TITLE IV

 GENERAL PROVISIONS

(For the Department of the Interior and Related Agencies)

 (including transfers of funds)

 limitation on consulting services

 Sec. 401. The expenditure of any appropriation under this

 Act for any consulting service through procurement contract,

 pursuant to 5 U.S.C. 3109, shall be limited to those

 contracts where such expenditures are a matter of public

 record and available for public inspection, except where

 otherwise provided under existing law, or under existing

 Executive order issued pursuant to existing law.

 restriction on use of funds

 Sec. 402. No part of any appropriation contained in this

 Act shall be available for any activity or the publication or

 distribution of literature that in any way tends to promote

 public support or opposition to any legislative proposal on

 which Congressional action is not complete other than to

 communicate to Members of Congress as described in 18 U.S.C.

 1913.

 obligation of appropriations

 Sec. 403. No part of any appropriation contained in this

 Act shall remain available for obligation beyond the current

 fiscal year unless expressly so provided herein.

 prohibition on use of funds for personal services

 Sec. 404. None of the funds provided in this Act to any

 department or agency shall be obligated or expended to

 provide a personal cook, chauffeur, or other personal

 servants to any officer or employee of such department or

 agency except as otherwise provided by law.

 disclosure of administrative expenses

 Sec. 405. Estimated overhead charges, deductions, reserves

 or holdbacks from programs, projects, activities and

 subactivities to support government-wide, departmental,

 agency, or bureau administrative functions or headquarters,

 regional, or central operations shall be presented in annual

 budget justifications and subject to approval by the

 Committees on Appropriations of the House of Representatives

 and the Senate. Changes to such estimates shall be presented

 to the Committees on Appropriations for approval.

 giant sequoia

 Sec. 406. None of the funds in this Act may be used to

 plan, prepare, or offer for sale timber from trees classified

 as giant sequoia (Sequoiadendron giganteum) which are located

 on National Forest System or Bureau of Land Management lands

 in a manner different than such sales were conducted in

 fiscal year 2011.

 mining applications

 Sec. 407. (a) Limitation of Funds.--None of the funds

 appropriated or otherwise made available pursuant to this Act

 shall be obligated or expended to accept or process

 applications for a patent for any mining or mill site claim

 located under the general mining laws.

 (b) Exceptions.--Subsection (a) shall not apply if the

 Secretary of the Interior determines that, for the claim

 concerned (1) a patent application was filed with the

 Secretary on or before September 30, 1994; and (2) all

 requirements established under sections 2325 and 2326 of the

 Revised Statutes (30 U.S.C. 29 and 30) for vein or lode

 claims, sections 2329, 2330, 2331, and 2333 of the Revised

 Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and

 section 2337 of the Revised Statutes (30 U.S.C. 42) for mill

 site claims, as the case may be, were fully complied with by

 the applicant by that date.

 (c) Report.--On September 30, 2013, the Secretary of the

 Interior shall file with the House and Senate Committees on

 Appropriations and the Committee on Natural Resources of the

 House and the Committee on Energy and Natural Resources of

 the Senate a report on actions taken by the Department under

 the plan submitted pursuant to section 314(c) of the

 Department of the Interior and Related Agencies

 Appropriations Act, 1997 (Public Law 104-208).

 (d) Mineral Examinations.--In order to process patent

 applications in a timely and responsible manner, upon the

 request of a patent applicant, the Secretary of the Interior

 shall allow the applicant to fund a qualified third-party

 contractor to be selected by the Director of the Bureau of

 Land Management to conduct a mineral examination of the

 mining claims or mill sites contained in a patent application

 as set forth in subsection (b). The Bureau of Land Management

 shall have the sole responsibility to choose and pay the

 third-party contractor in accordance with the standard

 procedures employed by the Bureau of Land Management in the

 retention of third-party contractors.

 contract support costs

 Sec. 408. Notwithstanding any other provision of law,

 amounts appropriated to or otherwise designated in committee

 reports for the Bureau of Indian Affairs and the Indian

 Health Service by Public Laws 103-138, 103-332, 104-134, 104-

 208, 105-83, 105-277, 106-113, 106-291, 107-63, 108-7, 108-

 108, 108-447, 109-54, 109-289, division B and Continuing

 Appropriations Resolution, 2007 (division B of Public Law

 109-289, as amended by Public Laws 110-5 and 110-28), Public

 Laws 110-92, 110-116, 110-137, 110-149, 110-161, 110-329,

 111-6, 111-8, 111-88, and 112-10 for payments for contract

 support costs associated with self-determination or self-

 governance contracts, grants, compacts, or annual funding

 agreements with the Bureau of Indian Affairs or the Indian

 Health Service as funded by such Acts, are the total amounts

 available for fiscal years 1994 through 2011 for such

 purposes, except that the Bureau of Indian Affairs, tribes

 and tribal organizations may use their tribal priority

 allocations for unmet contract support costs of ongoing

 contracts, grants, self-governance compacts, or annual

 funding agreements.

 forest management plans

 Sec. 409. The Secretary of Agriculture shall not be

 considered to be in violation of subparagraph 6(f)(5)(A) of

 the Forest and Rangeland Renewable Resources Planning Act of

 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15

 years have passed without revision of the plan for a unit of

 the National Forest System. Nothing in this section exempts

 the Secretary from any other requirement of the Forest and

 Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et

 seq.) or any other law: Provided, That if the Secretary is

 not acting expeditiously and in good faith, within the

 funding available, to revise a plan for a unit of the

 National Forest System, this section shall be void with

 respect to such plan and a court of proper jurisdiction may

 order completion of the plan on an accelerated basis.

 prohibition within national monuments

 Sec. 410. No funds provided in this Act may be expended to

 conduct preleasing, leasing and related activities under

 either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the

 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.)

 within the boundaries of a National Monument established

 pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.)

 as such boundary existed on January 20, 2001, except where

 such activities are allowed under the Presidential

 proclamation establishing such monument.

 amendments to the temporary emergency wildfire suppression act

 Sec. 411. The Temporary Emergency Wildfire Suppression Act

 (42 U.S.C. 1856m et seq.) is amended--

 (1) in the first section (42 U.S.C. 1856m note)--

 (A) by striking ``That this'' and inserting the following:

 ``SECTION 1. SHORT TITLE.

 ``This''; and

 (B) by striking ``Temporary'';

 (2) by striking section 2 (42 U.S.C. 1856m) and inserting

 the following:

 ``SEC. 2. DEFINITIONS.

 ``In this Act:

 ``(1) Assume any and all liability.--The term `assume any

 and all liability' means--

 ``(A) the payment of--

 ``(i) any judgment, settlement, fine, penalty, or cost

 assessment (including prevailing party legal fees) associated

 with the applicable litigation; and

 ``(ii) any cost incurred in handling the applicable

 litigation (including legal fees); and

 ``(B) with respect to a Federal firefighter, arranging for,

 and paying the costs of, representation in the applicable

 litigation.

 ``(2) Federal firefighter.--The term `Federal firefighter'

 means an individual furnished by the Secretary of Agriculture

 or the Secretary of the Interior under an agreement entered

 into under section 3.

 ``(3) Foreign fire organization.--The term `foreign fire

 organization' means any foreign governmental, public, or

 private entity that has wildfire protection resources.

 ``(4) Foreign firefighter.--The term `foreign firefighter'

 means an individual furnished by a foreign fire organization

 under an agreement entered into under section 3.

 ``(5) Wildfire.--The term `wildfire' means any forest or

 range fire.

 ``(6) Wildfire protection resources.--The term `wildfire

 protection resources' means any personnel, supplies,

 equipment, or other resources required for wildfire

 presuppression and suppression activities.'';

 (3) in section 3 (42 U.S.C. 1856n)--

 (A) in subsection (a)--

 (i) by striking ``(a)(1) The Secretary of Agriculture'' and

 inserting the following:

 ``(a) Exchange of Wildfire Protection Resources Under a

 Reciprocal Agreement With a Foreign Fire Organization.--

 ``(1) Authority to enter into a reciprocal agreement.--The

 Secretary of Agriculture''; and

 (ii) in paragraph (2), by striking ``(2) Any agreement''

 and inserting the following:

 ``(2) Requirements for a reciprocal agreement.--Any

 agreement'';

 (B) in subsection (b)--

 (i) by striking ``(b) In the absence'' and inserting the

 following:

 ``(b) Exchange of Wildfire Protection Resources Without a

 Reciprocal Agreement.--In the absence''; and

 (ii) in paragraph (1), by striking ``United States, and''

 and inserting ``United States; and'';

 (C) in subsection (c), by striking ``(c) Notwithstanding''

 and inserting the following:

 ``(c) Reimbursement Under Agreements With Canada.--

 Notwithstanding''; and

 (D) in subsection (d)--

 (i) by striking, ``(d) Any service'' and inserting the

 following:

 ``(d) Service Performed Under This Act by Federal

 Employees.--

 ``(1) In general.--Any service''; and

 (ii) in the second sentence, by striking ``The'' and

 inserting the following:

 ``(2) Effect.--Except as provided in section 4, the'';

 (4) by redesignating section 4 (42 U.S.C. 1856o) as section

 5;

 (5) by inserting after section 3 the following:

 ``SEC. 4. RECIPROCAL AGREEMENTS WITH LIABILITY COVERAGE.

 ``(a) Protection From Liability for Foreign Firefighters

 and Foreign Fire Organizations.--Subject to subsection (b),

 in an agreement with a foreign fire organization entered into

 under section 3, the Secretary of Agriculture and the

 Secretary of the Interior may provide that--

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 ``(1) a foreign firefighter shall be considered to be an

 employee of the United States for purposes of tort liability

 while the foreign firefighter is acting within the scope of

 an official duty under the agreement; and

 ``(2) any claim against the foreign fire organization or

 any legal organization associated with the foreign

 firefighter that arises out of an act or omission of the

 foreign firefighter in the performance of an official duty

 under the agreement, or that arises out of any other act,

 omission, or occurrence for which the foreign fire

 organization or legal organization associated with the

 foreign firefighter is legally responsible under applicable

 law, may be prosecuted only--

 ``(A) against the United States; and

 ``(B) as if the act or omission were the act or omission of

 an employee of the United States.

 ``(b) Protection From Liability for Federal Firefighters

 and the Federal Government.--The Secretary of Agriculture and

 the Secretary of the Interior may provide the protections

 under subsection (a) if the foreign fire organization

 agrees--

 ``(1) to assume any and all liability for any legal action

 brought against the Federal firefighter for an act or

 omission of the Federal firefighter while acting within the

 scope of an official duty under the agreement; and

 ``(2) to the extent the United States or any legal

 organization associated with the Federal firefighter is not

 entitled to immunity from the jurisdiction of the courts

 having jurisdiction over the foreign fire organization

 receiving the services of the Federal firefighters, to assume

 any and all liability for any legal action brought against

 the United States or the legal organization arising out of--

 ``(A) an act or omission of the Federal firefighter in the

 performance of an official duty under the agreement; or

 ``(B) any other act, omission, or occurrence for which the

 United States or the legal organization associated with the

 Federal firefighter is legally responsible under the laws

 applicable to the foreign fire organization.''; and

 (6) in section 5 (as redesignated by paragraph (4))--

 (A) by striking ``under section 3(c)'' and inserting

 ``under this Act''; and

 (B) in the proviso--

 (i) by striking ``wildfire protection resources or

 personnel'' each place it appears and inserting ``wildfire

 protection resources (including personnel)'';

 (ii) by inserting ``for wildfire suppression activities''

 before ``unless''; and

 (iii) by striking ``provide wildfire protection'' and

 inserting ``provide wildfire suppression''.

 contracting authorities

 Sec. 412. In awarding a Federal contract with funds made

 available by this Act, notwithstanding Federal Government

 procurement and contracting laws, the Secretary of

 Agriculture and the Secretary of the Interior (the

 ``Secretaries'') may, in evaluating bids and proposals,

 through fiscal year 2013, give consideration to local

 contractors who are from, and who provide employment and

 training for, dislocated and displaced workers in an

 economically disadvantaged rural community, including those

 historically timber-dependent areas that have been affected

 by reduced timber harvesting on Federal lands and other

 forest-dependent rural communities isolated from significant

 alternative employment opportunities: Provided, That

 notwithstanding Federal Government procurement and

 contracting laws the Secretaries may award contracts, grants

 or cooperative agreements to local non-profit entities, Youth

 Conservation Corps or related partnerships with State, local

 or non-profit youth groups, or small or micro-business or

 disadvantaged business: Provided further, That the contract,

 grant, or cooperative agreement is for forest hazardous fuels

 reduction, watershed or water quality monitoring or

 restoration, wildlife or fish population monitoring, road

 decommissioning, trail maintenance or improvement, or habitat

 restoration or management: Provided further, That the terms

 ``rural community'' and ``economically disadvantaged'' shall

 have the same meanings as in section 2374 of Public Law 101-

 624 (16 U.S.C. 6612): Provided further, That the Secretaries

 shall develop guidance to implement this section: Provided

 further, That nothing in this section shall be construed as

 relieving the Secretaries of any duty under applicable

 procurement laws, except as provided in this section.

 limitation on takings

 Sec. 413. Unless otherwise provided herein, no funds

 appropriated in this Act for the acquisition of lands or

 interests in lands may be expended for the filing of

 declarations of taking or complaints in condemnation without

 the approval of the House and Senate Committees on

 Appropriations: Provided, That this provision shall not

 apply to funds appropriated to implement the Everglades

 National Park Protection and Expansion Act of 1989, or to

 funds appropriated for Federal assistance to the State of

 Florida to acquire lands for Everglades restoration purposes.

 timber sale requirements

 Sec. 414. No timber sale in Alaska's Region 10 shall be

 advertised if the indicated rate is deficit (defined as the

 value of the timber is not sufficient to cover all logging

 and stumpage costs and provide a normal profit and risk

 allowance under the Forest Service's appraisal process) when

 appraised using a residual value appraisal. The western red

 cedar timber from those sales which is surplus to the needs

 of the domestic processors in Alaska, shall be made available

 to domestic processors in the contiguous 48 United States at

 prevailing domestic prices. All additional western red cedar

 volume not sold to Alaska or contiguous 48 United States

 domestic processors may be exported to foreign markets at the

 election of the timber sale holder. All Alaska yellow cedar

 may be sold at prevailing export prices at the election of

 the timber sale holder.

 extension of grazing permits

 Sec. 415. The terms and conditions of section 325 of

 Public Law 108-108 (117 Stat. 1307), regarding grazing

 permits at the Department of the Interior and the Forest

 Service, shall remain in effect for fiscal years 2012 and

 2013. A grazing permit or lease issued by the Secretary of

 the Interior for lands administered by the Bureau of Land

 Management that is the subject of a request for a grazing

 preference transfer shall be issued, without further

 processing, for the remaining time period in the existing

 permit or lease using the same mandatory terms and

 conditions. If the authorized officer determines a change in

 the mandatory terms and conditions is required, the new

 permit must be processed as directed in section 325 of Public

 Law 108-108.

 prohibition on no-bid contracts

 Sec. 416. None of the funds appropriated or otherwise made

 available by this Act to executive branch agencies may be

 used to enter into any Federal contract unless such contract

 is entered into in accordance with the requirements of

 Chapter 33 of title 41, United States Code, or Chapter 137 of

 title 10, United States Code, and the Federal Acquisition

 Regulation, unless--

 (1) Federal law specifically authorizes a contract to be

 entered into without regard for these requirements, including

 formula grants for States, or federally recognized Indian

 tribes; or

 (2) such contract is authorized by the Indian Self-

 Determination and Education and Assistance Act (Public Law

 93-638, 25 U.S.C. 450 et seq., as amended) or by any other

 Federal laws that specifically authorize a contract within an

 Indian tribe as defined in section 4(e) of that Act (25

 U.S.C. 450b(e)); or

 (3) such contract was awarded prior to the date of

 enactment of this Act.

 posting of reports

 Sec. 417. (a) Any agency receiving funds made available in

 this Act, shall, subject to subsections (b) and (c), post on

 the public website of that agency any report required to be

 submitted by the Congress in this or any other Act, upon the

 determination by the head of the agency that it shall serve

 the national interest.

 (b) Subsection (a) shall not apply to a report if--

 (1) the public posting of the report compromises national

 security; or

 (2) the report contains proprietary information.

 (c) The head of the agency posting such report shall do so

 only after such report has been made available to the

 requesting Committee or Committees of Congress for no less

 than 45 days.

 national endowment for the arts grant guidelines

 Sec. 418. Of the funds provided to the National Endowment

 for the Arts--

 (1) The Chairperson shall only award a grant to an

 individual if such grant is awarded to such individual for a

 literature fellowship, National Heritage Fellowship, or

 American Jazz Masters Fellowship.

 (2) The Chairperson shall establish procedures to ensure

 that no funding provided through a grant, except a grant made

 to a State or local arts agency, or regional group, may be

 used to make a grant to any other organization or individual

 to conduct activity independent of the direct grant

 recipient. Nothing in this subsection shall prohibit payments

 made in exchange for goods and services.

 (3) No grant shall be used for seasonal support to a group,

 unless the application is specific to the contents of the

 season, including identified programs and/or projects.

 national endowment for the arts program priorities

 Sec. 419. (a) In providing services or awarding financial

 assistance under the National Foundation on the Arts and the

 Humanities Act of 1965 from funds appropriated under this

 Act, the Chairperson of the National Endowment for the Arts

 shall ensure that priority is given to providing services or

 awarding financial assistance for projects, productions,

 workshops, or programs that serve underserved populations.

 (b) In this section:

 (1) The term ``underserved population'' means a population

 of individuals, including urban minorities, who have

 historically been outside the purview of arts and humanities

 programs due to factors such as a high incidence of income

 below the poverty line or to geographic isolation.

 (2) The term ``poverty line'' means the poverty line (as

 defined by the Office of Management and Budget, and revised

 annually in accordance with section 673(2) of the Community

 Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a

 family of the size involved.

 (c) In providing services and awarding financial assistance

 under the National Foundation on the Arts and Humanities Act

 of 1965 with funds appropriated by this Act, the Chairperson

 of the National Endowment for the Arts shall ensure that

 priority is given to providing services or awarding financial

 assistance for projects, productions, workshops, or programs

 that will encourage public knowledge, education,

 understanding, and appreciation of the arts.

 (d) With funds appropriated by this Act to carry out

 section 5 of the National Foundation on the Arts and

 Humanities Act of 1965--

 (1) the Chairperson shall establish a grant category for

 projects, productions, workshops, or programs that are of

 national impact or availability or are able to tour several

 States;

 (2) the Chairperson shall not make grants exceeding 15

 percent, in the aggregate, of such funds to any single State,

 excluding grants made under the authority of paragraph (1);

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 (3) the Chairperson shall report to the Congress annually

 and by State, on grants awarded by the Chairperson in each

 grant category under section 5 of such Act; and

 (4) the Chairperson shall encourage the use of grants to

 improve and support community-based music performance and

 education.

 use of competitive grant funds

 Sec. 420. Section 6(d) of Public Law 96-297 (16 U.S.C. 431

 note), as added by section 101 of Public Law 108-126, is

 amended by inserting ``, except funds awarded through

 competitive grants,'' after ``No Federal funds''.

 forest service facility realignment and enhancement

 Sec. 421. Section 503(f) of the Forest Service Realignment

 and Enhancement Act of 2005 (title V of Public Law 109-54; 16

 U.S.C. 580d note), as amended by section 422(1) of Public Law

 111-8 (123 Stat. 748), is further amended by striking

 ``2011'' and inserting ``2016''.

 service first

 Sec. 422. Section 330 of the Department of the Interior

 and Related Agencies Appropriations Act, 2001 (Public Law

 106-291; 114 Stat. 996; 43 U.S.C. 1701 note), concerning

 Service First authorities, as amended by section 428 of

 Public Law 109-54 (119 Stat. 555-556) and section 418 of

 Public Law 111-8 (123 Stat. 747), is amended--

 (1) by striking in the first sentence ``In fiscal years

 2001 through 2011'', and inserting ``In fiscal year 2012 and

 each fiscal year thereafter''; and

 (2) by striking in the first sentence ``pilot programs''

 and inserting ``programs.''

 federal, state, cooperative forest, range-land and watershed

 restoration in utah

 Sec. 423. The authority provided by section 337 of the

 Department of the Interior and Related Agencies

 Appropriations Act, 2005 (Public Law 108-447; 118 Stat.

 3012), as amended, shall remain in effect until September 30,

 2013.

 status of balances of appropriations

 Sec. 424. The Department of the Interior, the

 Environmental Protection Agency, the Forest Service, and the

 Indian Health Service shall provide the Committees on

 Appropriations of the House of Representatives and Senate

 quarterly reports on the status of balances of appropriations

 including all uncommitted, committed, and unobligated funds

 in each program and activity.

 report on use of climate change funds

 Sec. 425. Not later than 120 days after the date on which

 the President's fiscal year 2013 budget request is submitted

 to Congress, the President shall submit a comprehensive

 report to the Committee on Appropriations of the House of

 Representatives and the Committee on Appropriations of the

 Senate describing in detail all Federal agency funding,

 domestic and international, for climate change programs,

 projects and activities in fiscal year 2011, including an

 accounting of funding by agency with each agency identifying

 climate change programs, projects and activities and

 associated costs by line item as presented in the President's

 Budget Appendix, and including citations and linkages where

 practicable to each strategic plan that is driving funding

 within each climate change program, project and activity

 listed in the report.

 prohibition on use of funds

 Sec. 426. Notwithstanding any other provision of law, none

 of the funds made available in this Act or any other Act may

 be used to promulgate or implement any regulation requiring

 the issuance of permits under title V of the Clean Air Act

 (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide,

 water vapor, or methane emissions resulting from biological

 processes associated with livestock production.

 greenhouse gas reporting restrictions

 Sec. 427. Notwithstanding any other provision of law, none

 of the funds made available in this or any other Act may be

 used to implement any provision in a rule, if that provision

 requires mandatory reporting of greenhouse gas emissions from

 manure management systems.

 forest service pre-decisional objection process

 Sec. 428. Hereafter, upon issuance of final regulations,

 the Secretary of Agriculture, acting through the Chief of the

 Forest Service, shall apply section 105(a) of the Healthy

 Forests Restoration Act of 2003 (16 U.S.C. 6515(a)),

 providing for a pre-decisional objection process, to proposed

 actions of the Forest Service concerning projects and

 activities implementing land and resource management plans

 developed under the Forest and Rangeland Renewable Resources

 Planning Act of 1974 (16 U.S.C. 1600 et seq.), and documented

 with a Record of Decision or Decision Notice, in lieu of

 subsections (c), (d), and (e) of section 322 of Public Law

 102-381 (16 U.S.C. 1612 note), providing for an

 administrative appeal process: Provided, That if the Chief

 of the Forest Service determines an emergency situation

 exists for which immediate implementation of a proposed

 action is necessary, the proposed action shall not be subject

 to the pre-decisional objection process, and implementation

 shall begin immediately after the Forest Service gives notice

 of the final decision for the proposed action: Provided

 further, That this section shall not apply to an authorized

 hazardous fuel reduction project under title I of the Healthy

 Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.).

 silvicultural activities

 Sec. 429. From the date of enactment of this Act until

 September 30, 2012, the Administrator of the Environmental

 Protection Agency shall not require a permit under section

 402 of the Federal Water Pollution Control Act (33 U.S.C.

 1342), nor shall the Administrator directly or indirectly

 require any State to require a permit, for discharges of

 stormwater runoff from roads, the construction, use, or

 maintenance of which are associated with silvicultural

 activities, or from other silvicultural activities involving

 nursery operations, site preparation, reforestation and

 subsequent cultural treatment, thinning, prescribed burning,

 pest and fire control, harvesting operations, or surface

 drainage.

 claim maintenance fee amendments

 Sec. 430. Section 10101 of the Omnibus Budget

 Reconciliation Act of 1993 (30 U.S.C. 28f) is amended--

 (1) in subsection (a)--

 (A) by striking so much as precedes the second sentence and

 inserting the following:

 ``(a) Claim Maintenance Fee.--

 ``(1) Lode mining claims, mill sites, and tunnel sites.--

 The holder of each unpatented lode mining claim, mill site,

 or tunnel site, located pursuant to the mining laws of the

 United States on or after August 10, 1993, shall pay to the

 Secretary of the Interior, on or before September 1 of each

 year, to the extent provided in advance in appropriations

 Acts, a claim maintenance fee of $100 per claim or site,

 respectively.''; and

 (B) by adding at the end the following:

 ``(2) Placer mining claims.--The holder of each unpatented

 placer mining claim located pursuant to the mining laws of

 the United States located before, on, or after August 10,

 1993, shall pay to the Secretary of the Interior, on or

 before September 1 of each year, the claim maintenance fee

 described in subsection (a), for each 20 acres of the placer

 claim or portion thereof.''; and

 (2) in subsection (b), by striking the first sentence and

 inserting the following: ``The claim main tenance fee under

 subsection (a) shall be paid for the year in which the

 location is made, at the time the location notice is recorded

 with the Bureau of Land Management.''.

 domestic livestock grazing

 Sec. 431. (a) Prohibition Regarding Potential Domestic

 Sheep and Bighorn Sheep Contact on National Forest System

 Land.--Notwithstanding any other provision of law or

 regulation (other than the Endangered Species Act of 1973 and

 regulations issued under such Act), none of the funds made

 available by this Act or made available by any other Act for

 fiscal year 2012 only may be used to carry out--

 (1) any new management restrictions on domestic sheep on

 parcels of National Forest System land (as defined in the

 Forest and Rangeland Renewable Resources Planning Act of 1974

 (16 U.S.C. 1609(a))) with potential domestic sheep and

 bighorn sheep (whether native or nonnative) contact in excess

 of the management restrictions that existed on July 1, 2011;

 or

 (2) any other agency regulation for managing bighorn sheep

 populations on any allotment of such National Forest System

 land if the management action will result in a reduction in

 the number of domestic livestock permitted to graze on the

 allotment or in the distribution of livestock on the

 allotment.

 (b) Exception.--Notwithstanding subsection (a), the

 Secretary of Agriculture may make such management changes as

 the Secretary determines to be necessary to manage bighorn

 sheep if the management changes--

 (1) are consistent with the wildlife plans of the relevant

 State fish and game agency and determined in consultation

 with that agency; and

 (2) are developed in consultation with the affected

 permittees.

 (c) Bureau of Land Management Lands.--In circumstances

 involving conflicts between bighorn sheep and domestic sheep

 grazing on public lands (as defined in section 103 of the

 Federal Land Policy and Management Act of 1976 (43 U.S.C.

 1702)), the Bureau of Land Management may only modify or

 cancel domestic sheep grazing permits after consulting with

 the appropriate State fish and game agency. However, if the

 State in question has an approved State Wildlife Management

 Plan that addresses, with specificity, bighorn sheep

 management, then the Bureau of Land Management modification

 or cancellation of permits in that State shall conform to the

 bighorn sheep management objectives in the State Wildlife

 Management Plan, unless conformance would be inconsistent

 with Federal statute or regulation. The Bureau of Land

 Management shall be bound by the requirements of this

 subsection until September 30, 2012.

 (d) Voluntary Closure of Allotments.--Nothing in this

 section shall be construed as limiting the voluntary closure

 of existing domestic sheep allotments when the closure is

 agreed to in writing between the permittee and the Secretary

 of the Interior or the Secretary of Agriculture and is

 carried out for the purpose of reducing conflicts between

 domestic sheep and bighorn sheep.

 (e) Waiver of Grazing Permits and Leases.--The Secretary of

 the Interior and the Secretary of Agriculture may accept the

 voluntary waiver of any valid existing lease or permit

 authorizing grazing on National Forest System land described

 in subsection (a) or public lands described in subsection

 (c). If the grazing permit or lease for a grazing allotment

 is only partially within the area of potential domestic sheep

 and bighorn sheep contact, the affected permittee may elect

 to waive only the portion of the grazing permit or lease that

 is within that area. The Secretary concerned shall--

 (1) terminate each permit or lease waived or portion of a

 permit or lease waived under this subsection;

 (2) ensure a permanent end to domestic sheep grazing on the

 land covered by the waived permit or lease or waived portion

 of the permit or lease unless or until there is no conflict

 with bighorn sheep management; and

 (3) provide for the reimbursement of range improvements in

 compliance with section 4 of the Act of June 28, 1934

 (commonly known as the Taylor Grazing Act; 43 U.S.C. 315c).

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 air emissions from outer continental shelf activities

 Sec. 432. (a) It is the purpose of this section to ensure

 that the energy policy of the United States focuses on the

 expeditious and orderly development of domestic energy

 resources in a manner that protects human health and the

 environment.

 (b) Section 328(a)(1) of the Clean Air Act (42 U.S.C.

 7627(a)(1)) is amended--

 (1) in the first sentence, by inserting ``(other than Outer

 Continental Shelf sources located offshore of the North Slope

 Borough of the State of Alaska)'' after ``Outer Continental

 Shelf sources located offshore of the States along the

 Pacific, Arctic and Atlantic Coasts''; and

 (2) in the fourth sentence, by inserting ``and this Act''

 after ``regulations''.

 (c) Section 328(b) of the Clean Air Act (42 U.S.C. 7627(b))

 is amended in the first sentence--

 (1) by striking ``Gulf Coast''; and

 (2) by inserting ``or are adjacent to the North Slope

 Borough of the State of Alaska'' after ``Alabama''.

 (d) The transfer of air quality permitting authority

 pursuant to this section shall not invalidate or stay--

 (1) any air quality permit pending or existing as of the

 date of the enactment of this Act; or

 (2) any proceeding related thereto.

 (e)(1) The Comptroller General of the United States shall

 undertake a study on the process for air quality permitting

 in the Outer Continental Shelf.

 (2) The study shall consist of a comparison of air quality

 permitting for Outer Continental Shelf sources (as such term

 is defined in section 328(a)(4) of the Clean Air Act (42

 U.S.C. 7627(a)(4)) by the Department of the Interior with

 such permitting by the Environmental Protection Agency,

 taking into account the time elapsed between application and

 permit approval, the number of applications, and the

 experiences and assessments of the applicants.

 (3) In carrying out the study, the Comptroller General

 shall consult with the Administrator of the Environmental

 Protection Agency, the Secretary of the Interior, and

 applicants for air quality permits.

 (4) The Comptroller General shall complete the study and

 submit a report on the results of the study to the Congress

 not later than September 30, 2014.

 funding prohibition

 Sec. 433. None of the funds made available by this Act may

 be used to enter into a contract, memorandum of

 understanding, or cooperative agreement with, make a grant

 to, or provide a loan or loan guarantee to, any corporation

 that was convicted (or had an officer or agent of such

 corporation acting on behalf of the corporation convicted) of

 a felony criminal violation under any Federal law within the

 preceding 24 months, where the awarding agency is aware of

 the conviction, unless the agency has considered suspension

 or debarment of the corporation, or such officer or agent and

 made a determination that this further action is not

 necessary to protect the interests of the Government.

 limitation with respect to delinquent tax debts

 Sec. 434. None of the funds made available by this Act may

 be used to enter into a contract, memorandum of

 understanding, or cooperative agreement with, make a grant

 to, or provide a loan or loan guarantee to, any corporation

 with respect to which any unpaid Federal tax liability that

 has been assessed, for which all judicial and administrative

 remedies have been exhausted or have lapsed, and that is not

 being paid in a timely manner pursuant to an agreement with

 the authority responsible for collecting the tax liability,

 where the awarding agency is aware of the unpaid tax

 liability, unless the agency has considered suspension or

 debarment of the corporation and made a determination that

 this further action is not necessary to protect the interests

 of the Government.

 alaska native regional health entities

 Sec. 435. (a) Notwithstanding any other provision of law

 and until October 1, 2013, the Indian Health Service may not

 disburse funds for the provision of health care services

 pursuant to Public Law 93-638 (25 U.S.C. 450 et seq.) to any

 Alaska Native village or Alaska Native village corporation

 that is located within the area served by an Alaska Native

 regional health entity.

 (b) Nothing in this section shall be construed to prohibit

 the disbursal of funds to any Alaska Native village or Alaska

 Native village corporation under any contract or compact

 entered into prior to May 1, 2006, or to prohibit the renewal

 of any such agreement.

 (c) For the purpose of this section, Eastern Aleutian

 Tribes, Inc., the Council of Athabascan Tribal Governments,

 and the Native Village of Eyak shall be treated as Alaska

 Native regional health entities to which funds may be

 disbursed under this section.

 general reduction

 Sec. 436. (a) Across-the-board Rescissions.--There is

 hereby rescinded an amount equal to 0.16 percent of the

 budget authority provided for fiscal year 2012 for any

 discretionary appropriation in titles I through IV of this

 Act.

 (b) Proportionate Application.--Any rescission made by

 subsection (a) shall be applied proportionately--

 (1) to each discretionary account and each item of budget

 authority described in subsection (a); and

 (2) within each such account and item, to each program,

 project, and activity (with programs, projects, and

 activities as delineated in the appropriation Act or

 accompanying reports for the relevant fiscal year covering

 such account or item, or for accounts and items not included

 in appropriation Acts, as delineated in the most recently

 submitted President's budget).

 (c) Indian Land and Water Claim Settlements.--Under the

 heading ``Bureau of Indian Affairs, Indian Land and Water

 Claim Settlements and Miscellaneous Payments to Indians'',

 the across-the-board rescission in this section, and any

 subsequent across-the-board rescission for fiscal year 2012,

 shall apply only to the first dollar amount in the paragraph

 and the distribution of the rescission shall be at the

 discretion of the Secretary of the Interior who shall submit

 a report on such distribution and the rationale therefore to

 the House and Senate Committees on Appropriations.

 (d) OMB Report.--Within 30 days after the date of the

 enactment of this section the Director of the Office of

 Management and Budget shall submit to the Committees on

 Appropriations of the House of Representatives and the Senate

 a report specifying the account and amount of each rescission

 made pursuant to this section.

 This division may be cited as the ``Department of the

 Interior, Environment, and Related Agencies Appropriations

 Act, 2012''.