

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

# H. R. 5386

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IN THE SENATE OF THE UNITED STATES

MAY 19, 2006

Received; read twice and referred to the Committee on Appropriations

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## AN ACT

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

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

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 Department of the Interior, environment, and related  
4 agencies for the fiscal year ending September 30, 2007,  
5 and for other purposes, namely:

6 TITLE I—DEPARTMENT OF THE INTERIOR

7 BUREAU OF LAND MANAGEMENT

8 MANAGEMENT OF LANDS AND RESOURCES

9 For necessary expenses for protection, use, improve-  
10 ment, development, disposal, cadastral surveying, classi-  
11 fication, acquisition of easements and other interests in  
12 lands, and performance of other functions, including main-  
13 tenance of facilities, as authorized by law, in the manage-  
14 ment of lands and their resources under the jurisdiction  
15 of the Bureau of Land Management, including the general  
16 administration of the Bureau, and assessment of mineral  
17 potential of public lands pursuant to Public Law 96–487  
18 (16 U.S.C. 3150(a)), \$867,738,000 (reduced by \$1) (in-  
19 creased by \$1), to remain available until expended, of  
20 which \$1,250,000 is for high priority projects, to be car-  
21 ried out by the Youth Conservation Corps; and of which  
22 \$2,750,000 shall be available in fiscal year 2007 subject  
23 to a match by at least an equal amount by the National  
24 Fish and Wildlife Foundation for cost-shared projects sup-  
25 porting conservation of Bureau lands; and such funds

1 shall be advanced to the Foundation as a lump sum grant  
2 without regard to when expenses are incurred.

3       In addition, \$32,696,000 is for Mining Law Adminis-  
4 tration program operations, including the cost of admin-  
5 istering the mining claim fee program; to remain available  
6 until expended, to be reduced by amounts collected by the  
7 Bureau and credited to this appropriation from annual  
8 mining claim fees so as to result in a final appropriation  
9 estimated at not more than \$867,738,000, and  
10 \$2,000,000, to remain available until expended, from com-  
11 munication site rental fees established by the Bureau for  
12 the cost of administering communication site activities.

13                           WILDLAND FIRE MANAGEMENT

14                           (INCLUDING TRANSFER OF FUNDS)

15       For necessary expenses for fire preparedness, sup-  
16 pression operations, fire science and research, emergency  
17 rehabilitation, hazardous fuels reduction, and rural fire as-  
18 sistance by the Department of the Interior, \$769,253,000,  
19 to remain available until expended, of which not to exceed  
20 \$7,338,000 shall be for the renovation or construction of  
21 fire facilities: *Provided*, That such funds are also available  
22 for repayment of advances to other appropriation accounts  
23 from which funds were previously transferred for such  
24 purposes: *Provided further*, That persons hired pursuant  
25 to 43 U.S.C. 1469 may be furnished subsistence and lodg-

1 ing without cost from funds available from this appropria-  
2 tion: *Provided further*, That notwithstanding 42 U.S.C.  
3 1856d, sums received by a bureau or office of the Depart-  
4 ment of the Interior for fire protection rendered pursuant  
5 to 42 U.S.C. 1856 et seq., protection of United States  
6 property, may be credited to the appropriation from which  
7 funds were expended to provide that protection, and are  
8 available without fiscal year limitation: *Provided further*,  
9 That using the amounts designated under this title of this  
10 Act, the Secretary of the Interior may enter into procure-  
11 ment contracts, grants, or cooperative agreements, for  
12 hazardous fuels reduction activities, and for training and  
13 monitoring associated with such hazardous fuels reduction  
14 activities, on Federal land, or on adjacent non-Federal  
15 land for activities that benefit resources on Federal land:  
16 *Provided further*, That the costs of implementing any co-  
17 operative agreement between the Federal Government and  
18 any non-Federal entity may be shared, as mutually agreed  
19 on by the affected parties: *Provided further*, That notwith-  
20 standing requirements of the Competition in Contracting  
21 Act, the Secretary, for purposes of hazardous fuels reduc-  
22 tion activities, may obtain maximum practicable competi-  
23 tion among: (1) local private, nonprofit, or cooperative en-  
24 tities; (2) Youth Conservation Corps crews or related part-  
25 nerships with State, local, or non-profit youth groups; (3)

1 small or micro-businesses; or (4) other entities that will  
2 hire or train locally a significant percentage, defined as  
3 50 percent or more, of the project workforce to complete  
4 such contracts: *Provided further*, That in implementing  
5 this section, the Secretary shall develop written guidance  
6 to field units to ensure accountability and consistent appli-  
7 cation of the authorities provided herein: *Provided further*,  
8 That funds appropriated under this head may be used to  
9 reimburse the United States Fish and Wildlife Service and  
10 the National Marine Fisheries Service for the costs of car-  
11 rying out their responsibilities under the Endangered Spe-  
12 cies Act of 1973 (16 U.S.C. 1531 et seq.) to consult and  
13 conference, as required by section 7 of such Act, in con-  
14 nection with wildland fire management activities: *Provided*  
15 *further*, That the Secretary of the Interior may use  
16 wildland fire appropriations to enter into non-competitive  
17 sole source leases of real property with local governments,  
18 at or below fair market value, to construct capitalized im-  
19 provements for fire facilities on such leased properties, in-  
20 cluding but not limited to fire guard stations, retardant  
21 stations, and other initial attack and fire support facilities,  
22 and to make advance payments for any such lease or for  
23 construction activity associated with the lease: *Provided*  
24 *further*, That the Secretary of the Interior and the Sec-  
25 retary of Agriculture may authorize the transfer of funds

1 appropriated for wildland fire management, in an aggregate amount not to exceed \$9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

8 CONSTRUCTION

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

12 LAND ACQUISITION

13 For expenses necessary to carry out sections 205, 14 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or 15 interests therein, \$3,067,000, to be derived from the Land 16 and Water Conservation Fund and to remain available 17 until expended.

19 OREGON AND CALIFORNIA GRANT LANDS

20 For expenses necessary for management, protection, 21 and development of resources and for construction, operation, and maintenance of access roads, reforestation, and 22 other improvements on the revested Oregon and California 23 Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and 24 25

1 on adjacent rights-of-way; and acquisition of lands or in-  
2 terests therein, including existing connecting roads on or  
3 adjacent to such grant lands; \$111,408,000, to remain  
4 available until expended: *Provided*, That 25 percent of the  
5 aggregate of all receipts during the current fiscal year  
6 from the revested Oregon and California Railroad grant  
7 lands is hereby made a charge against the Oregon and  
8 California land-grant fund and shall be transferred to the  
9 General Fund in the Treasury in accordance with the sec-  
10 ond paragraph of subsection (b) of title II of the Act of  
11 August 28, 1937 (50 Stat. 876).

12 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND  
13 (REVOLVING FUND, SPECIAL ACCOUNT)

14 In addition to the purposes authorized in Public Law  
15 102–381, funds made available in the Forest Ecosystem  
16 Health and Recovery Fund can be used for the purpose  
17 of planning, preparing, implementing and monitoring sal-  
18 vage timber sales and forest ecosystem health and recovery  
19 activities, such as release from competing vegetation and  
20 density control treatments. The Federal share of receipts  
21 (defined as the portion of salvage timber receipts not paid  
22 to the counties under 43 U.S.C. 1181f and 43 U.S.C.  
23 1181f–1 et seq., and Public Law 106–393) derived from  
24 treatments funded by this account shall be deposited into  
25 the Forest Ecosystem Health and Recovery Fund.

## 1 RANGE IMPROVEMENTS

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

## 16 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

17 For administrative expenses and other costs related  
18 to processing application documents and other authoriza-  
19 tions for use and disposal of public lands and resources,  
20 for costs of providing copies of official public land docu-  
21 ments, for monitoring construction, operation, and termi-  
22 nation of facilities in conjunction with use authorizations,  
23 and for rehabilitation of damaged property, such amounts  
24 as may be collected under Public Law 94-579, as amend-  
25 ed, and Public Law 93-153, to remain available until ex-  
26 pended: *Provided*, That, notwithstanding any provision to

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

18 MISCELLANEOUS TRUST FUNDS

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

## 1 ADMINISTRATIVE PROVISIONS

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

14 Section 28 of title 30, United States Code, is amended:  
15 (1) in section 28 by striking the phrase “shall commence at 12 o’clock meridian on the 1st day of September” and inserting “shall commence at 12:00 ante meridian on the 1st day of September”;  
16 (2) in section 28f(a),  
17 by striking the phrase “for years 2004 through 2008”;

1 and (3) in section 28g, by striking the phrase “and before  
2 September 30, 2008,”.

3 Refunds or rebates received on an on-going basis  
4 from an information technology (IT) vendor as part of the  
5 Bureau of Land Management (BLM) consolidated IT pro-  
6 curements for the Department of the Interior and other  
7 Federal Government departments hereafter may be depos-  
8 ited into the Management of Lands and Resources Fund  
9 to be used to offset BLM’s costs incurred in providing this  
10 service.

11 UNITED STATES FISH AND WILDLIFE SERVICE

12 RESOURCE MANAGEMENT

13 For necessary expenses of the United States Fish and  
14 Wildlife Service, as authorized by law, and for scientific  
15 and economic studies, maintenance of the herd of long-  
16 horned cattle on the Wichita Mountains Wildlife Refuge,  
17 general administration, and for the performance of other  
18 authorized functions related to such resources by direct  
19 expenditure, contracts, grants, cooperative agreements  
20 and reimbursable agreements with public and private enti-  
21 ties, \$1,016,669,000, to remain available until September  
22 30, 2008, except as otherwise provided herein: *Provided*,  
23 That \$2,500,000 is for high priority projects, which shall  
24 be carried out by the Youth Conservation Corps: *Provided*  
25 *further*, That not to exceed \$17,759,000 shall be used for

1 implementing subsections (a), (b), (c), and (e) of section  
2 4 of the Endangered Species Act, as amended, for species  
3 that are indigenous to the United States (except for proc-  
4 essing petitions, developing and issuing proposed and final  
5 regulations, and taking any other steps to implement ac-  
6 tions described in subsection (c)(2)(A), (c)(2)(B)(i), or  
7 (c)(2)(B)(ii)), of which not to exceed \$12,581,000 shall  
8 be used for any activity regarding the designation of crit-  
9 ical habitat, pursuant to subsection (a)(3), excluding liti-  
10 gation support, for species listed pursuant to subsection  
11 (a)(1) prior to October 1, 2006: *Provided further*, That  
12 of the amount available for law enforcement, up to  
13 \$400,000, to remain available until expended, may at the  
14 discretion of the Secretary be used for payment for infor-  
15 mation, rewards, or evidence concerning violations of laws  
16 administered by the Service, and miscellaneous and emer-  
17 gency expenses of enforcement activity, authorized or ap-  
18 proved by the Secretary and to be accounted for solely on  
19 her certificate: *Provided further*, That of the amount pro-  
20 vided for environmental contaminants, up to \$1,000,000  
21 may remain available until expended for contaminant sam-  
22 ple analyses.

23 CONSTRUCTION

24 For construction, improvement, acquisition, or re-  
25 moval of buildings and other facilities required in the con-  
26 servation, management, investigation, protection, and uti-

1 lization of fishery and wildlife resources, and the acquisi-  
2 tion of lands and interests therein; \$39,756,000, to remain  
3 available until expended.

4 LAND ACQUISITION

5 For expenses necessary to carry out the Land and  
6 Water Conservation Fund Act of 1965, as amended (16  
7 U.S.C. 4601-4 through 11), including administrative ex-  
8 penses, and for acquisition of land or waters, or interest  
9 therein, in accordance with statutory authority applicable  
10 to the United States Fish and Wildlife Service,  
11 \$19,751,000, to be derived from the Land and Water Con-  
12 servation Fund and to remain available until expended:  
13 *Provided*, That none of the funds appropriated for specific  
14 land acquisition projects can be used to pay for any ad-  
15 ministrative overhead, planning or other management  
16 costs.

17 LANDOWNER INCENTIVE PROGRAM

18 For expenses necessary to carry out the Land and  
19 Water Conservation Fund Act of 1965, as amended (16  
20 U.S.C. 4601-4 through 11), including administrative ex-  
21 penses, and for private conservation efforts to be carried  
22 out on private lands, \$15,000,000, to be derived from the  
23 Land and Water Conservation Fund, and to remain avail-  
24 able until expended: *Provided*, That the amount provided  
25 herein is for a Landowner Incentive Program established  
26 by the Secretary that provides matching, competitively

1 awarded grants to States, the District of Columbia, feder-  
2 ally-recognized Indian tribes, Puerto Rico, Guam, the  
3 United States Virgin Islands, the Northern Mariana Is-  
4 lands, and American Samoa, to establish or supplement  
5 existing landowner incentive programs that provide tech-  
6 nical and financial assistance, including habitat protection  
7 and restoration, to private landowners for the protection  
8 and management of habitat to benefit federally listed, pro-  
9 posed, candidate, or other at-risk species on private lands.

10 PRIVATE STEWARDSHIP GRANTS

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

23 COOPERATIVE ENDANGERED SPECIES CONSERVATION

24 FUND

25 For expenses necessary to carry out section 6 of the  
26 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),

1 as amended, \$80,507,000 to remain available until ex-  
2 pended, of which \$20,161,000 is to be derived from the  
3 Cooperative Endangered Species Conservation Fund and  
4 \$60,346,000 is to be derived from the Land and Water  
5 Conservation Fund.

6 NATIONAL WILDLIFE REFUGE FUND

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

9 NORTH AMERICAN WETLANDS CONSERVATION FUND

10 For expenses necessary to carry out the provisions  
11 of the North American Wetlands Conservation Act, Public  
12 Law 101–233, as amended, \$36,646,000, to remain avail-  
13 able until expended.

14 NEOTROPICAL MIGRATORY BIRD CONSERVATION

15 For financial assistance for projects to promote the  
16 conservation of neotropical migratory birds in accordance  
17 with the Neotropical Migratory Bird Conservation Act,  
18 Public Law 106–247 (16 U.S.C. 6101–6109), \$4,000,000,  
19 to remain available until expended.

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-  
22 phant Conservation Act (16 U.S.C. 4201–4203, 4211–  
23 4213, 4221–4225, 4241–4245, and 1538), the Asian Ele-  
24 phant Conservation Act of 1997 (Public Law 105–96; 16  
25 U.S.C. 4261–4266), the Rhinoceros and Tiger Conserva-  
26 tion Act of 1994 (16 U.S.C. 5301–5306), the Great Ape

1 Conservation Act of 2000 (16 U.S.C. 6301), and the Ma-  
2 rine Turtle Conservation Act of 2004 (Public Law 108-  
3 266; 16 U.S.C. 6601), \$6,057,000, to remain available  
4 until expended.

5 STATE AND TRIBAL WILDLIFE GRANTS

6 For wildlife conservation grants to States and to the  
7 District of Columbia, Puerto Rico, Guam, the United  
8 States Virgin Islands, the Northern Mariana Islands,  
9 American Samoa, and federally-recognized Indian tribes  
10 under the provisions of the Fish and Wildlife Act of 1956  
11 and the Fish and Wildlife Coordination Act, for the devel-  
12 opment and implementation of programs for the benefit  
13 of wildlife and their habitat, including species that are not  
14 hunted or fished, \$50,000,000, to be derived from the  
15 Land and Water Conservation Fund, and to remain avail-  
16 able until expended: *Provided*, That of the amount pro-  
17 vided herein, \$5,000,000 is for a competitive grant pro-  
18 gram for Indian tribes, not subject to the remaining provi-  
19 sions of this appropriation: *Provided further*, That the Sec-  
20 retary shall, after deducting said \$5,000,000 and adminis-  
21 trative expenses, apportion the amount provided herein in  
22 the following manner: (1) to the District of Columbia and  
23 to the Commonwealth of Puerto Rico, each a sum equal  
24 to not more than one-half of 1 percent thereof; and (2)  
25 to Guam, American Samoa, the United States Virgin Is-

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

1 tably to States, territories, and other jurisdictions with ap-  
2 proved plans: *Provided further*, That any amount appor-  
3 tioned in 2007 to any State, territory, or other jurisdiction  
4 that remains unobligated as of September 30, 2008, shall  
5 be reapportioned, together with funds appropriated in  
6 2009, in the manner provided herein: *Provided further*,  
7 That balances from amounts previously appropriated  
8 under the heading “State Wildlife Grants” shall be trans-  
9 ferred to and merged with this appropriation and shall re-  
10 main available until expended.

11 ADMINISTRATIVE PROVISIONS

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

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

22 NATIONAL PARK SERVICE

23 OPERATION OF THE NATIONAL PARK SYSTEM

24 For expenses necessary for the management, oper-  
25 ation, and maintenance of areas and facilities adminis-

1 tered by the National Park Service (including special road  
2 maintenance service to trucking permittees on a reimburs-  
3 able basis), and for the general administration of the Na-  
4 tional Park Service, \$1,754,317,000 (increased by  
5 \$1,000,000), of which \$9,829,000 is for planning and  
6 interagency coordination in support of Everglades restora-  
7 tion and shall remain available until expended; of which  
8 \$86,164,000, to remain available until September 30,  
9 2008, is for maintenance, repair or rehabilitation projects  
10 for constructed assets, operation of the National Park  
11 Service automated facility management software system,  
12 and comprehensive facility condition assessments; and of  
13 which \$1,909,000 is for the Youth Conservation Corps for  
14 high priority projects: *Provided*, That the only funds in  
15 this account which may be made available to support  
16 United States Park Police are those funds approved for  
17 emergency law and order incidents pursuant to established  
18 National Park Service procedures, those funds needed to  
19 maintain and repair United States Park Police adminis-  
20 trative facilities, and those funds necessary to reimburse  
21 the United States Park Police account for the unbudgeted  
22 overtime and travel costs associated with special events for  
23 an amount not to exceed \$10,000 per event subject to the  
24 review and concurrence of the Washington headquarters  
25 office: *Provided further*, That funds in this account may

1 be spent without regard to the “no net loss” of law en-  
2 forcement personnel policy.

3 UNITED STATES PARK POLICE

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

6 NATIONAL RECREATION AND PRESERVATION

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

16 HISTORIC PRESERVATION FUND

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

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

#### 12 CONSTRUCTION

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

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

1 achievement of the 10 parts per billion numeric phos-  
2 phorus criterion throughout the A.R.M. Loxahatchee Na-  
3 tional Wildlife Refuge and Everglades National Park: *Pro-*  
4 *vided further*, That hereafter, notwithstanding any other  
5 provision of law, procurements for the National Mall and  
6 Memorial Park, Ford’s Theatre National Historical Site  
7 accessibility and infrastructure improvements may be  
8 issued which include the full scope of the project: *Provided*  
9 *further*, That the solicitation and contract shall contain the  
10 clause “availability of funds” found at 48 CFR 52.232.18.

11 LAND AND WATER CONSERVATION FUND

12 (RESCISSION)

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

15 LAND ACQUISITION AND STATE ASSISTANCE

16 For expenses necessary to carry out the Land and  
17 Water Conservation Act of 1965, as amended (16 U.S.C.  
18 460l–4 through 11), including administrative expenses,  
19 and for acquisition of lands or waters, or interest therein,  
20 in accordance with the statutory authority applicable to  
21 the National Park Service, \$29,995,000, to be derived  
22 from the Land and Water Conservation Fund and to re-  
23 main available until expended, of which \$1,625,000 is for  
24 the State assistance program administration: *Provided*,

1 That none of the funds provided for the State assistance  
2 program may be used to establish a contingency fund.

3 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

11 UNITED STATES GEOLOGICAL SURVEY

12 SURVEYS, INVESTIGATIONS, AND RESEARCH

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

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

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

6 ADMINISTRATIVE PROVISIONS

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

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

11                   MINERALS MANAGEMENT SERVICE

12           ROYALTY AND OFFSHORE MINERALS MANAGEMENT

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

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

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

6 OIL SPILL RESEARCH

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

12 OFFICE OF SURFACE MINING RECLAMATION AND  
13 ENFORCEMENT

14 REGULATION AND TECHNOLOGY

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

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

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the  
8 Surface Mining Control and Reclamation Act of 1977,  
9 Public Law 95–87, as amended, including the purchase  
10 of not more than 10 passenger motor vehicles for replace-  
11 ment only, \$185,936,000, to be derived from receipts of  
12 the Abandoned Mine Reclamation Fund and to remain  
13 available until expended; of which up to \$10,000,000, to  
14 be derived from the Federal Expenses Share of the Fund,  
15 shall be for supplemental grants to States for the reclama-  
16 tion of abandoned sites with acid mine rock drainage from  
17 coal mines, and for associated activities, through the Ap-  
18 palachian Clean Streams Initiative: *Provided*, That grants  
19 to minimum program States will be \$1,500,000 per State  
20 in fiscal year 2007: *Provided further*, That pursuant to  
21 Public Law 97–365, the Department of the Interior is au-  
22 thorized to use up to 20 percent from the recovery of the  
23 delinquent debt owed to the United States Government to  
24 pay for contracts to collect these debts: *Provided further*,  
25 That funds made available under title IV of Public Law  
26 95–87 may be used for any required non-Federal share

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

15 ADMINISTRATIVE PROVISION

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

21 BUREAU OF INDIAN AFFAIRS

22 OPERATION OF INDIAN PROGRAMS

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

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

1 tion Fund, land records improvement, and the Navajo-  
2 Hopi Settlement Program: *Provided*, That in cases of des-  
3 ignated Federal disasters, the Secretary may exceed the  
4 welfare assistance payments cap, from the amounts pro-  
5 vided herein, to provide for disaster relief to Indian com-  
6 munities affected by the disaster: *Provided further*, That  
7 notwithstanding any other provision of law, including but  
8 not limited to the Indian Self-Determination Act of 1975,  
9 as amended, and 25 U.S.C. 2008, not to exceed  
10 \$44,060,000 within and only from such amounts made  
11 available for school operations shall be available to tribes  
12 and tribal organizations for administrative cost grants as-  
13 sociated with ongoing grants entered into with the Bureau  
14 prior to or during fiscal year 2006 for the operation of  
15 Bureau-funded schools, and up to \$500,000 within and  
16 only from such amounts made available for school oper-  
17 ations shall be available for the transitional costs of initial  
18 administrative cost grants to tribes and tribal organiza-  
19 tions that enter into grants for the operation on or after  
20 July 1, 2006, of Bureau-operated schools: *Provided fur-*  
21 *ther*, That any forestry funds allocated to a tribe which  
22 remain unobligated as of September 30, 2008, may be  
23 transferred during fiscal year 2009 to an Indian forest  
24 land assistance account established for the benefit of such  
25 tribe within the tribe's trust fund account: *Provided fur-*

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

3 CONSTRUCTION

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

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

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

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

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

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

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

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

13 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

21 DEPARTMENTAL OFFICES

22 INSULAR AFFAIRS

23 ASSISTANCE TO TERRITORIES

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

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

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

21 COMPACT OF FREE ASSOCIATION

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

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

5 DEPARTMENTAL MANAGEMENT

6 SALARIES AND EXPENSES

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



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

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





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

22 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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

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

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

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

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

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

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

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

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

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

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

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

1 tion in Tribal Priority Allocation funds of more than 10  
2 percent in fiscal year 2007. Under circumstances of dual  
3 enrollment, overlapping service areas or inaccurate dis-  
4 tribution methodologies, the 10 percent limitation does not  
5 apply.

6       SEC. 109. Notwithstanding any other provision of  
7 law, in conveying the Twin Cities Research Center under  
8 the authority provided by Public Law 104–134, as amend-  
9 ed by Public Law 104–208, the Secretary may accept and  
10 retain land and other forms of reimbursement: *Provided*,  
11 That the Secretary may retain and use any such reim-  
12 bursement until expended and without further appropria-  
13 tion: (1) for the benefit of the National Wildlife Refuge  
14 System within the State of Minnesota; and (2) for all ac-  
15 tivities authorized by Public Law 100–696; 16 U.S.C.  
16 460zz.

17       SEC. 110. The Secretary of the Interior may use or  
18 contract for the use of helicopters or motor vehicles on  
19 the Sheldon and Hart National Wildlife Refuges for the  
20 purpose of capturing and transporting horses and burros.  
21 The provisions of subsection (a) of the Act of September  
22 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such  
23 use. Such use shall be in accordance with humane proce-  
24 dures prescribed by the Secretary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           TITLE II—ENVIRONMENTAL PROTECTION  
2                           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, as amended; necessary expenses for personnel and  
9 related costs and travel expenses, including uniforms, or  
10 allowances therefor, as authorized by 5 U.S.C. 5901–  
11 5902; services as authorized by 5 U.S.C. 3109, but at  
12 rates for individuals not to exceed the per diem rate equiv-  
13 alent to the maximum rate payable for senior level posi-  
14 tions under 5 U.S.C. 5376; procurement of laboratory  
15 equipment and supplies; other operating expenses in sup-  
16 port of research and development; construction, alteration,  
17 repair, rehabilitation, and renovation of facilities, not to  
18 exceed \$85,000 per project, \$808,044,000, to remain  
19 available until September 30, 2008.

20           ENVIRONMENTAL PROGRAMS AND MANAGEMENT

21           For environmental programs and management, in-  
22 cluding necessary expenses not otherwise provided for, for  
23 personnel and related costs and travel expenses, including  
24 uniforms, or allowances therefor, as authorized by 5  
25 U.S.C. 5901–5902; services as authorized by 5 U.S.C.

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

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector  
18 General in carrying out the provisions of the Inspector  
19 General Act of 1978, as amended, and for construction,  
20 alteration, repair, rehabilitation, and renovation of facili-  
21 ties, not to exceed \$85,000 per project, \$35,100,000, to  
22 remain available until September 30, 2008: *Provided*,  
23 That in fiscal year 2007 and thereafter, notwithstanding  
24 any other provision of law, the Inspector General shall not

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

3 BUILDINGS AND FACILITIES

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

8 HAZARDOUS SUBSTANCE SUPERFUND

9 (INCLUDING TRANSFERS OF FUNDS)

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

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

#### 8 LEAKING UNDERGROUND STORAGE TANK PROGRAM

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

#### 16 OIL SPILL RESPONSE

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

#### 22 STATE AND TRIBAL ASSISTANCE GRANTS

23 (INCLUDING RESCISSION OF FUNDS)

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

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

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

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

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

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

## 1 ADMINISTRATIVE PROVISIONS

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

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

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



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

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

10                   STATE AND PRIVATE FORESTRY

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

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

3 NATIONAL FOREST SYSTEM

4 For necessary expenses of the Forest Service, not  
5 otherwise provided for, for management, protection, im-  
6 provement, and utilization of the National Forest System,  
7 \$1,445,659,000 (reduced by \$2,000,000), to remain avail-  
8 able until expended, which shall include 50 percent of all  
9 moneys received during prior fiscal years as fees collected  
10 under the Land and Water Conservation Fund Act of  
11 1965, as amended, in accordance with section 4 of the Act  
12 (16 U.S.C. 460l-6a(i)): *Provided*, That unobligated bal-  
13 ances under this heading available at the start of fiscal  
14 year 2007 shall be displayed by budget line item in the  
15 fiscal year 2008 budget justification.

16 WILDLAND FIRE MANAGEMENT

17 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

10 CAPITAL IMPROVEMENT AND MAINTENANCE

11 (INCLUDING TRANSFER OF FUNDS)

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

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

13 LAND ACQUISITION

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

## 1 ACQUISITION OF LANDS FOR NATIONAL FORESTS

## 2 SPECIAL ACTS

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

## 9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

## 19 RANGE BETTERMENT FUND

20 For necessary expenses of range rehabilitation, pro-  
21 tection, and improvement, 50 percent of all moneys re-  
22 ceived during the prior fiscal year, as fees for grazing do-  
23 mestic livestock on lands in National Forests in the 16  
24 Western States, pursuant to section 401(b)(1) of Public  
25 Law 94–579, as amended, to remain available until ex-  
26 pended, of which not to exceed 6 percent shall be available

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

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

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

8 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
9 SUBSISTENCE USES

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

15 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 DEPARTMENT OF HEALTH AND HUMAN  
6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

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

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

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

22 INDIAN HEALTH FACILITIES

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

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

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

10 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 1 OTHER RELATED AGENCIES

## 2 EXECUTIVE OFFICE OF THE PRESIDENT

3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF  
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-  
6 signed to the Council on Environmental Quality and Office  
7 of Environmental Quality pursuant to the National Envi-  
8 ronmental Policy Act of 1969, the Environmental Quality  
9 Improvement Act of 1970, and Reorganization Plan No.  
10 1 of 1977, and not to exceed \$750 for official reception  
11 and representation expenses, \$2,627,000: *Provided*, That  
12 notwithstanding section 202 of the National Environ-  
13 mental Policy Act of 1970, the Council shall consist of  
14 one member, appointed by the President, by and with the  
15 advice and consent of the Senate, serving as chairman and  
16 exercising all powers, functions, and duties of the Council.

## 17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

## 18 SALARIES AND EXPENSES

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

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

11 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

12 SALARIES AND EXPENSES

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

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

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

12 PAYMENT TO THE INSTITUTE

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

17 SMITHSONIAN INSTITUTION

18 SALARIES AND EXPENSES

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

1 ance programs; maintenance, alteration, operation, lease  
2 (for terms not to exceed 30 years), and protection of build-  
3 ings, facilities, and approaches; not to exceed \$100,000  
4 for services as authorized by 5 U.S.C. 3109; up to five  
5 replacement passenger vehicles; purchase, rental, repair,  
6 and cleaning of uniforms for employees, \$517,094,000, of  
7 which \$10,000,000 is for facilities maintenance at the Na-  
8 tional Zoological Park; of which not to exceed \$9,964,000  
9 for the instrumentation program, collections acquisition,  
10 exhibition reinstallation, the National Museum of African  
11 American History and Culture, and the repatriation of  
12 skeletal remains program shall remain available until ex-  
13 pended; and of which \$2,077,000 for fellowships and  
14 scholarly awards shall remain available until September  
15 30, 2008; and including such funds as may be necessary  
16 to support American overseas research centers and a total  
17 of \$125,000 for the Council of American Overseas Re-  
18 search Centers: *Provided*, That funds appropriated herein  
19 are available for advance payments to independent con-  
20 tractors performing research services or participating in  
21 official Smithsonian presentations.

22 FACILITIES CAPITAL

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

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

12 ADMINISTRATIVE PROVISIONS, SMITHSONIAN

13 INSTITUTION

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

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

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

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

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

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

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

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

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

10                               NATIONAL GALLERY OF ART

11                                       SALARIES AND EXPENSES

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

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

12 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

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

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

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

9 CONSTRUCTION

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

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

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

21 NATIONAL FOUNDATION ON THE ARTS AND THE  
22 HUMANITIES  
23 NATIONAL ENDOWMENT FOR THE ARTS  
24 GRANTS AND ADMINISTRATION

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

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

17 NATIONAL ENDOWMENT FOR THE HUMANITIES

18 GRANTS AND ADMINISTRATION

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

## MATCHING GRANTS

1  
2 To carry out the provisions of section 10(a)(2) of the  
3 National Foundation on the Arts and the Humanities Act  
4 of 1965, as amended, \$14,906,000, to remain available  
5 until expended, of which \$9,648,000 shall be available to  
6 the National Endowment for the Humanities for the pur-  
7 poses of section 7(h): *Provided*, That this appropriation  
8 shall be available for obligation only in such amounts as  
9 may be equal to the total amounts of gifts, bequests, and  
10 devises of money, and other property accepted by the  
11 chairman or by grantees of the Endowment under the pro-  
12 visions of subsections 11(a)(2)(B) and 11(a)(3)(B) during  
13 the current and preceding fiscal years for which equal  
14 amounts have not previously been appropriated.

## ADMINISTRATIVE PROVISIONS

15  
16 None of the funds appropriated to the National  
17 Foundation on the Arts and the Humanities may be used  
18 to process any grant or contract documents which do not  
19 include the text of 18 U.S.C. 1913: *Provided*, That none  
20 of the funds appropriated to the National Foundation on  
21 the Arts and the Humanities may be used for official re-  
22 ception and representation expenses: *Provided further*,  
23 That funds from nonappropriated sources may be used as  
24 necessary for official reception and representation ex-  
25 penses: *Provided further*, That the Chairperson of the Na-

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

10 COMMISSION OF FINE ARTS

11 SALARIES AND EXPENSES

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

19 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

22 ADVISORY COUNCIL ON HISTORIC PRESERVATION

23 SALARIES AND EXPENSES

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

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

3 NATIONAL CAPITAL PLANNING COMMISSION

4 SALARIES AND EXPENSES

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

13 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

14 HOLOCAUST MEMORIAL MUSEUM

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

## 1 PRESIDIO TRUST

## 2 PRESIDIO TRUST FUND

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

## 7 WHITE HOUSE COMMISSION ON THE NATIONAL

## 8 MOMENT OF REMEMBRANCE

## 9 SALARIES AND EXPENSES

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

## 12 TITLE IV—GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 **TITLE V—ADDITIONAL GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

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

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

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

1           (3) to conduct natural gas preleasing, leasing,  
2           and related activities in the Mid-Atlantic and South  
3           Atlantic planning areas.

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

          Passed the House of Representatives May 18, 2006.

Attest:

KAREN L. HAAS,

*Clerk.*