

117TH CONGRESS
1ST SESSION

S. 3034

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2021

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

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior, environment, and related
6 agencies for the fiscal year ending September 30, 2022,
7 and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF LAND MANAGEMENT
4 MANAGEMENT OF LANDS AND RESOURCES
5 For necessary expenses for protection, use, improve-
6 ment, development, disposal, cadastral surveying, classi-
7 fication, acquisition of easements and other interests in
8 lands, and performance of other functions, including main-
9 tenance of facilities, as authorized by law, in the manage-
10 ment of lands and their resources under the jurisdiction
11 of the Bureau of Land Management, including the general
12 administration of the Bureau, and assessment of mineral
13 potential of public lands pursuant to section 1010(a) of
14 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,400,876,000,
15 to remain available until September 30, 2023; of which
16 \$78,724,000 for annual and deferred maintenance and
17 \$151,589,000 for the wild horse and burro program, as
18 authorized by Public Law 92–195 (16 U.S.C. 1331 et
19 seq.), shall remain available until expended: *Provided,*
20 That amounts in the fee account of the BLM Permit Proc-
21 essing Improvement Fund may be used for any bureau-
22 related expenses associated with the processing of oil and
23 gas applications for permits to drill and related use of au-
24 thorizations.

1 In addition, \$39,696,000 is for Mining Law Adminis-
2 tration program operations, including the cost of admin-
3 istering the mining claim fee program, to remain available
4 until expended, to be reduced by amounts collected by the
5 Bureau and credited to this appropriation from mining
6 claim maintenance fees and location fees that are hereby
7 authorized for fiscal year 2022, so as to result in a final
8 appropriation estimated at not more than \$1,400,876,000,
9 and \$2,000,000, to remain available until expended, from
10 communication site rental fees established by the Bureau
11 for the cost of administering communication site activities.

12 OREGON AND CALIFORNIA GRANT LANDS

13 For expenses necessary for management, protection,
14 and development of resources and for construction, oper-
15 ation, and maintenance of access roads, reforestation, and
16 other improvements on the revested Oregon and California
17 Railroad grant lands, on other Federal lands in the Or-
18 egon and California land-grant counties of Oregon, and
19 on adjacent rights-of-way; and acquisition of lands or in-
20 terests therein, including existing connecting roads on or
21 adjacent to such grant lands; \$128,471,000, to remain
22 available until expended: *Provided*, That 25 percent of the
23 aggregate of all receipts during the current fiscal year
24 from the revested Oregon and California Railroad grant
25 lands is hereby made a charge against the Oregon and

1 California land-grant fund and shall be transferred to the
2 General Fund in the Treasury in accordance with the sec-
3 ond paragraph of subsection (b) of title II of the Act of
4 August 28, 1937 (43 U.S.C. 2605).

5 RANGE IMPROVEMENTS

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

20 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

21 For administrative expenses and other costs related
22 to processing application documents and other authoriza-
23 tions for use and disposal of public lands and resources,
24 for costs of providing copies of official public land docu-
25 ments, for monitoring construction, operation, and termi-

1 nation of facilities in conjunction with use authorizations,
2 and for rehabilitation of damaged property, such amounts
3 as may be collected under Public Law 94–579 (43 U.S.C.
4 1701 et seq.), and under section 28 of the Mineral Leasing
5 Act (30 U.S.C. 185), to remain available until expended:
6 *Provided*, That notwithstanding any provision to the con-
7 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
8 1735(a)), any moneys that have been or will be received
9 pursuant to that section, whether as a result of forfeiture,
10 compromise, or settlement, if not appropriate for refund
11 pursuant to section 305(c) of that Act (43 U.S.C.
12 1735(c)), shall be available and may be expended under
13 the authority of this Act by the Secretary of the Interior
14 to improve, protect, or rehabilitate any public lands ad-
15 ministered through the Bureau of Land Management
16 which have been damaged by the action of a resource de-
17 veloper, purchaser, permittee, or any unauthorized person,
18 without regard to whether all moneys collected from each
19 such action are used on the exact lands damaged which
20 led to the action: *Provided further*, That any such moneys
21 that are in excess of amounts needed to repair damage
22 to the exact land for which funds were collected may be
23 used to repair other damaged public lands.

1 MISCELLANEOUS TRUST FUNDS

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

10 ADMINISTRATIVE PROVISIONS

11 The Bureau of Land Management may carry out the
12 operations funded under this Act by direct expenditure,
13 contracts, grants, cooperative agreements, and reimburs-
14 able agreements with public and private entities, including
15 with States. Appropriations for the Bureau shall be avail-
16 able for purchase, erection, and dismantlement of tem-
17 porary structures, and alteration and maintenance of nec-
18 essary buildings and appurtenant facilities to which the
19 United States has title; up to \$100,000 for payments, at
20 the discretion of the Secretary, for information or evidence
21 concerning violations of laws administered by the Bureau;
22 miscellaneous and emergency expenses of enforcement ac-
23 tivities authorized or approved by the Secretary and to be
24 accounted for solely on the Secretary's certificate, not to
25 exceed \$10,000: *Provided*, That notwithstanding Public

1 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
2 operative cost-sharing and partnership arrangements au-
3 thorized by law, procure printing services from cooperators
4 in connection with jointly produced publications for which
5 the cooperators share the cost of printing either in cash
6 or in services, and the Bureau determines the cooperator
7 is capable of meeting accepted quality standards: *Provided*
8 *further*, That projects to be funded pursuant to a written
9 commitment by a State government to provide an identi-
10 fied amount of money in support of the project may be
11 carried out by the Bureau on a reimbursable basis.

12 UNITED STATES FISH AND WILDLIFE SERVICE

13 RESOURCE MANAGEMENT

14 For necessary expenses of the United States Fish and
15 Wildlife Service, as authorized by law, and for scientific
16 and economic studies, general administration, and for the
17 performance of other authorized functions related to such
18 resources, \$1,623,907,000, to remain available until Sep-
19 tember 30, 2023: *Provided*, That not to exceed
20 \$25,279,000 shall be used for implementing subsections
21 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
22 cies Act of 1973 (16 U.S.C. 1533) (except for processing
23 petitions, developing and issuing proposed and final regu-
24 lations, and taking any other steps to implement actions
25 described in subsection (c)(2)(A), (c)(2)(B)(i), or

1 (c)(2)(B)(ii): *Provided further*, That of the amount appro-
2 priated under this heading, \$6,813,000, to remain avail-
3 able until September 30, 2024, shall be for projects speci-
4 fied for Stewardship Priorities in the table that appears
5 under the heading “Congressionally Directed Spending”
6 in the explanatory statement accompanying this Act.

7 CONSTRUCTION

8 For construction, improvement, acquisition, or re-
9 moval of buildings and other facilities required in the con-
10 servation, management, investigation, protection, and uti-
11 lization of fish and wildlife resources, and the acquisition
12 of lands and interests therein; \$29,620,000, to remain
13 available until expended.

14 COOPERATIVE ENDANGERED SPECIES CONSERVATION

15 FUND

16 For expenses necessary to carry out section 6 of the
17 Endangered Species Act of 1973 (16 U.S.C. 1535),
18 \$23,702,000, to remain available until expended, to be de-
19 rived from the Cooperative Endangered Species Conserva-
20 tion Fund.

21 NATIONAL WILDLIFE REFUGE FUND

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

1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions
3 of the North American Wetlands Conservation Act (16
4 U.S.C. 4401 et seq.), \$50,000,000, to remain available
5 until expended.

6 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

10 MULTINATIONAL SPECIES CONSERVATION FUND

11 For expenses necessary to carry out the African Ele-
12 phant Conservation Act (16 U.S.C. 4201 et seq.), the
13 Asian Elephant Conservation Act of 1997 (16 U.S.C.
14 4261 et seq.), the Rhinoceros and Tiger Conservation Act
15 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
16 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
17 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
18 et seq.), \$20,500,000, to remain available until expended.

19 STATE AND TRIBAL WILDLIFE GRANTS

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

1 mentation of programs for the benefit of wildlife and their
2 habitat, including species that are not hunted or fished,
3 \$80,362,000, to remain available until expended: *Pro-*
4 *vided*, That of the amount provided herein, \$8,000,000 is
5 for a competitive grant program for Indian tribes not sub-
6 ject to the remaining provisions of this appropriation: *Pro-*
7 *vided further*, That \$9,112,000 is for a competitive grant
8 program to implement approved plans for States, terri-
9 tories, and other jurisdictions and at the discretion of af-
10 fected States, the regional Associations of fish and wildlife
11 agencies, not subject to the remaining provisions of this
12 appropriation: *Provided further*, That the Secretary shall,
13 after deducting \$17,112,000 and administrative expenses,
14 apportion the amount provided herein in the following
15 manner: (1) to the District of Columbia and to the Com-
16 monwealth of Puerto Rico, each a sum equal to not more
17 than one-half of 1 percent thereof; and (2) to Guam,
18 American Samoa, the United States Virgin Islands, and
19 the Commonwealth of the Northern Mariana Islands, each
20 a sum equal to not more than one-fourth of 1 percent
21 thereof: *Provided further*, That the Secretary of the Inte-
22 rior shall apportion the remaining amount in the following
23 manner: (1) one-third of which is based on the ratio to
24 which the land area of such State bears to the total land
25 area of all such States; and (2) two-thirds of which is

1 based on the ratio to which the population of such State
2 bears to the total population of all such States: *Provided*
3 *further*, That the amounts apportioned under this para-
4 graph shall be adjusted equitably so that no State shall
5 be apportioned a sum which is less than 1 percent of the
6 amount available for apportionment under this paragraph
7 for any fiscal year or more than 5 percent of such amount:
8 *Provided further*, That the Federal share of planning
9 grants shall not exceed 75 percent of the total costs of
10 such projects and the Federal share of implementation
11 grants shall not exceed 65 percent of the total costs of
12 such projects: *Provided further*, That the non-Federal
13 share of such projects may not be derived from Federal
14 grant programs: *Provided further*, That any amount ap-
15 portioned in 2022 to any State, territory, or other jurisdic-
16 tion that remains unobligated as of September 30, 2023,
17 shall be reapportioned, together with funds appropriated
18 in 2024, in the manner provided herein.

19 ADMINISTRATIVE PROVISIONS

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

1 damage to public roads within and adjacent to reservation
2 areas caused by operations of the Service; options for the
3 purchase of land at not to exceed one dollar for each op-
4 tion; facilities incident to such public recreational uses on
5 conservation areas as are consistent with their primary
6 purpose; and the maintenance and improvement of aquar-
7 ia, buildings, and other facilities under the jurisdiction of
8 the Service and to which the United States has title, and
9 which are used pursuant to law in connection with man-
10 agement, and investigation of fish and wildlife resources:
11 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
12 ice may, under cooperative cost sharing and partnership
13 arrangements authorized by law, procure printing services
14 from cooperators in connection with jointly produced pub-
15 lications for which the cooperators share at least one-half
16 the cost of printing either in cash or services and the Serv-
17 ice determines the cooperator is capable of meeting accept-
18 ed quality standards: *Provided further*, That the Service
19 may accept donated aircraft as replacements for existing
20 aircraft: *Provided further*, That the Secretary may recover
21 costs for response, assessment, and damages to National
22 Wildlife Refuge System resources from the actions of pri-
23 vate parties, or for costs as otherwise provided by Federal,
24 State, or local law, regulation, or court order as a result
25 of the destruction, loss of, or injury to any living or non-

1 living National Wildlife Refuge System resource: *Provided*
2 *further*, That the damages described in the preceding pro-
3 viso shall include the following: compensation for the cost
4 of replacing, restoring or acquiring the equivalent of the
5 damaged National Wildlife Refuge System resource; and
6 either the value of any significant loss of use of a National
7 Wildlife Refuge System resource pending its restoration,
8 replacement or acquisition of an equivalent resource or the
9 value of the National Wildlife Refuge System resource in
10 the event the resource cannot be replaced, restored or an
11 equivalent acquired: *Provided further*, That any instru-
12 mentality, including but not limited to a vessel, vehicle,
13 aircraft, or other equipment or mechanism that destroys,
14 causes the loss of, or injures any living or non-living Na-
15 tional Wildlife Refuge System resource or which causes
16 the Secretary to undertake actions to prevent, minimize,
17 or abate destruction, loss of, injury, or risk to such re-
18 source shall be liable in rem to the United States for re-
19 sponse costs and damages resulting from such destruction,
20 loss, injury, or risk to the same extent as a person is liable:
21 *Provided further*, That in addition to any other authority
22 to accept donations, the Secretary may accept donations
23 of money or services to meet expected, immediate, or ongo-
24 ing response costs and damages; response and assessment
25 costs and damages recovered by the Secretary and dona-

1 tions received under this provision shall be available to the
2 Secretary, without further appropriation, and shall remain
3 available until expended, for damage assessments con-
4 ducted, or for restoration and replacement of National
5 Wildlife Refuge System resources, and shall be managed
6 under the Natural Resource Damage Assessment and Res-
7 toration Fund as per 43 U.S.C. 1474b-1: *Provided fur-*
8 *ther*, That notwithstanding 31 U.S.C. 3302, all fees col-
9 lected for non-toxic shot review and approval shall be de-
10 posited under the heading “United States Fish and Wild-
11 life Service—Resource Management” and shall be avail-
12 able to the Secretary, without further appropriation, to be
13 used for expenses of processing of such non-toxic shot type
14 or coating applications and revising regulations as nec-
15 essary, and shall remain available until expended.

16 NATIONAL PARK SERVICE

17 OPERATION OF THE NATIONAL PARK SYSTEM

18 For expenses necessary for the management, oper-
19 ation, and maintenance of areas and facilities adminis-
20 tered by the National Park Service and for the general
21 administration of the National Park Service,
22 \$2,930,065,000, of which \$11,452,000 for planning and
23 interagency coordination in support of Everglades restora-
24 tion and \$135,980,000 for maintenance, repair, or reha-
25 bilitation projects for constructed assets and

1 \$188,184,000 for cyclic maintenance projects for con-
2 structed assets and cultural resources and \$5,000,000 for
3 uses authorized by section 101122 of title 54, United
4 States Code shall remain available until September 30,
5 2023: *Provided*, That funds appropriated under this head-
6 ing in this Act are available for the purposes of section
7 5 of Public Law 95–348: *Provided further*, That notwith-
8 standing section 9 of the 400 Years of African-American
9 History Commission Act (36 U.S.C. note prec. 101; Public
10 Law 115–102), \$3,300,000 of the funds provided under
11 this heading shall be made available for the purposes spec-
12 ified by that Act: *Provided further*, That sections (7)(b)
13 and (8) of that Act shall be amended by striking “July
14 1, 2022” and inserting “July 1, 2023”.

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

21 NATIONAL RECREATION AND PRESERVATION

22 For expenses necessary to carry out recreation pro-
23 grams, natural programs, cultural programs, heritage
24 partnership programs, environmental compliance and re-
25 view, international park affairs, and grant administration,

1 not otherwise provided for, \$85,160,000, to remain avail-
2 able until September 30, 2023, of which \$3,500,000 shall
3 be for projects specified for Statutory and Contractual Aid
4 in the table that appears under the heading “Congressional-
5 ally Directed Spending” in the explanatory statement ac-
6 companying this Act.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the National
9 Historic Preservation Act (division A of subtitle III of title
10 54, United States Code), \$180,072,000, to be derived
11 from the Historic Preservation Fund and to remain avail-
12 able until September 30, 2023, of which \$26,000,000 shall
13 be for Save America’s Treasures grants for preservation
14 of nationally significant sites, structures and artifacts as
15 authorized by section 7303 of the Omnibus Public Land
16 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
17 That an individual Save America’s Treasures grant shall
18 be matched by non-Federal funds: *Provided further*, That
19 individual projects shall only be eligible for one grant: *Pro-*
20 *vided further*, That all projects to be funded shall be ap-
21 proved by the Secretary of the Interior in consultation
22 with the House and Senate Committees on Appropria-
23 tions: *Provided further*, That of the funds provided for the
24 Historic Preservation Fund, \$1,000,000 is for competitive
25 grants for the survey and nomination of properties to the

1 National Register of Historic Places and as National His-
2 toric Landmarks associated with communities currently
3 under-represented, as determined by the Secretary;
4 \$26,625,000 is for competitive grants to preserve the sites
5 and stories of the Civil Rights movement; \$10,000,000 is
6 for grants to Historically Black Colleges and Universities;
7 \$10,000,000 is for competitive grants for the restoration
8 of historic properties of national, State, and local signifi-
9 cance listed on or eligible for inclusion on the National
10 Register of Historic Places, to be made without imposing
11 the usage or direct grant restrictions of section 101(e)(3)
12 (54 U.S.C. 302904) of the National Historical Preserva-
13 tion Act; \$10,000,000 is for a competitive grant program
14 to honor the semiquincentennial anniversary of the United
15 States by restoring and preserving state-owned sites and
16 structures listed on the National Register of Historic
17 Places that commemorate the founding of the nation; and
18 \$15,772,000 is for projects specified for the Historic Pres-
19 ervation Fund in the table that appears under the heading
20 “Congressionally Directed Spending” in the explanatory
21 statement accompanying this Act: *Provided further*, That
22 such competitive grants shall be made without imposing
23 the matching requirements in section 302902(b)(3) of title
24 54, United States Code to States and Indian tribes as de-
25 fined in chapter 3003 of such title, Native Hawaiian orga-

1 nizations, local governments, including Certified Local
2 Governments, and non-profit organizations.

3 CONSTRUCTION

4 For construction, improvements, repair, or replace-
5 ment of physical facilities, and compliance and planning
6 for programs and areas administered by the National
7 Park Service, \$253,113,000, to remain available until ex-
8 pended: *Provided*, That notwithstanding any other provi-
9 sion of law, for any project initially funded in fiscal year
10 2022 with a future phase indicated in the National Park
11 Service 5-Year Line Item Construction Plan, a single pro-
12 curement may be issued which includes the full scope of
13 the project: *Provided further*, That the solicitation and
14 contract shall contain the clause availability of funds
15 found at 48 CFR 52.232-18: *Provided further*, That Na-
16 tional Park Service Donations, Park Concessions Fran-
17 chise Fees, and Recreation Fees may be made available
18 for the cost of adjustments and changes within the origi-
19 nal scope of effort for projects funded by the National
20 Park Service Construction appropriation: *Provided further*,
21 That the Secretary of the Interior shall consult with the
22 Committees on Appropriations, in accordance with current
23 reprogramming thresholds, prior to making any charges
24 authorized by the preceding proviso.

CENTENNIAL CHALLENGE

1
2 For expenses necessary to carry out the provisions
3 of section 101701 of title 54, United States Code, relating
4 to challenge cost share agreements, \$15,000,000, to re-
5 main available until expended, for Centennial Challenge
6 projects and programs: *Provided*, That not less than 50
7 percent of the total cost of each project or program shall
8 be derived from non-Federal sources in the form of do-
9 nated cash, assets, or a pledge of donation guaranteed by
10 an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

1 contract at the benefitting unit, in the amount of funds
2 so expended to extinguish or reduce liability.

3 For the costs of administration of the Land and
4 Water Conservation Fund grants authorized by section
5 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
6 of 2006 (Public Law 109–432), the National Park Service
7 may retain up to 3 percent of the amounts which are au-
8 thorized to be disbursed under such section, such retained
9 amounts to remain available until expended.

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

15 UNITED STATES GEOLOGICAL SURVEY

16 SURVEYS, INVESTIGATIONS, AND RESEARCH

17 For expenses necessary for the United States Geo-
18 logical Survey to perform surveys, investigations, and re-
19 search covering topography, geology, hydrology, biology,
20 and the mineral and water resources of the United States,
21 its territories and possessions, and other areas as author-
22 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
23 to their mineral and water resources; give engineering su-
24 pervision to power permittees and Federal Energy Regu-
25 latory Commission licensees; administer the minerals ex-

1 ploration program (30 U.S.C. 641); conduct inquiries into
2 the economic conditions affecting mining and materials
3 processing industries (30 U.S.C. 3, 21a, and 1603; 50
4 U.S.C. 98g(a)(1)) and related purposes as authorized by
5 law; and to publish and disseminate data relative to the
6 foregoing activities; \$1,493,839,000, to remain available
7 until September 30, 2023; of which \$84,788,000 shall re-
8 main available until expended for satellite operations; and
9 of which \$74,664,000 shall be available until expended for
10 deferred maintenance and capital improvement projects
11 that exceed \$100,000 in cost: *Provided*, That none of the
12 funds provided for the ecosystem research activity shall
13 be used to conduct new surveys on private property, unless
14 specifically authorized in writing by the property owner:
15 *Provided further*, That no part of this appropriation shall
16 be used to pay more than one-half the cost of topographic
17 mapping or water resources data collection and investiga-
18 tions carried on in cooperation with States and municipali-
19 ties: *Provided further*, That of the amount appropriated
20 under this heading, \$1,000,000 shall be for projects speci-
21 fied for Status and Trends in the table that appears under
22 the heading “Congressionally Directed Spending” in the
23 explanatory statement accompanying this Act.

1 ADMINISTRATIVE PROVISIONS

2 From within the amount appropriated for activities
3 of the United States Geological Survey such sums as are
4 necessary shall be available for contracting for the fur-
5 nishing of topographic maps and for the making of geo-
6 physical or other specialized surveys when it is administra-
7 tively determined that such procedures are in the public
8 interest; construction and maintenance of necessary build-
9 ings and appurtenant facilities; acquisition of lands for
10 gauging stations, observation wells, and seismic equip-
11 ment; expenses of the United States National Committee
12 for Geological Sciences; and payment of compensation and
13 expenses of persons employed by the Survey duly ap-
14 pointed to represent the United States in the negotiation
15 and administration of interstate compacts: *Provided*, That
16 activities funded by appropriations herein made may be
17 accomplished through the use of contracts, grants, or co-
18 operative agreements as defined in section 6302 of title
19 31, United States Code: *Provided further*, That the United
20 States Geological Survey may enter into contracts or coop-
21 erative agreements directly with individuals or indirectly
22 with institutions or nonprofit organizations, without re-
23 gard to 41 U.S.C. 6101, for the temporary or intermittent
24 services of students or recent graduates, who shall be con-
25 sidered employees for the purpose of chapters 57 and 81

1 of title 5, United States Code, relating to compensation
2 for travel and work injuries, and chapter 171 of title 28,
3 United States Code, relating to tort claims, but shall not
4 be considered to be Federal employees for any other pur-
5 poses.

6 BUREAU OF OCEAN ENERGY MANAGEMENT

7 OCEAN ENERGY MANAGEMENT

8 For expenses necessary for granting and admin-
9 istering leases, easements, rights-of-way, and agreements
10 for use for oil and gas, other minerals, energy, and ma-
11 rine-related purposes on the Outer Continental Shelf and
12 approving operations related thereto, as authorized by law;
13 for environmental studies, as authorized by law; for imple-
14 menting other laws and to the extent provided by Presi-
15 dential or Secretarial delegation; and for matching grants
16 or cooperative agreements, \$227,781,000, of which
17 \$184,781,000 is to remain available until September 30,
18 2023, and of which \$43,000,000 is to remain available
19 until expended: *Provided*, That this total appropriation
20 shall be reduced by amounts collected by the Secretary of
21 the Interior and credited to this appropriation from addi-
22 tions to receipts resulting from increases to lease rental
23 rates in effect on August 5, 1993, and from cost recovery
24 fees from activities conducted by the Bureau of Ocean En-
25 ergy Management pursuant to the Outer Continental Shelf

1 Lands Act, including studies, assessments, analysis, and
2 miscellaneous administrative activities: *Provided further*,
3 That the sum herein appropriated shall be reduced as such
4 collections are received during the fiscal year, so as to re-
5 sult in a final fiscal year 2022 appropriation estimated
6 at not more than \$184,781,000: *Provided further*, That
7 not to exceed \$3,000 shall be available for reasonable ex-
8 penses related to promoting volunteer beach and marine
9 cleanup activities.

10 BUREAU OF SAFETY AND ENVIRONMENTAL

11 ENFORCEMENT

12 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

13 For expenses necessary for the regulation of oper-
14 ations related to leases, easements, rights-of-way, and
15 agreements for use for oil and gas, other minerals, energy,
16 and marine-related purposes on the Outer Continental
17 Shelf, as authorized by law; for enforcing and imple-
18 menting laws and regulations as authorized by law and
19 to the extent provided by Presidential or Secretarial dele-
20 gation; and for matching grants or cooperative agree-
21 ments, \$200,573,000, of which \$149,573,000 is to remain
22 available until September 30, 2023, and of which
23 \$51,000,000 is to remain available until expended, includ-
24 ing \$30,000,000 for offshore decommissioning activities:
25 *Provided*, That this total appropriation shall be reduced

1 by amounts collected by the Secretary of the Interior and
2 credited to this appropriation from additions to receipts
3 resulting from increases to lease rental rates in effect on
4 August 5, 1993, and from cost recovery fees from activi-
5 ties conducted by the Bureau of Safety and Environmental
6 Enforcement pursuant to the Outer Continental Shelf
7 Lands Act, including studies, assessments, analysis, and
8 miscellaneous administrative activities: *Provided further*,
9 That the sum herein appropriated shall be reduced as such
10 collections are received during the fiscal year, so as to re-
11 sult in a final fiscal year 2022 appropriation estimated
12 at not more than \$179,573,000.

13 For an additional amount, \$37,000,000, to remain
14 available until expended, to be reduced by amounts col-
15 lected by the Secretary and credited to this appropriation,
16 which shall be derived from non-refundable inspection fees
17 collected in fiscal year 2022, as provided in this Act: *Pro-*
18 *vided*, That to the extent that amounts realized from such
19 inspection fees exceed \$37,000,000, the amounts realized
20 in excess of \$37,000,000 shall be credited to this appro-
21 priation and remain available until expended: *Provided*
22 *further*, That for fiscal year 2022, not less than 50 percent
23 of the inspection fees expended by the Bureau of Safety
24 and Environmental Enforcement will be used to fund per-
25 sonnel and mission-related costs to expand capacity and

1 expedite the orderly development, subject to environmental
2 safeguards, of the Outer Continental Shelf pursuant to the
3 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
4 seq.), including the review of applications for permits to
5 drill.

6 OIL SPILL RESEARCH

7 For necessary expenses to carry out title I, section
8 1016; title IV, sections 4202 and 4303; title VII; and title
9 VIII, section 8201 of the Oil Pollution Act of 1990,
10 \$15,099,000, which shall be derived from the Oil Spill Li-
11 ability Trust Fund, to remain available until expended.

12 OFFICE OF SURFACE MINING RECLAMATION AND

13 ENFORCEMENT

14 REGULATION AND TECHNOLOGY

15 For necessary expenses to carry out the provisions
16 of the Surface Mining Control and Reclamation Act of
17 1977, Public Law 95–87, \$119,257,000, to remain avail-
18 able until September 30, 2023, of which \$65,000,000 shall
19 be available for state and tribal regulatory grants: *Pro-*
20 *vided*, That appropriations for the Office of Surface Min-
21 ing Reclamation and Enforcement may provide for the
22 travel and per diem expenses of State and tribal personnel
23 attending Office of Surface Mining Reclamation and En-
24 forcement sponsored training.

1 In addition, for costs to review, administer, and en-
2 force permits issued by the Office pursuant to section 507
3 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
4 main available until expended: *Provided*, That fees as-
5 sessed and collected by the Office pursuant to such section
6 507 shall be credited to this account as discretionary off-
7 setting collections, to remain available until expended:
8 *Provided further*, That the sum herein appropriated from
9 the general fund shall be reduced as collections are re-
10 ceived during the fiscal year, so as to result in a fiscal
11 year 2022 appropriation estimated at not more than
12 \$119,257,000.

13 ABANDONED MINE RECLAMATION FUND

14 For necessary expenses to carry out title IV of the
15 Surface Mining Control and Reclamation Act of 1977,
16 Public Law 95–87, \$27,765,000, to be derived from re-
17 ceipts of the Abandoned Mine Reclamation Fund and to
18 remain available until expended: *Provided*, That pursuant
19 to Public Law 97–365, the Department of the Interior is
20 authorized to use up to 20 percent from the recovery of
21 the delinquent debt owed to the United States Government
22 to pay for contracts to collect these debts: *Provided fur-*
23 *ther*, That funds made available under title IV of Public
24 Law 95–87 may be used for any required non-Federal
25 share of the cost of projects funded by the Federal Gov-

1 ernment for the purpose of environmental restoration re-
2 lated to treatment or abatement of acid mine drainage
3 from abandoned mines: *Provided further*, That such
4 projects must be consistent with the purposes and prior-
5 ities of the Surface Mining Control and Reclamation Act:
6 *Provided further*, That amounts provided under this head-
7 ing may be used for the travel and per diem expenses of
8 State and tribal personnel attending Office of Surface
9 Mining Reclamation and Enforcement sponsored training.

10 In addition, \$115,000,000, to remain available until
11 expended, for grants to States and federally recognized In-
12 dian Tribes for reclamation of abandoned mine lands and
13 other related activities in accordance with the terms and
14 conditions described in the explanatory statement accom-
15 panying this Act: *Provided*, That such additional amount
16 shall be used for economic and community development
17 in conjunction with the priorities in section 403(a) of the
18 Surface Mining Control and Reclamation Act of 1977 (30
19 U.S.C. 1233(a)): *Provided further*, That of such additional
20 amount, \$75,000,000 shall be distributed in equal
21 amounts to the three Appalachian States with the greatest
22 amount of unfunded needs to meet the priorities described
23 in paragraphs (1) and (2) of such section, \$30,000,000
24 shall be distributed in equal amounts to the three Appa-
25 lachian States with the subsequent greatest amount of un-

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

15 INDIAN AFFAIRS

16 BUREAU OF INDIAN AFFAIRS

17 OPERATION OF INDIAN PROGRAMS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For expenses necessary for the operation of Indian
20 programs, as authorized by law, including the Snyder Act
21 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-
22 Determination and Education Assistance Act of 1975 (25
23 U.S.C. 5301 et seq.), \$1,875,716,000, to remain available
24 until September 30, 2023, except as otherwise provided
25 herein; of which not to exceed \$8,500 may be for official

1 reception and representation expenses; of which not to ex-
2 ceed \$77,994,000 shall be for welfare assistance pay-
3 ments: *Provided*, That in cases of designated Federal dis-
4 asters, the Secretary of the Interior may exceed such cap
5 for welfare payments from the amounts provided herein,
6 to provide for disaster relief to Indian communities af-
7 fected by the disaster: *Provided further*, That federally rec-
8 ognized Indian tribes and tribal organizations of federally
9 recognized Indian tribes may use their tribal priority allo-
10 cations for unmet welfare assistance costs: *Provided fur-*
11 *ther*, That not to exceed \$57,323,000 shall remain avail-
12 able until expended for housing improvement, road main-
13 tenance, attorney fees, litigation support, land records im-
14 provement, and the Navajo-Hopi Settlement Program:
15 *Provided further*, That of the amount appropriated under
16 this heading, \$1,250,000 shall be for projects specified for
17 Special Initiatives in the table that appears under the
18 heading “Congressionally Directed Spending” in the ex-
19 planatory statement accompanying this Act: *Provided fur-*
20 *ther*, That any forestry funds allocated to a federally rec-
21 ognized tribe which remain unobligated as of September
22 30, 2023, may be transferred during fiscal year 2024 to
23 an Indian forest land assistance account established for
24 the benefit of the holder of the funds within the holder’s
25 trust fund account: *Provided further*, That any such unob-

1 ligated balances not so transferred shall expire on Sep-
2 tember 30, 2024: *Provided further*, That in order to en-
3 hance the safety of Bureau field employees, the Bureau
4 may use funds to purchase uniforms or other identifying
5 articles of clothing for personnel: *Provided further*, That
6 the Bureau of Indian Affairs may accept transfers of
7 funds from United States Customs and Border Protection
8 to supplement any other funding available for reconstruc-
9 tion or repair of roads owned by the Bureau of Indian
10 Affairs as identified on the National Tribal Transpor-
11 tation Facility Inventory, 23 U.S.C. 202(b)(1): *Provided*
12 *further*, That section 5 of the Indian Reorganization Act
13 of June 18, 1934 (25 U.S.C. 5108) shall be applied by
14 substituting “\$10,000,000” for “\$2,000,000”.

15 INDIAN LAND CONSOLIDATION

16 For the acquisition of fractional interests to further
17 land consolidation as authorized under the Indian Land
18 Consolidation Act Amendments of 2000 (Public Law 106–
19 462), and the American Indian Probate Reform Act of
20 2004 (Public Law 108–374), \$75,000,000, to remain
21 available until expended: *Provided*, That any provisions of
22 the Indian Land Consolidation Act Amendments of 2000
23 (Public Law 106–462) that requires or otherwise relates
24 to application of a lien shall not apply to the acquisition
25 funded herein.

1 CONTRACT SUPPORT COSTS

2 For payments to tribes and tribal organizations for
3 contract support costs associated with Indian Self-Deter-
4 mination and Education Assistance Act agreements with
5 the Bureau of Indian Affairs and the Bureau of Indian
6 Education for fiscal year 2022, such sums as may be nec-
7 essary, which shall be available for obligation through Sep-
8 tember 30, 2023: *Provided*, That notwithstanding any
9 other provision of law, no amounts made available under
10 this heading shall be available for transfer to another
11 budget account.

12 PAYMENTS FOR TRIBAL LEASES

13 For payments to tribes and tribal organizations for
14 leases pursuant to section 105(l) of the Indian Self-Deter-
15 mination and Education Assistance Act (25 U.S.C.
16 5324(l)) for fiscal year 2022, such sums as may be nec-
17 essary, which shall be available for obligation through Sep-
18 tember 30, 2023: *Provided*, That notwithstanding any
19 other provision of law, no amounts made available under
20 this heading shall be available for transfer to another
21 budget account.

22 CONSTRUCTION

23 (INCLUDING TRANSFER OF FUNDS)

24 For construction, repair, improvement, and mainte-
25 nance of irrigation and power systems, buildings, utilities,

1 and other facilities, including architectural and engineer-
2 ing services by contract; acquisition of lands, and interests
3 in lands; and preparation of lands for farming, and for
4 construction of the Navajo Indian Irrigation Project pur-
5 suant to Public Law 87-483; \$177,842,000, to remain
6 available until expended: *Provided*, That such amounts as
7 may be available for the construction of the Navajo Indian
8 Irrigation Project may be transferred to the Bureau of
9 Reclamation: *Provided further*, That any funds provided
10 for the Safety of Dams program pursuant to the Act of
11 November 2, 1921 (25 U.S.C. 13), shall be made available
12 on a nonreimbursable basis: *Provided further*, That this
13 appropriation may be reimbursed from the Office of the
14 Special Trustee for American Indians appropriation for
15 the appropriate share of construction costs for space ex-
16 pansion needed in agency offices to meet trust reform im-
17 plementation: *Provided further*, That of the funds made
18 available under this heading, \$10,000,000 shall be derived
19 from the Indian Irrigation Fund established by section
20 3211 of the WIIN Act (Public Law 114-322; 130 Stat.
21 1749).

22 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
23 MISCELLANEOUS PAYMENTS TO INDIANS

24 For payments and necessary administrative expenses
25 for implementation of Indian land and water claim settle-

1 ments pursuant to Public Laws 99–264, 114–322, and
2 116-260 and for implementation of other land and water
3 rights settlements, \$75,844,000, to remain available until
4 expended, of which up to \$25,000,000 shall be available
5 for deposit into the Selis-Qlispe Ksanka Settlement Trust
6 Fund established by Public Law 116–260.

7 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

8 For the cost of guaranteed loans and insured loans,
9 \$11,833,000, to remain available until September 30,
10 2023, of which \$1,629,000 is for administrative expenses,
11 as authorized by the Indian Financing Act of 1974: *Pro-*
12 *vided*, That such costs, including the cost of modifying
13 such loans, shall be as defined in section 502 of the Con-
14 gressional Budget Act of 1974: *Provided further*, That
15 these funds are available to subsidize total loan principal,
16 any part of which is to be guaranteed or insured, not to
17 exceed \$103,456,940.

18 BUREAU OF INDIAN EDUCATION

19 OPERATION OF INDIAN EDUCATION PROGRAMS

20 For expenses necessary for the operation of Indian
21 education programs, as authorized by law, including the
22 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
23 dian Self-Determination and Education Assistance Act of
24 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
25 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally

1 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
2 \$1,070,535,000, to remain available until September 30,
3 2023, except as otherwise provided herein: *Provided*, That
4 federally recognized Indian tribes and tribal organizations
5 of federally recognized Indian tribes may use their tribal
6 priority allocations for unmet welfare assistance costs:
7 *Provided further*, That not to exceed \$789,983,000 for
8 school operations costs of Bureau-funded schools and
9 other education programs shall become available on July
10 1, 2022, and shall remain available until September 30,
11 2023: *Provided further*, That notwithstanding any other
12 provision of law, including but not limited to the Indian
13 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)
14 and section 1128 of the Education Amendments of 1978
15 (25 U.S.C. 2008), not to exceed \$92,285,000 within and
16 only from such amounts made available for school oper-
17 ations shall be available for administrative cost grants as-
18 sociated with grants approved prior to July 1, 2022: *Pro-*
19 *vided further*, That in order to enhance the safety of Bu-
20 reau field employees, the Bureau may use funds to pur-
21 chase uniforms or other identifying articles of clothing for
22 personnel.

23 EDUCATION CONSTRUCTION

24 For construction, repair, improvement, and mainte-
25 nance of buildings, utilities, and other facilities necessary

1 for the operation of Indian education programs, including
2 architectural and engineering services by contract; acquisi-
3 tion of lands, and interests in lands; \$264,330,000 to re-
4 main available until expended: *Provided*, That in order to
5 ensure timely completion of construction projects, the Sec-
6 retary of the Interior may assume control of a project and
7 all funds related to the project, if, not later than 18
8 months after the date of the enactment of this Act, any
9 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee
10 receiving funds appropriated in this Act or in any prior
11 Act, has not completed the planning and design phase of
12 the project and commenced construction.

13 ADMINISTRATIVE PROVISIONS

14 The Bureau of Indian Affairs and the Bureau of In-
15 dian Education may carry out the operation of Indian pro-
16 grams by direct expenditure, contracts, cooperative agree-
17 ments, compacts, and grants, either directly or in coopera-
18 tion with States and other organizations.

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

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau of Indian Affairs or the Bureau
25 of Indian Education for central office oversight and Exec-

1 utive Direction and Administrative Services (except Exec-
2 utive Direction and Administrative Services funding for
3 Tribal Priority Allocations, regional offices, and facilities
4 operations and maintenance) shall be available for con-
5 tracts, grants, compacts, or cooperative agreements with
6 the Bureau of Indian Affairs or the Bureau of Indian
7 Education under the provisions of the Indian Self-Deter-
8 mination Act or the Tribal Self-Governance Act of 1994
9 (Public Law 103–413).

10 In the event any tribe returns appropriations made
11 available by this Act to the Bureau of Indian Affairs or
12 the Bureau of Indian Education, this action shall not di-
13 minish the Federal Government’s trust responsibility to
14 that tribe, or the government-to-government relationship
15 between the United States and that tribe, or that tribe’s
16 ability to access future appropriations.

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

23 No funds available to the Bureau of Indian Edu-
24 cation shall be used to support expanded grades for any
25 school or dormitory beyond the grade structure in place

1 or approved by the Secretary of the Interior at each school
2 in the Bureau of Indian Education school system as of
3 October 1, 1995, except that the Secretary of the Interior
4 may waive this prohibition to support expansion of up to
5 one additional grade when the Secretary determines such
6 waiver is needed to support accomplishment of the mission
7 of the Bureau of Indian Education, or more than one
8 grade to expand the elementary grade structure for Bu-
9 reau-funded schools with a K–2 grade structure on Octo-
10 ber 1, 1996. Appropriations made available in this or any
11 prior Act for schools funded by the Bureau shall be avail-
12 able, in accordance with the Bureau’s funding formula,
13 only to the schools in the Bureau school system as of Sep-
14 tember 1, 1996, and to any school or school program that
15 was reinstated in fiscal year 2012. Funds made available
16 under this Act may not be used to establish a charter
17 school at a Bureau-funded school (as that term is defined
18 in section 1141 of the Education Amendments of 1978
19 (25 U.S.C. 2021)), except that a charter school that is
20 in existence on the date of the enactment of this Act and
21 that has operated at a Bureau-funded school before Sep-
22 tember 1, 1999, may continue to operate during that pe-
23 riod, but only if the charter school pays to the Bureau
24 a pro rata share of funds to reimburse the Bureau for
25 the use of the real and personal property (including buses

1 and vans), the funds of the charter school are kept sepa-
2 rate and apart from Bureau funds, and the Bureau does
3 not assume any obligation for charter school programs of
4 the State in which the school is located if the charter
5 school loses such funding. Employees of Bureau-funded
6 schools sharing a campus with a charter school and per-
7 forming functions related to the charter school's operation
8 and employees of a charter school shall not be treated as
9 Federal employees for purposes of chapter 171 of title 28,
10 United States Code.

11 Notwithstanding any other provision of law, including
12 section 113 of title I of appendix C of Public Law 106-
13 113, if in fiscal year 2003 or 2004 a grantee received indi-
14 rect and administrative costs pursuant to a distribution
15 formula based on section 5(f) of Public Law 101-301, the
16 Secretary shall continue to distribute indirect and admin-
17 istrative cost funds to such grantee using the section 5(f)
18 distribution formula.

19 Funds available under this Act may not be used to
20 establish satellite locations of schools in the Bureau school
21 system as of September 1, 1996, except that the Secretary
22 may waive this prohibition in order for an Indian tribe
23 to provide language and cultural immersion educational
24 programs for non-public schools located within the juris-
25 dictional area of the tribal government which exclusively

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

19 Funds made available for Tribal Priority Allocations
20 within Operation of Indian Programs and Operation of In-
21 dian Education Programs may be used to execute re-
22 quested adjustments in tribal priority allocations initiated
23 by an Indian Tribe.

1 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
2 INDIANS
3 FEDERAL TRUST PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For the operation of trust programs for Indians by
6 direct expenditure, contracts, cooperative agreements,
7 compacts, and grants, \$110,672,000, to remain available
8 until expended, of which not to exceed \$17,536,000 from
9 this or any other Act, may be available for historical ac-
10 counting: *Provided*, That funds for trust management im-
11 provements and litigation support may, as needed, be
12 transferred to or merged with the Bureau of Indian Af-
13 fairs, “Operation of Indian Programs” and Bureau of In-
14 dian Education, “Operation of Indian Education Pro-
15 grams” accounts; the Office of the Solicitor, “Salaries and
16 Expenses” account; and the Office of the Secretary, “De-
17 partmental Operations” account: *Provided further*, That
18 funds made available through contracts or grants obli-
19 gated during fiscal year 2022, as authorized by the Indian
20 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
21 shall remain available until expended by the contractor or
22 grantee: *Provided further*, That notwithstanding any other
23 provision of law, the Secretary shall not be required to
24 provide a quarterly statement of performance for any In-
25 dian trust account that has not had activity for at least

1 15 months and has a balance of \$15 or less: *Provided fur-*
2 *ther*, That the Secretary shall issue an annual account
3 statement and maintain a record of any such accounts and
4 shall permit the balance in each such account to be with-
5 drawn upon the express written request of the account
6 holder: *Provided further*, That not to exceed \$100,000 is
7 available for the Secretary to make payments to correct
8 administrative errors of either disbursements from or de-
9 posits to Individual Indian Money or Tribal accounts after
10 September 30, 2002: *Provided further*, That erroneous
11 payments that are recovered shall be credited to and re-
12 main available in this account for this purpose: *Provided*
13 *further*, That the Secretary shall not be required to re-
14 concile Special Deposit Accounts with a balance of less than
15 \$500 unless the Office of the Special Trustee receives
16 proof of ownership from a Special Deposit Accounts claim-
17 ant: *Provided further*, That notwithstanding section 102
18 of the American Indian Trust Fund Management Reform
19 Act of 1994 (Public Law 103–412) or any other provision
20 of law, the Secretary may aggregate the trust accounts
21 of individuals whose whereabouts are unknown for a con-
22 tinuous period of at least 5 years and shall not be required
23 to generate periodic statements of performance for the in-
24 dividual accounts: *Provided further*, That with respect to
25 the eighth proviso, the Secretary shall continue to main-

1 tain sufficient records to determine the balance of the indi-
2 vidual accounts, including any accrued interest and in-
3 come, and such funds shall remain available to the indi-
4 vidual account holders.

5 DEPARTMENTAL OFFICES

6 OFFICE OF THE SECRETARY

7 DEPARTMENTAL OPERATIONS

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses for management of the De-
10 partment of the Interior and for grants and cooperative
11 agreements, as authorized by law, \$190,087,000, to re-
12 main available until September 30, 2023; of which
13 \$58,200,000, to remain available until expended, shall be
14 for acquisitions of zero emission vehicles and related ex-
15 penses, including charging infrastructure, and may be
16 transferred to any other account in the Department; of
17 which not to exceed \$15,000 may be for official reception
18 and representation expenses; of which up to \$1,000,000
19 shall be available for workers compensation payments and
20 unemployment compensation payments associated with the
21 orderly closure of the United States Bureau of Mines; and
22 of which \$13,591,000 for Indian land, mineral, and re-
23 source valuation activities shall remain available until ex-
24 pended: *Provided*, That funds for Indian land, mineral,
25 and resource valuation activities may, as needed, be trans-

1 ferred to and merged with the Bureau of Indian Affairs
2 “Operation of Indian Programs” and Bureau of Indian
3 Education “Operation of Indian Education Programs” ac-
4 counts and the Office of the Special Trustee “Federal
5 Trust Programs” account: *Provided further*, That funds
6 made available through contracts or grants obligated dur-
7 ing fiscal year 2022, as authorized by the Indian Self-De-
8 termination Act of 1975 (25 U.S.C. 5301 et seq.), shall
9 remain available until expended by the contractor or
10 grantee.

11 ADMINISTRATIVE PROVISIONS

12 For fiscal year 2022, up to \$400,000 of the payments
13 authorized by chapter 69 of title 31, United States Code,
14 may be retained for administrative expenses of the Pay-
15 ments in Lieu of Taxes Program: *Provided*, That the
16 amounts provided under this Act specifically for the Pay-
17 ments in Lieu of Taxes program are the only amounts
18 available for payments authorized under chapter 69 of
19 title 31, United States Code: *Provided further*, That in the
20 event the sums appropriated for any fiscal year for pay-
21 ments pursuant to this chapter are insufficient to make
22 the full payments authorized by that chapter to all units
23 of local government, then the payment to each local gov-
24 ernment shall be made proportionally: *Provided further*,
25 That the Secretary may make adjustments to payment to

1 individual units of local government to correct for prior
2 overpayments or underpayments: *Provided further*, That
3 no payment shall be made pursuant to that chapter to oth-
4 erwise eligible units of local government if the computed
5 amount of the payment is less than \$100.

6 INSULAR AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories
9 under the jurisdiction of the Department of the Interior
10 and other jurisdictions identified in section 104(e) of Pub-
11 lic Law 108–188, \$113,977,000, of which: (1)
12 \$104,140,000 shall remain available until expended for
13 territorial assistance, including general technical assist-
14 ance, maintenance assistance, disaster assistance, coral
15 reef initiative and natural resources activities, and brown
16 tree snake control and research; grants to the judiciary
17 in American Samoa for compensation and expenses, as au-
18 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
19 ment of American Samoa, in addition to current local rev-
20 enues, for construction and support of governmental func-
21 tions; grants to the Government of the Virgin Islands, as
22 authorized by law; grants to the Government of Guam,
23 as authorized by law; and grants to the Government of
24 the Northern Mariana Islands, as authorized by law (Pub-
25 lic Law 94–241; 90 Stat. 272); and (2) \$9,837,000 shall

1 be available until September 30, 2023, for salaries and
2 expenses of the Office of Insular Affairs: *Provided*, That
3 all financial transactions of the territorial and local gov-
4 ernments herein provided for, including such transactions
5 of all agencies or instrumentalities established or used by
6 such governments, may be audited by the Government Ac-
7 countability Office, at its discretion, in accordance with
8 chapter 35 of title 31, United States Code: *Provided fur-*
9 *ther*, That Northern Mariana Islands Covenant grant
10 funding shall be provided according to those terms of the
11 Agreement of the Special Representatives on Future
12 United States Financial Assistance for the Northern Mar-
13 iana Islands approved by Public Law 104–134: *Provided*
14 *further*, That the funds for the program of operations and
15 maintenance improvement are appropriated to institu-
16 tionalize routine operations and maintenance improvement
17 of capital infrastructure with territorial participation and
18 cost sharing to be determined by the Secretary based on
19 the grantee’s commitment to timely maintenance of its
20 capital assets: *Provided further*, That any appropriation
21 for disaster assistance under this heading in this Act or
22 previous appropriations Acts may be used as non–Federal
23 matching funds for the purpose of hazard mitigation
24 grants provided pursuant to section 404 of the Robert T.

1 Stafford Disaster Relief and Emergency Assistance Act
2 (42 U.S.C. 5170c).

3 COMPACT OF FREE ASSOCIATION

4 For grants and necessary expenses, \$8,463,000, to
5 remain available until expended, as provided for in sec-
6 tions 221(a)(2) and 233 of the Compact of Free Associa-
7 tion for the Republic of Palau; and section 221(a)(2) of
8 the Compacts of Free Association for the Government of
9 the Republic of the Marshall Islands and the Federated
10 States of Micronesia, as authorized by Public Law 99-
11 658 and Public Law 108-188: *Provided*, That of the funds
12 appropriated under this heading, \$5,000,000 is for deposit
13 into the Compact Trust Fund of the Republic of the Mar-
14 shall Islands as compensation authorized by Public Law
15 108-188 for adverse financial and economic impacts.

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 At the request of the Governor of Guam, the Sec-
19 retary may transfer discretionary funds or mandatory
20 funds provided under section 104(e) of Public Law 108-
21 188 and Public Law 104-134, that are allocated for
22 Guam, to the Secretary of Agriculture for the subsidy cost
23 of direct or guaranteed loans, plus not to exceed three per-
24 cent of the amount of the subsidy transferred for the cost
25 of loan administration, for the purposes authorized by the

1 Rural Electrification Act of 1936 and section 306(a)(1)
2 of the Consolidated Farm and Rural Development Act for
3 construction and repair projects in Guam, and such funds
4 shall remain available until expended: *Provided*, That such
5 costs, including the cost of modifying such loans, shall be
6 as defined in section 502 of the Congressional Budget Act
7 of 1974: *Provided further*, That such loans or loan guaran-
8 tees may be made without regard to the population of the
9 area, credit elsewhere requirements, and restrictions on
10 the types of eligible entities under the Rural Electrifica-
11 tion Act of 1936 and section 306(a)(1) of the Consolidated
12 Farm and Rural Development Act: *Provided further*, That
13 any funds transferred to the Secretary of Agriculture shall
14 be in addition to funds otherwise made available to make
15 or guarantee loans under such authorities.

16 OFFICE OF THE SOLICITOR

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of the Solicitor,
19 \$96,498,000, to remain available until September 30,
20 2023.

21 OFFICE OF INSPECTOR GENERAL

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Inspector
24 General, \$66,382,000, to remain available until September
25 30, 2023.

1 DEPARTMENT-WIDE PROGRAMS
2 WILDLAND FIRE MANAGEMENT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$1,125,441,000, to remain available until expended, of
9 which not to exceed \$18,427,000 shall be for the renova-
10 tion or construction of fire facilities: *Provided*, That such
11 funds are also available for repayment of advances to
12 other appropriation accounts from which funds were pre-
13 viously transferred for such purposes: *Provided further*,
14 That of the funds provided \$304,344,000 is for fuels man-
15 agement activities: *Provided further*, That of the funds
16 provided \$40,470,000 is for burned area rehabilitation:
17 *Provided further*, That persons hired pursuant to 43
18 U.S.C. 1469 may be furnished subsistence and lodging
19 without cost from funds available from this appropriation:
20 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
21 sums received by a bureau or office of the Department
22 of the Interior for fire protection rendered pursuant to 42
23 U.S.C. 1856 et seq., protection of United States property,
24 may be credited to the appropriation from which funds
25 were expended to provide that protection, and are avail-

1 able without fiscal year limitation: *Provided further*, That
2 using the amounts designated under this title of this Act,
3 the Secretary of the Interior may enter into procurement
4 contracts, grants, or cooperative agreements, for fuels
5 management activities, and for training and monitoring
6 associated with such fuels management activities on Fed-
7 eral land, or on adjacent non-Federal land for activities
8 that benefit resources on Federal land: *Provided further*,
9 That the costs of implementing any cooperative agreement
10 between the Federal Government and any non-Federal en-
11 tity may be shared, as mutually agreed on by the affected
12 parties: *Provided further*, That notwithstanding require-
13 ments of the Competition in Contracting Act, the Sec-
14 retary, for purposes of fuels management activities, may
15 obtain maximum practicable competition among: (1) local
16 private, nonprofit, or cooperative entities; (2) Youth Con-
17 servation Corps crews, Public Lands Corps (Public Law
18 109–154), or related partnerships with State, local, or
19 nonprofit youth groups; (3) small or micro-businesses; or
20 (4) other entities that will hire or train locally a significant
21 percentage, defined as 50 percent or more, of the project
22 workforce to complete such contracts: *Provided further*,
23 That in implementing this section, the Secretary shall de-
24 velop written guidance to field units to ensure account-
25 ability and consistent application of the authorities pro-

1 vided herein: *Provided further*, That funds appropriated
2 under this heading may be used to reimburse the United
3 States Fish and Wildlife Service and the National Marine
4 Fisheries Service for the costs of carrying out their re-
5 sponsibilities under the Endangered Species Act of 1973
6 (16 U.S.C. 1531 et seq.) to consult and conference, as
7 required by section 7 of such Act, in connection with
8 wildland fire management activities: *Provided further*,
9 That the Secretary of the Interior may use wildland fire
10 appropriations to enter into leases of real property with
11 local governments, at or below fair market value, to con-
12 struct capitalized improvements for fire facilities on such
13 leased properties, including but not limited to fire guard
14 stations, retardant stations, and other initial attack and
15 fire support facilities, and to make advance payments for
16 any such lease or for construction activity associated with
17 the lease: *Provided further*, That the Secretary of the Inte-
18 rior and the Secretary of Agriculture may authorize the
19 transfer of funds appropriated for wildland fire manage-
20 ment, in an aggregate amount not to exceed \$50,000,000
21 between the Departments when such transfers would fa-
22 cilitate and expedite wildland fire management programs
23 and projects: *Provided further*, That funds provided for
24 wildfire suppression shall be available for support of Fed-
25 eral emergency response actions: *Provided further*, That

1 funds appropriated under this heading shall be available
2 for assistance to or through the Department of State in
3 connection with forest and rangeland research, technical
4 information, and assistance in foreign countries, and, with
5 the concurrence of the Secretary of State, shall be avail-
6 able to support forestry, wildland fire management, and
7 related natural resource activities outside the United
8 States and its territories and possessions, including tech-
9 nical assistance, education and training, and cooperation
10 with United States and international organizations: *Pro-*
11 *vided further*, That of the funds provided under this head-
12 ing \$383,657,000 is provided to meet the terms of section
13 4004(b)(5)(B) and section 4005(e)(2)(A) of S. Con. Res.
14 14 (117th Congress), the concurrent resolution on the
15 budget for fiscal year 2022.

16 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
17 (INCLUDING TRANSFERS OF FUNDS)

18 In addition to the amounts provided under the head-
19 ing “Department of the Interior—Department-Wide Pro-
20 grams—Wildland Fire Management” for wildfire suppres-
21 sion operations, \$330,000,000, to remain available until
22 transferred, is additional new budget authority as speci-
23 fied for purposes of section 4004(b)(5) and section
24 4005(e) of S. Con. Res. 14 (117th Congress), the concur-
25 rent budget for fiscal year 2022: *Provided*, That such

1 amounts may be transferred to and merged with amounts
2 made available under the headings “Department of Agri-
3 culture—Forest Service—Wildland Fire Management”
4 and “Department of the Interior—Department-Wide Pro-
5 grams—Wildland Fire Management” for wildfire suppres-
6 sion operations in the fiscal year in which such amounts
7 are transferred: *Provided further*, That amounts may be
8 transferred to the “Wildland Fire Management” accounts
9 in the Department of Agriculture or the Department of
10 the Interior only upon the notification of the House and
11 Senate Committees on Appropriations that all wildfire
12 suppression operations funds appropriated under that
13 heading in this and prior appropriations Acts to the agen-
14 cy to which the funds will be transferred will be obligated
15 within 30 days: *Provided further*, That the transfer au-
16 thority provided under this heading is in addition to any
17 other transfer authority provided by law: *Provided further*,
18 That, in determining whether all wildfire suppression op-
19 erations funds appropriated under the heading “Wildland
20 Fire Management” in this and prior appropriations Acts
21 to either the Department of Agriculture or the Depart-
22 ment of the Interior will be obligated within 30 days pur-
23 suant to the previous proviso, any funds transferred or
24 permitted to be transferred pursuant to any other transfer
25 authority provided by law shall be excluded.

1 CENTRAL HAZARDOUS MATERIALS FUND

2 For necessary expenses of the Department of the In-
3 terior and any of its component offices and bureaus for
4 the response action, including associated activities, per-
5 formed pursuant to the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act (42 U.S.C. 9601
7 et seq.), \$10,036,000, to remain available until expended.

8 ENERGY COMMUNITY REVITALIZATION PROGRAM

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Department of the In-
11 terior and any of its component offices and bureaus to
12 inventory, assess, decommission, reclaim, respond to haz-
13 ardous substance releases, and remediate abandoned hard
14 rock mines, orphaned oil and gas wells, and orphaned in-
15 frastructure, including, but not limited to, facilities, pipe-
16 lines, structures or equipment used in energy production
17 operations, \$65,000,000, to remain available until ex-
18 pended: *Provided*, That such amount shall be in addition
19 to amounts otherwise available for such purposes: *Pro-*
20 *vided further*, That amounts appropriated under this head-
21 ing are available for grants and cooperative agreements
22 to States to inventory, assess, decommission, reclaim, and
23 remediate abandoned hard rock mines, orphaned oil and
24 gas wells, and associated infrastructure on State and pri-
25 vate lands: *Provided further*, That amounts appropriated

1 under this heading are available for grants or cooperative
2 agreements to tribes to inventory, assess, decommission,
3 reclaim, and remediate abandoned hard rock mines, or-
4 phaned oil and gas wells, and their associated infrastruc-
5 ture on tribal lands, including grants management capac-
6 ity within tribes: *Provided further*, That amounts appro-
7 priated under this heading are available for program man-
8 agement and oversight of these activities: *Provided further*,
9 That the Secretary may transfer the funds provided under
10 this heading in this Act to any other account in the De-
11 partment to carry out such purposes, and may expend
12 such funds directly, or through grants or cooperative
13 agreements: *Provided further*, That the Secretary may im-
14 plement the grant and cooperative agreement programs
15 authorized herein on a formula or competitive basis: *Pro-
16 vided further*, That these amounts are not available to ful-
17 fill Comprehensive Environmental Response, Compensa-
18 tion, and Liability Act (CERCLA) obligations agreed to
19 in settlement or imposed by a court, whether for payment
20 of funds or for work to be performed.

21 NATURAL RESOURCE DAMAGE ASSESSMENT AND

22 RESTORATION

23 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

24 To conduct natural resource damage assessment, res-
25 toration activities, and onshore oil spill preparedness by

1 the Department of the Interior necessary to carry out the
2 provisions of the Comprehensive Environmental Response,
3 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
4 the Federal Water Pollution Control Act (33 U.S.C. 1251
5 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
6 et seq.), and 54 U.S.C. 100721 et seq., \$7,933,000, to
7 remain available until expended.

8 WORKING CAPITAL FUND

9 For the operation and maintenance of a departmental
10 financial and business management system, information
11 technology improvements of general benefit to the Depart-
12 ment, cybersecurity, and the consolidation of facilities and
13 operations throughout the Department, \$91,436,000, to
14 remain available until expended: *Provided*, That none of
15 the funds appropriated in this Act or any other Act may
16 be used to establish reserves in the Working Capital Fund
17 account other than for accrued annual leave and deprecia-
18 tion of equipment without prior approval of the Commit-
19 tees on Appropriations of the House of Representatives
20 and the Senate: *Provided further*, That the Secretary of
21 the Interior may assess reasonable charges to State, local,
22 and tribal government employees for training services pro-
23 vided by the National Indian Program Training Center,
24 other than training related to Public Law 93–638: *Pro-*
25 *vided further*, That the Secretary may lease or otherwise

1 provide space and related facilities, equipment, or profes-
2 sional services of the National Indian Program Training
3 Center to State, local and tribal government employees or
4 persons or organizations engaged in cultural, educational,
5 or recreational activities (as defined in section 3306(a) of
6 title 40, United States Code) at the prevailing rate for
7 similar space, facilities, equipment, or services in the vicin-
8 ity of the National Indian Program Training Center: *Pro-*
9 *vided further*, That all funds received pursuant to the two
10 preceding provisos shall be credited to this account, shall
11 be available until expended, and shall be used by the Sec-
12 retary for necessary expenses of the National Indian Pro-
13 gram Training Center: *Provided further*, That the Sec-
14 retary may enter into grants and cooperative agreements
15 to support the Office of Natural Resource Revenue's col-
16 lection and disbursement of royalties, fees, and other min-
17 eral revenue proceeds, as authorized by law.

18 ADMINISTRATIVE PROVISION

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

1 OFFICE OF NATURAL RESOURCES REVENUE

2 For necessary expenses for management of the collec-
3 tion and disbursement of royalties, fees, and other mineral
4 revenue proceeds, and for grants and cooperative agree-
5 ments, as authorized by law, \$169,640,000, to remain
6 available until September 30, 2023; of which \$68,151,000
7 shall remain available until expended for the purpose of
8 mineral revenue management activities: *Provided*, That
9 notwithstanding any other provision of law, \$15,000 shall
10 be available for refunds of overpayments in connection
11 with certain Indian leases in which the Secretary of the
12 Interior concurred with the claimed refund due, to pay
13 amounts owed to Indian allottees or tribes, or to correct
14 prior unrecoverable erroneous payments.

15 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

16 (INCLUDING TRANSFERS OF FUNDS)

17 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

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

6 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

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

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

1 AUTHORIZED USE OF FUNDS

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

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

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

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

7 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
8 AFFAIRS

9 SEC. 105. Notwithstanding any other provision of
10 law, the Secretary of the Interior is authorized to redis-
11 tribute any Tribal Priority Allocation funds, including
12 tribal base funds, to alleviate tribal funding inequities by
13 transferring funds to address identified, unmet needs,
14 dual enrollment, overlapping service areas or inaccurate
15 distribution methodologies. No tribe shall receive a reduc-
16 tion in Tribal Priority Allocation funds of more than 10
17 percent in fiscal year 2022. Under circumstances of dual
18 enrollment, overlapping service areas or inaccurate dis-
19 tribution methodologies, the 10 percent limitation does not
20 apply.

21 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

1 New York and the State of New Jersey, for the purpose
2 of operating and maintaining facilities in the support of
3 transportation and accommodation of visitors to Ellis,
4 Governors, and Liberty Islands, and of other program and
5 administrative activities, by donation or with appropriated
6 funds, including franchise fees (and other monetary con-
7 sideration), or by exchange; and the Secretary is author-
8 ized to negotiate and enter into leases, subleases, conces-
9 sion contracts, or other agreements for the use of such
10 facilities on such terms and conditions as the Secretary
11 may determine reasonable.

12 OUTER CONTINENTAL SHELF INSPECTION FEES

13 SEC. 107. (a) In fiscal year 2022, the Secretary of
14 the Interior shall collect a nonrefundable inspection fee,
15 which shall be deposited in the “Offshore Safety and Envi-
16 ronmental Enforcement” account, from the designated op-
17 erator for facilities subject to inspection under 43 U.S.C.
18 1348(e).

19 (b) Annual fees shall be collected for facilities that
20 are above the waterline, excluding drilling rigs, and are
21 in place at the start of the fiscal year. Fees for fiscal year
22 2022 shall be—

23 (1) \$11,725 for facilities with no wells, but with
24 processing equipment or gathering lines;

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

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

6 (c) Fees for drilling rigs shall be assessed for all in-
7 spections completed in fiscal year 2022. Fees for fiscal
8 year 2022 shall be—

9 (1) \$34,059 per inspection for rigs operating in
10 water depths of 500 feet or more; and

11 (2) \$18,649 per inspection for rigs operating in
12 water depths of less than 500 feet.

13 (d) Fees for inspection of well operations conducted
14 via non-rig units as outlined in title 30 CFR 250 subparts
15 D, E, F, and Q shall be assessed for all inspections com-
16 pleted in fiscal year 2022. Fees for fiscal year 2022 shall
17 be—

18 (1) \$13,260 per inspection for non-rig units op-
19 erating in water depths of 2,500 feet or more;

20 (2) \$11,530 per inspection for non-rig units op-
21 erating in water depths between 500 and 2,499 feet;
22 and

23 (3) \$4,470 per inspection for non-rig units op-
24 erating in water depths of less than 500 feet.

1 (e) The Secretary shall bill designated operators
2 under subsection (b) quarterly, with payment required
3 within 30 days of billing. The Secretary shall bill des-
4 ignated operators under subsection (c) within 30 days of
5 the end of the month in which the inspection occurred,
6 with payment required within 30 days of billing. The Sec-
7 retary shall bill designated operators under subsection (d)
8 with payment required by the end of the following quarter.

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

11 SEC. 108. Notwithstanding any other provision of
12 this Act, the Secretary of the Interior may enter into
13 multiyear cooperative agreements with nonprofit organiza-
14 tions and other appropriate entities, and may enter into
15 multiyear contracts in accordance with the provisions of
16 section 3903 of title 41, United States Code (except that
17 the 5-year term restriction in subsection (a) shall not
18 apply), for the long-term care and maintenance of excess
19 wild free roaming horses and burros by such organizations
20 or entities on private land. Such cooperative agreements
21 and contracts may not exceed 10 years, subject to renewal
22 at the discretion of the Secretary.

23 MASS MARKING OF SALMONIDS

24 SEC. 109. The United States Fish and Wildlife Serv-
25 ice shall, in carrying out its responsibilities to protect

1 threatened and endangered species of salmon, implement
2 a system of mass marking of salmonid stocks, intended
3 for harvest, that are released from federally operated or
4 federally financed hatcheries including but not limited to
5 fish releases of coho, chinook, and steelhead species.
6 Marked fish must have a visible mark that can be readily
7 identified by commercial and recreational fishers.

8 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

9 SEC. 110. Notwithstanding any other provision of
10 law, during fiscal year 2022, in carrying out work involv-
11 ing cooperation with State, local, and tribal governments
12 or any political subdivision thereof, Indian Affairs may
13 record obligations against accounts receivable from any
14 such entities, except that total obligations at the end of
15 the fiscal year shall not exceed total budgetary resources
16 available at the end of the fiscal year.

17 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
18 PROGRAM

19 SEC. 111. (a) Notwithstanding any other provision
20 of law relating to Federal grants and cooperative agree-
21 ments, the Secretary of the Interior is authorized to make
22 grants to, or enter into cooperative agreements with, pri-
23 vate nonprofit organizations designated by the Secretary
24 of Labor under title V of the Older Americans Act of 1965
25 to utilize the talents of older Americans in programs au-

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

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

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

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

16 (3) affect existing contracts for services.

17 SEPARATION OF ACCOUNTS

18 SEC. 112. The Secretary of the Interior, in order to
19 implement an orderly transition to separate accounts of
20 the Bureau of Indian Affairs and the Bureau of Indian
21 Education, may transfer funds among and between the
22 successor offices and bureaus affected by the reorganiza-
23 tion only in conformance with the reprogramming guide-
24 lines described in this Act.

1 PAYMENTS IN LIEU OF TAXES (PILT)

2 SEC. 113. Section 6906 of title 31, United States
3 Code, shall be applied by substituting “fiscal year 2022”
4 for “fiscal year 2019”.

5 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE
6 APPROVAL

7 SEC. 114. (a) Subject to subsection (b), beginning no
8 later than 180 days after the enactment of this Act, in
9 any case in which the Bureau of Safety and Environ-
10 mental Enforcement or the Bureau of Ocean Energy Man-
11 agement prescribes or approves any departure or use of
12 alternate procedure or equipment, in regards to a plan or
13 permit, under 30 CFR 585.103, 30 CFR 550.141; 30
14 CFR 550.142; 30 CFR 250.141, or 30 CFR 250.142, the
15 head of such bureau shall post a description of such depart-
16 ture or alternate procedure or equipment use approval on
17 such bureau’s publicly available website not more than 15
18 business days after such issuance.

19 (b) The head of each bureau may exclude confidential
20 business information.

21 INTERAGENCY MOTOR POOL

22 SEC. 115. Notwithstanding any other provision of law
23 or Federal regulation, federally recognized Indian tribes
24 or authorized tribal organizations that receive Tribally-
25 Controlled School Grants pursuant to Public Law 100–

1 297 may obtain interagency motor vehicles and related
2 services for performance of any activities carried out
3 under such grants to the same extent as if they were con-
4 tracting under the Indian Self-Determination and Edu-
5 cation Assistance Act.

6 DELAWARE WATER GAP AUTHORITY

7 SEC. 116. Section 4(b) of The Delaware Water Gap
8 National Recreation Area Improvement Act, as amended
9 by section 1 of Public Law 115–101, shall be applied by
10 substituting “2022” for “2021”.

11 EXTENSION OF AUTHORITIES

12 SEC. 117. (a) Section 126 of Public Law 98–398, as
13 amended (98 Stat. 1456; 120 Stat. 1853), is further
14 amended by striking “the date that is 15 years after the
15 date of enactment of this section” and inserting “2023”.

16 (b) Section 10 of Public Law 99–647, as amended
17 (100 Stat. 3630; 104 Stat. 1018; 120 Stat. 1858; 128
18 Stat. 3804), is further amended by striking “2021” and
19 inserting “2023”.

20 (c) Section 12 of Public Law 100–692, as amended
21 (102 Stat. 4558; 112 Stat. 3258; 123 Stat. 1292; 127
22 Stat. 420; 128 Stat. 314; 128 Stat. 3801), is further
23 amended—

24 (1) in subsection (c)(1), by striking “2021” and
25 inserting “2023”; and

1 (2) in subsection (d), by striking “2021” and
2 inserting “2023”.

3 (d) Section 106(b) of Public Law 103–449, as
4 amended (108 Stat. 4755; 113 Stat. 1726; 123 Stat.
5 1291; 128 Stat. 3802), is further amended by striking
6 “2021” and inserting “2023”.

7 (e) Division II of Public Law 104–333 (54 U.S.C.
8 320101 note), as amended, is further amended by striking
9 “2021” each place it appears in the following sections and
10 inserting “2023”—

11 (1) in section 107 (110 Stat. 4244; 127 Stat.
12 420; 128 Stat. 314; 128 Stat. 3801);

13 (2) in section 408 (110 Stat. 4256; 127 Stat.
14 420; 128 Stat. 314; 128 Stat. 3801);

15 (3) in section 507 (110 Stat. 4260; 127 Stat.
16 420; 128 Stat. 314; 128 Stat. 3801);

17 (4) in section 707 (110 Stat. 4267; 127 Stat.
18 420; 128 Stat. 314; 128 Stat. 3801);

19 (5) in section 809 (110 Stat. 4275; 122 Stat.
20 826; 127 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

21 (6) in section 910 (110 Stat. 4281; 127 Stat.
22 420; 128 Stat. 314; 128 Stat. 3801);

23 (7) in section 310 (110 Stat. 4252; 127 Stat.
24 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
25 133 Stat. 778);

1 (8) in section 607 (110 Stat. 4264; 127 Stat.
2 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
3 133 Stat. 778-779); and

4 (9) in section 208 (110 Stat. 4248; 127 Stat.
5 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
6 133 Stat. 778).

7 (f) Section 109 of Public Law 105–355, as amended
8 (112 Stat. 3252; 128 Stat. 3802), is further amended by
9 striking “2021” and inserting “2023”.

10 (g) Public Law 106–278 (54 U.S.C. 320101 note),
11 as amended, is further amended—

12 (1) in section 108 (114 Stat. 818; 127 Stat.
13 420; 128 Stat. 314; 128 Stat. 3802) by striking
14 “2021” and inserting “2023”.

15 (2) in section 209 (114 Stat. 824; 128 Stat.
16 3802) by striking “2021” and inserting “2023”.

17 (h) Section 157(i) of Public Law 106–291, as amend-
18 ed (114 Stat. 967; 128 Stat. 3082), is further amended
19 by striking “2021” and inserting “2023”.

20 (i) Section 7 of Public Law 106–319, as amended
21 (114 Stat. 1284; 128 Stat. 3082), is further amended by
22 striking “2021” and inserting “2023”.

23 (j) Section 811 of title VIII of appendix D of Public
24 Law 106–554, as amended (114 Stat. 2763, 2763A–295;

1 128 Stat. 3802), is further amended by striking “2021”
2 and inserting “2023”.

3 (k) Section 140(j) of Public Law 108–108, as amend-
4 ed (117 Stat. 1274; 131 Stat. 461; 132 Stat. 661; 133
5 Stat. 778), is further amended by striking “2021” and
6 inserting “2023”.

7 (l) Title II of Public Law 109–338 (54 U.S.C.
8 320101 note; 120 Stat. 1787–1845), as amended, is fur-
9 ther amended—

10 (1) in each of sections 208, 221, 240, 260, 269,
11 289, 291J, 295L and 297H by striking “the date
12 that is 15 years after the date of enactment of this
13 Act” and inserting “September 30, 2023”; and

14 (2) in section 280B by striking “the day occur-
15 ring 15 years after the date of the enactment of this
16 subtitle” and inserting “September 30, 2023”.

17 (m) Section 810(a)(1) of title VIII of division B of
18 appendix D of Public Law 106–554, as amended (114
19 Stat. 2763; 123 Stat. 1295; 131 Stat. 461; 133 Stat.
20 2714), is further amended by striking “\$14,000,000” and
21 inserting “\$16,000,000”.

22 (n) Section 125(a) of title IV of Public Law 109–
23 338 (120 Stat. 1853) is amended by striking
24 “\$10,000,000” and inserting “\$12,000,000”.

1 (o) Section 210(a) of title II of Public Law 106–278
2 (114 Stat. 824) is amended by striking “\$10,000,000”
3 and inserting “\$12,000,000”.

4 (p) Section 804(j) of division B of H.R. 5666 (Appen-
5 dix D) as enacted into law by section 1(a)(4) of Public
6 Law 106–554, as amended (54 U.S.C. 320101 note; 114
7 Stat. 2763, 2763A–295; 123 Stat. 1294; 128 Stat. 3802;
8 131 Stat. 461; 133 Stat. 2714), is further amended by
9 striking “September 30, 2021” and inserting “September
10 30, 2037”.

11 (q) Section 295D(d) of Public Law 109–338, as
12 amended (54 U.S.C. 320101 note; 120 Stat. 1833; 130
13 Stat. 962), is further amended by striking “15 years after
14 the date of enactment of this Act” and inserting “on Sep-
15 tember 30, 2037”.

16 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC
17 TRAIL

18 SEC. 118. (a) STUDY.—The Secretary of the Interior
19 (Secretary) shall conduct a study to evaluate—

20 (1) resources associated with the 1965 Voting
21 Rights March from Selma to Montgomery not cur-
22 rently part of the Selma to Montgomery National
23 Historic Trail (Trail) (16 U.S.C. 1244(a)(20)) that
24 would be appropriate for addition to the Trail; and

1 (2) the potential designation of the Trail as a
2 unit of the National Park System instead of, or in
3 addition to, remaining a designated part of the Na-
4 tional Trails System.

5 (b) REPORT.—Not later than one year after the date
6 of enactment of this Act, the Secretary shall submit to
7 the House and Senate Committees on Appropriations, the
8 Committee on Natural Resources of the House of Rep-
9 resentatives and the Committee on Energy and Natural
10 Resources of the Senate a report that describes the results
11 of the study and the conclusions and recommendations of
12 the study.

13 (c) LAND ACQUISITION.—The Secretary is author-
14 ized, subject to the availability of appropriations and at
15 her discretion, to acquire property or interests therein lo-
16 cated in the city of Selma, Alabama and generally depicted
17 on the map entitled, “Selma to Montgomery NHT Pro-
18 posed Addition,” numbered 628/177376 and dated Sep-
19 tember 14, 2021, with the consent of the owner, for the
20 benefit of the Selma to Montgomery National Historic
21 Trail and to further the purpose for which the trail has
22 been established.

23 DECOMMISSIONING ACCOUNT

24 SEC. 119. The fifth and sixth provisos under the
25 amended heading “Royalty and Offshore Minerals Man-

1 agement” for the Minerals Management Service in Public
2 Law 101–512 (104 Stat. 1926, as amended) (43 U.S.C.
3 1338a) are further amended by striking and replacing
4 them with: “*Provided further*, That notwithstanding sec-
5 tion 3302 of title 31, any moneys hereafter received as
6 a result of the forfeiture of a bond or other security by
7 an Outer Continental Shelf permittee, lessee, or right-of-
8 way holder that does not fulfill the requirements of its per-
9 mit, lease, or right-of-way or does not comply with the reg-
10 ulations of the Secretary, or as a bankruptcy distribution
11 or settlement associated with such failure or noncompli-
12 ance, shall be credited to a separate account established
13 in the Treasury for decommissioning activities and shall
14 be available to the Bureau of Ocean Energy Management
15 without further appropriation or fiscal year limitation to
16 cover the cost to the United States of any improvement,
17 protection, rehabilitation, or decommissioning work ren-
18 dered necessary by the action or inaction that led to the
19 forfeiture or bankruptcy distribution or settlement, to re-
20 main available until expended: *Provided further*, That
21 amounts deposited into the decommissioning account may
22 be allocated to the Bureau of Safety and Environmental
23 Enforcement for such costs: *Provided further*, That any
24 moneys received for such costs currently held in the Ocean
25 Energy Management account shall be transferred to the

1 decommissioning account: *Provided further*, That any por-
2 tion of the moneys so credited shall be returned to the
3 bankruptcy estate, permittee, lessee, or right-of-way hold-
4 er to the extent that the money is in excess of the amount
5 expended in performing the work necessitated by the ac-
6 tion or inaction which led to their receipt or, if the bond
7 or security was forfeited for failure to pay the civil penalty,
8 in excess of the civil penalty imposed.”.

9
10 BORDER MITIGATION

11 SEC. 120. The Secretary of the Interior is authorized
12 to accept transfers of funds from the Secretary of Home-
13 land Security for mitigation activities, including land ac-
14 quisition, related to construction of border barriers on
15 Federal lands and to supplement any other funding avail-
16 able for reconstruction or repair of roads owned by the
17 Bureau of Indian Affairs as identified on the National
18 Tribal Transportation Facility Inventory, 23 U.S.C.

19 APPRAISER PAY AUTHORITY

20 SEC. 121. For fiscal year 2022, funds made available
21 in this or any other Act or otherwise made available to
22 the Department of the Interior for the Appraisal and
23 Valuation Services Office may be used by the Secretary
24 of the Interior to establish higher minimum rates of basic
25 pay for employees of the Department of the Interior in

1 the Appraiser (GS-1171) job series at grades 11 through
2 15 carrying out appraisals of real property and appraisal
3 reviews conducted in support of the Department's realty
4 programs at rates no greater than 15 percent above the
5 minimum rates of basic pay normally scheduled, and such
6 higher rates shall be consistent with subsections (e)
7 through (h) of section 5305 of title 5, United States Code.

1 TITLE II
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and
5 development activities, which shall include research and
6 development activities under the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980; necessary expenses for personnel and related costs
9 and travel expenses; procurement of laboratory equipment
10 and supplies; hire, maintenance, and operation of aircraft;
11 purchase, lease, operation, maintenance, and acquisition
12 of unmanned aircraft; and other operating expenses in
13 support of research and development, \$803,174,000, to re-
14 main available until September 30, 2023: *Provided*, That
15 of the funds included under this heading, \$12,430,000
16 shall be for Research: National Priorities as specified in
17 the explanatory statement accompanying this Act, of
18 which \$3,930,000 shall be for projects specified for
19 Science and Technology in the table that appears under
20 the heading “Congressionally Directed Spending” in the
21 explanatory statement accompanying this Act.

22 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

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

1 passenger motor vehicles; hire, maintenance, and oper-
2 ation of aircraft; purchase of reprints; library member-
3 ships in societies or associations which issue publications
4 to members only or at a price to members lower than to
5 subscribers who are not members; administrative costs of
6 the brownfields program under the Small Business Liabil-
7 ity Relief and Brownfields Revitalization Act of 2002; im-
8 plementation of a coal combustion residual permit pro-
9 gram under section 2301 of the Water and Waste Act of
10 2016; and not to exceed \$9,000 for official reception and
11 representation expenses, \$3,238,374,000, to remain avail-
12 able until September 30, 2023: *Provided*, That of the
13 funds included under this heading, \$25,700,000 shall be
14 for Environmental Protection: National Priorities as speci-
15 fied in the explanatory statement accompanying this Act:
16 *Provided further*, That of the funds included under this
17 heading, \$596,544,000 shall be for Geographic Programs
18 specified in the explanatory statement accompanying this
19 Act.

20 In addition, \$9,000,000 to remain available until ex-
21 pended, for necessary expenses of activities described in
22 section 26(b)(1) of the Toxic Substances Control Act (15
23 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
24 ant to that section of that Act and deposited in the “TSCA
25 Service Fee Fund” as discretionary offsetting receipts in

1 fiscal year 2022 shall be retained and used for necessary
2 salaries and expenses in this appropriation and shall re-
3 main available until expended: *Provided further*, That the
4 sum herein appropriated in this paragraph from the gen-
5 eral fund for fiscal year 2022 shall be reduced by the
6 amount of discretionary offsetting receipts received during
7 fiscal year 2022, so as to result in a final fiscal year 2022
8 appropriation from the general fund estimated at not more
9 than \$0: *Provided further*, That to the extent that amounts
10 realized from such receipts exceed \$9,000,000, those
11 amount in excess of \$9,000,000 shall be deposited in the
12 “TSCA Service Fee Fund” as discretionary offsetting re-
13 ceipts in fiscal year 2022, shall be retained and used for
14 necessary salaries and expenses in this account, and shall
15 remain available until expended: *Provided further*, That of
16 the funds included in the first paragraph under this head-
17 ing, the Chemical Risk Review and Reduction program
18 project shall be allocated for this fiscal year, excluding the
19 amount of any fees appropriated, not less than the amount
20 of appropriations for that program project for fiscal year
21 2014.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector

1 General Act of 1978, \$52,000,000, to remain available
2 until September 30, 2023.

3 BUILDINGS AND FACILITIES

4 For construction, repair, improvement, extension, al-
5 teration, and purchase of fixed equipment or facilities of,
6 or for use by, the Environmental Protection Agency,
7 \$62,752,000, to remain available until expended.

8 HAZARDOUS SUBSTANCE SUPERFUND

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses to carry out the Comprehen-
11 sive Environmental Response, Compensation, and Liabil-
12 ity Act of 1980 (CERCLA), including sections 111(c)(3),
13 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
14 maintenance, and operation of aircraft, \$1,340,908,000,
15 to remain available until expended, consisting of such
16 sums as are available in the Trust Fund on September
17 30, 2021, as authorized by section 517(a) of the Super-
18 fund Amendments and Reauthorization Act of 1986
19 (SARA) and up to \$1,340,908,000 as a payment from
20 general revenues to the Hazardous Substance Superfund
21 for purposes as authorized by section 517(b) of SARA:
22 *Provided*, That funds appropriated under this heading
23 may be allocated to other Federal agencies in accordance
24 with section 111(a) of CERCLA: *Provided further*, That
25 of the funds appropriated under this heading,

1 \$11,800,000 shall be paid to the “Office of Inspector Gen-
 2 eral” appropriation to remain available until September
 3 30, 2023, and \$30,985,000 shall be paid to the “Science
 4 and Technology” appropriation to remain available until
 5 September 30, 2023.

6 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
 7 PROGRAM

8 For necessary expenses to carry out leaking under-
 9 ground storage tank cleanup activities authorized by sub-
 10 title I of the Solid Waste Disposal Act, \$92,376,000, to
 11 remain available until expended, of which \$67,007,000
 12 shall be for carrying out leaking underground storage tank
 13 cleanup activities authorized by section 9003(h) of the
 14 Solid Waste Disposal Act; \$25,369,000 shall be for car-
 15 rying out the other provisions of the Solid Waste Disposal
 16 Act specified in section 9508(c) of the Internal Revenue
 17 Code: *Provided*, That the Administrator is authorized to
 18 use appropriations made available under this heading to
 19 implement section 9013 of the Solid Waste Disposal Act
 20 to provide financial assistance to federally recognized In-
 21 dian tribes for the development and implementation of
 22 programs to manage underground storage tanks.

23 INLAND OIL SPILL PROGRAMS

24 For expenses necessary to carry out the Environ-
 25 mental Protection Agency’s responsibilities under the Oil

1 Pollution Act of 1990, including hire, maintenance, and
2 operation of aircraft, \$22,409,000, to be derived from the
3 Oil Spill Liability trust fund, to remain available until ex-
4 pended.

5 STATE AND TRIBAL ASSISTANCE GRANTS

6 For environmental programs and infrastructure as-
7 sistance, including capitalization grants for State revolv-
8 ing funds and performance partnership grants,
9 \$4,848,948,000, to remain available until expended, of
10 which—

11 (1) \$1,688,826,000 shall be for making capital-
12 ization grants for the Clean Water State Revolving
13 Funds under title VI of the Federal Water Pollution
14 Control Act; and of which \$1,176,088,000 shall be
15 for making capitalization grants for the Drinking
16 Water State Revolving Funds under section 1452 of
17 the Safe Drinking Water Act: *Provided*, That for fis-
18 cal year 2022, to the extent there are sufficient eligi-
19 ble project applications and projects are consistent
20 with State Intended Use Plans, not less than 10 per-
21 cent of the funds made available under this title to
22 each State for Clean Water State Revolving Fund
23 capitalization grants shall be used by the State for
24 projects to address green infrastructure, water or
25 energy efficiency improvements, or other environ-

1 mentally innovative activities: *Provided further*, That
2 for fiscal year 2022, funds made available under this
3 title to each State for Drinking Water State Revolv-
4 ing Fund capitalization grants may, at the discretion
5 of each State, be used for projects to address green
6 infrastructure, water or energy efficiency improve-
7 ments, or other environmentally innovative activities:
8 *Provided further*, That the Administrator is author-
9 ized to use up to \$1,500,000 of funds made available
10 for the Clean Water State Revolving Funds under
11 this heading under Title VI of the Federal Water
12 Pollution Control Act (33 U.S.C. 1381) to conduct
13 the Clean Watersheds Needs Survey: *Provided fur-*
14 *ther*, That notwithstanding section 603(d)(7) of the
15 Federal Water Pollution Control Act, the limitation
16 on the amounts in a State water pollution control re-
17 volving fund that may be used by a State to admin-
18 ister the fund shall not apply to amounts included
19 as principal in loans made by such fund in fiscal
20 year 2022 and prior years where such amounts rep-
21 resent costs of administering the fund to the extent
22 that such amounts are or were deemed reasonable by
23 the Administrator, accounted for separately from
24 other assets in the fund, and used for eligible pur-
25 poses of the fund, including administration: *Provided*

1 *further*, That for fiscal year 2022, notwithstanding
2 the provisions of subsections (g)(1), (h), and (l) of
3 section 201 of the Federal Water Pollution Control
4 Act, grants made under title II of such Act for
5 American Samoa, Guam, the Commonwealth of the
6 Northern Marianas, the United States Virgin Is-
7 lands, and the District of Columbia may also be
8 made for the purpose of providing assistance: (1)
9 solely for facility plans, design activities, or plans,
10 specifications, and estimates for any proposed
11 project for the construction of treatment works; and
12 (2) for the construction, repair, or replacement of
13 privately owned treatment works serving one or
14 more principal residences or small commercial estab-
15 lishments: *Provided further*, That for fiscal year
16 2022, notwithstanding the provisions of such sub-
17 sections (g)(1), (h), and (l) of section 201 and sec-
18 tion 518(c) of the Federal Water Pollution Control
19 Act, funds reserved by the Administrator for grants
20 under section 518(c) of the Federal Water Pollution
21 Control Act may also be used to provide assistance:
22 (1) solely for facility plans, design activities, or
23 plans, specifications, and estimates for any proposed
24 project for the construction of treatment works; and
25 (2) for the construction, repair, or replacement of

1 privately owned treatment works serving one or
2 more principal residences or small commercial estab-
3 lishments: *Provided further*, That for fiscal year
4 2022, notwithstanding any provision of the Federal
5 Water Pollution Control Act and regulations issued
6 pursuant thereof, up to a total of \$2,000,000 of the
7 funds reserved by the Administrator for grants
8 under section 518(c) of such Act may also be used
9 for grants for training, technical assistance, and
10 educational programs relating to the operation and
11 management of the treatment works specified in sec-
12 tion 518(c) of such Act: *Provided further*, That for
13 fiscal year 2022, funds reserved under section
14 518(c) of such Act shall be available for grants only
15 to Indian tribes, as defined in section 518(h) of such
16 Act and former Indian reservations in Oklahoma (as
17 determined by the Secretary of the Interior) and Na-
18 tive Villages as defined in Public Law 92-203: *Pro-*
19 *vided further*, That for fiscal year 2022, notwith-
20 standing the limitation on amounts in section 518(c)
21 of the Federal Water Pollution Control Act, up to a
22 total of 2 percent of the funds appropriated, or
23 \$30,000,000, whichever is greater, and notwith-
24 standing the limitation on amounts in section
25 1452(i) of the Safe Drinking Water Act, up to a

1 total of 2 percent of the funds appropriated, or
2 \$20,000,000, whichever is greater, for State Revolv-
3 ing Funds under such Acts may be reserved by the
4 Administrator for grants under section 518(c) and
5 section 1452(i) of such Acts: *Provided further*, That
6 for fiscal year 2022, notwithstanding the amounts
7 specified in section 205(c) of the Federal Water Pol-
8 lution Control Act, up to 1.5 percent of the aggre-
9 gate funds appropriated for the Clean Water State
10 Revolving Fund program under the Act less any
11 sums reserved under section 518(c) of the Act, may
12 be reserved by the Administrator for grants made
13 under title II of the Federal Water Pollution Control
14 Act for American Samoa, Guam, the Commonwealth
15 of the Northern Marianas, and United States Virgin
16 Islands: *Provided further*, That for fiscal year 2022,
17 notwithstanding the limitations on amounts specified
18 in section 1452(j) of the Safe Drinking Water Act,
19 up to 1.5 percent of the funds appropriated for the
20 Drinking Water State Revolving Fund programs
21 under the Safe Drinking Water Act may be reserved
22 by the Administrator for grants made under section
23 1452(j) of the Safe Drinking Water Act: *Provided*
24 *further*, That 10 percent of the funds made available
25 under this title to each State for Clean Water State

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

1 State for Drinking Water State Revolving Fund cap-
2 italization grants to provide additional subsidy to eli-
3 gible recipients: *Provided further*, That notwith-
4 standing section 1452(o) of the Safe Drinking Water
5 Act (42 U.S.C. 300j-12(o)), the Administrator shall
6 reserve \$12,000,000 of the amounts made available
7 for fiscal year 2022 for making capitalization grants
8 for the Drinking Water State Revolving Funds to
9 pay the costs of monitoring for unregulated contami-
10 nants under section 1445(a)(2)(C) of such Act: *Pro-*
11 *vided further*, That notwithstanding any other provi-
12 sion of law, of the funds appropriated under this
13 heading for capitalization grants for the State Re-
14 volving Funds, the Administrator may reserve up to
15 \$20,000,000 of the total amount appropriated for
16 salaries, expenses, and administration for Water and
17 Wastewater Infrastructure grants identified in sec-
18 tion 421 of this Act;

19 (2) \$35,000,000 shall be for architectural, engi-
20 neering, planning, design, construction and related
21 activities in connection with the construction of high
22 priority water and wastewater facilities in the area
23 of the United States-Mexico Border, after consulta-
24 tion with the appropriate border commission: *Pro-*
25 *vided*, That no funds provided by this appropriations

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

13 (3) \$39,186,000 shall be for grants to the State
14 of Alaska to address drinking water and wastewater
15 infrastructure needs of rural and Alaska Native Vil-
16 lages: *Provided*, That of these funds: (A) the State
17 of Alaska shall provide a match of 25 percent; (B)
18 no more than 5 percent of the funds may be used
19 for administrative and overhead expenses; and (C)
20 the State of Alaska shall make awards consistent
21 with the Statewide priority list established in con-
22 junction with the Agency and the U.S. Department
23 of Agriculture for all water, sewer, waste disposal,
24 and similar projects carried out by the State of Alas-
25 ka that are funded under section 221 of the Federal

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

6 (4) \$126,000,000 shall be to carry out section
7 104(k) of the Comprehensive Environmental Re-
8 sponse, Compensation, and Liability Act of 1980
9 (CERCLA), including grants, interagency agree-
10 ments, and associated program support costs: *Pro-*
11 *vided*, That at least 10 percent shall be allocated for
12 assistance in persistent poverty counties: *Provided*
13 *further*, That for purposes of this section, the term
14 “persistent poverty counties” means any county that
15 has had 20 percent or more of its population living
16 in poverty over the past 30 years, as measured by
17 the 1990 and 2000 decennial censuses and the most
18 recent Small Area Income and Poverty Estimates, or
19 any territory or possession of the United States;

20 (5) \$142,000,000 shall be for grants under title
21 VII, subtitle G of the Energy Policy Act of 2005;

22 (6) \$59,000,000 shall be for targeted airshed
23 grants in accordance with the terms and conditions
24 in the explanatory statement accompanying this Act;

1 (7) \$38,930,000 shall be for grants under sub-
2 sections (a) through (j) of section 1459A of the Safe
3 Drinking Water Act (42 U.S.C. 300j–19a);

4 (8) \$35,000,000 shall be for grants under sec-
5 tion 1464(d) of the Safe Drinking Water Act (42
6 U.S.C. 300j–24(d));

7 (9) \$72,000,000 shall be for grants under sec-
8 tion 1459B of the Safe Drinking Water Act (42
9 U.S.C. 300j–19b);

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

13 (11) \$20,000,000 shall be for grants under sec-
14 tion 104(b)(8) of the Federal Water Pollution Con-
15 trol Act (33 U.S.C. 1254(b)(8));

16 (12) \$56,000,000 shall be for grants under sec-
17 tion 221 of the Federal Water Pollution Control Act
18 (33 U.S.C. 1301);

19 (13) \$5,000,000 shall be for grants under sec-
20 tion 4304(b) of the America’s Water Infrastructure
21 Act of 2018 (Public Law 115–270);

22 (14) \$10,000,000 shall be for grants to States,
23 federally recognized Tribes, public pre-schools, local
24 educational agencies as defined in 20 U.S.C.
25 7801(30), and non-profit organizations, for assess-

1 ment, prevention, control, or abatement of wildfire
2 smoke hazards in community buildings including
3 schools as defined in 20 U.S.C. 3610(6), and related
4 activities: *Provided*, That the Federal share of the
5 costs of such activities shall not exceed 90 percent:
6 *Provided further*, That the Administrator may waive
7 such cost share requirement in the case of facilities
8 located in economically distressed communities: *Pro-*
9 *vided further*, That no State may receive more than
10 25 percent of the grant funding made available
11 under this paragraph during this fiscal year;

12 (15) \$100,000,000 shall be for competitive en-
13 vironmental justice implementation and training
14 grants, except as may be specifically restricted
15 below, for non-profit organizations, including non-
16 profit institutions of higher education, Tribes, State
17 and local governments, and any other eligible enti-
18 ties as determined by the Administrator under the
19 following programs as appropriate: (A) Environ-
20 mental Justice grants to reduce the disproportionate
21 or adverse health impacts of environmental pollution
22 that affect underserved communities or other af-
23 fected communities; (B) Environmental Justice
24 Community grants to local governments and non-
25 profit organizations to reduce the disproportionate

1 or adverse health impacts of environmental pollution
2 that affect underserved communities or other af-
3 fected communities; (C) Environmental Justice
4 grants to States to create or support state environ-
5 mental justice programs; (D) Environmental Justice
6 grants to Tribes or intertribal consortia to support
7 tribal work to address the disproportionate or ad-
8 verse human health impacts of environmental pollu-
9 tion in tribal and indigenous communities; (E) Com-
10 munity-based Participatory Research grants for in-
11 stitutions of higher education to develop partner-
12 ships with community-based organizations to im-
13 prove the health or address health issues of residents
14 and workers in communities affected by environ-
15 mental pollution; and (F) Environmental Justice
16 Training grants to nonprofit organizations or insti-
17 tutions of higher education for multi-media or single
18 media activities to increase the capacity of residents
19 of underserved communities to identify and address
20 the disproportionate or adverse human health or en-
21 vironmental effects of environmental pollution affect-
22 ing those communities; and

23 (16) \$1,236,918,000 shall be for grants, includ-
24 ing associated program support costs, to States, fed-
25 erally recognized Tribes, interstate agencies, tribal

1 consortia, and air pollution control agencies for
2 multi-media or single media pollution prevention,
3 control and abatement, and related activities, includ-
4 ing activities pursuant to the provisions set forth
5 under this heading in Public Law 104–134, and for
6 making grants under section 103 of the Clean Air
7 Act for particulate matter monitoring and data col-
8 lection activities subject to terms and conditions
9 specified by the Administrator, and under section
10 2301 of the Water and Waste Act of 2016 to assist
11 States in developing and implementing programs for
12 control of coal combustion residuals, of which:
13 \$46,195,000 shall be for carrying out section 128 of
14 CERCLA; \$9,523,000 shall be for Environmental
15 Information Exchange Network grants, including as-
16 sociated program support costs; \$1,505,000 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; \$18,000,000 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; \$5,000,000 shall be for multi-
5 purpose grants, including interagency agreements, in
6 accordance with the terms and conditions described
7 in the explanatory statement accompanying this Act;
8 \$10,000,000 of the funds available for grants for
9 hazardous waste financial assistance shall be for car-
10 rying out section 302(a) of the Save Our Seas 2.0
11 Act (33 U.S.C. 4283(a)), including up to 2 percent
12 of this amount for the Environmental Protection
13 Agency's administrative costs: *Provided*, That not-
14 withstanding section 302(a) of such Act, the Admin-
15 istrator may also provide grants pursuant to such
16 authority to intertribal consortia consistent with the
17 requirements in 40 CFR 35.504(a), to former In-
18 dian reservations in Oklahoma (as determined by the
19 Secretary of the Interior), and Alaska Native Vil-
20 lages as defined in Public Law 92-203.

21 WATER INFRASTRUCTURE FINANCE AND INNOVATION

22 PROGRAM ACCOUNT

23 For the cost of direct loans and for the cost of guar-
24 anteed loans, as authorized by the Water Infrastructure
25 Finance and Innovation Act of 2014, \$72,108,000, to re-

1 main available until expended: *Provided*, That such costs,
2 including the cost of modifying such loans, shall be as de-
3 fined in section 502 of the Congressional Budget Act of
4 1974: *Provided further*, That these funds are available to
5 subsidize gross obligations for the principal amount of di-
6 rect loans, including capitalized interest, and total loan
7 principal, including capitalized interest, any part of which
8 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*
9 *vided further*, That of the funds made available under this
10 heading, \$5,000,000 shall be used solely for the cost of
11 direct loans and for the cost of guaranteed loans for
12 projects described in section 5026(9) of the Water Infra-
13 structure Finance and Innovation Act of 2014 to State
14 infrastructure financing authorities, as authorized by sec-
15 tion 5033(e) of such Act: *Provided further*, That the use
16 of direct loans or loan guarantee authority under this
17 heading for direct loans or commitments to guarantee
18 loans for any project shall be in accordance with the cri-
19 teria published in the Federal Register on June 30, 2020
20 (85 FR 39189) pursuant to the fourth proviso under the
21 heading “Water Infrastructure Finance and Innovation
22 Program Account” in division D of the Further Consoli-
23 dated Appropriations Act, 2020 (Public Law 116–94):
24 *Provided further*, That none of the direct loans or loan
25 guarantee authority made available under this heading

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

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

21 In addition, for administrative expenses to carry out
22 the direct and guaranteed loan programs, notwithstanding
23 section 5033 of the Water Infrastructure Finance and In-
24 novation Act of 2014, \$8,000,000, to remain available
25 until September 30, 2023.

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

4 For fiscal year 2022, notwithstanding 31 U.S.C.
5 6303(1) and 6305(1), the Administrator of the Environ-
6 mental Protection Agency, in carrying out the Agency's
7 function to implement directly Federal environmental pro-
8 grams required or authorized by law in the absence of an
9 acceptable tribal program, may award cooperative agree-
10 ments to federally recognized Indian tribes or Intertribal
11 consortia, if authorized by their member tribes, to assist
12 the Administrator in implementing Federal environmental
13 programs for Indian tribes required or authorized by law,
14 except that no such cooperative agreements may be award-
15 ed from funds designated for State financial assistance
16 agreements.

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

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

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2022.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate fees in accord-
5 ance with section 3024 of the Solid Waste Disposal Act
6 (42 U.S.C. 6939g) for fiscal year 2022, to remain avail-
7 able until expended.

8 The Administrator is authorized to transfer up to
9 \$350,000,000 of the funds appropriated for the Great
10 Lakes Restoration Initiative under the heading “Environ-
11 mental Programs and Management” to the head of any
12 Federal department or agency, with the concurrence of
13 such head, to carry out activities that would support the
14 Great Lakes Restoration Initiative and Great Lakes
15 Water Quality Agreement programs, projects, or activities;
16 to enter into an interagency agreement with the head of
17 such Federal department or agency to carry out these ac-
18 tivities; and to make grants to governmental entities, non-
19 profit organizations, institutions, and individuals for plan-
20 ning, research, monitoring, outreach, and implementation
21 in furtherance of the Great Lakes Restoration Initiative
22 and the Great Lakes Water Quality Agreement.

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

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

5 For fiscal year 2022, and notwithstanding section
6 518(f) of the Federal Water Pollution Control Act (33
7 U.S.C. 1377(f)), the Administrator is authorized to use
8 the amounts appropriated for any fiscal year under section
9 319 of the Act to make grants to Indian tribes pursuant
10 to sections 319(h) and 518(e) of that Act.

11 The Administrator is authorized to use the amounts
12 appropriated under the heading “Environmental Pro-
13 grams and Management” for fiscal year 2022 to provide
14 grants to implement the Southeastern New England Wa-
15 tershed Restoration Program.

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

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

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

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

9 For fiscal years 2022 through 2026, the Office of
10 Chemical Safety and Pollution Prevention and the Office
11 of Water may, using funds appropriated under the head-
12 ings “Environmental Programs and Management” and
13 “Science and Technology”, contract directly with individ-
14 uals or indirectly with institutions or nonprofit organiza-
15 tions, without regard to 41 U.S.C. 5, for the temporary
16 or intermittent personal services of students or recent
17 graduates, who shall be considered employees for the pur-
18 poses of chapters 57 and 81 of title 5, United States Code,
19 relating to compensation for travel and work injuries, and
20 chapter 171 of title 28, United States Code, relating to
21 tort claims, but shall not be considered to be Federal em-
22 ployees for any other purpose: *Provided*, That amounts
23 used for this purpose by the Office of Chemical Safety and
24 Pollution Prevention and the Office of Water collectively
25 may not exceed \$2,000,000.

1 For this fiscal year and each fiscal year thereafter,
2 the Administrator may, after consultation with the Office
3 of Personnel Management, employ up to seventy-five per-
4 sons at any one time in the Office of Research and Devel-
5 opment and twenty-five persons at any one time in the
6 Office of Chemical Safety and Pollution Prevention under
7 the authority provided in 42 U.S.C. 209.

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

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

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

16 For necessary expenses of the Forest Service, not
17 otherwise provided for, \$1,074,086,000, to remain avail-
18 able through September 30, 2025: *Provided*, That a por-
19 tion of the funds made available under this heading shall
20 be for the base salary and expenses of employees in the
21 Chief's Office, the Work Environment and Performance
22 Office, the Business Operations Deputy Area, and the
23 Chief Financial Officer's Office to carry out administra-
24 tive and general management support functions: *Provided*
25 *further*, That funds provided under this heading shall be

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

12 FOREST AND RANGELAND RESEARCH

13 For necessary expenses of forest and rangeland re-
14 search as authorized by law, \$315,009,000, to remain
15 available through September 30, 2025: *Provided*, That of
16 the funds provided, \$20,000,000 is for the forest inventory
17 and analysis program: *Provided further*, That all authori-
18 ties for the use of funds, including the use of contracts,
19 grants, and cooperative agreements, available to execute
20 the Forest and Rangeland Research appropriation, are
21 also available in the utilization of these funds for Fire
22 Science Research.

23 STATE AND PRIVATE FORESTRY

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

1 tories, possessions, and others, and for forest health man-
2 agement, and conducting an international program and
3 trade compliance activities as authorized, \$344,221,000,
4 to remain available through September 30, 2025, as au-
5 thorized by law, of which \$22,479,000 shall be for projects
6 specified for Forest Resource Information and Analysis in
7 the table that appears under the heading “Congressionally
8 Directed Spending” in the explanatory statement accom-
9 panying this Act.

10 NATIONAL FOREST SYSTEM

11 For necessary expenses of the Forest Service, not
12 otherwise provided for, for management, protection, im-
13 provement, and utilization of the National Forest System,
14 and for hazardous fuels management on or adjacent to
15 such lands, \$2,214,000,000, to remain available through
16 September 30, 2025: *Provided*, That of the funds pro-
17 vided, \$80,000,000 shall be deposited in the Collaborative
18 Forest Landscape Restoration Fund for ecological restora-
19 tion treatments as authorized by 16 U.S.C. 7303(f) and
20 shall be available without limitation on the number or lo-
21 cation of proposals funded during any fiscal year under
22 16 U.S.C. 7303(d)(3): *Provided further*, That of the funds
23 provided, \$42,000,000 shall be for forest products: *Pro-*
24 *vided further*, That of the funds provided, \$360,000,000
25 shall be for hazardous fuels management activities, of

1 which \$20,000,000 shall be used to make grants, using
2 any authorities available to the Forest Service under the
3 “State and Private Forestry” appropriation, for the pur-
4 pose of creating incentives for increased use of biomass
5 from National Forest System lands: *Provided further,*
6 That of the funds deposited in the Collaborative Forest
7 Landscape Restoration Fund, \$5,000,000 shall be used to
8 make grants to local collaborative groups, using any au-
9 thorities available to the Forest Service under the “State
10 and Private Forestry” appropriation, for the purpose of
11 increasing capacity to collaborate on matters relating to
12 projects on National Forest System lands or projects on
13 cooperative lands that would benefit the National Forest
14 System: *Provided further,* That \$20,000,000 may be used
15 by the Secretary of Agriculture to enter into procurement
16 contracts or cooperative agreements or to issue grants for
17 hazardous fuels management activities, and for training
18 or monitoring associated with such hazardous fuels man-
19 agement activities on Federal land, or on non-Federal land
20 if the Secretary determines such activities benefit re-
21 sources on Federal land: *Provided further,* That funds
22 made available to implement the Community Forest Res-
23 toration Act, Public Law 106–393, title VI, shall be avail-
24 able for use on non-Federal lands in accordance with au-
25 thorities made available to the Forest Service under the

1 “State and Private Forestry” appropriation: *Provided fur-*
2 *ther*, That notwithstanding section 33 of the Bankhead
3 Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary
4 of Agriculture, in calculating a fee for grazing on a Na-
5 tional Grassland, may provide a credit of up to 50 percent
6 of the calculated fee to a Grazing Association or direct
7 permittee for a conservation practice approved by the Sec-
8 retary in advance of the fiscal year in which the cost of
9 the conservation practice is incurred, and that the amount
10 credited shall remain available to the Grazing Association
11 or the direct permittee, as appropriate, in the fiscal year
12 in which the credit is made and each fiscal year thereafter
13 for use on the project for conservation practices approved
14 by the Secretary: *Provided further*, That funds appro-
15 priated to this account shall be available for the base sal-
16 ary and expenses of employees that carry out the functions
17 funded by the “Capital Improvement and Maintenance”
18 account, the “Range Betterment Fund” account, and the
19 “Management of National Forest Lands for Subsistence
20 Uses” account.

21 CAPITAL IMPROVEMENT AND MAINTENANCE

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of the Forest Service, not
24 otherwise provided for, \$200,867,000, to remain available
25 through September 30, 2025, for construction, capital im-

1 improvement, maintenance, and acquisition of buildings and
2 other facilities and infrastructure; and for construction,
3 reconstruction, decommissioning of roads that are no
4 longer needed, including unauthorized roads that are not
5 part of the transportation system, and maintenance of for-
6 est roads and trails by the Forest Service as authorized
7 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
8 *vided*, That \$40,000,000 shall be designated for urgently
9 needed road decommissioning, road and trail repair and
10 maintenance and associated activities, and removal of fish
11 passage barriers, especially in areas where Forest Service
12 roads may be contributing to water quality problems in
13 streams and water bodies which support threatened, en-
14 dangered, or sensitive species or community water sources:
15 *Provided further*, That \$10,867,000 shall be for projects
16 specified for Construction Projects in the table that ap-
17 pears under the heading “Congressionally Directed Spend-
18 ing” in the explanatory statement accompanying this Act:
19 *Provided further*, That funds becoming available in fiscal
20 year 2022 under the Act of March 4, 1913 (16 U.S.C.
21 501) shall be transferred to the General Fund of the
22 Treasury and shall not be available for transfer or obliga-
23 tion for any other purpose unless the funds are appro-
24 priated.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
 2 ACTS

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

10 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

11 For acquisition of lands, such sums, to be derived
 12 from funds deposited by State, county, or municipal gov-
 13 ernments, public school districts, or other public school au-
 14 thorities, and for authorized expenditures from funds de-
 15 posited by non-Federal parties pursuant to Land Sale and
 16 Exchange Acts, pursuant to the Act of December 4, 1967
 17 (16 U.S.C. 484a), to remain available through September
 18 30, 2025, (16 U.S.C. 516–617a, 555a; Public Law 96–
 19 586; Public Law 76–589, 76–591; and Public Law 78–
 20 310).

21 RANGE BETTERMENT FUND

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

1 Western States, pursuant to section 401(b)(1) of Public
2 Law 94–579, to remain available through September 30,
3 2025, of which not to exceed 6 percent shall be available
4 for administrative expenses associated with on-the-ground
5 range rehabilitation, protection, and improvements.

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

8 For expenses authorized by 16 U.S.C. 1643(b),
9 \$45,000, to remain available through September 30, 2025,
10 to be derived from the fund established pursuant to the
11 above Act.

12 MANAGEMENT OF NATIONAL FOREST LANDS FOR
13 SUBSISTENCE USES

14 For necessary expenses of the Forest Service to man-
15 age Federal lands in Alaska for subsistence uses under
16 title VIII of the Alaska National Interest Lands Conserva-
17 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain
18 available through September 30, 2025.

19 WILDLAND FIRE MANAGEMENT
20 (INCLUDING TRANSFERS OF FUNDS)

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

1 tem lands and water, \$2,097,622,000, to remain available
2 until expended: *Provided*, That such funds including unob-
3 ligated balances under this heading, are available for re-
4 payment of advances from other appropriations accounts
5 previously transferred for such purposes: *Provided further*,
6 That any unobligated funds appropriated in a previous fis-
7 cal year for hazardous fuels management may be trans-
8 ferred to the “National Forest System” account: *Provided*
9 *further*, That such funds shall be available to reimburse
10 State and other cooperating entities for services provided
11 in response to wildfire and other emergencies or disasters
12 to the extent such reimbursements by the Forest Service
13 for non-fire emergencies are fully repaid by the responsible
14 emergency management agency: *Provided further*, That
15 funds provided shall be available for support to Federal
16 emergency response: *Provided further*, That the costs of
17 implementing any cooperative agreement between the Fed-
18 eral Government and any non-Federal entity may be
19 shared, as mutually agreed on by the affected parties: *Pro-*
20 *vided further*, That of the funds provided under this head-
21 ing, \$1,011,000,000 shall be available for wildfire suppres-
22 sion operations, and is provided to meet the terms of sec-
23 tion 4004(b)(5)(B) and section 4005(e)(2)(A) of S. Con.
24 Res. 14 (117th Congress), the concurrent resolution on
25 the budget for fiscal year 2022.

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

3 In addition to the amounts provided under the head-
4 ing “Department of Agriculture—Forest Service—
5 Wildland Fire Management” for wildfire suppression oper-
6 ations, \$2,120,000,000, to remain available until trans-
7 ferred, is additional new budget authority as specified for
8 purposes of section 4004(b)(5) and section 4005(e) of S.
9 Con. Res. 14 (117th Congress), the concurrent budget for
10 fiscal year 2022: *Provided*, That such amounts may be
11 transferred to and merged with amounts made available
12 under the headings “Department of the Interior—Depart-
13 ment-Wide Programs—Wildland Fire Management” and
14 “Department of Agriculture—Forest Service—Wildland
15 Fire Management” for wildfire suppression operations in
16 the fiscal year in which such amounts are transferred: *Pro-*
17 *vided further*, That amounts may be transferred to the
18 “Wildland Fire Management” accounts in the Department
19 of the Interior or the Department of Agriculture only upon
20 the notification of the House and Senate Committees on
21 Appropriations that all wildfire suppression operations
22 funds appropriated under that heading in this and prior
23 appropriations Acts to the agency to which the funds will
24 be transferred will be obligated within 30 days: *Provided*
25 *further*, That the transfer authority provided under this

1 heading is in addition to any other transfer authority pro-
2 vided by law: *Provided further*, That, in determining
3 whether all wildfire suppression operations funds appro-
4 priated under the heading “Wildland Fire Management”
5 in this and prior appropriations Acts to either the Depart-
6 ment of Agriculture or the Department of the Interior will
7 be obligated within 30 days pursuant to the previous pro-
8 viso, any funds transferred or permitted to be transferred
9 pursuant to any other transfer authority provided by law
10 shall be excluded.

11 COMMUNICATIONS SITE ADMINISTRATION

12 (INCLUDING TRANSFER OF FUNDS)

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

21 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

22 (INCLUDING TRANSFERS OF FUNDS)

23 Appropriations to the Forest Service for the current
24 fiscal year shall be available for: (1) purchase of passenger
25 motor vehicles; acquisition of passenger motor vehicles

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

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

1 *ther*, That such transfer authority is in addition to any
2 other transfer authority provided by law.

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

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

22 Notwithstanding any other provision of this Act, the
23 Forest Service may transfer unobligated balances of dis-
24 cretionary funds appropriated to the Forest Service by
25 this Act to or within the National Forest System Account,

1 or reprogram funds to be used for the purposes of haz-
2 ardous fuels management and urgent rehabilitation of
3 burned-over National Forest System lands and water: *Pro-*
4 *vided*, That such transferred funds shall remain available
5 through September 30, 2025: *Provided further*, That none
6 of the funds transferred pursuant to this section shall be
7 available for obligation without written notification to and
8 the prior approval of the Committees on Appropriations
9 of both Houses of Congress.

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

1 assistance and training programs on forestry and range-
2 land management: *Provided*, That to maximize effective-
3 ness of domestic and international research and coopera-
4 tion, the International Program may utilize all authorities
5 related to international forestry, research, and cooperative
6 assistance regardless of program designations.

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

14 None of the funds made available to the Forest Serv-
15 ice in this Act or any other Act with respect to any fiscal
16 year shall be subject to transfer under the provisions of
17 section 702(b) of the Department of Agriculture Organic
18 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
19 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
20 Law 107–171 (7 U.S.C. 8316(b)).

21 Not more than \$82,000,000 of funds available to the
22 Forest Service shall be transferred to the Working Capital
23 Fund of the Department of Agriculture and not more than
24 \$14,500,000 of funds available to the Forest Service shall
25 be transferred to the Department of Agriculture for De-

1 partment Reimbursable Programs, commonly referred to
2 as Greenbook charges. Nothing in this paragraph shall
3 prohibit or limit the use of reimbursable agreements re-
4 quested by the Forest Service in order to obtain informa-
5 tion technology services, including telecommunications and
6 system modifications or enhancements, from the Working
7 Capital Fund of the Department of Agriculture.

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

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

17 Pursuant to sections 405(b) and 410(b) of Public
18 Law 101-593, of the funds available to the Forest Service,
19 up to \$3,000,000 may be advanced in a lump sum to the
20 National Forest Foundation to aid conservation partner-
21 ship projects in support of the Forest Service mission,
22 without regard to when the Foundation incurs expenses,
23 for projects on or benefitting National Forest System
24 lands or related to Forest Service programs: *Provided*,
25 That of the Federal funds made available to the Founda-

1 tion, no more than \$300,000 shall be available for admin-
2 istrative expenses: *Provided further*, That the Foundation
3 shall obtain, by the end of the period of Federal financial
4 assistance, private contributions to match funds made
5 available by the Forest Service on at least a one-for-one
6 basis: *Provided further*, That the Foundation may transfer
7 Federal funds to a Federal or a non-Federal recipient for
8 a project at the same rate that the recipient has obtained
9 the non-Federal matching funds.

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

23 Funds appropriated to the Forest Service shall be
24 available for interactions with and providing technical as-

1 sistance to rural communities and natural resource-based
2 businesses for sustainable rural development purposes.

3 Funds appropriated to the Forest Service shall be
4 available for payments to counties within the Columbia
5 River Gorge National Scenic Area, pursuant to section
6 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
7 663.

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

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

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

1 culture should clearly display the sums previously trans-
2 ferred and the sums requested for transfer.

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

8 Funds appropriated to the Forest Service may be
9 used to reimburse the United States Fish and Wildlife
10 Service and the National Marine Fisheries Service for the
11 costs of carrying out their responsibilities under the En-
12 dangered Species Act of 1973 (16 U.S.C. 1531 et seq.)
13 to consult and conference, as required by section 7 of such
14 Act.

15 Funds appropriated to the Forest Service shall be
16 available to pay, from a single account, the base salary
17 and expenses of employees who carry out functions funded
18 by other accounts for Enterprise Program, Geospatial
19 Technology and Applications Center, remnant Natural Re-
20 source Manager, and National Technology and Develop-
21 ment Program.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES

3 INDIAN HEALTH SERVICE

4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
7 tion and Education Assistance Act, the Indian Health
8 Care Improvement Act, and titles II and III of the Public
9 Health Service Act with respect to the Indian Health Serv-
10 ice, \$5,414,143,000 to remain available until September
11 30, 2023, except as otherwise provided herein; and, in ad-
12 dition, \$5,414,143,000, which shall become available on
13 October 1, 2022 and remain available through September
14 30, 2024, except as otherwise provided herein; together
15 with payments received during each fiscal year pursuant
16 to sections 231(b) and 233 of the Public Health Service
17 Act (42 U.S.C. 238(b) and 238b), for services furnished
18 by the Indian Health Service: *Provided*, That funds made
19 available to tribes and tribal organizations through con-
20 tracts, grant agreements, or any other agreements or com-
21 pacts authorized by the Indian Self-Determination and
22 Education Assistance Act of 1975 (25 U.S.C. 450), shall
23 be deemed to be obligated at the time of the grant or con-
24 tract award and thereafter shall remain available to the
25 tribe or tribal organization without fiscal year limitation:

1 *Provided further*, That \$2,500,000 shall be available for
2 each of fiscal years 2022 and 2023 for grants or contracts
3 with public or private institutions to provide alcohol or
4 drug treatment services to Indians, including alcohol de-
5 toxification services: *Provided further*, That of the total
6 amount of funds provided, \$2,351,656,000 shall remain
7 available until expended for Purchased/Referred Care, of
8 which \$1,175,828,000 shall be from funds that become
9 available on October 1, 2022: *Provided further*, That of
10 the total amount specified in the preceding proviso for
11 Purchased/Referred Care, \$108,000,000 shall be for the
12 Indian Catastrophic Health Emergency Fund of which
13 \$54,000,000 shall be from funds that become available on
14 October 1, 2022: *Provided further*, That for each of fiscal
15 years 2022 and 2023, up to \$66,000,000 shall remain
16 available until expended for implementation of the loan re-
17 payment program under section 108 of the Indian Health
18 Care Improvement Act: *Provided further*, That of the total
19 amount of funds provided, \$116,000,000, including
20 \$58,000,000 from funds that become available on October
21 1, 2022, shall be for costs related to or resulting from
22 accreditation emergencies, including supplementing activi-
23 ties funded under the heading “Indian Health Facilities,”
24 of which up to \$4,000,000 for each of fiscal years 2022
25 and 2023 may be used to supplement amounts otherwise

1 available for Purchased/Referred Care: *Provided further,*
2 That the amounts collected by the Federal Government
3 as authorized by sections 104 and 108 of the Indian
4 Health Care Improvement Act (25 U.S.C. 1613a and
5 1616a) during the preceding fiscal year for breach of con-
6 tracts shall be deposited in the Fund authorized by section
7 108A of that Act (25 U.S.C. 1616a-1) and shall remain
8 available until expended and, notwithstanding section
9 108A(c) of that Act (25 U.S.C. 1616a-1(c)), funds shall
10 be available to make new awards under the loan repay-
11 ment and scholarship programs under sections 104 and
12 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
13 *further,* That the amounts made available within this ac-
14 count for the Substance Abuse and Suicide Prevention
15 Program, for Opioid Prevention, Treatment and Recovery
16 Services, for the Domestic Violence Prevention Program,
17 for the Zero Suicide Initiative, for the housing subsidy au-
18 thority for civilian employees, for Aftercare Pilot Pro-
19 grams at Youth Regional Treatment Centers, for trans-
20 formation and modernization costs of the Indian Health
21 Service Electronic Health Record system, for national
22 quality and oversight activities, for improving collections
23 from public and private insurance at Indian Health Serv-
24 ice and tribally operated facilities, for an initiative to treat
25 or reduce the transmission of HIV and HCV, for a mater-

1 nal health initiative, for the Telebehaviorial Health Center
2 of Excellence, for Alzheimer's activities, for Village Built
3 Clinics and for accreditation emergencies shall be allocated
4 at the discretion of the Director of the Indian Health Serv-
5 ice and shall remain available until expended: *Provided*
6 *further*, That funds provided in this Act that are available
7 for two fiscal years may be used in their second year of
8 availability for annual contracts that fall within 2 fiscal
9 years, provided the total obligation is recorded in such sec-
10 ond year of availability: *Provided further*, That the
11 amounts collected by the Secretary of Health and Human
12 Services under the authority of title IV of the Indian
13 Health Care Improvement Act (25 U.S.C. 1613) shall re-
14 main available until expended for the purpose of achieving
15 compliance with the applicable conditions and require-
16 ments of titles XVIII and XIX of the Social Security Act,
17 except for those related to the planning, design, or con-
18 struction of new facilities: *Provided further*, That funding
19 contained herein for scholarship programs under the In-
20 dian Health Care Improvement Act (25 U.S.C. 1613)
21 shall remain available until expended: *Provided further*,
22 That amounts received by tribes and tribal organizations
23 under title IV of the Indian Health Care Improvement Act
24 shall be reported and accounted for and available to the
25 receiving tribes and tribal organizations until expended:

1 *Provided further*, That the Bureau of Indian Affairs may
2 collect from the Indian Health Service, and from tribes
3 and tribal organizations operating health facilities pursu-
4 ant to Public Law 93–638, such individually identifiable
5 health information relating to disabled children as may be
6 necessary for the purpose of carrying out its functions
7 under the Individuals with Disabilities Education Act (20
8 U.S.C. 1400 et seq.): *Provided further*, That of the total
9 amount of funds provided, \$364,560,000, including
10 \$182,280,000 from the amounts that become available on
11 October 1, 2022, is for the Indian Health Care Improve-
12 ment Fund and may be used, as needed, to carry out ac-
13 tivities typically funded under the Indian Health Facilities
14 account: *Provided further*, That none of the funds appro-
15 priated by this Act, or any other Act, to the Indian Health
16 Service for the Electronic Health Record system shall be
17 available for obligation or expenditure for the selection or
18 implementation of a new Information Technology Infra-
19 structure system, unless the Committees on Appropria-
20 tions of the House of Representatives and the Senate are
21 consulted 90 days in advance of such obligation: *Provided*
22 *further*, That none of the amounts made available under
23 this heading to the Indian Health Service for the Elec-
24 tronic Health Record system shall be available for obliga-
25 tion or expenditure for the selection or implementation of

1 a new Information Technology Infrastructure system until
2 the report and directive is received by the Committees on
3 Appropriations of the House of Representatives and the
4 Senate in accordance with the explanatory statement ac-
5 companying this Act.

6 CONTRACT SUPPORT COSTS

7 For payments to tribes and tribal organizations for
8 contract support costs associated with Indian Self-Deter-
9 mination and Education Assistance Act agreements with
10 the Indian Health Service for fiscal year 2022, such sums
11 as may be necessary: *Provided*, That notwithstanding any
12 other provision of law, no amounts made available under
13 this heading shall be available for transfer to another
14 budget account: *Provided further*, That amounts obligated
15 but not expended by a tribe or tribal organization for con-
16 tract support costs for such agreements for the current
17 fiscal year shall be applied to contract support costs due
18 for such agreements for subsequent fiscal years.

19 PAYMENTS FOR TRIBAL LEASES

20 For payments to tribes and tribal organizations for
21 leases pursuant to section 105(l) of the Indian Self-Deter-
22 mination and Education Assistance Act (25 U.S.C.
23 5324(l)) for fiscal year 2022, such sums as may be ne-
24 cessary, which shall be available for obligation through Sep-
25 tember 30, 2023: *Provided*, That notwithstanding any

1 other provision of law, no amounts made available under
2 this heading shall be available for transfer to another
3 budget account.

4 INDIAN HEALTH FACILITIES

5 For construction, repair, maintenance, demolition,
6 improvement, and equipment of health and related auxil-
7 iary facilities, including quarters for personnel; prepara-
8 tion of plans, specifications, and drawings; acquisition of
9 sites, purchase and erection of modular buildings, and
10 purchases of trailers; and for provision of domestic and
11 community sanitation facilities for Indians, as authorized
12 by section 7 of the Act of August 5, 1954 (42 U.S.C.
13 2004a), the Indian Self-Determination Act, and the In-
14 dian Health Care Improvement Act, and for expenses nec-
15 essary to carry out such Acts and titles II and III of the
16 Public Health Service Act with respect to environmental
17 health and facilities support activities of the Indian Health
18 Service, \$1,172,107,000, to remain available until ex-
19 pended; and, in addition, \$1,172,107,000, which shall be-
20 come available on October 1, 2022 and remain available
21 until expended: *Provided*, That notwithstanding any other
22 provision of law, funds appropriated for the planning, de-
23 sign, construction, renovation, or expansion of health fa-
24 cilities for the benefit of an Indian tribe or tribes may
25 be used to purchase land on which such facilities will be

1 located: *Provided further*, That not to exceed \$500,000
2 may be used for each of fiscal years 2022 and 2023 by
3 the Indian Health Service to purchase TRANSAM equip-
4 ment from the Department of Defense for distribution to
5 the Indian Health Service and tribal facilities: *Provided*
6 *further*, That of the amount appropriated under this head-
7 ing for fiscal year 2022, \$40,171,000 shall be for projects
8 specified for Water and Wastewater Infrastructure in the
9 table that appears under the heading “Congressionally Di-
10 rected Spending” in the explanatory statement accom-
11 panying this Act: *Provided further*, That none of the funds
12 appropriated to the Indian Health Service may be used
13 for sanitation facilities construction for new homes funded
14 with grants by the housing programs of the United States
15 Department of Housing and Urban Development.

16 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

17 Appropriations provided in this Act to the Indian
18 Health Service shall be available for services as authorized
19 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
20 equivalent to the maximum rate payable for senior-level
21 positions under 5 U.S.C. 5376; hire of passenger motor
22 vehicles and aircraft; purchase of medical equipment; pur-
23 chase of reprints; purchase, renovation, and erection of
24 modular buildings and renovation of existing facilities;
25 payments for telephone service in private residences in the

1 field, when authorized under regulations approved by the
2 Secretary of Health and Human Services; uniforms, or al-
3 lowances therefor as authorized by 5 U.S.C. 5901–5902;
4 and for expenses of attendance at meetings that relate to
5 the functions or activities of the Indian Health Service:
6 *Provided*, That in accordance with the provisions of the
7 Indian Health Care Improvement Act, non-Indian patients
8 may be extended health care at all tribally administered
9 or Indian Health Service facilities, subject to charges, and
10 the proceeds along with funds recovered under the Federal
11 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
12 be credited to the account of the facility providing the
13 service and shall be available without fiscal year limitation:
14 *Provided further*, That notwithstanding any other law or
15 regulation, funds transferred from the Department of
16 Housing and Urban Development to the Indian Health
17 Service shall be administered under Public Law 86–121,
18 the Indian Sanitation Facilities Act and Public Law 93–
19 638: *Provided further*, That funds appropriated to the In-
20 dian Health Service in this Act, except those used for ad-
21 ministrative and program direction purposes, shall not be
22 subject to limitations directed at curtailing Federal travel
23 and transportation: *Provided further*, That none of the
24 funds made available to the Indian Health Service in this
25 Act shall be used for any assessments or charges by the

1 Department of Health and Human Services unless such
2 assessments or charges are identified in the budget jus-
3 tification and provided in this Act, or approved by the
4 House and Senate Committees on Appropriations through
5 the reprogramming process: *Provided further*, That not-
6 withstanding any other provision of law, funds previously
7 or herein made available to a tribe or tribal organization
8 through a contract, grant, or agreement authorized by
9 title I or title V of the Indian Self-Determination and
10 Education Assistance Act of 1975 (25 U.S.C. 450 et seq.),
11 may be deobligated and reobligated to a self-determination
12 contract under title I, or a self-governance agreement
13 under title V of such Act and thereafter shall remain avail-
14 able to the tribe or tribal organization without fiscal year
15 limitation: *Provided further*, That none of the funds made
16 available to the Indian Health Service in this Act shall
17 be used to implement the final rule published in the Fed-
18 eral Register on September 16, 1987, by the Department
19 of Health and Human Services, relating to the eligibility
20 for the health care services of the Indian Health Service
21 until the Indian Health Service has submitted a budget
22 request reflecting the increased costs associated with the
23 proposed final rule, and such request has been included
24 in an appropriations Act and enacted into law: *Provided*
25 *further*, That with respect to functions transferred by the

1 Indian Health Service to tribes or tribal organizations, the
2 Indian Health Service is authorized to provide goods and
3 services to those entities on a reimbursable basis, includ-
4 ing payments in advance with subsequent adjustment, and
5 the reimbursements received therefrom, along with the
6 funds received from those entities pursuant to the Indian
7 Self-Determination Act, may be credited to the same or
8 subsequent appropriation account from which the funds
9 were originally derived, with such amounts to remain
10 available until expended: *Provided further*, That reim-
11 bursements for training, technical assistance, or services
12 provided by the Indian Health Service will contain total
13 costs, including direct, administrative, and overhead costs
14 associated with the provision of goods, services, or tech-
15 nical assistance: *Provided further*, That the Indian Health
16 Service may provide to civilian medical personnel serving
17 in hospitals operated by the Indian Health Service housing
18 allowances equivalent to those that would be provided to
19 members of the Commissioned Corps of the United States
20 Public Health Service serving in similar positions at such
21 hospitals: *Provided further*, That the appropriation struc-
22 ture for the Indian Health Service may not be altered
23 without advance notification to the House and Senate
24 Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH
2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
3 SCIENCES

4 For necessary expenses for the National Institute of
5 Environmental Health Sciences in carrying out activities
6 set forth in section 311(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
9 Superfund Amendments and Reauthorization Act of 1986,
10 \$84,540,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
12 REGISTRY
13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i) and 111(c)(4) of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980 (CERCLA) and section 3019
20 of the Solid Waste Disposal Act, \$81,750,000: *Provided,*
21 That notwithstanding any other provision of law, in lieu
22 of performing a health assessment under section 104(i)(6)
23 of CERCLA, the Administrator of ATSDR may conduct
24 other appropriate health studies, evaluations, or activities,
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited
2 healthcare providers: *Provided further*, That in performing
3 any such health assessment or health study, evaluation,
4 or activity, the Administrator of ATSDR shall not be
5 bound by the deadlines in section 104(i)(6)(A) of
6 CERCLA: *Provided further*, That none of the funds appro-
7 priated under this heading shall be available for ATSDR
8 to issue in excess of 40 toxicological profiles pursuant to
9 section 104(i) of CERCLA during fiscal year 2022, and
10 existing profiles may be updated as necessary.

11 OTHER RELATED AGENCIES

12 EXECUTIVE OFFICE OF THE PRESIDENT

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$4,200,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-
6 suant to section 112(r)(6) of the Clean Air Act, including
7 hire of passenger vehicles, uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-
10 uals not to exceed the per diem equivalent to the maximum
11 rate payable for senior level positions under 5 U.S.C.
12 5376, \$13,400,000, of which \$900,000 shall remain avail-
13 able until expended: *Provided*, That the Chemical Safety
14 and Hazard Investigation Board (Board) shall have not
15 more than three career Senior Executive Service positions:
16 *Provided further*, That notwithstanding any other provi-
17 sion of law, the individual appointed to the position of In-
18 spector General of the Environmental Protection Agency
19 (EPA) shall, by virtue of such appointment, also hold the
20 position of Inspector General of the Board: *Provided fur-*
21 *ther*, That notwithstanding any other provision of law, the
22 Inspector General of the Board shall utilize personnel of
23 the Office of Inspector General of EPA in performing the
24 duties of the Inspector General of the Board, and shall
25 not appoint any individuals to positions within the Board.

1 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Navajo and
4 Hopi Indian Relocation as authorized by Public Law 93–
5 531, \$3,150,000, to remain available until expended,
6 which shall be derived from unobligated balances from
7 prior year appropriations available under this heading:
8 *Provided*, That funds provided in this or any other appro-
9 priations Act are to be used to relocate eligible individuals
10 and groups including evictees from District 6, Hopi-parti-
11 tioned lands residents, those in significantly substandard
12 housing, and all others certified as eligible and not in-
13 cluded in the preceding categories: *Provided further*, That
14 none of the funds contained in this or any other Act may
15 be used by the Office of Navajo and Hopi Indian Reloca-
16 tion to evict any single Navajo or Navajo family who, as
17 of November 30, 1985, was physically domiciled on the
18 lands partitioned to the Hopi Tribe unless a new or re-
19 placement home is provided for such household: *Provided*
20 *further*, That no relocatee will be provided with more than
21 one new or replacement home: *Provided further*, That the
22 Office shall relocate any certified eligible relocatees who
23 have selected and received an approved homesite on the
24 Navajo reservation or selected a replacement residence off

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

3 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
4 CULTURE AND ARTS DEVELOPMENT
5 PAYMENT TO THE INSTITUTE

6 For payment to the Institute of American Indian and
7 Alaska Native Culture and Arts Development, as author-
8 ized by part A of title XV of Public Law 99–498 (20
9 U.S.C. 4411 et seq.), \$11,000,000, which shall become
10 available on July 1, 2022, and shall remain available until
11 September 30, 2023.

12 SMITHSONIAN INSTITUTION
13 SALARIES AND EXPENSES

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

1 ployees, \$872,000,000, to remain available until Sep-
2 tember 30, 2023, except as otherwise provided herein; of
3 which not to exceed \$12,798,000 shall be for the instru-
4 mentation program, collections acquisition, exhibition re-
5 installation, Smithsonian American Women’s History Mu-
6 seum, National Museum of the American Latino, and the
7 repatriation of skeletal remains program shall remain
8 available until expended; and including such funds as may
9 be necessary to support American overseas research cen-
10 ters: *Provided*, That funds appropriated herein are avail-
11 able for advance payments to independent contractors per-
12 forming research services or participating in official
13 Smithsonian presentations: *Provided further*, That the
14 Smithsonian Institution may expend Federal appropria-
15 tions designated in this Act for lease or rent payments,
16 as rent payable to the Smithsonian Institution, and such
17 rent payments may be deposited into the general trust
18 funds of the Institution to be available as trust funds for
19 expenses associated with the purchase of a portion of the
20 building at 600 Maryland Avenue, SW, Washington, DC,
21 to the extent that federally supported activities will be
22 housed there: *Provided further*, That the use of such
23 amounts in the general trust funds of the Institution for
24 such purpose shall not be construed as Federal debt serv-
25 ice for, a Federal guarantee of, a transfer of risk to, or

1 an obligation of the Federal Government: *Provided further*,
2 That no appropriated funds may be used directly to serv-
3 ice debt which is incurred to finance the costs of acquiring
4 a portion of the building at 600 Maryland Avenue, SW,
5 Washington, DC, or of planning, designing, and con-
6 structing improvements to such building: *Provided further*,
7 That any agreement entered into by the Smithsonian In-
8 stitution for the sale of its ownership interest, or any por-
9 tion thereof, in such building so acquired may not take
10 effect until the expiration of a 30 day period which begins
11 on the date on which the Secretary of the Smithsonian
12 submits to the Committees on Appropriations of the
13 House of Representatives and Senate, the Committees on
14 House Administration and Transportation and Infrastruc-
15 ture of the House of Representatives, and the Committee
16 on Rules and Administration of the Senate a report, as
17 outlined in the explanatory statement described in section
18 4 of the Further Consolidated Appropriations Act, 2020
19 (Public Law 116–94; 133 Stat. 2536) on the intended
20 sale.

21 FACILITIES CAPITAL

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

1 and for construction, including necessary personnel,
2 \$230,000,000, to remain available until expended, of
3 which not to exceed \$10,000 shall be for services as au-
4 thorized by 5 U.S.C. 3109.

5 NATIONAL GALLERY OF ART

6 SALARIES AND EXPENSES

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

1 made, without advertising, with individuals, firms, or or-
2 ganizations at such rates or prices and under such terms
3 and conditions as the Gallery may deem proper,
4 \$157,500,000, to remain available until September 30,
5 2023, of which not to exceed \$3,775,000 for the special
6 exhibition program shall remain available until expended.

7 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of repair, restoration, and
10 renovation of buildings, grounds and facilities owned or
11 occupied by the National Gallery of Art, by contract or
12 otherwise, for operating lease agreements of no more than
13 10 years, with no extensions or renewals beyond the 10
14 years, that address space needs created by the ongoing
15 renovations in the Master Facilities Plan, as authorized,
16 \$26,000,000, to remain available until expended: *Pro-*
17 *vided*, That of this amount, \$11,458,000 shall be available
18 for design and construction of an off-site art storage facil-
19 ity in partnership with the Smithsonian Institution and
20 may be transferred to the Smithsonian Institution for such
21 purposes: *Provided further*, That contracts awarded for en-
22 vironmental systems, protection systems, and exterior re-
23 pair or renovation of buildings of the National Gallery of
24 Art may be negotiated with selected contractors and

1 awarded on the basis of contractor qualifications as well
2 as price.

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

6 For necessary expenses for the operation, mainte-
7 nance, and security of the John F. Kennedy Center for
8 the Performing Arts, \$27,000,000, to remain available
9 until September 30, 2023.

10 CAPITAL REPAIR AND RESTORATION

11 For necessary expenses for capital repair and restora-
12 tion of the existing features of the building and site of
13 the John F. Kennedy Center for the Performing Arts,
14 \$13,440,000, to remain available until expended.

15 WOODROW WILSON INTERNATIONAL CENTER FOR
16 SCHOLARS
17 SALARIES AND EXPENSES

18 For expenses necessary in carrying out the provisions
19 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
20 1356) including hire of passenger vehicles and services as
21 authorized by 5 U.S.C. 3109, \$14,000,000, to remain
22 available until September 30, 2023.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$182,500,000 shall be available to the National Endow-
8 ment for the Arts for the support of projects and produc-
9 tions in the arts, including arts education and public out-
10 reach activities, through assistance to organizations and
11 individuals pursuant to section 5 of the Act, for program
12 support, and for administering the functions of the Act,
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National
17 Foundation on the Arts and the Humanities Act of 1965,
18 \$182,500,000 to remain available until expended, of which
19 \$166,900,000 shall be available for support of activities
20 in the humanities, pursuant to section 7(c) of the Act and
21 for administering the functions of the Act; and
22 \$15,600,000 shall be available to carry out the matching
23 grants program pursuant to section 10(a)(2) of the Act,
24 including \$13,600,000 for the purposes of section 7(h):
25 *Provided*, That appropriations for carrying out section

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

9 ADMINISTRATIVE PROVISIONS

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

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

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$3,328,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study, or education: *Provided further*,
17 That one-tenth of one percent of the funds provided under
18 this heading may be used for official reception and rep-
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

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

12 ADVISORY COUNCIL ON HISTORIC PRESERVATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Advisory Council on
15 Historic Preservation (Public Law 89–665), \$8,255,000.

16 NATIONAL CAPITAL PLANNING COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the National Capital Plan-
19 ning Commission under chapter 87 of title 40, United
20 States Code, including services as authorized by 5 U.S.C.
21 3109, \$8,382,000: *Provided*, That one-quarter of 1 per-
22 cent of the funds provided under this heading may be used
23 for official reception and representational expenses associ-
24 ated with hosting international visitors engaged in the
25 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$62,616,000, of which \$715,000 shall remain
6 available until September 30, 2024, for the Museum’s
7 equipment replacement program; and of which \$3,000,000
8 for the Museum’s repair and rehabilitation program and
9 \$1,264,000 for the Museum’s outreach initiatives program
10 shall remain available until expended.

11 PRESIDIO TRUST

12 The Presidio Trust is authorized to issue obligations
13 to the Secretary of the Treasury pursuant to section
14 104(d)(3) of the Omnibus Parks and Public Lands Man-
15 agement Act of 1996 (Public Law 104–333), in an
16 amount not to exceed \$20,000,000.

17 WORLD WAR I CENTENNIAL COMMISSION
18 SALARIES AND EXPENSES

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

1 until September 30, 2023: *Provided*, That in addition to
2 the authority provided by section 6(g) of such Act, the
3 World War I Commission may accept money, in-kind per-
4 sonnel services, contractual support, or any appropriate
5 support from any executive branch agency for activities
6 of the Commission.

7 ALYCE SPOTTED BEAR AND WALTER SOBOLEFF

8 COMMISSION ON NATIVE CHILDREN

9 For necessary expenses of the Alyce Spotted Bear
10 and Walter Soboleff Commission on Native Children (re-
11 ferred to in this paragraph as the “Commission”),
12 \$200,000 to remain available until September 30, 2023:
13 *Provided*, That in addition to the authority provided by
14 section 3(g)(5) and 3(h) of Public Law 114–244, the Com-
15 mission may hereafter accept in-kind personnel services,
16 contractual support, or any appropriate support from any
17 executive branch agency for activities of the Commission.

18 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States
21 Semiquincentennial Commission to plan and coordinate
22 observances and activities associated with the 250th anni-
23 versary of the founding of the United States, as authorized
24 by Public Law 116–282, the technical amendments to

- 1 Public Law 114–196, \$8,000,000, to remain available
- 2 until expended.

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TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves, or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate.

1 Changes to such estimates shall be presented to the Com-
2 mittees on Appropriations for approval.

3 MINING APPLICATIONS

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

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

20 (c) REPORT.—On September 30, 2023, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Natural
23 Resources of the House and the Committee on Energy and
24 Natural Resources of the Senate a report on actions taken
25 by the Department under the plan submitted pursuant to

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

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

17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

18 SEC. 405. Sections 405 and 406 of division F of the
 19 Consolidated and Further Continuing Appropriations Act,
 20 2015 (Public Law 113–235) shall continue in effect in fis-
 21 cal year 2022.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2022

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
 25 year 2022 under the headings “Department of Health and

1 Human Services, Indian Health Service, Contract Support
2 Costs” and “Department of the Interior, Bureau of Indian
3 Affairs and Bureau of Indian Education, Contract Sup-
4 port Costs” are the only amounts available for contract
5 support costs arising out of self-determination or self-gov-
6 ernance contracts, grants, compacts, or annual funding
7 agreements for fiscal year 2022 with the Bureau of Indian
8 Affairs, Bureau of Indian Education, and the Indian
9 Health Service: *Provided*, That such amounts provided by
10 this Act are not available for payment of claims for con-
11 tract support costs for prior years, or for repayments of
12 payments for settlements or judgments awarding contract
13 support costs for prior years.

14 FOREST MANAGEMENT PLANS

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

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

5 PROHIBITION WITHIN NATIONAL MONUMENTS

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

16 LIMITATION ON TAKINGS

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

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

3 PROHIBITION ON NO-BID CONTRACTS

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

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

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

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

23 POSTING OF REPORTS

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

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

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

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

8 (2) the report contains proprietary information.

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

13 NATIONAL ENDOWMENT FOR THE ARTS GRANT

14 GUIDELINES

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

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

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

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

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

9 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

10 PRIORITIES

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

19 (b) In this section:

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

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

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

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

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

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

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

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

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

10 STATUS OF BALANCES OF APPROPRIATIONS

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

19 EXTENSION OF GRAZING PERMITS

20 SEC. 415. The terms and conditions of section 325
21 of Public Law 108–108 (117 Stat. 1307), regarding graz-
22 ing permits issued by the Forest Service on any lands not
23 subject to administration under section 402 of the Federal
24 Lands Policy and Management Act (43 U.S.C. 1752),
25 shall remain in effect for fiscal year 2022.

FUNDING PROHIBITION

1

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

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

HUMANE TRANSFER AND TREATMENT OF ANIMALS

11 SEC. 417. (a) Notwithstanding any other provision
12 of law, the Secretary of the Interior, with respect to land
13 administered by the Bureau of Land Management, or the
14 Secretary of Agriculture, with respect to land adminis-
15 tered by the Forest Service (referred to in this section as
16 the “Secretary concerned”), may transfer excess wild
17 horses and burros that have been removed from land ad-
18 ministered by the Secretary concerned to other Federal,
19 State, and local government agencies for use as work ani-
20 mals.

21 (b) The Secretary concerned may make a transfer
22 under subsection (a) immediately on the request of a Fed-
23 eral, State, or local government agency.

24 (c) An excess wild horse or burro transferred under
25 subsection (a) shall lose status as a wild free-roaming

1 horse or burro (as defined in section 2 of Public Law 92–
2 195 (commonly known as the “Wild Free-Roaming Horses
3 and Burros Act”) (16 U.S.C. 1332)).

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

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

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

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

17 (e) Amounts appropriated by this Act shall not be
18 available for—

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

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

1 FOREST SERVICE FACILITY REALIGNMENT AND
2 ENHANCEMENT AUTHORIZATION EXTENSION

3 SEC. 418. Section 503(f) of Public Law 109–54 (16
4 U.S.C. 580d note) shall be applied by substituting “Sep-
5 tember 30, 2022” for “September 30, 2019”.

6 USE OF AMERICAN IRON AND STEEL

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

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

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

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

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

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

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

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

22 (e) The Administrator may retain up to 0.25 percent
23 of the funds appropriated in this Act for the Clean and
24 Drinking Water State Revolving Funds for carrying out

1 the provisions described in subsection (a)(1) for manage-
 2 ment and oversight of the requirements of this section.

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

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

18 INFRASTRUCTURE PROJECTS

19 SEC. 421. For an additional amount for “Environ-
 20 mental Protection Agency—State and Tribal Assistance
 21 Grants”, \$453,984,000, to remain available until ex-
 22 pended, of which:

23 (1) \$438,978,000 shall be for Water and
 24 Wastewater Infrastructure grants to be allocated in
 25 the amounts specified for those projects and for the

1 purposes delineated in the table that appears under
2 the heading “Congressionally Directed Spending” in
3 the explanatory statement accompanying this Act,
4 for the construction of drinking water, wastewater,
5 and stormwater infrastructure and for water quality
6 protection in accordance with the terms and condi-
7 tions specified for such grants in the explanatory
8 statement accompanying this Act, and, for the pur-
9 poses of these grants, each grantee shall contribute
10 not less than 20 percent of the cost of the project
11 unless the grantee is approved for a waiver by the
12 Agency; and

13 (2) \$15,006,000 shall be for State and Tribal
14 Assistance Grants to be allocated in the amounts
15 specified for those projects and for the purposes de-
16 lined in the table that appears under the heading
17 “Congressionally Directed Spending” in the explana-
18 tory statement accompanying this Act for remedi-
19 ation, construction, and related environmental man-
20 agement activities in accordance with the terms and
21 conditions specified for such grants in the explana-
22 tory statement accompanying this Act.

23 RECREATION FEES

24 SEC. 422. Section 810 of the Federal Lands Recre-
25 ation Enhancement Act (16 U.S.C. 6809) shall be applied

1 by substituting “October 1, 2023” for “September 30,
2 2019”.

3 REPROGRAMMING GUIDELINES

4 SEC. 423. None of the funds made available in this
5 Act, in this and prior fiscal years, may be reprogrammed
6 without the advance approval of the House and Senate
7 Committees on Appropriations in accordance with the re-
8 programming procedures contained in the explanatory
9 statement described in section 4 of the Further Consoli-
10 dated Appropriations Act, 2020 (Public Law 116–94; 133
11 Stat. 2536).

12 LOCAL CONTRACTORS

13 SEC. 424. Section 412 of division E of Public Law
14 112–74 shall be applied by substituting “fiscal year 2022”
15 for “fiscal year 2019”.

16 SHASTA-TRINITY MARINA FEE AUTHORITY

17 AUTHORIZATION EXTENSION

18 SEC. 425. Section 422 of division F of Public Law
19 110–161 (121 Stat 1844), as amended, shall be applied
20 by substituting “fiscal year 2022” for “fiscal year 2019”.

21 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

22 SEC. 426. Section 426 of division G of Public Law
23 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-
24 stituting “September 30, 2022” for “September 30,
25 2019”.

1 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

2 SEC. 427. The authority provided by the 19th un-
3 numbered paragraph under heading “Administrative Pro-
4 visions, Forest Service” in title III of Public Law 109–
5 54, as amended, shall be applied by substituting “fiscal
6 year 2022” for “fiscal year 2019”.

7 FOREST BOTANICAL PRODUCTS FEE COLLECTION

8 AUTHORIZATION EXTENSION

9 SEC. 428. Section 339 of the Department of the Inte-
10 rior and Related Agencies Appropriations Act, 2000 (as
11 enacted into law by Public Law 106–113; 16 U.S.C. 528
12 note), as amended by section 335(6) of Public Law 108–
13 108 and section 432 of Public Law 113–76, shall be ap-
14 plied by substituting “fiscal year 2022” for “fiscal year
15 2019”.

16 CHACO CANYON

17 SEC. 429. None of the funds made available by this
18 Act may be used to accept a nomination for oil and gas
19 leasing under 43 CFR 3120.3 et seq, or to offer for oil
20 and gas leasing, any Federal lands within the withdrawal
21 area identified on the map of the Chaco Culture National
22 Historical Park prepared by the Bureau of Land Manage-
23 ment and dated April 2, 2019, prior to the completion of
24 the cultural resources investigation identified in the ex-

1 planatory statement described in section 4 of the Consoli-
2 dated Appropriations Act, 2021 (Public Law 116–260).

3 TRIBAL LEASES

4 SEC. 430. (a) Notwithstanding any other provision
5 of law, in the case of any lease under section 105(l) of
6 the Indian Self-Determination and Education Assistance
7 Act (25 U.S.C. 5324(l)), the initial lease term shall com-
8 mence no earlier than the date of receipt of the lease pro-
9 posal.

10 (b) The Secretaries of the Interior and Health and
11 Human Services shall, jointly or separately, during fiscal
12 year 2022 consult with tribes and tribal organizations
13 through public solicitation and other means regarding the
14 requirements for leases under section 105(l) of the Indian
15 Self-Determination and Education Assistance Act (25
16 U.S.C. 5324(l)) on how to implement a consistent and
17 transparent process for the payment of such leases.

18 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

19 SEC. 431. The authority provided under the heading
20 “Forest Ecosystem Health and Recovery Fund” in title
21 I of Public Law 111–88, as amended by section 117 of
22 division F of Public Law 113–235, shall be applied by sub-
23 stituting “fiscal year 2022” for “fiscal year 2020” each
24 place it appears.

1 ALLOCATION OF PROJECTS

2 SEC. 432. (a) Within 45 days of enactment of this
3 Act, the Secretary of the Interior shall allocate amounts
4 available from the National Parks and Public Land Leg-
5 acy Restoration Fund for fiscal year 2022 pursuant to
6 subsection (c) of section 200402 of title 54, United States
7 Code, and as provided in subsection (e) of such section
8 of such title, to the agencies of the Department of the
9 Interior and the Department of Agriculture specified, in
10 the amounts specified, and for the projects and activities
11 specified in the table titled “Allocation of Funds: National
12 Parks and Public Land Legacy Restoration Fund Fiscal
13 Year 2022” in the explanatory statement accompanying
14 this Act.

15 (b) Within 45 days of enactment of this Act, the Sec-
16 retary of the Interior and the Secretary of Agriculture,
17 as appropriate, shall allocate amounts made available for
18 expenditure from the Land and Water Conservation Fund
19 for fiscal year 2022 pursuant to subsection (a) of section
20 200303 of title 54, United States Code, to the agencies
21 and accounts specified, in the amounts specified, and for
22 the projects and activities specified in the table titled “Al-
23 location of Funds: Land and Water Conservation Fund
24 Fiscal Year 2022” in the explanatory statement accom-
25 panying this Act.

1 (c) Neither the President nor his designee may allo-
2 cate any amounts that are made available for any fiscal
3 year under subsection (c) of section 200402 of title 54,
4 United States Code, or subsection (a) of section 200303
5 of title 54, United States Code, other than amounts that
6 are allocated by subsections (a) and (b) of this section of
7 this Act.

8 (d)(1) Concurrent with the annual budget submission
9 of the President for fiscal year 2023, the Secretary of the
10 Interior and the Secretary of Agriculture shall each sub-
11 mit to the Committees on Appropriations of the House
12 of Representatives and the Senate a list of supplementary
13 allocations for Federal land acquisition and Forest Legacy
14 projects at the National Park Service, the U.S. Fish and
15 Wildlife Service, the Bureau of Land Management, and
16 the U.S. Forest Service that are in addition to the “Sub-
17 mission of Cost Estimates” required by section
18 200303(c)(1) of title 54, United States Code, that are
19 prioritized and detailed by account, program, and project,
20 and that total no less than half the full amount allocated
21 to each account for that land management Agency under
22 the allocations submitted under section 200303(c)(1) of
23 title 54, United States Code.

24 (2) The Federal land acquisition and Forest Legacy
25 projects in the “Submission of Cost Estimates” required

1 by section 200303(c)(1) of title 54, United States Code,
2 and on the list of supplementary allocations required by
3 paragraph (1) shall be comprised only of projects for
4 which a willing seller has been identified and for which
5 an appraisal or market research has been initiated.

6 (3) Concurrent with the annual budget submission of
7 the President for fiscal year 2023, the Secretary of the
8 Interior and the Secretary of Agriculture shall each sub-
9 mit to the Committees on Appropriations of the House
10 of Representatives and the Senate project data sheets in
11 the same format and containing the same level of detailed
12 information that is found on such sheets in the Budget
13 Justifications annually submitted by the Department of
14 the Interior with the President's Budget for the projects
15 in the "Submission of Cost Estimates" required by section
16 200303(c)(1) of title 54, United States Code, and in the
17 same format and containing the same level of detailed in-
18 formation that is found on such sheets submitted to the
19 Committees pursuant to section 427 of division D of the
20 Further Consolidated Appropriations Act, 2020 (Public
21 Law 116-94) for the list of supplementary allocations re-
22 quired by paragraph (1), and for the projects in the "Sub-
23 mission of Annual List of Projects to Congress" required
24 by section 200402(h) of title 54, United States Code.

1 (e) The Department of the Interior and the Depart-
2 ment of Agriculture shall provide the Committees on Ap-
3 propriations of the House of Representatives and Senate
4 quarterly reports on the status of balances for amounts
5 allocated pursuant to subsections (a) and (b) of this sec-
6 tion, including all uncommitted, committed, and unobli-
7 gated funds.

8 POLICIES RELATING TO BIOMASS ENERGY

9 SEC. 433. To support the key role that forests in the
10 United States can play in addressing the energy needs of
11 the United States, the Secretary of Energy, the Secretary
12 of Agriculture, and the Administrator of the Environ-
13 mental Protection Agency shall, consistent with their mis-
14 sions, jointly—

15 (1) ensure that Federal policy relating to forest
16 bioenergy—

17 (A) is consistent across all Federal depart-
18 ments and agencies; and

19 (B) using the best available science, recog-
20 nizes the benefits of the use of forest biomass
21 for energy, conservation, and responsible forest
22 management; and

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

1 (A) reflect the extent of the carbon bene-
2 fits of forest bioenergy and recognize biomass
3 as a renewable energy source, provided the use
4 of forest biomass for energy production does
5 not cause conversion of forests to non-forest
6 use;

7 (B) encourage private investment through-
8 out the forest biomass supply chain, including
9 in—

- 10 (i) working forests;
11 (ii) harvesting operations;
12 (iii) forest improvement operations;
13 (iv) forest bioenergy production;
14 (v) wood products manufacturing; or
15 (vi) paper manufacturing;

16 (C) encourage forest management to im-
17 prove forest health; and

18 (D) recognize State initiatives to produce
19 and use forest biomass.

20 SMALL REMOTE INCINERATORS

21 SEC. 434. None of the funds made available in this
22 Act may be used to implement or enforce the regulation
23 issued on March 21, 2011 at 40 CFR part 60 subparts
24 CCCC and DDDD with respect to units in the State of
25 Alaska that are defined as “small, remote incinerator”

1 units in those regulations and, until a subsequent regula-
 2 tion is issued, the Administrator shall implement the law
 3 and regulations in effect prior to such date.

4 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-
 5 TIONS TO THE EXTENT AUTHORIZED FOR OTHER
 6 GOVERNMENT CONTRACTORS

7 SEC. 435. The Secretary of Health and Human Serv-
 8 ices may authorize an urban Indian organization (as de-
 9 fined in section 4 of the Indian Health Care Improvement
 10 Act (25 U.S.C. 1603) that is awarded a grant or contract
 11 under title V of that Act (25 U.S.C. 1651 et seq.) to use
 12 funds provided in such grant or contract for minor renova-
 13 tions to facilities or construction or expansion of facilities,
 14 including leased facilities, to assist the urban Indian orga-
 15 nization in meeting or maintaining standards issued by
 16 Federal or State governments or by accreditation organi-
 17 zations.

18 TIMBER SALE REQUIREMENTS

19 SEC. 436. No timber sale in Alaska's Region 10 shall
 20 be advertised if the indicated rate is deficit (defined as
 21 the value of the timber is not sufficient to cover all logging
 22 and stumpage costs and provide a normal profit and risk
 23 allowance under the Forest Service's appraisal process)
 24 when appraised using a residual value appraisal. The west-
 25 ern red cedar timber from those sales which is surplus

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

9 TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINIS-
10 TRATION FOR THE NATIONAL PARKS AND PUBLIC
11 LAND LEGACY RESTORATION FUND

12 SEC. 437. Funds made available in this or any other
13 Act or otherwise made available to the Department of the
14 Interior or the Department of Agriculture that are subject
15 to the allocations in 54 U.S.C. 200402(e)(1) may be fur-
16 ther allocated or reallocated to the Federal Highway Ad-
17 ministration for transportation projects of the covered
18 agencies defined in 54 U.S.C. 200401(2).

19 FIREFIGHTER PAY CAP

20 SEC. 438. (a)(1) If services performed by the des-
21 ignated employees under paragraph (2) of this subsection
22 at the Department of the Interior or the Department of
23 Agriculture during 2022 are determined by the Secretary
24 of the Interior or the Secretary of Agriculture, as applica-
25 ble, to be primarily related to emergency wildland fire sup-

1 pression activities, any premium pay for such services
2 shall be disregarded in calculating the aggregate of such
3 employee's basic pay and premium pay for purposes of a
4 limitation under section 5547(a) of title 5, United States
5 Code, or under any other provision of law, whether such
6 employee's pay is paid on a biweekly or calendar year
7 basis. Any services during 2022 that generate payments
8 payable in 2023 shall be disregarded in applying this sub-
9 section.

10 (2) The premium pay waiver under paragraph(1) of
11 this subsection shall apply to individuals serving as
12 wildland firefighters and as fire management response of-
13 ficials, including regional fire directors, deputy regional
14 fire directors, agency officials who directly oversee fire op-
15 erations, and fire management officers, and individuals
16 serving on incident management teams (IMTs), at the Na-
17 tional Interagency Fire Center (NIFC), at Geographic
18 Area Coordinating Centers (GACCs), and at Operations
19 centers.

20 (3) The Departments of the Interior and Agriculture
21 shall provide a report to Congress detailing the number
22 of positions, including by occupation, grade, and the ag-
23 gregate pay by type of pay for each individual who receives
24 pay authorized under subsection (a)(1).

1 (b) Any overtime pay for services described in sub-
2 section (a) that is payable under an authority outside of
3 title 5, United States Code, shall be disregarded in calcu-
4 lating any annual limit on the amount of overtime pay
5 payable in 2022.

6 (c) Any pay that is disregarded under either sub-
7 section (a) or (b) shall be disregarded in calculating such
8 employee's aggregate pay for purposes of applying the lim-
9 itation in section 5307 of title 5, United States Code, dur-
10 ing 2022.

11 (d)(1) Pay that is disregarded under subsection (a)
12 or (b) shall not cause the aggregate of the employee's basic
13 pay and premium pay for the applicable calendar year to
14 exceed the rate of basic pay payable for a position at level
15 II of the Executive Schedule under section 5313 of title
16 5, United States Code, as in effect at the end of such cal-
17 endar year.

18 (2) For purposes of applying this subsection to an
19 employee who would otherwise be subject to the premium
20 pay limits established under section 5547 of title 5, United
21 States Code, "premium pay" means the premium pay paid
22 under the provisions of law cited in section 5547(a).

23 (3) For purposes of applying this subsection to an
24 employee under a premium pay limit established under an
25 authority other than section 5547 of title 5, United States

1 Code, the agency responsible for administering such limit
2 shall determine what payments are considered premium
3 pay.

4 (4) For the purpose of applying this subsection,
5 “basic pay” includes any applicable locality-based com-
6 parability payment under section 5304 of title 5, United
7 States Code, any applicable special rate supplement under
8 section 5305 of such title, or any equivalent payment
9 under a similar provision of law.

10 (e) If application of this section results in the pay-
11 ment of additional premium pay to a covered employee of
12 a type that is normally creditable as basic pay for retire-
13 ment or any other purpose, that additional pay shall not—

14 (1) be considered to be basic pay of the covered
15 employee for any purpose; or

16 (2) be used in computing a lump-sum payment
17 to the covered employee for accumulated and ac-
18 crued annual leave under section 5551 or section
19 5552 of title 5, United States Code, or other similar
20 provision of law.

21 (f) Section 5542(a)(5) of title 5, United States Code,
22 is amended by striking “the United States Forest Service
23 in”.

1 WILD AND SCENIC RIVERS COMPREHENSIVE
2 MANAGEMENT PLANS

3 SEC. 439. The Secretary of Agriculture shall not be
4 considered to be in violation of section 3(d)(1) of the Wild
5 and Scenic Rivers Act (16 U.S.C. 1274(d)(1)) for not
6 completing a comprehensive river management plan within
7 3 full fiscal years after the date of designation, except the
8 comprehensive river management plan must be completed
9 or appropriately updated not later than the completion of
10 the next applicable forest plan revision.

11 This Act may be cited as the “Department of the In-
12 terior, Environment, and Related Agencies Appropriations
13 Act, 2022”.

○