,000,000 from  
7 this or any other Act, shall be available for historical ac-  
8 counting: *Provided*, That funds for trust management im-  
9 provements and litigation support may, as needed, be  
10 transferred to or merged with the Bureau of Indian Af-  
11 fairs, "Operation of Indian Programs" account; the Office  
12 of the Solicitor, "Salaries and Expenses" account; and the  
13 Departmental Management, "Salaries and Expenses" ac-  
14 count: *Provided further*, That funds made available to  
15 Tribes and Tribal organizations through contracts or  
16 grants obligated during fiscal year 2007, as authorized by  
17 the Indian Self-Determination Act of 1975 (25 U.S.C. 450  
18 et seq.), shall remain available until expended by the con-  
19 tractor or grantee: *Provided further*, That, notwith-  
20 standing any other provision of law, the statute of limita-  
21 tions shall not commence to run on any claim, including  
22 any claim in litigation pending on the date of the enact-  
23 ment of this Act, concerning losses to or mismanagement  
24 of trust funds, until the affected tribe or individual Indian  
25 has been furnished with an accounting of such funds from



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

18 **INDIAN LAND CONSOLIDATION**

19 For consolidation of fractional interests in Indian  
20 lands and expenses associated with redetermining and re-  
21 distributing escheated interests in allotted lands, and for  
22 necessary expenses to carry out the Indian Land Consoli-  
23 dation Act of 1983, as amended, by direct expenditure or  
24 cooperative agreement, \$34,006,000, to remain available  
25 until expended, and which may be transferred to the Bu-

10 ~~NATURAL RESOURCE DAMAGE ASSESSMENT FUND~~

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 19jj et seq.), \$6,109,000, to remain available until expended.

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available ex-

cess surplus property: *Provided*, That existing aircraft  
being replaced may be sold, with proceeds derived or  
trade-in value used to offset the purchase price for the  
replacement aircraft: *Provided further*, That no programs  
funded with appropriated funds in the “Departmental  
Management”, “Office of the Solicitor”, and “Office of In-  
specter General” may be augmented through the Working  
Capital Fund: *Provided further*, That the annual budget  
justification for Departmental Management shall describe  
estimated Working Capital Fund charges to bureaus and  
offices, including the methodology on which charges are  
based: *Provided further*, That departures from the Work-  
ing Capital Fund estimates contained in the Departmental  
Management budget justification shall be presented to the  
Committees on Appropriations for approval: *Provided fur-  
ther*, That the Secretary shall provide a semi-annual re-  
port to the Committees on Appropriations on reimbursable  
support agreements between the Office of the Secretary  
and the National Business Center and the bureaus and  
offices of the Department, including the amounts billed  
pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be  
available for expenditure or transfer (within each bureau  
or office), with the approval of the Secretary, for the emer-

1 gency reconstruction, replacement, or repair of aircraft,  
2 buildings, utilities, or other facilities or equipment dam-  
3 aged or destroyed by fire, flood, storm, or other unavail-  
4 able causes: *Provided*, That no funds shall be made avail-  
5 able under this authority until funds specifically made  
6 available to the Department of the Interior for emer-  
7 gencies shall have been exhausted: *Provided further*, That  
8 all funds used pursuant to this section must be replenished  
9 by a supplemental appropriation which must be requested  
10 as promptly as possible.

11       SEC. 102. The Secretary may authorize the expendi-  
12 ture or transfer of any no year appropriation in this title,  
13 in addition to the amounts included in the budget pro-  
14 grams of the several agencies, for the suppression or emer-  
15 gency prevention of wildland fires on or threatening lands  
16 under the jurisdiction of the Department of the Interior;  
17 for the emergency rehabilitation of burned-over lands  
18 under its jurisdiction; for emergency actions related to po-  
19 tential or actual earthquakes, floods, volcanoes, storms, or  
20 other unavoidable causes; for contingency planning subse-  
21 quent to actual oil spills; for response and natural resource  
22 damage assessment activities related to actual oil spills;  
23 for the prevention, suppression, and control of actual or  
24 potential grasshopper and Mormon cricket outbreaks on  
25 lands under the jurisdiction of the Secretary, pursuant to

1 the authority in section 1773(b) of Public Law 99-198  
2 (99 Stat. 1658); for emergency reclamation projects under  
3 section 410 of Public Law 95-87; and shall transfer, from  
4 any no year funds available to the Office of Surface Min-  
5 ing Reclamation and Enforcement, such funds as may be  
6 necessary to permit assumption of regulatory authority in  
7 the event a primacy State is not carrying out the regu-  
8 latory provisions of the Surface Mining Act: *Provided*,  
9 That appropriations made in this title for wildland fire  
10 operations shall be available for the payment of obligations  
11 incurred during the preceding fiscal year, and for reim-  
12 bursement to other Federal agencies for destruction of ve-  
13 hicles, aircraft, or other equipment in connection with  
14 their use for wildland fire operations, such reimbursement  
15 to be credited to appropriations currently available at the  
16 time of receipt thereof: *Provided further*, That for wildland  
17 fire operations, no funds shall be made available under  
18 this authority until the Secretary determines that funds  
19 appropriated for "wildland fire operations" shall be ex-  
20 hausted within 30 days: *Provided further*, That all funds  
21 used pursuant to this section must be replenished by a  
22 supplemental appropriation, which must be requested as  
23 promptly as possible: *Provided further*, That such replen-  
24 ishment funds shall be used to reimburse, on a pro rata

1 basis, accounts from which emergency funds were trans-  
2 ferred.

3       ~~SEC. 103.~~ Appropriations made to the Department  
4 of the Interior in this title shall be available for services  
5 as authorized by ~~5~~ U.S.C. 3109, when authorized by the  
6 Secretary, in total amount not to exceed \$500,000; hire,  
7 maintenance, and operation of aircraft; hire of passenger  
8 motor vehicles; purchase of reprints; payment for tele-  
9 phone service in private residences in the field, when au-  
10 thorized under regulations approved by the Secretary; and  
11 the payment of dues, when authorized by the Secretary,  
12 for library membership in societies or associations which  
13 issue publications to members only or at a price to mem-  
14 bers lower than to subscribers who are not members.

15       ~~SEC. 104.~~ No funds provided in this title may be ex-  
16 pended by the Department of the Interior for the conduct  
17 of offshore oil preleasing, leasing and related activities  
18 placed under restriction in the President's moratorium  
19 statement of June 12, 1998, in the areas of northern, cen-  
20 tral, and southern California; the North Atlantic; Wash-  
21 ington and Oregon; and the eastern Gulf of Mexico south  
22 of 26 degrees north latitude and east of 86 degrees west  
23 longitude.

24       ~~SEC. 105.~~ No funds provided in this title may be ex-  
25 pended by the Department of the Interior to conduct off-

1 shore oil preleasing, leasing and related activities in the  
2 eastern Gulf of Mexico planning area for any lands located  
3 outside Sale 181, as identified in the final Outer Conti-  
4 nental Shelf 5-Year Oil and Gas Leasing Program, 1997–  
5 2002.

6       ~~SEC. 106.~~ No funds provided in this title may be ex-  
7 pended by the Department of the Interior to conduct oil  
8 preleasing, leasing and related activities in the Mid-Atlan-  
9 tic and South Atlantic planning areas.

10       ~~SEC. 107.~~ Appropriations made in this Act under the  
11 headings Bureau of Indian Affairs and Office of Special  
12 Trustee for American Indians and any unobligated bal-  
13 ances from prior appropriations Acts made under the  
14 same headings shall be available for expenditure or trans-  
15 fer for Indian trust management and reform activities, ex-  
16 cept that total funding for historical accounting activities  
17 shall not exceed amounts specifically designated in this  
18 Act for such purpose.

19       ~~SEC. 108.~~ Notwithstanding any other provision of  
20 law, the Secretary of the Interior is authorized to redis-  
21 tribute any Tribal Priority Allocation funds, including  
22 tribal base funds, to alleviate tribal funding inequities by  
23 transferring funds to address identified, unmet needs,  
24 dual enrollment, overlapping service areas or inaccurate  
25 distribution methodologies. No tribe shall receive a reduc-

tion in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2007. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 109. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 110. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.



1        SEC. 111. Funds provided in this Act for Federal  
2 land acquisition by the National Park Service for Shen-  
3 andoah Valley Battlefields National Historic District and  
4 Ice Age National Scenic Trail, and funds provided in divi-  
5 sion E of Public Law 108-447 (118 Stat. 3050) for land  
6 acquisition at the Niobrara National Scenic River, may be  
7 used for a grant to a State, a local government, or any  
8 other land management entity for the acquisition of lands  
9 without regard to any restriction on the use of Federal  
10 land acquisition funds provided through the Land and  
11 Water Conservation Fund Act of 1965 as amended.

12       SEC. 112. None of the funds made available by this  
13 Act may be obligated or expended by the National Park  
14 Service to enter into or implement a concession contract  
15 which permits or requires the removal of the underground  
16 lunchroom at the Carlsbad Caverns National Park.

17       SEC. 113. None of the funds made available in this  
18 Act may be used: (1) to demolish the bridge between Jer-  
19 sey City, New Jersey, and Ellis Island; or (2) to prevent  
20 pedestrian use of such bridge, when such pedestrian use  
21 is consistent with generally accepted safety standards.

22       SEC. 114. None of the funds in this or any other Act  
23 can be used to compensate the Special Master and the  
24 Special Master-Monitor, and all variations thereto, ap-  
25 pointed by the United States District Court for the Dis-

1 triet of Columbia in the Cobell v. Norton litigation at an  
2 annual rate that exceeds 200 percent of the highest Senior  
3 Executive Service rate of pay for the Washington-Balti-  
4 more locality pay area.

5       SEC. 115. The Secretary of the Interior may use dis-  
6 cretionary funds to pay private attorney fees and costs for  
7 employees and former employees of the Department of the  
8 Interior reasonably incurred in connection with Cobell v.  
9 Norton to the extent that such fees and costs are not paid  
10 by the Department of Justice or by private insurance. In  
11 no case shall the Secretary make payments under this sec-  
12 tion that would result in payment of hourly fees in excess  
13 of the highest hourly rate approved by the District Court  
14 for the District of Columbia for counsel in Cobell v. Nor-  
15 ton.

16       SEC. 116. The United States Fish and Wildlife Serv-  
17 ice shall, in carrying out its responsibilities to protect  
18 threatened and endangered species of salmon, implement  
19 a system of mass marking of salmonid stocks, intended  
20 for harvest, that are released from Federally operated or  
21 Federally financed hatcheries including but not limited to  
22 fish releases of coho, chinook, and steelhead species.  
23 Marked fish must have a visible mark that can be readily  
24 identified by commercial and recreational fishers.

1       SEC. 117. (a) IN GENERAL.—Nothing in section 134  
2 of the Department of the Interior and Related Agencies  
3 Appropriations Act, 2002 (115 Stat. 443) affects the deci-  
4 sion of the United States Court of Appeals for the 10th  
5 Circuit in *Sae and Fox Nation v. Norton*, 240 F.3d 1250  
6 (2001).

7       (b) USE OF CERTAIN INDIAN LAND.—Nothing in this  
8 section permits the conduct of gaming under the Indian  
9 Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land  
10 described in section 123 of the Department of the Interior  
11 and Related Agencies Appropriations Act, 2001 (114 Stat.  
12 944), or land that is contiguous to that land, regardless  
13 of whether the land or contiguous land has been taken  
14 into trust by the Secretary of the Interior.

15       SEC. 118. No funds appropriated for the Department  
16 of the Interior by this Act or any other Act shall be used  
17 to study or implement any plan to drain Lake Powell or  
18 to reduce the water level of the lake below the range of  
19 water levels required for the operation of the Glen Canyon  
20 Dam.

21       SEC. 119. Notwithstanding the limitation in subpara-  
22 graph (2)(B) of section 18(a) of the Indian Gaming Regu-  
23 latory Act (25 U.S.C. 2717(a)), in fiscal year 2008, the  
24 total amount of all fees imposed by the National Indian  
25 Gaming Commission shall not exceed \$13,000,000.

1       ~~SEC. 120.~~ Notwithstanding any implementation of  
2 the Department of the Interior's trust reorganization or  
3 reengineering plans, or the implementation of the "To Be"  
4 Model, funds appropriated for fiscal year 2007 shall be  
5 available to the tribes within the California Tribal Trust  
6 Reform Consortium and to the Salt River Pima-Maricopa  
7 Indian Community, the Confederated Salish and Kootenai  
8 Tribes of the Flathead Reservation and the Chippewa Cree  
9 Tribe of the Rocky Boys Reservation through the same  
10 methodology as funds were distributed in fiscal year 2003.  
11 This Demonstration Project shall continue to operate sep-  
12 arate and apart from the Department of the Interior's  
13 trust reform and reorganization and the Department shall  
14 not impose its trust management infrastructure upon or  
15 alter the existing trust resource management systems of  
16 the above referenced tribes having a self-governance com-  
17 pact and operating in accordance with the Tribal Self-Gov-  
18 ernance Program set forth in ~~25 U.S.C. 458aa-458hh.~~  
19 The California Trust Reform Consortium and any other  
20 participating tribe agree to carry out their responsibilities  
21 under the same written and implemented fiduciary stand-  
22 ards as those being carried by the Secretary of the Inte-  
23 rior. The Consortium shall demonstrate to the satisfaction  
24 of the Secretary that they have the capability to do so.  
25 The Department shall provide funds to the tribes in an

1 amount equal to that required by 25 U.S.C. 458cc(g)(3),  
2 including funds specifically or functionally related to the  
3 provision of trust services to the tribes or their members.

4       ~~SEC. 121.~~ Notwithstanding any provision of law, in-  
5 cluding 42 U.S.C. 4321 et seq., nonrenewable grazing per-  
6 mits authorized in the Jarbidge Field Office, Bureau of  
7 Land Management within the past 9 years, shall be re-  
8 newed. The Animal Unit Months authorized in any non-  
9 renewable grazing permit between March 1, 1997, and  
10 February 28, 2005, shall continue in effect under the re-  
11 newed permit. Nothing in this section shall be deemed to  
12 extend the renewed permit beyond the standard 1-year  
13 term.

14       ~~SEC. 122.~~ Notwithstanding any other provision of  
15 law, the Secretary of the Interior is authorized to acquire  
16 lands, waters, or interests therein including the use of all  
17 or part of any pier, dock, or landing within the State of  
18 New York and the State of New Jersey, for the purpose  
19 of operating and maintaining facilities in the support of  
20 transportation and accommodation of visitors to Ellis,  
21 Governors, and Liberty Islands, and of other program and  
22 administrative activities, by donation or with appropriated  
23 funds, including franchise fees (and other monetary con-  
24 sideration), or by exchange; and the Secretary is author-  
25 ized to negotiate and enter into leases, subleases, conces-

1 sion contracts or other agreements for the use of such fa-  
2 cilities on such terms and conditions as the Secretary may  
3 determine reasonable.

4       ~~SEC. 123.~~ Upon the request of the permittee for the  
5 Clark Mountain Allotment lands adjacent to the Mojave  
6 National Preserve, the Secretary shall also issue a special  
7 use permit for that portion of the grazing allotment lo-  
8 cated within the Preserve. The special use permit shall be  
9 issued with the same terms and conditions as the most  
10 recently-issued permit for that allotment and the Sec-  
11 retary shall consider the permit to be one transferred in  
12 accordance with section ~~325~~ of Public Law ~~108~~–108.

13       ~~SEC. 124.~~ Notwithstanding any other provision of  
14 law, the National Park Service final winter use rules pub-  
15 lished in Part VII of the Federal Register for November  
16 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force  
17 and effect for the winter use season of 2006–2007 that  
18 commences on or about December 15, 2006.

19       ~~SEC. 125.~~ None of the funds in this or any other Act  
20 may be used to set up Centers of Excellence and Partner-  
21 ship Skills Bank training without prior approval of the  
22 House and Senate Committees on Appropriations.

20 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

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1 3109, but at rates for individuals not to exceed the per  
2 diem rate equivalent to the maximum rate payable for sen-  
3 ior level positions under 5 U.S.C. 5376; hire of passenger  
4 motor vehicles; hire, maintenance, and operation of air-  
5 craft; purchase of reprints; library memberships in soci-  
6 eties or associations which issue publications to members  
7 only or at a price to members lower than to subscribers  
8 who are not members; construction, alteration, repair, re-  
9 habilitation, and renovation of facilities; not to exceed  
10 \$85,000 per project; and not to exceed \$9,000 for official  
11 reception and representation expenses, \$2,336,442,000  
12 (increased by \$1,800,000), to remain available until Sep-  
13 tember 30, 2008, including administrative costs of the  
14 brownfields program under the Small Business Liability  
15 Relief and Brownfields Revitalization Act of 2002.

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, as amended, and for construction,  
20 alteration, repair, rehabilitation, and renovation of facili-  
21 ties; not to exceed \$85,000 per project, \$35,100,000, to  
22 remain available until September 30, 2008: *Provided*,  
23 That in fiscal year 2007 and thereafter, notwithstanding  
24 any other provision of law, the Inspector General shall not



1 serve as the Inspector General for the Chemical Safety  
2 and Hazard Investigation Board.

3 BUILDINGS AND FACILITIES

4 For construction, repair, improvement, extension, al-  
5 teration, and purchase of fixed equipment or facilities of,  
6 or for use by, the Environmental Protection Agency,  
7 \$29,816,000, to remain available until expended.

8 HAZARDOUS SUBSTANCE SUPERFUND

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses to carry out the Comprehen-  
11 sive Environmental Response, Compensation, and Liabil-  
12 ity Act of 1980 (CERCLA), as amended, including sec-  
13 tions 111(c)(3), (c)(5), (c)(6), and (c)(4) (42 U.S.C.  
14 9611), and for construction, alteration, repair, rehabilita-  
15 tion, and renovation of facilities, not to exceed \$85,000  
16 per project; \$1,256,855,000, to remain available until ex-  
17 pended, consisting of such sums as are available in the  
18 Trust Fund on September 30, 2006, as authorized by sec-  
19 tion 517(a) of the Superfund Amendments and Reauthor-  
20 ization Act of 1986 (SARA) and up to \$1,256,855,000  
21 as a payment from general revenues to the Hazardous  
22 Substance Superfund for purposes as authorized by sec-  
23 tion 517(b) of SARA, as amended: *Provided*, That funds  
24 appropriated under this heading may be allocated to other  
25 Federal agencies in accordance with section 111(a) of

1 CERCLA: *Provided further*, That of the funds appro-  
 2 priated under this heading, \$13,316,000 shall be trans-  
 3 ferred to the “Office of Inspector General” appropriation  
 4 to remain available until September 30, 2008, and  
 5 \$30,011,000 shall be transferred to the “Science and  
 6 Technology” appropriation to remain available until Sep-  
 7 tember 30, 2008.

#### 8 LEAKING UNDERGROUND STORAGE TANK PROGRAM

9 For necessary expenses to carry out leaking under-  
 10 ground storage tank cleanup activities authorized by sec-  
 11 tion 205 of the Superfund Amendments and Reauthoriza-  
 12 tion Act of 1986, and for construction, alteration, repair,  
 13 rehabilitation, and renovation of facilities, not to exceed  
 14 \$85,000 per project, \$72,759,000, to remain available  
 15 until expended.

#### 16 OIL SPILL RESPONSE

17 For expenses necessary to carry out the Environ-  
 18 mental Protection Agency’s responsibilities under the Oil  
 19 Pollution Act of 1990, \$16,506,000, to be derived from  
 20 the Oil Spill Liability trust fund, to remain available until  
 21 expended.

#### 22 STATE AND TRIBAL ASSISTANCE GRANTS

#### 23 (INCLUDING RESCISSION OF FUNDS)

24 For environmental programs and infrastructure as-  
 25 sistance, including capitalization grants for State revolv-

1 ing funds and performance partnership grants;  
2 \$3,009,348,000 to remain available until expended, of  
3 which \$687,555,000 shall be for making capitalization  
4 grants for the Clean Water State Revolving Funds under  
5 title VI of the Federal Water Pollution Control Act, as  
6 amended (the “Act”); of which up to \$50,000,000 shall  
7 be available for loans, including interest free loans as au-  
8 thorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-  
9 municipal, interstate, or State agencies or nonprofit enti-  
10 ties for projects that provide treatment for or that mini-  
11 mize sewage or stormwater discharges using one or more  
12 approaches which include, but are not limited to, decen-  
13 tralized or distributed stormwater controls, decentralized  
14 wastewater treatment, low-impact development practices,  
15 conservation easements, stream buffers, or wetlands res-  
16 toration; \$841,500,000 shall be for capitalization grants  
17 for the Drinking Water State Revolving Funds under sec-  
18 tion 1452 of the Safe Drinking Water Act, as amended;  
19 \$24,750,000 shall be for architectural, engineering, plan-  
20 ning, design, construction and related activities in connec-  
21 tion with the construction of high priority water and  
22 wastewater facilities in the area of the United States-Mex-  
23 ico border, after consultation with the appropriate border  
24 commission; \$14,850,000 shall be for grants to the State  
25 of Alaska to address drinking water and waste infrastruc-

ture needs of rural and Alaska Native Villages: *Provided*,  
That, of these funds: (1) the State of Alaska shall provide  
a match of 25 percent; (2) no more than 5 percent of the  
funds may be used for administrative and overhead ex-  
penses; and (3) the State of Alaska shall make awards  
consistent with the State-wide priority list established in  
2004 for all water, sewer, waste disposal, and similar  
projects carried out by the State of Alaska that are funded  
under section 221 of the Federal Water Pollution Control  
Act (33 U.S.C. 1301) or the Consolidated Farm and Rural  
Development Act (7 U.S.C. 1921 et seq.) which shall allo-  
cate not less than 25 percent of the funds provided for  
projects in regional hub communities; \$200,000,000 shall  
be for making special project grants for the construction  
of drinking water, wastewater and storm water infrastruc-  
ture and for water quality protection in accordance with  
the terms and conditions specified for such grants in the  
joint explanatory statement of the managers accom-  
panying this Act, and, for purposes of these grants, each  
grantee shall contribute not less than 45 percent of the  
cost of the project unless the grantee is approved for a  
waiver by the Agency; \$89,119,000 shall be to carry out  
section 104(k) of the Comprehensive Environmental Re-  
sponse, Compensation, and Liability Act of 1980  
(CERCLA), as amended, including grants, interagency

1 agreements, and associated program support costs;  
2 \$28,000,000 shall be for the national grant and loan pro-  
3 gram authorized by section 792 of the Energy Policy Act  
4 of 2005 for the National Clean Diesel Initiative; and  
5 \$1,122,584,000 shall be for grants, including associated  
6 program support costs, to States, federally-recognized  
7 tribes, interstate agencies, tribal consortia, and air pollu-  
8 tion control agencies for multi-media or single media pol-  
9 lution prevention, control and abatement and related ac-  
10 tivities, including activities pursuant to the provisions set  
11 forth under this heading in Public Law 104–134, and for  
12 making grants under section 103 of the Clean Air Act for  
13 particulate matter monitoring and data collection activi-  
14 ties subject to terms and conditions specified by the Ad-  
15 ministrator, of which \$49,495,000 shall be for carrying  
16 out section 128 of CERCLA, as amended, \$14,850,000  
17 shall be for Environmental Information Exchange Net-  
18 work grants, including associated program support costs,  
19 not less than \$18,500,000 of the funds available for grants  
20 under section 106 of the Act shall be for the water quality  
21 monitoring initiative that meet EPA standards for statis-  
22 tically representative monitoring programs, \$17,567,000  
23 to make grants to States under section 2007(f)(2) of the  
24 Solid Waste Disposal Act, as amended, and to federally-  
25 recognized tribes under Public Law 105–276, and to pro-

1 vide financial assistance to States and federally-recognized  
2 tribes for the purposes authorized by Title XV, Subtitle  
3 B of the Energy Policy Act of 2005, with the exception  
4 of leaking underground storage tank cleanup activities  
5 that are authorized by section 205 of Superfund Amend-  
6 ments and Reauthorization Act of 1986, and \$15,930,000  
7 shall be for making competitive targeted watershed grants:  
8 *Provided further,* That notwithstanding section 603(d)(7)  
9 of the Federal Water Pollution Control Act, the limitation  
10 on the amounts in a State water pollution control revolv-  
11 ing fund that may be used by a State to administer the  
12 fund shall not apply to amounts included as principal in  
13 loans made by such fund in fiscal year 2007 and prior  
14 years where such amounts represent costs of admin-  
15 istering the fund to the extent that such amounts are or  
16 were deemed reasonable by the Administrator, accounted  
17 for separately from other assets in the fund, and used for  
18 eligible purposes of the fund, including administration:  
19 *Provided further,* That for fiscal year 2007, and notwith-  
20 standing section 518(f) of the Act, the Administrator is  
21 authorized to use the amounts appropriated for any fiscal  
22 year under section 319 of that Act to make grants to fed-  
23 erally-recognized Indian tribes pursuant to sections 319(h)  
24 and 518(e) of that Act: *Provided further,* That for fiscal  
25 year 2007, notwithstanding the limitation on amounts in

1 section 518(c) of the Act, up to a total of 1½ percent  
2 of the funds appropriated for State Revolving Funds  
3 under title VI of that Act may be reserved by the Adminis-  
4 trator for grants under section 518(c) of that Act: *Pro-*  
5 *vided further*, That no funds provided by this Act to ad-  
6 dress the water, wastewater and other critical infrastruc-  
7 ture needs of the colonias in the United States along the  
8 United States-Mexico border shall be made available to a  
9 county or municipal government unless that government  
10 has established an enforceable local ordinance, or other  
11 zoning rule, which prevents in that jurisdiction the devel-  
12 opment or construction of any additional colonia areas, or  
13 the development within an existing colonia the construc-  
14 tion of any new home, business, or other structure which  
15 lacks water, wastewater, or other necessary infrastructure:  
16 *Provided further*, That of the funds made available under  
17 this heading in Division I of Public Law 108-447,  
18 \$500,000 is for Monticello, AR water and wastewater in-  
19 frastructure improvements and \$500,000 is for Pine  
20 Bluff, AR water and wastewater infrastructure improve-  
21 ments: *Provided further*, That funds that were appro-  
22 priated under this heading for special project grants in  
23 fiscal year 2001 or earlier that have not been obligated  
24 on an approved grant by September 1, 2007, are re-  
25 scinded.

## 1 ADMINISTRATIVE PROVISIONS

2 For fiscal year 2007, notwithstanding 31 U.S.C.  
3 6303(1) and 6305(1), the Administrator of the Environ-  
4 mental Protection Agency, in carrying out the Agency's  
5 function to implement directly Federal environmental pro-  
6 grams required or authorized by law in the absence of an  
7 acceptable tribal program, may award cooperative agree-  
8 ments to federally-recognized Indian Tribes or Intertribal  
9 consortia, if authorized by their member Tribes, to assist  
10 the Administrator in implementing Federal environmental  
11 programs for Indian Tribes required or authorized by law,  
12 except that no such cooperative agreements may be award-  
13 ed from funds designated for State financial assistance  
14 agreements.

15 The Administrator of the Environmental Protection  
16 Agency is authorized to collect and obligate pesticide reg-  
17 istration service fees in accordance with section 33 of the  
18 Federal Insecticide, Fungicide, and Rodenticide Act (as  
19 added by subsection (f)(2) of the Pesticide Registration  
20 Improvement Act of 2003), as amended.

21 None of the funds provided in this Act may be used,  
22 directly or through grants, to pay or to provide reimburse-  
23 ment for payment of the salary of a consultant (whether  
24 retained by the Federal Government or a grantee) at more  
25 than the daily equivalent of the rate paid for level IV of



13 GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION  
14 AGENCY

21 SEC. 202. None of the funds made available in this  
22 Act may be used in contravention of 15 U.S.C. 2682(c)(3)  
23 or to delay the implementation of that section.

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

5           For necessary expenses of forest and rangeland re-  
6 search as authorized by law, ~~\$280,318,000~~, to remain  
7 available until expended: *Provided*, That of the funds pro-  
8 vided, ~~\$62,329,000~~ is for the forest inventory and analysis  
9 program.

10                   STATE AND PRIVATE FORESTRY

11           For necessary expenses of cooperating with and pro-  
12 viding technical and financial assistance to States, terri-  
13 tories, possessions, and others, and for forest health man-  
14 agement, including treatments of pests, pathogens, and  
15 invasive or noxious plants and for restoring and rehabili-  
16 tating forests damaged by pests or invasive plants, cooper-  
17 ative forestry, and education and land conservation activi-  
18 ties and conducting an international program as author-  
19 ized, ~~\$228,608,000~~, to remain available until expended, as  
20 authorized by law of which ~~\$9,280,000~~ is to be derived  
21 from the Land and Water Conservation Fund: *Provided*,  
22 That none of the funds provided under this heading for  
23 the acquisition of lands or interests in lands shall be avail-  
24 able until the Forest Service notifies the House Committee  
25 on Appropriations and the Senate Committee on Appro-

1 priations, in writing, of specific contractual and grant de-  
 2 tails including the non-Federal cost share.

3 NATIONAL FOREST SYSTEM

4 For necessary expenses of the Forest Service, not  
 5 otherwise provided for, for management, protection, im-  
 6 provement, and utilization of the National Forest System,  
 7 \$1,445,659,000 (reduced by \$2,000,000), to remain avail-  
 8 able until expended, which shall include 50 percent of all  
 9 moneys received during prior fiscal years as fees collected  
 10 under the Land and Water Conservation Fund Act of  
 11 1965, as amended, in accordance with section 4 of the Act  
 12 (16 U.S.C. 4601-6a(i)): *Provided*, That unobligated bal-  
 13 ances under this heading available at the start of fiscal  
 14 year 2007 shall be displayed by budget line item in the  
 15 fiscal year 2008 budget justification.

16 WILDLAND FIRE MANAGEMENT

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for forest fire presuppression  
 19 activities on National Forest System lands, for emergency  
 20 fire suppression on or adjacent to such lands or other  
 21 lands under fire protection agreement, hazardous fuels re-  
 22 duction on or adjacent to such lands, and for emergency  
 23 rehabilitation of burned-over National Forest System  
 24 lands and water, \$1,810,566,000, to remain available until  
 25 expended: *Provided*, That such funds including unobli-

1 gated balances under this heading, are available for repay-  
2 ment of advances from other appropriations accounts pre-  
3 viously transferred for such purposes: *Provided further,*  
4 That such funds shall be available to reimburse State and  
5 other cooperating entities for services provided in response  
6 to wildfire and other emergencies or disasters to the extent  
7 such reimbursements by the Forest Service for non-fire  
8 emergencies are fully repaid by the responsible emergency  
9 management agency: *Provided further,* That not less than  
10 50 percent of any unobligated balances remaining (exclu-  
11 sive of amounts for hazardous fuels reduction) at the end  
12 of fiscal years 2006 and 2007 shall be transferred to the  
13 fund established pursuant to section 3 of Public Law 71-  
14 319 (16 U.S.C. 576 et seq.) if necessary to reimburse the  
15 fund for unpaid past advances: *Provided further,* That,  
16 notwithstanding any other provision of law, \$8,000,000 of  
17 funds appropriated under this appropriation shall be used  
18 for Fire Science Research in support of the Joint Fire  
19 Science Program: *Provided further,* That all authorities for  
20 the use of funds, including the use of contracts, grants,  
21 and cooperative agreements, available to execute the For-  
22 est and Rangeland Research appropriation, are also avail-  
23 able in the utilization of these funds for Fire Science Re-  
24 search: *Provided further,* That funds provided shall be  
25 available for emergency rehabilitation and restoration;

1 hazardous fuels reduction activities in the urban-wildland  
2 interface; support to Federal emergency response; and  
3 wildfire suppression activities of the Forest Service: *Pro-*  
4 *vided further*, That of the funds provided, \$296,792,000  
5 is for hazardous fuels reduction activities; \$5,000,000 is  
6 for rehabilitation and restoration; \$22,800,000 is for re-  
7 search activities and to make competitive research grants  
8 pursuant to the Forest and Rangeland Renewable Re-  
9 sources Research Act, as amended (16 U.S.C. 1641 et  
10 seq.); \$43,000,000 is for State fire assistance;  
11 \$12,810,000 is for volunteer fire assistance; \$14,800,000  
12 is for forest health activities on Federal lands and  
13 \$10,000,000 is for forest health activities on State and  
14 private lands: *Provided further*, That amounts in this para-  
15 graph may be transferred to the “State and Private For-  
16 estry”, “National Forest System”, and “Forest and  
17 Rangeland Research” accounts to fund State fire assist-  
18 ance; volunteer fire assistance; forest health management;  
19 forest and rangeland research; vegetation and watershed  
20 management; heritage site rehabilitation; and wildlife and  
21 fish habitat management and restoration: *Provided fur-*  
22 *ther*, That transfers of any amounts in excess of those au-  
23 thorized in this paragraph, shall require approval of the  
24 House and Senate Committees on Appropriations in com-  
25 pliance with reprogramming procedures contained in the

1 report accompanying this Act: *Provided further*, That the  
2 costs of implementing any cooperative agreement between  
3 the Federal Government and any non-Federal entity may  
4 be shared, as mutually agreed on by the affected parties:  
5 *Provided further*, That in addition to funds provided for  
6 State Fire Assistance programs, and subject to all au-  
7 thorities available to the Forest Service under the State  
8 and Private Forestry Appropriation, up to \$15,000,000  
9 may be used on adjacent non-Federal lands for the pur-  
10 pose of protecting communities when hazard reduction ac-  
11 tivities are planned on national forest lands that have the  
12 potential to place such communities at risk: *Provided fur-*  
13 *ther*, That included in funding for hazardous fuel reduc-  
14 tion is \$5,000,000 for implementing the Community For-  
15 est Restoration Act, Public Law 106-393, title VI, and  
16 any portion of such funds shall be available for use on  
17 non-Federal lands in accordance with authorities available  
18 to the Forest Service under the State and Private Forestry  
19 appropriation: *Provided further*, That the Secretary of the  
20 Interior and the Secretary of Agriculture may authorize  
21 the transfer of funds appropriated for wildland fire man-  
22 agement, in an aggregate amount not to exceed  
23 \$9,000,000, between the Departments when such trans-  
24 fers would facilitate and expedite jointly funded wildland  
25 fire management programs and projects: *Provided further*,

1 That of the funds provided for hazardous fuels reduction;  
2 not to exceed \$5,000,000, may be used to make grants;  
3 using any authorities available to the Forest Service under  
4 the State and Private Forestry appropriation, for the pur-  
5 pose of creating incentives for increased use of biomass  
6 from national forest lands: *Provided further*, That funds  
7 designated for wildfire suppression shall be assessed for  
8 indirect costs on the same basis as such assessments are  
9 calculated against other agency programs.

10 CAPITAL IMPROVEMENT AND MAINTENANCE

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Forest Service, not  
13 otherwise provided for, \$411,025,000, to remain available  
14 until expended for construction, reconstruction, mainte-  
15 nance, and acquisition of, buildings and other facilities,  
16 and for construction, reconstruction, repair, decommis-  
17 sioning, and maintenance of forest roads and trails by the  
18 Forest Service as authorized by 16 U.S.C. 532-538 and  
19 23 U.S.C. 101 and 205: *Provided*, That up to \$15,000,000  
20 of the funds provided herein for road maintenance shall  
21 be available for the decommissioning of roads, including  
22 unauthorized roads not part of the transportation system,  
23 which are no longer needed: *Provided further*, That no  
24 funds shall be expended to decommission any system road  
25 until notice and an opportunity for public comment has

1 been provided on each decommissioning project: *Provided*  
2 *further*, That \$7,400,000 of the funds made available in  
3 section 8098(b) of Public Law 108-287, to construct a  
4 wildfire management training facility in San Bernardino  
5 County, shall be transferred within 15 days of the enact-  
6 ment of this Act to the Forest Service, "Wildland Fire  
7 Management" account and shall be available for haz-  
8 ardous fuels reduction, hazard mitigation, and rehabilita-  
9 tion activities of the Forest Service in the San Bernardino  
10 National Forest so long as this funding is used in addition  
11 to, and not in place of, all normal funding allocated to  
12 this Forest.

#### 13 LAND ACQUISITION

14 For expenses necessary to carry out the provisions  
15 of the Land and Water Conservation Fund Act of 1965,  
16 as amended (16 U.S.C. 4601-4 through 11), including ad-  
17 ministrative expenses, and for acquisition of land or wa-  
18 ters, or interest therein, in accordance with statutory au-  
19 thority applicable to the Forest Service, \$7,500,000, to be  
20 derived from the Land and Water Conservation Fund and  
21 to remain available until expended: *Provided*, That the  
22 Forest Service may not use funds in fiscal year 2007, in-  
23 cluding funds made available in Public Law 96-586 or  
24 any other Act, to purchase land for the Homewood Con-  
25 servation Project in Lake Tahoe, California.



## 1 ACQUISITION OF LANDS FOR NATIONAL FORESTS

## 2 SPECIAL ACTS

3 For acquisition of lands within the exterior bound-  
4 aries of the Cache, Uinta, and Wasatch National Forests,  
5 Utah; the Toiyabe National Forest, Nevada; and the An-  
6 geles, San Bernardino, Sequoia, and Cleveland National  
7 Forests, California, as authorized by law, \$1,053,000, to  
8 be derived from forest receipts.

## 9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, such sums, to be derived  
11 from funds deposited by State, county, or municipal gov-  
12 ernments, public school districts, or other public school au-  
13 thorities, and for authorized expenditures from funds de-  
14 posited by non-Federal parties pursuant to Land Sale and  
15 Exchange Acts (~~16 U.S.C. 4601-516-617a, 555a; Public~~  
16 ~~Law 96-586; Public Law 76-589, 76-591; and 78-310~~),  
17 pursuant to the Act of December 4, 1967, as amended  
18 (~~16 U.S.C. 484a~~), to remain available until expended.

## 19 RANGE BETTERMENT FUND

20 For necessary expenses of range rehabilitation, pro-  
21 tection, and improvement, 50 percent of all moneys re-  
22 ceived during the prior fiscal year, as fees for grazing do-  
23 mestic livestock on lands in National Forests in the 46  
24 Western States, pursuant to section 401(b)(1) of Public  
25 Law 94-579, as amended, to remain available until ex-  
26 pended, of which not to exceed 6 percent shall be available

1 for administrative expenses associated with on-the-ground  
 2 range rehabilitation, protection, and improvements.

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

5 For expenses authorized by 16 U.S.C. 1643(b),  
 6 \$63,000, to remain available until expended, to be derived  
 7 from the fund established pursuant to the above Act.

8 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
 9 SUBSISTENCE USES

10 For necessary expenses of the Forest Service to man-  
 11 age Federal lands in Alaska for subsistence uses under  
 12 title VIII of the Alaska National Interest Lands Conserva-  
 13 tion Act (Public Law 96-487), \$5,311,000, to remain  
 14 available until expended.

15 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

16 Appropriations to the Forest Service for the current  
 17 fiscal year shall be available for: (1) purchase of passenger  
 18 motor vehicles; acquisition of passenger motor vehicles  
 19 from excess sources; and hire of such vehicles; purchase,  
 20 lease, operation, maintenance, and acquisition of aircraft  
 21 from excess sources to maintain the operable fleet for use  
 22 in Forest Service wildland fire programs and other Forest  
 23 Service programs; notwithstanding other provisions of law,  
 24 existing aircraft being replaced may be sold, with proceeds  
 25 derived or trade-in value used to offset the purchase price  
 26 for the replacement aircraft; (2) services pursuant to 7

1 U.S.C. 2225, and not to exceed \$100,000 for employment  
2 under ~~5 U.S.C. 3109~~; ~~(3)~~ purchase, erection, and alter-  
3 ation of buildings and other public improvements ~~(7~~  
4 U.S.C. 2250); ~~(4)~~ acquisition of land, waters, and inter-  
5 ests therein pursuant to ~~7 U.S.C. 428a~~; ~~(5)~~ for expenses  
6 pursuant to the Volunteers in the National Forest Act of  
7 1972 ~~(16 U.S.C. 558a, 558d, and 558a note)~~; ~~(6)~~ the cost  
8 of uniforms as authorized by ~~5 U.S.C. 5901–5902~~; and  
9 ~~(7)~~ for debt collection contracts in accordance with ~~31~~  
10 U.S.C. 3718(c).

11 Any appropriations or funds available to the Forest  
12 Service may be transferred to the Wildland Fire Manage-  
13 ment appropriation for forest firefighting, emergency re-  
14 habilitation of burned-over or damaged lands or waters  
15 under its jurisdiction, and fire preparedness due to severe  
16 burning conditions upon notification of the House and  
17 Senate Committees on Appropriations and if and only if  
18 all previously appropriated emergency contingent funds  
19 under the heading “Wildland Fire Management” have  
20 been released by the President and apportioned and all  
21 wildfire suppression funds under the heading “Wildland  
22 Fire Management” are obligated.

23 The first transfer of funds into the Wildland Fire  
24 Management account shall include unobligated funds, if  
25 available, from the Land Acquisition account and the For-

1 est Legacy program within the State and Private Forestry  
2 account.

3 Funds appropriated to the Forest Service shall be  
4 available for assistance to or through the Agency for Inter-  
5 national Development in connection with forest and range-  
6 land research, technical information, and assistance in for-  
7 eign countries, and shall be available to support forestry  
8 and related natural resource activities outside the United  
9 States and its territories and possessions, including tech-  
10 nical assistance, education and training, and cooperation  
11 with United States and international organizations.

12 None of the funds made available to the Forest Serv-  
13 ice under this Act shall be subject to transfer under the  
14 provisions of section 702(b) of the Department of Agri-  
15 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
16 147b.

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

22 Not more than \$73,052,000 of funds available to the  
23 Forest Service shall be transferred to the Working Capital  
24 Fund of the Department of Agriculture. Nothing in this  
25 paragraph shall prohibit or limit the use of reimbursable

1 agreements requested by the Forest Service in order to  
2 obtain services from the Department of Agriculture's Na-  
3 tional Information Technology Center.

4 Funds available to the Forest Service shall be avail-  
5 able to conduct a program of not less than \$2,500,000  
6 for high priority projects within the scope of the approved  
7 budget which shall be carried out by the Youth Conserva-  
8 tion Corps.

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

12 Pursuant to sections 405(b) and 410(b) of Public  
13 Law 101-593, of the funds available to the Forest Service,  
14 \$2,500,000 may be advanced in a lump sum to the Na-  
15 tional Forest Foundation to aid conservation partnership  
16 projects in support of the Forest Service mission, without  
17 regard to when the Foundation incurs expenses, for ad-  
18 ministrative expenses or projects on or benefitting Na-  
19 tional Forest System lands or related to Forest Service  
20 programs: *Provided*, That of the Federal funds made  
21 available to the Foundation, no more than \$100,000 shall  
22 be available for administrative expenses: *Provided further*,  
23 That the Foundation shall obtain, by the end of the period  
24 of Federal financial assistance, private contributions to  
25 match on at least one-for-one basis funds made available

1 by the Forest Service: *Provided further*, That the Founda-  
2 tion may transfer Federal funds to a non-Federal recipient  
3 for a project at the same rate that the recipient has ob-  
4 tained the non-Federal matching funds: *Provided further*,  
5 That authorized investments of Federal funds held by the  
6 Foundation may be made only in interest-bearing obliga-  
7 tions of the United States or in obligations guaranteed as  
8 to both principal and interest by the United States.

9 Pursuant to section 2(b)(2) of Public Law 98-244,  
10 \$2,250,000 of the funds available to the Forest Service  
11 shall be advanced to the National Fish and Wildlife Foun-  
12 dation in a lump sum to aid cost-share conservation  
13 projects, without regard to when expenses are incurred,  
14 on or benefitting National Forest System lands or related  
15 to Forest Service programs. Such funds shall be matched  
16 on at least a one-for-one basis by the Foundation or its  
17 subrecipients.

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

23 Notwithstanding any other provision of law, any ap-  
24 propriations or funds available to the Forest Service not  
25 to exceed \$500,000 may be used to reimburse the Office

1 of the General Counsel (OGC), Department of Agri-  
2 culture, for travel and related expenses incurred as a re-  
3 sult of OGC assistance or participation requested by the  
4 Forest Service at meetings, training sessions, management  
5 reviews, land purchase negotiations and similar non-litiga-  
6 tion related matters. Future budget justifications for both  
7 the Forest Service and the Department of Agriculture  
8 should clearly display the sums previously transferred and  
9 the requested funding transfers.

10       Any appropriations or funds available to the Forest  
11 Service may be used for necessary expenses in the event  
12 of law enforcement emergencies as necessary to protect  
13 natural resources and public or employee safety. *Provided,*  
14 That such amounts shall not exceed \$500,000.

15       An eligible individual who is employed in any project  
16 funded under title V of the Older American Act of 1965  
17 (42 U.S.C. 3056 et seq.) and administered by the Forest  
18 Service shall be considered to be a Federal employee for  
19 purposes of chapter 171 of title 28, United States Code.

20       Any funds appropriated to the Forest Service may  
21 be used to meet the non-Federal share requirement in sec-  
22 tion 502(c) of the Older American Act of 1965 (42 U.S.C.  
23 3056(c)(2)).

24       Funds available to the Forest Service, not to exceed  
25 \$45,000,000, shall be assessed for the purpose of per-

1 forming facilities maintenance. Such assessments shall  
 2 occur using a square foot rate charged on the same basis  
 3 the agency uses to assess programs for payment of rent,  
 4 utilities, and other support services.

5 DEPARTMENT OF HEALTH AND HUMAN  
 6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

9 For expenses necessary to carry out the Act of Au-  
 10 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
 11 tion Act, the Indian Health Care Improvement Act, and  
 12 titles II and III of the Public Health Service Act with re-  
 13 spect to the Indian Health Service, \$2,830,136,000, to-  
 14 gether with payments received during the fiscal year pur-  
 15 suant to 42 U.S.C. 238(b) for services furnished by the  
 16 Indian Health Service: *Provided*, That funds made avail-  
 17 able to tribes and tribal organizations through contracts,  
 18 grant agreements, or any other agreements or compacts  
 19 authorized by the Indian Self-Determination and Edu-  
 20 cation Assistance Act of 1975 (25 U.S.C. 450), shall be  
 21 deemed to be obligated at the time of the grant or contract  
 22 award and thereafter shall remain available to the tribe  
 23 or tribal organization without fiscal year limitation: *Pro-*  
 24 *vided further*, That up to \$18,000,000 shall remain avail-  
 25 able until expended, for the Indian Catastrophic Health



1 Emergency Fund: *Provided further,* That \$536,259,000  
2 for contract medical care shall remain available until Sep-  
3 tember 30, 2008: *Provided further,* That of the funds pro-  
4 vided, up to \$27,000,000, to remain available until ex-  
5 pended, shall be used to carry out the loan repayment pro-  
6 gram under section 108 of the Indian Health Care Im-  
7 provement Act: *Provided further,* That funds provided in  
8 this Act may be used for one-year contracts and grants  
9 which are to be performed in two fiscal years, so long as  
10 the total obligation is recorded in the year for which the  
11 funds are appropriated: *Provided further,* That the  
12 amounts collected by the Secretary of Health and Human  
13 Services under the authority of title IV of the Indian  
14 Health Care Improvement Act shall remain available until  
15 expended for the purpose of achieving compliance with the  
16 applicable conditions and requirements of titles XVIII and  
17 XIX of the Social Security Act (exclusive of planning, de-  
18 sign, or construction of new facilities): *Provided further,*  
19 That funding contained herein, and in any earlier appro-  
20 priations Acts for scholarship programs under the Indian  
21 Health Care Improvement Act (25 U.S.C. 1613) shall re-  
22 main available until expended: *Provided further,* That  
23 amounts received by tribes and tribal organizations under  
24 title IV of the Indian Health Care Improvement Act shall  
25 be reported and accounted for and available to the receiv-

1 ing tribes and tribal organizations until expended: *Pro-*  
 2 *vided further*, That, notwithstanding any other provision  
 3 of law, of the amounts provided herein, not to exceed  
 4 \$270,316,000 shall be for payments to tribes and tribal  
 5 organizations for contract or grant support costs associ-  
 6 ated with contracts, grants, self-governance compacts or  
 7 annual funding agreements between the Indian Health  
 8 Service and a tribe or tribal organization pursuant to the  
 9 Indian Self-Determination Act of 1975, as amended, prior  
 10 to or during fiscal year 2007, of which not to exceed  
 11 \$5,000,000 may be used for contract support costs associ-  
 12 ated with new or expanded self-determination contracts,  
 13 grants, self-governance compacts or annual funding agree-  
 14 ments: *Provided further*, That the Bureau of Indian Af-  
 15 fairs may collect from the Indian Health Service and  
 16 tribes and tribal organizations operating health facilities  
 17 pursuant to Public Law 93–638 such individually identifi-  
 18 able health information relating to disabled children as  
 19 may be necessary for the purpose of carrying out its func-  
 20 tions under the Individuals with Disabilities Education  
 21 Act (20 U.S.C. 1400 et seq.).

#### INDIAN HEALTH FACILITIES

23 For construction, repair, maintenance, improvement,  
 24 and equipment of health and related auxiliary facilities,  
 25 including quarters for personnel; preparation of plans;  
 26 specifications, and drawings; acquisition of sites, purchase

1 and erection of modular buildings, and purchases of trail-  
2 ers; and for provision of domestic and community sanita-  
3 tion facilities for Indians, as authorized by section 7 of  
4 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
5 Self-Determination Act, and the Indian Health Care Im-  
6 provement Act, and for expenses necessary to carry out  
7 such Acts and titles II and III of the Public Health Serv-  
8 ice Act with respect to environmental health and facilities  
9 support activities of the Indian Health Service,  
10 \$363,573,000, to remain available until expended: *Pro-*  
11 *vided*, That notwithstanding any other provision of law,  
12 funds appropriated for the planning, design, construction  
13 or renovation of health facilities for the benefit of an In-  
14 dian tribe or tribes may be used to purchase land for sites  
15 to construct, improve, or enlarge health or related facili-  
16 ties: *Provided further*, That not to exceed \$500,000 shall  
17 be used by the Indian Health Service to purchase  
18 TRANSAM equipment from the Department of Defense  
19 for distribution to the Indian Health Service and tribal  
20 facilities: *Provided further*, That none of the funds appro-  
21 priated to the Indian Health Service may be used for sani-  
22 tation facilities construction for new homes funded with  
23 grants by the housing programs of the United States De-  
24 partment of Housing and Urban Development: *Provided*  
25 *further*, That not to exceed \$1,000,000 from this account

1 and the “Indian Health Services” account shall be used  
2 by the Indian Health Service to obtain ambulances for the  
3 Indian Health Service and tribal facilities in conjunction  
4 with an existing interagency agreement between the In-  
5 dian Health Service and the General Services Administra-  
6 tion: *Provided further*, That not to exceed \$500,000 shall  
7 be placed in a Demolition Fund, available until expended,  
8 to be used by the Indian Health Service for demolition  
9 of Federal buildings.

10 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

11 Appropriations in this Act to the Indian Health Serv-  
12 ice shall be available for services as authorized by 5 U.S.C.  
13 3109 but at rates not to exceed the per diem rate equiva-  
14 lent to the maximum rate payable for senior-level positions  
15 under 5 U.S.C. 5376; hire of passenger motor vehicles and  
16 aircraft; purchase of medical equipment; purchase of re-  
17 prints; purchase, renovation and erection of modular  
18 buildings and renovation of existing facilities; payments  
19 for telephone service in private residences in the field,  
20 when authorized under regulations approved by the Sec-  
21 retary; and for uniforms or allowances therefor as author-  
22 ized by 5 U.S.C. 5901–5902; and for expenses of attend-  
23 ance at meetings which are concerned with the functions  
24 or activities for which the appropriation is made or which  
25 will contribute to improved conduct, supervision, or man-  
26 agement of those functions or activities.

1       In accordance with the provisions of the Indian  
2 Health Care Improvement Act, non-Indian patients may  
3 be extended health care at all tribally administered or In-  
4 dian Health Service facilities, subject to charges, and the  
5 proceeds along with funds recovered under the Federal  
6 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall  
7 be credited to the account of the facility providing the  
8 service and shall be available without fiscal year limitation.  
9 Notwithstanding any other law or regulation, funds trans-  
10 ferred from the Department of Housing and Urban Devel-  
11 opment to the Indian Health Service shall be administered  
12 under Public Law 86–121 (the Indian Sanitation Facili-  
13 ties Act) and Public Law 93–638, as amended.

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

18       None of the funds made available to the Indian  
19 Health Service in this Act shall be used for any assess-  
20 ments or charges by the Department of Health and  
21 Human Services unless identified in the budget justifica-  
22 tion and provided in this Act, or approved by the House  
23 and Senate Committees on Appropriations through the re-  
24 programming process. Personnel ceilings may not be im-  
25 posed on the Indian Health Service nor may any action

1 be taken to reduce the full time equivalent level of the  
2 Indian Health Service below the level in fiscal year 2002  
3 adjusted upward for the staffing of new and expanded fa-  
4 cilities; funding provided for staffing at the Lawton, Okla-  
5 homa hospital in fiscal years 2003 and 2004; critical posi-  
6 tions not filled in fiscal year 2002; and staffing necessary  
7 to carry out the intent of Congress with regard to program  
8 increases.

9       Notwithstanding any other provision of law, funds  
10 previously or herein made available to a tribe or tribal or-  
11 ganization through a contract, grant, or agreement au-  
12 thorized by title I or title V of the Indian Self-Determina-  
13 tion and Education Assistance Act of 1975 (25 U.S.C.  
14 450), may be deobligated and reobligated to a self-deter-  
15 mination contract under title I, or a self-governance agree-  
16 ment under title V of such Act and thereafter shall remain  
17 available to the tribe or tribal organization without fiscal  
18 year limitation.

19       None of the funds made available to the Indian  
20 Health Service in this Act shall be used to implement the  
21 final rule published in the Federal Register on September  
22 16, 1987, by the Department of Health and Human Serv-  
23 ices, relating to the eligibility for the health care services  
24 of the Indian Health Service until the Indian Health Serv-  
25 ice has submitted a budget request reflecting the increased

1 costs associated with the proposed final rule, and such re-  
2 quest has been included in an appropriations Act and en-  
3 acted into law.

4       With respect to functions transferred by the Indian  
5 Health Service to tribes or tribal organizations, the Indian  
6 Health Service is authorized to provide goods and services  
7 to those entities, on a reimbursable basis, including pay-  
8 ment in advance with subsequent adjustment. The reim-  
9 bursements received therefrom, along with the funds re-  
10 ceived from those entities pursuant to the Indian Self-De-  
11 termination Act, may be credited to the same or subse-  
12 quent appropriation account which provided the funding.  
13 Such amounts shall remain available until expended.

14       Reimbursements for training, technical assistance, or  
15 services provided by the Indian Health Service will contain  
16 total costs, including direct, administrative, and overhead  
17 associated with the provision of goods, services, or tech-  
18 nical assistance.

19       The appropriation structure for the Indian Health  
20 Service may not be altered without advance notification  
21 to the House and Senate Committees on Appropriations.

## 1 NATIONAL INSTITUTES OF HEALTH

## 2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

## 3 SCIENCES

4 For necessary expenses for the National Institute of  
5 Environmental Health Sciences in carrying out activities  
6 set forth in section 311(a) of the Comprehensive Environ-  
7 mental Response, Compensation, and Liability Act of  
8 1980, as amended, and section 126(g) of the Superfund  
9 Amendments and Reauthorization Act of 1986,  
10 \$79,414,000, of which \$3,000,000 for individual project  
11 grants shall remain available until September 30, 2008.

## 12 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

## 13 REGISTRY

## 14 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

## 15 HEALTH

16 For necessary expenses for the Agency for Toxic Sub-  
17 stances and Disease Registry (ATSDR) in carrying out  
18 activities set forth in sections 104(i), 111(c)(4), and  
19 111(c)(14) of the Comprehensive Environmental Re-  
20 sponse, Compensation, and Liability Act of 1980  
21 (CERCLA), as amended; section 118(f) of the Superfund  
22 Amendments and Reauthorization Act of 1986, as amend-  
23 ed; and section 3019 of the Solid Waste Disposal Act, as  
24 amended, \$76,754,000, of which up to \$1,500,000, to re-  
25 main available until expended, is for Individual Learning



1 Accounts for full-time equivalent employees of the Agency  
2 for Toxic Substances and Disease Registry: *Provided,*  
3 That notwithstanding any other provision of law, in lieu  
4 of performing a health assessment under section 104(i)(6)  
5 of CERCLA, the Administrator of ATSDR may conduct  
6 other appropriate health studies, evaluations, or activities,  
7 including, without limitation, biomedical testing, clinical  
8 evaluations, medical monitoring, and referral to accredited  
9 health care providers: *Provided further,* That in per-  
10 forming any such health assessment or health study, eval-  
11 uation, or activity, the Administrator of ATSDR shall not  
12 be bound by the deadlines in section 104(i)(6)(A) of  
13 CERCLA: *Provided further,* That funds paid for adminis-  
14 trative costs to the Centers of Disease Control and Preven-  
15 tion shall not exceed 7.5 percent of the funding provided  
16 under this heading: *Provided further,* That none of the  
17 funds appropriated under this heading shall be available  
18 for ATSDR to issue in excess of 40 toxicological profiles  
19 pursuant to section 104(i) of CERCLA during fiscal year  
20 2007, and existing profiles may be updated as necessary.

## 1                   OTHER RELATED AGENCIES

## 2                   EXECUTIVE OFFICE OF THE PRESIDENT

3    COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF  
4                   ENVIRONMENTAL QUALITY

5           For necessary expenses to continue functions as-  
6 signed to the Council on Environmental Quality and Office  
7 of Environmental Quality pursuant to the National Envi-  
8 ronmental Policy Act of 1969, the Environmental Quality  
9 Improvement Act of 1970, and Reorganization Plan No.  
10 1 of 1977, and not to exceed \$750 for official reception  
11 and representation expenses, \$2,627,000: *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, as amend-  
21 ed, including hire of passenger vehicles, uniforms or allow-  
22 ances therefor, as authorized by 5 U.S.C. 5901–5902, and  
23 for services authorized by 5 U.S.C. 3109 but at rates for  
24 individuals not to exceed the per diem equivalent to the  
25 maximum rate payable for senior level positions under 5

1 U.S.C. 5376, \$9,208,000: *Provided*, That the Chemical  
 2 Safety and Hazard Investigation Board (Board) shall have  
 3 not more than three career Senior Executive Service posi-  
 4 tions: *Provided further*, That in fiscal year 2007 and there-  
 5 after, notwithstanding any other provision of law, the En-  
 6 vironmental Protection Agency Inspector General shall not  
 7 serve as the Inspector General for the Board: *Provided*  
 8 *further*, That up to \$600,000 of the funds provided herein  
 9 may be used for personnel compensation and benefits for  
 10 the Members of the Board.

11 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of Navajo and  
 14 Hopi Indian Relocation as authorized by Public Law 93-  
 15 531, \$5,940,000, to remain available until expended: *Pro-*  
 16 *vided*, That funds provided in this or any other appropria-  
 17 tions Act are to be used to relocate eligible individuals and  
 18 groups including evictees from District 6, Hopi-partitioned  
 19 lands residents, those in significantly substandard hous-  
 20 ing, and all others certified as eligible and not included  
 21 in the preceding categories: *Provided further*, That none  
 22 of the funds contained in this or any other Act may be  
 23 used by the Office of Navajo and Hopi Indian Relocation  
 24 to evict any single Navajo or Navajo family who, as of  
 25 November 30, 1985, was physically domiciled on the lands

1 partitioned to the Hopi Tribe unless a new or replacement  
 2 home is provided for such household: *Provided further,*  
 3 That no relocatee will be provided with more than one new  
 4 or replacement home: *Provided further,* That the Office  
 5 shall relocate any certified eligible relocatees who have se-  
 6 lected and received an approved homesite on the Navajo  
 7 reservation or selected a replacement residence off the  
 8 Navajo reservation or on the land acquired pursuant to  
 9 25 U.S.C. 640d-10.

10 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
 11 CULTURE AND ARTS DEVELOPMENT

12 PAYMENT TO THE INSTITUTE

13 For payment to the Institute of American Indian and  
 14 Alaska Native Culture and Arts Development, as author-  
 15 ized by title XV of Public Law 99-498, as amended (20  
 16 U.S.C. 56 part A), \$6,703,000.

17 SMITHSONIAN INSTITUTION

18 SALARIES AND EXPENSES

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

1 ance programs; maintenance, alteration, operation, lease  
 2 (for terms not to exceed 30 years), and protection of build-  
 3 ings, facilities, and approaches; not to exceed \$100,000  
 4 for services as authorized by 5 U.S.C. 3109; up to five  
 5 replacement passenger vehicles; purchase, rental, repair,  
 6 and cleaning of uniforms for employees, \$517,094,000, of  
 7 which \$10,000,000 is for facilities maintenance at the Na-  
 8 tional Zoological Park; of which not to exceed \$9,964,000  
 9 for the instrumentation program; collections acquisition;  
 10 exhibition reinstallation; the National Museum of African  
 11 American History and Culture; and the repatriation of  
 12 skeletal remains program shall remain available until ex-  
 13 pended; and of which \$2,077,000 for fellowships and  
 14 scholarly awards shall remain available until September  
 15 30, 2008; and including such funds as may be necessary  
 16 to support American overseas research centers and a total  
 17 of \$125,000 for the Council of 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  
 26 by section 2 of the Act of August 22, 1949 (63 Stat. 623);

1 and for construction, including necessary personnel,  
2 \$107,000,000, to remain available until expended, of  
3 which \$20,000,000 is for maintenance, repair, rehabilita-  
4 tion, and construction of facilities at the National Zoolog-  
5 ical Park, and of which not to exceed \$10,000 is for serv-  
6 ices as authorized by ~~5 U.S.C. 3109: *Provided,* That con-~~  
7 tracts awarded for environmental systems, protection sys-  
8 tems, and repair or restoration of facilities of the Smithso-  
9 nian Institution may be negotiated with selected contrac-  
10 tors and awarded on the basis of contractor qualifications  
11 as well as price.

12 ADMINISTRATIVE PROVISIONS, SMITHSONIAN  
13 INSTITUTION

14 None of the funds in this or any other Act may be  
15 used to make any changes to the existing Smithsonian  
16 science programs including closure of facilities, relocation  
17 of staff or redirection of functions and programs without  
18 the advance approval of the House and Senate Committees  
19 on Appropriations.

20 None of the funds in this or any other Act may be  
21 used to initiate the design for any proposed expansion of  
22 current space or new facility without consultation with the  
23 House and Senate Committees on Appropriations.

24 None of the funds in this or any other Act may be  
25 used for the Holt House located at the National Zoological  
26 Park in Washington, D.C., unless identified as repairs to

1 minimize water damage, monitor structure movement, or  
2 provide interim structural support.

3       None of the funds available to the Smithsonian may  
4 be reprogrammed without the advance approval of the  
5 House and Senate Committees on Appropriations in ac-  
6 cordance with the reprogramming procedures contained in  
7 the statement of the managers accompanying this Act.

8       None of the funds in this or any other Act may be  
9 used to purchase any additional buildings without prior  
10 consultation with the House and Senate Committees on  
11 Appropriations.

12       None of the funds made available by this Act may  
13 be used to execute any contract or legal agreement with  
14 a for-profit entity which has the effect of significantly lim-  
15 iting access by the public to Smithsonian personnel or to  
16 Smithsonian collections unless such agreement has been  
17 publicly noticed at least 30 days prior to entering into  
18 such contract or agreement and has been approved by the  
19 Regents of the Smithsonian Institution after reviewing  
20 any public comments that have been received during the  
21 public comment period. This section does not limit the  
22 Smithsonian's existing authority to grant or deny any spe-  
23 cific request, by any organization or individual for access,  
24 based on its judgment of the appropriateness of the use

1 of Smithsonian resources being proposed in a specific ap-  
2 plication.

3       None of the funds in the Act shall be used to admin-  
4 ister or otherwise facilitate the payment of compensation  
5 to any officer or employee of the Smithsonian or any of  
6 its subsidiary organizations at an annual rate of pay, in-  
7 cluding any bonuses or similar cash or in-kind amounts,  
8 in excess of the rate of pay of the President of the United  
9 States.

#### 10                   NATIONAL GALLERY OF ART

#### 11                   SALARIES AND EXPENSES

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



1 purchase or rental of devices and services for protecting  
2 buildings and contents thereof, and maintenance, alter-  
3 ation, improvement, and repair of buildings, approaches,  
4 and grounds; and purchase of services for restoration and  
5 repair of works of art for the National Gallery of Art by  
6 contracts made, without advertising, with individuals,  
7 firms, or organizations at such rates or prices and under  
8 such terms and conditions as the Gallery may deem prop-  
9 er, \$101,794,000, of which not to exceed \$3,239,000 for  
10 the special exhibition program shall remain available until  
11 expended.

12 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

13 For necessary expenses of repair, restoration and  
14 renovation of buildings, grounds and facilities owned or  
15 occupied by the National Gallery of Art, by contract or  
16 otherwise, as authorized, \$14,949,000, to remain available  
17 until expended: *Provided*, That contracts awarded for envi-  
18 ronmental systems, protection systems, and exterior repair  
19 or renovation of buildings of the National Gallery of Art  
20 may be negotiated with selected contractors and awarded  
21 on the basis of contractor qualifications as well as price:  
22 *Provided further*, That, notwithstanding any other provi-  
23 sion of law, a single procurement for the Master Facilities  
24 Plan renovation project at the National Gallery of Art may  
25 be issued which includes the full scope of the Work Area  
26 #3 project: *Provided further*, That the solicitation and the

1 contract shall contain the clause “availability of funds”  
2 found at 48 CFR 52.232.18.

3     JOHN F. KENNEDY CENTER FOR THE PERFORMING  
4   ARTS  
5   OPERATIONS AND MAINTENANCE

6     For necessary expenses for the operation, mainte-  
7 nance and security of the John F. Kennedy Center for  
8 the Performing Arts, \$18,909,000.

9   CONSTRUCTION

10     For necessary expenses for capital repair and restora-  
11 tion of the existing features of the building and site of  
12 the John F. Kennedy Center for the Performing Arts,  
13 \$19,800,000, to remain available until expended.

14     WOODROW WILSON INTERNATIONAL CENTER FOR  
15   SCHOLARS

16   SALARIES AND EXPENSES

17     For expenses necessary in carrying out the provisions  
18 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
19 1356) including hire of passenger vehicles and services as  
20 authorized by 5 U.S.C. 3109, \$9,438,000.

21     NATIONAL FOUNDATION ON THE ARTS AND THE  
22   HUMANITIES

23   NATIONAL ENDOWMENT FOR THE ARTS

24   GRANTS AND ADMINISTRATION

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

1 as amended, \$124,412,000 (increased by \$5,000,000)  
2 shall be available to the National Endowment for the Arts  
3 for the support of projects and productions in the arts,  
4 including arts education and public outreach activities,  
5 through assistance to organizations and individuals pursu-  
6 ant to section 5 of the Act, including \$14,097,000 for sup-  
7 port of arts education and public outreach activities  
8 through the Challenge America program, for program sup-  
9 port, and for administering the functions of the Act, to  
10 remain available until expended: *Provided*, That funds pre-  
11 viously appropriated to the National Endowment for the  
12 Arts “Matching Grants” account and “Challenge Amer-  
13 ica” account may be transferred to and merged with this  
14 account: *Provided further*, That funds appropriated herein  
15 shall be expended in accordance with sections 309 and 311  
16 of Public Law 108–108.

17 NATIONAL ENDOWMENT FOR THE HUMANITIES

18 GRANTS AND ADMINISTRATION

19 For necessary expenses to carry out the National  
20 Foundation on the Arts and the Humanities Act of 1965,  
21 as amended, \$126,049,000 (increased by \$5,000,000),  
22 shall be available to the National Endowment for the Hu-  
23 manities for support of activities in the humanities, pursu-  
24 ant to section 7(c) of the Act, and for administering the  
25 functions of the Act, to remain available until expended.

## MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$14,906,000, to remain available until expended, of which \$9,648,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

## ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the Na-

1 tional Endowment for the Arts may approve grants up to  
 2 \$10,000, if in the aggregate this amount does not exceed  
 3 5 percent of the sums appropriated for grant-making pur-  
 4 poses per year: *Provided further*, That such small grant  
 5 actions are taken pursuant to the terms of an expressed  
 6 and direct delegation of authority from the National Coun-  
 7 cil on the Arts to the Chairperson: *Provided further*, That  
 8 20 U.S.C. 954(e) shall not apply to grants and contracts  
 9 funded solely with nonappropriated monies.

#### 10 COMMISSION OF FINE ARTS

##### 11 SALARIES AND EXPENSES

12 For expenses made necessary by the Act establishing  
 13 a Commission of Fine Arts (40 U.S.C. 104), \$1,951,000:  
 14 *Provided*, That the Commission is authorized to charge  
 15 fees to cover the full costs of its publications, and such  
 16 fees shall be credited to this account as an offsetting col-  
 17 lection, to remain available until expended without further  
 18 appropriation.

#### 19 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

20 For necessary expenses as authorized by Public Law  
 21 99-190 (20 U.S.C. 956a), as amended, \$6,534,000.

#### 22 ADVISORY COUNCIL ON HISTORIC PRESERVATION

##### 23 SALARIES AND EXPENSES

24 For necessary expenses of the Advisory Council on  
 25 Historic Preservation (Public Law 89-665, as amended),  
 26 \$5,118,000: *Provided*, That none of these funds shall be

1 available for compensation of level V of the Executive  
 2 Schedule or higher positions.

3           ~~NATIONAL CAPITAL PLANNING COMMISSION~~

4                           ~~SALARIES AND EXPENSES~~

5           For necessary expenses, as authorized by the Na-  
 6 tional Capital Planning Act of 1952 (~~40 U.S.C. 71–71i~~),  
 7 including services as authorized by ~~5 U.S.C. 3109~~,  
 8 \$7,623,000: *Provided,* That one-quarter of 1 percent of  
 9 the funds provided under this heading may be used for  
 10 official reception and representational expenses associated  
 11 with hosting international visitors engaged in the planning  
 12 and physical development of world capitals.

13           ~~UNITED STATES HOLOCAUST MEMORIAL MUSEUM~~

14                           ~~HOLOCAUST MEMORIAL MUSEUM~~

15           For expenses of the Holocaust Memorial Museum, as  
 16 authorized by Public Law 106–292 (~~36 U.S.C. 2301–~~  
 17 ~~2310~~), \$43,415,000, of which \$515,000 for the equipment  
 18 replacement program shall remain available until Sep-  
 19 tember 30, 2009; and \$1,900,000 for the museum’s repair  
 20 and rehabilitation program and \$1,264,000 for the muse-  
 21 um’s exhibition design and production program shall re-  
 22 main available until expended.

1                               PRESIDIO TRUST

2                               PRESIDIO TRUST FUND

3           For necessary expenses to carry out title I of the Om-  
4 nibus Parks and Public Lands Management Act of 1996,  
5 \$19,256,000 shall be available to the Presidio Trust, to  
6 remain available until expended.

7                               WHITE HOUSE COMMISSION ON THE NATIONAL

8                               MOMENT OF REMEMBRANCE

9                               SALARIES AND EXPENSES

10          For necessary expenses of the White House Commis-  
11 sion on the National Moment of Remembrance, \$200,000.

12                               TITLE IV—GENERAL PROVISIONS

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

20          SEC. 402. No part of any appropriation contained in  
21 this Act shall be available for any activity or the publica-  
22 tion or distribution of literature that in any way tends to  
23 promote public support or opposition to any legislative  
24 proposal on which Congressional action is not complete

1 other than to communicate to Members of Congress as  
2 described in 18 U.S.C. 1913.

3       ~~SEC. 403.~~ No part of any appropriation contained in  
4 this Act shall remain available for obligation beyond the  
5 current fiscal year unless expressly so provided herein.

6       ~~SEC. 404.~~ None of the funds provided in this Act to  
7 any department or agency shall be obligated or expended  
8 to provide a personal cook, chauffeur, or other personal  
9 servants to any officer or employee of such department  
10 or agency except as otherwise provided by law.

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

20       ~~SEC. 406.~~ None of the funds made available in this  
21 Act may be transferred to any department, agency, or in-  
22 strumentality of the United States Government except  
23 pursuant to a transfer made by, or transfer provided in,  
24 this Act or any other Act.



1        SEC. 407. None of the funds available to the Forest  
 2 Service or the Bureau of Land Management may be used  
 3 in fiscal year 2007 or fiscal year 2008 to plan, prepare,  
 4 or offer for sale timber from trees classified as giant se-  
 5 quoia (*Sequoiadendron giganteum*) which are located on  
 6 National Forest System or Bureau of Land Management  
 7 lands in a manner different than such sales were con-  
 8 ducted in fiscal year 2005.

9        SEC. 408. (a) LIMITATION OF FUNDS.—None of the  
 10 funds appropriated or otherwise made available pursuant  
 11 to this Act shall be obligated or expended to accept or  
 12 process applications for a patent for any mining or mill  
 13 site claim located under the general mining laws.

14        (b) EXCEPTIONS.—The provisions of subsection (a)  
 15 shall not apply if the Secretary of the Interior determines  
 16 that, for the claim concerned: (1) a patent application was  
 17 filed with the Secretary on or before September 30, 1994;  
 18 and (2) all requirements established under sections 2325  
 19 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)  
 20 for vein or lode claims and sections 2329, 2330, 2331,  
 21 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and  
 22 37) for placer claims, and section 2337 of the Revised  
 23 Statutes (30 U.S.C. 42) for mill site claims, as the case  
 24 may be, were fully complied with by the applicant by that  
 25 date.

1       (c) ~~REPORT.~~—On September 30, 2007, the Secretary  
2 of the Interior shall file with the House and Senate Com-  
3 mittees on Appropriations and the Committee on Re-  
4 sources of the House of Representatives and the Com-  
5 mittee on Energy and Natural Resources of the Senate  
6 a report on actions taken by the Department under the  
7 plan submitted pursuant to section 314(c) of the Depart-  
8 ment of the Interior and Related Agencies Appropriations  
9 Act, 1997 (Public Law 104–208).

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

22       ~~SEC. 409.~~ Notwithstanding any other provision of  
23 law, amounts appropriated to or earmarked in committee  
24 reports for the Bureau of Indian Affairs and the Indian  
25 Health Service by Public Laws 103–138, 103–332, 104–

1 ~~134, 104-208, 105-83, 105-277, 106-113, 106-291,~~  
 2 ~~107-63, 108-7, 108-108, 108-447, and 109-54 for pay-~~  
 3 ~~ments to tribes and tribal organizations for contract sup-~~  
 4 ~~port costs associated with self-determination or self-gov-~~  
 5 ~~ernance contracts, grants, compacts, or annual funding~~  
 6 ~~agreements with the Bureau of Indian Affairs or the In-~~  
 7 ~~dian Health Service as funded by such Acts, are the total~~  
 8 ~~amounts available for fiscal years 1994 through 2006 for~~  
 9 ~~such purposes, except that, for the Bureau of Indian Af-~~  
 10 ~~fairs, tribes and tribal organizations may use their tribal~~  
 11 ~~priority allocations for unmet contract support costs of on-~~  
 12 ~~going contracts, grants, self-governance compacts or an-~~  
 13 ~~nual funding agreements.~~

14       SEC. 410. No part of any appropriation contained in  
 15 this Act shall be expended or obligated to complete and  
 16 issue the 5-year program under the Forest and Rangeland  
 17 Renewable Resources Planning Act.

18       SEC. 411. Amounts deposited during fiscal year 2006  
 19 in the roads and trails fund provided for in the 14th para-  
 20 graph under the heading “FOREST SERVICE” of the  
 21 Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall  
 22 be used by the Secretary of Agriculture, without regard  
 23 to the State in which the amounts were derived, to repair  
 24 or reconstruct roads, bridges, and trails on National For-  
 25 est System lands or to carry out and administer projects

1 to improve forest health conditions, which may include the  
2 repair or reconstruction of roads, bridges, and trails on  
3 National Forest System lands in the wildland-community  
4 interface where there is an abnormally high risk of fire.  
5 The projects shall emphasize reducing risks to human  
6 safety and public health and property and enhancing eco-  
7 logical functions, long-term forest productivity, and bio-  
8 logical integrity. The projects may be completed in a sub-  
9 sequent fiscal year. Funds shall not be expended under  
10 this section to replace funds which would otherwise appro-  
11 priately be expended from the timber salvage sale fund.  
12 Nothing in this section shall be construed to exempt any  
13 project from any environmental law.

14       SEC. 412. Other than in emergency situations, none  
15 of the funds in this Act may be used to operate telephone  
16 answering machines during core business hours unless  
17 such answering machines include an option that enables  
18 callers to reach promptly an individual on-duty with the  
19 agency being contacted.

20       SEC. 413. Prior to October 1, 2008, the Secretary  
21 of Agriculture shall not be considered to be in violation  
22 of subparagraph 6(f)(5)(A) of the Forest and Rangeland  
23 Renewable Resources Planning Act of 1974 (16 U.S.C.  
24 1604(f)(5)(A)) solely because more than 15 years have  
25 passed without revision of the plan for a unit of the Na-

1 tional Forest System. Nothing in this section exempts the  
2 Secretary from any other requirement of the Forest and  
3 Rangeland Renewable Resources Planning Act (16 U.S.C.  
4 1600 et seq.) or any other law: *Provided*, That if the Sec-  
5 retary is not acting expeditiously and in good faith, within  
6 the funding available, to revise a plan for a unit of the  
7 National Forest System, this section shall be void with re-  
8 spect to such plan and a court of proper jurisdiction may  
9 order completion of the plan on an accelerated basis.

10 SEC. 414. No funds provided in this Act may be ex-  
11 pended to conduct preleasing, leasing and related activities  
12 under either the Mineral Leasing Act (30 U.S.C. 181 et  
13 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
14 1331 et seq.) within the boundaries of a National Monu-  
15 ment established pursuant to the Act of June 8, 1906 (16  
16 U.S.C. 431 et seq.) as such boundary existed on January  
17 20, 2001, except where such activities are allowed under  
18 the Presidential proclamation establishing such monu-  
19 ment.

20 SEC. 415. In entering into agreements with foreign  
21 countries pursuant to the Wildfire Suppression Assistance  
22 Act (42 U.S.C. 1856m) the Secretary of Agriculture and  
23 the Secretary of the Interior are authorized through the  
24 end of fiscal year 2010 to enter into reciprocal agreements  
25 in which the individuals furnished under said agreements

1 to provide wildfire services are considered, for purposes  
2 of tort liability, employees of the country receiving said  
3 services when the individuals are engaged in fire suppression.  
4 The Secretary of Agriculture or the Secretary of the  
5 Interior shall not enter into any agreement under this provision  
6 unless the foreign country (either directly or  
7 through its fire organization) agrees to assume any and  
8 all liability for the acts or omissions of American firefighters  
9 engaged in firefighting in a foreign country. When  
10 an agreement is reached for furnishing fire fighting services,  
11 the only remedies for acts or omissions committed  
12 while fighting fires shall be those provided under the laws  
13 of the host country, and those remedies shall be the exclusive  
14 remedies for any claim arising out of fighting fires  
15 in a foreign country. Neither the sending country nor any  
16 legal organization associated with the firefighter shall be  
17 subject to any legal action whatsoever pertaining to or  
18 arising out of the firefighter's role in fire suppression.

19       SEC. 416. In awarding a Federal contract with funds  
20 made available by this Act, notwithstanding Federal Government  
21 procurement and contracting laws, the Secretary  
22 of Agriculture and the Secretary of the Interior (the "Secretaries")  
23 may, in evaluating bids and proposals, give consideration  
24 to local contractors who are from, and who provide  
25 employment and training for, dislocated and displaced

1 workers in an economically disadvantaged rural commu-  
2 nity, including those historically timber-dependent areas  
3 that have been affected by reduced timber harvesting on  
4 Federal lands and other forest-dependent rural commu-  
5 nities isolated from significant alternative employment op-  
6 portunities. Notwithstanding Federal Government pro-  
7 curement and contracting laws the Secretaries may award  
8 contracts, grants or cooperative agreements to local non-  
9 profit entities, Youth Conservation Corps or related part-  
10 nerships with State, local or non-profit youth groups, or  
11 small or micro-business or disadvantaged business. The  
12 contract, grant, or cooperative agreement is for forest haz-  
13 ardous fuels reduction, watershed or water quality moni-  
14 toring or restoration, wildlife or fish population moni-  
15 toring, or habitat restoration or management. The terms  
16 “rural community” and “economically disadvantaged”  
17 shall have the same meanings as in section 2374 of Public  
18 Law 101–624. The Secretaries shall develop guidance to  
19 implement this section. Nothing in this section shall be  
20 construed as relieving the Secretaries of any duty under  
21 applicable procurement laws, except as provided in this  
22 section.

23       SEC. 417. No funds appropriated in this Act for the  
24 acquisition of lands or interests in lands may be expended  
25 for the filing of declarations of taking or complaints in

1 condemnation without the approval of the House and Sen-  
2 ate Committees on Appropriations: *Provided*, That this  
3 provision shall not apply to funds appropriated to imple-  
4 ment the Everglades National Park Protection and Ex-  
5 pansion Act of 1989, or to funds appropriated for Federal  
6 assistance to the State of Florida to acquire lands for Ev-  
7 erglades restoration purposes.

8 SEC. 418. (a) LIMITATION ON COMPETITIVE  
9 SOURCING STUDIES.—

10 (1) Of the funds made available by this or any  
11 other Act to the Department of the Interior for fis-  
12 cal year 2007, not more than \$3,450,000 may be  
13 used by the Secretary of the Interior to initiate or  
14 continue competitive sourcing studies in fiscal year  
15 2007 for programs, projects, and activities for which  
16 funds are appropriated by this Act until such time  
17 as the Secretary concerned submits a reprogram-  
18 ming proposal to the Committees on Appropriations  
19 of the Senate and the House of Representatives, and  
20 such proposal has been processed consistent with the  
21 reprogramming guidelines included in the report ac-  
22 companying this Act.

23 (2) Of the funds appropriated by this Act, not  
24 more than \$2,500,000 may be used in fiscal year



1       2007 for competitive sourcing studies and related  
2       activities by the Forest Service.

3       (b) COMPETITIVE SOURCING STUDY DEFINED.—In  
4       this section, the term “competitive sourcing study” means  
5       a study on subjecting work performed by Federal Govern-  
6       ment employees or private contractors to public-private  
7       competition or on converting the Federal Government em-  
8       ployees or the work performed by such employees to pri-  
9       vate contractor performance under the Office of Manage-  
10      ment and Budget Circular A-76 or any other administra-  
11      tive regulation, directive, or policy.

12      (c) COMPETITIVE SOURCING EXEMPTION FOR FOR-  
13      EST SERVICE STUDIES CONDUCTED PRIOR TO FISCAL  
14      YEAR 2006.—The Forest Service is hereby exempted from  
15      implementing the Letter of Obligation and post-competi-  
16      tion accountability guidelines where a competitive sourcing  
17      study involved 65 or fewer full-time equivalents, the per-  
18      formance decision was made in favor of the agency pro-  
19      vider, no net savings was achieved by conducting the  
20      study, and the study was completed prior to the date of  
21      this Act.

22      (d) In preparing any reports to the Committees on  
23      Appropriations on competitive sourcing activities, agencies  
24      funded in this Act shall include all costs attributable to  
25      conducting the competitive sourcing competitions and

1 staff work to prepare for competitions or to determine the  
 2 feasibility of starting competitions, including costs attrib-  
 3 utable to paying outside consultants and contractors and,  
 4 in accordance with full cost accounting principles, all costs  
 5 attributable to developing, implementing, supporting,  
 6 managing, monitoring, and reporting on competitive  
 7 sourcing, including personnel, consultant, travel, and  
 8 training costs associated with program management.

9 (c) In carrying out any competitive sourcing study  
 10 involving Forest Service employees, the Secretary of Agri-  
 11 culture shall—

12 (1) determine whether any of the employees con-  
 13 cerned are also qualified to participate in wildland  
 14 fire management activities; and

15 (2) take into consideration the effect that con-  
 16 tracting with a private sector source would have on  
 17 the ability of the Forest Service to effectively and ef-  
 18 ficiently fight and manage wildfires.

19 SEC. 419. None of the funds in this Act or prior Acts  
 20 making appropriations for the Department of the Interior  
 21 and Related Agencies may be provided to the managing  
 22 partners or their agents for the SAFECOM or Disaster  
 23 Management projects.

24 SEC. 420. Section 331 of the Department of the Inte-  
 25 rior and Related Agencies Appropriations Act, 2000 (as

1 enacted into law by section 1000(a)(3) of Public Law 106–  
2 113; 113 Stat. 1501A–196; 16 U.S.C. 497 note); as  
3 amended, is amended—

4       (1) in subsection (a) by striking “2006” and in-  
5       serting “2007”; and

6       (2) in subsection (b) by striking “2006” and in-  
7       serting “2007”.

8       SEC. 421. The Secretary of Agriculture may acquire,  
9 by exchange or otherwise, a parcel of real property, includ-  
10 ing improvements thereon, of the Inland Valley Develop-  
11 ment Agency of San Bernardino, California, or its succes-  
12 sors and assigns, generally comprising Building No. 3 and  
13 Building No. 4 of the former Defense Finance and Ac-  
14 counting Services complex located at the southwest corner  
15 of Tippecanoe Avenue and Mill Street in San Bernardino,  
16 California, adjacent to the former Norton Air Force Base.  
17 As full consideration for the property to be acquired, the  
18 Secretary of Agriculture may terminate the leasehold  
19 rights of the United States received pursuant to section  
20 8121(a)(2) of the Department of Defense Appropriations  
21 Act, 2005 (Public Law 108–287; 118 Stat. 999). The ac-  
22 quisition of the property shall be on such terms and condi-  
23 tions as the Secretary of Agriculture considers appropriate  
24 and may be carried out without appraisals, environmental

1 or administrative surveys, consultations, analyses, or other  
2 considerations of the condition of the property.

3       SEC. 422. None of the funds made available in this  
4 Act may be used to study, complete a study of, or enter  
5 into a contract with a private party to carry out, without  
6 specific authorization in a subsequent Act of Congress, a  
7 competitive sourcing activity of the Secretary of Agri-  
8 culture or the Secretary of the Interior, including support  
9 personnel of the Department of Agriculture and the De-  
10 partment of the Interior, relating to wildfire management  
11 or wildfire suppression programs.

12       SEC. 423. None of the funds made available in this  
13 Act may be used to work on or enter into a contract with  
14 a private party to carry out, the Fire Program Analysis  
15 system, unless both the Secretary of Agriculture and the  
16 Secretary of the Interior certify, in writing to the Comp-  
17 troller General, that this funding will accomplish the exist-  
18 ing work plan, as determined by the Wildland Fire Lead-  
19 ership Council, and that State wildfire agencies will be full  
20 participants in the use and development of the system.

21       SEC. 424. Notwithstanding any other provision of  
22 law, no officer or employee of the Smithsonian Institution  
23 or any of its subsidiary organizations shall be compensated  
24 directly or indirectly at an annual rate of pay in excess

1 of the statutorily established rate of pay of the President  
2 of the United States.

3 **SEC. 425. LIMITATION ON USE OF FUNDS FOR SALE OR**  
4 **SLAUGHTER OF FREE-ROAMING HORSES AND**  
5 **BURROS.**

6 None of the funds made available by this Act may  
7 be used for the sale or slaughter of wild free-roaming  
8 horses and burros (as defined in Public Law 92–195).

9 **TITLE V—ADDITIONAL GENERAL PROVISIONS**

10 ~~SEC. 501.~~ None of the funds made available by this  
11 Act shall be used in contravention of the Federal buildings  
12 performance and reporting requirements of Executive  
13 Order No. 13123, part 3 of title V of the National Energy  
14 Conservation Policy Act (42 U.S.C. 8251 et seq.), or sub-  
15 title A of title I of the Energy Policy Act of 2005 (includ-  
16 ing the amendments made thereby).

17 ~~SEC. 502.~~ None of the funds made available in this  
18 Act may be used to issue any new lease that authorizes  
19 production of oil or natural gas under the Outer Conti-  
20 nental Shelf Lands Act (43 U.S.C. 1331 et. seq.) to any  
21 lessee under an existing lease issued by the Department  
22 of the Interior pursuant to the Outer Continental Shelf  
23 Deep Water Royalty Relief Act (43 U.S.C. 1337 note),  
24 where such existing lease is not subject to limitations on  
25 royalty relief based on market price.

1        SEC. 503. None of the funds made available in this  
2 Act may be used to plan, design, study, or construct, for  
3 the purpose of harvesting timber by private entities or in-  
4 dividuals, a forest development road in the Tongass Na-  
5 tional Forest.

6        SEC. 504. None of the funds made available in this  
7 Act may be used to send or otherwise pay for the attend-  
8 ance of more than 50 employees from a Federal depart-  
9 ment or agency at any single conference occurring outside  
10 the United States.

11       SEC. 505. No funds made available by this Act may  
12 be obligated or expended to conduct the San Gabriel Wa-  
13 tershed and Mountains Special Resource Study (author-  
14 ized by the San Gabriel River Watershed Study Act (Pub-  
15 lic Law 108-42)) in the cities of Diamond Bar, La Habra,  
16 Industry, Chino Hills, and the community of Rowland  
17 Heights in Los Angeles County, California (as defined by  
18 the following boundaries: the City of Industry on the  
19 north, Orange County on the south, the City of Diamond  
20 Bar and California State Route 57 on the east, and the  
21 City of La Habra Heights and Schabaram Regional Park  
22 on the west.).

23       SEC. 506. None of the funds made available in this  
24 Act may be used to eliminate or restrict programs that  
25 are for the reforestation of urban areas.

1       SEC. 507. None of the funds made available in this  
2 Act may be used to limit outreach programs administered  
3 by the Smithsonian Institution.

4       SEC. 508. None of the funds in this Act may be used  
5 by the Administrator of the Environmental Protection  
6 Agency to implement or enforce the Joint Memorandum  
7 published in the Federal Register on January 15, 2003  
8 (68 Fed. Reg. 1995).

9       SEC. 509. No funds provided in title I may be ex-  
10 pended by the Department of the Interior—

11           (1) for the conduct of offshore natural gas  
12 preleasing, leasing, and related activities placed  
13 under restriction in the President's moratorium  
14 statement of June 12, 1998, in the areas of north-  
15 ern, central, and southern California; the North At-  
16 lantic; Washington and Oregon; and the eastern  
17 Gulf of Mexico south of 26 degrees north latitude  
18 and east of 86 degrees west longitude;

19           (2) to conduct offshore natural gas preleasing,  
20 leasing, and related activities in the eastern Gulf of  
21 Mexico planning area for any lands located outside  
22 Sale 181, as identified in the final Outer Continental  
23 Shelf 5-Year Oil and Gas Leasing Program, 1997–  
24 2002; or

4        This Act may be cited as the “Department of the In-  
5    terior, Environment, and Related Agencies Appropriations  
6    Act, 2007”.

12 *TITLE I*

13 *DEPARTMENT OF THE INTERIOR*

14 *BUREAU OF LAND MANAGEMENT*

15 *MANAGEMENT OF LANDS AND RESOURCES*

16 *For necessary expenses for protection, use, improve-*

17 *ment, development, disposal, cadastral surveying, classifica-*

18 *tion, acquisition of easements and other interests in lands,*

19 *and performance of other functions, including maintenance*

20 *of facilities, as authorized by law, in the management of*

21 *lands and their resources under the jurisdiction of the Bu-*

22 *reau of Land Management, including the general adminis-*

23 *tration of the Bureau, and assessment of mineral potential*

24 *of public lands pursuant to Public Law 96-487 (16 U.S.C.*

25 *3150(a)), \$876,872,000, to remain available until expended,*



1 *of which \$1,250,000 is for high priority projects, to be car-*  
 2 *ried out by the Youth Conservation Corps; and of which*  
 3 *\$3,000,000 shall be available in fiscal year 2007 subject to*  
 4 *a match by at least an equal amount by the National Fish*  
 5 *and Wildlife Foundation for cost-shared projects supporting*  
 6 *conservation of Bureau lands; and such funds shall be ad-*  
 7 *vanced to the Foundation as a lump sum grant without*  
 8 *regard to when expenses are incurred.*

9 *In addition, \$32,696,000 is for Mining Law Adminis-*  
 10 *tration program operations, including the cost of admin-*  
 11 *istering the mining claim fee program; to remain available*  
 12 *until expended, to be reduced by amounts collected by the*  
 13 *Bureau and credited to this appropriation from annual*  
 14 *mining claim fees so as to result in a final appropriation*  
 15 *estimated at not more than \$876,872,000, and \$2,000,000,*  
 16 *to remain available until expended, from communication*  
 17 *site rental fees established by the Bureau for the cost of ad-*  
 18 *ministering communication site activities.*

19 **WILDLAND FIRE MANAGEMENT**

20 **(INCLUDING TRANSFER OF FUNDS)**

21 *For necessary expenses for fire preparedness, suppres-*  
 22 *sion operations, fire science and research, emergency reha-*  
 23 *bilitation, hazardous fuels reduction, and rural fire assist-*  
 24 *ance by the Department of the Interior, \$776,649,000, to*  
 25 *remain available until expended, of which not to exceed*  
 26 *\$7,734,000 shall be for the renovation or construction of fire*

1 facilities: Provided, That such funds are also available for  
2 repayment of advances to other appropriation accounts  
3 from which funds were previously transferred for such pur-  
4 poses: Provided further, That persons hired pursuant to 43  
5 U.S.C. 1469 may be furnished subsistence and lodging with-  
6 out cost from funds available from this appropriation: Pro-  
7 vided further, That notwithstanding 42 U.S.C. 1856d, sums  
8 received by a bureau or office of the Department of the Inte-  
9 rior for fire protection rendered pursuant to 42 U.S.C. 1856  
10 et seq., protection of United States property, may be cred-  
11 ited to the appropriation from which funds were expended  
12 to provide that protection, and are available without fiscal  
13 year limitation: Provided further, That using the amounts  
14 designated under this title of this Act, the Secretary of the  
15 Interior may enter into procurement contracts, grants, or  
16 cooperative agreements, for hazardous fuels reduction ac-  
17 tivities, and for training and monitoring associated with  
18 such hazardous fuels reduction activities, on Federal land,  
19 or on adjacent non-Federal land for activities that benefit  
20 resources on Federal land: Provided further, That the costs  
21 of implementing any cooperative agreement between the  
22 Federal Government and any non-Federal entity may be  
23 shared, as mutually agreed on by the affected parties: Pro-  
24 vided further, That notwithstanding requirements of the  
25 Competition in Contracting Act, the Secretary, for purposes

1 of hazardous fuels reduction activities, may obtain max-  
2 imum practicable competition among: (1) local private,  
3 nonprofit, or cooperative entities; (2) Youth Conservation  
4 Corps crews or related partnerships with State, local, or  
5 non-profit youth groups; (3) small or micro-businesses; or  
6 (4) other entities that will hire or train locally a significant  
7 percentage, defined as 50 percent or more, of the project  
8 workforce to complete such contracts: Provided further, That  
9 in implementing this section, the Secretary shall develop  
10 written guidance to field units to ensure accountability and  
11 consistent application of the authorities provided herein:  
12 Provided further, That funds appropriated under this head  
13 may be used to reimburse the United States Fish and Wild-  
14 life Service and the National Marine Fisheries Service for  
15 the costs of carrying out their responsibilities under the En-  
16 dangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to  
17 consult and conference, as required by section 7 of such Act,  
18 in connection with wildland fire management activities:  
19 Provided further, That the Secretary of the Interior may  
20 use wildland fire appropriations to enter into non-competi-  
21 tive sole source leases of real property with local govern-  
22 ments, at or below fair market value, to construct capital-  
23 ized improvements for fire facilities on such leased prop-  
24 erties, including but not limited to fire guard stations, re-  
25 tardant stations, and other initial attack and fire support

1 *facilities, and to make advance payments for any such lease*  
 2 *or for construction activity associated with the lease: Pro-*  
 3 *vided further, That the Secretary of the Interior and the*  
 4 *Secretary of Agriculture may authorize the transfer of funds*  
 5 *appropriated for wildland fire management, in an aggre-*  
 6 *gate amount not to exceed \$9,000,000, between the Depart-*  
 7 *ments when such transfers would facilitate and expedite*  
 8 *jointly funded wildland fire management programs and*  
 9 *projects: Provided further, That funds provided for wildfire*  
 10 *suppression shall be available for support of Federal emer-*  
 11 *gency response actions.*

#### 12 CONSTRUCTION

13 *For construction of buildings, recreation facilities,*  
 14 *roads, trails, and appurtenant facilities, \$6,840,000, to re-*  
 15 *main available until expended.*

#### 16 LAND ACQUISITION

17 *For expenses necessary to carry out sections 205, 206,*  
 18 *and 318(d) of Public Law 94–579, including administra-*  
 19 *tive expenses and acquisition of lands or waters, or interests*  
 20 *therein, \$9,217,000, to be derived from the Land and Water*  
 21 *Conservation Fund and to remain available until expended.*

#### 22 OREGON AND CALIFORNIA GRANT LANDS

23 *For expenses necessary for management, protection,*  
 24 *and development of resources and for construction, oper-*  
 25 *ation, and maintenance of access roads, reforestation, and*  
 26 *other improvements on the revested Oregon and California*

1 *Railroad grant lands, on other Federal lands in the Oregon*  
 2 *and California land-grant counties of Oregon, and on adja-*  
 3 *cent rights-of-way; and acquisition of lands or interests*  
 4 *therein, including existing connecting roads on or adjacent*  
 5 *to such grant lands; \$112,408,000, to remain available until*  
 6 *expended: Provided, That 25 percent of the aggregate of all*  
 7 *receipts during the current fiscal year from the revested Or-*  
 8 *egon and California Railroad grant lands is hereby made*  
 9 *a charge against the Oregon and California land-grant*  
 10 *fund and shall be transferred to the General Fund in the*  
 11 *Treasury in accordance with the second paragraph of sub-*  
 12 *section (b) of title II of the Act of August 28, 1937 (50 Stat.*  
 13 *876).*

14 *FOREST ECOSYSTEM HEALTH AND RECOVERY FUND*  
 15 *(REVOLVING FUND, SPECIAL ACCOUNT)*

16 *In addition to the purposes authorized in Public Law*  
 17 *102–381, funds made available in the Forest Ecosystem*  
 18 *Health and Recovery Fund can be used for the purpose of*  
 19 *planning, preparing, implementing and monitoring salvage*  
 20 *timber sales and forest ecosystem health and recovery activi-*  
 21 *ties, such as release from competing vegetation and density*  
 22 *control treatments. The Federal share of receipts (defined*  
 23 *as the portion of salvage timber receipts not paid to the*  
 24 *counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et*  
 25 *seq., and Public Law 106–393) derived from treatments*

1 *funded by this account shall be deposited into the Forest*  
2 *Ecosystem Health and Recovery Fund.*

3 *RANGE IMPROVEMENTS*

4 *For rehabilitation, protection, and acquisition of lands*  
5 *and interests therein, and improvement of Federal range-*  
6 *lands pursuant to section 401 of the Federal Land Policy*  
7 *and Management Act of 1976 (43 U.S.C. 1701), notwith-*  
8 *standing any other Act, sums equal to 50 percent of all*  
9 *moneys received during the prior fiscal year under sections*  
10 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.)*  
11 *and the amount designated for range improvements from*  
12 *grazing fees and mineral leasing receipts from Bankhead-*  
13 *Jones lands transferred to the Department of the Interior*  
14 *pursuant to law, but not less than \$10,000,000, to remain*  
15 *available until expended: Provided, That not to exceed*  
16 *\$600,000 shall be available for administrative expenses.*

17 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

18 *For administrative expenses and other costs related to*  
19 *processing application documents and other authorizations*  
20 *for use and disposal of public lands and resources, for costs*  
21 *of providing copies of official public land documents, for*  
22 *monitoring construction, operation, and termination of fa-*  
23 *cilities in conjunction with use authorizations, and for re-*  
24 *habilitation of damaged property, such amounts as may be*  
25 *collected under Public Law 94-579, as amended, and Public*  
26 *Law 93-153, to remain available until expended: Provided,*

1 *That, notwithstanding any provision to the contrary of sec-*  
2 *tion 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any*  
3 *moneys that have been or will be received pursuant to that*  
4 *section, whether as a result of forfeiture, compromise, or set-*  
5 *tlement, if not appropriate for refund pursuant to section*  
6 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*  
7 *and may be expended under the authority of this Act by*  
8 *the Secretary to improve, protect, or rehabilitate any public*  
9 *lands administered through the Bureau of Land Manage-*  
10 *ment which have been damaged by the action of a resource*  
11 *developer, purchaser, permittee, or any unauthorized per-*  
12 *son, without regard to whether all moneys collected from*  
13 *each such action are used on the exact lands damaged which*  
14 *led to the action: Provided further, That any such moneys*  
15 *that are in excess of amounts needed to repair damage to*  
16 *the exact land for which funds were collected may be used*  
17 *to repair other damaged public lands.*

18 MISCELLANEOUS TRUST FUNDS

19 *In addition to amounts authorized to be expended*  
20 *under existing laws, there is hereby appropriated such*  
21 *amounts as may be contributed under section 307 of the*  
22 *Act of October 21, 1976 (43 U.S.C. 1701), and such*  
23 *amounts as may be advanced for administrative costs, sur-*  
24 *veys, appraisals, and costs of making conveyances of omit-*  
25 *ted lands under section 211(b) of that Act, to remain avail-*  
26 *able until expended.*

## 1 ADMINISTRATIVE PROVISIONS

2       *Appropriations for the Bureau of Land Management*  
3 *shall be available for purchase, erection, and dismantlement*  
4 *of temporary structures, and alteration and maintenance*  
5 *of necessary buildings and appurtenant facilities to which*  
6 *the United States has title; up to \$100,000 for payments,*  
7 *at the discretion of the Secretary, for information or evi-*  
8 *dence concerning violations of laws administered by the Bu-*  
9 *reau; miscellaneous and emergency expenses of enforcement*  
10 *activities authorized or approved by the Secretary and to*  
11 *be accounted for solely on her certificate, not to exceed*  
12 *\$10,000: Provided, That notwithstanding 44 U.S.C. 501,*  
13 *the Bureau may, under cooperative cost-sharing and part-*  
14 *nership arrangements authorized by law, procure printing*  
15 *services from cooperators in connection with jointly pro-*  
16 *duced publications for which the cooperators share the cost*  
17 *of printing either in cash or in services, and the Bureau*  
18 *determines the cooperator is capable of meeting accepted*  
19 *quality standards.*

## 20 UNITED STATES FISH AND WILDLIFE SERVICE

## 21 RESOURCE MANAGEMENT

22       *For necessary expenses of the United States Fish and*  
23 *Wildlife Service, as authorized by law, and for scientific*  
24 *and economic studies, maintenance of the herd of long-*  
25 *horned cattle on the Wichita Mountains Wildlife Refuge,*



1 *general administration, and for the performance of other*  
2 *authorized functions related to such resources by direct ex-*  
3 *penditure, contracts, grants, cooperative agreements and re-*  
4 *imbursable agreements with public and private entities,*  
5 *\$1,023,703,000, to remain available until September 30,*  
6 *2008, except as otherwise provided herein: Provided, That*  
7 *\$2,500,000 is for high priority projects, which shall be car-*  
8 *ried out by the Youth Conservation Corps: Provided further,*  
9 *That not to exceed \$17,859,000 shall be used for imple-*  
10 *menting subsections (a), (b), (c), and (e) of section 4 of the*  
11 *Endangered Species Act, as amended, for species that are*  
12 *indigenous to the United States (except for processing peti-*  
13 *tions, developing and issuing proposed and final regula-*  
14 *tions, and taking any other steps to implement actions de-*  
15 *scribed in subsection (c)(2)(A), (c)(2)(B)(i), or*  
16 *(c)(2)(B)(ii)), of which not to exceed \$12,672,000 shall be*  
17 *used for any activity regarding the designation of critical*  
18 *habitat, pursuant to subsection (a)(3), excluding litigation*  
19 *support, for species listed pursuant to subsection (a)(1)*  
20 *prior to October 1, 2006: Provided further, That of the*  
21 *amount available for law enforcement, up to \$400,000, to*  
22 *remain available until expended, may at the discretion of*  
23 *the Secretary be used for payment for information, rewards,*  
24 *or evidence concerning violations of laws administered by*  
25 *the Service, and miscellaneous and emergency expenses of*

1 *enforcement activity, authorized or approved by the Sec-*  
 2 *retary and to be accounted for solely on his certificate: Pro-*  
 3 *vided further, That of the amount provided for environ-*  
 4 *mental contaminants, up to \$1,000,000 may remain avail-*  
 5 *able until expended for contaminant sample analyses.*

6 *CONSTRUCTION*

7 *For construction, improvement, acquisition, or re-*  
 8 *moval of buildings and other facilities required in the con-*  
 9 *servation, management, investigation, protection, and utili-*  
 10 *zation of fishery and wildlife resources, and the acquisition*  
 11 *of lands and interests therein; \$28,824,000, to remain avail-*  
 12 *able until expended.*

13 *LAND ACQUISITION*

14 *For expenses necessary to carry out the Land and*  
 15 *Water Conservation Fund Act of 1965, as amended (16*  
 16 *U.S.C. 460l-4 through 11), including administrative ex-*  
 17 *penses, and for acquisition of land or waters, or interest*  
 18 *therein, in accordance with statutory authority applicable*  
 19 *to the United States Fish and Wildlife Service, \$42,264,000,*  
 20 *to be derived from the Land and Water Conservation Fund*  
 21 *and to remain available until expended, of which, notwith-*  
 22 *standing 16 U.S.C. 460l-9, \$1,000,000 shall be for land*  
 23 *conservation partnerships authorized by the Highlands*  
 24 *Conservation Act of 2004: Provided, That none of the funds*  
 25 *appropriated for specific land acquisition projects can be*

1 *used to pay for any administrative overhead, planning or*  
 2 *other management costs.*

3 *LANDOWNER INCENTIVE PROGRAM*

4 *For expenses necessary to carry out the Land and*  
 5 *Water Conservation Fund Act of 1965, as amended (16*  
 6 *U.S.C. 460l-4 through 11), including administrative ex-*  
 7 *penses, and for private conservation efforts to be carried out*  
 8 *on private lands, \$10,000,000, to be derived from the Land*  
 9 *and Water Conservation Fund, and to remain available*  
 10 *until expended: Provided, That the amount provided herein*  
 11 *is for a Landowner Incentive Program that provides match-*  
 12 *ing, competitively awarded grants to States, the District*  
 13 *of Columbia, federally recognized Indian tribes, Puerto*  
 14 *Rico, Guam, the United States Virgin Islands, the Northern*  
 15 *Mariana Islands, and American Samoa, to establish or sup-*  
 16 *plement existing landowner incentive programs that pro-*  
 17 *vide technical and financial assistance, including habitat*  
 18 *protection and restoration, to private landowners for the*  
 19 *protection and management of habitat to benefit federally*  
 20 *listed, proposed, candidate, or other at-risk species on pri-*  
 21 *vate lands.*

22 *PRIVATE STEWARDSHIP GRANTS*

23 *For expenses necessary to carry out the Land and*  
 24 *Water Conservation Fund Act of 1965, as amended (16*  
 25 *U.S.C. 460l-4 through 11), including administrative ex-*  
 26 *penses, and for private conservation efforts to be carried out*

1 on private lands, \$7,277,000, to be derived from the Land  
2 and Water Conservation Fund, and to remain available  
3 until expended: Provided, That the amount provided herein  
4 is for the Private Stewardship Grants Program to provide  
5 grants and other assistance to individuals and groups en-  
6 gaged in private conservation efforts that benefit federally  
7 listed, proposed, candidate, or other at-risk species.

8 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

9 For expenses necessary to carry out section 6 of the  
10 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),  
11 as amended, \$80,001,000, to remain available until ex-  
12 pended, of which \$20,161,000 is to be derived from the Co-  
13 operative Endangered Species Conservation Fund and  
14 \$59,840,000 is to be derived from the Land and Water Con-  
15 servation Fund.

16 NATIONAL WILDLIFE REFUGE FUND

17 For expenses necessary to implement the Act of October  
18 17, 1978 (16 U.S.C. 715s), \$14,202,000.

19 NORTH AMERICAN WETLANDS CONSERVATION FUND

20 For expenses necessary to carry out the provisions of  
21 the North American Wetlands Conservation Act, Public  
22 Law 101-233, as amended, \$39,412,000, to remain avail-  
23 able until expended.

24 NEOTROPICAL MIGRATORY BIRD CONSERVATION

25 For financial assistance for projects to promote the  
26 conservation of neotropical migratory birds in accordance

1 *with the Neotropical Migratory Bird Conservation Act,*  
 2 *Public Law 106–247 (16 U.S.C. 6101–6109), \$4,000,000,*  
 3 *to remain available until expended.*

4 *MULTINATIONAL SPECIES CONSERVATION FUND*

5 *For expenses necessary to carry out the African Ele-*  
 6 *phant Conservation Act (16 U.S.C. 4201–4203, 4211–4213,*  
 7 *4221–4225, 4241–4245, and 1538), the Asian Elephant*  
 8 *Conservation Act of 1997 (16 U.S.C. 4261–4266), the Rhi-*  
 9 *noceros and Tiger Conservation Act of 1994 (16 U.S.C.*  
 10 *5301–5306), the Great Ape Conservation Act of 2000 (16*  
 11 *U.S.C. 6301), and the Marine Turtle Conservation Act of*  
 12 *2004 (16 U.S.C. 6601), \$6,800,000, to remain available*  
 13 *until expended.*

14 *STATE AND TRIBAL WILDLIFE GRANTS*

15 *For wildlife conservation grants to States and to the*  
 16 *District of Columbia, Puerto Rico, Guam, the United States*  
 17 *Virgin Islands, the Northern Mariana Islands, American*  
 18 *Samoa, and federally recognized Indian tribes under the*  
 19 *provisions of the Fish and Wildlife Act of 1956 and the*  
 20 *Fish and Wildlife Coordination Act, for the development*  
 21 *and implementation of programs for the benefit of wildlife*  
 22 *and their habitat, including species that are not hunted or*  
 23 *fished, \$67,492,000, to be derived from the Land and Water*  
 24 *Conservation Fund, and to remain available until ex-*  
 25 *pended: Provided, That of the amount provided herein,*  
 26 *\$5,912,000 is for a competitive grant program for Indian*

1 tribes, not subject to the remaining provisions of this appro-  
2 priation: Provided further, That the Secretary shall, after  
3 deducting said \$5,912,000 and administrative expenses, ap-  
4 portion the amount provided herein in the following man-  
5 ner: (1) to the District of Columbia and to the Common-  
6 wealth of Puerto Rico, each a sum equal to not more than  
7 one-half of 1 percent thereof; and (2) to Guam, American  
8 Samoa, the United States Virgin Islands, and the Common-  
9 wealth of the Northern Mariana Islands, each a sum equal  
10 to not more than one-fourth of 1 percent thereof: Provided  
11 further, That the Secretary shall apportion the remaining  
12 amount in the following manner: (1) one-third of which is  
13 based on the ratio to which the land area of such State bears  
14 to the total land area of all such States; and (2) two-thirds  
15 of which is based on the ratio to which the population of  
16 such State bears to the total population of all such States:  
17 Provided further, That the amounts apportioned under this  
18 paragraph shall be adjusted equitably so that no State shall  
19 be apportioned a sum which is less than 1 percent of the  
20 amount available for apportionment under this paragraph  
21 for any fiscal year or more than 5 percent of such amount:  
22 Provided further, That the Federal share of planning grants  
23 shall not exceed 75 percent of the total costs of such projects  
24 and the Federal share of implementation grants shall not  
25 exceed 50 percent of the total costs of such projects: Provided

1 *further, That the non-Federal share of such projects may*  
2 *not be derived from Federal grant programs: Provided fur-*  
3 *ther, That no State, territory, or other jurisdiction shall re-*  
4 *ceive a grant if its comprehensive wildlife conservation plan*  
5 *is disapproved and such funds that would have been distrib-*  
6 *uted to such State, territory, or other jurisdiction shall be*  
7 *distributed equitably to States, territories, and other juris-*  
8 *dictions with approved plans: Provided further, That any*  
9 *amount apportioned in 2007 to any State, territory, or*  
10 *other jurisdiction that remains unobligated as of September*  
11 *30, 2008, shall be reapportioned, together with funds appro-*  
12 *priated in 2009, in the manner provided herein.*

13 *ADMINISTRATIVE PROVISIONS*

14 *Appropriations and funds available to the United*  
15 *States Fish and Wildlife Service shall be available for pur-*  
16 *chase of passenger motor vehicles; repair of damage to pub-*  
17 *lic roads within and adjacent to reservation areas caused*  
18 *by operations of the Service; options for the purchase of*  
19 *land at not to exceed \$1 for each option; facilities incident*  
20 *to such public recreational uses on conservation areas as*  
21 *are consistent with their primary purpose; and the mainte-*  
22 *nance and improvement of aquaria, buildings, and other*  
23 *facilities under the jurisdiction of the Service and to which*  
24 *the United States has title, and which are used pursuant*  
25 *to law in connection with management, and investigation*  
26 *of fish and wildlife resources: Provided, That notwith-*

1 *standing 44 U.S.C. 501, the Service may, under cooperative*  
2 *cost sharing and partnership arrangements authorized by*  
3 *law, procure printing services from cooperators in connec-*  
4 *tion with jointly produced publications for which the co-*  
5 *operators share at least one-half the cost of printing either*  
6 *in cash or services and the Service determines the coop-*  
7 *erator is capable of meeting accepted quality standards:*  
8 *Provided further, That, notwithstanding any other provi-*  
9 *sion of law, the Service may use up to \$2,000,000 from*  
10 *funds provided for contracts for employment-related legal*  
11 *services: Provided further, That the Service may accept do-*  
12 *nated aircraft as replacements for existing aircraft: Pro-*  
13 *vided further, That, notwithstanding any other provision*  
14 *of law, the Secretary of the Interior may not spend any*  
15 *of the funds appropriated in this Act for the purchase of*  
16 *lands or interests in lands to be used in the establishment*  
17 *of any new unit of the National Wildlife Refuge System*  
18 *unless the purchase is approved in advance by the House*  
19 *and Senate Committees on Appropriations in compliance*  
20 *with the reprogramming procedures contained in the state-*  
21 *ment of the managers accompanying this Act.*

22 *NATIONAL PARK SERVICE*

23 *OPERATION OF THE NATIONAL PARK SYSTEM*

24 *For expenses necessary for the management, operation,*  
25 *and maintenance of areas and facilities administered by*



1 *the National Park Service (including special road mainte-*  
2 *nance service to trucking permittees on a reimbursable*  
3 *basis), and for the general administration of the National*  
4 *Park Service, \$1,751,040,000, of which \$9,829,000 is for*  
5 *planning and interagency coordination in support of Ever-*  
6 *glades restoration and shall remain available until ex-*  
7 *pende; of which \$89,314,000, to remain available until*  
8 *September 30, 2008, is for maintenance, repair or rehabili-*  
9 *tation projects for constructed assets, operation of the Na-*  
10 *tional Park Service automated facility management soft-*  
11 *ware system, and comprehensive facility condition assess-*  
12 *ments; and of which \$2,000,000 is for the Youth Conserva-*  
13 *tion Corps for high priority projects: Provided, That the*  
14 *only funds in this account which may be made available*  
15 *to support United States Park Police are those funds ap-*  
16 *proved for emergency law and order incidents pursuant to*  
17 *established National Park Service procedures, those funds*  
18 *needed to maintain and repair United States Park Police*  
19 *administrative facilities, and those funds necessary to reim-*  
20 *burse the United States Park Police account for the*  
21 *unbudgeted overtime and travel costs associated with special*  
22 *events for an amount not to exceed \$10,000 per event subject*  
23 *to the review and concurrence of the Washington head-*  
24 *quarters office.*

## 1 UNITED STATES PARK POLICE

2 *For expenses necessary to carry out the programs of*  
3 *the United States Park Police, \$84,775,000.*

## 4 NATIONAL RECREATION AND PRESERVATION

5 *For expenses necessary to carry out recreation pro-*  
6 *grams, natural programs, cultural programs, heritage part-*  
7 *nership programs, environmental compliance and review,*  
8 *international park affairs, statutory or contractual aid for*  
9 *other activities, and grant administration, not otherwise*  
10 *provided for, \$53,501,000: Provided, That none of the funds*  
11 *in this Act for the Rivers, Trails and Conservation Assist-*  
12 *ance program may be used for cash agreements, or for coop-*  
13 *erative agreements that are inconsistent with the program's*  
14 *final strategic plan.*

## 15 HISTORIC PRESERVATION FUND

16 *For expenses necessary in carrying out the Historic*  
17 *Preservation Act of 1966, as amended (16 U.S.C. 470), and*  
18 *the Omnibus Parks and Public Lands Management Act of*  
19 *1996 (Public Law 104–333), \$70,658,000, to be derived*  
20 *from the Historic Preservation Fund and to remain avail-*  
21 *able until September 30, 2008, of which \$30,000,000 shall*  
22 *be for Save America's Treasures for preservation of nation-*  
23 *ally significant sites, structures, and artifacts: Provided,*  
24 *That not to exceed \$10,000,000 of the amount provided for*  
25 *Save America's Treasures may be for Preserve America*  
26 *grants to States, Tribes, and local communities for projects*

1 *that preserve important historic resources through the pro-*  
 2 *motion of heritage tourism: Provided further, That any in-*  
 3 *dividual Save America's Treasures or Preserve America*  
 4 *grant shall be matched by non-Federal funds: Provided fur-*  
 5 *ther, That individual projects shall only be eligible for one*  
 6 *grant: Provided further, That competitive projects to be*  
 7 *funded shall be approved by the Secretary of the Interior*  
 8 *in consultation with the House and Senate Committees on*  
 9 *Appropriations, and in consultation with the President's*  
 10 *Committee on the Arts and Humanities prior to the com-*  
 11 *mitment of Save America's Treasures grant funds and with*  
 12 *the Advisory Council on Historic Preservation prior to the*  
 13 *commitment of Preserve America grant funds: Provided fur-*  
 14 *ther, That Save America's Treasures funds allocated for*  
 15 *Federal projects, following approval, shall be available by*  
 16 *transfer to appropriate accounts of individual agencies.*

#### CONSTRUCTION

18 *For construction, improvements, repair or replacement*  
 19 *of physical facilities, including the modifications authorized*  
 20 *by section 104 of the Everglades National Park Protection*  
 21 *and Expansion Act of 1989, \$234,855,000, to remain avail-*  
 22 *able until expended, of which \$1,100,000 for the Mark*  
 23 *Twain Boyhood Home National Historic Landmark shall*  
 24 *be derived from the Historic Preservation Fund pursuant*  
 25 *to 16 U.S.C. 470a: Provided, That none of the funds avail-*  
 26 *able to the National Park Service may be used to plan, de-*

1 *sign, or construct any partnership project with a total value*  
2 *in excess of \$5,000,000, without advance approval of the*  
3 *House and Senate Committees on Appropriations: Provided*  
4 *further, That notwithstanding any other provision of law,*  
5 *the National Park Service may not accept donations or*  
6 *services associated with the planning, design, or construc-*  
7 *tion of such new facilities without advance approval of the*  
8 *House and Senate Committees on Appropriations: Provided*  
9 *further, That funds provided under this heading for imple-*  
10 *mentation of modified water deliveries to Everglades Na-*  
11 *tional Park shall be expended consistent with the require-*  
12 *ments of the fifth proviso under this heading in Public Law*  
13 *108–108: Provided further, That funds provided under this*  
14 *heading for implementation of modified water deliveries to*  
15 *Everglades National Park shall be available for obligation*  
16 *only if matching funds are appropriated to the Army Corps*  
17 *of Engineers for the same purpose: Provided further, That*  
18 *none of the funds provided under this heading for imple-*  
19 *mentation of modified water deliveries to Everglades Na-*  
20 *tional Park shall be available for obligation if any of the*  
21 *funds appropriated to the Army Corps of Engineers for the*  
22 *purpose of implementing modified water deliveries, includ-*  
23 *ing finalizing detailed engineering and design documents*  
24 *for a bridge or series of bridges for the Tamiami Trail com-*  
25 *ponent of the project, becomes unavailable for obligation.*

1                    *LAND AND WATER CONSERVATION FUND*2                    *(RESCISSION)*

3            *The contract authority provided for fiscal year 2007*  
4 *by 16 U.S.C. 460l–10a is rescinded.*

5                    *LAND ACQUISITION AND STATE ASSISTANCE*

6            *For expenses necessary to carry out the Land and*  
7 *Water Conservation Act of 1965, as amended (16 U.S.C.*  
8 *460l–4 through 11), including administrative expenses, and*  
9 *for acquisition of lands or waters, or interest therein, in*  
10 *accordance with the statutory authority applicable to the*  
11 *National Park Service, \$63,393,000, to be derived from the*  
12 *Land and Water Conservation Fund and to remain avail-*  
13 *able until expended, of which \$30,000,000 is for the State*  
14 *assistance program including \$1,625,000 for program ad-*  
15 *ministration: Provided, That none of the funds provided for*  
16 *the State assistance program may be used to establish a*  
17 *contingency fund.*

18                    *ADMINISTRATIVE PROVISIONS*

19            *Appropriations for the National Park Service shall be*  
20 *available for the purchase of not to exceed 233 passenger*  
21 *motor vehicles, of which 193 shall be for replacement only,*  
22 *including not to exceed 190 for police-type use, 11 buses,*  
23 *and 6 ambulances: Provided, That none of the funds appro-*  
24 *priated to the National Park Service may be used to imple-*  
25 *ment an agreement for the redevelopment of the southern*  
26 *end of Ellis Island until such agreement has been submitted*

1 *to the Congress and shall not be implemented prior to the*  
2 *expiration of 30 calendar days (not including any day in*  
3 *which either House of Congress is not in session because*  
4 *of adjournment of more than 3 calendar days to a day cer-*  
5 *tain) from the receipt by the Speaker of the House of Rep-*  
6 *resentatives and the President of the Senate of a full and*  
7 *comprehensive report on the development of the southern*  
8 *end of Ellis Island, including the facts and circumstances*  
9 *relied upon in support of the proposed project.*

10 *None of the funds in this Act may be spent by the Na-*  
11 *tional Park Service for activities taken in direct response*  
12 *to the United Nations Biodiversity Convention.*

13 *Notwithstanding any other provision of law, the Na-*  
14 *tional Park Service is authorized to expend appropriated*  
15 *funds, which may include existing, unobligated NPS recre-*  
16 *ation fee demonstration balances, for the National Park*  
17 *Service's proportionate cost of upgrading the West Yellow-*  
18 *stone/Hebgen Basin (Gallatin County, Montana) municipal*  
19 *solid waste disposal system for the processing and disposal*  
20 *of municipal solid waste generated within Yellowstone Na-*  
21 *tional Park: Provided, That future fees paid by the Na-*  
22 *tional Park Service to the West Yellowstone/Hebgen Basin*  
23 *Solid Waste District will be restricted to operations and*  
24 *maintenance costs of the facility, given the capital contribu-*  
25 *tion made by the National Park Service.*

1       *The National Park Service may distribute to operating*  
2 *units based on the safety record of each unit the costs of*  
3 *programs designed to improve workplace and employee safe-*  
4 *ty, and to encourage employees receiving workers' com-*  
5 *pensation benefits pursuant to chapter 81 of title 5, United*  
6 *States Code, to return to appropriate positions for which*  
7 *they are medically able.*

8       *In addition to other uses set forth in section 407(d)*  
9 *of Public Law 105–391, franchise fees credited to a sub-*  
10 *account shall be available for expenditure by the Secretary,*  
11 *without further appropriation, for use at any unit within*  
12 *the National Park System to extinguish or reduce liability*  
13 *for Possessory Interest or leasehold surrender interest. Such*  
14 *funds may only be used for this purpose to the extent that*  
15 *the benefiting unit anticipated franchise fee receipts over*  
16 *the term of the contract at that unit exceed the amount of*  
17 *funds used to extinguish or reduce liability. Franchise fees*  
18 *at the benefiting unit shall be credited to the sub-account*  
19 *of the originating unit over a period not to exceed the term*  
20 *of a single contract at the benefiting unit, in the amount*  
21 *of funds so expended to extinguish or reduce liability.*

22                   *UNITED STATES GEOLOGICAL SURVEY*

23                   *SURVEYS, INVESTIGATIONS, AND RESEARCH*

24       *For expenses necessary for the United States Geological*  
25 *Survey to perform surveys, investigations, and research cov-*

1 ering topography, geology, hydrology, biology, and the min-  
2 eral and water resources of the United States, its territories  
3 and possessions, and other areas as authorized by 43 U.S.C.  
4 31, 1332, and 1340; classify lands as to their mineral and  
5 water resources; give engineering supervision to power per-  
6 mittees and Federal Energy Regulatory Commission licens-  
7 ees; administer the minerals exploration program (30  
8 U.S.C. 641); conduct inquiries into the economic conditions  
9 affecting mining and materials processing industries (30  
10 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related  
11 purposes as authorized by law; and to publish and dissemi-  
12 nate data relative to the foregoing activities; \$979,997,000,  
13 of which \$64,171,000 shall be available only for cooperation  
14 with States or municipalities for water resources investiga-  
15 tions; of which \$8,000,000 shall remain available until ex-  
16 pended for satellite operations; of which \$22,977,000 shall  
17 be available until September 30, 2008, for the operation and  
18 maintenance of facilities and deferred maintenance; and of  
19 which \$176,547,000 shall be available until September 30,  
20 2008, for the biological research activity and the operation  
21 of the Cooperative Research Units: Provided, That none of  
22 the funds provided for the biological research activity shall  
23 be used to conduct new surveys on private property, unless  
24 specifically authorized in writing by the property owner:  
25 Provided further, That no part of this appropriation shall



1 *be used to pay more than one-half the cost of topographic*  
2 *mapping or water resources data collection and investiga-*  
3 *tions carried on in cooperation with States and municipali-*  
4 *ties: Provided further, That none of the funds in this or*  
5 *any other Act may be used to competitively source functions*  
6 *of the National Geospatial Technical Operations Center un-*  
7 *less the Federal staff at the Mid-Continent Mapping Center*  
8 *in Rolla, Missouri is afforded the opportunity to establish*  
9 *a Most Efficient Organization team and participate fully*  
10 *and fairly in the competitive sourcing competition.*

11 *ADMINISTRATIVE PROVISIONS*

12 *From within the amount appropriated for activities*  
13 *of the United States Geological Survey, such sums as are*  
14 *necessary shall be available for the purchase and replace-*  
15 *ment of passenger motor vehicles; reimbursement to the*  
16 *General Services Administration for security guard serv-*  
17 *ices; contracting for the furnishing of topographic maps and*  
18 *for the making of geophysical or other specialized surveys*  
19 *when it is administratively determined that such proce-*  
20 *dures are in the public interest; construction and mainte-*  
21 *nance of necessary buildings and appurtenant facilities; ac-*  
22 *quisition of lands for gauging stations and observation*  
23 *wells; expenses of the United States National Committee on*  
24 *Geology; and payment of compensation and expenses of per-*  
25 *sons on the rolls of the Survey duly appointed to represent*  
26 *the United States in the negotiation and administration*

1 *of interstate compacts: Provided, That activities funded by*  
 2 *appropriations herein made may be accomplished through*  
 3 *the use of contracts, grants, or cooperative agreements as*  
 4 *defined in 31 U.S.C. 6302 et seq.: Provided further, That*  
 5 *the United States Geological Survey may enter into con-*  
 6 *tracts or cooperative agreements directly with individuals*  
 7 *or indirectly with institutions or nonprofit organizations,*  
 8 *without regard to 41 U.S.C. 5, for the temporary or inter-*  
 9 *mittent services of students or recent graduates, who shall*  
 10 *be considered employees for the purpose of chapters 57 and*  
 11 *81 of title 5, United States Code, relating to compensation*  
 12 *for travel and work injuries, and chapter 171 of title 28,*  
 13 *United States Code, relating to tort claims, but shall not*  
 14 *be considered to be Federal employees for any other purpose.*

#### 15 *MINERALS MANAGEMENT SERVICE*

##### 16 *ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

17 *For expenses necessary for minerals leasing and envi-*  
 18 *ronmental studies, regulation of industry operations, and*  
 19 *collection of royalties, as authorized by law; for enforcing*  
 20 *laws and regulations applicable to oil, gas, and other min-*  
 21 *erals leases, permits, licenses and operating contracts; and*  
 22 *for matching grants or cooperative agreements; including*  
 23 *the purchase of not to exceed eight passenger motor vehicles*  
 24 *for replacement only, \$156,551,000, of which \$79,158,000*  
 25 *shall be available for royalty management activities; and*

1 *an amount not to exceed \$128,730,000, to be credited to this*  
2 *appropriation and to remain available until expended,*  
3 *from additions to receipts resulting from increases to rates*  
4 *in effect on August 5, 1993, from rate increases to fee collec-*  
5 *tions for Outer Continental Shelf administrative activities*  
6 *performed by the Minerals Management Service (MMS)*  
7 *over and above the rates in effect on September 30, 1993,*  
8 *and from additional fees for Outer Continental Shelf ad-*  
9 *ministrative activities established after September 30, 1993:*  
10 *Provided, That to the extent \$128,730,000 in additions to*  
11 *receipts are not realized from the sources of receipts stated*  
12 *above, the amount needed to reach \$128,730,000 shall be*  
13 *credited to this appropriation from receipts resulting from*  
14 *rental rates for Outer Continental Shelf leases in effect be-*  
15 *fore August 5, 1993: Provided further, That \$3,000,000 for*  
16 *computer acquisitions shall remain available until Sep-*  
17 *tember 30, 2008: Provided further, That not to exceed*  
18 *\$3,000 shall be available for reasonable expenses related to*  
19 *promoting volunteer beach and marine cleanup activities:*  
20 *Provided further, That notwithstanding any other provision*  
21 *of law, \$15,000 under this heading shall be available for*  
22 *refunds of overpayments in connection with certain Indian*  
23 *leases in which the Director of MMS concurred with the*  
24 *claimed refund due, to pay amounts owed to Indian*  
25 *allottees or tribes, or to correct prior unrecoverable erro-*

1 neous payments: *Provided further, That for the costs of ad-*  
 2 *ministration of the Coastal Impact Assistance Program au-*  
 3 *thorized by section 31 of the Outer Continental Shelf Lands*  
 4 *Act, as amended (43 U.S.C. 1456a), MMS in fiscal years*  
 5 *2007 through 2010 may retain one percent of the amounts*  
 6 *which are disbursed under section 31(b)(1), such retained*  
 7 *amounts to remain available until expended: Provided fur-*  
 8 *ther, That the eighth proviso under the heading of “Minerals*  
 9 *Management Service” in division E, title I, of the Consoli-*  
 10 *dated Appropriations Act, 2005 (Public Law 108–447) is*  
 11 *amended by inserting “and Indian Tribes” after “States”,*  
 12 *and inserting “and (d)” after “30 U.S.C. 1721(b)”.*

13 *OIL SPILL RESEARCH*

14 *For necessary expenses to carry out title I, section*  
 15 *1016, title IV, sections 4202 and 4303, title VII, and title*  
 16 *VIII, section 8201 of the Oil Pollution Act of 1990,*  
 17 *\$6,903,000, which shall be derived from the Oil Spill Liabil-*  
 18 *ity Trust Fund, to remain available until expended.*

19 *OFFICE OF SURFACE MINING RECLAMATION AND*

20 *ENFORCEMENT*

21 *REGULATION AND TECHNOLOGY*

22 *For necessary expenses to carry out the provisions of*  
 23 *the Surface Mining Control and Reclamation Act of 1977,*  
 24 *Public Law 95–87, as amended, including the purchase of*  
 25 *not to exceed 10 passenger motor vehicles, for replacement*  
 26 *only; \$112,109,000: Provided, That the Secretary of the In-*

1 *terior, pursuant to regulations, may use directly or through*  
 2 *grants to States, moneys collected in fiscal year 2007 for*  
 3 *civil penalties assessed under section 518 of the Surface*  
 4 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*  
 5 *1268), to reclaim lands adversely affected by coal mining*  
 6 *practices after August 3, 1977, to remain available until*  
 7 *expended: Provided further, That appropriations for the Of-*  
 8 *fice of Surface Mining Reclamation and Enforcement may*  
 9 *provide for the travel and per diem expenses of State and*  
 10 *tribal personnel attending Office of Surface Mining Rec-*  
 11 *lamation and Enforcement sponsored training.*

12 *ABANDONED MINE RECLAMATION FUND*

13 *For necessary expenses to carry out title IV of the Sur-*  
 14 *face Mining Control and Reclamation Act of 1977, Public*  
 15 *Law 95–87, as amended, including the purchase of not more*  
 16 *than 10 passenger motor vehicles for replacement only,*  
 17 *\$185,936,000, to be derived from receipts of the Abandoned*  
 18 *Mine Reclamation Fund and to remain available until ex-*  
 19 *pended; of which up to \$10,000,000, to be derived from the*  
 20 *Federal Expenses Share of the Fund, shall be for supple-*  
 21 *mental grants to States for the reclamation of abandoned*  
 22 *sites with acid mine rock drainage from coal mines, and*  
 23 *for associated activities, through the Appalachian Clean*  
 24 *Streams Initiative: Provided, That grants to minimum pro-*  
 25 *gram States will be \$1,500,000 per State in fiscal year*  
 26 *2007: Provided further, That pursuant to Public Law 97–*

1 365, the Department of the Interior is authorized to use up  
2 to 20 percent from the recovery of the delinquent debt owed  
3 to the United States Government to pay for contracts to  
4 collect these debts: Provided further, That funds made avail-  
5 able under title IV of Public Law 95–87 may be used for  
6 any required non-Federal share of the cost of projects funded  
7 by the Federal Government for the purpose of environ-  
8 mental restoration related to treatment or abatement of acid  
9 mine drainage from abandoned mines: Provided further,  
10 That such projects must be consistent with the purposes and  
11 priorities of the Surface Mining Control and Reclamation  
12 Act: Provided further, That amounts allocated under section  
13 402(g)(2) of such Act as of September 30, 2006, but not  
14 appropriated as of that date, are reallocated to the alloca-  
15 tion established in section 402(g)(3) of the Act: Provided  
16 further, That the State of Maryland may set aside the great-  
17 er of \$1,000,000 or 10 percent of the total of the grants  
18 made available to the State under title IV of the Act, if  
19 the amount set aside is deposited in an acid mine drainage  
20 abatement and treatment fund established under a State  
21 law, pursuant to which law the amount (together with all  
22 interest earned on the amount) is expended by the State  
23 to undertake acid mine drainage abatement and treatment  
24 projects, except that before any amounts greater than 10  
25 percent of its title IV grants are deposited in an acid mine

1 *drainage abatement and treatment fund, the State of Mary-*  
 2 *land must first complete all Surface Mining Control and*  
 3 *Reclamation Act priority one projects: Provided further,*  
 4 *That amounts provided under this heading may be used for*  
 5 *the travel and per diem expenses of State and tribal per-*  
 6 *sonnel attending Office of Surface Mining Reclamation and*  
 7 *Enforcement sponsored training.*

8 ADMINISTRATIVE PROVISIONS

9 *With funds available for the Technical Innovation and*  
 10 *Professional Services program in this Act, the Secretary*  
 11 *may transfer title for computer hardware, software and*  
 12 *other technical equipment to State and Tribal regulatory*  
 13 *and reclamation programs.*

14 BUREAU OF INDIAN AFFAIRS

15 OPERATION OF INDIAN PROGRAMS

16 *For expenses necessary for the operation of Indian pro-*  
 17 *grams, as authorized by law, including the Snyder Act of*  
 18 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*  
 19 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
 20 *450 et seq.), as amended, the Education Amendments of*  
 21 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*  
 22 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended,*  
 23 *\$2,005,538,000, to remain available until September 30,*  
 24 *2008 except as otherwise provided herein, of which not to*  
 25 *exceed \$80,179,000 shall be for welfare assistance payments:*  
 26 *Provided, That in cases of designated Federal disasters, the*

1 Secretary may exceed such cap, from the amounts provided  
2 herein, to provide for disaster relief to Indian communities  
3 affected by the disaster; notwithstanding any other provi-  
4 sion of law, including but not limited to the Indian Self-  
5 Determination Act of 1975, as amended, not to exceed  
6 \$147,628,000 shall be available for payments to tribes and  
7 tribal organizations for contract support costs associated  
8 with ongoing contracts, grants, compacts, or annual fund-  
9 ing agreements entered into with the Bureau prior to or  
10 during fiscal year 2007, as authorized by such Act, except  
11 that tribes and tribal organizations may use their tribal  
12 priority allocations for unmet contract support costs of on-  
13 going contracts, grants, or compacts, or annual funding  
14 agreements and for unmet welfare assistance costs; and of  
15 which not to exceed \$457,352,000 for school operations costs  
16 of Bureau-funded schools and other education programs  
17 shall become available on July 1, 2007, and shall remain  
18 available until September 30, 2008; and of which not to  
19 exceed \$66,298,000 shall remain available until expended  
20 for housing improvement, road maintenance, attorney fees,  
21 litigation support, the Indian Self-Determination Fund,  
22 land records improvement, and the Navajo-Hopi Settlement  
23 Program: Provided further, That notwithstanding any  
24 other provision of law, including but not limited to the In-  
25 dian Self-Determination Act of 1975, as amended, and 25



1 *U.S.C. 2008, not to exceed \$44,060,000 within and only*  
2 *from such amounts made available for school operations*  
3 *shall be available to tribes and tribal organizations for ad-*  
4 *ministrative cost grants associated with ongoing grants en-*  
5 *tered into with the Bureau prior to or during fiscal year*  
6 *2006 for the operation of Bureau-funded schools, and up*  
7 *to \$500,000 within and only from such amounts made*  
8 *available for school operations shall be available for the*  
9 *transitional costs of initial administrative cost grants to*  
10 *tribes and tribal organizations that enter into grants for*  
11 *the operation on or after July 1, 2006, of Bureau-operated*  
12 *schools: Provided further, That any forestry funds allocated*  
13 *to a tribe which remain unobligated as of September 30,*  
14 *2008, may be transferred during fiscal year 2009 to an In-*  
15 *dian forest land assistance account established for the ben-*  
16 *efit of such tribe within the tribe's trust fund account: Pro-*  
17 *vided further, That any such unobligated balances not so*  
18 *transferred shall expire on September 30, 2009.*

19 CONSTRUCTION

20 *For construction, repair, improvement, and mainte-*  
21 *nance of irrigation and power systems, buildings, utilities,*  
22 *and other facilities, including architectural and engineering*  
23 *services by contract; acquisition of lands, and interests in*  
24 *lands; and preparation of lands for farming, and for con-*  
25 *struction of the Navajo Indian Irrigation Project pursuant*  
26 *to Public Law 87-483, \$221,459,000, to remain available*

1 *until expended: Provided, That such amounts as may be*  
2 *available for the construction of the Navajo Indian Irriga-*  
3 *tion Project may be transferred to the Bureau of Reclama-*  
4 *tion: Provided further, That not to exceed 6 percent of con-*  
5 *tract authority available to the Bureau of Indian Affairs*  
6 *from the Federal Highway Trust Fund may be used to cover*  
7 *the road program management costs of the Bureau: Pro-*  
8 *vided further, That any funds provided for the Safety of*  
9 *Dams program pursuant to 25 U.S.C. 13 shall be made*  
10 *available on a nonreimbursable basis: Provided further,*  
11 *That for fiscal year 2007, in implementing new construc-*  
12 *tion or facilities improvement and repair project grants in*  
13 *excess of \$100,000 that are provided to tribally controlled*  
14 *grant schools under Public Law 100–297, as amended, the*  
15 *Secretary of the Interior shall use the Administrative and*  
16 *Audit Requirements and Cost Principles for Assistance Pro-*  
17 *grams contained in 43 CFR part 12 as the regulatory re-*  
18 *quirements: Provided further, That such grants shall not*  
19 *be subject to section 12.61 of 43 CFR; the Secretary and*  
20 *the grantee shall negotiate and determine a schedule of pay-*  
21 *ments for the work to be performed: Provided further, That*  
22 *in considering applications, the Secretary shall consider*  
23 *whether such grantee would be deficient in assuring that*  
24 *the construction projects conform to applicable building*  
25 *standards and codes and Federal, tribal, or State health*

1 *and safety standards as required by 25 U.S.C. 2005(b),*  
2 *with respect to organizational and financial management*  
3 *capabilities: Provided further, That if the Secretary declines*  
4 *an application, the Secretary shall follow the requirements*  
5 *contained in 25 U.S.C. 2504(f): Provided further, That any*  
6 *disputes between the Secretary and any grantee concerning*  
7 *a grant shall be subject to the disputes provision in 25*  
8 *U.S.C. 2507(e): Provided further, That in order to ensure*  
9 *timely completion of replacement school construction*  
10 *projects, the Secretary may assume control of a project and*  
11 *all funds related to the project, if, within eighteen months*  
12 *of the date of enactment of this Act, any tribe or tribal orga-*  
13 *nization receiving funds appropriated in this Act or in any*  
14 *prior Act, has not completed the planning and design phase*  
15 *of the project and commenced construction of the replace-*  
16 *ment school: Provided further, That this Appropriation*  
17 *may be reimbursed from the Office of the Special Trustee*  
18 *for American Indians Appropriation for the appropriate*  
19 *share of construction costs for space expansion needed in*  
20 *agency offices to meet trust reform implementation.*

21 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*

22 *MISCELLANEOUS PAYMENTS TO INDIANS*

23 *For miscellaneous payments to Indian tribes and indi-*  
24 *viduals and for necessary administrative expenses,*  
25 *\$39,213,000, to remain available until expended, for imple-*  
26 *mentation of Indian land and water claim settlements pur-*

1 *suant to Public Laws 99–264, 100–580, 101–618, 107–331,*  
 2 *and 108–477, and for implementation of other land and*  
 3 *water rights settlements, of which \$316,000 shall be avail-*  
 4 *able for payment to the Quinault Indian Nation pursuant*  
 5 *to the terms of the North Boundary Settlement Agreement*  
 6 *dated July 14, 2000, providing for the acquisition of per-*  
 7 *petual conservation easements from the Nation.*

8 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

9 *For the cost of guaranteed and insured loans,*  
 10 *\$6,262,000, of which \$626,000 is for administrative ex-*  
 11 *penses, as authorized by the Indian Financing Act of 1974,*  
 12 *as amended: Provided, That such costs, including the cost*  
 13 *of modifying such loans, shall be as defined in section 502*  
 14 *of the Congressional Budget Act of 1974: Provided further,*  
 15 *That these funds are available to subsidize total loan prin-*  
 16 *cipal, any part of which is to be guaranteed, not to exceed*  
 17 *\$87,376,744.*

18 *ADMINISTRATIVE PROVISIONS*

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

24 *Notwithstanding 25 U.S.C. 15, the Bureau of Indian*  
 25 *Affairs may contract for services in support of the manage-*

1 *ment, operation, and maintenance of the Power Division*  
2 *of the San Carlos Irrigation Project.*

3 *Appropriations for the Bureau of Indian Affairs (ex-*  
4 *cept the revolving fund for loans, the Indian loan guarantee*  
5 *and insurance fund, and the Indian Guaranteed Loan Pro-*  
6 *gram account) shall be available for expenses of exhibits,*  
7 *and purchase and replacement of passenger motor vehicles.*

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

18 *In the event any tribe returns appropriations made*  
19 *available by this Act to the Bureau of Indian Affairs for*  
20 *distribution to other tribes, this action shall not diminish*  
21 *the Federal Government’s trust responsibility to that tribe,*  
22 *or the government-to-government relationship between the*  
23 *United States and that tribe, or that tribe’s ability to access*  
24 *future appropriations.*

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

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

1 school programs of the State in which the school is located  
2 if the charter school loses such funding. Employees of Bu-  
3 reau-funded schools sharing a campus with a charter school  
4 and performing functions related to the charter school's op-  
5 eration and employees of a charter school shall not be treat-  
6 ed as Federal employees for purposes of chapter 171 of title  
7 28, United States Code.

8       Notwithstanding 25 U.S.C. 2007(d), and imple-  
9 menting regulations, the funds reserved from the Indian  
10 Student Equalization Program to meet emergencies and un-  
11 foreseen contingencies affecting education programs appro-  
12 priated herein and in Public Law 109–54 may be used for  
13 costs associated with significant student enrollment in-  
14 creases at Bureau-funded schools during the relevant school  
15 year.

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

1 *DEPARTMENTAL OFFICES*2 *INSULAR AFFAIRS*3 *ASSISTANCE TO TERRITORIES*

4 *For expenses necessary for assistance to territories*  
5 *under the jurisdiction of the Department of the Interior,*  
6 *\$76,481,000, of which: (1) \$68,857,000 shall remain avail-*  
7 *able until expended for technical assistance, including*  
8 *maintenance assistance, disaster assistance, insular man-*  
9 *agement controls, coral reef initiative activities, and brown*  
10 *tree snake control and research; grants to the judiciary in*  
11 *American Samoa for compensation and expenses, as au-*  
12 *thorized by law (48 U.S.C. 1661(c)); grants to the Govern-*  
13 *ment of American Samoa, in addition to current local reve-*  
14 *nues, for construction and support of governmental func-*  
15 *tions; grants to the Government of the Virgin Islands as*  
16 *authorized by law; grants to the Government of Guam, as*  
17 *authorized by law; and grants to the Government of the*  
18 *Northern Mariana Islands as authorized by law (Public*  
19 *Law 94-241; 90 Stat. 272); and (2) \$7,624,000 shall re-*  
20 *main available until September 30, 2008, for salaries and*  
21 *expenses of the Office of Insular Affairs: Provided, That all*  
22 *financial transactions of the territorial and local govern-*  
23 *ments herein provided for, including such transactions of*  
24 *all agencies or instrumentalities established or used by such*  
25 *governments, may be audited by the Government Account-*



1 ability Office, at its discretion, in accordance with chapter  
2 35 of title 31, United States Code: Provided further, That  
3 Northern Mariana Islands Covenant grant funding shall be  
4 provided according to those terms of the Agreement of the  
5 Special Representatives on Future United States Financial  
6 Assistance for the Northern Mariana Islands approved by  
7 Public Law 104–134: Provided further, That of the amounts  
8 provided for technical assistance, sufficient funds shall be  
9 made available for a grant to the Pacific Basin Develop-  
10 ment Council: Provided further, That of the amounts pro-  
11 vided for technical assistance, sufficient funding shall be  
12 made available for a grant to the Close Up Foundation:  
13 Provided further, That the funds for the program of oper-  
14 ations and maintenance improvement are appropriated to  
15 institutionalize routine operations and maintenance im-  
16 provement of capital infrastructure with territorial partici-  
17 pation and cost sharing to be determined by the Secretary  
18 based on the grantee’s commitment to timely maintenance  
19 of its capital assets: Provided further, That any appropria-  
20 tion for disaster assistance under this heading in this Act  
21 or previous appropriations Acts may be used as non-Fed-  
22 eral matching funds for the purpose of hazard mitigation  
23 grants provided pursuant to section 404 of the Robert T.  
24 Stafford Disaster Relief and Emergency Assistance Act (42  
25 U.S.C. 5170c).

1                    *COMPACT OF FREE ASSOCIATION*

2            *For grants and necessary expenses, \$5,362,000, to re-*  
3 *main available until expended, as provided for in sections*  
4 *221(a)(2), 221(b), and 233 of the Compact of Free Associa-*  
5 *tion for the Republic of Palau; and section 221(a)(2) of the*  
6 *Compacts of Free Association for the Government of the Re-*  
7 *public of the Marshall Islands and the Federated States of*  
8 *Micronesia, as authorized by Public Law 99-658 and Pub-*  
9 *lic Law 108-188.*

10                    *DEPARTMENTAL MANAGEMENT*11                    *SALARIES AND EXPENSES*

12            *For necessary expenses for management of the Depart-*  
13 *ment of the Interior, \$118,845,000; of which \$7,915,000 is*  
14 *to be derived from the Land and Water Conservation Fund*  
15 *and shall remain available until expended; of which not to*  
16 *exceed \$8,500 may be for official reception and representa-*  
17 *tion expenses; and of which up to \$1,000,000 shall be avail-*  
18 *able for workers compensation payments and unemploy-*  
19 *ment compensation payments associated with the orderly*  
20 *closure of the United States Bureau of Mines: Provided,*  
21 *That none of the funds in this Act or previous appropria-*  
22 *tions Acts may be used to establish reserves in the Working*  
23 *Capital Fund account other than for accrued annual leave*  
24 *and depreciation of equipment without prior approval of*  
25 *the House and Senate Committees on Appropriations.*

1                    *PAYMENTS IN LIEU OF TAXES*

2            *For expenses necessary to implement the Act of October*  
3 *20, 1976, as amended (31 U.S.C. 6901–6907),*  
4 *\$235,062,000, of which not to exceed \$400,000 shall be*  
5 *available for administrative expenses: Provided, That no*  
6 *payment shall be made to otherwise eligible units of local*  
7 *government if the computed amount of the payment is less*  
8 *than \$100.*

9                    *CENTRAL HAZARDOUS MATERIALS FUND*

10          *For necessary expenses of the Department of the Inte-*  
11 *rior and any of its component offices and bureaus for the*  
12 *remedial action, including associated activities, of haz-*  
13 *ardous waste substances, pollutants, or contaminants pur-*  
14 *suant to the Comprehensive Environmental Response, Com-*  
15 *pensation, and Liability Act, as amended (42 U.S.C. 9601*  
16 *et seq.), \$9,923,000, to remain available until expended.*

17                    *OFFICE OF THE SOLICITOR*18                    *SALARIES AND EXPENSES*

19          *For necessary expenses of the Office of the Solicitor,*  
20 *\$56,755,000.*

21                    *OFFICE OF INSPECTOR GENERAL*22                    *SALARIES AND EXPENSES*

23          *For necessary expenses of the Office of Inspector Gen-*  
24 *eral, \$39,688,000.*

1     *OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS*  
2                     *FEDERAL TRUST PROGRAMS*

3         *For the operation of trust programs for Indians by di-*  
4 *rect expenditure, contracts, cooperative agreements, com-*  
5 *pacts, and grants, \$178,683,000, to remain available until*  
6 *expended, of which not to exceed \$50,000,000 from this or*  
7 *any other Act, shall be available for historical accounting:*  
8 *Provided, That funds for trust management improvements*  
9 *and litigation support may, as needed, be transferred to or*  
10 *merged with the Bureau of Indian Affairs, "Operation of*  
11 *Indian Programs" account; the Office of the Solicitor, "Sal-*  
12 *aries and Expenses" account; and the Departmental Man-*  
13 *agement, "Salaries and Expenses" account: Provided fur-*  
14 *ther, That funds made available to Tribes and Tribal orga-*  
15 *nizations through contracts or grants obligated during fis-*  
16 *cal year 2007, as authorized by the Indian Self-Determina-*  
17 *tion Act of 1975 (25 U.S.C. 450 et seq.), shall remain avail-*  
18 *able until expended by the contractor or grantee: Provided*  
19 *further, That, notwithstanding any other provision of law,*  
20 *the statute of limitations shall not commence to run on any*  
21 *claim, including any claim in litigation pending on the*  
22 *date of the enactment of this Act, concerning losses to or*  
23 *mismanagement of trust funds, until the affected tribe or*  
24 *individual Indian has been furnished with an accounting*  
25 *of such funds from which the beneficiary can determine*

1 *whether there has been a loss: Provided further, That, not-*  
2 *withstanding any other provision of law, the Secretary shall*  
3 *not be required to provide a quarterly statement of perform-*  
4 *ance for any Indian trust account that has not had activity*  
5 *for at least 18 months and has a balance of \$15.00 or less:*  
6 *Provided further, That the Secretary shall issue an annual*  
7 *account statement and maintain a record of any such ac-*  
8 *counts and shall permit the balance in each such account*  
9 *to be withdrawn upon the express written request of the ac-*  
10 *count holder: Provided further, That not to exceed \$50,000*  
11 *is available for the Secretary to make payments to correct*  
12 *administrative errors of either disbursements from or depos-*  
13 *its to Individual Indian Money or Tribal accounts after*  
14 *September 30, 2002: Provided further, That erroneous pay-*  
15 *ments that are recovered shall be credited to and remain*  
16 *available in this account for this purpose.*

17 *INDIAN LAND CONSOLIDATION*

18 *For consolidation of fractional interests in Indian*  
19 *lands and expenses associated with redetermining and re-*  
20 *distributing escheated interests in allotted lands, and for*  
21 *necessary expenses to carry out the Indian Land Consolida-*  
22 *tion Act of 1983, as amended, by direct expenditure or coop-*  
23 *erative agreement, \$39,150,000, to remain available until*  
24 *expended, and which may be transferred to the Bureau of*  
25 *Indian Affairs and Departmental Management accounts:*  
26 *Provided, That funds provided under this heading may be*

8 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*18 *ADMINISTRATIVE PROVISIONS*

19        *There is hereby authorized for acquisition from avail-*  
20 *able resources within the Working Capital Fund, 15 air-*  
21 *craft, 10 of which shall be for replacement and which may*  
22 *be obtained by donation, purchase or through available ex-*  
23 *cess surplus property: Provided, That existing aircraft*  
24 *being replaced may be sold, with proceeds derived or trade-*  
25 *in value used to offset the purchase price for the replacement*  
26 *aircraft: Provided further, That no programs funded with*

1 appropriated funds in the “Departmental Management”,  
2 “Office of the Solicitor”, and “Office of Inspector General”  
3 may be augmented through the Working Capital Fund: Pro-  
4 vided further, That the annual budget justification for De-  
5 partmental Management shall describe estimated Working  
6 Capital Fund charges to bureaus and offices, including the  
7 methodology on which charges are based: Provided further,  
8 That departures from the Working Capital Fund estimates  
9 contained in the Departmental Management budget jus-  
10 tification shall be presented to the Committees on Appro-  
11 priations for approval: Provided further, That the Secretary  
12 shall provide a semi-annual report to the Committees on  
13 Appropriations on reimbursable support agreements be-  
14 tween the Office of the Secretary and the National Business  
15 Center and the bureaus and offices of the Department, in-  
16 cluding the amounts billed pursuant to such agreements.

17 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

18 SEC. 101. Appropriations made in this title shall be  
19 available for expenditure or transfer within each bureau or  
20 office, with the approval of the Secretary, for the emergency  
21 reconstruction, replacement, or repair of aircraft, buildings,  
22 utilities, or other facilities or equipment damaged or de-  
23 stroyed by fire, flood, storm, or other unavoidable causes:  
24 Provided, That no funds shall be made available under this  
25 authority until funds specifically made available to the De-

1 *partment of the Interior for emergencies shall have been ex-*  
2 *hausted: Provided further, That all funds used pursuant to*  
3 *this section must be replenished by a supplemental appro-*  
4 *priation which must be requested as promptly as possible.*

5       *SEC. 102. The Secretary may authorize the expendi-*  
6 *ture or transfer of any no year appropriation in this title,*  
7 *in addition to the amounts included in the budget programs*  
8 *of the several agencies, for the suppression or emergency*  
9 *prevention of wildland fires on or threatening lands under*  
10 *the jurisdiction of the Department of the Interior; for the*  
11 *emergency rehabilitation of burned-over lands under its ju-*  
12 *risdiction; for emergency actions related to potential or ac-*  
13 *tual earthquakes, floods, volcanoes, storms, or other un-*  
14 *avoidable causes; for contingency planning subsequent to*  
15 *actual oil spills; for response and natural resource damage*  
16 *assessment activities related to actual oil spills; for the pre-*  
17 *vention, suppression, and control of actual or potential*  
18 *grasshopper and Mormon cricket outbreaks on lands under*  
19 *the jurisdiction of the Secretary, pursuant to the authority*  
20 *in section 1773(b) of Public Law 99–198 (99 Stat. 1658);*  
21 *for emergency reclamation projects under section 410 of*  
22 *Public Law 95–87; and shall transfer, from any no year*  
23 *funds available to the Office of Surface Mining Reclamation*  
24 *and Enforcement, such funds as may be necessary to permit*  
25 *assumption of regulatory authority in the event a primacy*



1 *State is not carrying out the regulatory provisions of the*  
2 *Surface Mining Act: Provided, That appropriations made*  
3 *in this title for wildland fire operations shall be available*  
4 *for the payment of obligations incurred during the pre-*  
5 *ceding fiscal year, and for reimbursement to other Federal*  
6 *agencies for destruction of vehicles, aircraft, or other equip-*  
7 *ment in connection with their use for wildland fire oper-*  
8 *ations, such reimbursement to be credited to appropriations*  
9 *currently available at the time of receipt thereof: Provided*  
10 *further, That for wildland fire operations, no funds shall*  
11 *be made available under this authority until the Secretary*  
12 *determines that funds appropriated for “wildland fire oper-*  
13 *ations” shall be exhausted within 30 days: Provided further,*  
14 *That all funds used pursuant to this section must be replen-*  
15 *ished by a supplemental appropriation which must be re-*  
16 *quested as promptly as possible: Provided further, That such*  
17 *replenishment funds shall be used to reimburse, on a pro*  
18 *rata basis, accounts from which emergency funds were*  
19 *transferred.*

20       *SEC. 103. Appropriations made to the Department of*  
21 *the Interior in this title shall be available for services as*  
22 *authorized by 5 U.S.C. 3109, when authorized by the Sec-*  
23 *retary, in total amount not to exceed \$500,000; hire, main-*  
24 *tenance, and operation of aircraft; hire of passenger motor*  
25 *vehicles; purchase of reprints; payment for telephone service*

1 *in private residences in the field, when authorized under*  
2 *regulations approved by the Secretary; and the payment of*  
3 *dues, when authorized by the Secretary, for library member-*  
4 *ship in societies or associations which issue publications to*  
5 *members only or at a price to members lower than to sub-*  
6 *scribers who are not members.*

7       *SEC. 104. No funds provided in this title may be ex-*  
8 *pende d by the Department of the Interior for the conduct*  
9 *of offshore preleasing, leasing and related activities placed*  
10 *under restriction in the President's moratorium statement*  
11 *of June 12, 1998, in the areas of northern, central, and*  
12 *southern California; the North Atlantic; Washington and*  
13 *Oregon; and the eastern Gulf of Mexico south of 26 degrees*  
14 *north latitude and east of 86 degrees west longitude.*

15       *SEC. 105. No funds provided in this title may be ex-*  
16 *pende d by the Department of the Interior to conduct offshore*  
17 *oil and natural gas preleasing, leasing and related activi-*  
18 *ties in the eastern Gulf of Mexico planning area for any*  
19 *lands located outside Sale 181, as identified in the final*  
20 *Outer Continental Shelf 5-Year Oil and Gas Leasing Pro-*  
21 *gram, 1997–2002.*

22       *SEC. 106. No funds provided in this title may be ex-*  
23 *pende d by the Department of the Interior to conduct oil and*  
24 *natural gas preleasing, leasing and related activities in the*  
25 *Mid-Atlantic and South Atlantic planning areas.*

1       *SEC. 107. Appropriations made in this Act under the*  
2 *headings Bureau of Indian Affairs and Office of Special*  
3 *Trustee for American Indians and any unobligated bal-*  
4 *ances from prior appropriations Acts made under the same*  
5 *headings shall be available for expenditure or transfer for*  
6 *Indian trust management and reform activities, excluding*  
7 *litigation costs. Total funding for historical accounting ac-*  
8 *tivities shall not exceed amounts specifically designated in*  
9 *this Act for such purpose.*

10       *SEC. 108. Notwithstanding any other provision of law,*  
11 *the Secretary of the Interior is authorized to redistribute*  
12 *any Tribal Priority Allocation funds, including tribal base*  
13 *funds, to alleviate tribal funding inequities by transferring*  
14 *funds to address identified, unmet needs, dual enrollment,*  
15 *overlapping service areas or inaccurate distribution meth-*  
16 *odologies. No tribe shall receive a reduction in Tribal Pri-*  
17 *ority Allocation funds of more than 10 percent in fiscal*  
18 *year 2007. Under circumstances of dual enrollment, over-*  
19 *lapping service areas or inaccurate distribution methodolo-*  
20 *gies, the 10 percent limitation does not apply.*

21       *SEC. 109. Notwithstanding any other provision of law,*  
22 *in conveying the Twin Cities Research Center under the au-*  
23 *thority provided by Public Law 104–134, as amended by*  
24 *Public Law 104–208, the Secretary may accept and retain*  
25 *land and other forms of reimbursement: Provided, That the*

1 *Secretary may retain and use any such reimbursement*  
2 *until expended and without further appropriation: (1) for*  
3 *the benefit of the National Wildlife Refuge System within*  
4 *the State of Minnesota; and (2) for all activities authorized*  
5 *by Public Law 100–696; 16 U.S.C. 460zz.*

6       *SEC. 110. The Secretary of the Interior may use or*  
7 *contract for the use of helicopters or motor vehicles on the*  
8 *Sheldon and Hart National Wildlife Refuges for the purpose*  
9 *of capturing and transporting horses and burros. The provi-*  
10 *sions of subsection (a) of the Act of September 8, 1959 (18*  
11 *U.S.C. 47(a)) shall not be applicable to such use. Such use*  
12 *shall be in accordance with humane procedures prescribed*  
13 *by the Secretary.*

14       *SEC. 111. Funds provided in this Act for Federal land*  
15 *acquisition by the National Park Service for Shenandoah*  
16 *Valley Battlefields National Historic District and Ice Age*  
17 *National Scenic Trail, and funds provided in division E*  
18 *of Public Law 108–447 (118 Stat. 3050) for land acquisi-*  
19 *tion at the Niobrara National Scenic River, may be used*  
20 *for a grant to a State, a local government, or any other*  
21 *land management entity for the acquisition of lands with-*  
22 *out regard to any restriction on the use of Federal land*  
23 *acquisition funds provided through the Land and Water*  
24 *Conservation Fund Act of 1965 as amended.*

1       *SEC. 112. None of the funds made available by this*  
2 *Act may be obligated or expended by the National Park*  
3 *Service to enter into or implement a concession contract*  
4 *which permits or requires the removal of the underground*  
5 *lunchroom at the Carlsbad Caverns National Park.*

6       *SEC. 113. None of the funds made available in this*  
7 *Act may be used: (1) to demolish the bridge between Jersey*  
8 *City, New Jersey, and Ellis Island; or (2) to prevent pedes-*  
9 *trian use of such bridge, when such pedestrian use is con-*  
10 *sistent with generally accepted safety standards.*

11       *SEC. 114. None of the funds in this or any other Act*  
12 *can be used to compensate the Special Master and the Spe-*  
13 *cial Master-Monitor, and all variations thereto, appointed*  
14 *by the United States District Court for the District of Co-*  
15 *lumbia in the Cobell v. Norton litigation at an annual rate*  
16 *that exceeds 200 percent of the highest Senior Executive*  
17 *Service rate of pay for the Washington-Baltimore locality*  
18 *pay area.*

19       *SEC. 115. The Secretary of the Interior may use discre-*  
20 *tionary funds to pay private attorney fees and costs for em-*  
21 *ployees and former employees of the Department of the Inte-*  
22 *rior reasonably incurred in connection with Cobell v. Nor-*  
23 *ton to the extent that such fees and costs are not paid by*  
24 *the Department of Justice or by private insurance. In no*  
25 *case shall the Secretary make payments under this section*

1 *that would result in payment of hourly fees in excess of*  
2 *the highest hourly rate approved by the District Court for*  
3 *the District of Columbia for counsel in Cobell v. Norton.*

4       *SEC. 116. The United States Fish and Wildlife Service*  
5 *shall, in carrying out its responsibilities to protect threat-*  
6 *ened and endangered species of salmon, implement a system*  
7 *of mass marking of salmonid stocks, intended for harvest,*  
8 *that are released from Federally operated or Federally fi-*  
9 *nanced hatcheries including but not limited to fish releases*  
10 *of coho, chinook, and steelhead species. Marked fish must*  
11 *have a visible mark that can be readily identified by com-*  
12 *mercial and recreational fishers.*

13       *SEC. 117. (a) IN GENERAL.—Nothing in section 134*  
14 *of the Department of the Interior and Related Agencies Ap-*  
15 *propriations Act, 2002 (115 Stat. 443) affects the decision*  
16 *of the United States Court of Appeals for the 10th Circuit*  
17 *in Sac and Fox Nation v. Norton, 240 F.3d 1250 (2001).*

18       *(b) USE OF CERTAIN INDIAN LAND.—Nothing in this*  
19 *section permits the conduct of gaming under the Indian*  
20 *Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land*  
21 *described in section 123 of the Department of the Interior*  
22 *and Related Agencies Appropriations Act, 2001 (114 Stat.*  
23 *944), or land that is contiguous to that land, regardless of*  
24 *whether the land or contiguous land has been taken into*  
25 *trust by the Secretary of the Interior.*

1        *SEC. 118. No funds appropriated for the Department*  
2        *of the Interior by this Act or any other Act shall be used*  
3        *to study or implement any plan to drain Lake Powell or*  
4        *to reduce the water level of the lake below the range of water*  
5        *levels required for the operation of the Glen Canyon Dam.*

6        *SEC. 119. Section 121 of the Department of the Inte-*  
7        *rior, Environment, and Related Agencies Appropriations*  
8        *Act, 2006 (Public Law 109–54) is hereby repealed.*

9        *SEC. 120. Notwithstanding any implementation of the*  
10       *Department of the Interior’s trust reorganization or re-*  
11       *engineering plans, or the implementation of the “To Be”*  
12       *Model, funds appropriated for fiscal year 2007 shall be*  
13       *available to the tribes within the California Tribal Trust*  
14       *Reform Consortium and to the Salt River Pima-Maricopa*  
15       *Indian Community, the Confederated Salish and Kootenai*  
16       *Tribes of the Flathead Reservation and the Chippewa Cree*  
17       *Tribe of the Rocky Boys Reservation through the same*  
18       *methodology as funds were distributed in fiscal year 2003.*  
19       *This Demonstration Project shall continue to operate sepa-*  
20       *rate and apart from the Department of the Interior’s trust*  
21       *reform and reorganization and the Department shall not*  
22       *impose its trust management infrastructure upon or alter*  
23       *the existing trust resource management systems of the above*  
24       *referenced tribes having a self-governance compact and op-*  
25       *erating in accordance with the Tribal Self-Governance Pro-*

1 gram set forth in 25 U.S.C. 458aa–458hh: *Provided, That*  
2 *the California Trust Reform Consortium and any other*  
3 *participating tribe agree to carry out their responsibilities*  
4 *under the same written and implemented fiduciary stand-*  
5 *ards as those being carried by the Secretary of the Interior:*  
6 *Provided further, That they demonstrate to the satisfaction*  
7 *of the Secretary that they have the capability to do so: Pro-*  
8 *vided further, That the Department shall provide funds to*  
9 *the tribes in an amount equal to that required by 25 U.S.C.*  
10 *458cc(g)(3), including funds specifically or functionally re-*  
11 *lated to the provision of trust services to the tribes or their*  
12 *members.*

13       *SEC. 121. Notwithstanding any provision of law, in-*  
14 *cluding 42 U.S.C. 4321 et seq., nonrenewable grazing per-*  
15 *mits authorized in the Jarbidge Field Office, Bureau of*  
16 *Land Management within the past 10 years, shall be re-*  
17 *newed. The Animal Unit Months contained in the most re-*  
18 *cently expired nonrenewable grazing permit, authorized be-*  
19 *tween March 1, 1997, and February 28, 2003, shall con-*  
20 *tinue in effect under the renewed permit. Nothing in this*  
21 *section shall be deemed to extend the nonrenewable permits*  
22 *beyond the standard 1-year term.*

23       *SEC. 122. Notwithstanding any other provision of law,*  
24 *the Secretary of the Interior is authorized to acquire lands,*  
25 *waters, or interests therein including the use of all or part*



1 of any pier, dock, or landing within the State of New York  
2 and the State of New Jersey, for the purpose of operating  
3 and maintaining facilities in the support of transportation  
4 and accommodation of visitors to Ellis, Governors, and Lib-  
5 erty Islands, and of other program and administrative ac-  
6 tivities, by donation or with appropriated funds, including  
7 franchise fees (and other monetary consideration), or by ex-  
8 change; and the Secretary is authorized to negotiate and  
9 enter into leases, subleases, concession contracts or other  
10 agreements for the use of such facilities on such terms and  
11 conditions as the Secretary may determine reasonable.

12 SEC. 123. Upon the request of the permittee for the  
13 Clark Mountain Allotment lands adjacent to the Mojave Na-  
14 tional Preserve, the Secretary shall also issue a special use  
15 permit for that portion of the grazing allotment located  
16 within the Preserve. The special use permit shall be issued  
17 with the same terms and conditions as the most recently-  
18 issued permit for that allotment and the Secretary shall  
19 consider the permit to be one transferred in accordance with  
20 section 325 of Public Law 108–108.

21 SEC. 124. (a) Notwithstanding any other provision of  
22 law and subject to subsections (b) and (c), the final rule  
23 that amends part 7 of title 36, Code of Federal Regulations,  
24 entitled “Special Regulations; Areas of the National Park  
25 System” (69 Fed. Reg. 65348 (November 10, 2004)) (as in

1 *effect on the day before the date of enactment of this Act),*  
2 *excluding sections 7.13(1)(3)(ii), 7.13(1)(4)(vii),*  
3 *7.21(a)(3)(ii), 7.21(a)(4)(vii), and 7.22(g)(3)(ii) of title 36,*  
4 *Code of Federal Regulations, shall be in force and effect*  
5 *until the earlier of—*

6 *(1) the date that is 3 years after the date of en-*  
7 *actment of this Act; or*

8 *(2) the date on which the Secretary of the Inte-*  
9 *rior (referred to in this section as the “Secretary”)*  
10 *promulgates and implements regulations to replace*  
11 *the final rule.*

12 *(b) If a court of competent jurisdiction enjoins or oth-*  
13 *erwise limits the implementation of the replacement regula-*  
14 *tions described in subsection (a)(2), the final rule referred*  
15 *to in subsection (a) shall be reinstated for a period of not*  
16 *more than 3 years.*

17 *(c)(1) Notwithstanding any other provision of law and*  
18 *subject to paragraph (2), the Secretary may award tem-*  
19 *porary concession contracts to any snowmobile operator*  
20 *that satisfactorily operated, as determined by the Secretary,*  
21 *for the winter use season of 2005–2006 at Yellowstone Na-*  
22 *tional Park, Grand Teton National Park, or the John D.*  
23 *Rockefeller, Jr., Memorial Parkway.*

1       (2) *A temporary concession contract awarded under*  
 2 *paragraph (1) may be for 1 or more additional terms of*  
 3 *not more than a total of 3 years.*

4       *SEC. 125. None of the funds in this or any other Act*  
 5 *may be used to set up Centers of Excellence and Partnership*  
 6 *Skills Bank training without prior approval of the House*  
 7 *and Senate Committees on Appropriations.*

8       *SEC. 126. RED ROCK CANYON NATIONAL CONSERVA-*  
 9 *TION AREA. Section 6(a) of the Red Rock Canyon National*  
 10 *Conservation Area Establishment Act of 1990 (16 U.S.C.*  
 11 *460ccc-4(a)) is amended—*

12               *(1) in paragraph (1), by striking “with donated*  
 13 *or appropriated funds”;*

14               *(2) by striking paragraph (2); and*

15               *(3) by redesignating paragraphs (3) and (4) as*  
 16 *paragraphs (2) and (3), respectively.*

17       *SEC. 127. Pursuant to section 10101f(d)(3) of the Om-*  
 18 *nibus Budget Reconciliation Act of 1993 (30 U.S.C.*  
 19 *28f(d)(3)), the following claims shall be given notice of de-*  
 20 *fect and the opportunity to cure: AA 023149; AA 023163;*  
 21 *AA 047913; AA 047914; AA 047915; AA 047916; AA*  
 22 *047917; AA 047918 and AA 047919.*

23       *SEC. 128. OIL AND GAS LEASING INTERNET PILOT*  
 24 *PROGRAM. Notwithstanding section 17(b)(1)(A) of the Min-*  
 25 *eral Leasing Act (30 U.S.C 226(b)(1)(A)), the Secretary of*

1 *the Interior shall establish an oil and gas leasing Internet*  
2 *pilot program, under which the Secretary may conduct*  
3 *lease sales through methods other than oral bidding. To*  
4 *carry out the pilot program, the Secretary of the Interior*  
5 *may use not more than \$250,000 of funds in the BLM Per-*  
6 *mit Processing Improvement Fund described in section*  
7 *35(c)(2)(B) of the Mineral Leasing Act (30 U.S.C.*  
8 *191(c)(2)(B)).*

9       *SEC. 129. In implementing section 1307 of Public Law*  
10 *96–487 (4 Stat. 2479), the Secretary shall deem the present*  
11 *holders of entry permit CP–GLBA005–00 and entry permit*  
12 *CP–GLBA004–00 each to be a person who, on or before*  
13 *January 1, 1979, was engaged in adequately providing vis-*  
14 *itor services of the type authorized in said permit within*  
15 *Glacier Bay National Park.*

16       *SEC. 130. Section 144(b)(2) of the Consolidated Appro-*  
17 *priations Act, 2005 (Public Law 108–447, 118 Stat. 3072),*  
18 *is amended by striking “September 24, 2004” and inserting*  
19 *“May 4, 2005”.*

20       *SEC. 131. (a) The Natchez Trace Parkway, Natchez*  
21 *National Historical Park, Brices Cross Roads National*  
22 *Battlefield Site, and Tupelo National Battlefield shall be*  
23 *administered under the supervision of the Superintendent*  
24 *of the Natchez Trace Parkway.*

1       (b) *The position of Superintendent of the Natchez*  
2 *Trace Parkway shall be classified in the Senior Executive*  
3 *Service.*

4       SEC. 132. (a) *The Secretary of the Interior is author-*  
5 *ized and shall seek to enter into written agreements to*  
6 *amend the payment responsibilities under all leases issued*  
7 *authorizing production of oil and gas from the Outer Conti-*  
8 *ental Shelf that provide for the relief from the payment*  
9 *of royalties and do not include any provision for suspension*  
10 *of that relief based on increase of the prices of oil and gas*  
11 *above specified thresholds. Not later than 30 days after the*  
12 *date of enactment of this Act, the Secretary shall provide*  
13 *each lessee holding any such lease with a separate written*  
14 *offer to amend such payment responsibilities. For purposes*  
15 *of implementing this section, where there are multiple per-*  
16 *sons owning a share of a lease, the Secretary is authorized*  
17 *to implement separate agreements with each person regard-*  
18 *ing that person's respective interest in the lease. The offer*  
19 *shall propose imposing price thresholds beginning in the*  
20 *calendar year in which the offer is accepted at a level con-*  
21 *sistent with the price thresholds contained in Outer Conti-*  
22 *ental Shelf leases that contained price thresholds granted*  
23 *in 1996, 1997, and 2000.*

24       (b) *The Congress hereby reaffirms the application of*  
25 *section 8(a)(1)(H) of the Outer Continental Shelf Lands*

1 *Act, particularly with respect to the authority of the Sec-*  
2 *retary of the Interior to vary the suspension of royalties*  
3 *based on the price of production from a lease, to all leases*  
4 *subject to the Deepwater Royalty Relief Act of 1995.*

5 *(c) Not later than 180 days after the date of enactment*  
6 *of this Act, the Secretary shall report to the Committees on*  
7 *Appropriations of the Senate and the House of Representa-*  
8 *tives, the Committee on Energy and Natural Resources of*  
9 *the Senate, and the Committee on Resources of the House*  
10 *of Representatives on the results of the efforts of the Sec-*  
11 *retary under subsection (a).*

12 *SEC. 133. None of the funds made available in this*  
13 *Act may be used to issue any new lease that authorizes pro-*  
14 *duction of oil or natural gas under the Outer Continental*  
15 *Shelf Lands Act (43 U.S.C. 1331 et seq.) to any lessee under*  
16 *an existing lease issued by the Department of the Interior*  
17 *in accordance with the Outer Continental Shelf Deep Water*  
18 *Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104–*  
19 *58), where such existing lease is not subject to limitations*  
20 *on royalty relief based on market price. An exception will*  
21 *be made if, at the request of the lessee, the royalty clause*  
22 *of the lease is renegotiated or a settlement agreement is*  
23 *reached with the Department of the Interior to incorporate*  
24 *limitations on royalty relief based on market price.*

1        *SEC. 134. No funds appropriated or otherwise made*  
2 *available to the Department of the Interior may be used,*  
3 *in relation to any proposal to store water for the purpose*  
4 *of export, for approval of any right-of-way or similar au-*  
5 *thorization on the Mojave National Preserve or lands man-*  
6 *aged by the Needles Field Office of the Bureau of Land Man-*  
7 *agement, or for carrying out any activities associated with*  
8 *such right-of-way or similar approval.*

9                                *TITLE II*

10                *ENVIRONMENTAL PROTECTION AGENCY*

11                                *SCIENCE AND TECHNOLOGY*

12        *For science and technology, including research and de-*  
13 *velopment activities, which shall include research and devel-*  
14 *opment activities under the Comprehensive Environmental*  
15 *Response, Compensation, and Liability Act of 1980, as*  
16 *amended; necessary expenses for personnel and related costs*  
17 *and travel expenses, including uniforms, or allowances*  
18 *therefor, as authorized by 5 U.S.C. 5901–5902; services as*  
19 *authorized by 5 U.S.C. 3109, but at rates for individuals*  
20 *not to exceed the per diem rate equivalent to the maximum*  
21 *rate payable for senior level positions under 5 U.S.C. 5376;*  
22 *procurement of laboratory equipment and supplies; other*  
23 *operating expenses in support of research and development;*  
24 *construction, alteration, repair, rehabilitation, and renova-*  
25 *tion of facilities, not to exceed \$85,000 per project,*

1 \$793,362,000, to remain available until September 30,  
2 2008.

3 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

4 *For environmental programs and management, in-*  
5 *cluding necessary expenses, not otherwise provided for, for*  
6 *personnel and related costs and travel expenses, including*  
7 *uniforms, or allowances therefor, as authorized by 5 U.S.C.*  
8 *5901–5902; services as authorized by 5 U.S.C. 3109, but*  
9 *at rates for individuals not to exceed the per diem rate*  
10 *equivalent to the maximum rate payable for senior level po-*  
11 *sitions under 5 U.S.C. 5376; hire of passenger motor vehi-*  
12 *cles; hire, maintenance, and operation of aircraft; purchase*  
13 *of reprints; library memberships in societies or associations*  
14 *which issue publications to members only or at a price to*  
15 *members lower than to subscribers who are not members;*  
16 *construction, alteration, repair, rehabilitation, and renova-*  
17 *tion of facilities, not to exceed \$85,000 per project; and not*  
18 *to exceed \$9,000 for official reception and representation*  
19 *expenses, \$2,310,674,000, to remain available until Sep-*  
20 *tember 30, 2008, including administrative costs of the*  
21 *brownfields program under the Small Business Liability*  
22 *Relief and Brownfields Revitalization Act of 2002.*

23 *OFFICE OF INSPECTOR GENERAL*

24 *For necessary expenses of the Office of Inspector Gen-*  
25 *eral in carrying out the provisions of the Inspector General*



1 *Act of 1978, as amended, and for construction, alteration,*  
 2 *repair, rehabilitation, and renovation of facilities, not to*  
 3 *exceed \$85,000 per project, \$35,100,000, to remain available*  
 4 *until September 30, 2008.*

5 *BUILDINGS AND FACILITIES*

6 *For construction, repair, improvement, extension, al-*  
 7 *teration, and purchase of fixed equipment or facilities of,*  
 8 *or for use by, the Environmental Protection Agency,*  
 9 *\$39,816,000, to remain available until expended.*

10 *HAZARDOUS SUBSTANCE SUPERFUND*

11 *(INCLUDING TRANSFERS OF FUNDS)*

12 *For necessary expenses to carry out the Comprehensive*  
 13 *Environmental Response, Compensation, and Liability Act*  
 14 *of 1980 (CERCLA), as amended, including sections*  
 15 *111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and*  
 16 *for construction, alteration, repair, rehabilitation, and ren-*  
 17 *ovation of facilities, not to exceed \$85,000 per project;*  
 18 *\$1,261,345,000, to remain available until expended, con-*  
 19 *sisting of such sums as are available in the Trust Fund*  
 20 *on September 30, 2006, as authorized by section 517(a) of*  
 21 *the Superfund Amendments and Reauthorization Act of*  
 22 *1986 (SARA) and up to \$1,261,345,000 as a payment from*  
 23 *general revenues to the Hazardous Substance Superfund for*  
 24 *purposes as authorized by section 517(b) of SARA, as*  
 25 *amended: Provided, That funds appropriated under this*

1 *heading may be allocated to other Federal agencies in ac-*  
 2 *cordance with section 111(a) of CERCLA: Provided further,*  
 3 *That of the funds appropriated under this heading,*  
 4 *\$13,316,000 shall be transferred to the “Office of Inspector*  
 5 *General” appropriation to remain available until Sep-*  
 6 *tember 30, 2008, and \$27,811,000 shall be transferred to*  
 7 *the “Science and Technology” appropriation to remain*  
 8 *available until September 30, 2008.*

9 *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*

10 *PROGRAM*

11 *For necessary expenses to carry out leaking under-*  
 12 *ground storage tank cleanup activities authorized by section*  
 13 *205 of the Superfund Amendments and Reauthorization Act*  
 14 *of 1986, and for construction, alteration, repair, rehabilita-*  
 15 *tion, and renovation of facilities, not to exceed \$85,000 per*  
 16 *project, \$72,759,000, to remain available until expended.*

17 *OIL SPILL RESPONSE*

18 *For expenses necessary to carry out the Environmental*  
 19 *Protection Agency’s responsibilities under the Oil Pollution*  
 20 *Act of 1990, \$16,506,000, to be derived from the Oil Spill*  
 21 *Liability trust fund, to remain available until expended.*

22 *STATE AND TRIBAL ASSISTANCE GRANTS*

23 *(INCLUDING RESCISSION OF FUNDS)*

24 *For environmental programs and infrastructure as-*  
 25 *sistance, including capitalization grants for State revolving*

1 *funds and performance partnership grants, \$3,000,362,000,*  
2 *to remain available until expended, of which \$687,555,000*  
3 *shall be for making capitalization grants for the Clean*  
4 *Water State Revolving Funds under title VI of the Federal*  
5 *Water Pollution Control Act, as amended (the “Act”);*  
6 *\$841,500,000 shall be for capitalization grants for the*  
7 *Drinking Water State Revolving Funds under section 1452*  
8 *of the Safe Drinking Water Act, as amended; \$30,750,000*  
9 *shall be for architectural, engineering, planning, design,*  
10 *construction and related activities in connection with the*  
11 *construction of high priority water and wastewater facili-*  
12 *ties in the area of the United States-Mexico Border, after*  
13 *consultation with the appropriate border commission;*  
14 *\$24,850,000 shall be for grants to the State of Alaska to*  
15 *address drinking water and waste infrastructure needs of*  
16 *rural and Alaska Native Villages: Provided, That, of these*  
17 *funds: (1) the State of Alaska shall provide a match of 25*  
18 *percent; (2) no more than 5 percent of the funds may be*  
19 *used for administrative and overhead expenses; and (3) not*  
20 *later than October 1, 2005 the State of Alaska shall make*  
21 *awards consistent with the State-wide priority list estab-*  
22 *lished in 2004 for all water, sewer, waste disposal, and*  
23 *similar projects carried out by the State of Alaska that are*  
24 *funded under section 221 of the Federal Water Pollution*  
25 *Control Act (33 U.S.C. 1301) or the Consolidated Farm and*

1 *Rural Development Act (7 U.S.C. 1921 et seq.) which shall*  
2 *allocate not less than 25 percent of the funds provided for*  
3 *projects in regional hub communities; \$210,000,000 shall*  
4 *be for making special project grants for the construction of*  
5 *drinking water, wastewater and storm water infrastructure*  
6 *and for water quality protection in accordance with the*  
7 *terms and conditions specified for such grants in the joint*  
8 *explanatory statement of the managers accompanying this*  
9 *Act, and, for purposes of these grants, each grantee shall*  
10 *contribute not less than 45 percent of the cost of the project*  
11 *unless the grantee is approved for a waiver by the Agency;*  
12 *\$89,119,000 shall be to carry out section 104(k) of the Com-*  
13 *prehensive Environmental Response, Compensation, and*  
14 *Liability Act of 1980 (CERCLA), as amended, including*  
15 *grants, interagency agreements, and associated program*  
16 *support costs; \$20,127,000 for grants under sections 791–*  
17 *797 of the Energy Policy Act of 2005; and \$1,096,461,000*  
18 *shall be for grants, including associated program support*  
19 *costs, to States, federally recognized tribes, interstate agen-*  
20 *cies, tribal consortia, and air pollution control agencies for*  
21 *multi-media or single media pollution prevention, control*  
22 *and abatement and related activities, including activities*  
23 *pursuant to the provisions set forth under this heading in*  
24 *Public Law 104–134, and for making grants under section*  
25 *103 of the Clean Air Act for particulate matter monitoring*

1 *and data collection activities subject to terms and condi-*  
2 *tions specified by the Administrator, of which \$49,495,000*  
3 *shall be for carrying out section 128 of CERCLA, as amend-*  
4 *ed, \$14,850,000 shall be for Environmental Information*  
5 *Exchange Network grants, including associated program*  
6 *support costs, \$18,500,000 of the funds available for grants*  
7 *under section 106 of the Act shall be for water quality moni-*  
8 *toring activities that meet EPA standards for statistically*  
9 *representative monitoring programs, \$17,567,000 to make*  
10 *grants to States under section 2007(f)(2) of the Solid Waste*  
11 *Disposal Act, as amended, and to federally recognized tribes*  
12 *under Public Law 105–276, and to provide financial assist-*  
13 *ance to States and federally-recognized tribes for the pur-*  
14 *poses authorized by title XV, subtitle B of the Energy Policy*  
15 *Act of 2005, with the exception of leaking underground stor-*  
16 *age tank cleanup activities that are authorized by section*  
17 *205 of Superfund Amendments and Reauthorization Act of*  
18 *1986, and \$16,608,000 shall be for making competitive tar-*  
19 *geted watershed grants: Provided further, That notwith-*  
20 *standing section 603(d)(7) of the Federal Water Pollution*  
21 *Control Act, the limitation on the amounts in a State water*  
22 *pollution control revolving fund that may be used by a*  
23 *State to administer the fund shall not apply to amounts*  
24 *included as principal in loans made by such fund in fiscal*  
25 *year 2007 and prior years where such amounts represent*

1 costs of administering the fund to the extent that such  
2 amounts are or were deemed reasonable by the Adminis-  
3 trator, accounted for separately from other assets in the  
4 fund, and used for eligible purposes of the fund, including  
5 administration: Provided further, That for fiscal year 2007,  
6 and notwithstanding section 518(f) of the Act, the Adminis-  
7 trator is authorized to use the amounts appropriated for  
8 any fiscal year under section 319 of that Act to make grants  
9 to federally recognized Indian tribes pursuant to sections  
10 319(h) and 518(e) of that Act: Provided further, That for  
11 fiscal year 2007, notwithstanding the limitation on  
12 amounts in section 518(c) of the Act, up to a total of 1½  
13 percent of the funds appropriated for State Revolving  
14 Funds under title VI of that Act may be reserved by the  
15 Administrator for grants under section 518(c) of that Act:  
16 Provided further, That no funds provided by this Act to  
17 address the water, wastewater and other critical infrastruc-  
18 ture needs of the colonias in the United States along the  
19 United States-Mexico border shall be made available to a  
20 county or municipal government unless that government  
21 has established an enforceable local ordinance, or other zon-  
22 ing rule, which prevents in that jurisdiction the develop-  
23 ment or construction of any additional colonia areas, or  
24 the development within an existing colonia the construction  
25 of any new home, business, or other structure which lacks

1 *water, wastewater, or other necessary infrastructure: Pro-*  
2 *vided further, That funds that were appropriated under this*  
3 *heading for special project grants in fiscal year 2001 or*  
4 *earlier that have not been obligated on an approved grant*  
5 *by September 1, 2007, are rescinded.*

6 *ADMINISTRATIVE PROVISIONS*

7 *For fiscal year 2007, notwithstanding 31 U.S.C.*  
8 *6303(1) and 6305(1), the Administrator of the Environ-*  
9 *mental Protection Agency, in carrying out the Agency's*  
10 *function to implement directly Federal environmental pro-*  
11 *grams required or authorized by law in the absence of an*  
12 *acceptable tribal program, may award cooperative agree-*  
13 *ments to federally-recognized Indian Tribes or Intertribal*  
14 *consortia, if authorized by their member Tribes, to assist*  
15 *the Administrator in implementing Federal environmental*  
16 *programs for Indian Tribes required or authorized by law,*  
17 *except that no such cooperative agreements may be awarded*  
18 *from funds designated for State financial assistance agree-*  
19 *ments.*

20 *The Administrator of the Environmental Protection*  
21 *Agency is authorized to collect and obligate pesticide reg-*  
22 *istration service fees in accordance with section 33 of the*  
23 *Federal Insecticide, Fungicide, and Rodenticide Act (as*  
24 *added by subsection (f)(2) of the Pesticide Registration Im-*  
25 *provement Act of 2003), as amended.*

9        *SEC. 201. RELIEF FOR SMALL SYSTEMS. (a) DEFINI-*  
10   *TIONS.—In this section:*

(2) *SMALL SYSTEM.*—The term “small system” means a small public water system eligible to receive a variance under section 1415(e) of the Safe Drinking Water Act (42 U.S.C. 300g-4(e)).

(c) *THIRD-PARTY STATE ASSISTANCE GRANTS.*—



1           (1) *IN GENERAL.*—Using not less than  
2       \$5,500,000 of the amounts made available under the  
3       heading “ENVIRONMENTAL PROGRAMS AND MANAGE-  
4       MENT” in title II, the Administrator shall carry out  
5       a competitive grant program to provide additional  
6       assistance under section 1452(q) of the Safe Drinking  
7       Water Act (42 U.S.C. 300j–12(q)) to small systems  
8       and qualified (as determined by the Administrator)  
9       organizations for use in addressing State needs, in-  
10      cluding for use in—

11                   (A) *complying with—*

12                       (i) *the standard for arsenic promul-*  
13                       *gated in the final rule entitled “National*  
14                       *Primary Drinking Water Regulations; Ar-*  
15                       *senic and Clarifications to Compliance and*  
16                       *New Source Contaminants Monitoring” (66*  
17                       *Fed. Reg. 6976 (January 22, 2001));*

18                       (ii) *the final rule entitled “National*  
19                       *Primary Drinking Water Regulations: Dis-*  
20                       *infectants and Disinfection Byproducts” (63*  
21                       *Fed. Reg. 69390 (December 16, 1998)); and*

22                       (iii) *other regulations promulgated in*  
23                       *accordance with the Safe Drinking Water*  
24                       *Act (42 U.S.C. 300f et seq.) relating to dis-*

infection byproducts, wastewater permits,  
and source water protection; and

(B) completing and submitting applications  
for funding assistance.

(2) *PRIORITY*.—In providing grants under paragraph (1), the Administrator shall give priority to small systems and qualified (as determined by the Administrator) organizations that have the most support (or a majority of support) from small communities in each State.

### *TITLE III*

#### *RELATED AGENCIES*

##### *DEPARTMENT OF AGRICULTURE*

###### *FOREST SERVICE*

###### *FOREST AND RANGELAND RESEARCH*

*For necessary expenses of forest and rangeland research as authorized by law, \$274,987,000, to remain available until expended: Provided, That of the funds provided, \$62,000,000 is for the forest inventory and analysis program.*

###### *STATE AND PRIVATE FORESTRY*

*For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabili-*

1 *tating forests damaged by pests or invasive plants, coopera-*  
 2 *tive forestry, and education and land conservation activi-*  
 3 *ties and conducting an international program as author-*  
 4 *ized, \$251,091,000, to remain available until expended, as*  
 5 *authorized by law of which \$49,935,000 is to be derived*  
 6 *from the Land and Water Conservation Fund: Provided,*  
 7 *That none of the funds provided under this heading for the*  
 8 *acquisition of lands or interests in lands shall be available*  
 9 *until the Forest Service notifies the House Committee on*  
 10 *Appropriations and the Senate Committee on Appropria-*  
 11 *tions, in writing, of specific contractual and grant details*  
 12 *including the non-Federal cost share.*

13 *NATIONAL FOREST SYSTEM*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For necessary expenses of the Forest Service, not other-*  
 16 *wise provided for, for management, protection, improve-*  
 17 *ment, and utilization of the National Forest System,*  
 18 *\$1,413,791,000, to remain available until expended, which*  
 19 *shall include 50 percent of all moneys received during prior*  
 20 *fiscal years as fees collected under the Land and Water Con-*  
 21 *servation Fund Act of 1965, as amended, in accordance*  
 22 *with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided,*  
 23 *That unobligated balances under this heading available at*  
 24 *the start of fiscal year 2007 shall be displayed by budget*  
 25 *line item in the fiscal year 2008 budget justification: Pro-*  
 26 *vided further, That of the funds provided under this heading*

1 *for Forest Products, \$5,000,000 shall be allocated to the*  
 2 *Alaska Region, in addition to its normal allocation for the*  
 3 *purposes of preparing additional timber for sale, to estab-*  
 4 *lish a 3-year timber supply and such funds may be trans-*  
 5 *ferred to other appropriations accounts as necessary to*  
 6 *maximize accomplishment.*

7 *WILDLAND FIRE MANAGEMENT*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For necessary expenses for forest fire presuppression*  
 10 *activities on National Forest System lands, for emergency*  
 11 *fire suppression on or adjacent to such lands or other lands*  
 12 *under fire protection agreement, hazardous fuels reduction*  
 13 *on or adjacent to such lands, and for emergency rehabilita-*  
 14 *tion of burned-over National Forest System lands and*  
 15 *water, \$1,782,949,000, to remain available until expended:*  
 16 *Provided, That such funds including unobligated balances*  
 17 *under this heading, are available for repayment of advances*  
 18 *from other appropriations accounts previously transferred*  
 19 *for such purposes: Provided further, That such funds shall*  
 20 *be available to reimburse State and other cooperating enti-*  
 21 *ties for services provided in response to wildfire and other*  
 22 *emergencies or disasters to the extent such reimbursements*  
 23 *by the Forest Service for non-fire emergencies are fully re-*  
 24 *paid by the responsible emergency management agency:*  
 25 *Provided further, That not less than 50 percent of any un-*  
 26 *obligated balances remaining (exclusive of amounts for haz-*

1 *ardous fuels reduction) at the end of fiscal year 2006 shall*  
2 *be transferred to the fund established pursuant to section*  
3 *3 of Public Law 71–319 (16 U.S.C. 576 et seq.) if necessary*  
4 *to reimburse the fund for unpaid past advances: Provided*  
5 *further, That, notwithstanding any other provision of law,*  
6 *\$8,000,000 of funds appropriated under this appropriation*  
7 *shall be used for Fire Science Research in support of the*  
8 *Joint Fire Science Program: Provided further, That all au-*  
9 *thorities for the use of funds, including the use of contracts,*  
10 *grants, and cooperative agreements, available to execute the*  
11 *Forest and Rangeland Research appropriation, are also*  
12 *available in the utilization of these funds for Fire Science*  
13 *Research: Provided further, That funds provided shall be*  
14 *available for emergency rehabilitation and restoration, haz-*  
15 *ardous fuels reduction activities in the urban-wildland*  
16 *interface, support to Federal emergency response, and wild-*  
17 *fire suppression activities of the Forest Service: Provided*  
18 *further, That of the funds provided, \$291,792,000 is for haz-*  
19 *ardous fuels reduction activities, \$2,000,000 is for rehabili-*  
20 *tation and restoration, \$24,439,000 is for research activities*  
21 *and to make competitive research grants pursuant to the*  
22 *Forest and Rangeland Renewable Resources Research Act,*  
23 *as amended (16 U.S.C. 1641 et seq.), \$40,000,000 is for*  
24 *State fire assistance, \$8,000,000 is for volunteer fire assist-*  
25 *ance, \$6,802,000 is for forest health activities on Federal*

1 *lands and \$4,552,000 is for forest health activities on State*  
2 *and private lands: Provided further, That amounts in this*  
3 *paragraph may be transferred to the “State and Private*  
4 *Forestry”, “National Forest System”, and “Forest and*  
5 *Rangeland Research” accounts to fund State fire assistance,*  
6 *volunteer fire assistance, forest health management, forest*  
7 *and rangeland research, the Joint Fire Science Program,*  
8 *vegetation and watershed management, heritage site reha-*  
9 *bilitation, and wildlife and fish habitat management and*  
10 *restoration: Provided further, That transfers of any*  
11 *amounts in excess of those authorized in this paragraph,*  
12 *shall require approval of the House and Senate Committees*  
13 *on Appropriations in compliance with reprogramming pro-*  
14 *cedures contained in the report accompanying this Act:*  
15 *Provided further, That funds provided under this heading*  
16 *for hazardous fuels treatments may be transferred to and*  
17 *made a part of the “National Forest System” account at*  
18 *the sole discretion of the Chief of the Forest Service thirty*  
19 *days after notifying the House and the Senate Committees*  
20 *on Appropriations: Provided further, That the costs of im-*  
21 *plementing any cooperative agreement between the Federal*  
22 *Government and any non-Federal entity may be shared, as*  
23 *mutually agreed on by the affected parties: Provided fur-*  
24 *ther, That in addition to funds provided for State Fire As-*  
25 *sistance programs, and subject to all authorities available*

1 *to the Forest Service under the State and Private Forestry*  
2 *Appropriation, up to \$15,000,000 may be used on adjacent*  
3 *non-Federal lands for the purpose of protecting commu-*  
4 *nities when hazard reduction activities are planned on na-*  
5 *tional forest lands that have the potential to place such com-*  
6 *munities at risk: Provided further, That included in fund-*  
7 *ing for hazardous fuel reduction is \$5,000,000 for imple-*  
8 *menting the Community Forest Restoration Act, Public*  
9 *Law 106–393, title VI, and any portion of such funds shall*  
10 *be available for use on non-Federal lands in accordance*  
11 *with authorities available to the Forest Service under the*  
12 *State and Private Forestry appropriation: Provided fur-*  
13 *ther, That the Secretary of the Interior and the Secretary*  
14 *of Agriculture may authorize the transfer of funds appro-*  
15 *priated for wildland fire management, in an aggregate*  
16 *amount not to exceed \$9,000,000, between the Departments*  
17 *when such transfers would facilitate and expedite jointly*  
18 *funded wildland fire management programs and projects:*  
19 *Provided further, That of the funds provided for hazardous*  
20 *fuels reduction, not to exceed \$5,000,000, may be used to*  
21 *make grants, using any authorities available to the Forest*  
22 *Service under the State and Private Forestry appropria-*  
23 *tion, for the purpose of creating incentives for increased use*  
24 *of biomass from national forest lands: Provided further,*  
25 *That funds designated for wildfire suppression shall be as-*

1 *essed for indirect costs on the same basis as such assess-*  
2 *ments are calculated against other agency programs.*

3 *CAPITAL IMPROVEMENT AND MAINTENANCE*

4 *For necessary expenses of the Forest Service, not other-*  
5 *wise provided for, \$383,740,000, to remain available until*  
6 *expended for construction, reconstruction, maintenance,*  
7 *and acquisition of buildings and other facilities, and for*  
8 *construction, reconstruction, repair, decommissioning, and*  
9 *maintenance of forest roads and trails by the Forest Service*  
10 *as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101*  
11 *and 205: Provided, That up to \$15,000,000 of the funds*  
12 *provided herein for road maintenance shall be available for*  
13 *the decommissioning of roads, including unauthorized roads*  
14 *not part of the transportation system, which are no longer*  
15 *needed: Provided further, That no funds shall be expended*  
16 *to decommission any system road until notice and an op-*  
17 *portunity for public comment has been provided on each*  
18 *decommissioning project.*

19 *LAND ACQUISITION*

20 *For expenses necessary to carry out the provisions of*  
21 *the Land and Water Conservation Fund Act of 1965, as*  
22 *amended (16 U.S.C. 460l–4 through 11), including admin-*  
23 *istrative expenses, and for acquisition of land or waters,*  
24 *or interest therein, in accordance with statutory authority*  
25 *applicable to the Forest Service, \$36,985,000, to be derived*



1 *from the Land and Water Conservation Fund and to re-*  
 2 *main available until expended.*

3 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*

4 *ACTS*

5 *For acquisition of lands within the exterior boundaries*  
 6 *of the Cache, Uinta, and Wasatch National Forests, Utah;*  
 7 *the Toiyabe National Forest, Nevada; and the Angeles, San*  
 8 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*  
 9 *fornia, as authorized by law, \$1,053,000, to be derived from*  
 10 *forest receipts.*

11 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

12 *For acquisition of lands, such sums, to be derived from*  
 13 *funds deposited by State, county, or municipal govern-*  
 14 *ments, public school districts, or other public school authori-*  
 15 *ties, and for authorized expenditures from funds deposited*  
 16 *by non-Federal parties pursuant to Land Sale and Ex-*  
 17 *change Acts (16 U.S.C. 4601–516–617a, 555a; Public Law*  
 18 *96–586; Public Law 76–589, 76–591; and 78–310), pursu-*  
 19 *ant to the Act of December 4, 1967, as amended (16 U.S.C.*  
 20 *484a), to remain available until expended.*

21 *RANGE BETTERMENT FUND*

22 *For necessary expenses of range rehabilitation, protec-*  
 23 *tion, and improvement, 50 percent of all moneys received*  
 24 *during the prior fiscal year, as fees for grazing domestic*  
 25 *livestock on lands in National Forests in the 16 Western*  
 26 *States, pursuant to section 401(b)(1) of Public Law 94–*

1 579, as amended, to remain available until expended, of  
2 which not to exceed 6 percent shall be available for adminis-  
3 trative expenses associated with on-the-ground range reha-  
4 bilitation, protection, and improvements.

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

7 For expenses authorized by 16 U.S.C. 1643(b),  
8 \$63,000, to remain available until expended, to be derived  
9 from the fund established pursuant to the above Act.

10 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
11 SUBSISTENCE USES

12 For necessary expenses of the Forest Service to manage  
13 Federal lands in Alaska for subsistence uses under title VIII  
14 of the Alaska National Interest Lands Conservation Act  
15 (Public Law 96-487), \$5,311,000, to remain available until  
16 expended.

17 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

18 Appropriations to the Forest Service for the current  
19 fiscal year shall be available for: (1) purchase of passenger  
20 motor vehicles; acquisition of passenger motor vehicles from  
21 excess sources, and hire of such vehicles; purchase, lease, op-  
22 eration, maintenance, and acquisition of aircraft from ex-  
23 cess sources to maintain the operable fleet for use in Forest  
24 Service wildland fire programs and other Forest Service  
25 programs; notwithstanding other provisions of law, existing  
26 aircraft being replaced may be sold, with proceeds derived

1 or trade-in value used to offset the purchase price for the  
2 replacement aircraft; (2) services pursuant to 7 U.S.C.  
3 2225, and not to exceed \$100,000 for employment under 5  
4 U.S.C. 3109; (3) purchase, erection, and alteration of build-  
5 ings and other public improvements (7 U.S.C. 2250); (4)  
6 acquisition of land, waters, and interests therein pursuant  
7 to 7 U.S.C. 428a; (5) for expenses pursuant to the Volun-  
8 teers in the National Forest Act of 1972 (16 U.S.C. 558a,  
9 558d, and 558a note); (6) the cost of uniforms as authorized  
10 by 5 U.S.C. 5901–5902; and (7) for debt collection contracts  
11 in accordance with 31 U.S.C. 3718(c).

12       None of the funds made available under this Act shall  
13 be obligated or expended to abolish any region, to move or  
14 close any regional office for National Forest System admin-  
15 istration of the Forest Service, Department of Agriculture  
16 without the consent of the House and Senate Committees  
17 on Appropriations.

18       Any appropriations or funds available to the Forest  
19 Service may be transferred to the Wildland Fire Manage-  
20 ment appropriation for forest firefighting, emergency reha-  
21 bilitation of burned-over or damaged lands or waters under  
22 its jurisdiction, and fire preparedness due to severe burning  
23 conditions upon notification of the House and Senate Com-  
24 mittees on Appropriations and if and only if all previously  
25 appropriated emergency contingent funds under the head-

1 ing “Wildland Fire Management” have been released by the  
2 President and apportioned and all wildfire suppression  
3 funds under the heading “Wildland Fire Management” are  
4 obligated.

5 Funds appropriated to the Forest Service shall be  
6 available for assistance to or through the Agency for Inter-  
7 national Development and the Foreign Agricultural Service  
8 in connection with forest and rangeland research, technical  
9 information, and assistance in foreign countries, and shall  
10 be available to support forestry and related natural resource  
11 activities outside the United States and its territories and  
12 possessions, including technical assistance, education and  
13 training, and cooperation with United States and inter-  
14 national organizations.

15 None of the funds made available to the Forest Service  
16 under this Act shall be subject to transfer under the provi-  
17 sions of section 702(b) of the Department of Agriculture Or-  
18 ganic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b.

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

24 Not more than \$73,052,000 of funds available to the  
25 Forest Service shall be transferred to the Working Capital

1 *Fund of the Department of Agriculture. Nothing in this*  
2 *paragraph shall prohibit or limit the use of reimbursable*  
3 *agreements requested by the Forest Service in order to ob-*  
4 *tain services from the Department of Agriculture's National*  
5 *Information Technology Center.*

6 *Funds available to the Forest Service shall be available*  
7 *to conduct a program of not less than \$2,500,000 for high*  
8 *priority projects within the scope of the approved budget*  
9 *which shall be carried out by the Youth Conservation Corps.*

10 *Of the funds available to the Forest Service, \$4,000 is*  
11 *available to the Chief of the Forest Service for official recep-*  
12 *tion and representation expenses.*

13 *Pursuant to sections 405(b) and 410(b) of Public Law*  
14 *101-593, of the funds available to the Forest Service,*  
15 *\$3,000,000 may be advanced in a lump sum to the National*  
16 *Forest Foundation to aid conservation partnership projects*  
17 *in support of the Forest Service mission, without regard*  
18 *to when the Foundation incurs expenses, for projects on or*  
19 *benefitting National Forest System lands or related to For-*  
20 *est Service programs: Provided, That the Foundation shall*  
21 *obtain, by the end of the period of Federal financial assist-*  
22 *ance, private contributions to match on at least one-for-one*  
23 *basis funds made available by the Forest Service: Provided*  
24 *further, That the Foundation may transfer Federal funds*  
25 *to a non-Federal recipient for a project at the same rate*

1 *that the recipient has obtained the non-Federal matching*  
2 *funds: Provided further, That authorized investments of*  
3 *Federal funds held by the Foundation may be made only*  
4 *in interest-bearing obligations of the United States or in*  
5 *obligations guaranteed as to both principal and interest by*  
6 *the United States.*

7 *Pursuant to section 2(b)(2) of Public Law 98-244,*  
8 *\$2,650,000 of the funds available to the Forest Service shall*  
9 *be advanced to the National Fish and Wildlife Foundation*  
10 *in a lump sum to aid cost-share conservation projects, with-*  
11 *out regard to when expenses are incurred, on or benefitting*  
12 *National Forest System lands or related to Forest Service*  
13 *programs: Provided, That such funds shall be matched on*  
14 *at least a one-for-one basis by the Foundation or its sub-*  
15 *recipients.*

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

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

1        *Notwithstanding any other provision of law, any ap-*  
2 *propriations or funds available to the Forest Service not*  
3 *to exceed \$500,000 may be used to reimburse the Office of*  
4 *the General Counsel (OGC), Department of Agriculture, for*  
5 *travel and related expenses incurred as a result of OGC as-*  
6 *sistance or participation requested by the Forest Service at*  
7 *meetings, training sessions, management reviews, land pur-*  
8 *chase negotiations and similar non-litigation related mat-*  
9 *ters. Future budget justifications for both the Forest Service*  
10 *and the Department of Agriculture should clearly display*  
11 *the sums previously transferred and the requested funding*  
12 *transfers.*

13        *Any appropriations or funds available to the Forest*  
14 *Service may be used for necessary expenses in the event of*  
15 *law enforcement emergencies as necessary to protect natural*  
16 *resources and public or employee safety: Provided, That*  
17 *such amounts shall not exceed \$500,000.*

18        *An eligible individual who is employed in any project*  
19 *funded under title V of the Older American Act of 1965*  
20 *(42 U.S.C. 3056 et seq.) and administered by the Forest*  
21 *Service shall be considered to be a Federal employee for pur-*  
22 *poses of chapter 171 of title 28, United States Code.*

23        *Any funds appropriated to the Forest Service may be*  
24 *used to meet the non-Federal share requirement in section*

1 502(c) of the Older American Act of 1965 (42 U.S.C.  
2 3056(c)(2)).

3 *Funds available to the Forest Service, not to exceed*  
4 *\$45,000,000, shall be assessed for the purpose of performing*  
5 *facilities maintenance. Such assessments shall occur using*  
6 *a square foot rate charged on the same basis the agency*  
7 *uses to assess programs for payment of rent, utilities, and*  
8 *other support services.*

9 *DEPARTMENT OF HEALTH AND HUMAN*  
10 *SERVICES*

11 *INDIAN HEALTH SERVICE*

12 *INDIAN HEALTH SERVICES*

13 *For expenses necessary to carry out the Act of August*  
14 *5, 1954 (68 Stat. 674), the Indian Self-Determination Act,*  
15 *the Indian Health Care Improvement Act, and titles II and*  
16 *III of the Public Health Service Act with respect to the In-*  
17 *dian Health Service, \$2,835,544,000, together with pay-*  
18 *ments received during the fiscal year pursuant to 42 U.S.C.*  
19 *238(b) for services furnished by the Indian Health Service:*  
20 *Provided, That funds made available to tribes and tribal*  
21 *organizations through contracts, grant agreements, or any*  
22 *other agreements or compacts authorized by the Indian Self-*  
23 *Determination and Education Assistance Act of 1975 (25*  
24 *U.S.C. 450), shall be deemed to be obligated at the time*  
25 *of the grant or contract award and thereafter shall remain*



1 available to the tribe or tribal organization without fiscal  
2 year limitation: Provided further, That up to \$18,000,000  
3 shall remain available until expended for the Indian Cata-  
4 strophic Health Emergency Fund: Provided further, That  
5 \$536,259,000 for contract medical care shall remain avail-  
6 able for obligation until September 30, 2008: Provided fur-  
7 ther, That no less than \$32,744,000 is provided for main-  
8 taining operations of the urban Indian health program at  
9 the current level: Provided further, That of the funds pro-  
10 vided, up to \$27,000,000 shall remain available until ex-  
11 pended for implementation of the loan repayment program  
12 under section 108 of the Indian Health Care Improvement  
13 Act: Provided further, That funds provided in this Act may  
14 be used for one-year contracts and grants which are to be  
15 performed in two fiscal years, so long as the total obligation  
16 is recorded in the year for which the funds are appro-  
17 priated: Provided further, That the amounts collected by the  
18 Secretary of Health and Human Services under the author-  
19 ity of title IV of the Indian Health Care Improvement Act  
20 shall remain available until expended for the purpose of  
21 achieving compliance with the applicable conditions and re-  
22 quirements of titles XVIII and XIX of the Social Security  
23 Act (exclusive of planning, design, or construction of new  
24 facilities): Provided further, That funding contained herein,  
25 and in any earlier appropriations Acts for scholarship pro-

1 *grams under the Indian Health Care Improvement Act (25*  
2 *U.S.C. 1613) shall remain available until expended: Pro-*  
3 *vided further, That amounts received by tribes and tribal*  
4 *organizations under title IV of the Indian Health Care Im-*  
5 *provement Act shall be reported and accounted for and*  
6 *available to the receiving tribes and tribal organizations*  
7 *until expended: Provided further, That, notwithstanding*  
8 *any other provision of law, of the amounts provided herein,*  
9 *not to exceed \$270,316,000 shall be for payments to tribes*  
10 *and tribal organizations for contract or grant support costs*  
11 *associated with contracts, grants, self-governance compacts*  
12 *or annual funding agreements between the Indian Health*  
13 *Service and a tribe or tribal organization pursuant to the*  
14 *Indian Self-Determination Act of 1975, as amended, prior*  
15 *to or during fiscal year 2007, of which not to exceed*  
16 *\$5,000,000 may be used for contract support costs associ-*  
17 *ated with new or expanded self-determination contracts,*  
18 *grants, self-governance compacts or annual funding agree-*  
19 *ments: Provided further, That the Bureau of Indian Affairs*  
20 *may collect from the Indian Health Service and tribes and*  
21 *tribal organizations operating health facilities pursuant to*  
22 *Public Law 93–638 such individually identifiable health*  
23 *information relating to disabled children as may be nec-*  
24 *essary for the purpose of carrying out its functions under*  
25 *the Individuals with Disabilities Education Act (20 U.S.C.*

1 1400, et seq.): *Provided further, That of the amounts pro-*  
 2 *vided to the Indian Health Service, \$15,000,000 is des-*  
 3 *ignated for alcohol control, enforcement, prevention, treat-*  
 4 *ment, sobriety and wellness, and education in Alaska, to*  
 5 *be distributed in accordance with the instruction provided*  
 6 *in Senate Report 109–80: Provided further, That none of*  
 7 *these funds may be used for tribal courts or tribal ordinance*  
 8 *programs or any program that is not directly related to*  
 9 *alcohol control, enforcement, prevention, treatment, or so-*  
 10 *briety: Provided further, That no more than 15 percent may*  
 11 *be used by any entity receiving funding for administrative*  
 12 *overhead including indirect costs.*

#### 13 INDIAN HEALTH FACILITIES

14 *For construction, repair, maintenance, improvement,*  
 15 *and equipment of health and related auxiliary facilities, in-*  
 16 *cluding quarters for personnel; preparation of plans, speci-*  
 17 *fications, and drawings; acquisition of sites, purchase and*  
 18 *erection of modular buildings, and purchases of trailers;*  
 19 *and for provision of domestic and community sanitation*  
 20 *facilities for Indians, as authorized by section 7 of the Act*  
 21 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*  
 22 *mination Act, and the Indian Health Care Improvement*  
 23 *Act, and for expenses necessary to carry out such Acts and*  
 24 *titles II and III of the Public Health Service Act with re-*  
 25 *spect to environmental health and facilities support activi-*  
 26 *ties of the Indian Health Service, \$357,287,000, to remain*

1 *available until expended: Provided, That notwithstanding*  
2 *any other provision of law, funds appropriated for the plan-*  
3 *ning, design, construction or renovation of health facilities*  
4 *for the benefit of an Indian tribe or tribes may be used*  
5 *to purchase land for sites to construct, improve, or enlarge*  
6 *health or related facilities: Provided further, That not to*  
7 *exceed \$500,000 shall be used by the Indian Health Service*  
8 *to purchase TRANSAM equipment from the Department of*  
9 *Defense for distribution to the Indian Health Service and*  
10 *tribal facilities: Provided further, That none of the funds*  
11 *appropriated to the Indian Health Service may be used for*  
12 *sanitation facilities construction for new homes funded with*  
13 *grants by the housing programs of the United States De-*  
14 *partment of Housing and Urban Development: Provided*  
15 *further, That not to exceed \$1,000,000 from this account*  
16 *and the “Indian Health Services” account shall be used by*  
17 *the Indian Health Service to obtain ambulances for the In-*  
18 *dian Health Service and tribal facilities in conjunction*  
19 *with an existing interagency agreement between the Indian*  
20 *Health Service and the General Services Administration:*  
21 *Provided further, That not to exceed \$500,000 shall be*  
22 *placed in a Demolition Fund, available until expended, to*  
23 *be used by the Indian Health Service for demolition of Fed-*  
24 *eral buildings.*

1     *ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE*

2           *Appropriations in this Act to the Indian Health Serv-*  
3 *ice shall be available for services as authorized by 5 U.S.C.*  
4 *3109 but at rates not to exceed the per diem rate equivalent*  
5 *to the maximum rate payable for senior-level positions*  
6 *under 5 U.S.C. 5376; hire of passenger motor vehicles and*  
7 *aircraft; purchase of medical equipment; purchase of re-*  
8 *prints; purchase, renovation and erection of modular build-*  
9 *ings and renovation of existing facilities; payments for tele-*  
10 *phone service in private residences in the field, when au-*  
11 *thorized under regulations approved by the Secretary; and*  
12 *for uniforms or allowances therefor as authorized by 5*  
13 *U.S.C. 5901–5902; and for expenses of attendance at meet-*  
14 *ings which are concerned with the functions or activities*  
15 *for which the appropriation is made or which will con-*  
16 *tribute to improved conduct, supervision, or management*  
17 *of those functions or activities.*

18           *In accordance with the provisions of the Indian Health*  
19 *Care Improvement Act, non-Indian patients may be ex-*  
20 *tended health care at all tribally administered or Indian*  
21 *Health Service facilities, subject to charges, and the pro-*  
22 *ceeds along with funds recovered under the Federal Medical*  
23 *Care Recovery Act (42 U.S.C. 2651–2653) shall be credited*  
24 *to the account of the facility providing the service and shall*  
25 *be available without fiscal year limitation. Notwith-*

1 *standing any other law or regulation, funds transferred*  
2 *from the Department of Housing and Urban Development*  
3 *to the Indian Health Service shall be administered under*  
4 *Public Law 86–121 (the Indian Sanitation Facilities Act)*  
5 *and Public Law 93–638, as amended.*

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

10 *None of the funds made available to the Indian Health*  
11 *Service in this Act shall be used for any assessments or*  
12 *charges by the Department of Health and Human Services*  
13 *unless identified in the budget justification and provided*  
14 *in this Act, or approved by the House and Senate Commit-*  
15 *tees on Appropriations through the reprogramming process.*  
16 *Personnel ceilings may not be imposed on the Indian*  
17 *Health Service nor may any action be taken to reduce the*  
18 *full time equivalent level of the Indian Health Service below*  
19 *the level in fiscal year 2002 adjusted upward for the staffing*  
20 *of new and expanded facilities, funding provided for staff-*  
21 *ing at the Lawton, Oklahoma hospital in fiscal years 2003*  
22 *and 2004, critical positions not filled in fiscal year 2002,*  
23 *and staffing necessary to carry out the intent of Congress*  
24 *with regard to program increases.*

1        *Notwithstanding any other provision of law, funds*  
2   *previously or herein made available to a tribe or tribal or-*  
3   *ganization through a contract, grant, or agreement author-*  
4   *ized by title I or title V of the Indian Self-Determination*  
5   *and Education Assistance Act of 1975 (25 U.S.C. 450), may*  
6   *be deobligated and reobligated to a self-determination con-*  
7   *tract under title I, or a self-governance agreement under*  
8   *title V of such Act and thereafter shall remain available*  
9   *to the tribe or tribal organization without fiscal year limi-*  
10   *tation.*

11       *None of the funds made available to the Indian Health*  
12   *Service in this Act shall be used to implement the final rule*  
13   *published in the Federal Register on September 16, 1987,*  
14   *by the Department of Health and Human Services, relating*  
15   *to the eligibility for the health care services of the Indian*  
16   *Health Service until the Indian Health Service has sub-*  
17   *mitted a budget request reflecting the increased costs associ-*  
18   *ated with the proposed final rule, and such request has been*  
19   *included in an appropriations Act and enacted into law.*

20       *With respect to functions transferred by the Indian*  
21   *Health Service to tribes or tribal organizations, the Indian*  
22   *Health Service is authorized to provide goods and services*  
23   *to those entities, on a reimbursable basis, including pay-*  
24   *ment in advance with subsequent adjustment. The reim-*  
25   *bursements received therefrom, along with the funds received*

1 *from those entities pursuant to the Indian Self-Determina-*  
 2 *tion Act, may be credited to the same or subsequent appro-*  
 3 *priation account that provided the funding, with such*  
 4 *amounts to remain available until expended.*

5 *Reimbursements for training, technical assistance, or*  
 6 *services provided by the Indian Health Service will contain*  
 7 *total costs, including direct, administrative, and overhead*  
 8 *associated with the provision of goods, services, or technical*  
 9 *assistance.*

10 *The appropriation structure for the Indian Health*  
 11 *Service may not be altered without prior consultation with*  
 12 *the House and Senate Committees on Appropriations.*

13 *NATIONAL INSTITUTES OF HEALTH*

14 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

15 *SCIENCES*

16 *For necessary expenses for the National Institute of*  
 17 *Environmental Health Sciences in carrying out activities*  
 18 *set forth in section 311(a) of the Comprehensive Environ-*  
 19 *mental Response, Compensation, and Liability Act of 1980,*  
 20 *as amended, and section 126(g) of the Superfund Amend-*  
 21 *ments and Reauthorization Act of 1986, \$78,414,000.*

22 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

23 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

24 *For necessary expenses for the Agency for Toxic Sub-*  
 25 *stances and Disease Registry (ATSDR) in carrying out ac-*



1 *tivities set forth in sections 104(i), 111(c)(4), and*  
2 *111(c)(14) of the Comprehensive Environmental Response,*  
3 *Compensation, and Liability Act of 1980 (CERCLA), as*  
4 *amended; section 118(f) of the Superfund Amendments and*  
5 *Reauthorization Act of 1986, as amended; and section 3019*  
6 *of the Solid Waste Disposal Act, as amended, \$75,004,000,*  
7 *of which up to \$1,500,000, to remain available until ex-*  
8 *pended, is for Individual Learning Accounts for full-time*  
9 *equivalent employees of the Agency for Toxic Substances*  
10 *and Disease Registry: Provided, That notwithstanding any*  
11 *other provision of law, in lieu of performing a health assess-*  
12 *ment under section 104(i)(6) of CERCLA, the Adminis-*  
13 *trator of ATSDR may conduct other appropriate health*  
14 *studies, evaluations, or activities, including, without limi-*  
15 *tation, biomedical testing, clinical evaluations, medical*  
16 *monitoring, and referral to accredited health care providers:*  
17 *Provided further, That in performing any such health as-*  
18 *essment or health study, evaluation, or activity, the Ad-*  
19 *ministrator of ATSDR shall not be bound by the deadlines*  
20 *in section 104(i)(6)(A) of CERCLA: Provided further, That*  
21 *none of the funds appropriated under this heading shall be*  
22 *available for ATSDR to issue in excess of 40 toxicological*  
23 *profiles pursuant to section 104(i) of CERCLA during fis-*  
24 *cal year 2007, and existing profiles may be updated as nec-*  
25 *essary.*

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 assigned*  
6 *to the Council on Environmental Quality and Office of En-*  
7 *vironmental Quality pursuant to the National Environ-*  
8 *mental Policy Act of 1969, the Environmental Quality Im-*  
9 *provement Act of 1970, and Reorganization Plan No. 1 of*  
10 *1977, and not to exceed \$750 for official reception and rep-*  
11 *resentation expenses, \$2,627,000: Provided, That notwith-*  
12 *standing section 202 of the National Environmental Policy*  
13 *Act of 1970, the Council shall consist of one member, ap-*  
14 *pointed by the President, by and with the advice and con-*  
15 *sent of the Senate, serving as chairman and exercising all*  
16 *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, as amended,*  
21 *including hire of passenger vehicles, uniforms or allowances*  
22 *therefor, 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. 5376,*

1 \$9,108,000: *Provided, That the Chemical Safety and Haz-*  
2 *ard Investigation Board (Board) shall have not more than*  
3 *three career Senior Executive Service positions.*

4       *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*  
5               *SALARIES AND EXPENSES*

6       *For necessary expenses of the Office of Navajo and*  
7 *Hopi Indian Relocation as authorized by Public Law 93–*  
8 *531, \$5,940,000, to remain available until expended: Pro-*  
9 *vided, That funds provided in this or any other appropria-*  
10 *tions Act are to be used to relocate eligible individuals and*  
11 *groups including evictees from District 6, Hopi-partitioned*  
12 *lands residents, those in significantly substandard housing,*  
13 *and all others certified as eligible and not included in the*  
14 *preceding categories: Provided further, That none of the*  
15 *funds contained in this or any other Act may be used by*  
16 *the Office of Navajo and Hopi Indian Relocation to evict*  
17 *any single Navajo or Navajo family who, as of November*  
18 *30, 1985, was physically domiciled on the lands partitioned*  
19 *to the Hopi Tribe unless a new or replacement home is pro-*  
20 *vided for such household: Provided further, That no*  
21 *relocatee will be provided with more than one new or re-*  
22 *placement home: Provided further, That the Office shall re-*  
23 *locate any certified eligible relocatees who have selected and*  
24 *received an approved homesite on the Navajo reservation*  
25 *or selected a replacement residence off the Navajo reserva-*

1 *tion or on the land acquired pursuant to 25 U.S.C. 640d–*  
2 *10.*

3 *INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE*  
4 *CULTURE AND ARTS DEVELOPMENT*

5 *PAYMENT TO THE INSTITUTE*

6 *For payment to the Institute of American Indian and*  
7 *Alaska Native Culture and Arts Development, as authorized*  
8 *by title XV of Public Law 99–498, as amended (20 U.S.C.*  
9 *56 part A), \$6,703,000.*

10 *SMITHSONIAN INSTITUTION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Smithsonian Institution,*  
13 *as authorized by law, including research in the fields of art,*  
14 *science, and history; development, preservation, and docu-*  
15 *mentation of the National Collections; presentation of pub-*  
16 *lic exhibits and performances; collection, preparation, dis-*  
17 *semination, and exchange of information and publications;*  
18 *conduct of education, training, and museum assistance pro-*  
19 *grams; maintenance, alteration, operation, lease (for terms*  
20 *not to exceed 30 years), and protection of buildings, facili-*  
21 *ties, and approaches; not to exceed \$100,000 for services as*  
22 *authorized by 5 U.S.C. 3109; up to five replacement pas-*  
23 *senger vehicles; purchase, rental, repair, and cleaning of*  
24 *uniforms for employees, \$537,394,000, of which not to ex-*  
25 *ceed \$9,964,000 for the instrumentation program, collec-*

1 *tions acquisition, exhibition reinstallation, the National*  
 2 *Museum of African American History and Culture, and the*  
 3 *repatriation of skeletal remains program shall remain*  
 4 *available until expended; of which not to exceed \$275,000*  
 5 *shall be available for transfer to the United States Federal*  
 6 *Protective Service for costs associated with building security*  
 7 *at the George Gustaf Heye Center in New York; and of*  
 8 *which \$1,577,000 for fellowships and scholarly awards shall*  
 9 *remain available until September 30, 2008; and including*  
 10 *such funds as may be necessary to support American over-*  
 11 *seas research centers and a total of \$125,000 for the Council*  
 12 *of American Overseas Research Centers: Provided, That*  
 13 *funds appropriated herein are available for advance pay-*  
 14 *ments to independent contractors performing research serv-*  
 15 *ices or participating in official Smithsonian presentations.*

#### 16 *FACILITIES CAPITAL*

17 *For necessary expenses of repair, revitalization, and*  
 18 *alteration of facilities owned or occupied by the Smithso-*  
 19 *nian Institution, by contract or otherwise, as authorized by*  
 20 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*  
 21 *for construction, including necessary personnel,*  
 22 *\$107,000,000, to remain available until expended, of which*  
 23 *not to exceed \$10,000 is for services as authorized by 5*  
 24 *U.S.C. 3109: Provided, That contracts awarded for environ-*  
 25 *mental systems, protection systems, and repair or restora-*  
 26 *tion of facilities of the Smithsonian Institution may be ne-*

1 *gotiated with selected contractors and awarded on the basis*  
2 *of contractor qualifications as well as price.*

3 *ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION*

4 *None of the funds in this or any other Act may be*  
5 *used to make any changes to the existing Smithsonian*  
6 *science programs including closure of facilities, relocation*  
7 *of staff or redirection of functions and programs without*  
8 *the advance approval of the House and Senate Committees*  
9 *on Appropriations.*

10 *None of the funds in this or any other Act may be*  
11 *used to initiate the design for any proposed expansion of*  
12 *current space or new facility prior to consultation with the*  
13 *House and Senate Committees on Appropriations.*

14 *None of the funds in this or any other Act may be*  
15 *used for the Holt House located at the National Zoological*  
16 *Park in Washington, D.C., unless identified as repairs to*  
17 *minimize water damage, monitor structure movement, or*  
18 *provide interim structural support.*

19 *None of the funds available to the Smithsonian may*  
20 *be reprogrammed without the advance approval of the*  
21 *House and Senate Committees on Appropriations in ac-*  
22 *cordance with the reprogramming procedures contained in*  
23 *the statement of the managers accompanying this Act.*

24 *None of the funds in this or any other Act may be*  
25 *used to purchase any additional buildings without prior*

1 *consultation with the House and Senate Committees on Ap-*  
2 *propriations.*

3 *NATIONAL GALLERY OF ART*

4 *SALARIES AND EXPENSES*

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

1 Gallery may deem proper, \$101,794,000, of which not to  
2 exceed \$3,239,000 for the special exhibition program shall  
3 remain available until expended.

4 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

5 For necessary expenses of repair, restoration and ren-  
6 ovation of buildings, grounds and facilities owned or occu-  
7 pied by the National Gallery of Art, by contract or other-  
8 wise, as authorized, \$14,949,000, to remain available until  
9 expended: Provided, That contracts awarded for environ-  
10 mental systems, protection systems, and exterior repair or  
11 renovation of buildings of the National Gallery of Art may  
12 be negotiated with selected contractors and awarded on the  
13 basis of contractor qualifications as well as price: Provided  
14 further, That, notwithstanding any other provision of law,  
15 a single procurement for the Master Facilities Plan renova-  
16 tion project at the National Gallery of Art may be issued  
17 which includes the full scope of the Work Area #3 project:  
18 Provided further, That the solicitation and the contract  
19 shall contain the clause "availability of funds" found at  
20 48 CFR 52.232.18.

21 JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

22 OPERATIONS AND MAINTENANCE

23 For necessary expenses for the operation, maintenance  
24 and security of the John F. Kennedy Center for the Per-  
25 forming Arts, \$18,909,000.



1 CONSTRUCTION

2 *For necessary expenses for capital repair and restora-*  
3 *tion of the existing features of the building and site of the*  
4 *John F. Kennedy Center for the Performing Arts,*  
5 *\$19,800,000, to remain available until expended.*

6 WOODROW WILSON INTERNATIONAL CENTER FOR

7 SCHOLARS

8 SALARIES AND EXPENSES

9 *For expenses necessary in carrying out the provisions*  
10 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*  
11 *1356) including hire of passenger vehicles and services as*  
12 *authorized by 5 U.S.C. 3109, \$9,438,000.*

13 NATIONAL FOUNDATION ON THE ARTS AND THE

14 HUMANITIES

15 NATIONAL ENDOWMENT FOR THE ARTS

16 GRANTS AND ADMINISTRATION

17 *For necessary expenses to carry out the National Foun-*  
18 *dation on the Arts and the Humanities Act of 1965, as*  
19 *amended, \$124,412,000 shall be available to the National*  
20 *Endowment for the Arts for the support of projects and pro-*  
21 *ductions in the arts, through assistance to organizations*  
22 *and individuals pursuant to sections 5(c) and 5(g) of the*  
23 *Act, including \$14,097,000 for support of arts education*  
24 *and public outreach activities through the Challenge Amer-*  
25 *ica program, for program support, and for administering*

1 *the functions of the Act, to remain available until expended:*  
 2 *Provided, That funds previously appropriated to the Na-*  
 3 *tional Endowment for the Arts “Matching Grants” account*  
 4 *may be transferred to and merged with this account: Pro-*  
 5 *vided further, That funds appropriated herein shall be ex-*  
 6 *pended in accordance with sections 309 and 311 of Public*  
 7 *Law 108–108.*

8 *NATIONAL ENDOWMENT FOR THE HUMANITIES*

9 *GRANTS AND ADMINISTRATION*

10 *For necessary expenses to carry out the National Foun-*  
 11 *dation on the Arts and the Humanities Act of 1965, as*  
 12 *amended, \$126,049,000, shall be available to the National*  
 13 *Endowment for the Humanities for support of activities in*  
 14 *the humanities, pursuant to section 7(c) of the Act, and for*  
 15 *administering the functions of the Act, to remain available*  
 16 *until expended.*

17 *MATCHING GRANTS*

18 *To carry out the provisions of section 10(a)(2) of the*  
 19 *National Foundation on the Arts and the Humanities Act*  
 20 *of 1965, as amended, \$14,906,000, to remain available until*  
 21 *expended, of which \$9,649,000 shall be available to the Na-*  
 22 *tional Endowment for the Humanities for the purposes of*  
 23 *section 7(h): Provided, That this appropriation shall be*  
 24 *available for obligation only in such amounts as may be*  
 25 *equal to the total amounts of gifts, bequests, and devises of*  
 26 *money, and other property accepted by the chairman or by*

1 grantees of the Endowment under the provisions of sub-  
2 sections 11(a)(2)(B) and 11(a)(3)(B) during the current  
3 and preceding fiscal years for which equal amounts have  
4 not previously been appropriated.

5 ADMINISTRATIVE PROVISIONS

6 None of the funds appropriated to the National Foun-  
7 dation on the Arts and the Humanities may be used to  
8 process any grant or contract documents which do not in-  
9 clude the text of 18 U.S.C. 1913: Provided, That none of  
10 the funds appropriated to the National Foundation on the  
11 Arts and the Humanities may be used for official reception  
12 and representation expenses: Provided further, That funds  
13 from nonappropriated sources may be used as necessary for  
14 official reception and representation expenses: Provided fur-  
15 ther, That the Chairperson of the National Endowment for  
16 the Arts may approve grants of up to \$10,000, if in the  
17 aggregate this amount does not exceed 5 percent of the sums  
18 appropriated for grant-making purposes per year: Provided  
19 further, That such small grant actions are taken pursuant  
20 to the terms of an expressed and direct delegation of author-  
21 ity from the National Council on the Arts to the Chair-  
22 person.

## COMMISSION OF FINE ARTS

## SALARIES AND EXPENSES

*For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,951,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.*

## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

*For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), as amended, \$7,500,000.*

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

*For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), \$5,118,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.*

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

*For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, \$8,265,000: Provided, That one-quarter of 1 percent of the funds pro-*

1 *vided under this heading may be used for official reception*  
2 *and representational expenses associated with hosting inter-*  
3 *national visitors engaged in the planning and physical de-*  
4 *velopment 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. 2301–2310),*  
9 *\$43,786,000, of which \$515,000 for the equipment replace-*  
10 *ment program shall remain available until September 30,*  
11 *2009; and \$1,900,000 for the museum’s repair and rehabili-*  
12 *tation program and \$1,264,000 for the museum’s exhibition*  
13 *design and production program shall remain available*  
14 *until expended.*

15 *PRESIDIO TRUST*

16 *PRESIDIO TRUST FUND*

17 *For necessary expenses to carry out title I of the Omni-*  
18 *bus Parks and Public Lands Management Act of 1996,*  
19 *\$19,256,000 shall be available to the Presidio Trust, to re-*  
20 *main available until expended.*

21 *WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT*

22 *OF REMEMBRANCE*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the White House Commission*  
25 *on the National Moment of Remembrance, \$200,000.*

1

*TITLE IV*

2

*GENERAL PROVISIONS*

3

*SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.*

10

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

17

*SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

20

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

24

1        *SEC. 405. Estimated overhead charges, deductions, re-*  
2 *serves or holdbacks from programs, projects, activities and*  
3 *subactivities to support government-wide, departmental,*  
4 *agency or bureau administrative functions or headquarters,*  
5 *regional or central operations shall be presented in annual*  
6 *budget justifications and subject to approval by the Com-*  
7 *mittees on Appropriations. Changes to such estimates shall*  
8 *be presented to the Committees on Appropriations for ap-*  
9 *proval.*

10       *SEC. 406. None of the funds made available in this*  
11 *Act may be transferred to any department, agency, or in-*  
12 *strumentality of the United States Government except pur-*  
13 *suant to a transfer made by, or transfer provided in, this*  
14 *Act or any other Act.*

15       *SEC. 407. None of the funds in this Act may be used*  
16 *to plan, prepare, or offer for sale timber from trees classified*  
17 *as giant sequoia (Sequoiadendron giganteum) which are lo-*  
18 *cated on National Forest System or Bureau of Land Man-*  
19 *agement lands in a manner different than such sales were*  
20 *conducted in fiscal year 2006.*

21       *SEC. 408. (a) LIMITATION OF FUNDS.—None of the*  
22 *funds appropriated or otherwise made available pursuant*  
23 *to this Act shall be obligated or expended to accept or proc-*  
24 *ess applications for a patent for any mining or mill site*  
25 *claim located under the general mining laws.*

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

12       (c) *REPORT.*—*On September 30, 2007, the Secretary*  
13 *of the Interior shall file with the House and Senate Com-*  
14 *mittees on Appropriations and the Committee on Resources*  
15 *of the House of Representatives and the Committee on En-*  
16 *ergy and Natural Resources of the Senate a report on ac-*  
17 *tions taken by the Department under the plan submitted*  
18 *pursuant to section 314(c) of the Department of the Interior*  
19 *and Related Agencies Appropriations Act, 1997 (Public*  
20 *Law 104–208).*

21       (d) *MINERAL EXAMINATIONS.*—*In order to process*  
22 *patent applications in a timely and responsible manner,*  
23 *upon the request of a patent applicant, the Secretary of the*  
24 *Interior shall allow the applicant to fund a qualified third-*  
25 *party contractor to be selected by the Bureau of Land Man-*



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

8       *SEC. 409. In addition to amounts otherwise provided*  
9   *in this Act, \$2,800,000 is provided to undertake the activi-*  
10   *ties authorized in section 3511 of Public Law 102–575, as*  
11   *amended, the Three Affiliated Tribes and Standing Rock*  
12   *Sioux Tribe Equitable Compensation Act.*

13       *SEC. 410. No part of any appropriation contained in*  
14   *this Act shall be expended or obligated to complete and issue*  
15   *the 5-year program under the Forest and Rangeland Re-*  
16   *newable Resources Planning Act.*

17       *SEC. 411. Amounts deposited during fiscal year 2006*  
18   *in the roads and trails fund provided for in the 14th para-*  
19   *graph under the heading “FOREST SERVICE” of the Act*  
20   *of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be*  
21   *used by the Secretary of Agriculture, without regard to the*  
22   *State in which the amounts were derived, to repair or re-*  
23   *construct roads, bridges, and trails on National Forest Sys-*  
24   *tem lands or to carry out and administer projects to im-*  
25   *prove forest health conditions, which may include the repair*

1 or reconstruction of roads, bridges, and trails on National  
2 Forest System lands in the wildland-community interface  
3 where there is an abnormally high risk of fire. The projects  
4 shall emphasize reducing risks to human safety and public  
5 health and property and enhancing ecological functions,  
6 long-term forest productivity, and biological integrity. The  
7 projects may be completed in a subsequent fiscal year.  
8 Funds shall not be expended under this section to replace  
9 funds which would otherwise appropriately be expended  
10 from the timber salvage sale fund. Nothing in this section  
11 shall be construed to exempt any project from any environ-  
12 mental law.

13       *SEC. 412. Other than in emergency situations, none*  
14 *of the funds in this Act may be used to operate telephone*  
15 *answering machines during core business hours unless such*  
16 *answering machines include an option that enables callers*  
17 *to reach promptly an individual on-duty with the agency*  
18 *being contacted.*

19       *SEC. 413. Prior to October 1, 2007, the Secretary of*  
20 *Agriculture shall not be considered to be in violation of sub-*  
21 *paragraph 6(f)(5)(A) of the Forest and Rangeland Renew-*  
22 *able Resources Planning Act of 1974 (16 U.S.C.*  
23 *1604(f)(5)(A)) solely because more than 15 years have*  
24 *passed without revision of the plan for a unit of the Na-*  
25 *tional Forest System. Nothing in this section exempts the*

1 *Secretary from any other requirement of the Forest and*  
2 *Rangeland Renewable Resources Planning Act (16 U.S.C.*  
3 *1600 et seq.) or any other law: Provided, That if the Sec-*  
4 *retary is not acting expeditiously and in good faith, within*  
5 *the funding available, to revise a plan for a unit of the*  
6 *National Forest System, this section shall be void with re-*  
7 *spect to such plan and a court of proper jurisdiction may*  
8 *order completion of the plan on an accelerated basis.*

9       *SEC. 414. No timber sale in Region 10 shall be adver-*  
10 *tised if the indicated rate is deficit when appraised using*  
11 *a residual value approach that assigns domestic Alaska val-*  
12 *ues for western redcedar. Program accomplishments shall*  
13 *be based on volume sold. Should Region 10 sell, in the cur-*  
14 *rent fiscal year, the annual average portion of the decadal*  
15 *allowable sale quantity called for in the current Tongass*  
16 *Land Management Plan in sales which are not deficit when*  
17 *appraised using a residual value approach that assigns do-*  
18 *mestic Alaska values for western redcedar, all of the western*  
19 *redcedar timber from those sales which is surplus to the*  
20 *needs of domestic processors in Alaska, shall be made avail-*  
21 *able to domestic processors in the contiguous 48 United*  
22 *States at prevailing domestic prices. Should Region 10 sell,*  
23 *in the current fiscal year, less than the annual average por-*  
24 *tion of the decadal allowable sale quantity called for in the*  
25 *Tongass Land Management Plan in sales which are not def-*

1 icit when appraised using a residual value approach that  
2 assigns domestic Alaska values for western redcedar, the vol-  
3 ume of western redcedar timber available to domestic proc-  
4 essors at prevailing domestic prices in the contiguous 48  
5 United States shall be that volume: (1) which is surplus  
6 to the needs of domestic processors in Alaska; and (2) is  
7 that percent of the surplus western redcedar volume deter-  
8 mined by calculating the ratio of the total timber volume  
9 which has been sold on the Tongass to the annual average  
10 portion of the decadal allowable sale quantity called for in  
11 the current Tongass Land Management Plan. The percent-  
12 age shall be calculated by Region 10 on a rolling basis as  
13 each sale is sold (for purposes of this amendment, a “rolling  
14 basis” shall mean that the determination of how much west-  
15 ern redcedar is eligible for sale to various markets shall be  
16 made at the time each sale is awarded). Western redcedar  
17 shall be deemed “surplus to the needs of domestic processors  
18 in Alaska” when the timber sale holder has presented to  
19 the Forest Service documentation of the inability to sell  
20 western redcedar logs from a given sale to domestic Alaska  
21 processors at a price equal to or greater than the log selling  
22 value stated in the contract. All additional western redcedar  
23 volume not sold to Alaska or contiguous 48 United States  
24 domestic processors may be exported to foreign markets at  
25 the election of the timber sale holder. All Alaska yellow

1 cedar may be sold at prevailing export prices at the election  
2 of the timber sale holder.

3       SEC. 415. No funds provided in this Act may be ex-  
4 pended to conduct preleasing, leasing and related activities  
5 under either the Mineral Leasing Act (30 U.S.C. 181 et seq.)  
6 or the Outer Continental Shelf Lands Act (43 U.S.C. 1331  
7 et seq.) within the boundaries of a National Monument es-  
8 tablished pursuant to the Act of June 8, 1906 (16 U.S.C.  
9 431 et seq.) as such boundary existed on January 20, 2001,  
10 except where such activities are allowed under the Presi-  
11 dential proclamation establishing such monument.

12       SEC. 416. In entering into agreements with foreign  
13 countries pursuant to the Wildfire Suppression Assistance  
14 Act (42 U.S.C. 1856m) the Secretary of Agriculture and  
15 the Secretary of the Interior are authorized to enter into  
16 reciprocal agreements in which the individuals furnished  
17 under said agreements to provide wildfire services are con-  
18 sidered, for purposes of tort liability, employees of the coun-  
19 try receiving said services when the individuals are engaged  
20 in fire suppression: Provided, That the Secretary of Agri-  
21 culture or the Secretary of the Interior shall not enter into  
22 any agreement under this provision unless the foreign coun-  
23 try (either directly or through its fire organization) agrees  
24 to assume any and all liability for the acts or omissions  
25 of American firefighters engaged in firefighting in a foreign

1 country: *Provided further, That when an agreement is*  
2 *reached for furnishing fire fighting services, the only rem-*  
3 *edies for acts or omissions committed while fighting fires*  
4 *shall be those provided under the laws of the host country,*  
5 *and those remedies shall be the exclusive remedies for any*  
6 *claim arising out of fighting fires in a foreign country: Pro-*  
7 *vided further, That neither the sending country nor any*  
8 *legal organization associated with the firefighter shall be*  
9 *subject to any legal action whatsoever pertaining to or aris-*  
10 *ing out of the firefighter's role in fire suppression.*

11       *SEC. 417. In awarding a Federal contract with funds*  
12 *made available by this Act, notwithstanding Federal Gov-*  
13 *ernment procurement and contracting laws, the Secretary*  
14 *of Agriculture and the Secretary of the Interior (the "Secre-*  
15 *taries") may, in evaluating bids and proposals, give consid-*  
16 *eration to local contractors who are from, and who provide*  
17 *employment and training for, dislocated and displaced*  
18 *workers in an economically disadvantaged rural commu-*  
19 *nity, including those historically timber-dependent areas*  
20 *that have been affected by reduced timber harvesting on*  
21 *Federal lands and other forest-dependent rural communities*  
22 *isolated from significant alternative employment opportu-*  
23 *nities: Provided, That notwithstanding Federal Government*  
24 *procurement and contracting laws the Secretaries may*  
25 *award contracts, grants or cooperative agreements to local*

1 *non-profit entities, Youth Conservation Corps or related*  
2 *partnerships with State, local or non-profit youth groups,*  
3 *or small or micro-business or disadvantaged business: Pro-*  
4 *vided further, That the contract, grant, or cooperative agree-*  
5 *ment is for forest hazardous fuels reduction, watershed or*  
6 *water quality monitoring or restoration, wildlife or fish*  
7 *population monitoring, or habitat restoration or manage-*  
8 *ment: Provided further, That the terms “rural community”*  
9 *and “economically disadvantaged” shall have the same*  
10 *meanings as in section 2374 of Public Law 101–624: Pro-*  
11 *vided further, That the Secretaries shall develop guidance*  
12 *to implement this section: Provided further, That nothing*  
13 *in this section shall be construed as relieving the Secretaries*  
14 *of any duty under applicable procurement laws, except as*  
15 *provided in this section.*

16       *SEC. 418. (a) Notwithstanding any other provision of*  
17 *law and hereinafter, after September 30, 2006, the Indian*  
18 *Health Service may not disburse funds for the provision*  
19 *of health care services pursuant to Public Law 93–638 (25*  
20 *U.S.C. 450 et seq.) to any Alaska Native village or Alaska*  
21 *Native village corporation that is located within the area*  
22 *served by an Alaska Native regional health entity.*

23       *(b) Nothing in this section shall be construed to pro-*  
24 *hibit the disbursal of funds to any Alaska Native village*  
25 *or Alaska Native village corporation under any contract or*

1 compact entered into prior to May 1, 2006, or to prohibit  
2 the renewal of any such agreement.

3 (c) For the purpose of this section, Eastern Aleutian  
4 Tribes, Inc. shall be treated as an Alaska Native regional  
5 health entity to which funds may be disbursed under this  
6 section.

7 SEC. 419. No funds appropriated in this Act for the  
8 acquisition of lands or interests in lands may be expended  
9 for the filing of declarations of taking or complaints in con-  
10 demnation without the approval of the House and Senate  
11 Committees on Appropriations: Provided, That this provi-  
12 sion shall not apply to funds appropriated to implement  
13 the Everglades National Park Protection and Expansion  
14 Act of 1989, or to funds appropriated for Federal assistance  
15 to the State of Florida to acquire lands for Everglades res-  
16 toration purposes.

17 SEC. 420. (a) LIMITATION ON COMPETITIVE SOURCING  
18 STUDIES.—

19 (1) Of the funds made available by this or any  
20 other Act to the Department of the Interior for fiscal  
21 year 2007, not more than \$3,450,000 may be used by  
22 the Secretary of the Interior to initiate or continue  
23 competitive sourcing studies in fiscal year 2007 for  
24 programs, projects, and activities for which funds are  
25 appropriated by this Act until such time as the Sec-



1       retary concerned submits a reprogramming proposal  
2       to the Committees on Appropriations of the Senate  
3       and the House of Representatives, and such proposal  
4       has been processed consistent with the reprogramming  
5       guidelines included in the report accompanying this  
6       Act.

7               (2) Of the funds appropriated by this Act, not  
8       more than \$2,500,000 may be used in fiscal year  
9       2007 for competitive sourcing studies and related ac-  
10      tivities by the Forest Service.

11      (b) *COMPETITIVE SOURCING STUDY DEFINED.*—In  
12      this section, the term “competitive sourcing study” means  
13      a study on subjecting work performed by Federal Govern-  
14      ment employees or private contractors to public-private  
15      competition or on converting the Federal Government em-  
16      ployees or the work performed by such employees to private  
17      contractor performance under the Office of Management  
18      and Budget Circular A–76 or any other administrative reg-  
19      ulation, directive, or policy.

20      (c) *COMPETITIVE SOURCING EXEMPTION FOR FOREST*  
21      *SERVICE STUDIES CONDUCTED PRIOR TO FISCAL YEAR*  
22      *2006.*—The Forest Service is hereby exempted from imple-  
23      menting the Letter of Obligation and post-competition ac-  
24      countability guidelines where a competitive sourcing study  
25      involved 65 or fewer full-time equivalents, the performance

1 *decision was made in favor of the agency provider, no net*  
2 *savings was achieved by conducting the study, and the*  
3 *study was completed prior to the date of this Act.*

4       (d) *In preparing any reports to the Committees on Ap-*  
5 *propriations on competitive sourcing activities, agencies*  
6 *funded in this Act shall include all costs attributable to con-*  
7 *ducting the competitive sourcing competitions and staff*  
8 *work to prepare for competitions or to determine the feasi-*  
9 *bility of starting competitions, including costs attributable*  
10 *to paying outside consultants and contractors and, in ac-*  
11 *cordance with full cost accounting principles, all costs at-*  
12 *tributable to developing, implementing, supporting, man-*  
13 *aging, monitoring, and reporting on competitive sourcing,*  
14 *including personnel, consultant, travel, and training costs*  
15 *associated with program management.*

16       (e) *In carrying out any competitive sourcing study in-*  
17 *volving Forest Service employees, the Secretary of Agri-*  
18 *culture shall—*

19               (1) *determine whether any of the employees con-*  
20 *cerned are also qualified to participate in wildland*  
21 *fire management activities; and*

22               (2) *take into consideration the effect that con-*  
23 *tracting with a private sector source would have on*  
24 *the ability of the Forest Service to effectively and effi-*  
25 *ciently fight and manage wildfires.*

1       *SEC. 421. None of the funds in this Act or prior Acts*  
2       *making appropriations for the Department of the Interior*  
3       *and Related Agencies may be provided to the managing*  
4       *partners or their agents for the SAFECOM or Disaster*  
5       *Management projects.*

6       *SEC. 422. (a) IN GENERAL.—An entity that enters*  
7       *into a contract with the United States to operate the Na-*  
8       *tional Recreation Reservation Service shall not carry out*  
9       *any duties under the contract using:*

10               *(1) a contact center located outside the United*  
11       *States; or*

12               *(2) a reservation agent who does not live in the*  
13       *United States.*

14       *(b) NO WAIVER.—The Secretary of Agriculture may*  
15       *not waive the requirements of subsection (a).*

16       *(c) TELECOMMUTING.—A reservation agent who is car-*  
17       *rying out duties under the contract described in subsection*  
18       *(a) may not telecommute from a location outside the United*  
19       *States.*

20       *(d) LIMITATIONS.—Nothing in this Act shall be con-*  
21       *strued to apply to any employee of the entity who is not*  
22       *a reservation agent carrying out the duties under the con-*  
23       *tract described in subsection (a) or who provides manage-*  
24       *rial or support services.*

1       *SEC. 423. Section 331 of the Department of the Inte-*  
2       *rior and Related Agencies Appropriations Act, 2000 (as en-*  
3       *acted into law by section 1000(a)(3) of Public Law 106–*  
4       *113; 113 Stat. 1501A–196; 16 U.S.C. 497 note), as amend-*  
5       *ed, is amended—*

6               *(1) in subsection (a) by striking “2006” and in-*  
7       *serting “2007”; and*

8               *(2) in subsection (b) by striking “2006” and in-*  
9       *serting “2007”.*

10       *SEC. 424. (a) IN GENERAL.—*

11               *(1) The Secretary of Agriculture and the Sec-*  
12       *retary of the Interior are authorized to make grants*  
13       *to the Eastern Nevada Landscape Coalition for the*  
14       *study and restoration of rangeland and other lands in*  
15       *Nevada’s Great Basin in order to help ensure the re-*  
16       *duction of hazardous fuels and for related purposes.*

17               *(2) Notwithstanding 31 U.S.C. 6301–6308, the*  
18       *Director of the Bureau of Land Management may*  
19       *enter into a cooperative agreement with the Eastern*  
20       *Nevada Landscape Coalition for the Great Basin Res-*  
21       *toration Project, including hazardous fuels and me-*  
22       *chanical treatments and related work.*

23       *(b) AUTHORIZATION OF APPROPRIATIONS.—There are*  
24       *authorized to be appropriated such sums as are necessary*  
25       *to carry out this section.*

1        *SEC. 425. LAND PROVISIONS—GALLATIN NATIONAL*  
 2        *FOREST, MONTANA. (a) CONSOLIDATION OF ACCOUNTS.—*  
 3        *The Special Account referenced in section 4(c)(2) of the Gal-*  
 4        *latin Land Consolidation Act of 1998, Public Law 105–*  
 5        *267, is terminated and remaining monies in said Special*  
 6        *Account shall be transferred to the fund established under*  
 7        *Public Law 90–171 (commonly known as the “Sisk Act”,*  
 8        *16 U.S.C. 484a) to remain available until expended, for the*  
 9        *acquisition of lands for National Forest System purposes*  
 10       *in the State of Montana. Funds deposited in the Sisk Act*  
 11       *fund shall not be subject to transfer or reprogramming for*  
 12       *wildland fire management or any other emergency pur-*  
 13       *poses.*

14       *(b) LAND CONVEYANCES WITHIN THE GALLATIN NA-*  
 15       *TIONAL FOREST.—Section 333 of Public Law 108–108 (117*  
 16       *Stat. 1309) is amended as follows:*

17                *(1) Subsection (b) is repealed.*

18                *(2) In subsection (c), paragraph (1), delete sub-*  
 19       *paragraphs (A) through (E) and substitute the fol-*  
 20       *lowing:*

21                        *“(A) SMC East Boulder Mine Portal*  
 22                        *Tract—Principal Meridian, Montana,*  
 23                        *unsurveyed T.4 S., R.13 E.: Section 2, S<sup>1</sup>/<sub>2</sub> less*  
 24                        *portions of Tracts A and B of HES 858; Section*  
 25                        *3, SE<sup>1</sup>/<sub>4</sub> and S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> less HES 260; Section*

1       10,  $NE^{1/4}NE^{1/4}$ , and Section 11,  $N^{1/2}$  less portion  
 2       of Tract B of HES 858 and  $N^{1/2}S^{1/2}$ ; containing  
 3       1,028 acres, more or less.

4               “(B) Forest Service West Yellowstone Ad-  
 5       ministrative Site: United States Forest Service  
 6       Administrative Site located within the  $NE^{1/4}$  of  
 7       Block 17 of the Townsite of West Yellowstone  
 8       which is situated in the  $N^{1/2}$  of Section 34, T.13  
 9       S., R.5 E., Principal Meridian, Gallatin Coun-  
 10      ty, Montana, containing 1.03 acres, more or less.

11              “(C) Mill Fork Mission Creek Tract—Prin-  
 12      cipal Meridian, Montana T.3 S., R.11 E.: Sec-  
 13      tion 4, Lots 3 through 4 and  $W^{1/2}SE^{1/4}NW^{1/4}$ ,  
 14      containing 76.27 acres, more or less.

15              “(D) West Yellowstone Expansion Lands—  
 16      Principal Meridian, Montana, T.13 S., R.5 E.:  
 17      Section 33,  $E^{1/2}E^{1/2}$ , containing 160 acres, more  
 18      or less.

19              “(E) West Yellowstone Expansion Lands—  
 20      Principal Meridian, Montana, T.13 S., R.5 E.:  
 21      Section 34, Lot 4,  $NW^{1/4}SW^{1/4}$  and  $S^{1/2}SW^{1/4}$ ,  
 22      containing 166.67 acres, more or less.

23              “(F) West Yellowstone Expansion Lands—  
 24      Principal Meridian, Montana, T.13 S., R.5 E.:

1           Section 28, S<sup>1</sup>/<sub>2</sub>, containing 320 acres, more or  
2           less.”.

3           (3) In subsection (c), paragraph (9), delete the  
4           words “Special Account” and substitute, “fund estab-  
5           lished under Public Law 90–171 (commonly known  
6           as the ‘Sisk Act’, 16 U.S.C. 484a), to remain avail-  
7           able until expended, for the acquisition of lands for  
8           National Forest purposes in the State of Montana.  
9           Funds deposited in the Sisk Act fund shall not be sub-  
10          ject to transfer or reprogramming for wildland fire  
11          management or any other emergency purposes”.

12          (4) In subsection (c), add a new paragraph (10):

13          “(10) WEST YELLOWSTONE GROWTH POLICY.—  
14          Any lands referenced in subsection (c)(1), which are  
15          conveyed to the Town of West Yellowstone, Montana,  
16          shall be subject to the Growth Policy prescribed under  
17          Montana law, as may be amended from time to time  
18          (M.C.A. §§ 76–1–601, et seq.).”.

19          SEC. 426. Section 322 of the Department of the Inte-  
20          rior and Related Agencies Appropriations Act, 1993 (16  
21          U.S.C. 1612 note; Public Law 102–381) is amended—

22                 (1) in subsection (e), by inserting “a Regional  
23                 Forester or” before “the Chief of the Forest Service”;  
24                 and

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

1       “(f) *CATEGORICAL EXCLUSIONS.*—Any proposed ac-  
2       tion described in subsection (a) that is categorically ex-  
3       cluded from documentation in an environmental assessment  
4       or environmental impact statement under the National En-  
5       vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)  
6       shall not be subject to the requirements of this section.”.

7       *SEC. 427. (a) Subject to valid existing rights, all Fed-*  
8       *eral lands and interests in lands within the Rocky Moun-*  
9       *tain Front, are hereby withdrawn from all forms of loca-*  
10      *tion, entry, and patent under the mining laws; and from*  
11      *disposition under all laws relating to mineral and geo-*  
12      *thermal leasing, and all amendments thereto.*

13      *(b) This withdrawal may be revoked by an Act of Con-*  
14      *gress in the event of a clear and present national emergency*  
15      *resulting from a shortage of oil and gas reserves. Any such*  
16      *action shall be weighed against the overall public values of*  
17      *the public lands involved, including any adverse environ-*  
18      *mental impacts which are likely to result.*

19      *(c) For purposes of this provision the Federal lands*  
20      *within the Rocky Mountain Front are defined as follows*  
21      *and as depicted on the map entitled “Rocky Mountain*  
22      *Front Mineral Withdrawal Area” on file with the Office*  
23      *of the Chief of the Forest Service:*

24                *(1) All United States Forest Service lands lo-*  
25      *cated in the Rocky Mountain Division of the Lewis*



1        *and Clark National Forest. This includes all of the*  
 2        *Forest Service system lands (totaling 356,111 acres)*  
 3        *made unavailable for leasing by the August 28, 1997*  
 4        *Record of Decision for the “Lewis and Clark National*  
 5        *Forest Oil and Gas Leasing Environmental Impact*  
 6        *Statement.” These lands are located between Town-*  
 7        *ship 31 North to Township 16 North and Range 13*  
 8        *West to Range 7 West.*

9            *(2) All United States Forest Service lands that*  
 10        *lie within the Badger Two Medicine area of the Flat-*  
 11        *head National Forest. This includes:*

12                    *T29N, R15W Sect. 23–26, 31–36*

13                    *T29N, R14W Sect. 10–16, 21, 22, 24, 25,*  
 14                    *35, 36*

15                    *T29N, R13W Sect. 6–9, 16–23, 25–36*

16                    *T28N, R14W Sect. 1, 2, 3, 10–15*

17                    *T28N, R13W Sect. 2–11, 14–18, 20–23.*

18            *(3) All Bureau of Land Management lands and/*  
 19        *or federally owned minerals contiguous to Forest*  
 20        *Service lands in the Rocky Mountain Division of the*  
 21        *Lewis and Clark National Forest located in Range 8*  
 22        *West or Range 7 West between Township 28 North*  
 23        *and Township 18 North. These include all Bureau of*  
 24        *Land Management lands and/or Federal minerals*  
 25        *further described as follows:*

1 *T27N, R9W, Sect. 23, 26, 35*

2 *T26N, R8W, Sect. 18, 29, 30, 31, 32*

3 *T25N, R8W, Sect. 4, 5, 6, 7, 8, 17, 18, 19,*

4 *20, 30, 31*

5 *T24N, R8W, Sect. 18, 19, 30, 31, 32*

6 *T23N, R8W, Sect. 5, 6, 7, 8, 17, 18, 19, 20,*

7 *30, 31*

8 *T22N, R8W, Sect. 6, 7, 18, 19, 30, 31*

9 *T20N, R8W, Sect. 5, 6*

10 *T19N, R8W, Sect. 30, 32*

11 *T18N, R7W, Sect. 30, 32.*

12 *SEC. 428. (a) AUTHORIZATION.—To offset Federal ac-*  
 13 *quisition of the Elkhorn Ranch in Medora, North Dakota,*  
 14 *the Secretary of Agriculture (“Secretary”) shall sell, during*  
 15 *fiscal years 2006 through 2009, those National Forest Sys-*  
 16 *tem lands in Billings County, North Dakota, depicted on*  
 17 *a map entitled “Dakota Prairie National Grassland Land*  
 18 *Sales—February, 2006” (hereafter “Map”), which map*  
 19 *shall be on file and available for public inspection in the*  
 20 *Office of the Chief, Forest Service, Washington, DC, and*  
 21 *the Supervisor, Dakota Prairie National Grasslands, Bis-*  
 22 *marck, North Dakota.*

23 *(b) LAND SALES.—*

24 *(1) The Secretary may prescribe reservations,*  
 25 *terms, and conditions of sale, and may configure the*

1       *descriptions of the lands subject to sale in order to en-*  
2       *hance marketability or for management purposes;*

3               *(2) Land shall be sold for cash in an amount no*  
4       *less than market value as determined by appraisal or*  
5       *competitive sale;*

6               *(3) The Secretary may reject any offer made*  
7       *under this section if the Secretary determines, in his*  
8       *absolute discretion, that the offer is not adequate or*  
9       *not in the public interest;*

10              *(4) Under such terms, conditions, and procedures*  
11       *as the Secretary may prescribe, any base property*  
12       *landowner holding a current permit to graze any*  
13       *land authorized for sale under this section shall have*  
14       *a non-assignable first right to buy the land, provided*  
15       *the right is exercised within six months of an offer*  
16       *from the Secretary; and*

17              *(5) The Secretary may utilize brokers or other*  
18       *third parties in the sale of land and, from the pro-*  
19       *ceeds of the sale, may pay reasonable commissions or*  
20       *fees for services rendered.*

21       *(c) RECEIPTS.—From receipts from the sale of lands*  
22       *authorized by this section, the Secretary shall first cover*  
23       *direct expenses incurred in sale, and any remaining re-*  
24       *ceipts shall be deposited into the fund established by the*  
25       *Act of December 4, 1967, commonly known as the Sisk Act*

1 *(16 U.S.C. § 484a), to be available until expended, for ac-*  
2 *quisitions of National Forest System lands in North Dakota*  
3 *with priority given to lands for which funds have heretofore*  
4 *been appropriated for purchase.*

5 *(d) LAND TRANSFERS.—*

6 *(1) It is the intent of Congress that the acreage*  
7 *acquired into Federal ownership as a result of the ac-*  
8 *quisition of Elkhorn Ranch shall be offset by the sale*  
9 *or transfer of an equal amount of Federal land.*

10 *(2) If, as of October 1, 2009, the Secretary has*  
11 *not sold at least 5,150 acres after the acquisition of*  
12 *Elkhorn Ranch, then at the request of and in con-*  
13 *sultation with the State of North Dakota, the Sec-*  
14 *retary shall select available parcels identified on the*  
15 *Map in a quantity necessary to equal the difference*  
16 *between 5,150 acres and the number of acres sold pur-*  
17 *suant to the authority of this section and convey such*  
18 *selected lands to the State pursuant to section 32 of*  
19 *the Bankhead-Jones Farm Tenant Act (7 U.S.C.*  
20 *1011).*

21 *(e) LIMITATIONS.—*

22 *(1) In the sale or conveyance of any land author-*  
23 *ized by this section, the Secretary shall not be re-*  
24 *quired to conduct additional environmental analysis,*

1        *and no sale, offer to sell, or conveyance shall be sub-*  
2        *ject to administrative appeal.*

3            *(2) The requirement of this section for offset of*  
4        *the amount of lands acquired and the amount of*  
5        *lands sold or conveyed shall apply only to the Elk-*  
6        *horn Ranch acquisition and does not apply to any*  
7        *other Federal land acquisitions authorized by law.*

8        *SEC. 429. Beginning in fiscal year 2007 and there-*  
9        *after, the Forest Service shall not change the eligibility re-*  
10       *quirements for base property and livestock ownership for*  
11       *grazing permits on the Dakota Prairie Grasslands that*  
12       *were in effect as of July 18, 2005.*

13       *SEC. 430. None of the funds made available in this*  
14       *Act may be used to study or enter into a contract with a*  
15       *private party to carry out, without specific authorization*  
16       *in a subsequent Act of Congress, a competitive sourcing ac-*  
17       *tivity of the Secretary of Agriculture or the Secretary of*  
18       *the Interior, including support personnel of the Department*  
19       *of Agriculture and the Department of the Interior, relating*  
20       *to wildfire management or wildfire suppression programs.*

21       *SEC. 431. Section 337(a) of the Department of the In-*  
22       *terior and Related Agencies Appropriations Act, 2005*  
23       *(Public Law 108–447; 118 Stat. 3012) is amended by strik-*  
24       *ing “September 30, 2006” and inserting “September 30,*  
25       *2008”.*

1        *SEC. 432. The Secretary of Agriculture shall (1) com-*  
2 *plete the final environmental impact statement for the*  
3 *Kings River Demonstration Project on the Sierra National*  
4 *Forest no later than September 1, 2006, (2) adopt the*  
5 *Record of Decision for the Project no later than November*  
6 *30, 2006, and (3) render the final disposition on any ad-*  
7 *ministrative appeals on the Project no later than February*  
8 *28, 2007.*

9        *This Act may be cited as the “Department of the Inte-*  
10 *rior, Environment, and Related Agencies Appropriations*  
11 *Act, 2007”.*



Calendar No. 507

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H.R. 5386**

[Report No. 109-275]

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## AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending June 30, 2007, and for other purposes.

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MAY 19, 2006

Received; read twice and referred to the Committee on  
Appropriations

JUNE 29, 2006

Reported with an amendment