

117TH CONGRESS  
2D SESSION

# S. 4686

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 28, 2022

Mr. MERKLEY introduced the following bill; which was read twice and referred to the Committee on Appropriations

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## A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2023, 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, 2023,  
7       and for other purposes, namely:

1 TITLE I  
2 DEPARTMENT OF THE INTERIOR  
3 BUREAU OF LAND MANAGEMENT  
4 MANAGEMENT OF LANDS AND RESOURCES  
5 For necessary expenses for protection, use, improve-  
6 ment, development, disposal, cadastral surveying, classi-  
7 fication, acquisition of easements and other interests in  
8 lands, and performance of other functions, including main-  
9 tenance of facilities, as authorized by law, in the manage-  
10 ment of lands and their resources under the jurisdiction  
11 of the Bureau of Land Management, including the general  
12 administration of the Bureau, and assessment of mineral  
13 potential of public lands pursuant to section 1010(a) of  
14 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,402,993,000,  
15 to remain available until September 30, 2024; of which  
16 \$76,355,000 for annual maintenance and deferred mainte-  
17 nance programs and \$156,600,000 for the wild horse and  
18 burro program, as authorized by Public Law 92–195 (16  
19 U.S.C. 1331 et seq.), shall remain available until ex-  
20 pended: *Provided*, That amounts in the fee account of the  
21 BLM Permit Processing Improvement Fund may be used  
22 for any bureau-related expenses associated with the proc-  
23 essing of oil and gas applications for permits to drill and  
24 related use of authorizations: *Provided further*, That of the  
25 amounts made available under this heading, up to

1 \$1,000,000 may be made available for the purposes de-  
2 scribed in section 122(e)(1)(A) of division G of Public Law  
3 115–21 (43 U.S.C. 1748e(e)(1)(A)): *Provided further*,  
4 That of the amounts made available under this heading,  
5 \$3,500,000 is for projects specified for Land Management  
6 Priorities in the table titled “Congressionally Directed  
7 Spending Items” included in the explanatory statement  
8 accompanying this Act.

9 In addition, \$51,000,000, to remain available until  
10 expended, is for conducting oil and gas inspection activi-  
11 ties, to be reduced by amounts collected by the Bureau  
12 and credited to this appropriation from onshore oil and  
13 gas inspection fees that the Bureau shall collect, as pro-  
14 vided for in this Act; and \$39,696,000 is for Mining Law  
15 Administration program operations, including the cost of  
16 administering the mining claim fee program, to remain  
17 available until expended, to be reduced by amounts col-  
18 lected by the Bureau and credited to this appropriation  
19 from mining claim maintenance fees and location fees that  
20 are hereby authorized for fiscal year 2023, so as to result  
21 in a final appropriation estimated at not more than  
22 \$1,402,993,000, and \$2,000,000, to remain available until  
23 expended, from communication site rental fees established  
24 by the Bureau for the cost of administering communica-  
25 tion site activities.

## 1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,  
3 and development of resources and for construction, oper-  
4 ation, and maintenance of access roads, reforestation, and  
5 other improvements on the revested Oregon and California  
6 Railroad grant lands, on other Federal lands in the Or-  
7 egon and California land-grant counties of Oregon, and  
8 on adjacent rights-of-way; and acquisition of lands or in-  
9 terests therein, including existing connecting roads on or  
10 adjacent to such grant lands; \$128,696,000, to remain  
11 available until expended: *Provided*, That 25 percent of the  
12 aggregate of all receipts during the current fiscal year  
13 from the revested Oregon and California Railroad grant  
14 lands is hereby made a charge against the Oregon and  
15 California land-grant fund and shall be transferred to the  
16 General Fund in the Treasury in accordance with the sec-  
17 ond paragraph of subsection (b) of title II of the Act of  
18 August 28, 1937 (43 U.S.C. 2605).

## 19 RANGE IMPROVEMENTS

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

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

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

#### 13 MISCELLANEOUS TRUST FUNDS

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

#### 22 ADMINISTRATIVE PROVISIONS

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

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

1 UNITED STATES FISH AND WILDLIFE SERVICE  
 2 RESOURCE MANAGEMENT  
 3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the United States Fish and  
 5 Wildlife Service, as authorized by law, and for scientific  
 6 and economic studies, general administration, and for the  
 7 performance of other authorized functions related to such  
 8 resources, \$1,602,847,000, to remain available until Sep-  
 9 tember 30, 2024: *Provided*, That not to exceed  
 10 \$25,946,000 shall be used for implementing subsections  
 11 (a), (b), (c), and (e) of section 4 of the Endangered Spe-  
 12 cies Act of 1973 (16 U.S.C. 1533) (except for processing  
 13 petitions, developing and issuing proposed and final regu-  
 14 lations, and taking any other steps to implement actions  
 15 described in subsection (c)(2)(A), (c)(2)(B)(i), or  
 16 (c)(2)(B)(ii)): *Provided further*, That of the amount appro-  
 17 priated under this heading, \$25,641,000, to remain avail-  
 18 able until September 30, 2025, shall be for projects speci-  
 19 fied for Stewardship Priorities in the table titled “Con-  
 20 gressionally Directed Spending Items” included in the ex-  
 21 planatory statement accompanying this Act: *Provided fur-*  
 22 *ther*, That amounts in the preceding proviso may be trans-  
 23 ferred to the appropriate program, project, or activity  
 24 under this heading and shall continue to only be available



1 for the purposes and in such amounts as such funds were  
 2 originally appropriated.

3 CONSTRUCTION

4 For construction, improvement, acquisition, or re-  
 5 moval of buildings and other facilities required in the con-  
 6 servation, management, investigation, protection, and uti-  
 7 lization of fish and wildlife resources, and the acquisition  
 8 of lands and interests therein; \$46,418,000, to remain  
 9 available until expended: *Provided*, That such amounts are  
 10 available for the modernization of field communication ca-  
 11 pabilities, in addition to amounts otherwise made available  
 12 for such purpose.

13 COOPERATIVE ENDANGERED SPECIES CONSERVATION

14 FUND

15 For expenses necessary to carry out section 6 of the  
 16 Endangered Species Act of 1973 (16 U.S.C. 1535),  
 17 \$24,064,000, to remain available until expended, to be de-  
 18 rived from the Cooperative Endangered Species Conserva-  
 19 tion Fund.

20 NATIONAL WILDLIFE REFUGE FUND

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

23 NORTH AMERICAN WETLANDS CONSERVATION FUND

24 For expenses necessary to carry out the provisions  
 25 of the North American Wetlands Conservation Act (16

1 U.S.C. 4401 et seq.), \$48,500,000, to remain available  
 2 until expended.

3 NEOTROPICAL MIGRATORY BIRD CONSERVATION

4 For expenses necessary to carry out the Neotropical  
 5 Migratory Bird Conservation Act (16 U.S.C. 6101 et  
 6 seq.), \$5,500,000, to remain available until expended.

7 MULTINATIONAL SPECIES CONSERVATION FUND

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

16 STATE AND TRIBAL WILDLIFE GRANTS

17 For wildlife conservation grants to States and to the  
 18 District of Columbia, Puerto Rico, Guam, the United  
 19 States Virgin Islands, the Northern Mariana Islands,  
 20 American Samoa, and Indian Tribes under the provisions  
 21 of the Fish and Wildlife Act of 1956 and the Fish and  
 22 Wildlife Coordination Act, for the development and imple-  
 23 mentation of programs for the benefit of wildlife and their  
 24 habitat, including species that are not hunted or fished,  
 25 \$76,500,000, to remain available until expended: *Pro-*

1 *vided*, That of the amount provided herein, \$7,000,000 is  
2 for a competitive grant program for Indian Tribes not sub-  
3 ject to the remaining provisions of this appropriation: *Pro-*  
4 *vided further*, That \$8,500,000 is for a competitive grant  
5 program to implement approved plans for States, terri-  
6 tories, and other jurisdictions and at the discretion of af-  
7 fected States, the regional Associations of fish and wildlife  
8 agencies, not subject to the remaining provisions of this  
9 appropriation: *Provided further*, That the Secretary shall,  
10 after deducting \$15,500,000 and administrative expenses,  
11 apportion the amount provided herein in the following  
12 manner: (1) to the District of Columbia and to the Com-  
13 monwealth of Puerto Rico, each a sum equal to not more  
14 than one-half of 1 percent thereof; and (2) to Guam,  
15 American Samoa, the United States Virgin Islands, and  
16 the Commonwealth of the Northern Mariana Islands, each  
17 a sum equal to not more than one-fourth of 1 percent  
18 thereof: *Provided further*, That the Secretary of the Inte-  
19 rior shall apportion the remaining amount in the following  
20 manner: (1) one-third of which is based on the ratio to  
21 which the land area of such State bears to the total land  
22 area of all such States; and (2) two-thirds of which is  
23 based on the ratio to which the population of such State  
24 bears to the total population of all such States: *Provided*  
25 *further*, That the amounts apportioned under this para-

1 graph shall be adjusted equitably so that no State shall  
2 be apportioned a sum which is less than 1 percent of the  
3 amount available for apportionment under this paragraph  
4 for any fiscal year or more than 5 percent of such amount:  
5 *Provided further*, That the Federal share of planning  
6 grants shall not exceed 75 percent of the total costs of  
7 such projects and the Federal share of implementation  
8 grants shall not exceed 65 percent of the total costs of  
9 such projects: *Provided further*, That the non-Federal  
10 share of such projects may not be derived from Federal  
11 grant programs: *Provided further*, That any amount ap-  
12 portioned in 2023 to any State, territory, or other jurisdic-  
13 tion that remains unobligated as of September 30, 2024,  
14 shall be reapportioned, together with funds appropriated  
15 in 2025, in the manner provided herein.

16 ADMINISTRATIVE PROVISIONS

17 The United States Fish and Wildlife Service may  
18 carry out the operations of Service programs by direct ex-  
19 penditure, contracts, grants, cooperative agreements and  
20 reimbursable agreements with public and private entities.  
21 Appropriations and funds available to the United States  
22 Fish and Wildlife Service shall be available for repair of  
23 damage to public roads within and adjacent to reservation  
24 areas caused by operations of the Service; options for the  
25 purchase of land at not to exceed one dollar for each op-

1 tion; facilities incident to such public recreational uses on  
 2 conservation areas as are consistent with their primary  
 3 purpose; and the maintenance and improvement of aquar-  
 4 ia, buildings, and other facilities under the jurisdiction of  
 5 the Service and to which the United States has title, and  
 6 which are used pursuant to law in connection with man-  
 7 agement, and investigation of fish and wildlife resources:  
 8 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-  
 9 ice may, under cooperative cost sharing and partnership  
 10 arrangements authorized by law, procure printing services  
 11 from cooperators in connection with jointly produced pub-  
 12 lications for which the cooperators share at least one-half  
 13 the cost of printing either in cash or services and the Serv-  
 14 ice determines the cooperator is capable of meeting accept-  
 15 ed quality standards: *Provided further*, That the Service  
 16 may accept donated aircraft as replacements for existing  
 17 aircraft: *Provided further*, That the Secretary may recover  
 18 costs for response, assessment, and damages to National  
 19 Wildlife Refuge System resources from the actions of pri-  
 20 vate parties, or for costs as otherwise provided by Federal,  
 21 State, or local law, regulation, or court order as a result  
 22 of the destruction, loss of, or injury to any living or non-  
 23 living National Wildlife Refuge System resource: *Provided*  
 24 *further*, That the damages described in the preceding pro-  
 25 viso shall include the following: compensation for the cost

1 of replacing, restoring or acquiring the equivalent of the  
2 damaged National Wildlife Refuge System resource; and  
3 either the value of any significant loss of use of a National  
4 Wildlife Refuge System resource pending its restoration,  
5 replacement or acquisition of an equivalent resource or the  
6 value of the National Wildlife Refuge System resource in  
7 the event the resource cannot be replaced, restored or an  
8 equivalent acquired: *Provided further*, That any instru-  
9 mentality, including but not limited to a vessel, vehicle,  
10 aircraft, or other equipment or mechanism that destroys,  
11 causes the loss of, or injures any living or non-living Na-  
12 tional Wildlife Refuge System resource or which causes  
13 the Secretary to undertake actions to prevent, minimize,  
14 or abate destruction, loss of, injury, or risk to such re-  
15 source shall be liable in rem to the United States for re-  
16 sponse costs and damages resulting from such destruction,  
17 loss, injury, or risk to the same extent as a person is liable:  
18 *Provided further*, That in addition to any other authority  
19 to accept donations, the Secretary may accept donations  
20 of money or services to meet expected, immediate, or ongo-  
21 ing response costs and damages; response and assessment  
22 costs and damages recovered by the Secretary and dona-  
23 tions received under this provision shall be available to the  
24 Secretary, without further appropriation, and shall remain  
25 available until expended, for damage assessments con-

1 ducted, or for restoration and replacement of National  
 2 Wildlife Refuge System resources, and shall be managed  
 3 under the Natural Resource Damage Assessment and Res-  
 4 toration Fund as per 43 U.S.C. 1474b–1: *Provided fur-*  
 5 *ther*, That notwithstanding 31 U.S.C. 3302, all fees col-  
 6 lected for non-toxic shot review and approval shall be de-  
 7 posited under the heading “United States Fish and Wild-  
 8 life Service—Resource Management” and shall be avail-  
 9 able to the Secretary, without further appropriation, to be  
 10 used for expenses of processing of such non-toxic shot type  
 11 or coating applications and revising regulations as nec-  
 12 essary, and shall remain available until expended: *Pro-*  
 13 *vided further*, That the second proviso under the heading  
 14 “United States Fish and Wildlife Service—Resource Man-  
 15 agement” in title I of division E of Public Law 112–74  
 16 (16 U.S.C. 742l–1) is amended by striking “2012” and  
 17 inserting “2023” and striking “\$400,000” and inserting  
 18 “\$750,000”.

## 19 NATIONAL PARK SERVICE

### 20 OPERATION OF THE NATIONAL PARK SYSTEM

21 For expenses necessary for the management, oper-  
 22 ation, and maintenance of areas and facilities adminis-  
 23 tered by the National Park Service and for the general  
 24 administration of the National Park Service,  
 25 \$3,044,235,000, of which \$11,661,000 for planning and

1 interagency coordination in support of Everglades restora-  
2 tion and \$135,980,000 for maintenance, repair, or reha-  
3 bilitation projects for constructed assets and  
4 \$188,184,000 for cyclic maintenance projects for con-  
5 structed assets and cultural resources and \$5,000,000 for  
6 uses authorized by section 101122 of title 54, United  
7 States Code shall remain available until September 30,  
8 2024: *Provided*, That funds appropriated under this head-  
9 ing in this Act are available for the purposes of section  
10 5 of Public Law 95–348: *Provided further*, That notwith-  
11 standing section 9 of the 400 Years of African-American  
12 History Commission Act (36 U.S.C. note prec. 101; Public  
13 Law 115–102), \$3,300,000 of the funds provided under  
14 this heading shall be made available for the purposes spec-  
15 ified by that Act: *Provided further*, That sections (7)(b)  
16 and (8) of that Act shall be amended by striking “July  
17 1, 2023” and inserting “July 1, 2024”.

18 In addition, for purposes described in section 2404  
19 of Public Law 116–9, an amount equal to the amount de-  
20 posited in this fiscal year into the National Park Medical  
21 Services Fund established pursuant to such section of  
22 such Act, to remain available until expended, shall be de-  
23 rived from such Fund.



1           NATIONAL RECREATION AND PRESERVATION

2           For expenses necessary to carry out recreation pro-  
 3 grams, natural programs, cultural programs, heritage  
 4 partnership programs, environmental compliance and re-  
 5 view, international park affairs, and grant administration,  
 6 not otherwise provided for, \$85,428,000, to remain avail-  
 7 able until September 30, 2024, of which \$2,919,000 shall  
 8 be for projects specified for Statutory and Contractual Aid  
 9 in the table titled “Congressionally Directed Spending  
 10 Items” included in the explanatory statement accom-  
 11 panying this Act.

12           HISTORIC PRESERVATION FUND

13          For expenses necessary in carrying out the National  
 14 Historic Preservation Act (division A of subtitle III of title  
 15 54, United States Code), \$191,904,000, to be derived  
 16 from the Historic Preservation Fund and to remain avail-  
 17 able until September 30, 2024, of which \$26,500,000 shall  
 18 be for Save America’s Treasures grants for preservation  
 19 of nationally significant sites, structures and artifacts as  
 20 authorized by section 7303 of the Omnibus Public Land  
 21 Management Act of 2009 (54 U.S.C. 3089): *Provided*,  
 22 That an individual Save America’s Treasures grant shall  
 23 be matched by non-Federal funds: *Provided further*, That  
 24 individual projects shall only be eligible for one grant: *Pro-*  
 25 *vided further*, That all projects to be funded shall be ap-

1 proved by the Secretary of the Interior in consultation  
2 with the House and Senate Committees on Appropria-  
3 tions: *Provided further*, That of the funds provided for the  
4 Historic Preservation Fund, \$1,250,000 is for competitive  
5 grants for the survey and nomination of properties to the  
6 National Register of Historic Places and as National His-  
7 toric Landmarks associated with communities currently  
8 under-represented, as determined by the Secretary;  
9 \$29,000,000 is for competitive grants to preserve the sites  
10 and stories of the Civil Rights movement; \$11,000,000 is  
11 for grants to Historically Black Colleges and Universities;  
12 \$12,500,000 is for competitive grants for the restoration  
13 of historic properties of national, State, and local signifi-  
14 cance listed on or eligible for inclusion on the National  
15 Register of Historic Places, to be made without imposing  
16 the usage or direct grant restrictions of section 101(e)(3)  
17 (54 U.S.C. 302904) of the National Historical Preserva-  
18 tion Act; \$10,000,000 is for a competitive grant program  
19 to honor the semiquincentennial anniversary of the United  
20 States by restoring and preserving state-owned sites and  
21 structures listed on the National Register of Historic  
22 Places that commemorate the founding of the nation; and  
23 \$19,654,000 is for projects specified for the Historic Pres-  
24 ervation Fund in the table titled “Congressionally Di-  
25 rected Spending Items” included in the explanatory state-

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

#### 8 CONSTRUCTION

9 For construction, improvements, repair, or replace-  
 10 ment of physical facilities, and related equipment, and  
 11 compliance and planning for programs and areas adminis-  
 12 tered by the National Park Service, \$241,229,000, to re-  
 13 main available until expended: *Provided*, That notwith-  
 14 standing any other provision of law, for any project ini-  
 15 tially funded in fiscal year 2023 with a future phase indi-  
 16 cated in the National Park Service 5-Year Line Item Con-  
 17 struction Plan, a single procurement may be issued which  
 18 includes the full scope of the project: *Provided further*,  
 19 That the solicitation and contract shall contain the clause  
 20 availability of funds found at 48 CFR 52.232–18: *Pro-*  
 21 *vided further*, That National Park Service Donations,  
 22 Park Concessions Franchise Fees, and Recreation Fees  
 23 may be made available for the cost of adjustments and  
 24 changes within the original scope of effort for projects  
 25 funded by the National Park Service Construction appro-

1 priation: *Provided further*, That the Secretary of the Inte-  
 2 rior shall consult with the Committees on Appropriations,  
 3 in accordance with current reprogramming thresholds,  
 4 prior to making any charges authorized by this section.

#### 5 CENTENNIAL CHALLENGE

6 For expenses necessary to carry out the provisions  
 7 of section 101701 of title 54, United States Code, relating  
 8 to challenge cost share agreements, \$15,000,000, to re-  
 9 main available until expended, for Centennial Challenge  
 10 projects and programs: *Provided*, That not less than 50  
 11 percent of the total cost of each project or program shall  
 12 be derived from non-Federal sources in the form of do-  
 13 nated cash, assets, or a pledge of donation guaranteed by  
 14 an irrevocable letter of credit.

#### 15 ADMINISTRATIVE PROVISIONS

#### 16 (INCLUDING TRANSFER OF FUNDS)

17 In addition to other uses set forth in section  
 18 101917(c)(2) of title 54, United States Code, franchise  
 19 fees credited to a sub-account shall be available for ex-  
 20 penditure by the Secretary, without further appropriation,  
 21 for use at any unit within the National Park System to  
 22 extinguish or reduce liability for Possessory Interest or  
 23 leasehold surrender interest. Such funds may only be used  
 24 for this purpose to the extent that the benefitting unit an-  
 25 ticipated franchise fee receipts over the term of the con-

1 tract at that unit exceed the amount of funds used to ex-  
 2 tinguish or reduce liability. Franchise fees at the benefit-  
 3 ting unit shall be credited to the sub-account of the origi-  
 4 nating unit over a period not to exceed the term of a single  
 5 contract at the benefitting unit, in the amount of funds  
 6 so expended to extinguish or reduce liability.

7 For the costs of administration of the Land and  
 8 Water Conservation Fund grants authorized by section  
 9 105(a)(2)(B) of the Gulf of Mexico Energy Security Act  
 10 of 2006 (Public Law 109–432), the National Park Service  
 11 may retain up to 3 percent of the amounts which are au-  
 12 thorized to be disbursed under such section, such retained  
 13 amounts to remain available until expended.

14 National Park Service funds may be transferred to  
 15 the Federal Highway Administration (FHWA), Depart-  
 16 ment of Transportation, for purposes authorized under 23  
 17 U.S.C. 203. Transfers may include a reasonable amount  
 18 for FHWA administrative support costs.

19 UNITED STATES GEOLOGICAL SURVEY

20 SURVEYS, INVESTIGATIONS, AND RESEARCH

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses necessary for the United States Geo-  
 23 logical Survey to perform surveys, investigations, and re-  
 24 search covering topography, geology, hydrology, biology,  
 25 and the mineral and water resources of the United States,

1 its territories and possessions, and other areas as author-  
2 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as  
3 to their mineral and water resources; give engineering su-  
4 pervision to power permittees and Federal Energy Regu-  
5 latory Commission licensees; administer the minerals ex-  
6 ploration program (30 U.S.C. 641); conduct inquiries into  
7 the economic conditions affecting mining and materials  
8 processing industries (30 U.S.C. 3, 21a, and 1603; 50  
9 U.S.C. 98g(a)(1)) and related purposes as authorized by  
10 law; and to publish and disseminate data relative to the  
11 foregoing activities; \$1,519,289,000, to remain available  
12 until September 30, 2024; of which \$92,274,000 shall re-  
13 main available until expended for satellite operations; and  
14 of which \$74,840,000 shall be available until expended for  
15 deferred maintenance and capital improvement projects  
16 that exceed \$100,000 in cost: *Provided*, That none of the  
17 funds provided for the ecosystem research activity shall  
18 be used to conduct new surveys on private property, unless  
19 specifically authorized in writing by the property owner:  
20 *Provided further*, That no part of this appropriation shall  
21 be used to pay more than one-half the cost of topographic  
22 mapping or water resources data collection and investiga-  
23 tions carried on in cooperation with States and municipali-  
24 ties: *Provided further*, That of the amount appropriated  
25 under this heading, \$2,130,000 shall be for projects speci-

1   fied for Special Initiatives in the table titled “Congressional-  
2   ally Directed Spending Items” included in the explanatory  
3   statement accompanying this Act: *Provided further*, That  
4   amounts in the preceding proviso may be transferred to  
5   the appropriate program, project, or activity under this  
6   heading and shall continue to only be available for the pur-  
7   poses and in such amounts as such funds were originally  
8   appropriated.

9                                   ADMINISTRATIVE PROVISIONS

10       From within the amount appropriated for activities  
11   of the United States Geological Survey such sums as are  
12   necessary shall be available for contracting for the fur-  
13   nishing of topographic maps and for the making of geo-  
14   physical or other specialized surveys when it is administra-  
15   tively determined that such procedures are in the public  
16   interest; construction and maintenance of necessary build-  
17   ings and appurtenant facilities; acquisition of lands for  
18   gauging stations, observation wells, and seismic equip-  
19   ment; expenses of the United States National Committee  
20   for Geological Sciences; and payment of compensation and  
21   expenses of persons employed by the Survey duly ap-  
22   pointed to represent the United States in the negotiation  
23   and administration of interstate compacts: *Provided*, That  
24   activities funded by appropriations herein made may be  
25   accomplished through the use of contracts, grants, or co-

1 operative agreements as defined in section 6302 of title  
 2 31, United States Code: *Provided further*, That the United  
 3 States Geological Survey may enter into contracts or coop-  
 4 erative agreements directly with individuals or indirectly  
 5 with institutions or nonprofit organizations, without re-  
 6 gard to 41 U.S.C. 6101, for the temporary or intermittent  
 7 services of students or recent graduates, who shall be con-  
 8 sidered employees for the purpose of chapters 57 and 81  
 9 of title 5, United States Code, relating to compensation  
 10 for travel and work injuries, and chapter 171 of title 28,  
 11 United States Code, relating to tort claims, but shall not  
 12 be considered to be Federal employees for any other pur-  
 13 poses.

14 BUREAU OF OCEAN ENERGY MANAGEMENT

15 OCEAN ENERGY MANAGEMENT

16 For expenses necessary for granting and admin-  
 17 istering leases, easements, rights-of-way, and agreements  
 18 for use for oil and gas, other minerals, energy, and ma-  
 19 rine-related purposes on the Outer Continental Shelf and  
 20 approving operations related thereto, as authorized by law;  
 21 for environmental studies, as authorized by law; for imple-  
 22 menting other laws and to the extent provided by Presi-  
 23 dential or Secretarial delegation; and for matching grants  
 24 or cooperative agreements, \$232,550,000, of which  
 25 \$195,550,000 is to remain available until September 30,



1 2024, and of which \$37,000,000 is to remain available  
 2 until expended: *Provided*, That this total appropriation  
 3 shall be reduced by amounts collected by the Secretary of  
 4 the Interior and credited to this appropriation from addi-  
 5 tions to receipts resulting from increases to lease rental  
 6 rates in effect on August 5, 1993, and from cost recovery  
 7 fees from activities conducted by the Bureau of Ocean En-  
 8 ergy Management pursuant to the Outer Continental Shelf  
 9 Lands Act, including studies, assessments, analysis, and  
 10 miscellaneous administrative activities: *Provided further*,  
 11 That the sum herein appropriated shall be reduced as such  
 12 collections are received during the fiscal year, so as to re-  
 13 sult in a final fiscal year 2023 appropriation estimated  
 14 at not more than \$195,550,000: *Provided further*, That  
 15 not to exceed \$3,000 shall be available for reasonable ex-  
 16 penses related to promoting volunteer beach and marine  
 17 cleanup activities.

18 BUREAU OF SAFETY AND ENVIRONMENTAL

19 ENFORCEMENT

20 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

21 For expenses necessary for the regulation of oper-  
 22 ations related to leases, easements, rights-of-way, and  
 23 agreements for use for oil and gas, other minerals, energy,  
 24 and marine-related purposes on the Outer Continental  
 25 Shelf, as authorized by law; for enforcing and imple-

1 menting laws and regulations as authorized by law and  
2 to the extent provided by Presidential or Secretarial dele-  
3 gation; and for matching grants or cooperative agree-  
4 ments, \$175,886,000, of which \$151,886,000 is to remain  
5 available until September 30, 2024, and of which  
6 \$24,000,000 is to remain available until expended, includ-  
7 ing \$5,000,000 for offshore decommissioning activities:  
8 *Provided*, That this total appropriation shall be reduced  
9 by amounts collected by the Secretary of the Interior and  
10 credited to this appropriation from additions to receipts  
11 resulting from increases to lease rental rates in effect on  
12 August 5, 1993, and from cost recovery fees from activi-  
13 ties conducted by the Bureau of Safety and Environmental  
14 Enforcement pursuant to the Outer Continental Shelf  
15 Lands Act, including studies, assessments, analysis, and  
16 miscellaneous administrative activities: *Provided further*,  
17 That the sum herein appropriated shall be reduced as such  
18 collections are received during the fiscal year, so as to re-  
19 sult in a final fiscal year 2023 appropriation estimated  
20 at not more than \$156,886,000.

21 For an additional amount, \$44,000,000, to remain  
22 available until expended, to be reduced by amounts col-  
23 lected by the Secretary and credited to this appropriation,  
24 which shall be derived from non-refundable inspection fees  
25 collected in fiscal year 2023, as provided in this Act: *Pro-*

1 *vided*, That to the extent that amounts realized from such  
 2 inspection fees exceed \$44,000,000, the amounts realized  
 3 in excess of \$44,000,000 shall be credited to this appro-  
 4 priation and remain available until expended: *Provided*  
 5 *further*, That for fiscal year 2023, not less than 50 percent  
 6 of the inspection fees expended by the Bureau of Safety  
 7 and Environmental Enforcement will be used to fund per-  
 8 sonnel and mission-related costs to expand capacity and  
 9 expedite the orderly development, subject to environmental  
 10 safeguards, of the Outer Continental Shelf pursuant to the  
 11 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et  
 12 seq.), including the review of applications for permits to  
 13 drill.

#### 14 OIL SPILL RESEARCH

15 For necessary expenses to carry out title I, section  
 16 1016; title IV, sections 4202 and 4303; title VII; and title  
 17 VIII, section 8201 of the Oil Pollution Act of 1990,  
 18 \$15,099,000, which shall be derived from the Oil Spill Li-  
 19 ability Trust Fund, to remain available until expended.

#### 20 OFFICE OF SURFACE MINING RECLAMATION AND

#### 21 ENFORCEMENT

#### 22 REGULATION AND TECHNOLOGY

23 For necessary expenses to carry out the provisions  
 24 of the Surface Mining Control and Reclamation Act of  
 25 1977, Public Law 95–87, \$121,122,000, to remain avail-

1 able until September 30, 2024, of which \$65,000,000 shall  
 2 be available for State and Tribal regulatory grants: *Pro-*  
 3 *vided*, That appropriations for the Office of Surface Min-  
 4 ing Reclamation and Enforcement may provide for the  
 5 travel and per diem expenses of State and Tribal per-  
 6 sonnel attending Office of Surface Mining Reclamation  
 7 and Enforcement sponsored training.

8 In addition, for costs to review, administer, and en-  
 9 force permits issued by the Office pursuant to section 507  
 10 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-  
 11 main available until expended: *Provided*, That fees as-  
 12 sessed and collected by the Office pursuant to such section  
 13 507 shall be credited to this account as discretionary off-  
 14 setting collections, to remain available until expended:  
 15 *Provided further*, That the sum herein appropriated from  
 16 the general fund shall be reduced as collections are re-  
 17 ceived during the fiscal year, so as to result in a fiscal  
 18 year 2023 appropriation estimated at not more than  
 19 \$121,122,000.

#### 20 ABANDONED MINE RECLAMATION FUND

21 For necessary expenses to carry out title IV of the  
 22 Surface Mining Control and Reclamation Act of 1977,  
 23 Public Law 95–87, \$33,904,000, to be derived from re-  
 24 ceipts of the Abandoned Mine Reclamation Fund and to  
 25 remain available until expended: *Provided*, That pursuant

1 to Public Law 97–365, the Department of the Interior is  
2 authorized to use up to 20 percent from the recovery of  
3 the delinquent debt owed to the United States Government  
4 to pay for contracts to collect these debts: *Provided fur-*  
5 *ther*, That funds made available under title IV of Public  
6 Law 95–87 may be used for any required non-Federal  
7 share of the cost of projects funded by the Federal Gov-  
8 ernment for the purpose of environmental restoration re-  
9 lated to treatment or abatement of acid mine drainage  
10 from abandoned mines: *Provided further*, That such  
11 projects must be consistent with the purposes and prior-  
12 ities of the Surface Mining Control and Reclamation Act:  
13 *Provided further*, That amounts provided under this head-  
14 ing may be used for the travel and per diem expenses of  
15 State and Tribal personnel attending Office of Surface  
16 Mining Reclamation and Enforcement sponsored training.

17 In addition, \$135,000,000, to remain available until  
18 expended, for grants to States and federally recognized In-  
19 dian Tribes for reclamation of abandoned mine lands and  
20 other related activities in accordance with the terms and  
21 conditions described in the explanatory statement accom-  
22 panying this Act: *Provided*, That such additional amount  
23 shall be used for economic and community development  
24 in conjunction with the priorities in section 403(a) of the  
25 Surface Mining Control and Reclamation Act of 1977 (30

1 U.S.C. 1233(a)): *Provided further*, That of such additional  
2 amount, \$84,000,000 shall be distributed in equal  
3 amounts to the three Appalachian States with the greatest  
4 amount of unfunded needs to meet the priorities described  
5 in paragraphs (1) and (2) of such section, \$39,000,000  
6 shall be distributed in equal amounts to the three Appa-  
7 lachian States with the subsequent greatest amount of un-  
8 funded needs to meet such priorities, and \$12,000,000  
9 shall be for grants to federally recognized Indian Tribes  
10 without regard to their status as certified or uncertified  
11 under the Surface Mining Control and Reclamation Act  
12 of 1977 (30 U.S.C. 1233(a)), for reclamation of aban-  
13 doned mine lands and other related activities in accord-  
14 ance with the terms and conditions described in the ex-  
15 planatory statement accompanying this Act and shall be  
16 used for economic and community development in conjunc-  
17 tion with the priorities in section 403(a) of the Surface  
18 Mining Control and Reclamation Act of 1977: *Provided*  
19 *further*, That such additional amount shall be allocated to  
20 States and Indian Tribes within 60 days after the date  
21 of enactment of this Act.

1 INDIAN AFFAIRS  
2 BUREAU OF INDIAN AFFAIRS  
3 OPERATION OF INDIAN PROGRAMS  
4 (INCLUDING TRANSFERS OF FUNDS)

5 For expenses necessary for the operation of Indian  
6 programs, as authorized by law, including the Snyder Act  
7 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-  
8 Determination and Education Assistance Act of 1975 (25  
9 U.S.C. 5301 et seq.), \$1,973,633,000, to remain available  
10 until September 30, 2024, except as otherwise provided  
11 herein; of which not to exceed \$8,500 may be for official  
12 reception and representation expenses; of which not to ex-  
13 ceed \$77,994,000 shall be for welfare assistance pay-  
14 ments: *Provided*, That in cases of designated Federal dis-  
15 asters, the Secretary of the Interior may exceed such cap  
16 for welfare payments from the amounts provided herein,  
17 to provide for disaster relief to Indian communities af-  
18 fected by the disaster: *Provided further*, That federally rec-  
19 ognized Indian Tribes and Tribal organizations of feder-  
20 ally recognized Indian Tribes may use their Tribal priority  
21 allocations for unmet welfare assistance costs: *Provided*  
22 *further*, That not to exceed \$64,913,000 shall remain  
23 available until expended for housing improvement, road  
24 maintenance, attorney fees, litigation support, land  
25 records improvement, and the Navajo-Hopi Settlement

1 Program: *Provided further*, That of the amount appro-  
 2 priated under this heading, \$4,240,000 shall be for  
 3 projects specified for Special Initiatives (CDS) in the table  
 4 titled “Congressionally Directed Spending Items” included  
 5 in the explanatory statement accompanying this Act: *Pro-*  
 6 *vided further*, That any forestry funds allocated to a feder-  
 7 ally recognized Tribe which remain unobligated as of Sep-  
 8 tember 30, 2024, may be transferred during fiscal year  
 9 2025 to an Indian forest land assistance account estab-  
 10 lished for the benefit of the holder of the funds within  
 11 the holder’s trust fund account: *Provided further*, That  
 12 any such unobligated balances not so transferred shall ex-  
 13 pire on September 30, 2025: *Provided further*, That in  
 14 order to enhance the safety of Bureau field employees, the  
 15 Bureau may use funds to purchase uniforms or other iden-  
 16 tifying articles of clothing for personnel: *Provided further*,  
 17 That the Bureau of Indian Affairs may accept transfers  
 18 of funds from United States Customs and Border Protec-  
 19 tion to supplement any other funding available for recon-  
 20 struction or repair of roads owned by the Bureau of Indian  
 21 Affairs as identified on the National Tribal Transpor-  
 22 tation Facility Inventory, 23 U.S.C. 202(b)(1).

#### INDIAN LAND CONSOLIDATION

24 For the acquisition of fractional interests to further  
 25 land consolidation as authorized under the Indian Land



1 Consolidation Act Amendments of 2000 (Public Law 106–  
 2 462), and the American Indian Probate Reform Act of  
 3 2004 (Public Law 108–374), \$8,000,000, to remain avail-  
 4 able until expended: *Provided*, That any provision of the  
 5 Indian Land Consolidation Act Amendments of 2000  
 6 (Public Law 106–462) that requires or otherwise relates  
 7 to application of a lien shall not apply to the acquisitions  
 8 funded herein.

9 CONTRACT SUPPORT COSTS

10 For payments to Tribes and Tribal organizations for  
 11 contract support costs associated with Indian Self-Deter-  
 12 mination and Education Assistance Act agreements with  
 13 the Bureau of Indian Affairs and the Bureau of Indian  
 14 Education for fiscal year 2023, such sums as may be nec-  
 15 essary, which shall be available for obligation through Sep-  
 16 tember 30, 2024: *Provided*, That notwithstanding any  
 17 other provision of law, no amounts made available under  
 18 this heading shall be available for transfer to another  
 19 budget account.

20 PAYMENTS FOR TRIBAL LEASES

21 For payments to Tribes and Tribal organizations for  
 22 leases pursuant to section 105(l) of the Indian Self-Deter-  
 23 mination and Education Assistance Act (25 U.S.C.  
 24 5324(l)) for fiscal year 2023, such sums as may be nec-  
 25 essary, which shall be available for obligation through Sep-

(INCLUDING TRANSFER OF FUNDS)

**•S 4686 IS**

1 available under this heading, \$10,000,000 shall be derived  
 2 from the Indian Irrigation Fund established by section  
 3 3211 of the WIIN Act (Public Law 114–322; 130 Stat.  
 4 1749): *Provided further*, That amounts provided under  
 5 this heading are available for the modernization of Federal  
 6 field communication capabilities, in addition to amounts  
 7 otherwise made available for such purpose.

8 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
 9 MISCELLANEOUS PAYMENTS TO INDIANS

10 For payments and necessary administrative expenses  
 11 for implementation of Indian land and water claim settle-  
 12 ments pursuant to Public Laws 99–264, 114–322 and  
 13 116–260, and for implementation of other land and water  
 14 rights settlements, \$825,000, to remain available until ex-  
 15 pended.

16 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

17 For the cost of guaranteed loans and insured loans,  
 18 \$13,884,000, to remain available until September 30,  
 19 2024, of which \$2,680,000 is for administrative expenses,  
 20 as authorized by the Indian Financing Act of 1974: *Pro-*  
 21 *vided*, That such costs, including the cost of modifying  
 22 such loans, shall be as defined in section 502 of the Con-  
 23 gressional Budget Act of 1974: *Provided further*, That  
 24 these funds are available to subsidize total loan principal,

1 any part of which is to be guaranteed or insured, not to  
 2 exceed \$150,213,551.

### 3 BUREAU OF INDIAN EDUCATION

#### 4 OPERATION OF INDIAN EDUCATION PROGRAMS

5 For expenses necessary for the operation of Indian  
 6 education programs, as authorized by law, including the  
 7 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-  
 8 dian Self-Determination and Education Assistance Act of  
 9 1975 (25 U.S.C. 5301 et seq.), the Education Amend-  
 10 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally  
 11 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
 12 \$1,144,451,000 to remain available until September 30,  
 13 2024, except as otherwise provided herein: *Provided*, That  
 14 federally recognized Indian Tribes and Tribal organiza-  
 15 tions of federally recognized Indian Tribes may use their  
 16 Tribal priority allocations for unmet welfare assistance  
 17 costs: *Provided further*, That not to exceed \$848,425,000  
 18 for school operations costs of Bureau-funded schools and  
 19 other education programs shall become available on July  
 20 1, 2023, and shall remain available until September 30,  
 21 2024: *Provided further*, That notwithstanding any other  
 22 provision of law, including but not limited to the Indian  
 23 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)  
 24 and section 1128 of the Education Amendments of 1978  
 25 (25 U.S.C. 2008), not to exceed \$97,453,000 within and

1 only from such amounts made available for school oper-  
 2 ations shall be available for administrative cost grants as-  
 3 sociated with grants approved prior to July 1, 2023: *Pro-*  
 4 *vided further*, That in order to enhance the safety of Bu-  
 5 reau field employees, the Bureau may use funds to pur-  
 6 chase uniforms or other identifying articles of clothing for  
 7 personnel.

#### 8 EDUCATION CONSTRUCTION

9 For construction, repair, improvement, and mainte-  
 10 nance of buildings, utilities, and other facilities necessary  
 11 for the operation of Indian education programs, including  
 12 architectural and engineering services by contract; acquisi-  
 13 tion of lands, and interests in lands; \$333,434,000 to re-  
 14 main available until expended: *Provided*, That in order to  
 15 ensure timely completion of construction projects, the Sec-  
 16 retary of the Interior may assume control of a project and  
 17 all funds related to the project, if, not later than 18  
 18 months after the date of the enactment of this Act, any  
 19 Public Law 100–297 (25 U.S.C. 2501 et seq.) grantee re-  
 20 ceiving funds appropriated in this Act or in any prior Act,  
 21 has not completed the planning and design phase of the  
 22 project and commenced construction.

#### 23 ADMINISTRATIVE PROVISIONS

24 The Bureau of Indian Affairs and the Bureau of In-  
 25 dian Education may carry out the operation of Indian pro-

1 grams by direct expenditure, contracts, cooperative agree-  
2 ments, compacts, and grants, either directly or in coopera-  
3 tion with States and other organizations.

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

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

20       In the event any Tribe returns appropriations made  
21 available by this Act to the Bureau of Indian Affairs or  
22 the Bureau of Indian Education, this action shall not di-  
23 minish the Federal Government’s trust responsibility to  
24 that Tribe, or the government-to-government relationship

1 between the United States and that Tribe, or that Tribe's  
2 ability to access future appropriations.

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

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

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

22       Notwithstanding any other provision of law, including  
23 section 113 of title I of appendix C of Public Law 106–  
24 113, if in fiscal year 2003 or 2004 a grantee received indi-  
25 rect and administrative costs pursuant to a distribution



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

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

1 the Bureau: *Provided further*, That the term “satellite  
 2 school” means a school location physically separated from  
 3 the existing Bureau school by more than 50 miles but that  
 4 forms part of the existing school in all other respects.

5 Funds made available for Tribal Priority Allocations  
 6 within Operation of Indian Programs and Operation of In-  
 7 dian Education Programs may be used to execute re-  
 8 quested adjustments in Tribal priority allocations initiated  
 9 by an Indian Tribe.

10 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

11 INDIANS

12 FEDERAL TRUST PROGRAMS

13 (INCLUDING TRANSFER OF FUNDS)

14 For the operation of trust programs for Indians by  
 15 direct expenditure, contracts, cooperative agreements,  
 16 compacts, and grants, \$112,675,000, to remain available  
 17 until expended, of which not to exceed \$17,867,000 from  
 18 this or any other Act, may be available for historical ac-  
 19 counting: *Provided*, That funds for trust management im-  
 20 provements and litigation support may, as needed, be  
 21 transferred to or merged with the Bureau of Indian Af-  
 22 fairs, “Operation of Indian Programs” and Bureau of In-  
 23 dian Education, “Operation of Indian Education Pro-  
 24 grams” accounts; the Office of the Solicitor, “Salaries and  
 25 Expenses” account; and the Office of the Secretary, “De-

1 partmental Operations” account: *Provided further*, That  
2 funds made available through contracts or grants obli-  
3 gated during fiscal year 2023, as authorized by the Indian  
4 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),  
5 shall remain available until expended by the contractor or  
6 grantee: *Provided further*, That notwithstanding any other  
7 provision of law, the Secretary shall not be required to  
8 provide a quarterly statement of performance for any In-  
9 dian trust account that has not had activity for at least  
10 15 months and has a balance of \$15 or less: *Provided fur-*  
11 *ther*, That the Secretary shall issue an annual account  
12 statement and maintain a record of any such accounts and  
13 shall permit the balance in each such account to be with-  
14 drawn upon the express written request of the account  
15 holder: *Provided further*, That not to exceed \$100,000 is  
16 available for the Secretary to make payments to correct  
17 administrative errors of either disbursements from or de-  
18 posits to Individual Indian Money or Tribal accounts after  
19 September 30, 2002: *Provided further*, That erroneous  
20 payments that are recovered shall be credited to and re-  
21 main available in this account for this purpose: *Provided*  
22 *further*, That the Secretary shall not be required to rec-  
23 oncile Special Deposit Accounts with a balance of less than  
24 \$500 unless the Office of the Special Trustee receives  
25 proof of ownership from a Special Deposit Accounts claim-

1 ant: *Provided further*, That notwithstanding section 102  
 2 of the American Indian Trust Fund Management Reform  
 3 Act of 1994 (Public Law 103–412) or any other provision  
 4 of law, the Secretary may aggregate the trust accounts  
 5 of individuals whose whereabouts are unknown for a con-  
 6 tinuous period of at least 5 years and shall not be required  
 7 to generate periodic statements of performance for the in-  
 8 dividual accounts: *Provided further*, That with respect to  
 9 the preceding proviso, the Secretary shall continue to  
 10 maintain sufficient records to determine the balance of the  
 11 individual accounts, including any accrued interest and in-  
 12 come, and such funds shall remain available to the indi-  
 13 vidual account holders.

14 DEPARTMENTAL OFFICES

15 OFFICE OF THE SECRETARY

16 DEPARTMENTAL OPERATIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for management of the De-  
 19 partment of the Interior and for grants and cooperative  
 20 agreements, as authorized by law, \$135,000,000, to re-  
 21 main available until September 30, 2024; of which not to  
 22 exceed \$15,000 may be for official reception and represen-  
 23 tation expenses; of which up to \$1,000,000 shall be avail-  
 24 able for workers compensation payments and unemploy-  
 25 ment compensation payments associated with the orderly

1 closure of the United States Bureau of Mines; and of  
 2 which \$14,295,000 for Indian land, mineral, and resource  
 3 valuation activities shall remain available until expended:  
 4 *Provided*, That funds for Indian land, mineral, and re-  
 5 source valuation activities may, as needed, be transferred  
 6 to and merged with the Bureau of Indian Affairs “Oper-  
 7 ation of Indian Programs” and Bureau of Indian Edu-  
 8 cation “Operation of Indian Education Programs” ac-  
 9 counts and the Office of the Special Trustee “Federal  
 10 Trust Programs” account: *Provided further*, That funds  
 11 made available through contracts or grants obligated dur-  
 12 ing fiscal year 2023, as authorized by the Indian Self-De-  
 13 termination Act of 1975 (25 U.S.C. 5301 et seq.), shall  
 14 remain available until expended by the contractor or  
 15 grantee.

#### 16 ADMINISTRATIVE PROVISIONS

17 For fiscal year 2023, up to \$400,000 of the payments  
 18 authorized by chapter 69 of title 31, United States Code,  
 19 may be retained for administrative expenses of the Pay-  
 20 ments in Lieu of Taxes Program: *Provided*, That the  
 21 amounts provided under this Act specifically for the Pay-  
 22 ments in Lieu of Taxes program are the only amounts  
 23 available for payments authorized under chapter 69 of  
 24 title 31, United States Code: *Provided further*, That in the  
 25 event the sums appropriated for any fiscal year for pay-

1 ments pursuant to this chapter are insufficient to make  
 2 the full payments authorized by that chapter to all units  
 3 of local government, then the payment to each local gov-  
 4 ernment shall be made proportionally: *Provided further*,  
 5 That the Secretary may make adjustments to payment to  
 6 individual units of local government to correct for prior  
 7 overpayments or underpayments: *Provided further*, That  
 8 no payment shall be made pursuant to that chapter to oth-  
 9 erwise eligible units of local government if the computed  
 10 amount of the payment is less than \$100.

#### 11 INSULAR AFFAIRS

#### 12 ASSISTANCE TO TERRITORIES

13 For expenses necessary for assistance to territories  
 14 under the jurisdiction of the Department of the Interior  
 15 and other jurisdictions identified in section 104(e) of Pub-  
 16 lic Law 108–188, \$117,257,000, of which: (1)  
 17 \$107,040,000 shall remain available until expended for  
 18 territorial assistance, including general technical assist-  
 19 ance, maintenance assistance, disaster assistance, coral  
 20 reef initiative and natural resources activities, and brown  
 21 tree snake control and research; grants to the judiciary  
 22 in American Samoa for compensation and expenses, as au-  
 23 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
 24 ment of American Samoa, in addition to current local rev-  
 25 enues, for construction and support of governmental func-

1 tions; grants to the Government of the Virgin Islands, as  
2 authorized by law; grants to the Government of Guam,  
3 as authorized by law; and grants to the Government of  
4 the Northern Mariana Islands, as authorized by law (Pub-  
5 lic Law 94–241; 90 Stat. 272); and (2) \$10,217,000 shall  
6 be available until September 30, 2024, for salaries and  
7 expenses of the Office of Insular Affairs: *Provided*, That  
8 all financial transactions of the territorial and local gov-  
9 ernments herein provided for, including such transactions  
10 of all agencies or instrumentalities established or used by  
11 such governments, may be audited by the Government Ac-  
12 countability Office, at its discretion, in accordance with  
13 chapter 35 of title 31, United States Code: *Provided fur-*  
14 *ther*, That Northern Mariana Islands Covenant grant  
15 funding shall be provided according to those terms of the  
16 Agreement of the Special Representatives on Future  
17 United States Financial Assistance for the Northern Mar-  
18 iana Islands approved by Public Law 104–134: *Provided*  
19 *further*, That the funds for the program of operations and  
20 maintenance improvement are appropriated to institu-  
21 tionalize routine operations and maintenance improvement  
22 of capital infrastructure with territorial participation and  
23 cost sharing to be determined by the Secretary based on  
24 the grantee’s commitment to timely maintenance of its  
25 capital assets: *Provided further*, That any appropriation

1 for disaster assistance under this heading in this Act or  
 2 previous appropriations Acts may be used as non-Federal  
 3 matching funds for the purpose of hazard mitigation  
 4 grants provided pursuant to section 404 of the Robert T.  
 5 Stafford Disaster Relief and Emergency Assistance Act  
 6 (42 U.S.C. 5170c).

7 COMPACT OF FREE ASSOCIATION

8 For grants and necessary expenses, \$8,463,000, to  
 9 remain available until expended, as provided for in sec-  
 10 tions 221(a)(2) and 233 of the Compact of Free Associa-  
 11 tion for the Republic of Palau; and section 221(a)(2) of  
 12 the Compacts of Free Association for the Government of  
 13 the Republic of the Marshall Islands and the Federated  
 14 States of Micronesia, as authorized by Public Law 99-  
 15 658 and Public Law 108-188: *Provided*, That of the funds  
 16 appropriated under this heading, \$6,000,000 is for deposit  
 17 into the Compact Trust Fund of the Republic of the Mar-  
 18 shall Islands as compensation authorized by Public Law  
 19 108-188 for adverse financial and economic impacts.

20 ADMINISTRATIVE PROVISIONS

21 (INCLUDING TRANSFER OF FUNDS)

22 At the request of the Governor of Guam, the Sec-  
 23 retary may transfer discretionary funds or mandatory  
 24 funds provided under section 104(e) of Public Law 108-  
 25 188 and Public Law 104-134, that are allocated for



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

## 20 OFFICE OF THE SOLICITOR

### 21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the Solicitor,  
 23 \$102,050,000, to remain available until September 30,  
 24 2024.

## 1 OFFICE OF INSPECTOR GENERAL

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector  
4 General, \$68,000,000, to remain available until September  
5 30, 2024.

## 6 DEPARTMENT-WIDE PROGRAMS

## 7 WILDLAND FIRE MANAGEMENT

## 8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses for fire preparedness, fire  
10 suppression operations, fire science and research, emer-  
11 gency rehabilitation, fuels management activities, and  
12 rural fire assistance by the Department of the Interior,  
13 \$1,163,286,000, to remain available until expended, of  
14 which not to exceed \$10,000,000 shall be for the renova-  
15 tion or construction of fire facilities: *Provided*, That such  
16 funds are also available for repayment of advances to  
17 other appropriation accounts from which funds were pre-  
18 viously transferred for such purposes: *Provided further*,  
19 That of the funds provided \$267,000,000 is for fuels man-  
20 agement activities: *Provided further*, That of the funds  
21 provided \$20,470,000 is for burned area rehabilitation:  
22 *Provided further*, That persons hired pursuant to 43  
23 U.S.C. 1469 may be furnished subsistence and lodging  
24 without cost from funds available from this appropriation:  
25 *Provided further*, That notwithstanding 42 U.S.C. 1856d,

1 sums received by a bureau or office of the Department  
2 of the Interior for fire protection rendered pursuant to 42  
3 U.S.C. 1856 et seq., protection of United States property,  
4 may be credited to the appropriation from which funds  
5 were expended to provide that protection, and are avail-  
6 able without fiscal year limitation: *Provided further*, That  
7 using the amounts designated under this title of this Act,  
8 the Secretary of the Interior may enter into procurement  
9 contracts, grants, or cooperative agreements, for fuels  
10 management activities, and for training and monitoring  
11 associated with such fuels management activities on Fed-  
12 eral land, or on adjacent non-Federal land for activities  
13 that benefit resources on Federal land: *Provided further*,  
14 That the costs of implementing any cooperative agreement  
15 between the Federal Government and any non-Federal en-  
16 tity may be shared, as mutually agreed on by the affected  
17 parties: *Provided further*, That notwithstanding require-  
18 ments of the Competition in Contracting Act, the Sec-  
19 retary, for purposes of fuels management activities, may  
20 obtain maximum practicable competition among: (1) local  
21 private, nonprofit, or cooperative entities; (2) Youth Con-  
22 servation Corps crews, Public Lands Corps (Public Law  
23 109–154), or related partnerships with State, local, or  
24 nonprofit youth groups; (3) small or micro-businesses; or  
25 (4) other entities that will hire or train locally a significant

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

1 between the Departments when such transfers would fa-  
2 cilitate and expedite wildland fire management programs  
3 and projects: *Provided further*, That funds provided for  
4 wildfire suppression shall be available for support of Fed-  
5 eral emergency response actions: *Provided further*, That  
6 funds appropriated under this heading shall be available  
7 for assistance to or through the Department of State in  
8 connection with forest and rangeland research, technical  
9 information, and assistance in foreign countries, and, with  
10 the concurrence of the Secretary of State, shall be avail-  
11 able to support forestry, wildland fire management, and  
12 related natural resource activities outside the United  
13 States and its territories and possessions, including tech-  
14 nical assistance, education and training, and cooperation  
15 with United States and international organizations: *Pro-*  
16 *vided further*, That of the funds provided under this head-  
17 ing \$383,657,000 shall be available for wildfire suppres-  
18 sion operations, and is provided to meet the terms of sec-  
19 tion 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress),  
20 the concurrent resolution on the budget for fiscal year  
21 2022, and section 1(g)(2) of H. Res. 1151 (117th Con-  
22 gress), as engrossed in the House of Representatives on  
23 June 8, 2022.

1 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND  
2 (INCLUDING TRANSFERS OF FUNDS)

3 In addition to the amounts provided under the head-  
4 ing “Department of the Interior—Department-Wide Pro-  
5 grams—Wildland Fire Management” for wildfire suppres-  
6 sion operations, \$340,000,000, to remain available until  
7 transferred, is additional new budget authority as speci-  
8 fied for purposes of section 4004(b)(5) of S. Con. Res.  
9 14 (117th Congress), the concurrent resolution on the  
10 budget for fiscal year 2022, and section 1(g) of H. Res.  
11 1151 (117th Congress), as engrossed in the House of Rep-  
12 resentatives on June 8, 2022: *Provided*, That such  
13 amounts may be transferred to and merged with amounts  
14 made available under the headings “Department of Agri-  
15 culture—Forest Service—Wildland Fire Management”  
16 and “Department of the Interior—Department-Wide Pro-  
17 grams—Wildland Fire Management” for wildfire suppres-  
18 sion operations in the fiscal year in which such amounts  
19 are transferred: *Provided further*, That amounts may be  
20 transferred to the “Wildland Fire Management” accounts  
21 in the Department of Agriculture or the Department of  
22 the Interior only upon the notification of the House and  
23 Senate Committees on Appropriations that all wildfire  
24 suppression operations funds appropriated under that  
25 heading in this and prior appropriations Acts to the agen-

1 cy to which the funds will be transferred will be obligated  
 2 within 30 days: *Provided further*, That the transfer au-  
 3 thority provided under this heading is in addition to any  
 4 other transfer authority provided by law: *Provided further*,  
 5 That, in determining whether all wildfire suppression op-  
 6 erations funds appropriated under the heading “Wildland  
 7 Fire Management” in this and prior appropriations Acts  
 8 to either the Department of Agriculture or the Depart-  
 9 ment of the Interior will be obligated within 30 days pur-  
 10 suant to the preceding proviso, any funds transferred or  
 11 permitted to be transferred pursuant to any other transfer  
 12 authority provided by law shall be excluded.

13           CENTRAL HAZARDOUS MATERIALS FUND

14       For necessary expenses of the Department of the In-  
 15 terior and any of its component offices and bureaus for  
 16 the response action, including associated activities, per-  
 17 formed pursuant to the Comprehensive Environmental Re-  
 18 sponse, Compensation, and Liability Act (42 U.S.C. 9601  
 19 et seq.), \$10,064,000, to remain available until expended.

20           ENERGY COMMUNITY REVITALIZATION PROGRAM

21                   (INCLUDING TRANSFERS OF FUNDS)

22       For necessary expenses of the Department of the In-  
 23 terior to inventory, assess, decommission, reclaim, respond  
 24 to hazardous substance releases, remediate lands pursuant  
 25 to section 40704 of Public Law 117–58 (30 U.S.C. 1245),

1 and carry out the purposes of section 349 of the Energy  
 2 Policy Act of 2005 (42 U.S.C. 15907), as amended,  
 3 \$20,000,000, to remain available until expended: *Pro-*  
 4 *vided*, That such amount shall be in addition to amounts  
 5 otherwise available for such purposes: *Provided further*,  
 6 That amounts appropriated under this heading are avail-  
 7 able for program management and oversight of these ac-  
 8 tivities: *Provided further*, That the Secretary may transfer  
 9 the funds provided under this heading in this Act to any  
 10 other account in the Department to carry out such pur-  
 11 poses, and may expend such funds directly, or through  
 12 grants: *Provided further*, That these amounts are not  
 13 available to fulfill Comprehensive Environmental Re-  
 14 sponse, Compensation, and Liability Act (42 U.S.C. 9601  
 15 et seq.) obligations agreed to in settlement or imposed by  
 16 a court, whether for payment of funds or for work to be  
 17 performed.

18 NATURAL RESOURCE DAMAGE ASSESSMENT AND

19 RESTORATION

20 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

21 To conduct natural resource damage assessment, res-  
 22 toration activities, and onshore oil spill preparedness by  
 23 the Department of the Interior necessary to carry out the  
 24 provisions of the Comprehensive Environmental Response,  
 25 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),



1 the Federal Water Pollution Control Act (33 U.S.C. 1251  
 2 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701  
 3 et seq.), and 54 U.S.C. 100721 et seq., \$8,059,000, to  
 4 remain available until expended.

5 WORKING CAPITAL FUND

6 For the operation and maintenance of a departmental  
 7 financial and business management system, data manage-  
 8 ment, information technology improvements of general  
 9 benefit to the Department, cybersecurity, and the consoli-  
 10 dation of facilities and operations throughout the Depart-  
 11 ment, \$112,198,000, to remain available until expended:  
 12 *Provided*, That none of the funds appropriated in this Act  
 13 or any other Act may be used to establish reserves in the  
 14 Working Capital Fund account other than for accrued an-  
 15 nual leave and depreciation of equipment without prior ap-  
 16 proval of the Committees on Appropriations of the House  
 17 of Representatives and the Senate: *Provided further*, That  
 18 the Secretary of the Interior may assess reasonable  
 19 charges to State, local, and Tribal government employees  
 20 for training services provided by the National Indian Pro-  
 21 gram Training Center, other than training related to Pub-  
 22 lic Law 93–638: *Provided further*, That the Secretary may  
 23 lease or otherwise provide space and related facilities,  
 24 equipment, or professional services of the National Indian  
 25 Program Training Center to State, local and Tribal gov-

1 ernment employees or persons or organizations engaged  
 2 in cultural, educational, or recreational activities (as de-  
 3 fined in section 3306(a) of title 40, United States Code)  
 4 at the prevailing rate for similar space, facilities, equip-  
 5 ment, or services in the vicinity of the National Indian  
 6 Program Training Center: *Provided further*, That all funds  
 7 received pursuant to the two preceding provisos shall be  
 8 credited to this account, shall be available until expended,  
 9 and shall be used by the Secretary for necessary expenses  
 10 of the National Indian Program Training Center: *Provided*  
 11 *further*, That the Secretary may enter into grants and co-  
 12 operative agreements to support the Office of Natural Re-  
 13 source Revenue's collection and disbursement of royalties,  
 14 fees, and other mineral revenue proceeds, as authorized  
 15 by law.

#### 16 ADMINISTRATIVE PROVISION

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

## 1 OFFICE OF NATURAL RESOURCES REVENUE

2 For necessary expenses for management of the collec-  
3 tion and disbursement of royalties, fees, and other mineral  
4 revenue proceeds, and for grants and cooperative agree-  
5 ments, as authorized by law, \$174,977,000, to remain  
6 available until September 30, 2024; of which \$69,751,000  
7 shall remain available until expended for the purpose of  
8 mineral revenue management activities: *Provided*, That  
9 notwithstanding any other provision of law, \$15,000 shall  
10 be available for refunds of overpayments in connection  
11 with certain Indian leases in which the Secretary of the  
12 Interior concurred with the claimed refund due, to pay  
13 amounts owed to Indian allottees or Tribes, or to correct  
14 prior unrecoverable erroneous payments.

## 15 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

## 16 (INCLUDING TRANSFERS OF FUNDS)

## 17 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

18 SEC. 101. Appropriations made in this title shall be  
19 available for expenditure or transfer (within each bureau  
20 or office), with the approval of the Secretary of the Inte-  
21 rior, for the emergency reconstruction, replacement, or re-  
22 pair of aircraft, buildings, utilities, or other facilities or  
23 equipment damaged or destroyed by fire, flood, storm, or  
24 other unavoidable causes: *Provided*, That no funds shall  
25 be made available under this authority until funds specifi-

1 cally made available to the Department of the Interior for  
 2 emergencies shall have been exhausted: *Provided further*,  
 3 That all funds used pursuant to this section must be re-  
 4 plenished by a supplemental appropriation, which must be  
 5 requested as promptly as possible.

6 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

7       SEC. 102. The Secretary of the Interior may author-  
 8 ize the expenditure or transfer of any no year appropria-  
 9 tion in this title, in addition to the amounts included in  
 10 the budget programs of the several agencies, for the sup-  
 11 pression or emergency prevention of wildland fires on or  
 12 threatening lands under the jurisdiction of the Depart-  
 13 ment of the Interior; for the emergency rehabilitation of  
 14 burned-over lands under its jurisdiction; for emergency ac-  
 15 tions related to potential or actual earthquakes, floods,  
 16 volcanoes, storms, or other unavoidable causes; for contin-  
 17 gency planning subsequent to actual oil spills; for response  
 18 and natural resource damage assessment activities related  
 19 to actual oil spills or releases of hazardous substances into  
 20 the environment; for the prevention, suppression, and con-  
 21 trol of actual or potential grasshopper and Mormon cricket  
 22 outbreaks on lands under the jurisdiction of the Secretary,  
 23 pursuant to the authority in section 417(b) of Public Law  
 24 106–224 (7 U.S.C. 7717(b)); for emergency reclamation  
 25 projects under section 410 of Public Law 95–87; and shall

1 transfer, from any no year funds available to the Office  
2 of Surface Mining Reclamation and Enforcement, such  
3 funds as may be necessary to permit assumption of regu-  
4 latory authority in the event a primacy State is not car-  
5 rying out the regulatory provisions of the Surface Mining  
6 Act: *Provided*, That appropriations made in this title for  
7 wildland fire operations shall be available for the payment  
8 of obligations incurred during the preceding fiscal year,  
9 and for reimbursement to other Federal agencies for de-  
10 struction of vehicles, aircraft, or other equipment in con-  
11 nection with their use for wildland fire operations, with  
12 such reimbursement to be credited to appropriations cur-  
13 rently available at the time of receipt thereof: *Provided*  
14 *further*, That for wildland fire operations, no funds shall  
15 be made available under this authority until the Secretary  
16 determines that funds appropriated for “wildland fire sup-  
17 pression” shall be exhausted within 30 days: *Provided fur-*  
18 *ther*, That all funds used pursuant to this section must  
19 be replenished by a supplemental appropriation, which  
20 must be requested as promptly as possible: *Provided fur-*  
21 *ther*, That such replenishment funds shall be used to reim-  
22 burse, on a pro rata basis, accounts from which emergency  
23 funds were transferred.

## 1 AUTHORIZED USE OF FUNDS

2 SEC. 103. Appropriations made to the Department  
3 of the Interior in this title shall be available for services  
4 as authorized by section 3109 of title 5, United States  
5 Code, when authorized by the Secretary of the Interior,  
6 in total amount not to exceed \$500,000; purchase and re-  
7 placement of motor vehicles, including specially equipped  
8 law enforcement vehicles; hire, maintenance, and oper-  
9 ation of aircraft; hire of passenger motor vehicles; pur-  
10 chase of reprints; payment for telephone service in private  
11 residences in the field, when authorized under regulations  
12 approved by the Secretary; and the payment of dues, when  
13 authorized by the Secretary, for library membership in so-  
14 cieties or associations which issue publications to members  
15 only or at a price to members lower than to subscribers  
16 who are not members.

## 17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

## 18 MANAGEMENT

19 SEC. 104. Appropriations made in this Act under the  
20 headings Bureau of Indian Affairs and Bureau of Indian  
21 Education, and Office of the Special Trustee for American  
22 Indians and any unobligated balances from prior appro-  
23 priations Acts made under the same headings shall be  
24 available for expenditure or transfer for Indian trust man-  
25 agement and reform activities. Total funding for historical

1 accounting activities shall not exceed amounts specifically  
2 designated in this Act for such purpose. The Secretary  
3 shall notify the House and Senate Committees on Appro-  
4 priations within 60 days of the expenditure or transfer of  
5 any funds under this section, including the amount ex-  
6 pended or transferred and how the funds will be used.

7 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN  
8 AFFAIRS

9 SEC. 105. Notwithstanding any other provision of  
10 law, the Secretary of the Interior is authorized to redis-  
11 tribute any Tribal Priority Allocation funds, including  
12 Tribal base funds, to alleviate Tribal funding inequities  
13 by transferring funds to address identified, unmet needs,  
14 dual enrollment, overlapping service areas or inaccurate  
15 distribution methodologies. No Tribe shall receive a reduc-  
16 tion in Tribal Priority Allocation funds of more than 10  
17 percent in fiscal year 2023. Under circumstances of dual  
18 enrollment, overlapping service areas or inaccurate dis-  
19 tribution methodologies, the 10 percent limitation does not  
20 apply.

21 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

22 SEC. 106. Notwithstanding any other provision of  
23 law, the Secretary of the Interior is authorized to acquire  
24 lands, waters, or interests therein, including the use of all  
25 or part of any pier, dock, or landing within the State of

1 New York and the State of New Jersey, for the purpose  
 2 of operating and maintaining facilities in the support of  
 3 transportation and accommodation of visitors to Ellis,  
 4 Governors, and Liberty Islands, and of other program and  
 5 administrative activities, by donation or with appropriated  
 6 funds, including franchise fees (and other monetary con-  
 7 sideration), or by exchange; and the Secretary is author-  
 8 ized to negotiate and enter into leases, subleases, conces-  
 9 sion contracts, or other agreements for the use of such  
 10 facilities on such terms and conditions as the Secretary  
 11 may determine reasonable: *Provided*, That for the pur-  
 12 poses of 54 U.S.C. 200306(a), such lands, waters, or in-  
 13 terests therein shall be considered to be within the exterior  
 14 boundary of a System unit authorized or established.

15       OUTER CONTINENTAL SHELF INSPECTION FEES

16       SEC. 107. (a) In fiscal year 2023, the Secretary of  
 17 the Interior shall collect a nonrefundable inspection fee,  
 18 which shall be deposited in the “Offshore Safety and Envi-  
 19 ronmental Enforcement” account, from the designated op-  
 20 erator for facilities subject to inspection under 43 U.S.C.  
 21 1348(c).

22       (b) Annual fees shall be collected for facilities that  
 23 are above the waterline, excluding drilling rigs, and are  
 24 in place at the start of the fiscal year. Fees for fiscal year  
 25 2023 shall be—



1           (1) \$11,725 for facilities with no wells, but with  
2           processing equipment or gathering lines;

3           (2) \$18,984 for facilities with 1 to 10 wells,  
4           with any combination of active or inactive wells; and

5           (3) \$35,176 for facilities with more than 10  
6           wells, with any combination of active or inactive  
7           wells.

8           (c) Fees shall be assessed for facilities that are above  
9           the waterline, excluding drilling rigs, and require follow-  
10          up inspections. Fees for fiscal year 2023 shall be—

11          (1) \$5,863 for facilities with no wells, but with  
12          processing or gathering lines;

13          (2) \$9,492 for facilities with 1 to 10 wells, with  
14          any combination of active or inactive wells; and

15          (3) \$17,588 for facilities with more than 10  
16          wells, with any combination of active or inactive  
17          wells.

18          (d) Fees for drilling rigs shall be assessed for all in-  
19          spections completed in fiscal year 2023. Fees for fiscal  
20          year 2023 shall be—

21          (1) \$34,059 per inspection for rigs operating in  
22          water depths of 500 feet or more; and

23          (2) \$18,649 per inspection for rigs operating in  
24          water depths of less than 500 feet.

1 (e) Fees for inspection of well operations conducted  
 2 via non-rig units as outlined in title 30 CFR 250 subparts  
 3 D, E, F, and Q shall be assessed for all inspections com-  
 4 pleted in fiscal year 2023. Fees for fiscal year 2023 shall  
 5 be—

6 (1) \$13,260 per inspection for non-rig units op-  
 7 erating in water depths of 2,500 feet or more;

8 (2) \$11,530 per inspection for non-rig units op-  
 9 erating in water depths between 500 and 2,499 feet;  
 10 and

11 (3) \$4,470 per inspection for non-rig units op-  
 12 erating in water depths of less than 500 feet.

13 (f) The Secretary shall bill designated operators  
 14 under subsection (b) quarterly, with payment required  
 15 within 30 days of billing. The Secretary shall bill des-  
 16 ignated operators under subsections (c) and (d) within 30  
 17 days of the end of the month in which the inspection oc-  
 18 curred, with payment required within 30 days of billing.  
 19 The Secretary shall bill designated operators under sub-  
 20 section (e) with payment required by the end of the fol-  
 21 lowing quarter.

22 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND  
 23 BURRO HOLDING FACILITIES

24 SEC. 108. Notwithstanding any other provision of  
 25 this Act, the Secretary of the Interior may enter into

1 multiyear cooperative agreements with nonprofit organiza-  
2 tions and other appropriate entities, and may enter into  
3 multiyear contracts in accordance with the provisions of  
4 section 3903 of title 41, United States Code (except that  
5 the 5-year term restriction in subsection (a) shall not  
6 apply), for the long-term care and maintenance of excess  
7 wild free roaming horses and burros by such organizations  
8 or entities on private land. Such cooperative agreements  
9 and contracts may not exceed 10 years, subject to renewal  
10 at the discretion of the Secretary.

11                   MASS MARKING OF SALMONIDS

12       SEC. 109. The United States Fish and Wildlife Serv-  
13 ice shall, in carrying out its responsibilities to protect  
14 threatened and endangered species of salmon, implement  
15 a system of mass marking of salmonid stocks, intended  
16 for harvest, that are released from federally operated or  
17 federally financed hatcheries including but not limited to  
18 fish releases of coho, chinook, and steelhead species.  
19 Marked fish must have a visible mark that can be readily  
20 identified by commercial and recreational fishers.

21                   CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

22       SEC. 110. Notwithstanding any other provision of  
23 law, during fiscal year 2023, in carrying out work involv-  
24 ing cooperation with State, local, and Tribal governments  
25 or any political subdivision thereof, Indian Affairs may

1 record obligations against accounts receivable from any  
2 such entities, except that total obligations at the end of  
3 the fiscal year shall not exceed total budgetary resources  
4 available at the end of the fiscal year.

5 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES  
6 PROGRAM

7 SEC. 111. (a) Notwithstanding any other provision  
8 of law relating to Federal grants and cooperative agree-  
9 ments, the Secretary of the Interior is authorized to make  
10 grants to, or enter into cooperative agreements with, pri-  
11 vate nonprofit organizations designated by the Secretary  
12 of Labor under title V of the Older Americans Act of 1965  
13 to utilize the talents of older Americans in programs au-  
14 thorized by other provisions of law administered by the  
15 Secretary and consistent with such provisions of law.

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

19 (1) result in the displacement of individuals  
20 currently employed by the Department, including  
21 partial displacement through reduction of non-over-  
22 time hours, wages, or employment benefits;

23 (2) result in the use of an individual under the  
24 Department of the Interior Experienced Services  
25 Program for a job or function in a case in which a

1 Federal employee is in a layoff status from the same  
2 or substantially equivalent job within the Depart-  
3 ment; or

4 (3) affect existing contracts for services.

5 OBLIGATION OF FUNDS

6 SEC. 112. Amounts appropriated by this Act to the  
7 Department of the Interior shall be available for obligation  
8 and expenditure not later than 60 days after the date of  
9 enactment of this Act.

10 SEPARATION OF ACCOUNTS

11 SEC. 113. The Secretary of the Interior, in order to  
12 implement an orderly transition to separate accounts of  
13 the Bureau of Indian Affairs and the Bureau of Indian  
14 Education, may transfer funds among and between the  
15 successor offices and bureaus affected by the reorganiza-  
16 tion only in conformance with the reprogramming guide-  
17 lines described in this Act.

18 PAYMENTS IN LIEU OF TAXES (PILT)

19 SEC. 114. Section 6906 of title 31, United States  
20 Code, shall be applied by substituting “fiscal year 2023”  
21 for “fiscal year 2019”.

22 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE

23 APPROVAL

24 SEC. 115. (a) Subject to subsection (b), in any case  
25 in which the Bureau of Safety and Environmental En-

1   forcement or the Bureau of Ocean Energy Management  
2   prescribes or approves any departure or use of alternate  
3   procedure or equipment, in regards to a plan or permit,  
4   under 30 CFR 585.103; 30 CFR 550.141; 30 CFR  
5   550.142; 30 CFR 250.141; or 30 CFR 250.142, the head  
6   of such bureau shall post a description of such departure  
7   or alternate procedure or equipment use approval on such  
8   bureau's publicly available website not more than 15 busi-  
9   ness days after such issuance.

10       (b) The head of each bureau may exclude confidential  
11   business information.

12                                   INTERAGENCY MOTOR POOL

13       SEC. 116. Notwithstanding any other provision of law  
14   or Federal regulation, federally recognized Indian Tribes  
15   or authorized Tribal organizations that receive Tribally-  
16   Controlled School Grants pursuant to Public Law 100-  
17   297 may obtain interagency motor vehicles and related  
18   services for performance of any activities carried out  
19   under such grants to the same extent as if they were con-  
20   tracting under the Indian Self-Determination and Edu-  
21   cation Assistance Act.

22                                   DELAWARE WATER GAP AUTHORITY

23       SEC. 117. Section 4(b) of The Delaware Water Gap  
24   National Recreation Area Improvement Act, as amended

1 by section 1 of Public Law 115–101, shall be applied by  
2 substituting “2023” for “2021”.

3 NATIONAL HERITAGE AREAS AND CORRIDORS

4 SEC. 118. (a) Section 109(a) of the Quinebaug and  
5 Shetucket Rivers Valley National Heritage Corridor Act  
6 of 1994 (title I of Public Law 103–449), is amended by  
7 striking “\$17,000,000” and inserting “\$19,000,000”.

8 (b) Section 409(a) of the Steel Industry American  
9 Heritage Area Act of 1996 (title IV of division II of Public  
10 Law 104–333) is amended by striking “\$20,000,000” and  
11 inserting “\$22,000,000”.

12 (c) Section 608(a) of the South Carolina National  
13 Heritage Corridor Act of 1996 (title VI of division II of  
14 Public Law 104–333) is amended by striking  
15 “\$17,000,000” and inserting “\$19,000,000”.

16 (d) Subsection 157(h)(1) of the Wheeling National  
17 Heritage Area Act of 2000 (section 157 of Public Law  
18 106–291) is amended by striking “\$15,000,000” and in-  
19 serting “\$17,000,000”.

20 (e) Sections 411, 432, and 451 of title IV of the Con-  
21 solidated Natural Resources Act of 2008 (Public Law  
22 110–229), are each amended by striking “the date that  
23 is 15 years after the date of” and all that follows through  
24 the end of each section and inserting “September 30,  
25 2024.”.

1 (f) Section 512 of the National Aviation Heritage  
2 Area Act (title V of division J of Public Law 108–447),  
3 is amended by striking “2022” and inserting “2024”.

4 (g) Section 608 of the Oil Region National Heritage  
5 Area Act (title VI of Public Law 108–447) is amended  
6 by striking “2022” and inserting “2024”.

7 (h) Section 125(a) of Public Law 98–398, as amend-  
8 ed by section 402 of Public Law 109–338 (120 Stat.  
9 1853), is amended by striking “\$10,000,000” and insert-  
10 ing “\$12,000,000”.

11 APPRAISER PAY AUTHORITY

12 SEC. 119. For fiscal year 2023, funds made available  
13 in this or any other Act or otherwise made available to  
14 the Department of the Interior for the Appraisal and  
15 Valuation Services Office may be used by the Secretary  
16 of the Interior to establish higher minimum rates of basic  
17 pay for employees of the Department of the Interior in  
18 the Appraiser (GS–1171) job series at grades 11 through  
19 15 carrying out appraisals of real property and appraisal  
20 reviews conducted in support of the Department’s realty  
21 programs at rates no greater than 15 percent above the  
22 minimum rates of basic pay normally scheduled, and such  
23 higher rates shall be consistent with subsections (e)  
24 through (h) of section 5305 of title 5, United States Code.



## 1           ONSHORE OIL AND GAS INSPECTION FEE

2           SEC. 120. (a) ONSHORE OIL AND GAS INSPECTION  
3 FEES.—The designated operator under each oil and gas  
4 lease on Federal or Indian lands, or under each unit and  
5 communitization agreement that includes one or more  
6 such Federal or Indian leases, that is subject to inspection  
7 under section 108(b) of the Federal Oil and Gas Royalty  
8 Management Act of 1982 (30 U.S.C. 1718(b)) and that  
9 is in force at the start of fiscal year 2022 shall pay a non-  
10 refundable annual inspection fee that the Bureau of Land  
11 Management (BLM) shall collect and deposit in the Man-  
12 agement of Lands and Resources account.

13           (b) Fees for fiscal year 2023 shall be—

14                 (1) \$1,560 for each lease or unit or  
15 communitization agreement with 1 to 10 wells, with  
16 any combination of active or inactive wells;

17                 (2) \$7,000 for each lease or unit or  
18 communitization agreement with 11 to 50 wells, with  
19 any combination of active or inactive wells; and

20                 (3) \$14,000 for each lease or unit or  
21 communitization agreement with more than 50 wells,  
22 with any combination of active or inactive wells.

23           (c) BLM shall bill designated operators within 60  
24 days of enactment of this Act, with payment required  
25 within 30 days of billing.

1 (d) PENALTY.—If the designated operator fails to  
 2 pay the full amount of the fee as prescribed in this section,  
 3 the Secretary may, in addition to utilizing any other appli-  
 4 cable enforcement authority, assess civil penalties against  
 5 the operator in the same manner as if this section were  
 6 a mineral leasing law as defined in paragraph (8) of sec-  
 7 tion 3 of Public Law 97–451 (30 U.S.C. 1702(8)), as  
 8 amended.

9 (e) EXEMPTION FOR TRIBAL OPERATORS.—An oper-  
 10 ator that is a Tribe or is controlled by a Tribe is not sub-  
 11 ject to subsection (a) with respect to a lease, unit, or  
 12 communitization agreement that is located entirely on the  
 13 lands of such Tribe.

#### 14 DECOMMISSIONING ACCOUNT

15 SEC. 121. The fifth and sixth provisos under the  
 16 amended heading “Royalty and Offshore Minerals Man-  
 17 agement” for the Minerals Management Service in Public  
 18 Law 101–512 (104 Stat. 1926, as amended) (43 U.S.C.  
 19 1338a) are further amended by striking and replacing  
 20 them with—“*Provided further*, That notwithstanding sec-  
 21 tion 3302 of title 31, any moneys hereafter received as  
 22 a result of the forfeiture of a bond or other security by  
 23 an Outer Continental Shelf permittee, lessee, or right-of-  
 24 way holder that does not fulfill the requirements of its per-  
 25 mit, lease, or right-of-way or does not comply with the reg-

ulations of the Secretary, or as a bankruptcy distribution  
or settlement associated with such failure or noncompli-  
ance, shall be credited to a separate account established  
in the Treasury for decommissioning activities and shall  
be available to the Bureau of Ocean Energy Management  
without further appropriation or fiscal year limitation to  
cover the cost to the United States of any improvement,  
protection, rehabilitation, or decommissioning work ren-  
dered necessary by the action or inaction that led to the  
forfeiture or bankruptcy distribution or settlement, to re-  
main available until expended: *Provided further*, That  
amounts deposited into the decommissioning account may  
be allocated to the Bureau of Safety and Environmental  
Enforcement for such costs: *Provided further*, That any  
moneys received for such costs currently held in the Ocean  
Energy Management account shall be transferred to the  
decommissioning account: *Provided further*, That any por-  
tion of the moneys so credited shall be returned to the  
bankruptcy estate, permittee, lessee, or right-of-way hold-  
er to the extent that the money is in excess of the amount  
expended in performing the work necessitated by the ac-  
tion or inaction which led to their receipt or, if the bond  
or security was forfeited for failure to pay the civil penalty,  
in excess of the civil penalty imposed.”.

1 STATE CONSERVATION GRANTS

2 SEC. 122. For expenses necessary to carry out section  
 3 200305 of title 54, United States Code, the National Park  
 4 Service may retain up to 7 percent of the State Conserva-  
 5 tion Grants program to provide to States, the District of  
 6 Columbia, and insular areas, as matching grants to sup-  
 7 port state program administrative costs.

8 LOWELL NATIONAL HISTORIC PARK

9 SEC. 123. Section 103(a) of Public Law 95–290 (16  
 10 U.S.C. 410cc–13(a); 92 Stat. 292) is amended by striking  
 11 paragraph (1) and redesignating paragraph (2) as para-  
 12 graph (1).

13 VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

14 SEC. 124. Section 101938 of title 54, United States  
 15 Code, is amended by striking “7” and inserting “9”.

16 BORDER MITIGATION

17 SEC. 125. The Secretary of the Interior is authorized  
 18 to accept transfers of funds from the Secretary of Home-  
 19 land Security for mitigation activities, including land ac-  
 20 quisition, related to construction of border barriers on  
 21 Federal lands and to supplement any other funding avail-  
 22 able for reconstruction or repair of roads owned by the  
 23 Bureau of Indian Affairs as identified on the National  
 24 Tribal Transportation Facility Inventory, 23 U.S.C.  
 25 202(b)(1).

1 TITLE II  
2 ENVIRONMENTAL PROTECTION AGENCY  
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and  
5 development activities, which shall include research and  
6 development activities under the Comprehensive Environ-  
7 mental Response, Compensation, and Liability Act of  
8 1980; necessary expenses for personnel and related costs  
9 and travel expenses; procurement of laboratory equipment  
10 and supplies; hire, maintenance, and operation of aircraft;  
11 and other operating expenses in support of research and  
12 development, \$853,388,000, to remain available until Sep-  
13 tember 30, 2024: *Provided*, That of the funds included  
14 under this heading, \$22,751,000 shall be for Research:  
15 National Priorities as specified in the explanatory state-  
16 ment accompanying this Act, of which \$13,251,000 shall  
17 be for projects specified for Science and Technology in the  
18 table titled “Congressionally Directed Spending Items” in-  
19 cluded in the explanatory statement accompanying this  
20 Act.

21 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

22 For environmental programs and management, in-  
23 cluding necessary expenses not otherwise provided for, for  
24 personnel and related costs and travel expenses; hire of  
25 passenger motor vehicles; hire, maintenance, and oper-

1 ation of aircraft; purchase of reprints; library member-  
 2 ships in societies or associations which issue publications  
 3 to members only or at a price to members lower than to  
 4 subscribers who are not members; administrative costs of  
 5 the brownfields program under the Small Business Liabil-  
 6 ity Relief and Brownfields Revitalization Act of 2002; im-  
 7 plementation of a coal combustion residual permit pro-  
 8 gram under section 2301 of the Water and Waste Act of  
 9 2016; and not to exceed \$9,000 for official reception and  
 10 representation expenses, \$3,577,153,000, to remain avail-  
 11 able until September 30, 2024: *Provided*, That funds in-  
 12 cluded under this heading may be used for environmental  
 13 justice implementation and training grants, and associated  
 14 program support costs: *Provided further*, That of the funds  
 15 included under this heading—

16 (1) \$30,700,000 shall be for Environmental  
 17 Protection: National Priorities as specified in the ex-  
 18 planatory statement accompanying this Act;

19 (2) \$617,069,000 shall be for Geographic Pro-  
 20 grams as specified in the explanatory statement ac-  
 21 companying this Act; and

22 (3) \$11,000,000, to remain available until ex-  
 23 pended, shall be for grants, including grants that  
 24 may be awarded on a non-competitive basis, inter-  
 25 agency agreements, and associated program support

1 costs to establish and implement a program to assist  
2 Alaska Native Regional Corporations, Alaskan Na-  
3 tive Villages, and intertribal consortia comprised of  
4 Alaskan Native Villages to address contamination on  
5 lands conveyed under or pursuant to the Alaska Na-  
6 tive Claims Settlement Act (43 U.S.C. 1601 et seq.)  
7 that were or are contaminated at the time of convey-  
8 ance and are on an inventory of such lands devel-  
9 oped and maintained by the State of Alaska, of  
10 which up to \$1,000,000 shall be for grants to the  
11 State of Alaska for development and maintenance of  
12 such inventory of such lands, of which not more  
13 than 15 percent may be used for administrative and  
14 other overhead expenses of the State of Alaska: *Pro-*  
15 *vided*, That grants awarded using funds made avail-  
16 able in this paragraph may be used by a recipient  
17 to supplement other funds provided by the Environ-  
18 mental Protection Agency through individual media  
19 or multi-media grants or cooperative agreements:  
20 *Provided further*, That of the amounts made avail-  
21 able in this paragraph, in addition to amounts other-  
22 wise available for such purposes, the Environmental  
23 Protection Agency may reserve up to \$2,000,000 for  
24 salaries, expenses, and administration.

1        In addition, \$9,000,000, to remain available until ex-  
2    pended, for necessary expenses of activities described in  
3    section 26(b)(1) of the Toxic Substances Control Act (15  
4    U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-  
5    ant to that section of that Act and deposited in the “TSCA  
6    Service Fee Fund” as discretionary offsetting receipts in  
7    fiscal year 2023 shall be retained and used for necessary  
8    salaries and expenses in this appropriation and shall re-  
9    main available until expended: *Provided further*, That the  
10   sum herein appropriated in this paragraph from the gen-  
11   eral fund for fiscal year 2023 shall be reduced by the  
12   amount of discretionary offsetting receipts received during  
13   fiscal year 2023, so as to result in a final fiscal year 2023  
14   appropriation from the general fund estimated at not more  
15   than \$0: *Provided further*, That to the extent that amounts  
16   realized from such receipts exceed \$9,000,000, those  
17   amount in excess of \$9,000,000 shall be deposited in the  
18   “TSCA Service Fee Fund” as discretionary offsetting re-  
19   ceipts in fiscal year 2023, shall be retained and used for  
20   necessary salaries and expenses in this account, and shall  
21   remain available until expended: *Provided further*, That of  
22   the funds included in the first paragraph under this head-  
23   ing, the Chemical Risk Review and Reduction program  
24   project shall be allocated for this fiscal year, excluding the  
25   amount of any fees appropriated, not less than the amount



1 of appropriations for that program project for fiscal year  
2 2014.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the provisions of the Inspector  
6 General Act of 1978, \$49,754,000, to remain available  
7 until September 30, 2024.

8 BUILDINGS AND FACILITIES

9 For construction, repair, improvement, extension, al-  
10 teration, and purchase of fixed equipment or facilities of,  
11 or for use by, the Environmental Protection Agency,  
12 \$59,572,000, to remain available until expended.

13 HAZARDOUS SUBSTANCE SUPERFUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Comprehen-  
16 sive Environmental Response, Compensation, and Liabil-  
17 ity Act of 1980 (CERCLA), including sections 111(c)(3),  
18 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,  
19 maintenance, and operation of aircraft, \$1,294,312,000,  
20 to remain available until expended, consisting of such  
21 sums as are available in the Trust Fund on September  
22 30, 2022, and not otherwise appropriated from the Trust  
23 Fund, as authorized by section 517(a) of the Superfund  
24 Amendments and Reauthorization Act of 1986 (SARA)  
25 and up to \$1,294,312,000 as a payment from general rev-

1 enues to the Hazardous Substance Superfund for purposes  
 2 as authorized by section 517(b) of SARA: *Provided*, That  
 3 funds appropriated under this heading may be allocated  
 4 to other Federal agencies in accordance with section  
 5 111(a) of CERCLA: *Provided further*, That of the funds  
 6 appropriated under this heading, \$12,062,000 shall be  
 7 paid to the “Office of Inspector General” appropriation  
 8 to remain available until September 30, 2024, and  
 9 \$31,368,000 shall be paid to the “Science and Tech-  
 10 nology” appropriation to remain available until September  
 11 30, 2024.

12 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
 13 PROGRAM

14 For necessary expenses to carry out leaking under-  
 15 ground storage tank cleanup activities authorized by sub-  
 16 title I of the Solid Waste Disposal Act, \$93,814,000, to  
 17 remain available until expended, of which \$67,145,000  
 18 shall be for carrying out leaking underground storage tank  
 19 cleanup activities authorized by section 9003(h) of the  
 20 Solid Waste Disposal Act; \$26,669,000 shall be for car-  
 21 rying out the other provisions of the Solid Waste Disposal  
 22 Act specified in section 9508(c) of the Internal Revenue  
 23 Code: *Provided*, That the Administrator is authorized to  
 24 use appropriations made available under this heading to  
 25 implement section 9013 of the Solid Waste Disposal Act

1 to provide financial assistance to federally recognized In-  
 2 dian Tribes for the development and implementation of  
 3 programs to manage underground storage tanks.

#### 4 INLAND OIL SPILL PROGRAMS

5 For expenses necessary to carry out the Environ-  
 6 mental Protection Agency's responsibilities under the Oil  
 7 Pollution Act of 1990, including hire, maintenance, and  
 8 operation of aircraft, \$26,502,000, to be derived from the  
 9 Oil Spill Liability trust fund, to remain available until ex-  
 10 pended.

#### 11 STATE AND TRIBAL ASSISTANCE GRANTS

12 For environmental programs and infrastructure as-  
 13 sistance, including capitalization grants for State revolv-  
 14 ing funds and performance partnership grants,  
 15 \$4,612,141,000, to remain available until expended, of  
 16 which—

17 (1) \$1,688,847,000 shall be for making capital-  
 18 ization grants for the Clean Water State Revolving  
 19 Funds under title VI of the Federal Water Pollution  
 20 Control Act; and of which \$1,176,095,000 shall be  
 21 for making capitalization grants for the Drinking  
 22 Water State Revolving Funds under section 1452 of  
 23 the Safe Drinking Water Act: *Provided, That*  
 24 \$335,606,000 of the funds made available for cap-  
 25 italization grants for the Clean Water State Revolv-

1        ing Funds and \$229,610,000 of the funds made  
2        available for capitalization grants for the Drinking  
3        Water State Revolving Funds shall be for the con-  
4        struction of drinking water, wastewater, and storm  
5        water infrastructure and for water quality protection  
6        in accordance with the terms and conditions speci-  
7        fied for such grants in the explanatory statement ac-  
8        companying this Act for projects specified for  
9        “STAG—Drinking Water SRF”, “STAG—Clean  
10       Water SRF”, and “STAG—Drinking Water SRF;  
11       Clean Water SRF” in the table titled “Congression-  
12       ally Directed Spending Items” included in the ex-  
13       planatory statement accompanying this Act, and, for  
14       purposes of these grants, each grantee shall con-  
15       tribute not less than 20 percent of the cost of the  
16       project unless the grantee is approved for a waiver  
17       by the Agency: *Provided further*, That for fiscal year  
18       2023, to the extent there are sufficient eligible  
19       project applications and projects are consistent with  
20       State Intended Use Plans, not less than 10 percent  
21       of the funds made available under this title to each  
22       State for Clean Water State Revolving Fund capital-  
23       ization grants shall be used by the State for projects  
24       to address green infrastructure, water or energy effi-  
25       ciency improvements, or other environmentally inno-

1 vative activities: *Provided further*, That for fiscal  
2 year 2023, funds made available under this title to  
3 each State for Drinking Water State Revolving  
4 Fund capitalization grants may, at the discretion of  
5 each State, be used for projects to address green in-  
6 frastructure, water or energy efficiency improve-  
7 ments, or other environmentally innovative activities:  
8 *Provided further*, That the Administrator is author-  
9 ized to use up to \$1,500,000 of funds made available  
10 for the Clean Water State Revolving Funds under  
11 this heading under title VI of the Federal Water  
12 Pollution Control Act (33 U.S.C. 1381) to conduct  
13 the Clean Watersheds Needs Survey: *Provided fur-*  
14 *ther*, That notwithstanding section 603(d)(7) of the  
15 Federal Water Pollution Control Act, the limitation  
16 on the amounts in a State water pollution control re-  
17 volving fund that may be used by a State to admin-  
18 ister the fund shall not apply to amounts included  
19 as principal in loans made by such fund in fiscal  
20 year 2023 and prior years where such amounts rep-  
21 resent costs of administering the fund to the extent  
22 that such amounts are or were deemed reasonable by  
23 the Administrator, accounted for separately from  
24 other assets in the fund, and used for eligible pur-  
25 poses of the fund, including administration: *Provided*

1     *further*, That for fiscal year 2023, notwithstanding  
2     the provisions of subsections (g)(1), (h), and (l) of  
3     section 201 of the Federal Water Pollution Control  
4     Act, grants made under title II of such Act for  
5     American Samoa, Guam, the Commonwealth of the  
6     Northern Marianas, the United States Virgin Is-  
7     lands, and the District of Columbia may also be  
8     made for the purpose of providing assistance: (A)  
9     solely for facility plans, design activities, or plans,  
10    specifications, and estimates for any proposed  
11    project for the construction of treatment works; and  
12    (B) for the construction, repair, or replacement of  
13    privately owned treatment works serving one or  
14    more principal residences or small commercial estab-  
15    lishments: *Provided further*, That for fiscal year  
16    2023, notwithstanding the provisions of such sub-  
17    sections (g)(1), (h), and (l) of section 201 and sec-  
18    tion 518(c) of the Federal Water Pollution Control  
19    Act, funds reserved by the Administrator for grants  
20    under section 518(c) of the Federal Water Pollution  
21    Control Act may also be used to provide assistance:  
22    (A) solely for facility plans, design activities, or  
23    plans, specifications, and estimates for any proposed  
24    project for the construction of treatment works; and  
25    (B) for the construction, repair, or replacement of

1 privately owned treatment works serving one or  
2 more principal residences or small commercial estab-  
3 lishments: *Provided further*, That for fiscal year  
4 2023, notwithstanding any provision of the Federal  
5 Water Pollution Control Act and regulations issued  
6 pursuant thereof, up to a total of \$2,000,000 of the  
7 funds reserved by the Administrator for grants  
8 under section 518(c) of such Act may also be used  
9 for grants for training, technical assistance, and  
10 educational programs relating to the operation and  
11 management of the treatment works specified in sec-  
12 tion 518(c) of such Act: *Provided further*, That for  
13 fiscal year 2023, funds reserved under section  
14 518(c) of such Act shall be available for grants only  
15 to Indian Tribes, as defined in section 518(h) of  
16 such Act and former Indian reservations in Okla-  
17 homa (as determined by the Secretary of the Inte-  
18 rior) and Native Villages as defined in Public Law  
19 92–203: *Provided further*, That for fiscal year 2023,  
20 notwithstanding the limitation on amounts in section  
21 518(c) of the Federal Water Pollution Control Act,  
22 up to a total of 2 percent of the funds appropriated,  
23 or \$30,000,000, whichever is greater, and notwith-  
24 standing the limitation on amounts in section  
25 1452(i) of the Safe Drinking Water Act, up to a

1       total of 2 percent of the funds appropriated, or  
2       \$20,000,000, whichever is greater, for State Revolv-  
3       ing Funds under such Acts may be reserved by the  
4       Administrator for grants under section 518(c) and  
5       section 1452(i) of such Acts: *Provided further*, That  
6       for fiscal year 2023, notwithstanding the amounts  
7       specified in section 205(c) of the Federal Water Pol-  
8       lution Control Act, up to 1.5 percent of the aggre-  
9       gate funds appropriated for the Clean Water State  
10      Revolving Fund program under the Act less any  
11      sums reserved under section 518(c) of the Act, may  
12      be reserved by the Administrator for grants made  
13      under title II of the Federal Water Pollution Control  
14      Act for American Samoa, Guam, the Commonwealth  
15      of the Northern Marianas, and United States Virgin  
16      Islands: *Provided further*, That for fiscal year 2023,  
17      notwithstanding the limitations on amounts specified  
18      in section 1452(j) of the Safe Drinking Water Act,  
19      up to 1.5 percent of the funds appropriated for the  
20      Drinking Water State Revolving Fund programs  
21      under the Safe Drinking Water Act may be reserved  
22      by the Administrator for grants made under section  
23      1452(j) of the Safe Drinking Water Act: *Provided*  
24      *further*, That 10 percent of the funds made available  
25      under this title to each State for Clean Water State



1       Revolving Fund capitalization grants and 14 percent  
2       of the funds made available under this title to each  
3       State for Drinking Water State Revolving Fund cap-  
4       italization grants shall be used by the State to pro-  
5       vide additional subsidy to eligible recipients in the  
6       form of forgiveness of principal, negative interest  
7       loans, or grants (or any combination of these), and  
8       shall be so used by the State only where such funds  
9       are provided as initial financing for an eligible re-  
10      cipient or to buy, refinance, or restructure the debt  
11      obligations of eligible recipients only where such debt  
12      was incurred on or after the date of enactment of  
13      this Act, or where such debt was incurred prior to  
14      the date of enactment of this Act if the State, with  
15      concurrence from the Administrator, determines that  
16      such funds could be used to help address a threat  
17      to public health from heightened exposure to lead in  
18      drinking water or if a Federal or State emergency  
19      declaration has been issued due to a threat to public  
20      health from heightened exposure to lead in a munic-  
21      ipal drinking water supply before the date of enact-  
22      ment of this Act: *Provided further*, That in a State  
23      in which such an emergency declaration has been  
24      issued, the State may use more than 14 percent of  
25      the funds made available under this title to the

1 State for Drinking Water State Revolving Fund cap-  
2 italization grants to provide additional subsidy to eli-  
3 gible recipients: *Provided further*, That notwith-  
4 standing section 1452(o) of the Safe Drinking Water  
5 Act (42 U.S.C. 300j–12(o)), the Administrator shall  
6 reserve \$12,000,000 of the amounts made available  
7 for fiscal year 2023 for making capitalization grants  
8 for the Drinking Water State Revolving Funds to  
9 pay the costs of monitoring for unregulated contami-  
10 nants under section 1445(a)(2)(C) of such Act: *Pro-*  
11 *vided further*, That, in addition to amounts otherwise  
12 available for such purposes, the Administrator may  
13 reserve up to \$20,000,000 of the funds appropriated  
14 under this heading for capitalization grants for the  
15 State Revolving Funds for salaries, expenses, and  
16 administration for grants for projects specified for  
17 “STAG—Drinking Water SRF”, “STAG—Clean  
18 Water SRF”, and “STAG—Drinking Water SRF;  
19 Clean Water SRF” in both the table titled “Con-  
20 gressionally Directed Spending Items” included in  
21 the explanatory statement accompanying this Act  
22 and in the table titled “Interior and Environment  
23 Incorporation of Community Project Funding Items/  
24 Congressionally Directed Spending Items” included  
25 in the explanatory statement described in section 4

1 (in the matter preceding division A of Public Law  
2 117–103): *Provided further*, That of the unobligated  
3 balances from amounts made available under this  
4 heading prior to fiscal year 2012 for the administra-  
5 tion, management, and oversight of “special project  
6 grants” or “special needs infrastructure grants”,  
7 \$10,700,000 shall, hereafter, in addition to amounts  
8 otherwise available for such purposes, also be avail-  
9 able for salaries, expenses, and administration of  
10 Community Project Funding Items/Congressionally  
11 Directed Spending Items, including such salaries,  
12 expenses, and administration for grants for projects  
13 described in the preceding proviso;

14 (2) \$37,000,000 shall be for architectural, engi-  
15 neering, planning, design, construction and related  
16 activities in connection with the construction of high  
17 priority water and wastewater facilities in the area  
18 of the United States-Mexico Border, after consulta-  
19 tion with the appropriate border commission: *Pro-*  
20 *vided*, That no funds provided by this appropriations  
21 Act to address the water, wastewater and other crit-  
22 ical infrastructure needs of the colonias in the  
23 United States along the United States-Mexico bor-  
24 der shall be made available to a county or municipal  
25 government unless that government has established

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

8 (3) \$45,186,000 shall be for grants to the State  
9 of Alaska to address drinking water and wastewater  
10 infrastructure needs of rural and Alaska Native Vil-  
11 lages: *Provided*, That of these funds: (A) the State  
12 of Alaska shall provide a match of 25 percent; (B)  
13 no more than 5 percent of the funds may be used  
14 for administrative and overhead expenses; and (C)  
15 the State of Alaska shall make awards consistent  
16 with the Statewide priority list established in con-  
17 junction with the Agency and the U.S. Department  
18 of Agriculture for all water, sewer, waste disposal,  
19 and similar projects carried out by the State of Alas-  
20 ka that are funded under section 221 of the Federal  
21 Water Pollution Control Act (33 U.S.C. 1301) or  
22 the Consolidated Farm and Rural Development Act  
23 (7 U.S.C. 1921 et seq.) which shall allocate not less  
24 than 25 percent of the funds provided for projects  
25 in regional hub communities;

1           (4) \$95,987,000 shall be to carry out section  
2       104(k) of the Comprehensive Environmental Re-  
3       sponse, Compensation, and Liability Act of 1980  
4       (CERCLA), including grants, interagency agree-  
5       ments, and associated program support costs: *Pro-*  
6       *vided*, That at least 10 percent shall be allocated for  
7       assistance in persistent poverty counties: *Provided*  
8       *further*, That for purposes of this section, the term  
9       “persistent poverty counties” means any county that  
10      has had 20 percent or more of its population living  
11      in poverty over the past 30 years, as measured by  
12      the 1993 Small Area Income and Poverty Estimates,  
13      the 2000 decennial census, and the most recent  
14      Small Area Income and Poverty Estimates, or any  
15      territory or possession of the United States;

16           (5) \$96,000,000 shall be for grants under title  
17      VII, subtitle G of the Energy Policy Act of 2005;

18           (6) \$61,927,000 shall be for targeted airshed  
19      grants in accordance with the terms and conditions  
20      in the explanatory statement accompanying this Act;

21           (7) \$31,158,000 shall be for grants under sub-  
22      sections (a) through (j) of section 1459A of the Safe  
23      Drinking Water Act (42 U.S.C. 300j–19a);

1           (8) \$31,500,000 shall be for grants under sec-  
 2           tion 1464(d) of the Safe Drinking Water Act (42  
 3           U.S.C. 300j-24(d));

4           (9) \$26,011,000 shall be for grants under sec-  
 5           tion 1459B of the Safe Drinking Water Act (42  
 6           U.S.C. 300j-19b);

7           (10) \$7,000,000 shall be for grants under sec-  
 8           tion 1459A(l) of the Safe Drinking Water Act (42  
 9           U.S.C. 300j-19a(l));

10          (11) \$24,000,000 shall be for grants under sec-  
 11          tion 104(b)(8) of the Federal Water Pollution Con-  
 12          trol Act (33 U.S.C. 1254(b)(8));

13          (12) \$51,000,000 shall be for grants under sec-  
 14          tion 221 of the Federal Water Pollution Control Act  
 15          (33 U.S.C. 1301);

16          (13) \$6,000,000 shall be for grants under sec-  
 17          tion 4304(b) of the America's Water Infrastructure  
 18          Act of 2018 (Public Law 115-270);

19          (14) \$10,000,000 shall be for carrying out sec-  
 20          tion 302(a) of the Save Our Seas 2.0 Act (33 U.S.C.  
 21          4283(a)), of which not more than 2 percent shall be  
 22          for administrative costs to carry out such section:  
 23          *Provided*, That notwithstanding section 302(a) of  
 24          such Act, the Administrator may also provide grants  
 25          pursuant to such authority to intertribal consortia

1 consistent with the requirements in 40 CFR  
2 35.504(a), to former Indian reservations in Okla-  
3 homa (as determined by the Secretary of the Inte-  
4 rior), and Alaska Native Villages as defined in Pub-  
5 lic Law 92–203;

6 (15) \$10,000,000 shall be for grants under sec-  
7 tion 103(b)(3) of the Clean Air Act for wildfire  
8 smoke preparedness grants in accordance with the  
9 terms and conditions in the explanatory statement  
10 accompanying this Act: *Provided*, That not more  
11 than 3 percent shall be for administrative costs to  
12 carry out such section;

13 (16) \$8,000,000 shall be for carrying out sec-  
14 tion 2001 of the America’s Water Infrastructure Act  
15 of 2018 (Public Law 115–270, 42 U.S.C. 300j–3c  
16 note): *Provided*, That the Administrator may award  
17 grants to and enter into contracts with Tribes, inter-  
18 tribal consortia, public or private agencies, institu-  
19 tions, organizations, and individuals, without regard  
20 to section 3324(a) and (b) of title 31 and section  
21 6101 of title 41, United States Code, and enter into  
22 interagency agreements, as appropriate;

23 (17) \$5,000,000 shall be for grants under sec-  
24 tion 220 of the Federal Water Pollution Control Act  
25 (33 U.S.C. 1300);

1           (18) \$1,184,457,000 shall be for grants, includ-  
2       ing associated program support costs, to States, fed-  
3       erally recognized Tribes, interstate agencies, Tribal  
4       consortia, and air pollution control agencies for  
5       multi-media or single media pollution prevention,  
6       control and abatement, and related activities, includ-  
7       ing activities pursuant to the provisions set forth  
8       under this heading in Public Law 104–134, and for  
9       making grants under section 103 of the Clean Air  
10      Act for particulate matter monitoring and data col-  
11      lection activities subject to terms and conditions  
12      specified by the Administrator, and under section  
13      2301 of the Water and Waste Act of 2016 to assist  
14      States in developing and implementing programs for  
15      control of coal combustion residuals, of which:  
16      \$47,195,000 shall be for carrying out section 128 of  
17      CERCLA; \$10,336,000 shall be for Environmental  
18      Information Exchange Network grants, including as-  
19      sociated program support costs; \$1,505,000 shall be  
20      for grants to States under section 2007(f)(2) of the  
21      Solid Waste Disposal Act, which shall be in addition  
22      to funds appropriated under the heading “Leaking  
23      Underground Storage Tank Trust Fund Program”  
24      to carry out the provisions of the Solid Waste Dis-  
25      posal Act specified in section 9508(c) of the Internal



1 Revenue Code other than section 9003(h) of the  
 2 Solid Waste Disposal Act; \$18,512,000 of the funds  
 3 available for grants under section 106 of the Federal  
 4 Water Pollution Control Act shall be for State par-  
 5 ticipation in national- and State-level statistical sur-  
 6 veys of water resources and enhancements to State  
 7 monitoring programs; and

8 (19) \$16,973,000 shall be for State and Tribal  
 9 Assistance Grants to be allocated in the amounts  
 10 specified for those projects and for the purposes de-  
 11 lineated in the table titled “Congressionally Directed  
 12 Spending Items” included in the explanatory state-  
 13 ment accompanying this Act for remediation, con-  
 14 struction, and related environmental management  
 15 activities in accordance with the terms and condi-  
 16 tions specified for such grants in the explanatory  
 17 statement accompanying this Act.

#### 18 WATER INFRASTRUCTURE FINANCE AND INNOVATION

##### 19 PROGRAM ACCOUNT

20 For the cost of direct loans and for the cost of guar-  
 21 anteed loans, as authorized by the Water Infrastructure  
 22 Finance and Innovation Act of 2014, \$66,886,000, to re-  
 23 main available until expended: *Provided*, That such costs,  
 24 including the cost of modifying such loans, shall be as de-  
 25 fined in section 502 of the Congressional Budget Act of

1 1974: *Provided further*, That these funds are available to  
 2 subsidize gross obligations for the principal amount of di-  
 3 rect loans, including capitalized interest, and total loan  
 4 principal, including capitalized interest, any part of which  
 5 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*  
 6 *vided further*, That of the funds made available under this  
 7 heading, \$5,000,000 shall be used solely for the cost of  
 8 direct loans and for the cost of guaranteed loans for  
 9 projects described in section 5026(9) of the Water Infra-  
 10 structure Finance and Innovation Act of 2014 to State  
 11 infrastructure financing authorities, as authorized by sec-  
 12 tion 5033(e) of such Act: *Provided further*, That the use  
 13 of direct loans or loan guarantee authority under this  
 14 heading for direct loans or commitments to guarantee  
 15 loans for any project shall be in accordance with the cri-  
 16 teria published in the Federal Register on June 30, 2020  
 17 (85 FR 39189) pursuant to the fourth proviso under the  
 18 heading “Water Infrastructure Finance and Innovation  
 19 Program Account” in division D of the Further Consoli-  
 20 dated Appropriations Act, 2020 (Public Law 116–94):  
 21 *Provided further*, That none of the direct loans or loan  
 22 guarantee authority made available under this heading  
 23 shall be available for any project unless the Administrator  
 24 and the Director of the Office of Management and Budget  
 25 have certified in advance in writing that the direct loan

1 or loan guarantee, as applicable, and the project comply  
2 with the criteria referenced in the previous proviso: *Pro-*  
3 *vided further*, That, for the purposes of carrying out the  
4 Congressional Budget Act of 1974, the Director of the  
5 Congressional Budget Office may request, and the Admin-  
6 istrator shall promptly provide, documentation and infor-  
7 mation relating to a project identified in a Letter of Inter-  
8 est submitted to the Administrator pursuant to a Notice  
9 of Funding Availability for applications for credit assist-  
10 ance under the Water Infrastructure Finance and Innova-  
11 tion Act Program, including with respect to a project that  
12 was initiated or completed before the date of enactment  
13 of this Act.

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

18 In addition, for administrative expenses to carry out  
19 the direct and guaranteed loan programs, notwithstanding  
20 section 5033 of the Water Infrastructure Finance and In-  
21 novation Act of 2014, \$7,640,000, to remain available  
22 until September 30, 2024.

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

4 For fiscal year 2023, notwithstanding 31 U.S.C.  
5 6303(1) and 6305(1), the Administrator of the Environ-  
6 mental Protection Agency, in carrying out the Agency's  
7 function to implement directly Federal environmental pro-  
8 grams required or authorized by law in the absence of an  
9 acceptable Tribal program, may award cooperative agree-  
10 ments to federally recognized Indian Tribes or Intertribal  
11 consortia, if authorized by their member Tribes, to assist  
12 the Administrator in implementing Federal environmental  
13 programs for Indian Tribes required or authorized by law,  
14 except that no such cooperative agreements may be award-  
15 ed from funds designated for State financial assistance  
16 agreements.

17 The Administrator of the Environmental Protection  
18 Agency is authorized to collect and obligate pesticide reg-  
19 istration service fees in accordance with section 33 of the  
20 Federal Insecticide, Fungicide, and Rodenticide Act (7  
21 U.S.C. 136w–8), to remain available until expended.

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

1 mental Protection Agency may assess fees under section  
2 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2023.

3 The Administrator of the Environmental Protection  
4 Agency is authorized to collect and obligate fees in accord-  
5 ance with section 3024 of the Solid Waste Disposal Act  
6 (42 U.S.C. 6939g) for fiscal year 2023, to remain avail-  
7 able until expended.

8 The Administrator is authorized to transfer up to  
9 \$358,000,000 of the funds appropriated for the Great  
10 Lakes Restoration Initiative under the heading “Environ-  
11 mental Programs and Management” to the head of any  
12 Federal department or agency, with the concurrence of  
13 such head, to carry out activities that would support the  
14 Great Lakes Restoration Initiative and Great Lakes  
15 Water Quality Agreement programs, projects, or activities;  
16 to enter into an interagency agreement with the head of  
17 such Federal department or agency to carry out these ac-  
18 tivities; and to make grants to governmental entities, non-  
19 profit organizations, institutions, and individuals for plan-  
20 ning, research, monitoring, outreach, and implementation  
21 in furtherance of the Great Lakes Restoration Initiative  
22 and the Great Lakes Water Quality Agreement.

23 The Science and Technology, Environmental Pro-  
24 grams and Management, Office of Inspector General, Haz-  
25 ardous Substance Superfund, and Leaking Underground

1 Storage Tank Trust Fund Program Accounts, are avail-  
2 able for the construction, alteration, repair, rehabilitation,  
3 and renovation of facilities, provided that the cost does  
4 not exceed \$150,000 per project.

5 For fiscal year 2023, and notwithstanding section  
6 518(f) of the Federal Water Pollution Control Act (33  
7 U.S.C. 1377(f)), the Administrator is authorized to use  
8 the amounts appropriated for any fiscal year under section  
9 319 of the Act to make grants to Indian Tribes pursuant  
10 to sections 319(h) and 518(e) of that Act.

11 The Administrator is authorized to use the amounts  
12 appropriated under the heading “Environmental Pro-  
13 grams and Management” for fiscal year 2023 to provide  
14 grants to implement the Southeastern New England Wa-  
15 tershed Restoration Program.

16 Notwithstanding the limitations on amounts in sec-  
17 tion 320(i)(2)(B) of the Federal Water Pollution Control  
18 Act, not less than \$2,000,000 of the funds made available  
19 under this title for the National Estuary Program shall  
20 be for making competitive awards described in section  
21 320(g)(4).

22 Section 122(b)(3) of the Comprehensive Environ-  
23 mental Response, Compensation, and Liability Act of  
24 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting

1 before the period: “, including for the hire, maintenance,  
2 and operation of aircraft”.

3       The Environmental Protection Agency Working Cap-  
4 ital Fund, established by Public Law 104–204 (42 U.S.C.  
5 4370e), is available for expenses and equipment necessary  
6 for modernization and development of information tech-  
7 nology of, or for use by, the Environmental Protection  
8 Agency.

9       For fiscal years 2023 through 2027, the Office of  
10 Chemical Safety and Pollution Prevention and the Office  
11 of Water may, using funds appropriated under the head-  
12 ings “Environmental Programs and Management” and  
13 “Science and Technology”, contract directly with individ-  
14 uals or indirectly with institutions or nonprofit organiza-  
15 tions, without regard to 41 U.S.C. 5, for the temporary  
16 or intermittent personal services of students or recent  
17 graduates, who shall be considered employees for the pur-  
18 poses of chapters 57 and 81 of title 5, United States Code,  
19 relating to compensation for travel and work injuries, and  
20 chapter 171 of title 28, United States Code, relating to  
21 tort claims, but shall not be considered to be Federal em-  
22 ployees for any other purpose: *Provided*, That amounts  
23 used for this purpose by the Office of Chemical Safety and  
24 Pollution Prevention and the Office of Water collectively  
25 may not exceed \$2,000,000.

1       For this fiscal year and each fiscal year thereafter,  
2 the Administrator may, after consultation with the Office  
3 of Personnel Management, employ up to 75 persons at any  
4 one time in the Office of Research and Development and  
5 25 persons at any one time in the Office of Chemical Safe-  
6 ty and Pollution Prevention under the authority provided  
7 in 42 U.S.C. 209.

8       The Department of the Interior, Environment, and  
9 Related Agencies Appropriations Act, 2006 (Public Law  
10 109–54) is amended by striking the last proviso in the  
11 first paragraph under the heading “Environmental Pro-  
12 tection Agency—State and Tribal Assistance Grants”.



1 TITLE III  
2 RELATED AGENCIES  
3 DEPARTMENT OF AGRICULTURE  
4 OFFICE OF THE UNDER SECRETARY FOR NATURAL  
5 RESOURCES AND ENVIRONMENT

6 For necessary expenses of the Office of the Under  
7 Secretary for Natural Resources and Environment,  
8 \$1,000,000: *Provided*, That funds made available by this  
9 Act to any agency in the Natural Resources and Environ-  
10 ment mission area for salaries and expenses are available  
11 to fund up to one administrative support staff for the of-  
12 fice.

13 FOREST SERVICE  
14 FOREST SERVICE OPERATIONS  
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Forest Service, not  
17 otherwise provided for, \$1,112,652,000, to remain avail-  
18 able through September 30, 2026: *Provided*, That a por-  
19 tion of the funds made available under this heading shall  
20 be for the base salary and expenses of employees in the  
21 Chief's Office, the Work Environment and Performance  
22 Office, the Business Operations Deputy Area, and the  
23 Chief Financial Officer's Office to carry out administra-  
24 tive and general management support functions: *Provided*  
25 *further*, That funds provided under this heading shall be

1 available for the costs of facility maintenance, repairs, and  
 2 leases for buildings and sites where these administrative,  
 3 general management and other Forest Service support  
 4 functions take place; the costs of all utility and tele-  
 5 communication expenses of the Forest Service, as well as  
 6 business services; and, for information technology, includ-  
 7 ing cyber security requirements: *Provided further*, That  
 8 funds provided under this heading may be used for nec-  
 9 essary expenses to carry out administrative and general  
 10 management support functions of the Forest Service not  
 11 otherwise provided for and necessary for its operation.

#### 12 FOREST AND RANGELAND RESEARCH

13 For necessary expenses of forest and rangeland re-  
 14 search as authorized by law, \$302,773,000, to remain  
 15 available through September 30, 2026: *Provided*, That of  
 16 the funds provided, \$27,197,000 is for the forest inventory  
 17 and analysis program: *Provided further*, That all authori-  
 18 ties for the use of funds, including the use of contracts,  
 19 grants, and cooperative agreements, available to execute  
 20 the Forest and Rangeland Research appropriation, are  
 21 also available in the utilization of these funds for Fire  
 22 Science Research.

#### 23 STATE AND PRIVATE FORESTRY

24 For necessary expenses of cooperating with and pro-  
 25 viding technical and financial assistance to States, terri-

1 tories, possessions, and others, and for forest health man-  
 2 agement, including for invasive plants, and conducting an  
 3 international program and trade compliance activities as  
 4 authorized, \$323,227,000, to remain available through  
 5 September 30, 2026, as authorized by law, of which  
 6 \$24,636,000 shall be for projects specified for Forest Re-  
 7 source Information and Analysis in the table titled “Con-  
 8 gressionally Directed Spending Items” included in the ex-  
 9 planatory statement accompanying this Act.

10 NATIONAL FOREST SYSTEM

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Forest Service, not  
 13 otherwise provided for, for management, protection, im-  
 14 provement, and utilization of the National Forest System,  
 15 and for hazardous fuels management on or adjacent to  
 16 such lands, \$1,899,749,000, to remain available through  
 17 September 30, 2026: *Provided*, That of the funds pro-  
 18 vided, \$28,000,000 shall be deposited in the Collaborative  
 19 Forest Landscape Restoration Fund for ecological restora-  
 20 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*  
 21 *vided further*, That for the funds provided in the preceding  
 22 proviso, section 4003(d)(3)(A) of the Omnibus Public  
 23 Land Management Act of 2009 (16 U.S.C.  
 24 7303(d)(3)(A)) shall be applied by substituting “20” for  
 25 “10” and section 4003(d)(3)(B) of the Omnibus Public

1 Land Management Act of 2009 (16 U.S.C.  
2 7303(d)(3)(B)) shall be applied by substituting “4” for  
3 “2”: *Provided further*, That of the funds provided,  
4 \$38,000,000 shall be for forest products: *Provided further*,  
5 That any unobligated balances of amounts made available  
6 for hazardous fuels management under this heading in  
7 prior Acts may be transferred to “Forest Service—  
8 Wildland Fire Management” to be used for the purposes  
9 provided therein: *Provided further*, That notwithstanding  
10 section 33 of the Bankhead Jones Farm Tenant Act (7  
11 U.S.C. 1012), the Secretary of Agriculture, in calculating  
12 a fee for grazing on a National Grassland, may provide  
13 a credit of up to 50 percent of the calculated fee to a Graz-  
14 ing Association or direct permittee for a conservation  
15 practice approved by the Secretary in advance of the fiscal  
16 year in which the cost of the conservation practice is in-  
17 curred, and that the amount credited shall remain avail-  
18 able to the Grazing Association or the direct permittee,  
19 as appropriate, in the fiscal year in which the credit is  
20 made and each fiscal year thereafter for use on the project  
21 for conservation practices approved by the Secretary: *Pro-*  
22 *vided further*, That funds appropriated to this account  
23 shall be available for the base salary and expenses of em-  
24 ployees that carry out the functions funded by the “Cap-  
25 ital Improvement and Maintenance” account, the “Range

1 Betterment Fund” account, and the “Management of Na-  
2 tional Forest Lands for Subsistence Uses” account.

3 CAPITAL IMPROVEMENT AND MAINTENANCE

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of the Forest Service, not  
6 otherwise provided for, \$155,048,000, to remain available  
7 through September 30, 2026, for construction, capital im-  
8 provement, maintenance, and acquisition of buildings and  
9 other facilities and infrastructure; and for construction,  
10 reconstruction, and decommissioning of roads that are no  
11 longer needed, including unauthorized roads that are not  
12 part of the transportation system, and maintenance of for-  
13 est roads and trails by the Forest Service as authorized  
14 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*  
15 *vided*, That \$5,000,000 shall be for activities authorized  
16 by 16 U.S.C. 538(a): *Provided further*, That \$5,048,000  
17 shall be for projects specified for Construction Projects in  
18 the table titled “Congressionally Directed Spending  
19 Items” included in the explanatory statement accom-  
20 panying this Act: *Provided further*, That funds becoming  
21 available in fiscal year 2023 under the Act of March 4,  
22 1913 (16 U.S.C. 501) shall be transferred to the General  
23 Fund of the Treasury and shall not be available for trans-  
24 fer or obligation for any other purpose unless the funds  
25 are appropriated.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
 2 ACTS

3 For acquisition of lands within the exterior bound-  
 4 aries of the Cache, Uinta, and Wasatch National Forests,  
 5 Utah; the Toiyabe National Forest, Nevada; and the An-  
 6 geles, San Bernardino, Sequoia, and Cleveland National  
 7 Forests, California; and the Ozark-St. Francis and  
 8 Ouachita National Forests, Arkansas; as authorized by  
 9 law, \$664,000, to be derived from forest receipts.

10 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

11 For acquisition of lands, such sums, to be derived  
 12 from funds deposited by State, county, or municipal gov-  
 13 ernments, public school districts, or other public school au-  
 14 thorities, and for authorized expenditures from funds de-  
 15 posited by non-Federal parties pursuant to Land Sale and  
 16 Exchange Acts, pursuant to the Act of December 4, 1967  
 17 (16 U.S.C. 484a), to remain available through September  
 18 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–  
 19 586; Public Law 76–589, Public Law 76–591; and Public  
 20 Law 78–310).

21 RANGE BETTERMENT FUND

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

1 Western States, pursuant to section 401(b)(1) of Public  
 2 Law 94–579, to remain available through September 30,  
 3 2026, of which not to exceed 6 percent shall be available  
 4 for administrative expenses associated with on-the-ground  
 5 range rehabilitation, protection, and improvements.

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

8 For expenses authorized by 16 U.S.C. 1643(b),  
 9 \$45,000, to remain available through September 30, 2026,  
 10 to be derived from the fund established pursuant to the  
 11 above Act.

12 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
 13 SUBSISTENCE USES

14 For necessary expenses of the Forest Service to man-  
 15 age Federal lands in Alaska for subsistence uses under  
 16 title VIII of the Alaska National Interest Lands Conserva-  
 17 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain  
 18 available through September 30, 2026.

19 WILDLAND FIRE MANAGEMENT

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

1 lands and water, \$2,604,659,000, to remain available until  
2 expended: *Provided*, That such funds, including unobli-  
3 gated balances under this heading, are available for repay-  
4 ment of advances from other appropriations accounts pre-  
5 viously transferred for such purposes: *Provided further*,  
6 That such funds shall be available to reimburse State and  
7 other cooperating entities for services provided in response  
8 to wildfire and other emergencies or disasters to the extent  
9 such reimbursements by the Forest Service for non-fire  
10 emergencies are fully repaid by the responsible emergency  
11 management agency: *Provided further*, That funds pro-  
12 vided shall be available for support to Federal emergency  
13 response: *Provided further*, That the costs of implementing  
14 any cooperative agreement between the Federal Govern-  
15 ment and any non-Federal entity may be shared, as mutu-  
16 ally agreed on by the affected parties: *Provided further*,  
17 That of the funds provided, \$247,388,000 shall be for  
18 fuels management activities, of which not to exceed  
19 \$20,000,000 may be used to make grants, using any au-  
20 thorities available to the Forest Service under the “State  
21 and Private Forestry” appropriation, for the purpose of  
22 creating incentives for increased use of biomass from Na-  
23 tional Forest System lands: *Provided further*, That funds  
24 made available in the preceding proviso to implement the  
25 Community Forest Restoration Act, Public Law 106–393,



1 title VI, shall be available for use on non-Federal lands  
 2 in accordance with authorities made available to the For-  
 3 est Service under the “State and Private Forestry” appro-  
 4 priation: *Provided further*, That of the funds provided  
 5 under this heading, \$20,000,000 may be used by the Sec-  
 6 retary of Agriculture to enter into procurement contracts  
 7 or cooperative agreements or to issue grants for hazardous  
 8 fuels management activities, and for training or moni-  
 9 toring associated with such hazardous fuels management  
 10 activities on Federal land, or on non-Federal land if the  
 11 Secretary determines such activities benefit resources on  
 12 Federal land: *Provided further*, That of the funds provided  
 13 under this heading, \$1,011,000,000 shall be available for  
 14 wildfire suppression operations, and is provided to meet  
 15 the terms of section 4004(b)(5)(B) of S. Con. Res. 14  
 16 (117th Congress), the concurrent resolution on the budget  
 17 for fiscal year 2022, and section 1(g)(2) of H. Res. 1151  
 18 (117th Congress), as engrossed in the House of Rep-  
 19 resentatives on June 8, 2022.

20 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

21 (INCLUDING TRANSFERS OF FUNDS)

22 In addition to the amounts provided under the head-  
 23 ing “Department of Agriculture—Forest Service—  
 24 Wildland Fire Management” for wildfire suppression oper-  
 25 ations, \$2,210,000,000, to remain available until trans-

ferred, is additional new budget authority as specified for purposes of section 4004(b)(5) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022: *Provided*, That such amounts may be transferred to and merged with amounts made available under the headings “Department of the Interior—Department-Wide Programs—Wildland Fire Management” and “Department of Agriculture—Forest Service—Wildland Fire Management” for wildfire suppression operations in the fiscal year in which such amounts are transferred: *Provided further*, That amounts may be transferred to the “Wildland Fire Management” accounts in the Department of the Interior or the Department of Agriculture only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further*, That, in determining whether all wildfire suppression operations funds appropriated under the heading “Wildland Fire Management”

1 in this and prior appropriations Acts to either the Depart-  
 2 ment of Agriculture or the Department of the Interior will  
 3 be obligated within 30 days pursuant to the preceding pro-  
 4 viso, any funds transferred or permitted to be transferred  
 5 pursuant to any other transfer authority provided by law  
 6 shall be excluded.

7           COMMUNICATIONS SITE ADMINISTRATION

8                   (INCLUDING TRANSFER OF FUNDS)

9       Amounts collected in this fiscal year pursuant to sec-  
 10 tion 8705(f)(2) of the Agriculture Improvement Act of  
 11 2018 (Public Law 115–334), shall be deposited in the spe-  
 12 cial account established by section 8705(f)(1) of such Act,  
 13 shall be available to cover the costs described in subsection  
 14 (c)(3) of such section of such Act, and shall remain avail-  
 15 able until expended: *Provided*, That such amounts shall  
 16 be transferred to the “National Forest System” account.

17       ADMINISTRATIVE PROVISIONS—FOREST SERVICE

18                   (INCLUDING TRANSFERS OF FUNDS)

19       Appropriations to the Forest Service for the current  
 20 fiscal year shall be available for: (1) purchase of passenger  
 21 motor vehicles; acquisition of passenger motor vehicles  
 22 from excess sources, and hire of such vehicles; purchase,  
 23 lease, operation, maintenance, and acquisition of aircraft  
 24 to maintain the operable fleet for use in Forest Service  
 25 wildland fire programs and other Forest Service programs;

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

14 Funds made available to the Forest Service in this  
 15 Act may be transferred between accounts affected by the  
 16 Forest Service budget restructure outlined in section 435  
 17 of division D of the Further Consolidated Appropriations  
 18 Act, 2020 (Public Law 116–94): *Provided*, That any  
 19 transfer of funds pursuant to this paragraph shall not in-  
 20 crease or decrease the funds appropriated to any account  
 21 in this fiscal year by more than ten percent: *Provided fur-*  
 22 *ther*, That such transfer authority is in addition to any  
 23 other transfer authority provided by law.

24 Any appropriations or funds available to the Forest  
 25 Service may be transferred to the Wildland Fire Manage-

1 ment appropriation for forest firefighting, emergency re-  
2 habilitation of burned-over or damaged lands or waters  
3 under its jurisdiction, and fire preparedness due to severe  
4 burning conditions upon the Secretary of Agriculture's no-  
5 tification of the House and Senate Committees on Appro-  
6 priations that all fire suppression funds appropriated  
7 under the heading "Wildland Fire Management" will be  
8 obligated within 30 days: *Provided*, That all funds used  
9 pursuant to this paragraph must be replenished by a sup-  
10 plemental appropriation which must be requested as  
11 promptly as possible.

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

18 Notwithstanding any other provision of this Act, the  
19 Forest Service may transfer unobligated balances of dis-  
20 cretionary funds appropriated to the Forest Service by  
21 this Act to or within the Wildland Fire Management Ac-  
22 count, or reprogram funds to be used for the purposes of  
23 hazardous fuels management and urgent rehabilitation of  
24 burned-over National Forest System lands and water: *Pro-*  
25 *vided*, That such transferred funds shall remain available

1 through September 30, 2026: *Provided further*, That none  
2 of the funds transferred pursuant to this section shall be  
3 available for obligation without written notification to and  
4 the prior approval of the Committees on Appropriations  
5 of both Houses of Congress.

6 Funds appropriated to the Forest Service shall be  
7 available for assistance to or through the Agency for Inter-  
8 national Development in connection with forest and range-  
9 land research, technical information, and assistance in for-  
10 eign countries, and shall be available to support forestry  
11 and related natural resource activities outside the United  
12 States and its territories and possessions, including tech-  
13 nical assistance, education and training, and cooperation  
14 with United States government, private sector, and inter-  
15 national organizations: *Provided*, That the Forest Service,  
16 acting for the International Program, may sign direct  
17 funding agreements with foreign governments and institu-  
18 tions as well as other domestic agencies (including the  
19 U.S. Agency for International Development, the Depart-  
20 ment of State, and the Millennium Challenge Corpora-  
21 tion), United States private sector firms, institutions and  
22 organizations to provide technical assistance and training  
23 programs on forestry and rangeland management: *Pro-*  
24 *vided further*, That to maximize effectiveness of domestic  
25 and international research and cooperation, the Inter-

1 national Program may utilize all authorities related to for-  
2 estry, research, and cooperative assistance regardless of  
3 program designations.

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

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

18 Not more than \$82,000,000 of funds available to the  
19 Forest Service shall be transferred to the Working Capital  
20 Fund of the Department of Agriculture and not more than  
21 \$14,500,000 of funds available to the Forest Service shall  
22 be transferred to the Department of Agriculture for De-  
23 partment Reimbursable Programs, commonly referred to  
24 as Greenbook charges: *Provided*, That 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 information technology services, including tele-  
3 communications and system modifications or enhance-  
4 ments, from the Working Capital Fund of the Department  
5 of Agriculture.

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

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

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



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

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

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 Funds appropriated to the Forest Service shall be  
2 available for payments to counties within the Columbia  
3 River Gorge National Scenic Area, pursuant to section  
4 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–  
5 663.

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

10 The Forest Service shall not assess funds for the pur-  
11 pose of performing fire, administrative, and other facilities  
12 maintenance and decommissioning.

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

6 Funds appropriated to the Forest Service shall be  
7 available to pay, from a single account, the base salary  
8 and expenses of employees who carry out functions funded  
9 by other accounts for Enterprise Program, Geospatial  
10 Technology and Applications Center, remnant Natural Re-  
11 source Manager, Job Corps, and National Technology and  
12 Development Program.

# INDIAN HEALTH SERVICE

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$5,218,127,000, to remain available until September 30, 2024, except as otherwise provided herein; and, in addition, \$5,028,127,000, which shall become available on October 1, 2023, and remain available through September

1 30, 2025, except as otherwise provided herein; together  
2 with payments received during each fiscal year pursuant  
3 to sections 231(b) and 233 of the Public Health Service  
4 Act (42 U.S.C. 238(b) and 238b), for services furnished  
5 by the Indian Health Service: *Provided*, That funds made  
6 available to Tribes and Tribal organizations through con-  
7 tracts, grant agreements, or any other agreements or com-  
8 pacts authorized by the Indian Self-Determination and  
9 Education Assistance Act of 1975 (25 U.S.C. 450), shall  
10 be deemed to be obligated at the time of the grant or con-  
11 tract award and thereafter shall remain available to the  
12 Tribe or Tribal organization without fiscal year limitation:  
13 *Provided further*, That \$2,500,000 shall be available for  
14 each of fiscal years 2023 and 2024 for grants or contracts  
15 with public or private institutions to provide alcohol or  
16 drug treatment services to Indians, including alcohol de-  
17 toxification services: *Provided further*, That of the total  
18 amount of funds provided, \$2,201,656,000 shall remain  
19 available until expended for Purchased/Referred Care, of  
20 which \$1,100,828,000 shall be from funds that become  
21 available on October 1, 2023: *Provided further*, That of  
22 the total amount specified in the preceding proviso for  
23 Purchased/Referred Care, \$106,000,000 shall be for the  
24 Indian Catastrophic Health Emergency Fund of which  
25 \$54,000,000 shall be from funds that become available on

1 October 1, 2022: *Provided further*, That for each of fiscal  
 2 years 2023 and 2024, up to \$66,000,000 shall remain  
 3 available until expended for implementation of the loan re-  
 4 payment program under section 108 of the Indian Health  
 5 Care Improvement Act: *Provided further*, That of the total  
 6 amount of funds provided, \$116,000,000, including  
 7 \$58,000,000 from funds that become available on October  
 8 1, 2023, shall be for costs related to or resulting from  
 9 accreditation emergencies, including supplementing activi-  
 10 ties funded under the heading “Indian Health Facilities”,  
 11 of which up to \$4,000,000 for each of fiscal years 2023  
 12 and 2024 may be used to supplement amounts otherwise  
 13 available for Purchased/Referred Care: *Provided further*,  
 14 That the amounts collected by the Federal Government  
 15 as authorized by sections 104 and 108 of the Indian  
 16 Health Care Improvement Act (25 U.S.C. 1613a and  
 17 1616a) during the preceding fiscal year for breach of con-  
 18 tracts shall be deposited in the Fund authorized by section  
 19 108A of that Act (25 U.S.C. 1616a–1) and shall remain  
 20 available until expended and, notwithstanding section  
 21 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall  
 22 be available to make new awards under the loan repay-  
 23 ment and scholarship programs under sections 104 and  
 24 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*  
 25 *further*, That the amounts made available within this ac-

1 count for the Substance Abuse and Suicide Prevention  
2 Program, for Opioid Prevention, Treatment and Recovery  
3 Services, for the Domestic Violence Prevention Program,  
4 for the Zero Suicide Initiative, for the housing subsidy au-  
5 thority for civilian employees, for Aftercare Pilot Pro-  
6 grams at Youth Regional Treatment Centers, for trans-  
7 formation and modernization costs of the Indian Health  
8 Service Electronic Health Record system, for national  
9 quality and oversight activities, to improve collections from  
10 public and private insurance at Indian Health Service and  
11 tribally operated facilities, for an initiative to treat or re-  
12 duce the transmission of HIV and HCV, for a maternal  
13 health initiative, for the Telebehaviorial Health Center of  
14 Excellence, for Alzheimer's grants, for Village Built Clin-  
15 ics, for a produce prescription pilot, and for accreditation  
16 emergencies shall be allocated at the discretion of the Di-  
17 rector of the Indian Health Service and shall remain avail-  
18 able until expended: *Provided further*, That funds provided  
19 in this Act that are available for 2 fiscal years may be  
20 used in their second year of availability for annual con-  
21 tracts and grants that fall within 2 fiscal years, provided  
22 the total obligation is recorded in such second year of  
23 availability: *Provided further*, That the amounts collected  
24 by the Secretary of Health and Human Services under the  
25 authority of title IV of the Indian Health Care Improve-

1 ment Act (25 U.S.C. 1613) shall remain available until  
2 expended for the purpose of achieving compliance with the  
3 applicable conditions and requirements of titles XVIII and  
4 XIX of the Social Security Act, except for those related  
5 to the planning, design, or construction of new facilities:  
6 *Provided further*, That funding contained herein for schol-  
7 arship programs under the Indian Health Care Improve-  
8 ment Act (25 U.S.C. 1613) shall remain available until  
9 expended: *Provided further*, That amounts received by  
10 Tribes and Tribal organizations under title IV of the In-  
11 dian Health Care Improvement Act shall be reported and  
12 accounted for and available to the receiving Tribes and  
13 Tribal organizations until expended: *Provided further*,  
14 That the Bureau of Indian Affairs may collect from the  
15 Indian Health Service, and from Tribes and Tribal organi-  
16 zations operating health facilities pursuant to Public Law  
17 93–638, such individually identifiable health information  
18 relating to disabled children as may be necessary for the  
19 purpose of carrying out its functions under the Individuals  
20 with Disabilities Education Act (20 U.S.C. 1400 et seq.):  
21 *Provided further*, That none of the funds provided that be-  
22 come available on October 1, 2023, may be used for imple-  
23 mentation of the Electronic Health Record System: *Pro-*  
24 *vided further*, That none of the funds appropriated by this  
25 Act, or any other Act, to the Indian Health Service for

1 the Electronic Health Record system shall be available for  
 2 obligation or expenditure for the selection or implementa-  
 3 tion of a new Information Technology infrastructure sys-  
 4 tem, unless the Committees on Appropriations of the  
 5 House of Representatives and the Senate are consulted 90  
 6 days in advance of such obligation.

7 CONTRACT SUPPORT COSTS

8 For payments to Tribes and Tribal organizations for  
 9 contract support costs associated with Indian Self-Deter-  
 10 mination and Education Assistance Act agreements with  
 11 the Indian Health Service for fiscal year 2023, such sums  
 12 as may be necessary: *Provided*, That notwithstanding any  
 13 other provision of law, no amounts made available under  
 14 this heading shall be available for transfer to another  
 15 budget account: *Provided further*, That amounts obligated  
 16 but not expended by a Tribe or Tribal organization for  
 17 contract support costs for such agreements for the current  
 18 fiscal year shall be applied to contract support costs due  
 19 for such agreements for subsequent fiscal years.

20 PAYMENTS FOR TRIBAL LEASES

21 For payments to Tribes and Tribal organizations for  
 22 leases pursuant to section 105(l) of the Indian Self-Deter-  
 23 mination and Education Assistance Act (25 U.S.C.  
 24 5324(l)) for fiscal year 2023, such sums as may be nec-  
 25 essary, which shall be available for obligation through Sep-



1   tember 30, 2024: *Provided*, That notwithstanding any  
 2   other provision of law, no amounts made available under  
 3   this heading shall be available for transfer to another  
 4   budget account.

5                                   INDIAN HEALTH FACILITIES

6           For construction, repair, maintenance, demolition,  
 7   improvement, and equipment of health and related auxil-  
 8   iary facilities, including quarters for personnel; prepara-  
 9   tion of plans, specifications, and drawings; acquisition of  
 10   sites, purchase and erection of modular buildings, and  
 11   purchases of trailers; and for provision of domestic and  
 12   community sanitation facilities for Indians, as authorized  
 13   by section 7 of the Act of August 5, 1954 (42 U.S.C.  
 14   2004a), the Indian Self-Determination Act, and the In-  
 15   dian Health Care Improvement Act, and for expenses nec-  
 16   essary to carry out such Acts and titles II and III of the  
 17   Public Health Service Act with respect to environmental  
 18   health and facilities support activities of the Indian Health  
 19   Service, \$1,081,936,000, to remain available until ex-  
 20   pended; and, in addition, \$548,950,000, which shall be-  
 21   come available on October 1, 2023, and remain available  
 22   until expended: *Provided*, That notwithstanding any other  
 23   provision of law, funds appropriated for the planning, de-  
 24   sign, construction, renovation, or expansion of health fa-  
 25   cilities for the benefit of an Indian Tribe or Tribes may

1 be used to purchase land on which such facilities will be  
2 located: *Provided further*, That not to exceed \$500,000  
3 may be used for each of fiscal years 2023 and 2024 by  
4 the Indian Health Service to purchase TRANSAM equip-  
5 ment from the Department of Defense for distribution to  
6 the Indian Health Service and Tribal facilities: *Provided*  
7 *further*, That none of the funds provided that become  
8 available on October 1, 2023, may be used for Health Care  
9 Facilities Construction or for Sanitation Facilities Con-  
10 struction: *Provided further*, That of the amount appro-  
11 priated under this heading for fiscal year 2023 for Sanita-  
12 tion Facilities Construction, \$15,192,000 shall be for  
13 projects specified for Sanitation Facilities Construction  
14 (CDS) in the table titled “Congressionally Directed  
15 Spending Items” included in the explanatory statement  
16 accompanying this Act: *Provided further*, That none of the  
17 funds appropriated to the Indian Health Service may be  
18 used for sanitation facilities construction for new homes  
19 funded with grants by the housing programs of the United  
20 States Department of Housing and Urban Development.

21 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

22 Appropriations provided in this Act to the Indian  
23 Health Service shall be available for services as authorized  
24 by 5 U.S.C. 3109 at rates not to exceed the per diem rate  
25 equivalent to the maximum rate payable for senior-level

1 positions under 5 U.S.C. 5376; hire of passenger motor  
2 vehicles and aircraft; purchase of medical equipment; pur-  
3 chase of reprints; purchase, renovation, and erection of  
4 modular buildings and renovation of existing facilities;  
5 payments for telephone service in private residences in the  
6 field, when authorized under regulations approved by the  
7 Secretary of Health and Human Services; uniforms, or al-  
8 lowances therefor as authorized by 5 U.S.C. 5901–5902;  
9 and for expenses of attendance at meetings that relate to  
10 the functions or activities of the Indian Health Service:  
11 *Provided*, That in accordance with the provisions of the  
12 Indian Health Care Improvement Act, non-Indian patients  
13 may be extended health care at all tribally administered  
14 or Indian Health Service facilities, subject to charges, and  
15 the proceeds along with funds recovered under the Federal  
16 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall  
17 be credited to the account of the facility providing the  
18 service and shall be available without fiscal year limitation:  
19 *Provided further*, That notwithstanding any other law or  
20 regulation, funds transferred from the Department of  
21 Housing and Urban Development to the Indian Health  
22 Service shall be administered under Public Law 86–121,  
23 the Indian Sanitation Facilities Act and Public Law 93–  
24 638: *Provided further*, That funds appropriated to the In-  
25 dian Health Service in this Act, except those used for ad-

1 ministrative and program direction purposes, shall not be  
2 subject to limitations directed at curtailing Federal travel  
3 and transportation: *Provided further*, That none of the  
4 funds made available to the Indian Health Service in this  
5 Act shall be used for any assessments or charges by the  
6 Department of Health and Human Services unless identi-  
7 fied in the budget justification and provided in this Act,  
8 or approved by the House and Senate Committees on Ap-  
9 propriations through the reprogramming process: *Pro-*  
10 *vided further*, That notwithstanding any other provision of  
11 law, funds previously or herein made available to a Tribe  
12 or Tribal organization through a contract, grant, or agree-  
13 ment authorized by title I or title V of the Indian Self-  
14 Determination and Education Assistance Act of 1975 (25  
15 U.S.C. 450 et seq.), may be deobligated and reobligated  
16 to a self-determination contract under title I, or a self-  
17 governance agreement under title V of such Act and there-  
18 after shall remain available to the Tribe or Tribal organi-  
19 zation without fiscal year limitation: *Provided further*,  
20 That none of the funds made available to the Indian  
21 Health Service in this Act shall be used to implement the  
22 final rule published in the Federal Register on September  
23 16, 1987, by the Department of Health and Human Serv-  
24 ices, relating to the eligibility for the health care services  
25 of the Indian Health Service until the Indian Health Serv-

1 ice has submitted a budget request reflecting the increased  
2 costs associated with the proposed final rule, and such re-  
3 quest has been included in an appropriations Act and en-  
4 acted into law: *Provided further*, That with respect to func-  
5 tions transferred by the Indian Health Service to Tribes  
6 or Tribal organizations, the Indian Health Service is au-  
7 thorized to provide goods and services to those entities on  
8 a reimbursable basis, including payments in advance with  
9 subsequent adjustment, and the reimbursements received  
10 therefrom, along with the funds received from those enti-  
11 ties pursuant to the Indian Self-Determination Act, may  
12 be credited to the same or subsequent appropriation ac-  
13 count from which the funds were originally derived, with  
14 such amounts to remain available until expended: *Provided*  
15 *further*, That reimbursements for training, technical as-  
16 sistance, or services provided by the Indian Health Service  
17 will contain total costs, including direct, administrative,  
18 and overhead costs associated with the provision of goods,  
19 services, or technical assistance: *Provided further*, That  
20 the Indian Health Service may provide to civilian medical  
21 personnel serving in hospitals operated by the Indian  
22 Health Service housing allowances equivalent to those that  
23 would be provided to members of the Commissioned Corps  
24 of the United States Public Health Service serving in simi-  
25 lar positions at such hospitals: *Provided further*, That the

1 appropriation structure for the Indian Health Service may  
 2 not be altered without advance notification to the House  
 3 and Senate Committees on Appropriations.

4 NATIONAL INSTITUTES OF HEALTH

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

6 SCIENCES

7 For necessary expenses for the National Institute of  
 8 Environmental Health Sciences in carrying out activities  
 9 set forth in section 311(a) of the Comprehensive Environ-  
 10 mental Response, Compensation, and Liability Act of  
 11 1980 (42 U.S.C. 9660(a)) and section 126(g) of the  
 12 Superfund Amendments and Reauthorization Act of 1986,  
 13 \$83,035,000.

14 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

15 REGISTRY

16 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

17 HEALTH

18 For necessary expenses for the Agency for Toxic Sub-  
 19 stances and Disease Registry (ATSDR) in carrying out  
 20 activities set forth in sections 104(i) and 111(c)(4) of the  
 21 Comprehensive Environmental Response, Compensation,  
 22 and Liability Act of 1980 (CERCLA) and section 3019  
 23 of the Solid Waste Disposal Act, \$85,020,000: *Provided*,  
 24 That notwithstanding any other provision of law, in lieu  
 25 of performing a health assessment under section 104(i)(6)

1 of CERCLA, the Administrator of ATSDR may conduct  
 2 other appropriate health studies, evaluations, or activities,  
 3 including, without limitation, biomedical testing, clinical  
 4 evaluations, medical monitoring, and referral to accredited  
 5 healthcare providers: *Provided further*, That in performing  
 6 any such health assessment or health study, evaluation,  
 7 or activity, the Administrator of ATSDR shall not be  
 8 bound by the deadlines in section 104(i)(6)(A) of  
 9 CERCLA: *Provided further*, That none of the funds appro-  
 10 priated under this heading shall be available for ATSDR  
 11 to issue in excess of 40 toxicological profiles pursuant to  
 12 section 104(i) of CERCLA during fiscal year 2023, and  
 13 existing profiles may be updated as necessary.

#### 14 OTHER RELATED AGENCIES

##### 15 EXECUTIVE OFFICE OF THE PRESIDENT

##### 16 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF 17 ENVIRONMENTAL QUALITY

18 For necessary expenses to continue functions as-  
 19 signed to the Council on Environmental Quality and Office  
 20 of Environmental Quality pursuant to the National Envi-  
 21 ronmental Policy Act of 1969, the Environmental Quality  
 22 Improvement Act of 1970, and Reorganization Plan No.  
 23 1 of 1977, and not to exceed \$750 for official reception  
 24 and representation expenses, \$4,360,000: *Provided*, That  
 25 notwithstanding section 202 of the National Environ-

1 mental Policy Act of 1970, the Council shall consist of  
 2 one member, appointed by the President, by and with the  
 3 advice and consent of the Senate, serving as chairman and  
 4 exercising all powers, functions, and duties of the Council.

5 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
 6 SALARIES AND EXPENSES

7 For necessary expenses in carrying out activities pur-  
 8 suant to section 112(r)(6) of the Clean Air Act, including  
 9 hire of passenger vehicles, uniforms or allowances there-  
 10 for, as authorized by 5 U.S.C. 5901–5902, and for serv-  
 11 ices authorized by 5 U.S.C. 3109 but at rates for individ-  
 12 uals not to exceed the per diem equivalent to the maximum  
 13 rate payable for senior level positions under 5 U.S.C.  
 14 5376, \$14,400,000: *Provided*, That the Chemical Safety  
 15 and Hazard Investigation Board (Board) shall have not  
 16 more than three career Senior Executive Service positions:  
 17 *Provided further*, That notwithstanding any other provi-  
 18 sion of law, the individual appointed to the position of In-  
 19 spector General of the Environmental Protection Agency  
 20 (EPA) shall, by virtue of such appointment, also hold the  
 21 position of Inspector General of the Board: *Provided fur-*  
 22 *ther*, That notwithstanding any other provision of law, the  
 23 Inspector General of the Board shall utilize personnel of  
 24 the Office of Inspector General of EPA in performing the



1 duties of the Inspector General of the Board, and shall  
 2 not appoint any individuals to positions within the Board.

3 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Navajo and  
 6 Hopi Indian Relocation as authorized by Public Law 93–  
 7 531, \$3,060,000, to remain available until expended,  
 8 which shall be derived from unobligated balances from  
 9 prior year appropriations available under this heading:  
 10 *Provided*, That funds provided in this or any other appro-  
 11 priations Act are to be used to relocate eligible individuals  
 12 and groups including evictees from District 6, Hopi-parti-  
 13 tioned lands residents, those in significantly substandard  
 14 housing, and all others certified as eligible and not in-  
 15 cluded in the preceding categories: *Provided further*, That  
 16 none of the funds contained in this or any other Act may  
 17 be used by the Office of Navajo and Hopi Indian Reloca-  
 18 tion to evict any single Navajo or Navajo family who, as  
 19 of November 30, 1985, was physically domiciled on the  
 20 lands partitioned to the Hopi Tribe unless a new or re-  
 21 placement home is provided for such household: *Provided*  
 22 *further*, That no relocatee will be provided with more than  
 23 one new or replacement home: *Provided further*, That the  
 24 Office shall relocate any certified eligible relocatees who  
 25 have selected and received an approved homesite on the

1 Navajo reservation or selected a replacement residence off  
 2 the Navajo reservation or on the land acquired pursuant  
 3 to section 11 of Public Law 93–531 (88 Stat. 1716).

4 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
 5 CULTURE AND ARTS DEVELOPMENT

6 PAYMENT TO THE INSTITUTE

7 For payment to the Institute of American Indian and  
 8 Alaska Native Culture and Arts Development, as author-  
 9 ized by part A of title XV of Public Law 99–498 (20  
 10 U.S.C. 4411 et seq.), \$11,772,000, which shall become  
 11 available on July 1, 2023, and shall remain available until  
 12 September 30, 2024.

13 SMITHSONIAN INSTITUTION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Smithsonian Institu-  
 16 tion, as authorized by law, including research in the fields  
 17 of art, science, and history; development, preservation, and  
 18 documentation of the National Collections; presentation of  
 19 public exhibits and performances; collection, preparation,  
 20 dissemination, and exchange of information and publica-  
 21 tions; conduct of education, training, and museum assist-  
 22 ance programs; maintenance, alteration, operation, lease  
 23 agreements of no more than 30 years, and protection of  
 24 buildings, facilities, and approaches; not to exceed  
 25 \$100,000 for services as authorized by 5 U.S.C. 3109; and

1 purchase, rental, repair, and cleaning of uniforms for em-  
2 ployees, \$909,500,000, to remain available until Sep-  
3 tember 30, 2024, except as otherwise provided herein; of  
4 which not to exceed \$26,974,000 for the instrumentation  
5 program, collections acquisition, exhibition reinstallation,  
6 Smithsonian American Women's History Museum, Na-  
7 tional Museum of the American Latino, and the repatri-  
8 ation of skeletal remains program shall remain available  
9 until expended; and including such funds as may be nec-  
10 essary to support American overseas research centers:  
11 *Provided*, That funds appropriated herein are available for  
12 advance payments to independent contractors performing  
13 research services or participating in official Smithsonian  
14 presentations: *Provided further*, That the Smithsonian In-  
15 stitution may expend Federal appropriations designated in  
16 this Act for lease or rent payments, as rent payable to  
17 the Smithsonian Institution, and such rent payments may  
18 be deposited into the general trust funds of the Institution  
19 to be available as trust funds for expenses associated with  
20 the purchase of a portion of the building at 600 Maryland  
21 Avenue, SW, Washington, DC, to the extent that federally  
22 supported activities will be housed there: *Provided further*,  
23 That the use of such amounts in the general trust funds  
24 of the Institution for such purpose shall not be construed  
25 as Federal debt service for, a Federal guarantee of, a

1 transfer of risk to, or an obligation of the Federal Govern-  
 2 ment: *Provided further*, That no appropriated funds may  
 3 be used directly to service debt which is incurred to fi-  
 4 nance the costs of acquiring a portion of the building at  
 5 600 Maryland Avenue, SW, Washington, DC, or of plan-  
 6 ning, designing, and constructing improvements to such  
 7 building: *Provided further*, That any agreement entered  
 8 into by the Smithsonian Institution for the sale of its own-  
 9 ership interest, or any portion thereof, in such building  
 10 so acquired may not take effect until the expiration of a  
 11 30 day period which begins on the date on which the Sec-  
 12 retary of the Smithsonian submits to the Committees on  
 13 Appropriations of the House of Representatives and Sen-  
 14 ate, the Committees on House Administration and Trans-  
 15 portation and Infrastructure of the House of Representa-  
 16 tives, and the Committee on Rules and Administration of  
 17 the Senate a report, as outlined in the explanatory state-  
 18 ment described in section 4 of the Further Consolidated  
 19 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.  
 20 2536) on the intended sale.

#### 21 FACILITIES CAPITAL

22 For necessary expenses of repair, revitalization, and  
 23 alteration of facilities owned or occupied by the Smithso-  
 24 nian Institution, by contract or otherwise, as authorized  
 25 by section 2 of the Act of August 22, 1949 (63 Stat. 623),

1 and for construction, including necessary personnel,  
2 \$265,000,000, to remain available until expended, of  
3 which not to exceed \$10,000 shall be for services as au-  
4 thorized by 5 U.S.C. 3109.

5 NATIONAL GALLERY OF ART

6 SALARIES AND EXPENSES

7 For the upkeep and operations of the National Gal-  
8 lery of Art, the protection and care of the works of art  
9 therein, and administrative expenses incident thereto, as  
10 authorized by the Act of March 24, 1937 (50 Stat. 51),  
11 as amended by the public resolution of April 13, 1939  
12 (Public Resolution 9, 76th Congress), including services  
13 as authorized by 5 U.S.C. 3109; payment in advance when  
14 authorized by the treasurer of the Gallery for membership  
15 in library, museum, and art associations or societies whose  
16 publications or services are available to members only, or  
17 to members at a price lower than to the general public;  
18 purchase, repair, and cleaning of uniforms for guards, and  
19 uniforms, or allowances therefor, for other employees as  
20 authorized by law (5 U.S.C. 5901–5902); purchase or  
21 rental of devices and services for protecting buildings and  
22 contents thereof, and maintenance, alteration, improve-  
23 ment, and repair of buildings, approaches, and grounds;  
24 and purchase of services for restoration and repair of  
25 works of art for the National Gallery of Art by contracts

1 made, without advertising, with individuals, firms, or or-  
2 ganizations at such rates or prices and under such terms  
3 and conditions as the Gallery may deem proper,  
4 \$170,240,000, to remain available until September 30,  
5 2024, of which not to exceed \$3,875,000 for the special  
6 exhibition program shall remain available until expended.

7 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of repair, restoration, and  
10 renovation of buildings, grounds and facilities owned or  
11 occupied by the National Gallery of Art, by contract or  
12 otherwise, for operating lease agreements of no more than  
13 10 years, that address space needs created by the ongoing  
14 renovations in the Master Facilities Plan, as authorized,  
15 \$39,000,000, to remain available until expended: *Pro-*  
16 *vided*, That of this amount, \$27,208,000 shall be available  
17 for design and construction of an off-site art storage facil-  
18 ity in partnership with the Smithsonian Institution and  
19 may be transferred to the Smithsonian Institution for such  
20 purposes: *Provided further*, That contracts awarded for en-  
21 vironmental systems, protection systems, and exterior re-  
22 pair or renovation of buildings of the National Gallery of  
23 Art may be negotiated with selected contractors and  
24 awarded on the basis of contractor qualifications as well  
25 as price.

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

4       For necessary expenses for the operation, mainte-  
5 nance, and security of the John F. Kennedy Center for  
6 the Performing Arts, \$27,640,000, to remain available  
7 until September, 30, 2024.

8                                   CAPITAL REPAIR AND RESTORATION

9       For necessary expenses for capital repair and restora-  
10 tion of the existing features of the building and site of  
11 the John F. Kennedy Center for the Performing Arts,  
12 \$17,740,000, to remain available until expended.

13     WOODROW WILSON INTERNATIONAL CENTER FOR  
14                                   SCHOLARS

15                                   SALARIES AND EXPENSES

16     For expenses necessary in carrying out the provisions  
17 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
18 1356) including hire of passenger vehicles and services as  
19 authorized by 5 U.S.C. 3109, \$15,000,000, to remain  
20 available until September 30, 2024.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES  
15 GRANTS AND ADMINISTRATION

**•S 4686 IS**



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

#### 9 ADMINISTRATIVE PROVISIONS

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

1 of an expressed and direct delegation of authority from  
 2 the National Council on the Arts to the Chairperson.

### 3 COMMISSION OF FINE ARTS

#### 4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under  
 6 chapter 91 of title 40, United States Code, \$3,661,000:  
 7 *Provided*, That the Commission is authorized to charge  
 8 fees to cover the full costs of its publications, and such  
 9 fees shall be credited to this account as an offsetting col-  
 10 lection, to remain available until expended without further  
 11 appropriation: *Provided further*, That the Commission is  
 12 authorized to accept gifts, including objects, papers, art-  
 13 work, drawings and artifacts, that pertain to the history  
 14 and design of the Nation's Capital or the history and ac-  
 15 tivities of the Commission of Fine Arts, for the purpose  
 16 of artistic display, study, or education: *Provided further*,  
 17 That one-tenth of one percent of the funds provided under  
 18 this heading may be used for official reception and rep-  
 19 resentation expenses.

#### 20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law  
 22 99–190 (20 U.S.C. 956a), \$5,000,000: *Provided*, That the  
 23 item relating to “National Capital Arts and Cultural Af-  
 24 fairs” in the Department of the Interior and Related  
 25 Agencies Appropriations Act, 1986, as enacted into law

1 by section 101(d) of Public Law 99–190 (20 U.S.C.  
 2 956a), shall be applied in fiscal year 2023 in the second  
 3 paragraph by inserting “, calendar year 2020 excluded”  
 4 before the first period: *Provided further*, That in deter-  
 5 mining an eligible organization’s annual income for cal-  
 6 endar years 2021, 2022, and 2023, funds or grants re-  
 7 ceived by the eligible organization from any supplemental  
 8 appropriations Act related to coronavirus or any other law  
 9 providing appropriations for the purpose of preventing,  
 10 preparing for, or responding to coronavirus shall be count-  
 11 ed as part of the eligible organization’s annual income.

#### 12 ADVISORY COUNCIL ON HISTORIC PRESERVATION

##### 13 SALARIES AND EXPENSES

14 For necessary expenses of the Advisory Council on  
 15 Historic Preservation (Public Law 89–665), \$8,585,000.

#### 16 NATIONAL CAPITAL PLANNING COMMISSION

##### 17 SALARIES AND EXPENSES

18 For necessary expenses of the National Capital Plan-  
 19 ning Commission under chapter 87 of title 40, United  
 20 States Code, including services as authorized by 5 U.S.C.  
 21 3109, \$8,630,000: *Provided*, That one-quarter of 1 per-  
 22 cent of the funds provided under this heading may be used  
 23 for official reception and representational expenses associ-  
 24 ated with hosting international visitors engaged in the  
 25 planning and physical development of world capitals.

1       UNITED STATES HOLOCAUST MEMORIAL MUSEUM  
2                   HOLOCAUST MEMORIAL MUSEUM

3       For expenses of the Holocaust Memorial Museum, as  
4 authorized by Public Law 106–292 (36 U.S.C. 2301–  
5 2310), \$65,231,000, of which \$715,000 shall remain  
6 available until September 30, 2025, for the Museum’s  
7 equipment replacement program; and of which \$3,000,000  
8 for the Museum’s repair and rehabilitation program and  
9 \$1,264,000 for the Museum’s outreach initiatives program  
10 shall remain available until expended.

11                   PRESIDIO TRUST

12       The Presidio Trust is authorized to issue obligations  
13 to the Secretary of the Treasury pursuant to section  
14 104(d)(3) of the Omnibus Parks and Public Lands Man-  
15 agement Act of 1996 (Public Law 104–333), in an  
16 amount not to exceed \$40,000,000.

17                   WORLD WAR I CENTENNIAL COMMISSION  
18                   SALARIES AND EXPENSES

19       Notwithstanding section 9 of the World War I Cen-  
20 tennial Commission Act, as authorized by the World War  
21 I Centennial Commission Act (Public Law 112–272) and  
22 the Carl Levin and Howard P. “Buck” McKeon National  
23 Defense Authorization Act for Fiscal Year 2015 (Public  
24 Law 113–291), for necessary expenses of the World War  
25 I Centennial Commission, \$1,000,000, to remain available

1 until September 30, 2024: *Provided*, That in addition to  
 2 the authority provided by section 6(g) of such Act, the  
 3 World War I Commission may accept money, in-kind per-  
 4 sonnel services, contractual support, or any appropriate  
 5 support from any executive branch agency for activities  
 6 of the Commission.

7 UNITED STATES SEMIQUINCENTENNIAL COMMISSION  
 8 SALARIES AND EXPENSES  
 9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the United States  
 11 Semiquincentennial Commission to plan and coordinate  
 12 observances and activities associated with the 250th anni-  
 13 versary of the founding of the United States, as authorized  
 14 by Public Law 116–282, the technical amendments to  
 15 Public Law 114–196, \$9,000,000, to remain available  
 16 until expended, of which \$1,000,000 shall be transferred  
 17 to the Office of the Inspector General of the Department  
 18 of the Interior for audits and investigations of the  
 19 Semiquincentennial Commission, consistent with the In-  
 20 spector General Act of 1978 (5 U.S.C. App.).

21 ALYCE SPOTTED BEAR AND WALTER SOBOLEFF  
 22 COMMISSION ON NATIVE CHILDREN

23 For necessary expenses of the Alyce Spotted Bear  
 24 and Walter Soboleff Commission on Native Children (re-  
 25 ferred to in this paragraph as the “Commission”),

1 \$600,000 to remain available until September 30, 2024:  
2 *Provided*, That in addition to the authority provided by  
3 section 3(g)(5) and 3(h) of Public Law 114–244, the Com-  
4 mission may hereafter accept in-kind personnel services,  
5 contractual support, or any appropriate support from any  
6 executive branch agency for activities of the Commission.

1 TITLE IV  
2 GENERAL PROVISIONS  
3 (INCLUDING TRANSFERS OF FUNDS)  
4 RESTRICTION ON USE OF FUNDS

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

12 OBLIGATION OF APPROPRIATIONS

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

16 DISCLOSURE OF ADMINISTRATIVE EXPENSES

17 SEC. 403. The amount and basis of estimated over-  
18 head charges, deductions, reserves, or holdbacks, including  
19 working capital fund charges, from programs, projects, ac-  
20 tivities and subactivities to support government-wide, de-  
21 partmental, agency, or bureau administrative functions or  
22 headquarters, regional, or central operations shall be pre-  
23 sented in annual budget justifications and subject to ap-  
24 proval by the Committees on Appropriations of the House  
25 of Representatives and the Senate. Changes to such esti-

1 mates shall be presented to the Committees on Appropria-  
2 tions for approval.

3 MINING APPLICATIONS

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

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

20 (c) REPORT.—On September 30, 2024, the Secretary  
21 of the Interior shall file with the House and Senate Com-  
22 mittees on Appropriations and the Committee on Natural  
23 Resources of the House and the Committee on Energy and  
24 Natural Resources of the Senate a report on actions taken  
25 by the Department under the plan submitted pursuant to



1 section 314(c) of the Department of the Interior and Re-  
 2 lated Agencies Appropriations Act, 1997 (Public Law  
 3 104–208).

4 (d) MINERAL EXAMINATIONS.—In order to process  
 5 patent applications in a timely and responsible manner,  
 6 upon the request of a patent applicant, the Secretary of  
 7 the Interior shall allow the applicant to fund a qualified  
 8 third-party contractor to be selected by the Director of the  
 9 Bureau of Land Management to conduct a mineral exam-  
 10 ination of the mining claims or mill sites contained in a  
 11 patent application as set forth in subsection (b). The Bu-  
 12 reau of Land Management shall have the sole responsi-  
 13 bility to choose and pay the third-party contractor in ac-  
 14 cordance with the standard procedures employed by the  
 15 Bureau of Land Management in the retention of third-  
 16 party contractors.

17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

18 SEC. 405. Sections 405 and 406 of division F of the  
 19 Consolidated and Further Continuing Appropriations Act,  
 20 2015 (Public Law 113–235) shall continue in effect in fis-  
 21 cal year 2023.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2023

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal  
 25 year 2023 under the headings “Department of Health and

1 Human Services, Indian Health Service, Contract Support  
 2 Costs” and “Department of the Interior, Bureau of Indian  
 3 Affairs and Bureau of Indian Education, Contract Sup-  
 4 port Costs” are the only amounts available for contract  
 5 support costs arising out of self-determination or self-gov-  
 6 ernance contracts, grants, compacts, or annual funding  
 7 agreements for fiscal year 2023 with the Bureau of Indian  
 8 Affairs, Bureau of Indian Education, and the Indian  
 9 Health Service: *Provided*, That such amounts provided by  
 10 this Act are not available for payment of claims for con-  
 11 tract support costs for prior years, or for repayments of  
 12 payments for settlements or judgments awarding contract  
 13 support costs for prior years.

#### 14 FOREST MANAGEMENT PLANS

15 SEC. 407. The Secretary of Agriculture shall not be  
 16 considered to be in violation of section 6(f)(5)(A) of the  
 17 Forest and Rangeland Renewable Resources Planning Act  
 18 of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more  
 19 than 15 years have passed without revision of the plan  
 20 for a unit of the National Forest System. Nothing in this  
 21 section exempts the Secretary from any other requirement  
 22 of the Forest and Rangeland Renewable Resources Plan-  
 23 ning Act (16 U.S.C. 1600 et seq.) or any other law: *Pro-*  
 24 *vided*, That if the Secretary is not acting expeditiously and  
 25 in good faith, within the funding available, to revise a plan

1 for a unit of the National Forest System, this section shall  
2 be void with respect to such plan and a court of proper  
3 jurisdiction may order completion of the plan on an accel-  
4 erated basis.

5 PROHIBITION WITHIN NATIONAL MONUMENTS

6 SEC. 408. No funds provided in this Act may be ex-  
7 pended to conduct preleasing, leasing and related activities  
8 under either the Mineral Leasing Act (30 U.S.C. 181 et  
9 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
10 1331 et seq.) within the boundaries of a National Monu-  
11 ment established pursuant to the Act of June 8, 1906 (16  
12 U.S.C. 431 et seq.) as such boundary existed on January  
13 20, 2001, except where such activities are allowed under  
14 the Presidential proclamation establishing such monu-  
15 ment.

16 LIMITATION ON TAKINGS

17 SEC. 409. Unless otherwise provided herein, no funds  
18 appropriated in this Act for the acquisition of lands or  
19 interests in lands may be expended for the filing of dec-  
20 larations of taking or complaints in condemnation without  
21 the approval of the House and Senate Committees on Ap-  
22 propriations: *Provided*, That this provision shall not apply  
23 to funds appropriated to implement the Everglades Na-  
24 tional Park Protection and Expansion Act of 1989, or to  
25 funds appropriated for Federal assistance to the State of

1 Florida to acquire lands for Everglades restoration pur-  
 2 poses.

### 3 PROHIBITION ON NO-BID CONTRACTS

4 SEC. 410. None of the funds appropriated or other-  
 5 wise made available by this Act to executive branch agen-  
 6 cies may be used to enter into any Federal contract unless  
 7 such contract is entered into in accordance with the re-  
 8 quirements of Chapter 33 of title 41, United States Code,  
 9 or Chapter 137 of title 10, United States Code, and the  
 10 Federal Acquisition Regulation, unless—

11 (1) Federal law specifically authorizes a con-  
 12 tract to be entered into without regard for these re-  
 13 quirements, including formula grants for States, or  
 14 federally recognized Indian Tribes;

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

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

### 23 POSTING OF REPORTS

24 SEC. 411. (a) Any agency receiving funds made avail-  
 25 able in this Act, shall, subject to subsections (b) and (c),

1 post on the public website of that agency any report re-  
 2 quired to be submitted by the Congress in this or any  
 3 other Act, upon the determination by the head of the agen-  
 4 cy that it shall serve the national interest.

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

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

8 (2) the report contains proprietary information.

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

13 NATIONAL ENDOWMENT FOR THE ARTS GRANT

14 GUIDELINES

15 SEC. 412. Of the funds provided to the National En-  
 16 dowment for the Arts—

17 (1) The Chairperson shall only award a grant  
 18 to an individual if such grant is awarded to such in-  
 19 dividual for a literature fellowship, National Herit-  
 20 age Fellowship, or American Jazz Masters Fellow-  
 21 ship.

22 (2) The Chairperson shall establish procedures  
 23 to ensure that no funding provided through a grant,  
 24 except a grant made to a State or local arts agency,  
 25 or regional group, may be used to make a grant to

1 any other organization or individual to conduct ac-  
 2 tivity independent of the direct grant recipient.  
 3 Nothing in this subsection shall prohibit payments  
 4 made in exchange for goods and services.

5 (3) No grant shall be used for seasonal support  
 6 to a group, unless the application is specific to the  
 7 contents of the season, including identified programs  
 8 or projects.

9 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

10 PRIORITIES

11 SEC. 413. (a) In providing services or awarding fi-  
 12 nancial assistance under the National Foundation on the  
 13 Arts and the Humanities Act of 1965 from funds appro-  
 14 priated under this Act, the Chairperson of the National  
 15 Endowment for the Arts shall ensure that priority is given  
 16 to providing services or awarding financial assistance for  
 17 projects, productions, workshops, or programs that serve  
 18 underserved populations.

19 (b) In this section:

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

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

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

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

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

23           (2) the Chairperson shall not make grants ex-  
24      ceeding 15 percent, in the aggregate, of such funds

1 to any single State, excluding grants made under the  
2 authority of paragraph (1);

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

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

10 STATUS OF BALANCES OF APPROPRIATIONS

11 SEC. 414. The Department of the Interior, the Envi-  
12 ronmental Protection Agency, the Forest Service, and the  
13 Indian Health Service shall provide the Committees on  
14 Appropriations of the House of Representatives and Sen-  
15 ate quarterly reports on the status of balances of appro-  
16 priations including all uncommitted, committed, and unob-  
17 ligated funds in each program and activity within 60 days  
18 of enactment of this Act.

19 EXTENSION OF GRAZING PERMITS

20 SEC. 415. The terms and conditions of section 325  
21 of Public Law 108–108 (117 Stat. 1307), regarding graz-  
22 ing permits issued by the Forest Service on any lands not  
23 subject to administration under section 402 of the Federal  
24 Lands Policy and Management Act (43 U.S.C. 1752),  
25 shall remain in effect for fiscal year 2023.



SEC. 416. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

## HUMANE TRANSFER AND TREATMENT OF ANIMALS

(b) The Secretary concerned may make a transfer under subsection (a) immediately on the request of a Federal, State, or local government agency.

1       (c) An excess wild horse or burro transferred under  
2 subsection (a) shall lose status as a wild free-roaming  
3 horse or burro (as defined in section 2 of Public Law 92–  
4 195 (commonly known as the “Wild Free-Roaming Horses  
5 and Burros Act”) (16 U.S.C. 1332)).

6       (d) A Federal, State, or local government agency re-  
7 ceiving an excess wild horse or burro pursuant to sub-  
8 section (a) shall not—

9           (1) destroy the horse or burro in a manner that  
10 results in the destruction of the horse or burro into  
11 a commercial product;

12           (2) sell or otherwise transfer the horse or burro  
13 in a manner that results in the destruction of the  
14 horse or burro for processing into a commercial  
15 product; or

16           (3) euthanize the horse or burro, except on the  
17 recommendation of a licensed veterinarian in a case  
18 of severe injury, illness, or advanced age.

19       (e) Amounts appropriated by this Act shall not be  
20 available for—

21           (1) the destruction of any healthy, unadopted,  
22 and wild horse or burro under the jurisdiction of the  
23 Secretary concerned (including a contractor); or

1           (2) the sale of a wild horse or burro that results  
2           in the destruction of the wild horse or burro for  
3           processing into a commercial product.

4           FOREST SERVICE FACILITY REALIGNMENT AND  
5           ENHANCEMENT AUTHORIZATION EXTENSION

6           SEC. 418. Section 503(f) of Public Law 109–54 (16  
7   U.S.C. 580d note) shall be applied by substituting “Sep-  
8   tember 30, 2023” for “September 30, 2019”.

9           USE OF AMERICAN IRON AND STEEL

10          SEC. 419. (a)(1) None of the funds made available  
11       by a State water pollution control revolving fund as au-  
12       thorized by section 1452 of the Safe Drinking Water Act  
13       (42 U.S.C. 300j–12) shall be used for a project for the  
14       construction, alteration, maintenance, or repair of a public  
15       water system or treatment works unless all of the iron and  
16       steel products used in the project are produced in the  
17       United States.

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

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

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

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

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

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

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

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

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

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

4 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-  
 5 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR  
 6 WILDFIRES

7 SEC. 420. The Secretary of the Interior is authorized  
 8 to enter into grants and cooperative agreements with vol-  
 9 unteer fire departments, rural fire departments, rangeland  
 10 fire protection associations, and similar organizations to  
 11 provide for wildland fire training and equipment, including  
 12 supplies and communication devices. Notwithstanding sec-  
 13 tion 121(c) of title 40, United States Code, or section 521  
 14 of title 40, United States Code, the Secretary is further  
 15 authorized to transfer title to excess Department of the  
 16 Interior firefighting equipment no longer needed to carry  
 17 out the functions of the Department's wildland fire man-  
 18 agement program to such organizations.

19 RECREATION FEES

20 SEC. 421. Section 810 of the Federal Lands Recre-  
 21 ation Enhancement Act (16 U.S.C. 6809) shall be applied  
 22 by substituting "October 1, 2024" for "September 30,  
 23 2019".

1                   REPROGRAMMING GUIDELINES

2           SEC. 422. None of the funds made available in this  
3 Act, in this and prior fiscal years, may be reprogrammed  
4 without the advance approval of the House and Senate  
5 Committees on Appropriations in accordance with the re-  
6 programming procedures contained in the explanatory  
7 statement accompanying this Act.

8                   LOCAL CONTRACTORS

9           SEC. 423. Section 412 of division E of Public Law  
10 112–74 shall be applied by substituting “fiscal year 2023”  
11 for “fiscal year 2019”.

12                   SHASTA-TRINITY MARINA FEE AUTHORITY

13                   AUTHORIZATION EXTENSION

14           SEC. 424. Section 422 of division F of Public Law  
15 110–161 (121 Stat 1844), as amended, shall be applied  
16 by substituting “fiscal year 2023” for “fiscal year 2019”.

17                   INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

18           SEC. 425. Section 426 of division G of Public Law  
19 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-  
20 stituting “September 30, 2023” for “September 30,  
21 2019”.

22                   PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

23           SEC. 426. The authority provided by the 19th un-  
24 numbered paragraph under heading “Administrative Pro-  
25 visions, Forest Service” in title III of Public Law 109–

1 54, as amended, shall be applied by substituting “fiscal  
2 year 2023” for “fiscal year 2019”.

3 FOREST BOTANICAL PRODUCTS FEE COLLECTION

4 AUTHORIZATION EXTENSION

5 SEC. 427. Section 339 of the Department of the Inte-  
6 rior and Related Agencies Appropriations Act, 2000 (as  
7 enacted into law by Public Law 106–113; 16 U.S.C. 528  
8 note), as amended by section 335(6) of Public Law 108–  
9 108 and section 432 of Public Law 113–76, shall be ap-  
10 plied by substituting “fiscal year 2023” for “fiscal year  
11 2019”.

12 CHACO CANYON

13 SEC. 428. None of the funds made available by this  
14 Act may be used to accept a nomination for oil and gas  
15 leasing under 43 CFR 3120.3 et seq., or to offer for oil  
16 and gas leasing, any Federal lands within the withdrawal  
17 area identified on the map of the Chaco Culture National  
18 Historical Park prepared by the Bureau of Land Manage-  
19 ment and dated April 2, 2019, prior to the completion of  
20 the cultural resources investigation identified in the ex-  
21 planatory statement described in section 4 in the matter  
22 preceding division A of the Consolidated Appropriations  
23 Act, 2021 (Public Law 116–260).

## TRIBAL LEASES

1

2 SEC. 429. (a) Notwithstanding any other provision  
3 of law, in the case of any lease under section 105(l) of  
4 the Indian Self-Determination and Education Assistance  
5 Act (25 U.S.C. 5324(l)), the initial lease term shall com-  
6 mence no earlier than the date of receipt of the lease pro-  
7 posal.

8 (b) The Secretaries of the Interior and Health and  
9 Human Services shall, jointly or separately, during fiscal  
10 year 2023 consult with Tribes and Tribal organizations  
11 through public solicitation and other means regarding the  
12 requirements for leases under section 105(l) of the Indian  
13 Self-Determination and Education Assistance Act (25  
14 U.S.C. 5324(l)) on how to implement a consistent and  
15 transparent process for the payment of such leases.

## 16 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

17 SEC. 430. The authority provided under the heading  
18 “Forest Ecosystem Health and Recovery Fund” in title  
19 I of Public Law 111–88, as amended by section 117 of  
20 division F of Public Law 113–235, shall be applied by sub-  
21 stituting “fiscal year 2023” for “fiscal year 2020” each  
22 place it appears.



1 ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUB-  
2 LIC LAND LEGACY RESTORATION FUND AND LAND  
3 AND WATER CONSERVATION FUND

4 SEC. 431. (a)(1) Within 45 days of enactment of this  
5 Act, the Secretary of the Interior shall allocate amounts  
6 made available from the National Parks and Public Land  
7 Legacy Restoration Fund for fiscal year 2023 pursuant  
8 to subsection (c) of section 200402 of title 54, United  
9 States Code, and as provided in subsection (e) of such sec-  
10 tion of such title, to the agencies of the Department of  
11 the Interior and the Department of Agriculture specified,  
12 in the amounts specified, for the stations and unit names  
13 specified, and for the projects and activities specified in  
14 the table titled “Allocation of Funds: National Parks and  
15 Public Land Legacy Restoration Fund Fiscal Year 2023”  
16 in the explanatory statement accompanying this Act.

17 (2) Within 45 days of enactment of this Act, the Sec-  
18 retary of the Interior and the Secretary of Agriculture,  
19 as appropriate, shall allocate amounts made available for  
20 expenditure from the Land and Water Conservation Fund  
21 for fiscal year 2023 pursuant to subsection (a) of section  
22 200303 of title 54, United States Code, to the agencies  
23 and accounts specified, in the amounts specified, and for  
24 the projects and activities specified in the table titled “Al-  
25 location of Funds: Land and Water Conservation Fund

1 Fiscal Year 2023” in the explanatory statement accom-  
2 panying this Act.

3 (b) Except as otherwise provided by subsection (c)  
4 of this section, neither the President nor his designee may  
5 allocate any amounts that are made available for any fiscal  
6 year under subsection (c) of section 200402 of title 54,  
7 United States Code, or subsection (a) of section 200303  
8 of title 54, United States Code, other than in amounts  
9 and for projects and activities that are allocated by sub-  
10 sections (a)(1) and (a)(2) of this section: *Provided*, That  
11 in any fiscal year, the matter preceding this proviso shall  
12 not apply to the allocation of amounts for continuing ad-  
13 ministration of programs allocated funds from the Na-  
14 tional Parks and Public Land Legacy Restoration Fund  
15 or the Land and Water Conservation Fund, which may  
16 be allocated only in amounts that are no more than the  
17 allocation for such purposes in subsections (a)(1) and  
18 (a)(2) of this section.

19 (c) The Secretary of the Interior and the Secretary  
20 of Agriculture may reallocate amounts from each agency’s  
21 “Contingency Fund” line in the table titled “Allocation  
22 of Funds: National Parks and Public Land Legacy Res-  
23 toration Fund Fiscal Year 2023” to any project funded  
24 by the National Parks and Public Land Legacy Restora-  
25 tion Fund within the same agency, from any fiscal year,

1 that experienced a funding deficiency due to unforeseen  
2 cost overruns, in accordance with the following require-  
3 ments:

4 (1) “Contingency Fund” amounts may only be  
5 reallocated if there is a risk to project completion re-  
6 sulting from unforeseen cost overruns;

7 (2) “Contingency Fund” amounts may only be  
8 reallocated for cost of adjustments and changes  
9 within the original scope of effort for projects fund-  
10 ed by the National Parks and Public Land Legacy  
11 Restoration Fund; and

12 (3) The Secretary of the Interior or the Sec-  
13 retary of Agriculture must provide written notifica-  
14 tion to the Committees on Appropriations 30 days  
15 before taking any actions authorized by this sub-  
16 section if the amount reallocated from the “Contin-  
17 gency Fund” line for a project is projected to be 10  
18 percent or greater than the following, as applicable:

19 (A) The amount allocated to that project  
20 in the table titled “Allocation of Funds: Na-  
21 tional Parks and Public Land Legacy Restora-  
22 tion Fund Fiscal Year 2023” in the explanatory  
23 statement accompanying this Act; or

24 (B) The initial estimate in the most recent  
25 report submitted, prior to enactment of this

1           Act, to the Committees on Appropriations pur-  
2           suant to section 431(e) of division G of the  
3           Consolidated Appropriations Act, 2022 (Public  
4           Law 117–103).

5           (d)(1) Concurrent with the annual budget submission  
6 of the President for fiscal year 2024, the Secretary of the  
7 Interior and the Secretary of Agriculture shall each sub-  
8 mit to the Committees on Appropriations of the House  
9 of Representatives and the Senate project data sheets for  
10 the projects in the “Submission of Annual List of Projects  
11 to Congress” required by section 200402(h) of title 54,  
12 United States Code: *Provided*, That the “Submission of  
13 Annual List of Projects to Congress” must include a  
14 “Contingency Fund” line for each agency within the allo-  
15 cations defined in subsection (e) of section 200402 of title  
16 54, United States Code: *Provided further*, That in the  
17 event amounts allocated by this Act or any prior Act for  
18 the National Parks and Public Land Legacy Restoration  
19 Fund are no longer needed to complete a specified project,  
20 such amounts may be reallocated in such submission to  
21 that agency’s “Contingency Fund” line: *Provided further*,  
22 That any proposals to change the scope of or terminate  
23 a previously approved project must be clearly identified  
24 in such submission.

1       (2)(A) Concurrent with the annual budget submission  
2 of the President for fiscal year 2024, the Secretary of the  
3 Interior and the Secretary of Agriculture shall each sub-  
4 mit to the Committees on Appropriations of the House  
5 of Representatives and the Senate a list of supplementary  
6 allocations for Federal land acquisition and Forest Legacy  
7 Projects at the National Park Service, the U.S. Fish and  
8 Wildlife Service, the Bureau of Land Management, and  
9 the U.S. Forest Service that are in addition to the “Sub-  
10 mission of Cost Estimates” required by section  
11 200303(c)(1) of title 54, United States Code, that are  
12 prioritized and detailed by account, program, and project,  
13 and that total no less than half the full amount allocated  
14 to each account for that land management Agency under  
15 the allocations submitted under section 200303(c)(1) of  
16 title 54, United States Code: *Provided*, That in the event  
17 amounts allocated by this Act or any prior Act pursuant  
18 to subsection (a) of section 200303 of title 54, United  
19 States Code are no longer needed because a project has  
20 been completed or can no longer be executed, such  
21 amounts must be clearly identified if proposed for realloca-  
22 tion in the annual budget submission.

23       (B) The Federal land acquisition and Forest Legacy  
24 projects in the “Submission of Cost Estimates” required  
25 by section 200303(c)(1) of title 54, United States Code,

1 and on the list of supplementary allocations required by  
2 subparagraph (A) shall be comprised only of projects for  
3 which a willing seller has been identified and for which  
4 an appraisal or market research has been initiated.

5 (C) Concurrent with the annual budget submission  
6 of the President for fiscal year 2024, the Secretary of the  
7 Interior and the Secretary of Agriculture shall each sub-  
8 mit to the Committees on Appropriations of the House  
9 of Representatives and the Senate project data sheets in  
10 the same format and containing the same level of detailed  
11 information that is found on such sheets in the Budget  
12 Justifications annually submitted by the Department of  
13 the Interior with the President's Budget for the projects  
14 in the "Submission of Cost Estimates" required by section  
15 200303(c)(1) of title 54, United States Code, and in the  
16 same format and containing the same level of detailed in-  
17 formation that is found on such sheets submitted to the  
18 Committees pursuant to section 427 of division D of the  
19 Further Consolidated Appropriations Act, 2020 (Public  
20 Law 116–94) for the list of supplementary allocations re-  
21 quired by subparagraph (A).

22 (e) The Department of the Interior and the Depart-  
23 ment of Agriculture shall provide the Committees on Ap-  
24 propriations of the House of Representatives and Senate  
25 quarterly reports on the status of balances of projects and

1 activities funded by the National Parks and Public Land  
 2 Legacy Restoration Fund for amounts allocated pursuant  
 3 to subsection (a)(1) of this section and the status of bal-  
 4 ances of projects and activities funded by the Land and  
 5 Water Conservation Fund for amounts allocated pursuant  
 6 to subsection (a)(2) of this section, including all uncom-  
 7 mitted, committed, and unobligated funds, and, for  
 8 amounts allocated pursuant to subsection (a)(1) of this  
 9 section, National Parks and Public Land Legacy Restora-  
 10 tion Fund amounts reallocated pursuant to subsection (c)  
 11 of this section.

12 POLICIES RELATING TO BIOMASS ENERGY

13 SEC. 432. To support the key role that forests in the  
 14 United States can play in addressing the energy needs of  
 15 the United States, the Secretary of Energy, the Secretary  
 16 of Agriculture, and the Administrator of the Environ-  
 17 mental Protection Agency shall, consistent with their mis-  
 18 sions, jointly—

19 (1) ensure that Federal policy relating to forest  
 20 bioenergy—

21 (A) is consistent across all Federal depart-  
 22 ments and agencies; and

23 (B) using the best available science, recog-  
 24 nizes the benefits of the use of forest biomass

1           for energy, conservation, and responsible forest  
2           management; and

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

6                   (A) reflect the extent of the carbon bene-  
7                   fits of forest bioenergy and recognize biomass  
8                   as a renewable energy source, provided the use  
9                   of forest biomass for energy production does  
10                  not cause conversion of forests to non-forest  
11                  use;

12                  (B) encourage private investment through-  
13                  out the forest biomass supply chain, including  
14                  in—

15                           (i) working forests;  
16                           (ii) harvesting operations;  
17                           (iii) forest improvement operations;  
18                           (iv) forest bioenergy production;  
19                           (v) wood products manufacturing; or  
20                           (vi) paper manufacturing;

21                  (C) encourage forest management to im-  
22                  prove forest health; and

23                  (D) recognize State initiatives to produce  
24                  and use forest biomass.



## TIMBER SALE REQUIREMENTS

SEC. 433. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINISTRATION FOR THE NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND

SEC. 434. Funds made available or allocated in this Act to the Department of the Interior or the Department of Agriculture that are subject to the allocations and limitations in 54 U.S.C. 200402(e) and prohibitions in 54 U.S.C. 200402(f) may be further allocated or reallocated to the Federal Highway Administration for transportation

1 projects of the covered agencies defined in 54 U.S.C.  
2 200401(2).

3 SMALL REMOTE INCINERATORS

4 SEC. 435. None of the funds made available in this  
5 Act may be used to implement or enforce the regulation  
6 issued on March 21, 2011 at 40 CFR part 60 subparts  
7 CCCC and DDDD with respect to units in the State of  
8 Alaska that are defined as “small, remote incinerator”  
9 units in those regulations and, until a subsequent regula-  
10 tion is issued, the Administrator shall implement the law  
11 and regulations in effect prior to such date.

12 ALASKA NATIVE REGIONAL HEALTH ENTITIES

13 AUTHORIZATION EXTENSION

14 SEC. 436. Section 424(a) of the Consolidated Appro-  
15 priations Act, 2014 (Public Law 113–76), as amended by  
16 section 428 of the Consolidated Appropriations Act, 2018  
17 (Public Law 115–141), shall be applied by substituting  
18 “October 1, 2023” for “October 1, 2019”.

19 BUDGETARY RECLASSIFICATION

20 SEC. 437. (a) For fiscal year 2023 and each fiscal  
21 year thereafter, notwithstanding the Budget Scorekeeping  
22 Guidelines and the accompanying list of programs and ac-  
23 counts set forth in the joint explanatory statement of the  
24 committee of conference accompanying Conference Report  
25 105–217, and for the purposes of the Balanced Budget

1 and Emergency Deficit Control Act of 1985 and the Con-  
2 gressional Budget Act of 1974, the following accounts  
3 shall be treated as if they were accounts designated as  
4 “Appropriated Entitlements and Mandatories for Fiscal  
5 Year 1997” in the joint explanatory statement of the com-  
6 mittee of conference accompanying Conference Report  
7 105–217:

8           Contract Support Costs, Bureau of Indian Af-  
9           fairs (014–2240–0–1–452).

10           Contract Support Costs, Indian Health Service  
11           (075–0344–0–1–551).

12           Payments for Tribal Leases, Bureau of Indian  
13           Affairs (014–0200–0–1–452).

14           Payments for Tribal Leases, Indian Health  
15           Service (075–0200–0–1–551).

16 This subsection shall be considered a change in concepts  
17 and definitions pursuant to section 251(b)(1) of the Bal-  
18 anced Budget and Emergency Deficit Control Act of 1985  
19 for purposes of section 257(d) of such Act, section 1(c)(2)  
20 of H. Res. 1151 (117th Congress), as engrossed in the  
21 House of Representatives on June 8, 2022, and any provi-  
22 sion in a concurrent resolution on the budget for fiscal  
23 year 2023 addressing adjustments to reflect changes in  
24 concepts and definitions, and, upon enactment, amounts  
25 made available for fiscal year 2023 and subsequent fiscal

1 years shall be reflected accordingly, including in the re-  
 2 ports required by section 308(b) of the Congressional  
 3 Budget Act of 1974.

4 (b) Section 255(g)(1)(A) of the Balanced Budget and  
 5 Emergency Deficit Control Act of 1985 (title II of Public  
 6 Law 99–177, as amended; 2 U.S.C. 905(g)(1)(A)) is  
 7 amended—

8 (1) by inserting after “Continuing Fund,  
 9 Southwestern Power Administration (89–5649–0–2–  
 10 271).” the following:

11 “Contract Support Costs, Bureau of Indian Af-  
 12 fairs (014–2240–0–1–452).

13 “Contract Support Costs, Indian Health Service  
 14 (075–0344–0–1–551).”; and

15 (2) by inserting after “Payment to the Foreign  
 16 Service Retirement and Disability Fund (19–0540–  
 17 0–1–153).” the following:

18 “Payments for Tribal Leases, Bureau of Indian  
 19 Affairs (014–0200–0–1–452).

20 “Payments for Tribal Leases, Indian Health  
 21 Service (075–0200–0–1–551).”.

22 FIREFIGHTER PAY CAP

23 SEC. 438. Section 1701 of division B of the Extend-  
 24 ing Government Funding and Delivering Emergency As-

1 assistance Act (5 U.S.C. 5547 note), as amended by Public  
 2 Law 117–103, is further amended—

3 (1) in subsection (a)(1), by striking the last  
 4 sentence and inserting “Any Services during a given  
 5 calendar year that generate payments payable in the  
 6 subsequent calendar year shall be disregarded in ap-  
 7 plying this subsection”; and

8 (2) in subsections (a), (b), and (c) by inserting  
 9 “or 2023” after “or 2022” each place it appears.

10 HAZARDOUS SUBSTANCE SUPERFUND

11 SEC. 439. (a) Section 613 of title VI of division J  
 12 of Public Law 117–58 is repealed.

13 (b) For this fiscal year and each fiscal year there-  
 14 after, such sums as are available in the Hazardous Sub-  
 15 stance Superfund established under section 9507 of the  
 16 Internal Revenue Code of 1986 at the end of the preceding  
 17 fiscal year from taxes received in the Treasury under sub-  
 18 section (b)(1) of such section shall be available, without  
 19 further appropriation, to be used to carry out the Com-  
 20 prehensive Environmental Response, Compensation, and  
 21 Liability Act of 1980 (42 U.S.C. 9601 et seq.): *Provided*,  
 22 That the amount provided by this subsection is designated  
 23 by the Congress as being for an emergency requirement  
 24 pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th  
 25 Congress), the concurrent resolution on the budget for fis-

1 cal year 2022, to section 1(e) of H. Res. 1151 (117th Con-  
 2 gress), as engrossed in the House of Representatives on  
 3 June 8, 2022, and to section 251(b) of the Balanced  
 4 Budget and Emergency Deficit Control Act of 1985.

5 FOREST SERVICE INTEREST BEARING ACCOUNT

6 SEC. 440. (a) INVESTMENT AUTHORITY.—Any mon-  
 7 ies covered into the Treasury under section 7 of the Act  
 8 of June 20, 1958 (Public Law 85–464; 16 U.S.C. 579c),  
 9 including all monies that were previously collected by the  
 10 United States in a forfeiture, judgment, compromise, or  
 11 settlement, shall be invested by the Secretary of the Treas-  
 12 ury in interest bearing obligations of the United States  
 13 to the extent the amounts are not, in the judgment of the  
 14 Secretary of the Treasury, required to meet current with-  
 15 draws.

16 (b) AVAILABILITY OF FUNDS.—Any interest earned  
 17 under subsection (a) shall be available in the same manner  
 18 as the monies covered into the Treasury under section 7  
 19 of the Act of June 20, 1958 (Public Law 85–464; 16  
 20 U.S.C. 579c) to cover the costs to the United States speci-  
 21 fied in section 7 of that Act.

22 (c) USE OF FUNDS.—Any portion of the monies re-  
 23 ceived or earned under subsection (a) in excess of the  
 24 amount expended in performing the work necessitated by  
 25 the action which led to their receipt may be used to cover

1 the other work specified in section 7 of the Act of June  
2 20, 1958 (Public Law 85–464; 16 U.S.C. 579c).

3 (d) EFFECTIVE DATE.—This section shall apply with  
4 respect to fiscal year 2023 and each succeeding fiscal year.

1 TITLE V  
2 DISASTER RECOVERY AND EMERGENCY  
3 RESPONSE  
4 DEPARTMENT OF THE INTERIOR  
5 UNITED STATES FISH AND WILDLIFE SERVICE  
6 CONSTRUCTION

7 For an additional amount for “Construction”,  
8 \$63,051,000, to remain available until expended, for nec-  
9 essary expenses related to the consequences of winter  
10 storm damages at Midway Atoll National Wildlife Refuge  
11 and other natural disasters occurring in and prior to fiscal  
12 year 2022.

13 NATIONAL PARK SERVICE  
14 CONSTRUCTION  
15 For an additional amount for “Construction”,  
16 \$1,674,311,000, to remain available until expended, for  
17 necessary expenses related to the consequences of flooding,  
18 drought, landslides, wildfire, and other natural disasters  
19 at Denali National Park and Preserve, Glen Canyon Na-  
20 tional Recreation Area, Lake Mead National Recreation  
21 Area, and Yellowstone National Park.

22 BUREAU OF INDIAN EDUCATION  
23 EDUCATION CONSTRUCTION  
24 For an additional amount for “Education Construc-  
25 tion”, \$90,465,000, to remain available until expended,



1 for necessary expenses related to the consequences of  
2 flooding at the To'Hajiilee Community School.

3 DEPARTMENT-WIDE PROGRAMS

4 WILDLAND FIRE MANAGEMENT

5 For an additional amount for “Wildland Fire Man-  
6 agement”, \$75,000,000, to remain available until ex-  
7 pended, for wildland fire suppression activities.

8 DEPARTMENT OF AGRICULTURE

9 FOREST SERVICE

10 WILDLAND FIRE MANAGEMENT

11 For an additional amount for “Wildland Fire Man-  
12 agement”, \$375,000,000, to remain available until ex-  
13 pended, for wildland fire suppression activities.

14 GENERAL PROVISIONS—THIS TITLE

15 SEC. 501. Each amount appropriated or made avail-  
16 able by this title is in addition to amounts otherwise ap-  
17 propriated for fiscal year 2023.

18 SEC. 502. No part of any appropriation contained in  
19 this title shall remain available for obligation beyond the  
20 current fiscal year unless expressly so provided herein.

21 SEC. 503. Unless otherwise provided for by this title,  
22 the additional amounts appropriated by this title to appro-  
23 priations accounts shall be available under the authorities  
24 and conditions applicable to such appropriations accounts  
25 for funds appropriated in fiscal year 2023.

1        SEC. 504. Each amount provided by this title is des-  
2    ignated by the Congress as being for an emergency re-  
3    quirement pursuant to section 4001(a)(1) of S. Con. Res.  
4    14 (117th Congress), the concurrent resolution on the  
5    budget for fiscal year 2022, and section 1(e) of H. Res.  
6    1151 (117th Congress), as engrossed in the House of Rep-  
7    resentatives on June 8, 2022.

8        This Act may be cited as the “Department of the In-  
9    terior, Environment, and Related Agencies Appropriations  
10   Act, 2023”.

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