

1 (7) \$1,060,041,000 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, of which:
13 \$47,745,000 shall be for carrying out section 128 of
14 CERCLA; \$9,646,000 shall be for Environmental
15 Information Exchange Network grants, including as-
16 sociated program support costs; \$1,498,000 shall be
17 for grants to States under section 2007(f)(2) of the
18 Solid Waste Disposal Act, which shall be in addition
19 to funds appropriated under the heading “Leaking
20 Underground Storage Tank Trust Fund Program”
21 to carry out the provisions of the Solid Waste Dis-
22 posal Act specified in section 9508(c) of the Internal
23 Revenue Code other than section 9003(h) of the
24 Solid Waste Disposal Act; \$17,848,000 of the funds
25 available for grants under section 106 of the Federal

1 Water Pollution Control Act shall be for State par-
2 ticipation in national- and State-level statistical sur-
3 veys of water resources and enhancements to State
4 monitoring programs: *Provided*, That, for fiscal year
5 2016 and hereafter, notwithstanding other applica-
6 ble provisions of law, the funds appropriated for the
7 Indian Environmental General Assistance Program
8 shall be available to federally recognized tribes for
9 solid waste and recovered materials collection, trans-
10 portation, backhaul, and disposal services.

11 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
12 PROTECTION AGENCY

13 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

14 For fiscal year 2016, notwithstanding 31 U.S.C.
15 6303(1) and 6305(1), the Administrator of the Environ-
16 mental Protection Agency, in carrying out the Agency's
17 function to implement directly Federal environmental pro-
18 grams required or authorized by law in the absence of an
19 acceptable tribal program, may award cooperative agree-
20 ments to federally recognized Indian tribes or Intertribal
21 consortia, if authorized by their member tribes, to assist
22 the Administrator in implementing Federal environmental
23 programs for Indian tribes required or authorized by law,
24 except that no such cooperative agreements may be award-

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

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

9 Notwithstanding section 33(d)(2) of the Federal In-
10 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
12 mental Protection Agency may assess fees under section
13 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2016.

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

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

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

11 The Administrator of the Environmental Protection
12 Agency shall base agency policies and actions regarding
13 air emission from forest biomass including, but not limited
14 to, air emissions from facilities that combust forest bio-
15 mass for energy, on the principle that forest biomass emis-
16 sion do not increase overall carbon dioxide accumulations
17 in the atmosphere when USDA Forest Inventory and
18 Analysis data show that forest carbon stocks in the U.S.
19 are stable or increasing on a national scale, or when forest
20 biomass is derived from mill residuals, harvest residuals
21 or forest management activities. Such policies and actions
22 shall not pre-empt existing authorities of States to deter-
23 mine how to utilize biomass as a renewable energy source
24 and shall not inhibit States' authority to apply the same

1 policies to forest biomass as other renewable fuels in im-
2 plementing Federal law.

3 For fiscal year 2016, and notwithstanding section
4 518(f) of the Water Pollution Control Act, the Adminis-
5 trator is authorized to use the amounts appropriated for
6 any fiscal year under Section 319 of the Act to make
7 grants to federally recognized Indian tribes pursuant to
8 sections 319(h) and 518(e) of that Act.

9 The Administrator is authorized to use the amounts
10 appropriated under the heading “Environmental Pro-
11 grams and Management” for fiscal year 2016 to provide
12 grants to implement the Southeastern New England Wa-
13 tershed Restoration Program.

14 TITLE III

15 RELATED AGENCIES

16 DEPARTMENT OF AGRICULTURE

17 FOREST SERVICE

18 FOREST AND RANGELAND RESEARCH

19 For necessary expenses of forest and rangeland re-
20 search as authorized by law, \$291,904,000, to remain
21 available until expended: *Provided*, That, of the funds pro-
22 vided, \$80,000,000 is for the forest inventory and analysis
23 program.

1 STATE AND PRIVATE FORESTRY

2 For necessary expenses of cooperating with and pro-
3 viding technical and financial assistance to States, terri-
4 tories, possessions, and others, and for forest health man-
5 agement, including treatments of pests, pathogens, and
6 invasive or noxious plants and for restoring and rehabili-
7 tating forests damaged by pests or invasive plants, cooper-
8 ative forestry, and education and land conservation activi-
9 ties and conducting an international program as author-
10 ized, \$228,855,000, to remain available until expended, as
11 authorized by law; of which \$59,800,000 is to be derived
12 from the Land and Water Conservation Fund.

13 NATIONAL FOREST SYSTEM

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses of the Forest Service, not
16 otherwise provided for, for management, protection, im-
17 provement, and utilization of the National Forest System,
18 \$1,516,764,000, to remain available until expended: *Pro-*
19 *vided*, That, of the funds provided, \$40,000,000 shall be
20 deposited in the Collaborative Forest Landscape Restora-
21 tion Fund for ecological restoration treatments as author-
22 ized by 16 U.S.C. 7303(f): *Provided further*, That, of the
23 funds provided, \$359,805,000 shall be for forest products:
24 *Provided further*, That, of the funds provided, up to
25 \$81,941,000 is for the Integrated Resource Restoration

1 pilot program for Region 1, Region 3 and Region 4: *Pro-*
2 *vided further*, That, of the funds provided for forest prod-
3 ucts, up to \$65,560,000 may be transferred to support
4 the Integrated Resource Restoration pilot program in the
5 preceding proviso: *Provided further*, That the Secretary of
6 Agriculture may transfer to the Secretary of the Interior
7 any unobligated funds appropriated in a previous fiscal
8 year for operation of the Valles Caldera National Preserve.

9 CAPITAL IMPROVEMENT AND MAINTENANCE

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Forest Service, not
12 otherwise provided for, \$358,164,000, to remain available
13 until expended, for construction, capital improvement,
14 maintenance and acquisition of buildings and other facili-
15 ties and infrastructure; and for construction, reconstruc-
16 tion, decommissioning of roads that are no longer needed,
17 including unauthorized roads that are not part of the
18 transportation system, and maintenance of forest roads
19 and trails by the Forest Service as authorized by 16
20 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,
21 That \$25,000,000 shall be designated for urgently needed
22 road decommissioning, road and trail repair and mainte-
23 nance and associated activities, and removal of fish pas-
24 sage barriers, especially in areas where Forest Service
25 roads may be contributing to water quality problems in

1 streams and water bodies which support threatened, en-
2 dangered, or sensitive species or community water sources:
3 *Provided further*, That funds becoming available in fiscal
4 year 2016 under the Act of March 4, 1913 (16 U.S.C.
5 501) shall be transferred to the General Fund of the
6 Treasury and shall not be available for transfer or obliga-
7 tion for any other purpose unless the funds are appro-
8 priated: *Provided further*, That, of the funds provided for
9 decommissioning of roads, up to \$14,743,000 may be
10 transferred to the “National Forest System” to support
11 the Integrated Resource Restoration pilot program.

12 LAND ACQUISITION

13 For expenses necessary to carry out the provisions
14 of the Land and Water Conservation Fund Act of 1965,
15 (16 U.S.C. 460l–4 et seq.), including administrative ex-
16 penses, and for acquisition of land or waters, or interest
17 therein, in accordance with statutory authority applicable
18 to the Forest Service, \$36,450,000, to be derived from the
19 Land and Water Conservation Fund and to remain avail-
20 able until expended.

21 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

22 ACTS

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

1 ges, San Bernardino, Sequoia, and Cleveland National
2 Forests, California, as authorized by law, \$950,000, to be
3 derived from forest receipts.

4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

14 RANGE BETTERMENT FUND

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

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
RANGELAND RESEARCH

3 For expenses authorized by 16 U.S.C. 1643(b),
4 \$45,000, to remain available until expended, to be derived
5 from the fund established pursuant to the above Act.

6 MANAGEMENT OF NATIONAL FOREST LANDS FOR
7 SUBSISTENCE USES

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

13 WILDLAND FIRE MANAGEMENT
14 (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, \$2,701,341,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously

1 transferred for such purposes: *Provided further*, That such
2 funds shall be available to reimburse State and other co-
3 operating entities for services provided in response to wild-
4 fire and other emergencies or disasters to the extent such
5 reimbursements by the Forest Service for non-fire emer-
6 gencies are fully repaid by the responsible emergency man-
7 agement agency: *Provided further*, That, notwithstanding
8 any other provision of law, \$6,914,000 of funds appro-
9 priated under this appropriation shall be available for the
10 Forest Service in support of fire science research author-
11 ized by the Joint Fire Science Program, including all For-
12 est Service authorities for the use of funds, such as con-
13 tracts, grants, research joint venture agreements, and co-
14 operative agreements: *Provided further*, That all authori-
15 ties for the use of funds, including the use of contracts,
16 grants, and cooperative agreements, available to execute
17 the Forest and Rangeland Research appropriation, are
18 also available in the utilization of these funds for Fire
19 Science Research: *Provided further*, That funds provided
20 shall be available for emergency rehabilitation and restora-
21 tion, hazardous fuels management activities, support to
22 Federal emergency response, and wildfire suppression ac-
23 tivities of the Forest Service: *Provided further*, That, of
24 the funds provided, \$375,000,000 is for hazardous fuels
25 management activities, \$19,795,000 is for research activi-

1 ties and to make competitive research grants pursuant to
2 the Forest and Rangeland Renewable Resources Research
3 Act, (16 U.S.C. 1641 et seq.), \$78,012,000 is for State
4 fire assistance, and \$13,000,000 is for volunteer fire as-
5 sistance under section 10 of the Cooperative Forestry As-
6 sistance Act of 1978 (16 U.S.C. 2106): *Provided further,*
7 That amounts in this paragraph may be transferred to
8 the “National Forest System”, and “Forest and Range-
9 land Research” accounts to fund forest and rangeland re-
10 search, the Joint Fire Science Program, vegetation and
11 watershed management, heritage site rehabilitation, and
12 wildlife and fish habitat management and restoration: *Pro-*
13 *vided further,* That the costs of implementing any coopera-
14 tive agreement between the Federal Government and any
15 non-Federal entity may be shared, as mutually agreed on
16 by the affected parties: *Provided further,* That up to
17 \$15,000,000 of the funds provided herein may be used by
18 the Secretary of Agriculture to enter into procurement
19 contracts or cooperative agreements or to issue grants for
20 hazardous fuels management activities and for training or
21 monitoring associated with such hazardous fuels manage-
22 ment activities on Federal land or on non-Federal land
23 if the Secretary determines such activities benefit re-
24 sources on Federal land: *Provided further,* That funds
25 made available to implement the Community Forest Res-

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

24 For an additional amount, \$854,578,000 for wildfire
25 suppression operations to meet the emergency and unpre-

1 dictable aspects of wildland firefighting including support,
2 response, and emergency stabilization activities, other
3 emergency management activities, and funds necessary to
4 repay any transfers needed for these costs, to remain
5 available until expended: *Provided*, That such funds are
6 also available for transfer to other appropriations accounts
7 to repay amounts previously transferred for wildfire sup-
8 pression: *Provided further*, That such amount is des-
9 ignated by the Congress as being for an emergency re-
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

13 (INCLUDING TRANSFERS OF FUNDS)

14 Appropriations to the Forest Service for the current
15 fiscal year shall be available for: (1) purchase of passenger
16 motor vehicles; acquisition of passenger motor vehicles
17 from excess sources, and hire of such vehicles; purchase,
18 lease, operation, maintenance, and acquisition of aircraft
19 to maintain the operable fleet for use in Forest Service
20 wildland fire programs and other Forest Service programs;
21 notwithstanding other provisions of law, existing aircraft
22 being replaced may be sold, with proceeds derived or
23 trade-in value used to offset the purchase price for the
24 replacement aircraft; (2) services pursuant to 7 U.S.C.
25 2225, and not to exceed \$100,000 for employment under

1 5 U.S.C. 3109; (3) purchase, erection, and alteration of
2 buildings and other public improvements (7 U.S.C. 2250);
3 (4) acquisition of land, waters, and interests therein pur-
4 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
5 Volunteers in the National Forest Act of 1972 (16 U.S.C.
6 558a, 558d, and 558a note); (6) the cost of uniforms as
7 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
8 lection contracts in accordance with 31 U.S.C. 3718(c).

9 Any appropriations or funds available to the Forest
10 Service may be transferred to the Wildland Fire Manage-
11 ment appropriation for forest firefighting, emergency re-
12 habilitation of burned-over or damaged lands or waters
13 under its jurisdiction, and fire preparedness due to severe
14 burning conditions upon the Secretary’s notification of the
15 House and Senate Committees on Appropriations that all
16 fire suppression funds appropriated under the heading
17 “Wildland Fire Management” will be obligated within 30
18 days: *Provided*, That all funds used pursuant to this para-
19 graph must be replenished by a supplemental appropria-
20 tion which must be requested as promptly as possible.

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

1 and related natural resource activities outside the United
2 States and its territories and possessions, including tech-
3 nical assistance, education and training, and cooperation
4 with U.S., private, and international organizations. The
5 Forest Service, acting for the International Program, may
6 sign direct funding agreements with foreign governments
7 and institutions as well as other domestic agencies (includ-
8 ing the U.S. Agency for International Development, the
9 Department of State, and the Millennium Challenge Cor-
10 poration), U.S. private sector firms, institutions and orga-
11 nizations to provide technical assistance and training pro-
12 grams overseas on forestry and rangeland management.

13 Funds appropriated to the Forest Service shall be
14 available for expenditure or transfer to the Department
15 of the Interior, Bureau of Land Management, for removal,
16 preparation, and adoption of excess wild horses and burros
17 from National Forest System lands, and for the perform-
18 ance of cadastral surveys to designate the boundaries of
19 such lands.

20 None of the funds made available to the Forest Serv-
21 ice in this Act or any other Act with respect to any fiscal
22 year shall be subject to transfer under the provisions of
23 section 702(b) of the Department of Agriculture Organic
24 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law

1 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
2 Law 107–107 (7 U.S.C. 8316(b)).

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

8 Not more than \$82,000,000 of funds available to the
9 Forest Service shall be transferred to the Working Capital
10 Fund of the Department of Agriculture and not more than
11 \$14,500,000 of funds available to the Forest Service shall
12 be transferred to the Department of Agriculture for De-
13 partment Reimbursable Programs, commonly referred to
14 as Greenbook charges. Nothing in this paragraph shall
15 prohibit or limit the use of reimbursable agreements re-
16 quested by the Forest Service in order to obtain services
17 from the Department of Agriculture’s National Informa-
18 tion Technology Center. Nothing in this paragraph shall
19 limit the Forest Service portion of implementation costs
20 to be paid to the Department of Agriculture for the Inter-
21 national Technology Service.

22 Of the funds available to the Forest Service, up to
23 \$5,000,000 shall be available for priority projects within
24 the scope of the approved budget, which shall be carried
25 out by the Youth Conservation Corps and shall be carried

1 out under the authority of the Public Lands Corps Act
2 of 1993, Public Law 103–82, as amended by Public Lands
3 Corps Healthy Forests Restoration Act of 2005, Public
4 Law 109–154.

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

8 Pursuant to sections 405(b) and 410(b) of Public
9 Law 101–593, of the funds available to the Forest Service,
10 up to \$3,000,000 may be advanced in a lump sum to the
11 National Forest Foundation to aid conservation partner-
12 ship projects in support of the Forest Service mission,
13 without regard to when the Foundation incurs expenses,
14 for projects on or benefitting National Forest System
15 lands or related to Forest Service programs: *Provided*,
16 That, of the Federal funds made available to the Founda-
17 tion, no more than \$300,000 shall be available for admin-
18 istrative expenses: *Provided further*, That the Foundation
19 shall obtain, by the end of the period of Federal financial
20 assistance, private contributions to match on at least one-
21 for-one basis funds made available by the Forest Service:
22 *Provided further*, That the Foundation may transfer Fed-
23 eral funds to a Federal or a non-Federal recipient for a
24 project at the same rate that the recipient has obtained
25 the non-Federal matching funds.

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

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

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

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

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

3 Funds available to the Forest Service, not to exceed
4 \$65,000,000, shall be assessed for the purpose of per-
5 forming fire, administrative and other facilities mainte-
6 nance and decommissioning. Such assessments shall occur
7 using a square foot rate charged on the same basis the
8 agency uses to assess programs for payment of rent, utili-
9 ties, and other support services.

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

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

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

3 DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES

5 INDIAN HEALTH SERVICE

6 INDIAN HEALTH SERVICES

7 For expenses necessary to carry out the Act of Au-
8 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
9 tion and Education Assistance Act, the Indian Health
10 Care Improvement Act, and titles II and III of the Public
11 Health Service Act with respect to the Indian Health Serv-
12 ice, \$3,539,523,000, together with payments received dur-
13 ing the fiscal year pursuant to 42 U.S.C. 238(b) and
14 238b, for services furnished by the Indian Health Service:
15 *Provided*, That funds made available to tribes and tribal
16 organizations through contracts, grant agreements, or any
17 other agreements or compacts authorized by the Indian
18 Self-Determination and Education Assistance Act of 1975
19 (25 U.S.C. 450), shall be deemed to be obligated at the
20 time of the grant or contract award and thereafter shall
21 remain available to the tribe or tribal organization without
22 fiscal year limitation: *Provided further*, That,
23 \$915,347,000 for Purchased/Referred Care, including
24 \$51,500,000 for the Indian Catastrophic Health Emer-
25 gency Fund, shall remain available until expended: *Pro-*

1 *vided further*, That, of the funds provided, up to
2 \$36,000,000 shall remain available until expended for im-
3 plementation of the loan repayment program under section
4 108 of the Indian Health Care Improvement Act: *Provided*
5 *further*, That, of the funds provided, \$2,000,000 shall be
6 for operational shortfalls at health clinics previously au-
7 thorized under the “Administrative Provisions, Indian
8 Health Service” heading. *Provided further*, That the
9 amounts collected by the Federal Government as author-
10 ized by sections 104 and 108 of the Indian Health Care
11 Improvement Act (25 U.S.C. 1613a and 1616a) during
12 the preceding fiscal year for breach of contracts shall be
13 deposited to the Fund authorized by section 108A of the
14 Act (25 U.S.C. 1616a–1) and shall remain available until
15 expended and, notwithstanding section 108A(c) of the Act
16 (25 U.S.C. 1616a–1(c)), funds shall be available to make
17 new awards under the loan repayment and scholarship
18 programs under sections 104 and 108 of the Act (25
19 U.S.C. 1613a and 1616a): *Provided further*, That, not-
20 withstanding any other provision of law, the amounts
21 made available within this account for the methamphet-
22 amine and suicide prevention and treatment initiative, and
23 for the domestic violence prevention initiative, and to im-
24 prove collections from public and private insurance at In-
25 dian Health Service and tribally operated facilities shall

1 be allocated at the discretion of the Director of the Indian
2 Health Service and shall remain available until expended:
3 *Provided further*, That funds provided in this Act may be
4 used for annual contracts and grants that fall within 2
5 fiscal years, provided the total obligation is recorded in
6 the year the funds are appropriated: *Provided further*,
7 That the amounts collected by the Secretary of Health and
8 Human Services under the authority of title IV of the In-
9 dian Health Care Improvement Act shall remain available
10 until expended for the purpose of achieving compliance
11 with the applicable conditions and requirements of titles
12 XVIII and XIX of the Social Security Act, except for those
13 related to the planning, design, or construction of new fa-
14 cilities: *Provided further*, That funding contained herein
15 for scholarship programs under the Indian Health Care
16 Improvement Act (25 U.S.C. 1613) shall remain available
17 until expended: *Provided further*, That amounts received
18 by tribes and tribal organizations under title IV of the In-
19 dian Health Care Improvement Act shall be reported and
20 accounted for and available to the receiving tribes and
21 tribal organizations until expended: *Provided further*, That
22 the Bureau of Indian Affairs may collect from the Indian
23 Health Service, tribes and tribal organizations operating
24 health facilities pursuant to Public Law 93–638, such in-
25 dividually identifiable health information relating to dis-

1 abled children as may be necessary for the purpose of car-
2 rying out its functions under the Individuals with Disabil-
3 ities Education Act (20 U.S.C. 1400, et seq.): *Provided*
4 *further*, That the Indian Health Care Improvement Fund
5 may be used, as needed, to carry out activities typically
6 funded under the Indian Health Facilities account.

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 2016, such sums
12 as may be necessary: *Provided*, That amounts obligated
13 but not expended by a tribe or tribal organization for con-
14 tract support costs for such agreements for the current
15 fiscal year shall be applied to contract support costs other-
16 wise due for such agreements for subsequent fiscal years:
17 *Provided further*, That, notwithstanding any other provi-
18 sion of law, no amounts made available under this heading
19 shall be available for transfer to another budget account.

20 INDIAN HEALTH FACILITIES

21 For construction, repair, maintenance, improvement,
22 and equipment of health and related auxiliary facilities,
23 including quarters for personnel; preparation of plans,
24 specifications, and drawings; acquisition of sites, purchase
25 and erection of modular buildings, and purchases of trail-

1 ers; and for provision of domestic and community sanita-
2 tion facilities for Indians, as authorized by section 7 of
3 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
4 Self-Determination Act, and the Indian Health Care Im-
5 provement Act, and for expenses necessary to carry out
6 such Acts and titles II and III of the Public Health Serv-
7 ice Act with respect to environmental health and facilities
8 support activities of the Indian Health Service,
9 \$521,818,000, to remain available until expended: *Pro-*
10 *vided*, That, notwithstanding any other provision of law,
11 funds appropriated for the planning, design, construction,
12 renovation or expansion of health facilities for the benefit
13 of an Indian tribe or tribes may be used to purchase land
14 on which such facilities will be located: *Provided further*,
15 That not to exceed \$500,000 may be used by the Indian
16 Health Service to purchase TRANSAM equipment from
17 the Department of Defense for distribution to the Indian
18 Health Service and tribal facilities: *Provided further*, That
19 none of the funds appropriated to the Indian Health Serv-
20 ice may be used for sanitation facilities construction for
21 new homes funded with grants by the housing programs
22 of the United States Department of Housing and Urban
23 Development: *Provided further*, That not to exceed
24 \$2,700,000 from this account and the “Indian Health
25 Services” account may be used by the Indian Health Serv-

1 ice to obtain ambulances for the Indian Health Service
2 and tribal facilities in conjunction with an existing inter-
3 agency agreement between the Indian Health Service and
4 the General Services Administration: *Provided further*,
5 That not to exceed \$500,000 may be placed in a Demoli-
6 tion Fund, to remain available until expended, and be used
7 by the Indian Health Service for the demolition of Federal
8 buildings.

9 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

10 Appropriations provided in this Act to the Indian
11 Health Service shall be available for services as authorized
12 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
13 equivalent to the maximum rate payable for senior-level
14 positions under 5 U.S.C. 5376; hire of passenger motor
15 vehicles and aircraft; purchase of medical equipment; pur-
16 chase of reprints; purchase, renovation and erection of
17 modular buildings and renovation of existing facilities;
18 payments for telephone service in private residences in the
19 field, when authorized under regulations approved by the
20 Secretary; uniforms or allowances therefor as authorized
21 by 5 U.S.C. 5901–5902; and for expenses of attendance
22 at meetings that relate to the functions or activities of the
23 Indian Health Service: *Provided*, That, in accordance with
24 the provisions of the Indian Health Care Improvement
25 Act, non-Indian patients may be extended health care at

1 all tribally administered or Indian Health Service facili-
2 ties, subject to charges, and the proceeds along with funds
3 recovered under the Federal Medical Care Recovery Act
4 (42 U.S.C. 2651–2653) shall be credited to the account
5 of the facility providing the service and shall be available
6 without fiscal year limitation: *Provided further*, That, not-
7 withstanding any other law or regulation, funds trans-
8 ferred from the Department of Housing and Urban Devel-
9 opment to the Indian Health Service shall be administered
10 under Public Law 86–121, the Indian Sanitation Facilities
11 Act and Public Law 93–638: *Provided further*, That funds
12 appropriated to the Indian Health Service in this Act, ex-
13 cept those used for administrative and program direction
14 purposes, shall not be subject to limitations directed at
15 curtailing Federal travel and transportation: *Provided fur-*
16 *ther*, That none of the funds made available to the Indian
17 Health Service in this Act shall be used for any assess-
18 ments or charges by the Department of Health and
19 Human Services unless identified in the budget justifica-
20 tion and provided in this Act, or approved by the House
21 and Senate Committees on Appropriations through the re-
22 programming process: *Provided further*, That, notwith-
23 standing any other provision of law, funds previously or
24 herein made available to a tribe or tribal organization
25 through a contract, grant, or agreement authorized by

1 title I or title V of the Indian Self-Determination and
2 Education Assistance Act of 1975 (25 U.S.C. 450), may
3 be deobligated and reobligated to a self-determination con-
4 tract under title I, or a self-governance agreement under
5 title V of such Act and thereafter shall remain available
6 to the tribe or tribal organization without fiscal year limi-
7 tation: *Provided further*, That none of the funds made
8 available to the Indian Health Service in this Act shall
9 be used to implement the final rule published in the Fed-
10 eral Register on September 16, 1987, by the Department
11 of Health and Human Services, relating to the eligibility
12 for the health care services of the Indian Health Service
13 until the Indian Health Service has submitted a budget
14 request reflecting the increased costs associated with the
15 proposed final rule, and such request has been included
16 in an appropriations Act and enacted into law: *Provided*
17 *further*, That, with respect to functions transferred by the
18 Indian Health Service to tribes or tribal organizations, the
19 Indian Health Service is authorized to provide goods and
20 services to those entities on a reimbursable basis, includ-
21 ing payments in advance with subsequent adjustment, and
22 the reimbursements received therefrom, along with the
23 funds received from those entities pursuant to the Indian
24 Self-Determination Act, may be credited to the same or
25 subsequent appropriation account from which the funds

1 were originally derived, with such amounts to remain
2 available until expended: *Provided further*, That reim-
3 bursements for training, technical assistance, or services
4 provided by the Indian Health Service will contain total
5 costs, including direct, administrative, and overhead asso-
6 ciated with the provision of goods, services, or technical
7 assistance: *Provided further*, That the appropriation struc-
8 ture for the Indian Health Service may not be altered
9 without advance notification to the House and Senate
10 Committees on Appropriations.

11 NATIONAL INSTITUTES OF HEALTH

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

13 SCIENCES

14 For necessary expenses for the National Institute of
15 Environmental Health Sciences in carrying out activities
16 set forth in section 311(a) of the Comprehensive Environ-
17 mental Response, Compensation, and Liability Act of
18 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
19 Superfund Amendments and Reauthorization Act of 1986,
20 \$77,349,000.

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1 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
2 REGISTRY
3 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
4 HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(e)(4) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, \$74,691,000, of which up to \$1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That, notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That, in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR

1 to issue in excess of 40 toxicological profiles pursuant to
2 section 104(i) of CERCLA during fiscal year 2016, and
3 existing profiles may be updated as necessary.

4 OTHER RELATED AGENCIES

5 EXECUTIVE OFFICE OF THE PRESIDENT

6 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF 7 ENVIRONMENTAL QUALITY

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

20 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

21 SALARIES AND EXPENSES

22 For necessary expenses in carrying out activities pur-
23 suant to section 112(r)(6) of the Clean Air Act, including
24 hire of passenger vehicles, uniforms or allowances there-
25 for, as authorized by 5 U.S.C. 5901–5902, and for serv-

ices authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$10,700,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That, notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That, notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, \$7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned

1 lands residents, those in significantly substandard hous-
2 ing, and all others certified as eligible and not included
3 in the preceding categories: *Provided further*, That none
4 of the funds contained in this or any other Act may be
5 used by the Office of Navajo and Hopi Indian Relocation
6 to evict any single Navajo or Navajo family who, as of
7 November 30, 1985, was physically domiciled on the lands
8 partitioned to the Hopi Tribe unless a new or replacement
9 home is provided for such household: *Provided further*,
10 That no relocatee will be provided with more than one new
11 or replacement home: *Provided further*, That the Office
12 shall relocate any certified eligible relocatees who have se-
13 lected and received an approved homesite on the Navajo
14 reservation or selected a replacement residence off the
15 Navajo reservation or on the land acquired pursuant to
16 25 U.S.C. 640d-10: *Provided further*, That \$200,000 shall
17 be transferred to the Office of Inspector General of the
18 Department of the Interior, to remain available until ex-
19 pended, for audits and investigations of the Office of Nav-
20 ajo and Hopi Indian Relocation, consistent with the In-
21 spector General Act of 1978 (5 U.S.C. App.).

1 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
2 CULTURE AND ARTS DEVELOPMENT
3 PAYMENT TO THE INSTITUTE

4 For payment to the Institute of American Indian and
5 Alaska Native Culture and Arts Development, as author-
6 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part
7 A), \$11,619,000, to remain available until September 30,
8 2017.

9 SMITHSONIAN INSTITUTION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Smithsonian Institu-
12 tion, as authorized by law, including research in the fields
13 of art, science, and history; development, preservation, and
14 documentation of the National Collections; presentation of
15 public exhibits and performances; collection, preparation,
16 dissemination, and exchange of information and publica-
17 tions; conduct of education, training, and museum assist-
18 ance programs; maintenance, alteration, operation, lease
19 agreements of no more than 30 years, and protection of
20 buildings, facilities, and approaches; not to exceed
21 \$100,000 for services as authorized by 5 U.S.C. 3109; and
22 purchase, rental, repair, and cleaning of uniforms for em-
23 ployees, \$689,566,000, to remain available until Sep-
24 tember 30, 2017, except as otherwise provided herein; of
25 which not to exceed \$48,387,000 for the instrumentation

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1 program, collections acquisition, exhibition reinstallation,
 2 the National Museum of African American History and
 3 Culture, and the repatriation of skeletal remains program
 4 shall remain available until expended; and including such
 5 funds as may be necessary to support American overseas
 6 research centers: *Provided*, That funds appropriated here-
 7 in are available for advance payments to independent con-
 8 tractors performing research services or participating in
 9 official Smithsonian presentations.

10 FACILITIES CAPITAL

11 For necessary expenses of repair, revitalization, and
 12 alteration of facilities owned or occupied by the Smithso-
 13 nian Institution, by contract or otherwise, as authorized
 14 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
 15 and for construction, including necessary personnel,
 16 \$129,975,000, to remain available until expended, of
 17 which not to exceed \$10,000 shall be for services as au-
 18 thorized by 5 U.S.C. 3109.

19 NATIONAL GALLERY OF ART

20 SALARIES AND EXPENSES

21 For the upkeep and operations of the National Gal-
 22 lery of Art, the protection and care of the works of art
 23 therein, and administrative expenses incident thereto, as
 24 authorized by the Act of March 24, 1937 (50 Stat. 51),
 25 as amended by the public resolution of April 13, 1939

1 (Public Resolution 9, Seventy-sixth Congress), including
2 services as authorized by 5 U.S.C. 3109; payment in ad-
3 vance when authorized by the treasurer of the Gallery for
4 membership in library, museum, and art associations or
5 societies whose publications or services are available to
6 members only, or to members at a price lower than to the
7 general public; purchase, repair, and cleaning of uniforms
8 for guards, and uniforms, or allowances therefor, for other
9 employees as authorized by law (5 U.S.C. 5901–5902);
10 purchase or rental of devices and services for protecting
11 buildings and contents thereof, and maintenance, alter-
12 ation, improvement, and repair of buildings, approaches,
13 and grounds; and purchase of services for restoration and
14 repair of works of art for the National Gallery of Art by
15 contracts made, without advertising, with individuals,
16 firms, or organizations at such rates or prices and under
17 such terms and conditions as the Gallery may deem prop-
18 er, \$122,500,000, to remain available until September 30,
19 2017, of which not to exceed \$3,578,000 for the special
20 exhibition program shall remain available until expended.

21 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

22 For necessary expenses of repair, restoration and
23 renovation of buildings, grounds and facilities owned or
24 occupied by the National Gallery of Art, by contract or
25 otherwise, for operating lease agreements of no more than

1 10 years, with no extensions or renewals beyond the 10
2 years, that address space needs created by the ongoing
3 renovations in the Master Facilities Plan, as authorized,
4 \$16,000,000, to remain available until expended: *Pro-*
5 *vided*, That contracts awarded for environmental systems,
6 protection systems, and exterior repair or renovation of
7 buildings of the National Gallery of Art may be negotiated
8 with selected contractors and awarded on the basis of con-
9 tractor qualifications as well as price.

10 JOHN F. KENNEDY CENTER FOR THE PERFORMING
11 ARTS

12 OPERATIONS AND MAINTENANCE

13 For necessary expenses for the operation, mainte-
14 nance and security of the John F. Kennedy Center for
15 the Performing Arts, \$21,660,000.

16 CAPITAL REPAIR AND RESTORATION

17 For necessary expenses for capital repair and restora-
18 tion of the existing features of the building and site of
19 the John F. Kennedy Center for the Performing Arts,
20 \$11,140,000, to remain available until expended.

21 WOODROW WILSON INTERNATIONAL CENTER FOR
22 SCHOLARS

23 SALARIES AND EXPENSES

24 For expenses necessary in carrying out the provisions
25 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.

1 1356) including hire of passenger vehicles and services as
2 authorized by 5 U.S.C. 3109, \$10,500,000, to remain
3 available until September 30, 2017.

4 NATIONAL FOUNDATION ON THE ARTS AND THE
5 HUMANITIES
6 NATIONAL ENDOWMENT FOR THE ARTS
7 GRANTS AND ADMINISTRATION

8 For necessary expenses to carry out the National
9 Foundation on the Arts and the Humanities Act of 1965,
10 \$146,021,000 shall be available to the National Endow-
11 ment for the Arts for the support of projects and produc-
12 tions in the arts, including arts education and public out-
13 reach activities, through assistance to organizations and
14 individuals pursuant to section 5 of the Act, for program
15 support, and for administering the functions of the Act,
16 to remain available until expended.

17 NATIONAL ENDOWMENT FOR THE HUMANITIES
18 GRANTS AND ADMINISTRATION

19 For necessary expenses to carry out the National
20 Foundation on the Arts and the Humanities Act of 1965,
21 \$146,021,000 to remain available until expended, of which
22 \$135,121,000 shall be available for support of activities
23 in the humanities, pursuant to section 7(c) of the Act and
24 for administering the functions of the Act; and
25 \$10,900,000 shall be available to carry out the matching

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

12 ADMINISTRATIVE PROVISIONS

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

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1 grantmaking purposes per year: *Provided further*, That
2 such small grant actions are taken pursuant to the terms
3 of an expressed and direct delegation of authority from
4 the National Council on the Arts to the Chairperson.

5 COMMISSION OF FINE ARTS

6 SALARIES AND EXPENSES

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

19 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

20 For necessary expenses as authorized by Public Law
21 99–190 (20 U.S.C. 956a), \$2,000,000.

22 ADVISORY COUNCIL ON HISTORIC PRESERVATION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Advisory Council on
25 Historic Preservation (Public Law 89–665), \$6,080,000.

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1 NATIONAL CAPITAL PLANNING COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Capital Plan-
4 ning Commission under chapter 87 of title 40, United
5 States Code, including services as authorized by 5 U.S.C.
6 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-
7 cent of the funds provided under this heading may be used
8 for official reception and representational expenses associ-
9 ated with hosting international visitors engaged in the
10 planning and physical development of world capitals.

11 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

12 HOLOCAUST MEMORIAL MUSEUM

13 For expenses of the Holocaust Memorial Museum, as
14 authorized by Public Law 106–292 (36 U.S.C. 2301–
15 2310), \$52,385,000, of which \$865,000 shall remain
16 available until September 30, 2018, for the Museum’s
17 equipment replacement program; and of which \$2,200,000
18 for the Museum’s repair and rehabilitation program and
19 \$1,264,000 for the Museum’s outreach initiatives program
20 shall remain available until expended.

21 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses, including the costs of con-
24 struction design, of the Dwight D. Eisenhower Memorial

1 Commission, \$1,000,000, to remain available until ex-
2 pended.

3 TITLE IV
4 GENERAL PROVISIONS
5 (INCLUDING TRANSFERS OF FUNDS)
6 RESTRICTION ON USE OF FUNDS

7 SEC. 401. No part of any appropriation contained in
8 this Act shall be available:

9 (1) for any activity or the publication or dis-
10 tribution of literature that in any way tends to pro-
11 mote public support or opposition to any legislative
12 proposal on which Congressional action is not com-
13 plete or other than to communicate to Members of
14 Congress as described in 18 U.S.C. 1913; or,

15 (2) for publicity or propaganda purposes for the
16 preparation, distribution or use of any communica-
17 tion designed to support or defeat any proposed or
18 pending regulation, administrative action, or order
19 issued by an executive branch agency, except in
20 presentation to the executive branch itself or to Con-
21 gress.

22 OBLIGATION OF APPROPRIATIONS

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

1 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

13 MINING APPLICATIONS

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

19 (b) EXCEPTIONS.—Subsection (a) shall not apply if
20 the Secretary of the Interior determines that, for the claim
21 concerned (1) a patent application was filed with the Sec-
22 retary on or before September 30, 1994; and (2) all re-
23 quirements established under sections 2325 and 2326 of
24 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
25 lode claims, sections 2329, 2330, 2331, and 2333 of the

1 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
2 claims, and section 2337 of the Revised Statutes (30
3 U.S.C. 42) for mill site claims, as the case may be, were
4 fully complied with by the applicant by that date.

5 (c) REPORT.—On September 30, 2017, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Natural
8 Resources of the House and the Committee on Energy and
9 Natural Resources of the Senate a report on actions taken
10 by the Department under the plan submitted pursuant to
11 section 314(c) of the Department of the Interior and Re-
12 lated Agencies Appropriations Act, 1997 (Public Law
13 104–208).

14 (d) MINERAL EXAMINATIONS.—In order to process
15 patent applications in a timely and responsible manner,
16 upon the request of a patent applicant, the Secretary of
17 the Interior shall allow the applicant to fund a qualified
18 third-party contractor to be selected by the Director of the
19 Bureau of Land Management to conduct a mineral exam-
20 ination of the mining claims or mill sites contained in a
21 patent application as set forth in subsection (b). The Bu-
22 reau of Land Management shall have the sole responsi-
23 bility to choose and pay the third-party contractor in ac-
24 cordance with the standard procedures employed by the

1 Bureau of Land Management in the retention of third-
2 party contractors.

3 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

4 SEC. 405. Sections 405 and 406 of division F of the
5 Consolidated and Further Continuing Appropriations Act,
6 2015 (Public Law 113–235) shall continue in effect in fis-
7 cal year 2016.

8 CONTRACT SUPPORT COSTS, FISCAL YEAR 2016

9 LIMITATION

10 SEC. 406. Amounts provided by this Act for fiscal
11 year 2016 under the headings “Department of Health and
12 Human Services, Indian Health Service, Contract Support
13 Costs” and “Department of the Interior, Bureau of Indian
14 Affairs and Bureau of Indian Education, Contract Sup-
15 port Costs” are the only amounts available for contract
16 support costs arising out of self-determination or self-gov-
17 ernance contracts, grants, compacts, or annual funding
18 agreements for fiscal year 2016 with the Bureau of Indian
19 Affairs or the Indian Health Service: *Provided*, That such
20 amounts provided by this Act are not available for pay-
21 ment of claims for contract support costs for prior years,
22 or for repayments of payments for settlements or judg-
23 ments awarding contract support costs for prior years.

1 FOREST MANAGEMENT PLANS

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

17 PROHIBITION WITHIN NATIONAL MONUMENTS

18 SEC. 408. No funds provided in this Act may be ex-
19 pended to conduct preleasing, leasing and related activities
20 under either the Mineral Leasing Act (30 U.S.C. 181 et
21 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
22 1331 et seq.) within the boundaries of a National Monu-
23 ment established pursuant to the Act of June 8, 1906 (16
24 U.S.C. 431 et seq.) as such boundary existed on January
25 20, 2001, except where such activities are allowed under

1 the Presidential proclamation establishing such monu-
2 ment.

3 LIMITATION ON TAKINGS

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

15 TIMBER SALE REQUIREMENTS

16 SEC. 410. No timber sale in Alaska's Region 10 shall
17 be advertised if the indicated rate is deficit (defined as
18 the value of the timber is not sufficient to cover all logging
19 and stumpage costs and provide a normal profit and risk
20 allowance under the Forest Service's appraisal process)
21 when appraised using a residual value appraisal. The west-
22 ern red cedar timber from those sales which is surplus
23 to the needs of the domestic processors in Alaska, shall
24 be made available to domestic processors in the contiguous
25 48 United States at prevailing domestic prices. All addi-

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

6 PROHIBITION ON NO-BID CONTRACTS

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

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

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

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

1 POSTING OF REPORTS

2 SEC. 412. (a) Any agency receiving funds made avail-
3 able in this Act, shall, subject to subsections (b) and (c),
4 post on the public website of that agency any report re-
5 quired to be submitted by the Congress in this or any
6 other Act, upon the determination by the head of the agen-
7 cy that it shall serve the national interest.

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

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

11 (2) the report contains proprietary information.

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

16 NATIONAL ENDOWMENT FOR THE ARTS GRANT

17 GUIDELINES

18 SEC. 413. Of the funds provided to the National En-
19 dowment for the Arts—

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

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

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

13 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

14 PRIORITIES

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

23 (b) In this section:

(1) The term “underserved population” means
a population of individuals, including urban minori-

1 ties, who have historically been outside the purview
2 of arts and humanities programs due to factors such
3 as a high incidence of income below the poverty line
4 or to geographic isolation.

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

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

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

23 (1) the Chairperson shall establish a grant cat-
24 egory for projects, productions, workshops, or pro-

1 grams that are of national impact or availability or
2 are able to tour several States;

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

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

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

14 STATUS OF BALANCES OF APPROPRIATIONS

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

22 REPORT ON USE OF CLIMATE CHANGE FUNDS

23 SEC. 416. Not later than 120 days after the date on
24 which the President's fiscal year 2017 budget request is
25 submitted to the Congress, the President shall submit a

1 comprehensive report to the Committees on Appropria-
2 tions of the House of Representatives and the Senate de-
3 scribing in detail all Federal agency funding, domestic and
4 international, for climate change programs, projects, and
5 activities in fiscal years 2015 and 2016, including an ac-
6 counting of funding by agency with each agency identi-
7 fying climate change programs, projects, and activities
8 and associated costs by line item as presented in the Presi-
9 dent's Budget Appendix, and including citations and link-
10 ages where practicable to each strategic plan that is driv-
11 ing funding within each climate change program, project,
12 and activity listed in the report.

13 PROHIBITION ON FEDERAL IMPLEMENTATION PLANS

14 SEC. 417. None of the funds made available by this
15 Act, or any other Act for any fiscal year, shall be used
16 to develop, propose, finalize, implement, or enforce section
17 111(d)(2) of the Clean Air Act (42 U.S.C. 7411(d)(2))
18 in the case of States that have failed to submit a satisfac-
19 tory plan to implement section 111(d)(1) of that Act (42
20 U.S.C. 7411(d)(1)), in the case of any air pollutant being
21 regulated as part of any proposed or final rule to address
22 carbon dioxide emissions from existing sources that are
23 fossil fuel-fired electric utility generating units under sec-
24 tion 111 of that Act (42 U.S.C. 7411), including any final
25 rule that succeeds—

1 (1) the proposed rule entitled “Carbon Pollu-
2 tion Emission Guidelines for Existing Stationary
3 Sources: Electric Utility Generating Units” (79 Fed.
4 Reg. 34830 (June 18, 2014)); or

5 (2) the supplemental proposed rule entitled
6 “Carbon Pollution Emission Guidelines for Existing
7 Stationary Sources: EGUs in Indian Country and
8 U.S. Territories; Multi-Jurisdictional Partnerships”
9 (79 Fed. Reg. 65482 (November 4, 2014)).

10 PROHIBITION ON USE OF FUNDS

11 SEC. 418. Notwithstanding any other provision of
12 law, none of the funds made available in this Act or any
13 other Act may be used to promulgate or implement any
14 regulation requiring the issuance of permits under title V
15 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
16 dioxide, nitrous oxide, water vapor, or methane emissions
17 resulting from biological processes associated with live-
18 stock production.

19 GREENHOUSE GAS REPORTING RESTRICTIONS

20 SEC. 419. Notwithstanding any other provision of
21 law, none of the funds made available in this or any other
22 Act may be used to implement any provision in a rule,
23 if that provision requires mandatory reporting of green-
24 house gas emissions from manure management systems.

1 RECREATION FEE

2 SEC. 420. Section 810 of the Federal Lands Recre-
3 ation Enhancement Act (16 U.S.C. 6809) is amended by
4 striking “September 30, 2016” and inserting “September
5 30, 2017”.

6 WATERS OF THE UNITED STATES

7 SEC. 421. None of the funds made available in this
8 Act or any other Act for any fiscal year may be used to
9 develop, adopt, implement, administer, or enforce any
10 change to the regulations and guidance in effect on Octo-
11 ber 1, 2012, pertaining to the definition of waters under
12 the jurisdiction of the Federal Water Pollution Control
13 Act (33 U.S.C. Sec. 1251, et seq.), including the provi-
14 sions of the rules dated November 13, 1986 and August
15 25, 1993, relating to said jurisdiction, and the guidance
16 documents dated January 15, 2003 and December 2,
17 2008, relating to said jurisdiction.

18 MODIFICATION OF AUTHORITIES

19 SEC. 422. (a) Section 8162(m)(3) of the Department
20 of Defense Appropriations Act, 2000 (40 U.S.C. 8903
21 note; Public Law 106–79) is amended by striking “Sep-
22 tember 30, 2015” and inserting “September 30, 2016”.

23 (b) For fiscal year 2016, the authority provided by
24 the provisos under the heading “Dwight D. Eisenhower

1 Memorial Commission—Capital Construction” in division
2 E of Public Law 112–74 shall not be in effect.

3 USE OF AMERICAN IRON AND STEEL

4 SEC. 423. (a)(1) None of the funds made available
5 by a State water pollution control revolving fund as au-
6 thorized by section 1452 of the Safe Drinking Water Act
7 (42 U.S.C. 300j–12) shall be used for a project for the
8 construction, alteration, maintenance, or repair of a public
9 water system or treatment works unless all of the iron and
10 steel products used in the project are produced in the
11 United States.

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

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

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

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

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

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

17 (d) This section shall be applied in a manner con-
18 sistent with United States obligations under international
19 agreements.

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

(f) This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency's capacity to approve such plans and specifications prior to a project requesting bids, prior to the date of the enactment of this Act.

7 NATIONAL AMBIENT AIR QUALITY STANDARD FUNDING
8 LIMITATION

9 SEC. 424. None of the funds made available by this
10 Act, or any other Act for any fiscal year, shall be used
11 to develop, adopt, implement, administer, or enforce a na-
12 tional primary or secondary ambient air quality standard
13 for ozone that is lower than the standard established
14 under section 50.15 of title 40, Code of Federal Regula-
15 tions (as in effect on January 1, 2015), until at least 85
16 percent of the counties that, as of January 30, 2015, were
17 in nonattainment areas under the standard established
18 under section 50.15 of title 40, Code of Federal Regula-
19 tions (as in effect on January 1, 2015), achieve full com-
20 pliance with that standard.

21 FUNDING PROHIBITION

SEC. 425. None of the funds made available by this
or any other Act may be used to regulate the lead content
of ammunition, ammunition components, or fishing tackle

1 under the Toxic Substances Control Act (15 U.S.C. 2601
2 et seq.) or any other law.

3 CONTRACTING AUTHORITIES

4 SEC. 426. Section 412 of Division E of Public Law
5 112–74 is amended by striking “fiscal year 2015,” and
6 inserting “fiscal year 2017,”.

7 CHESAPEAKE BAY INITIATIVE

8 SEC. 427. Section 502(e) of the Chesapeake Bay Ini-
9 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
10 note) is amended by striking “2015” and inserting
11 “2017”.

12 PROHIBITION OF SEWAGE DUMPING INTO THE GREAT
13 LAKES

14 SEC. 428. (a) Section 402 of the Federal Water Pol-
15 lution Control Act (33 U.S.C. 1342) is amended by adding
16 at the end the following:

17 “(s) PROHIBITION ON SEWAGE DUMPING INTO THE
18 GREAT LAKES.—

19 “(1) DEFINITIONS.—In this subsection:

20 “(A) BYPASS.—The term ‘bypass’ means
21 an intentional diversion of waste streams to by-
22 pass any portion of a treatment facility which
23 results in a discharge into the Great Lakes.

24 “(B) DISCHARGE.—

1 “(i) IN GENERAL.—The term ‘dis-
2 charge’ means a direct or indirect dis-
3 charge of untreated sewage or partially
4 treated sewage from a treatment works
5 into the Great Lakes or a tributary of the
6 Great Lakes.

7 “(ii) INCLUSIONS.—The term ‘dis-
8 charge’ includes a bypass and a combined
9 sewer overflow.

10 “(C) GREAT LAKES.—The term ‘Great
11 Lakes’ has the meaning given the term in sec-
12 tion 118(a)(3).

13 “(D) PARTIALLY TREATED SEWAGE.—The
14 term ‘partially treated sewage’ means any sew-
15 age, sewage and storm water, or sewage and
16 wastewater, from domestic or industrial sources
17 that—

18 “(i) is not treated to national sec-
19 ondary treatment standards for waste-
20 water; or

21 “(ii) is treated to a level less than the
22 level required by the applicable national
23 pollutant discharge elimination system per-
24 mit.

1 “(E) TREATMENT FACILITY.—The term
2 ‘treatment facility’ includes all wastewater
3 treatment units used by a publicly owned treat-
4 ment works to meet secondary treatment stand-
5 ards or higher, as required to attain water qual-
6 ity standards, under any operating conditions.

7 “(F) TREATMENT WORKS.—The term
8 ‘treatment works’ has the meaning given the
9 term in section 212.

10 “(2) PROHIBITION.—A publicly owned treat-
11 ment works is prohibited from performing a bypass
12 unless—

13 “(A)(i) the bypass is unavoidable to pre-
14 vent loss of life, personal injury, or severe prop-
15 erty damage;

16 “(ii) there is not a feasible alternative to
17 the bypass, such as the use of auxiliary treat-
18 ment facilities, retention of untreated wastes, or
19 maintenance during normal periods of equip-
20 ment downtime; and

21 “(iii) the treatment works provides notice
22 of the bypass in accordance with this sub-
23 section; or

24 “(B) the bypass does not cause effluent
25 limitations to be exceeded, and the bypass is for

1 essential maintenance to ensure efficient oper-
2 ation of the treatment facility.

3 “(3) LIMITATION.—The requirement of para-
4 graph (2)(A)(ii) is not satisfied if—

5 “(A) adequate back-up equipment should
6 have been installed in the exercise of reasonable
7 engineering judgment to prevent the bypass;
8 and

9 “(B) the bypass occurred during normal
10 periods of equipment downtime or preventive
11 maintenance.

12 “(4) IMMEDIATE NOTICE REQUIREMENTS.—The
13 Administrator shall work with States having pub-
14 lically owned treatment works subject to the require-
15 ments of this subsection to create immediate notice
16 requirements in the event of discharge that provide
17 for the method, contents, and requirements for pub-
18 lic availability of such notice. The requirements shall
19 be consistent for all States.

20 “(5) SEWAGE BLENDING.—Bypasses prohibited
21 by this section include bypasses resulting in dis-
22 charges from a publicly owned treatment works that
23 consist of effluent routed around treatment units
24 and thereafter blended together with effluent from
25 treatment units prior to discharge.

1 “(6) IMPLEMENTATION.—As soon as prac-
2 ticable, the Administrator shall establish procedures
3 to ensure that permits issued under this section (or
4 under a State permit program approved under this
5 section) to a publicly owned treatment works include
6 requirements to implement this subsection.

7 “(7) INCREASE IN MAXIMUM CIVIL PENALTY
8 FOR VIOLATIONS OCCURRING AFTER JANUARY 1,
9 2035.—Notwithstanding section 309, in the case of a
10 violation of this subsection occurring on or after
11 January 1, 2035, or any violation of a permit limita-
12 tion or condition implementing this subsection occur-
13 ring after that date, the maximum civil penalty that
14 shall be assessed for the violation shall be \$100,000
15 per day for each day the violation occurs.

16 “(8) APPLICABILITY.—This subsection shall
17 apply to a bypass occurring after the last day of the
18 1-year period beginning on the date of enactment of
19 this subsection.”.

20 (b) GREAT LAKES CLEANUP FUND.—(1) Title V of
21 the Federal Water Pollution Control Act (33 U.S.C. 1361
22 et seq.) is amended—

23 (A) by redesignating section 519 (33 U.S.C.
24 1251 note) as section 520; and

1 (B) by inserting after section 518 (33 U.S.C.
2 1377) the following:

3 **“SEC. 519. ESTABLISHMENT OF GREAT LAKES CLEANUP**
4 **FUND.**

5 “(a) DEFINITIONS.—In this section:

6 “(1) FUND.—The term ‘Fund’ means the Great
7 Lakes Cleanup Fund established by subsection (b).

8 “(2) GREAT LAKES; GREAT LAKES STATES.—
9 The terms ‘Great Lakes’ and ‘Great Lakes States’
10 have the meanings given the terms in section
11 118(a)(3).

12 “(b) ESTABLISHMENT OF FUND.—There is estab-
13 lished in the Treasury of the United States a trust fund
14 to be known as the ‘Great Lakes Cleanup Fund’ (referred
15 to in this section as the ‘Fund’).

16 “(c) TRANSFERS TO FUND.—Effective January 1,
17 2035, there are authorized to be appropriated to the Fund
18 amounts equivalent to the penalties collected for violations
19 of section 402(s).

20 “(d) ADMINISTRATION OF FUND.—The Adminis-
21 trator shall administer the Fund.

22 “(e) USE OF FUNDS.—The Administrator shall—

23 “(1) make the amounts in the Fund available
24 to the Great Lakes States for use in carrying out
25 programs and activities for improving wastewater

1 discharges into the Great Lakes, including habitat
2 protection and wetland restoration; and

3 “(2) allocate those amounts among the Great
4 Lakes States based on the proportion that—

5 “(A) the amount attributable to a Great
6 Lakes State for penalties collected for violations
7 of section 402(s); bears to

8 “(B) the total amount of those penalties
9 attributable to all Great Lakes States.

10 “(f) PRIORITY.—In selecting programs and activities
11 to be funded using amounts made available under this sec-
12 tion, a Great Lakes State shall give priority consideration
13 to programs and activities that address violations of sec-
14 tion 402(s) resulting in the collection of penalties.”.

15 (2) Section 607 of the Federal Water Pollution Con-
16 trol Act (33 U.S.C. 1387) is amended—

17 (A) by striking “There is” and inserting “(a) In
18 General.—There is”; and

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

20 “(b) TREATMENT OF GREAT LAKES CLEANUP
21 FUND.—For purposes of this title, amounts made avail-
22 able from the Great Lakes Cleanup Fund under section
23 519 shall be treated as funds authorized to be appro-
24 priated to carry out this title and as funds made available
25 under this title, except that the funds shall be made avail-

1 able to the Great Lakes States in accordance with section
2 519.”.

3 STEWARDSHIP CONTRACTING AMENDMENTS

4 SEC. 429. Section 604(d) of the Healthy Forest Res-
5 toration Act of 2003 (16 U.S.C. 6591), as amended by
6 the Agricultural Act of 2014 (Public Law 113–79), is fur-
7 ther amended—

8 (a) in paragraph (5), by adding at the end the fol-
9 lowing: “Notwithstanding the Materials Act of 1947 (30
10 U.S.C. 602(a)), the Director may enter into an agreement
11 or contract under subsection (b).”; and

12 (b) in paragraph (7), by striking “and the Director”.

13 EXTENSION OF GRAZING PERMITS

14 SEC. 430. The terms and conditions of section 325
15 of Public Law 108–108 (117 Stat. 1307), regarding graz-
16 ing permits issued by the Forest Service on any lands not
17 subject to administration under section 402 of Federal
18 Lands Policy and Management Act (43 U.S.C. 1752),
19 shall remain in effect for fiscal year 2016.

20 FINANCIAL ASSURANCE

21 SEC. 431. None of the funds made available by this
22 Act may be used to develop, propose, finalize, implement,
23 enforce, or administer any regulation that would establish
24 new financial responsibility requirements pursuant to sec-
25 tion 108(b) of the Comprehensive Environmental Re-

1 spouse, Compensation, and Liability Act of 1980 (42
2 U.S.C. 9608(b)).

3 NEPA GUIDANCE

4 SEC. 432. None of the funds made available in this
5 Act may be used by any Federal agency to develop, adopt,
6 implement, enforce, or administer guidance or regulations
7 published in (1) 79 Fed. Reg. 77,802 dated December 24,
8 2014; and (2) 79 Fed. Reg. 76,986, dated December 23,
9 2014.

10 GOOD NEIGHBOR AUTHORITY

11 SEC. 433. Section 8206(b)(2) of the Agricultural Act
12 of 2014 (16 USC 2113a(b)(2)) is amended by adding at
13 the end of the following:

14 “(C) FOREST DEVELOPMENT ROADS.—

15 “(i) IN GENERAL.—Notwithstanding
16 subsection (a)(3)(B), existing roads shall
17 be repaired or reconstructed to a satisfac-
18 tory condition to perform authorized res-
19 toration services including removal of tim-
20 ber.”

1 **TITLE V—WILDFIRE DISASTER**
2 **FUNDING**

3 **SEC. 501. WILDFIRE DISASTER FUNDING AUTHORITY.**

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

7 (1) in clause (i)—

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

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

12 (C) by adding the following:

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

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

19 “(v) Beginning in fiscal year 2018,
20 and for each fiscal year thereafter, the cal-
21 culation of the ‘average funding provided
22 for disaster relief over the previous 10
23 years’ shall include, for each year within
24 that average, the additional new budget
25 authority provided in an appropriation Act

1 for wildfire suppression operations pursu-
2 ant to subparagraph (E) for the preceding
3 fiscal year.”.

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

8 “(E) WILDFIRE SUPPRESSION.—

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

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

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

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

23 “(II) WILDFIRE SUPPRESSION
24 OPERATIONS.—The term ‘wildfire sup-
25 pression operations’ means the emer-

1 gency and unpredictable aspects of
2 wildland firefighting, including—

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

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

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

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

23 “(I) for fiscal year 2016,
24 \$1,460,000,000 in additional new
25 budget authority;

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1 “(II) for fiscal year 2017,
2 \$1,557,000,000 in additional new
3 budget authority;

4 “(III) for fiscal year 2018,
5 \$1,778,000,000 in additional new
6 budget authority;

7 “(IV) for fiscal year 2019,
8 \$2,030,000,000 in additional new
9 budget authority;

10 “(V) for fiscal year 2020,
11 \$2,319,000,000 in additional new
12 budget authority; and

13 “(VI) for fiscal year 2021,
14 \$2,650,000,000 in additional new
15 budget authority.

16 “(iii) AVERAGE COST CALCULATION.—

17 The average costs for wildfire suppression
18 operations over the previous 10 years shall
19 be calculated annually and reported in the
20 budget of the President submitted under
21 section 1105(a) of title 31, United States
22 Code, for each fiscal year.”.

23 **SEC. 502. REPORTING REQUIREMENTS.**

24 (a) SUPPLEMENTAL APPROPRIATIONS.—If the Sec-
25 retary of the Interior or the Secretary of Agriculture de-

1 terminates that supplemental appropriations are necessary
2 for a fiscal year for wildfire suppression operations, a re-
3 quest for the supplemental appropriations shall promptly
4 be submitted to Congress.

5 (b) NOTICE OF NEED FOR ADDITIONAL FUNDS.—
6 Prior to the obligation of any of the additional new budget
7 authority for wildfire suppression operations specified for
8 purposes of section 251(b)(2)(E)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985 (2
10 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or
11 the Secretary of Agriculture, as applicable, shall submit
12 to the Committees on Appropriations and the Budget of
13 the House of Representatives and the Committees on Ap-
14 propriations and the Budget of the Senate written notifi-
15 cation that describes—

16 (1) that the amount for wildfire suppression op-
17 erations to meet the terms of section 251(b)(2)(E)
18 of that Act for that fiscal year will be exhausted im-
19 minently; and

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

22 (c) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

23 (1) ACCOUNTING AND REPORTING REQUIRE-
24 MENTS.—For each fiscal year, the Secretary of the
25 Interior and the Secretary of Agriculture shall ac-

1 count for and report on the amounts used from the
2 additional new budget authority for wildfire suppression
3 operations provided to the Secretary of the Interior
4 or Secretary of Agriculture, as applicable, in
5 an appropriations Act pursuant to section
6 251(b)(2)(E)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985 (2 U.S.C.
8 901(b)(2)(E)(ii)).

9 (2) ANNUAL REPORT.—

10 (A) IN GENERAL.—Not later than 180
11 days after the end of the fiscal year for which
12 additional new budget authority is used, pursuant
13 to section 251(b)(2)(E)(ii) of the Balanced
14 Budget and Emergency Deficit Control Act of
15 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary
16 of the Interior or the Secretary of Agriculture,
17 as applicable, shall—

18 (i) prepare an annual report with respect
19 to the additional new budget authority;
20

21 (ii) submit to the Committees on Appropriations,
22 the Budget, and Natural Resources of the House of
23 Representatives and the Committees on Appropriations,
24 the Budget, and Energy and Natural Re-
25

1 sources of the Senate the annual report
2 prepared under clause (i); and
3 (iii) make the report prepared under
4 clause (i) available to the public.

5 (B) COMPONENTS.—The annual report
6 prepared under subparagraph (A) shall—

7 (i) document risk-based factors that
8 influenced management decisions with re-
9 spect to wildfire suppression operations;

10 (ii) analyze a statistically significant
11 sample of large fires, including an analysis
12 for each fire of—

13 (I) cost drivers;

14 (II) the effectiveness of risk man-
15 agement techniques and whether fire
16 operations strategy tracked the risk
17 assessment;

18 (III) any resulting ecological or
19 other benefits to the landscape;

20 (IV) the impact of investments in
21 wildfire suppression operations pre-
22 paredness;

23 (V) effectiveness of wildfire sup-
24 pression operations, including an anal-

1 ysis of resources lost versus dollars in-
2 vested;

3 (VI) effectiveness of any fuel
4 treatments on fire behavior and sup-
5 pression expenditures;

6 (VII) suggested corrective ac-
7 tions; and

8 (VIII) any other factors the Sec-
9 retary of the Interior or Secretary of
10 Agriculture determines to be appro-
11 priate;

12 (iii) include an accounting of overall
13 fire management and spending by the De-
14 partment of the Interior or the Depart-
15 ment of Agriculture, which shall be ana-
16 lyzed by fire size, cost, regional location,
17 and other factors;

18 (iv) describe any lessons learned in
19 the conduct of wildfire suppression oper-
20 ations; and

21 (v) include any other elements that
22 the Secretary of the Interior or the Sec-
23 retary of Agriculture determines to be nec-
24 essary.

1 This Act may be cited as the "Department of the In-
2 terior, Environment, and Related Agencies Appropriations
3 Act, 2016".

[COMMITTEE PRINT]

Calendar No. 000

114TH CONGRESS
1ST SESSION

S. 0000

[Report No. 114-000]

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

JUNE 00, 2015

Read twice and placed on the calendar