

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

**H.R. 1625**

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**HOUSE AMENDMENT TO  
SENATE AMENDMENT**



# ***In the House of Representatives, U. S.,***

*March 22, 2018.*

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 1625) entitled “An Act to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes.”, with the following

## **HOUSE AMENDMENT TO SENATE AMENDMENT:**

In lieu of the matter proposed to be inserted by the Senate, insert the following:

**1 SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Consolidated Appropria-*  
3 *tions Act, 2018”.*

**4 SEC. 2. TABLE OF CONTENTS.**

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

*Sec. 3. References.*

*Sec. 4. Explanatory statement.*

*Sec. 5. Statement of appropriations.*

*Sec. 6. Availability of funds.*

*Sec. 7. Adjustments to compensation.*

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*Title II—Farm Production and Conservation Programs*

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*Title IV—Domestic Food Programs*

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*Title VII—General Provisions**DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED  
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*DIVISION U—TAX TECHNICAL CORRECTIONS*

*DIVISION V—CLOUD ACT*

**1 SEC. 3. REFERENCES.**

2 *Except as expressly provided otherwise, any reference*  
3 *to “this Act” contained in any division of this Act shall*  
4 *be treated as referring only to the provisions of that divi-*  
5 *sion.*

**6 SEC. 4. EXPLANATORY STATEMENT.**

7 *The explanatory statement regarding this Act, printed*  
8 *in the House section of the Congressional Record on or*  
9 *about March 22, 2018, and submitted by the Chairman of*

1 *the Committee on Appropriations of the House, shall have*  
2 *the same effect with respect to the allocation of funds and*  
3 *implementation of divisions A through L of this Act as if*  
4 *it were a joint explanatory statement of a committee of con-*  
5 *ference.*

6 **SEC. 5. STATEMENT OF APPROPRIATIONS.**

7 *The following sums in this Act are appropriated, out*  
8 *of any money in the Treasury not otherwise appropriated,*  
9 *for the fiscal year ending September 30, 2018.*

10 **SEC. 6. AVAILABILITY OF FUNDS.**

11 *Each amount designated in this Act by the Congress*  
12 *for Overseas Contingency Operations/Global War on Ter-*  
13 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
14 *Budget and Emergency Deficit Control Act of 1985 shall*  
15 *be available (or rescinded, if applicable) only if the Presi-*  
16 *dent subsequently so designates all such amounts and trans-*  
17 *mits such designations to the Congress.*

18 **SEC. 7. ADJUSTMENTS TO COMPENSATION.**

19 *(a) Notwithstanding any other provision of law, no ad-*  
20 *justment shall be made under section 601(a) of the Legisla-*  
21 *tive Reorganization Act of 1946 (2 U.S.C. 4501) (relating*  
22 *to cost of living adjustments for Members of Congress) dur-*  
23 *ing fiscal year 2018.*





1 *ministration, of which \$22,301,000 shall be available for*  
2 *Departmental Administration to provide for necessary ex-*  
3 *penses for management support services to offices of the De-*  
4 *partment and for general administration, security, repairs*  
5 *and alterations, and other miscellaneous supplies and ex-*  
6 *penses not otherwise provided for and necessary for the*  
7 *practical and efficient work of the Department: Provided*  
8 *further, That funds made available by this Act to an agency*  
9 *in the Administration mission area for salaries and ex-*  
10 *penses are available to fund up to one administrative sup-*  
11 *port staff for the Office; not to exceed \$3,869,000 shall be*  
12 *available for the Office of Assistant Secretary for Congres-*  
13 *sional Relations to carry out the programs funded by this*  
14 *Act, including programs involving intergovernmental af-*  
15 *fairs and liaison within the executive branch; and not to*  
16 *exceed \$7,500,000 shall be available for the Office of Com-*  
17 *munications: Provided further, That the Secretary of Agri-*  
18 *culture is authorized to transfer funds appropriated for any*  
19 *office of the Office of the Secretary to any other office of*  
20 *the Office of the Secretary: Provided further, That no appro-*  
21 *priation for any office shall be increased or decreased by*  
22 *more than 5 percent: Provided further, That not to exceed*  
23 *\$11,000 of the amount made available under this para-*  
24 *graph for the immediate Office of the Secretary shall be*  
25 *available for official reception and representation expenses,*

1 *not otherwise provided for, as determined by the Secretary:*  
2 *Provided further, That the amount made available under*  
3 *this heading for Departmental Administration shall be re-*  
4 *imbursed from applicable appropriations in this Act for*  
5 *travel expenses incident to the holding of hearings as re-*  
6 *quired by 5 U.S.C. 551–558: Provided further, That funds*  
7 *made available under this heading for the Office of the As-*  
8 *stant Secretary for Congressional Relations may be trans-*  
9 *ferred to agencies of the Department of Agriculture funded*  
10 *by this Act to maintain personnel at the agency level: Pro-*  
11 *vided further, That no funds made available under this*  
12 *heading for the Office of Assistant Secretary for Congres-*  
13 *sional Relations may be obligated after 30 days from the*  
14 *date of enactment of this Act, unless the Secretary has noti-*  
15 *fied the Committees on Appropriations of both Houses of*  
16 *Congress on the allocation of these funds by USDA agency.*

17 *EXECUTIVE OPERATIONS*

18 *OFFICE OF THE CHIEF ECONOMIST*

19 *For necessary expenses of the Office of the Chief Econo-*  
20 *mist, \$19,786,000, of which \$4,000,000 shall be for grants*  
21 *or cooperative agreements for policy research under 7*  
22 *U.S.C. 3155.*

23 *OFFICE OF HEARINGS AND APPEALS*

24 *For necessary expenses of the Office of Hearings and*  
25 *Appeals, \$15,222,000.*

1            *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

2            *For necessary expenses of the Office of Budget and Pro-*  
3 *gram Analysis, \$9,525,000.*

4            *OFFICE OF THE CHIEF INFORMATION OFFICER*

5            *For necessary expenses of the Office of the Chief Infor-*  
6 *mation Officer, \$58,950,000, of which not less than*  
7 *\$33,000,000 is for cybersecurity requirements of the depart-*  
8 *ment.*

9            *OFFICE OF THE CHIEF FINANCIAL OFFICER*

10          *For necessary expenses of the Office of the Chief Finan-*  
11 *cial Officer, \$6,028,000.*

12          *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

13                            *RIGHTS*

14          *For necessary expenses of the Office of the Assistant*  
15 *Secretary for Civil Rights, \$901,000: Provided, That funds*  
16 *made available by this Act to an agency in the Civil Rights*  
17 *mission area for salaries and expenses are available to fund*  
18 *up to one administrative support staff for the Office.*

19                            *OFFICE OF CIVIL RIGHTS*

20          *For necessary expenses of the Office of Civil Rights,*  
21 *\$24,206,000.*

22                            *AGRICULTURE BUILDINGS AND FACILITIES*

23                            *(INCLUDING TRANSFERS OF FUNDS)*

24          *For payment of space rental and related costs pursu-*  
25 *ant to Public Law 92–313, including authorities pursuant*

1 *to the 1984 delegation of authority from the Administrator*  
2 *of General Services to the Department of Agriculture under*  
3 *40 U.S.C. 121, for programs and activities of the Depart-*  
4 *ment which are included in this Act, and for alterations*  
5 *and other actions needed for the Department and its agen-*  
6 *cies to consolidate unneeded space into configurations suit-*  
7 *able for release to the Administrator of General Services,*  
8 *and for the operation, maintenance, improvement, and re-*  
9 *pair of Agriculture buildings and facilities, and for related*  
10 *costs, \$64,414,000, to remain available until expended.*

11 *HAZARDOUS MATERIALS MANAGEMENT*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For necessary expenses of the Department of Agri-*  
14 *culture, to comply with the Comprehensive Environmental*  
15 *Response, Compensation, and Liability Act (42 U.S.C.*  
16 *9601 et seq.) and the Resource Conservation and Recovery*  
17 *Act (42 U.S.C. 6901 et seq.), \$3,503,000, to remain avail-*  
18 *able until expended: Provided, That appropriations and*  
19 *funds available herein to the Department for Hazardous*  
20 *Materials Management may be transferred to any agency*  
21 *of the Department for its use in meeting all requirements*  
22 *pursuant to the above Acts on Federal and non-Federal*  
23 *lands.*

1                    *OFFICE OF INSPECTOR GENERAL*

2            *For necessary expenses of the Office of Inspector Gen-*  
3 *eral, including employment pursuant to the Inspector Gen-*  
4 *eral Act of 1978 (Public Law 95-452; 5 U.S.C. App.),*  
5 *\$98,208,000, including such sums as may be necessary for*  
6 *contracting and other arrangements with public agencies*  
7 *and private persons pursuant to section 6(a)(9) of the In-*  
8 *spector General Act of 1978 (Public Law 95-452; 5 U.S.C.*  
9 *App.), and including not to exceed \$125,000 for certain con-*  
10 *fidential operational expenses, including the payment of in-*  
11 *formants, to be expended under the direction of the Inspec-*  
12 *tor General pursuant to the Inspector General Act of 1978*  
13 *(Public Law 95-452; 5 U.S.C. App.) and section 1337 of*  
14 *the Agriculture and Food Act of 1981 (Public Law 97-98).*

15                    *OFFICE OF THE GENERAL COUNSEL*

16            *For necessary expenses of the Office of the General*  
17 *Counsel, \$44,546,000.*

18                    *OFFICE OF ETHICS*

19            *For necessary expenses of the Office of Ethics,*  
20 *\$4,136,000.*

21                    *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*22                    *EDUCATION, AND ECONOMICS*

23            *For necessary expenses of the Office of the Under Sec-*  
24 *retary for Research, Education, and Economics, \$800,000:*  
25 *Provided, That funds made available by this Act to an*

1 *agency in the Research, Education, and Economics mission*  
2 *area for salaries and expenses are available to fund up to*  
3 *one administrative support staff for the Office.*

4 *ECONOMIC RESEARCH SERVICE*

5 *For necessary expenses of the Economic Research Serv-*  
6 *ice, \$86,757,000.*

7 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

8 *For necessary expenses of the National Agricultural*  
9 *Statistics Service, \$191,717,000, of which up to \$63,350,000*  
10 *shall be available until expended for the Census of Agri-*  
11 *culture: Provided, That amounts made available for the*  
12 *Census of Agriculture may be used to conduct Current In-*  
13 *dustrial Report surveys subject to 7 U.S.C. 2204g(d) and*  
14 *(f).*

15 *AGRICULTURAL RESEARCH SERVICE*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of the Agricultural Research*  
18 *Service and for acquisition of lands by donation, exchange,*  
19 *or purchase at a nominal cost not to exceed \$100, and for*  
20 *land exchanges where the lands exchanged shall be of equal*  
21 *value or shall be equalized by a payment of money to the*  
22 *grantor which shall not exceed 25 percent of the total value*  
23 *of the land or interests transferred out of Federal ownership,*  
24 *\$1,202,766,000: Provided, That appropriations hereunder*  
25 *shall be available for the operation and maintenance of air-*

1 *craft and the purchase of not to exceed one for replacement*  
2 *only: Provided further, That appropriations hereunder shall*  
3 *be available pursuant to 7 U.S.C. 2250 for the construction,*  
4 *alteration, and repair of buildings and improvements, but*  
5 *unless otherwise provided, the cost of constructing any one*  
6 *building shall not exceed \$500,000, except for headhouses*  
7 *or greenhouses which shall each be limited to \$1,800,000,*  
8 *except for 10 buildings to be constructed or improved at*  
9 *a cost not to exceed \$1,100,000 each, and except for two*  
10 *buildings to be constructed at a cost not to exceed*  
11 *\$3,000,000 each, and the cost of altering any one building*  
12 *during the fiscal year shall not exceed 10 percent of the cur-*  
13 *rent replacement value of the building or \$500,000, which-*  
14 *ever is greater: Provided further, That appropriations here-*  
15 *under shall be available for entering into lease agreements*  
16 *at any Agricultural Research Service location for the con-*  
17 *struction of a research facility by a non-Federal entity for*  
18 *use by the Agricultural Research Service and a condition*  
19 *of the lease shall be that any facility shall be owned, oper-*  
20 *ated, and maintained by the non-Federal entity and shall*  
21 *be removed upon the expiration or termination of the lease*  
22 *agreement: Provided further, That the limitations on alter-*  
23 *ations contained in this Act shall not apply to moderniza-*  
24 *tion or replacement of existing facilities at Beltsville, Mary-*  
25 *land: Provided further, That appropriations hereunder*

1 *shall be available for granting easements at the Beltsville*  
2 *Agricultural Research Center: Provided further, That the*  
3 *foregoing limitations shall not apply to replacement of*  
4 *buildings needed to carry out the Act of April 24, 1948 (21*  
5 *U.S.C. 113a): Provided further, That appropriations here-*  
6 *under shall be available for granting easements at any Ag-*  
7 *ricultural Research Service location for the construction of*  
8 *a research facility by a non-Federal entity for use by, and*  
9 *acceptable to, the Agricultural Research Service and a con-*  
10 *dition of the easements shall be that upon completion the*  
11 *facility shall be accepted by the Secretary, subject to the*  
12 *availability of funds herein, if the Secretary finds that ac-*  
13 *ceptance of the facility is in the interest of the United*  
14 *States: Provided further, That funds may be received from*  
15 *any State, other political subdivision, organization, or in-*  
16 *dividual for the purpose of establishing or operating any*  
17 *research facility or research project of the Agricultural Re-*  
18 *search Service, as authorized by law.*

19 *BUILDINGS AND FACILITIES*

20 *For the acquisition of land, construction, repair, im-*  
21 *provement, extension, alteration, and purchase of fixed*  
22 *equipment or facilities as necessary to carry out the agricul-*  
23 *tural research programs of the Department of Agriculture,*  
24 *where not otherwise provided, \$140,600,000 to remain*  
25 *available until expended.*



1        *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*  
2                    *RESEARCH AND EDUCATION ACTIVITIES*

3        *For payments to agricultural experiment stations, for*  
4 *cooperative forestry and other research, for facilities, and*  
5 *for other expenses, \$887,171,000, which shall be for the pur-*  
6 *poses, and in the amounts, specified in the table titled “Na-*  
7 *tional Institute of Food and Agriculture, Research and*  
8 *Education Activities” in the explanatory statement de-*  
9 *scribed in section 4 (in the matter preceding division A of*  
10 *this consolidated Act): Provided, That funds for research*  
11 *grants for 1994 institutions, education grants for 1890 in-*  
12 *stitutions, capacity building for non-land-grant colleges of*  
13 *agriculture, the agriculture and food research initiative,*  
14 *veterinary medicine loan repayment, multicultural schol-*  
15 *ars, graduate fellowship and institution challenge grants,*  
16 *and grants management systems shall remain available*  
17 *until expended: Provided further, That each institution eli-*  
18 *gible to receive funds under the Evans-Allen program re-*  
19 *ceives no less than \$1,000,000: Provided further, That funds*  
20 *for education grants for Alaska Native and Native Hawai-*  
21 *ian-serving institutions be made available to individual eli-*  
22 *gible institutions or consortia of eligible institutions with*  
23 *funds awarded equally to each of the States of Alaska and*  
24 *Hawaii: Provided further, That funds for education grants*  
25 *for 1890 institutions shall be made available to institutions*

1 *eligible to receive funds under 7 U.S.C. 3221 and 3222: Pro-*  
2 *vided further, That not more than 5 percent of the amounts*  
3 *made available by this or any other Act to carry out the*  
4 *Agriculture and Food Research Initiative under 7 U.S.C.*  
5 *450i(b) may be retained by the Secretary of Agriculture to*  
6 *pay administrative costs incurred by the Secretary in car-*  
7 *rying out that authority.*

8 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

9 *For the Native American Institutions Endowment*  
10 *Fund authorized by Public Law 103–382 (7 U.S.C. 301*  
11 *note), \$11,880,000, to remain available until expended.*

12 *EXTENSION ACTIVITIES*

13 *For payments to States, the District of Columbia,*  
14 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*  
15 *Northern Marianas, and American Samoa, \$483,626,000,*  
16 *which shall be for the purposes, and in the amounts, speci-*  
17 *fied in the table titled “National Institute of Food and Agri-*  
18 *culture, Extension Activities” in the explanatory statement*  
19 *described in section 4 (in the matter preceding division A*  
20 *of this consolidated Act): Provided, That funds for facility*  
21 *improvements at 1890 institutions shall remain available*  
22 *until expended: Provided further, That institutions eligible*  
23 *to receive funds under 7 U.S.C. 3221 for cooperative exten-*  
24 *sion receive no less than \$1,000,000: Provided further, That*  
25 *funds for cooperative extension under sections 3(b) and (c)*

1 *of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and sec-*  
2 *tion 208(c) of Public Law 93–471 shall be available for re-*  
3 *tirement and employees’ compensation costs for extension*  
4 *agents.*

5 *INTEGRATED ACTIVITIES*

6 *For the integrated research, education, and extension*  
7 *grants programs, including necessary administrative ex-*  
8 *penses, \$37,000,000, which shall be for the purposes, and*  
9 *in the amounts, specified in the table titled “National Insti-*  
10 *tute of Food and Agriculture, Integrated Activities” in the*  
11 *explanatory statement described in section 4 (in the matter*  
12 *preceding division A of this consolidated Act): Provided,*  
13 *That funds for the Food and Agriculture Defense Initiative*  
14 *shall remain available until September 30, 2019: Provided*  
15 *further, That notwithstanding any other provision of law,*  
16 *indirect costs shall not be charged against any Extension*  
17 *Implementation Program Area grant awarded under the*  
18 *Crop Protection/Pest Management Program (7 U.S.C.*  
19 *7626).*

20 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*  
21 *REGULATORY PROGRAMS*

22 *For necessary expenses of the Office of the Under Sec-*  
23 *retary for Marketing and Regulatory Programs, \$901,000:*  
24 *Provided, That funds made available by this Act to an*  
25 *agency in the Marketing and Regulatory Programs mission*

1 *area for salaries and expenses are available to fund up to*  
2 *one administrative support staff for the Office.*

3 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Animal and Plant*  
7 *Health Inspection Service, including up to \$30,000 for rep-*  
8 *resentation allowances and for expenses pursuant to the*  
9 *Foreign Service Act of 1980 (22 U.S.C. 4085),*  
10 *\$981,893,000, of which \$470,000, to remain available until*  
11 *expended, shall be available for the control of outbreaks of*  
12 *insects, plant diseases, animal diseases and for control of*  
13 *pest animals and birds (“contingency fund”) to the extent*  
14 *necessary to meet emergency conditions; of which*  
15 *\$11,520,000, to remain available until expended, shall be*  
16 *used for the cotton pests program for cost share purposes*  
17 *or for debt retirement for active eradication zones; of which*  
18 *\$37,857,000, to remain available until expended, shall be*  
19 *for Animal Health Technical Services; of which \$705,000*  
20 *shall be for activities under the authority of the Horse Pro-*  
21 *tection Act of 1970, as amended (15 U.S.C. 1831); of which*  
22 *\$62,840,000, to remain available until expended, shall be*  
23 *used to support avian health; of which \$4,251,000, to re-*  
24 *main available until expended, shall be for information*  
25 *technology infrastructure; of which \$178,170,000, to remain*

1 available until expended, shall be for specialty crop pests;  
2 of which, \$9,326,000, to remain available until expended,  
3 shall be for field crop and rangeland ecosystem pests; of  
4 which \$16,523,000, to remain available until expended,  
5 shall be for zoonotic disease management; of which  
6 \$40,966,000, to remain available until expended, shall be  
7 for emergency preparedness and response; of which  
8 \$56,000,000, to remain available until expended, shall be  
9 for tree and wood pests; of which \$5,725,000, to remain  
10 available until expended, shall be for the National Veteri-  
11 nary Stockpile; of which up to \$1,500,000, to remain avail-  
12 able until expended, shall be for the scrapie program for  
13 indemnities; of which \$2,500,000, to remain available until  
14 expended, shall be for the wildlife damage management pro-  
15 gram for aviation safety: Provided, That of amounts avail-  
16 able under this heading for wildlife services methods devel-  
17 opment, \$1,000,000 shall remain available until expended:  
18 Provided further, That of amounts available under this  
19 heading for the screwworm program, \$4,990,000 shall re-  
20 main available until expended; of which \$3,000,000, to re-  
21 main available until expended, shall be for National Bio  
22 and Agro-Defense human capital development: Provided  
23 further, That no funds shall be used to formulate or admin-  
24 ister a brucellosis eradication program for the current fiscal  
25 year that does not require minimum matching by the States

1 of at least 40 percent: Provided further, That this appro-  
2 priation shall be available for the operation and mainte-  
3 nance of aircraft and the purchase of not to exceed five,  
4 of which two shall be for replacement only: Provided fur-  
5 ther, That in addition, in emergencies which threaten any  
6 segment of the agricultural production industry of the  
7 United States, the Secretary may transfer from other ap-  
8 propriations or funds available to the agencies or corpora-  
9 tions of the Department such sums as may be deemed nec-  
10 essary, to be available only in such emergencies for the ar-  
11 rest and eradication of contagious or infectious disease or  
12 pests of animals, poultry, or plants, and for expenses in  
13 accordance with sections 10411 and 10417 of the Animal  
14 Health Protection Act (7 U.S.C. 8310 and 8316) and sec-  
15 tions 431 and 442 of the Plant Protection Act (7 U.S.C.  
16 7751 and 7772), and any unexpended balances of funds  
17 transferred for such emergency purposes in the preceding  
18 fiscal year shall be merged with such transferred amounts:  
19 Provided further, That appropriations hereunder shall be  
20 available pursuant to law (7 U.S.C. 2250) for the repair  
21 and alteration of leased buildings and improvements, but  
22 unless otherwise provided the cost of altering any one build-  
23 ing during the fiscal year shall not exceed 10 percent of  
24 the current replacement value of the building.

1           *In fiscal year 2018, the agency is authorized to collect*  
2 *fees to cover the total costs of providing technical assistance,*  
3 *goods, or services requested by States, other political sub-*  
4 *divisions, domestic and international organizations, foreign*  
5 *governments, or individuals, provided that such fees are*  
6 *structured such that any entity's liability for such fees is*  
7 *reasonably based on the technical assistance, goods, or serv-*  
8 *ices provided to the entity by the agency, and such fees shall*  
9 *be reimbursed to this account, to remain available until ex-*  
10 *pended, without further appropriation, for providing such*  
11 *assistance, goods, or services.*

12   *BUILDINGS AND FACILITIES*

13           *For plans, construction, repair, preventive mainte-*  
14 *nance, environmental support, improvement, extension, al-*  
15 *teration, and purchase of fixed equipment or facilities, as*  
16 *authorized by 7 U.S.C. 2250, and acquisition of land as*  
17 *authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-*  
18 *able until expended.*

19   *AGRICULTURAL MARKETING SERVICE*

20   *MARKETING SERVICES*

21           *For necessary expenses of the Agricultural Marketing*  
22 *Service, \$151,595,000, of which \$3,000,000 shall be avail-*  
23 *able for the purposes of section 12306 of Public Law 113-*  
24 *79: Provided, That this appropriation shall be available*  
25 *pursuant to law (7 U.S.C. 2250) for the alteration and re-*

1 *pair of buildings and improvements, but the cost of altering*  
2 *any one building during the fiscal year shall not exceed 10*  
3 *percent of the current replacement value of the building.*

4 *Fees may be collected for the cost of standardization*  
5 *activities, as established by regulation pursuant to law (31*  
6 *U.S.C. 9701).*

7 *LIMITATION ON ADMINISTRATIVE EXPENSES*

8 *Not to exceed \$61,227,000 (from fees collected) shall be*  
9 *obligated during the current fiscal year for administrative*  
10 *expenses: Provided, That if crop size is understated and/*  
11 *or other uncontrollable events occur, the agency may exceed*  
12 *this limitation by up to 10 percent with notification to the*  
13 *Committees on Appropriations of both Houses of Congress.*

14 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

15 *SUPPLY (SECTION 32)*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *Funds available under section 32 of the Act of August*  
18 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*  
19 *program expenses as authorized therein, and other related*  
20 *operating expenses, except for: (1) transfers to the Depart-*  
21 *ment of Commerce as authorized by the Fish and Wildlife*  
22 *Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise*  
23 *provided in this Act; and (3) not more than \$20,705,000*  
24 *for formulation and administration of marketing agree-*  
25 *ments and orders pursuant to the Agricultural Marketing*



1 *Agreement Act of 1937 and the Agricultural Act of 1961*  
2 *(Public Law 87-128).*

3 *PAYMENTS TO STATES AND POSSESSIONS*

4 *For payments to departments of agriculture, bureaus*  
5 *and departments of markets, and similar agencies for mar-*  
6 *keting activities under section 204(b) of the Agricultural*  
7 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,235,000.*

8 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*

9 *EXPENSES*

10 *Not to exceed \$55,000,000 (from fees collected) shall be*  
11 *obligated during the current fiscal year for inspection and*  
12 *weighing services: Provided, That if grain export activities*  
13 *require additional supervision and oversight, or other un-*  
14 *controllable factors occur, this limitation may be exceeded*  
15 *by up to 10 percent with notification to the Committees*  
16 *on Appropriations of both Houses of Congress.*

17 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

18 *For necessary expenses of the Office of the Under Sec-*  
19 *retary for Food Safety, \$800,000: Provided, That funds*  
20 *made available by this Act to an agency in the Food Safety*  
21 *mission area for salaries and expenses are available to fund*  
22 *up to one administrative support staff for the Office.*

23 *FOOD SAFETY AND INSPECTION SERVICE*

24 *For necessary expenses to carry out services authorized*  
25 *by the Federal Meat Inspection Act, the Poultry Products*

1 *Inspection Act, and the Egg Products Inspection Act, in-*  
2 *cluding not to exceed \$50,000 for representation allowances*  
3 *and for expenses pursuant to section 8 of the Act approved*  
4 *August 3, 1956 (7 U.S.C. 1766), \$1,056,844,000; and in*  
5 *addition, \$1,000,000 may be credited to this account from*  
6 *fees collected for the cost of laboratory accreditation as au-*  
7 *thorized by section 1327 of the Food, Agriculture, Conserva-*  
8 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*  
9 *funds provided for the Public Health Data Communication*  
10 *Infrastructure system shall remain available until ex-*  
11 *pende: Provided further, That no fewer than 148 full-time*  
12 *equivalent positions shall be employed during fiscal year*  
13 *2018 for purposes dedicated solely to inspections and en-*  
14 *forcement related to the Humane Methods of Slaughter Act*  
15 *(7 U.S.C. 1901 et seq.): Provided further, That not later*  
16 *than 180 days after the date of enactment of this Act, the*  
17 *Food Safety and Inspection Service shall issue equivalence*  
18 *determinations for all countries wishing to continue export-*  
19 *ing Siluriformes to the United States: Provided further,*  
20 *That unless the requirements pursuant to the previous pro-*  
21 *viso have been met, thereafter, none of the funds made avail-*  
22 *able by this or any other Act may be used to inspect, at*  
23 *point of entry, Siluriformes from countries exporting to the*  
24 *United States until all requirements under section 557.2*  
25 *of title 9, Code of Federal Regulations have been met and*

1 *a final determination of equivalence final rule has been*  
2 *published in the Federal Register adding such countries to*  
3 *the list under section 327.2 of title 9, Code of Federal Regu-*  
4 *lations: Provided further, That of the funds made available*  
5 *under this heading, \$7,500,000 shall remain available until*  
6 *expended for public health veterinarian recruitment and re-*  
7 *tention incentives: Provided further, That this appropria-*  
8 *tion shall be available pursuant to law (7 U.S.C. 2250) for*  
9 *the alteration and repair of buildings and improvements,*  
10 *but the cost of altering any one building during the fiscal*  
11 *year shall not exceed 10 percent of the current replacement*  
12 *value of the building.*

13 *TITLE II*

14 *FARM PRODUCTION AND CONSERVATION*

15 *PROGRAMS*

16 *OFFICE OF THE UNDER SECRETARY FOR FARM*

17 *PRODUCTION AND CONSERVATION*

18 *For necessary expenses of the Office of the Under Sec-*  
19 *retary for Farm Production and Conservation, \$901,000:*  
20 *Provided, That funds made available by this Act to an*  
21 *agency in the Farm Production and Conservation mission*  
22 *area for salaries and expenses are available to fund up to*  
23 *one administrative support staff for the Office.*

1           *FARM PRODUCTION AND CONSERVATION BUSINESS*2   *CENTER*

3           *For necessary expenses of the Farm Production and*  
4 *Conservation Business Center, \$1,028,000, to remain avail-*  
5 *able until expended: Provided, That \$145,000 of amounts*  
6 *appropriated for the current fiscal year pursuant to section*  
7 *1241(a) of the Farm Security and Rural Investment Act*  
8 *of 1985 (16 U.S.C. 3841(a)) shall be transferred to and*  
9 *merged with this account.*

10   *FARM SERVICE AGENCY*11   *SALARIES AND EXPENSES*12   *(INCLUDING TRANSFERS OF FUNDS)*

13           *For necessary expenses of the Farm Service Agency,*  
14 *\$1,202,146,000: Provided, That not more than 50 percent*  
15 *of the \$78,013,000 made available under this heading for*  
16 *information technology related to farm program delivery,*  
17 *including the Modernize and Innovate the Delivery of Agri-*  
18 *cultural Systems and other farm program delivery systems,*  
19 *may be obligated until the Secretary submits to the Com-*  
20 *mittees on Appropriations of both Houses of Congress, and*  
21 *receives written or electronic notification of receipt from*  
22 *such Committees of, a plan for expenditure that (1) identi-*  
23 *fies for each project/investment over \$25,000 (a) the func-*  
24 *tional and performance capabilities to be delivered and the*  
25 *mission benefits to be realized, (b) the estimated lifecycle*

1 cost, including estimates for development as well as mainte-  
2 nance and operations, and (c) key milestones to be met; (2)  
3 demonstrates that each project/investment is, (a) consistent  
4 with the Farm Service Agency Information Technology  
5 Roadmap, (b) being managed in accordance with applicable  
6 lifecycle management policies and guidance, and (c) subject  
7 to the applicable Department's capital planning and invest-  
8 ment control requirements; and (3) has been reviewed by  
9 the Government Accountability Office and approved by the  
10 Committees on Appropriations of both Houses of Congress:  
11 Provided further, That the agency shall submit a report by  
12 the end of the fourth quarter of fiscal year 2018 to the Com-  
13 mittees on Appropriations and the Government Account-  
14 ability Office, that identifies for each project/investment  
15 that is operational (a) current performance against key in-  
16 dicators of customer satisfaction, (b) current performance  
17 of service level agreements or other technical metrics, (c)  
18 current performance against a pre-established cost baseline,  
19 (d) a detailed breakdown of current and planned spending  
20 on operational enhancements or upgrades, and (e) an as-  
21 sessment of whether the investment continues to meet busi-  
22 ness needs as intended as well as alternatives to the invest-  
23 ment: Provided further, That the Secretary is authorized  
24 to use the services, facilities, and authorities (but not the  
25 funds) of the Commodity Credit Corporation to make pro-

1 *gram payments for all programs administered by the Agen-*  
2 *cy: Provided further, That other funds made available to*  
3 *the Agency for authorized activities may be advanced to and*  
4 *merged with this account: Provided further, That funds*  
5 *made available to county committees shall remain available*  
6 *until expended: Provided further, That none of the funds*  
7 *available to the Farm Service Agency shall be used to close*  
8 *Farm Service Agency county offices: Provided further, That*  
9 *none of the funds available to the Farm Service Agency*  
10 *shall be used to permanently relocate county based employ-*  
11 *ees that would result in an office with two or fewer employ-*  
12 *ees without prior notification and approval of the Commit-*  
13 *tees on Appropriations of both Houses of Congress.*

14 *STATE MEDIATION GRANTS*

15 *For grants pursuant to section 502(b) of the Agricul-*  
16 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*  
17 *\$3,904,000.*

18 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

19 *For necessary expenses to carry out wellhead or*  
20 *groundwater protection activities under section 12400 of*  
21 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*  
22 *\$6,500,000, to remain available until expended.*

1                                    *DAIRY INDEMNITY PROGRAM*  
2                                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For necessary expenses involved in making indemnity*  
4 *payments to dairy farmers and manufacturers of dairy*  
5 *products under a dairy indemnity program, such sums as*  
6 *may be necessary, to remain available until expended: Pro-*  
7 *vided, That such program is carried out by the Secretary*  
8 *in the same manner as the dairy indemnity program de-*  
9 *scribed in the Agriculture, Rural Development, Food and*  
10 *Drug Administration, and Related Agencies Appropria-*  
11 *tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–*  
12 *12).*

13                                    *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*  
14                                    *ACCOUNT*  
15                                    *(INCLUDING TRANSFERS OF FUNDS)*

16            *For gross obligations for the principal amount of di-*  
17 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*  
18 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*  
19 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*  
20 *loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989),*  
21 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), and*  
22 *Indian highly fractionated land loans (25 U.S.C. 488) to*  
23 *be available from funds in the Agricultural Credit Insur-*  
24 *ance Fund, as follows: \$2,750,000,000 for guaranteed farm*  
25 *ownership loans and \$1,500,000,000 for farm ownership di-*

1 *rect loans; \$1,960,000,000 for unsubsidized guaranteed op-*  
2 *erating loans and \$1,530,000,000 for direct operating loans;*  
3 *emergency loans, \$25,610,000; Indian tribe land acquisi-*  
4 *tion loans, \$20,000,000; guaranteed conservation loans,*  
5 *\$150,000,000; Indian highly fractionated land loans,*  
6 *\$10,000,000; and for boll weevil eradication program loans,*  
7 *\$60,000,000: Provided, That the Secretary shall deem the*  
8 *pink bollworm to be a boll weevil for the purpose of boll*  
9 *weevil eradication program loans.*

10 *For the cost of direct and guaranteed loans and grants,*  
11 *including the cost of modifying loans as defined in section*  
12 *502 of the Congressional Budget Act of 1974, as follows:*  
13 *farm operating loans, \$61,812,000 for direct operating*  
14 *loans, \$21,756,000 for unsubsidized guaranteed operating*  
15 *loans, emergency loans, \$1,260,000 and \$2,272,000 for In-*  
16 *dian highly fractionated land loans to remain available*  
17 *until expended.*

18 *In addition, for administrative expenses necessary to*  
19 *carry out the direct and guaranteed loan programs,*  
20 *\$325,068,000: Provided, That of this amount, \$314,998,000*  
21 *shall be transferred to and merged with the appropriation*  
22 *for “Farm Service Agency, Salaries and Expenses”, of*  
23 *which \$8,000,000 shall be available until September 30,*  
24 *2019.*



1        *Funds appropriated by this Act to the Agricultural*  
2 *Credit Insurance Program Account for farm ownership, op-*  
3 *erating and conservation direct loans and guaranteed loans*  
4 *may be transferred among these programs: Provided, That*  
5 *the Committees on Appropriations of both Houses of Con-*  
6 *gress are notified at least 15 days in advance of any trans-*  
7 *fer.*

8                                *RISK MANAGEMENT AGENCY*

9                                        *SALARIES AND EXPENSES*

10        *For necessary expenses of the Risk Management Agen-*  
11 *cy, \$74,829,000: Provided, That not to exceed \$1,000 shall*  
12 *be available for official reception and representation ex-*  
13 *penses, as authorized by 7 U.S.C. 1506(i).*

14                                *NATURAL RESOURCES CONSERVATION SERVICE*

15                                        *CONSERVATION OPERATIONS*

16        *For necessary expenses for carrying out the provisions*  
17 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*  
18 *preparation of conservation plans and establishment of*  
19 *measures to conserve soil and water (including farm irriga-*  
20 *tion and land drainage and such special measures for soil*  
21 *and water management as may be necessary to prevent*  
22 *floods and the siltation of reservoirs and to control agricul-*  
23 *tural related pollutants); operation of conservation plant*  
24 *materials centers; classification and mapping of soil; dis-*  
25 *semination of information; acquisition of lands, water, and*

1 *interests therein for use in the plant materials program by*  
2 *donation, exchange, or purchase at a nominal cost not to*  
3 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*  
4 *428a); purchase and erection or alteration or improvement*  
5 *of permanent and temporary buildings; and operation and*  
6 *maintenance of aircraft, \$874,107,000, to remain available*  
7 *until September 30, 2019: Provided, That appropriations*  
8 *hereunder shall be available pursuant to 7 U.S.C. 2250 for*  
9 *construction and improvement of buildings and public im-*  
10 *provements at plant materials centers, except that the cost*  
11 *of alterations and improvements to other buildings and*  
12 *other public improvements shall not exceed \$250,000: Pro-*  
13 *vided further, That when buildings or other structures are*  
14 *erected on non-Federal land, that the right to use such land*  
15 *is obtained as provided in 7 U.S.C. 2250a: Provided fur-*  
16 *ther, That of the amounts made available under this head-*  
17 *ing, \$5,600,000, shall remain available until expended for*  
18 *the authorities under 16 U.S.C. 1001–1005 and 1007–1009*  
19 *for authorized ongoing watershed projects with a primary*  
20 *purpose of providing water to rural communities.*

21 **WATERSHED AND FLOOD PREVENTION OPERATIONS**

22 *For necessary expenses to carry out preventive meas-*  
23 *ures, including but not limited to surveys and investiga-*  
24 *tions, engineering operations, works of improvement, and*  
25 *changes in use of land, in accordance with the Watershed*

1 *Protection and Flood Prevention Act (16 U.S.C. 1001–1005*  
2 *and 1007–1009) and in accordance with the provisions of*  
3 *laws relating to the activities of the Department,*  
4 *\$150,000,000, to remain available until expended: Pro-*  
5 *vided, That for funds provided by this Act or any other*  
6 *prior Act, the limitation regarding the size of the watershed*  
7 *or subwatershed exceeding two hundred and fifty thousand*  
8 *acres in which such activities can be undertaken shall only*  
9 *apply for activities undertaken for the primary purpose of*  
10 *flood prevention (including structural and land treatment*  
11 *measures): Provided further, That of the amounts made*  
12 *available under this heading, \$50,000,000 shall be allocated*  
13 *to projects and activities that can commence promptly fol-*  
14 *lowing enactment; that address regional priorities for flood*  
15 *prevention, agricultural water management, inefficient ir-*  
16 *rigation systems, fish and wildlife habitat, or watershed*  
17 *protection; or that address authorized ongoing projects*  
18 *under the authorities of section 13 of the Flood Control Act*  
19 *of December 22, 1944 (Public Law 78–534) with a primary*  
20 *purpose of watershed protection by preventing floodwater*  
21 *damage and stabilizing stream channels, tributaries, and*  
22 *banks to reduce erosion and sediment transport.*

23 *WATERSHED REHABILITATION PROGRAM*

24 *Under the authorities of section 14 of the Watershed*  
25 *Protection and Flood Prevention Act, \$10,000,000 is pro-*

1 *vided: Provided, That of the amounts made available under*  
 2 *this heading, \$5,000,000 shall remain available until ex-*  
 3 *pended for watershed rehabilitation projects in states with*  
 4 *high-hazard dams and other watershed structures and that*  
 5 *have recently incurred flooding events which caused fatali-*  
 6 *ties.*

7 **CORPORATIONS**

8 *The following corporations and agencies are hereby au-*  
 9 *thorized to make expenditures, within the limits of funds*  
 10 *and borrowing authority available to each such corporation*  
 11 *or agency and in accord with law, and to make contracts*  
 12 *and commitments without regard to fiscal year limitations*  
 13 *as provided by section 104 of the Government Corporation*  
 14 *Control Act as may be necessary in carrying out the pro-*  
 15 *grams set forth in the budget for the current fiscal year for*  
 16 *such corporation or agency, except as hereinafter provided.*

17 **FEDERAL CROP INSURANCE CORPORATION FUND**

18 *For payments as authorized by section 516 of the Fed-*  
 19 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*  
 20 *be necessary, to remain available until expended.*

21 **COMMODITY CREDIT CORPORATION FUND**

22 **REIMBURSEMENT FOR NET REALIZED LOSSES**

23 **(INCLUDING TRANSFERS OF FUNDS)**

24 *For the current fiscal year, such sums as may be nec-*  
 25 *essary to reimburse the Commodity Credit Corporation for*

1 *net realized losses sustained, but not previously reimbursed,*  
2 *pursuant to section 2 of the Act of August 17, 1961 (15*  
3 *U.S.C. 713a–11): Provided, That of the funds available to*  
4 *the Commodity Credit Corporation under section 11 of the*  
5 *Commodity Credit Corporation Charter Act (15 U.S.C.*  
6 *714i) for the conduct of its business with the Foreign Agri-*  
7 *cultural Service, up to \$5,000,000 may be transferred to*  
8 *and used by the Foreign Agricultural Service for informa-*  
9 *tion resource management activities of the Foreign Agricul-*  
10 *tural Service that are not related to Commodity Credit Cor-*  
11 *poration business.*

12 *HAZARDOUS WASTE MANAGEMENT*

13 *(LIMITATION ON EXPENSES)*

14 *For the current fiscal year, the Commodity Credit Cor-*  
15 *poration shall not expend more than \$5,000,000 for site in-*  
16 *vestigation and cleanup expenses, and operations and*  
17 *maintenance expenses to comply with the requirement of*  
18 *section 107(g) of the Comprehensive Environmental Re-*  
19 *sponse, Compensation, and Liability Act (42 U.S.C.*  
20 *9607(g)), and section 6001 of the Resource Conservation*  
21 *and Recovery Act (42 U.S.C. 6961).*



1 *housing insurance fund, as follows: \$1,100,000,000 shall be*  
2 *for direct loans and \$24,000,000,000 shall be for unsub-*  
3 *sidized guaranteed loans; \$28,000,000 for section 504 hous-*  
4 *ing repair loans; \$40,000,000 for section 515 rental hous-*  
5 *ing; \$230,000,000 for section 538 guaranteed multi-family*  
6 *housing loans; \$10,000,000 for credit sales of single family*  
7 *housing acquired property; \$5,000,000 for section 523 self-*  
8 *help housing land development loans; and \$5,000,000 for*  
9 *section 524 site development loans: Provided, That section*  
10 *514(f)(3)(A) of the Housing Act of 1949 (42 U.S.C.*  
11 *1484(f)(3)(A)) is amended by striking “United States” and*  
12 *inserting “United States,” and by inserting before the semi-*  
13 *colon the following: “, or a person legally admitted to the*  
14 *United States and authorized to work in agriculture”.*

15 *For the cost of direct and guaranteed loans, including*  
16 *the cost of modifying loans, as defined in section 502 of*  
17 *the Congressional Budget Act of 1974, as follows: section*  
18 *502 loans, \$42,350,000 shall be for direct loans; section 504*  
19 *housing repair loans, \$3,452,000; section 523 self-help hous-*  
20 *ing land development loans, \$368,000; section 524 site de-*  
21 *velopment loans, \$58,000; and repair, rehabilitation, and*  
22 *new construction of section 515 rental housing,*  
23 *\$10,524,000: Provided, That to support the loan program*  
24 *level for section 538 guaranteed loans made available under*  
25 *this heading the Secretary may charge or adjust any fees*

1 to cover the projected cost of such loan guarantees pursuant  
2 to the provisions of the Credit Reform Act of 1990 (2 U.S.C.  
3 661 et seq.), and the interest on such loans may not be sub-  
4 sidized: Provided further, That applicants in communities  
5 that have a current rural area waiver under section 541  
6 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treat-  
7 ed as living in a rural area for purposes of section 502  
8 guaranteed loans provided under this heading: Provided  
9 further, That of the amounts available under this para-  
10 graph for section 502 direct loans, no less than \$5,000,000  
11 shall be available for direct loans for individuals whose  
12 homes will be built pursuant to a program funded with a  
13 mutual and self-help housing grant authorized by section  
14 523 of the Housing Act of 1949 until June 1, 2018: Pro-  
15 vided further, That the Secretary shall implement provi-  
16 sions to provide incentives to nonprofit organizations and  
17 public housing authorities to facilitate the acquisition of  
18 Rural Housing Service (RHS) multifamily housing prop-  
19 erties by such nonprofit organizations and public housing  
20 authorities that commit to keep such properties in the RHS  
21 multifamily housing program for a period of time as deter-  
22 mined by the Secretary, with such incentives to include, but  
23 not be limited to, the following: allow such nonprofit entities  
24 and public housing authorities to earn a Return on Invest-  
25 ment on their own resources to include proceeds from low



1 *income housing tax credit syndication, own contributions,*  
2 *grants, and developer loans at favorable rates and terms,*  
3 *invested in a deal; and allow reimbursement of organiza-*  
4 *tional costs associated with owner's oversight of asset re-*  
5 *ferred to as "Asset Management Fee" of up to \$7,500 per*  
6 *property.*

7 *In addition, for the cost of direct loans, grants, and*  
8 *contracts, as authorized by sections 514 and 516 of the*  
9 *Housing Act of 1949 (42 U.S.C. 1484, 1486), \$14,710,000,*  
10 *to remain available until expended, for direct farm labor*  
11 *housing loans and domestic farm labor housing grants and*  
12 *contracts: Provided, That any balances available for the*  
13 *Farm Labor Program Account shall be transferred to and*  
14 *merged with this account.*

15 *In addition, for administrative expenses necessary to*  
16 *carry out the direct and guaranteed loan programs,*  
17 *\$412,254,000 shall be transferred to and merged with the*  
18 *appropriation for "Rural Development, Salaries and Ex-*  
19 *penses".*

20 *RENTAL ASSISTANCE PROGRAM*

21 *For rental assistance agreements entered into or re-*  
22 *newed pursuant to the authority under section 521(a)(2)*  
23 *of the Housing Act of 1949 or agreements entered into in*  
24 *lieu of debt forgiveness or payments for eligible households*  
25 *as authorized by section 502(c)(5)(D) of the Housing Act*

1 of 1949, \$1,345,293,000, of which \$40,000,000 shall be  
2 available until September 30, 2019; and in addition such  
3 sums as may be necessary, as authorized by section 521(c)  
4 of the Act, to liquidate debt incurred prior to fiscal year  
5 1992 to carry out the rental assistance program under sec-  
6 tion 521(a)(2) of the Act: Provided, That rental assistance  
7 agreements entered into or renewed during the current fiscal  
8 year shall be funded for a one-year period: Provided further,  
9 That any unexpended balances remaining at the end of such  
10 one-year agreements may be transferred and used for pur-  
11 poses of any debt reduction; maintenance, repair, or reha-  
12 bilitation of any existing projects; preservation; and rental  
13 assistance activities authorized under title V of the Act: Pro-  
14 vided further, That rental assistance provided under agree-  
15 ments entered into prior to fiscal year 2018 for a farm labor  
16 multi-family housing project financed under section 514 or  
17 516 of the Act may not be recaptured for use in another  
18 project until such assistance has remained unused for a pe-  
19 riod of 12 consecutive months, if such project has a waiting  
20 list of tenants seeking such assistance or the project has  
21 rental assistance eligible tenants who are not receiving such  
22 assistance: Provided further, That such recaptured rental  
23 assistance shall, to the extent practicable, be applied to an-  
24 other farm labor multi-family housing project financed  
25 under section 514 or 516 of the Act: Provided further, That

1 *except as provided in the third proviso under this heading*  
2 *and notwithstanding any other provision of the Act, the*  
3 *Secretary may recapture rental assistance provided under*  
4 *agreements entered into prior to fiscal year 2018 for a*  
5 *project that the Secretary determines no longer needs rental*  
6 *assistance and use such recaptured funds for current needs.*

7 *MULTI-FAMILY HOUSING REVITALIZATION PROGRAM*

8 *ACCOUNT*

9 *For the rural housing voucher program as authorized*  
10 *under section 542 of the Housing Act of 1949, but notwith-*  
11 *standing subsection (b) of such section, and for additional*  
12 *costs to conduct a demonstration program for the preserva-*  
13 *tion and revitalization of multi-family rental housing prop-*  
14 *erties described in this paragraph, \$47,000,000, to remain*  
15 *available until expended: Provided, That of the funds made*  
16 *available under this heading, \$25,000,000, shall be avail-*  
17 *able for rural housing vouchers to any low-income household*  
18 *(including those not receiving rental assistance) residing in*  
19 *a property financed with a section 515 loan which has been*  
20 *prepaid after September 30, 2005: Provided further, That*  
21 *the amount of such voucher shall be the difference between*  
22 *comparable market rent for the section 515 unit and the*  
23 *tenant paid rent for such unit: Provided further, That funds*  
24 *made available for such vouchers shall be subject to the*  
25 *availability of annual appropriations: Provided further,*

1 *That the Secretary shall, to the maximum extent prac-*  
2 *ticable, administer such vouchers with current regulations*  
3 *and administrative guidance applicable to section 8 hous-*  
4 *ing vouchers administered by the Secretary of the Depart-*  
5 *ment of Housing and Urban Development: Provided fur-*  
6 *ther, That if the Secretary determines that the amount*  
7 *made available for vouchers in this or any other Act is not*  
8 *needed for vouchers, the Secretary may use such funds for*  
9 *the demonstration program for the preservation and revital-*  
10 *ization of multi-family rental housing properties described*  
11 *in this paragraph: Provided further, That of the funds made*  
12 *available under this heading, \$22,000,000 shall be available*  
13 *for a demonstration program for the preservation and revi-*  
14 *talization of the sections 514, 515, and 516 multi-family*  
15 *rental housing properties to restructure existing USDA*  
16 *multi-family housing loans, as the Secretary deems appro-*  
17 *priate, expressly for the purposes of ensuring the project has*  
18 *sufficient resources to preserve the project for the purpose*  
19 *of providing safe and affordable housing for low-income*  
20 *residents and farm laborers including reducing or elimi-*  
21 *nating interest; deferring loan payments, subordinating, re-*  
22 *ducing or reamortizing loan debt; and other financial as-*  
23 *sistance including advances, payments and incentives (in-*  
24 *cluding the ability of owners to obtain reasonable returns*  
25 *on investment) required by the Secretary: Provided further,*

1 *That the Secretary shall as part of the preservation and*  
2 *revitalization agreement obtain a restrictive use agreement*  
3 *consistent with the terms of the restructuring: Provided fur-*  
4 *ther, That if the Secretary determines that additional funds*  
5 *for vouchers described in this paragraph are needed, funds*  
6 *for the preservation and revitalization demonstration pro-*  
7 *gram may be used for such vouchers: Provided further, That*  
8 *if Congress enacts legislation to permanently authorize a*  
9 *multi-family rental housing loan restructuring program*  
10 *similar to the demonstration program described herein, the*  
11 *Secretary may use funds made available for the demonstra-*  
12 *tion program under this heading to carry out such legisla-*  
13 *tion with the prior approval of the Committees on Appro-*  
14 *priations of both Houses of Congress: Provided further, That*  
15 *in addition to any other available funds, the Secretary may*  
16 *expend not more than \$1,000,000 total, from the program*  
17 *funds made available under this heading, for administra-*  
18 *tive expenses for activities funded under this heading.*

19 *MUTUAL AND SELF-HELP HOUSING GRANTS*

20 *For grants and contracts pursuant to section*  
21 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*  
22 *\$30,000,000, to remain available until expended.*

23 *RURAL HOUSING ASSISTANCE GRANTS*

24 *For grants for very low-income housing repair and*  
25 *rural housing preservation made by the Rural Housing*

1 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*  
2 *\$40,000,000, to remain available until expended.*

3 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For gross obligations for the principal amount of di-*  
6 *rect and guaranteed loans as authorized by section 306 and*  
7 *described in section 381E(d)(1) of the Consolidated Farm*  
8 *and Rural Development Act, \$2,800,000,000 for direct loans*  
9 *and \$148,287,000 for guaranteed loans.*

10 *For the cost of guaranteed loans, including the cost of*  
11 *modifying loans, as defined in section 502 of the Congres-*  
12 *sional Budget Act of 1974, \$4,849,000, to remain available*  
13 *until expended.*

14 *For the cost of grants for rural community facilities*  
15 *programs as authorized by section 306 and described in sec-*  
16 *tion 381E(d)(1) of the Consolidated Farm and Rural Devel-*  
17 *opment Act, \$43,778,000, to remain available until ex-*  
18 *pended: Provided, That \$4,000,000 of the amount appro-*  
19 *priated under this heading shall be available for a Rural*  
20 *Community Development Initiative: Provided further, That*  
21 *such funds shall be used solely to develop the capacity and*  
22 *ability of private, nonprofit community-based housing and*  
23 *community development organizations, low-income rural*  
24 *communities, and Federally Recognized Native American*  
25 *Tribes to undertake projects to improve housing, community*

1 *facilities, community and economic development projects in*  
2 *rural areas: Provided further, That such funds shall be*  
3 *made available to qualified private, nonprofit and public*  
4 *intermediary organizations proposing to carry out a pro-*  
5 *gram of financial and technical assistance: Provided fur-*  
6 *ther, That such intermediary organizations shall provide*  
7 *matching funds from other sources, including Federal funds*  
8 *for related activities, in an amount not less than funds pro-*  
9 *vided: Provided further, That \$5,778,000 of the amount ap-*  
10 *propriated under this heading shall be to provide grants*  
11 *for facilities in rural communities with extreme unemploy-*  
12 *ment and severe economic depression (Public Law 106-*  
13 *387), with up to 5 percent for administration and capacity*  
14 *building in the State rural development offices: Provided*  
15 *further, That \$4,000,000 of the amount appropriated under*  
16 *this heading shall be available for community facilities*  
17 *grants to tribal colleges, as authorized by section 306(a)(19)*  
18 *of such Act: Provided further, That sections 381E–H and*  
19 *381N of the Consolidated Farm and Rural Development Act*  
20 *are not applicable to the funds made available under this*  
21 *heading.*

1 *RURAL BUSINESS—COOPERATIVE SERVICE*2 *RURAL BUSINESS PROGRAM ACCOUNT*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the cost of loan guarantees and grants, for the*  
5 *rural business development programs authorized by section*  
6 *310B and described in subsections (a), (c), (f) and (g) of*  
7 *section 310B of the Consolidated Farm and Rural Develop-*  
8 *ment Act, \$77,342,000, to remain available until expended:*  
9 *Provided, That of the amount appropriated under this*  
10 *heading, not to exceed \$500,000 shall be made available for*  
11 *one grant to a qualified national organization to provide*  
12 *technical assistance for rural transportation in order to*  
13 *promote economic development and \$6,000,000 shall be for*  
14 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*  
15 *et seq.) and the Appalachian Regional Commission (40*  
16 *U.S.C. 14101 et seq.) for any Rural Community Advance-*  
17 *ment Program purpose as described in section 381E(d) of*  
18 *the Consolidated Farm and Rural Development Act, of*  
19 *which not more than 5 percent may be used for administra-*  
20 *tive expenses: Provided further, That \$4,000,000 of the*  
21 *amount appropriated under this heading shall be for busi-*  
22 *ness grants to benefit Federally Recognized Native Amer-*  
23 *ican Tribes, including \$250,000 for a grant to a qualified*  
24 *national organization to provide technical assistance for*  
25 *rural transportation in order to promote economic develop-*



1 *ment: Provided further, That sections 381E–H and 381N*  
2 *of the Consolidated Farm and Rural Development Act are*  
3 *not applicable to funds made available under this heading.*

4 *INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT*  
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the principal amount of direct loans, as authorized*  
7 *by the Intermediary Relending Program Fund Account (7*  
8 *U.S.C. 1936b), \$18,889,000.*

9 *For the cost of direct loans, \$4,361,000, as authorized*  
10 *by the Intermediary Relending Program Fund Account (7*  
11 *U.S.C. 1936b), of which \$557,000 shall be available through*  
12 *June 30, 2018, for Federally Recognized Native American*  
13 *Tribes; and of which \$1,072,000 shall be available through*  
14 *June 30, 2018, for Mississippi Delta Region counties (as*  
15 *determined in accordance with Public Law 100–460): Pro-*  
16 *vided, That such costs, including the cost of modifying such*  
17 *loans, shall be as defined in section 502 of the Congressional*  
18 *Budget Act of 1974.*

19 *In addition, for administrative expenses to carry out*  
20 *the direct loan programs, \$4,468,000 shall be transferred*  
21 *to and merged with the appropriation for “Rural Develop-*  
22 *ment, Salaries and Expenses”.*

1 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*2 *ACCOUNT*

3 *For the principal amount of direct loans, as authorized*  
4 *under section 313 of the Rural Electrification Act, for the*  
5 *purpose of promoting rural economic development and job*  
6 *creation projects, \$45,000,000.*

7 *The cost of grants authorized under section 313 of the*  
8 *Rural Electrification Act, for the purpose of promoting*  
9 *rural economic development and job creation projects shall*  
10 *not exceed \$10,000,000.*

11 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

12 *For rural cooperative development grants authorized*  
13 *under section 310B(e) of the Consolidated Farm and Rural*  
14 *Development Act (7 U.S.C. 1932), \$27,550,000, of which*  
15 *\$2,750,000 shall be for cooperative agreements for the ap-*  
16 *propriate technology transfer for rural areas program: Pro-*  
17 *vided, That not to exceed \$3,000,000 shall be for grants for*  
18 *cooperative development centers, individual cooperatives, or*  
19 *groups of cooperatives that serve socially disadvantaged*  
20 *groups and a majority of the boards of directors or gov-*  
21 *erning boards of which are comprised of individuals who*  
22 *are members of socially disadvantaged groups; and of which*  
23 *\$16,000,000, to remain available until expended, shall be*  
24 *for value-added agricultural product market development*  
25 *grants, as authorized by section 231 of the Agricultural*

1 *Risk Protection Act of 2000 (7 U.S.C. 1632a), of which*  
2 *\$1,000,000 shall be for Agriculture Innovation Centers au-*  
3 *thorized pursuant to section 6402 of Public Law 107–171.*

4 *RURAL ENERGY FOR AMERICA PROGRAM*

5 *For the cost of a program of loan guarantees, under*  
6 *the same terms and conditions as authorized by section*  
7 *9007 of the Farm Security and Rural Investment Act of*  
8 *2002 (7 U.S.C. 8107), \$293,000: Provided, That the cost*  
9 *of loan guarantees, including the cost of modifying such*  
10 *loans, shall be as defined in section 502 of the Congressional*  
11 *Budget Act of 1974.*

12 *RURAL UTILITIES SERVICE*

13 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For the cost of direct loans, loan guarantees, and*  
16 *grants for the rural water, waste water, waste disposal, and*  
17 *solid waste management programs authorized by sections*  
18 *306, 306A, 306C, 306D, 306E, and 310B and described in*  
19 *sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the*  
20 *Consolidated Farm and Rural Development Act,*  
21 *\$560,263,000, to remain available until expended, of which*  
22 *not to exceed \$1,000,000 shall be available for the rural util-*  
23 *ities program described in section 306(a)(2)(B) of such Act,*  
24 *and of which not to exceed \$993,000 shall be available for*  
25 *the rural utilities program described in section 306E of*

1 *such Act: Provided, That not to exceed \$15,000,000 of the*  
2 *amount appropriated under this heading shall be for grants*  
3 *authorized by section 306A(i)(2) of the Consolidated Farm*  
4 *and Rural Development Act in addition to funding author-*  
5 *ized by section 306A(i)(1) of such Act and such grants may*  
6 *not exceed \$1,000,000 notwithstanding section 306A(f)(1)*  
7 *of such Act: Provided further, That \$68,000,000 of the*  
8 *amount appropriated under this heading shall be for loans*  
9 *and grants including water and waste disposal systems*  
10 *grants authorized by section 306C(a)(2)(B) and section*  
11 *306D of the Consolidated Farm and Rural Development*  
12 *Act, and Federally Recognized Native American Tribes au-*  
13 *thorized by 306C(a)(1) of such Act: Provided further, That*  
14 *funding provided for section 306D of the Consolidated*  
15 *Farm and Rural Development Act may be provided to a*  
16 *consortium formed pursuant to section 325 of Public Law*  
17 *105–83: Provided further, That not more than 2 percent*  
18 *of the funding provided for section 306D of the Consolidated*  
19 *Farm and Rural Development Act may be used by the State*  
20 *of Alaska for training and technical assistance programs*  
21 *and not more than 2 percent of the funding provided for*  
22 *section 306D of the Consolidated Farm and Rural Develop-*  
23 *ment Act may be used by a consortium formed pursuant*  
24 *to section 325 of Public Law 105–83 for training and tech-*  
25 *nical assistance programs: Provided further, That not to ex-*

1 *ceed \$40,000,000 of the amount appropriated under this*  
2 *heading shall be for technical assistance grants for rural*  
3 *water and waste systems pursuant to section 306(a)(14) of*  
4 *such Act, unless the Secretary makes a determination of ex-*  
5 *treme need, of which \$8,000,000 shall be made available for*  
6 *a grant to a qualified nonprofit multi-State regional tech-*  
7 *nical assistance organization, with experience in working*  
8 *with small communities on water and waste water prob-*  
9 *lems, the principal purpose of such grant shall be to assist*  
10 *rural communities with populations of 3,300 or less, in im-*  
11 *proving the planning, financing, development, operation,*  
12 *and management of water and waste water systems, and*  
13 *of which not less than \$800,000 shall be for a qualified na-*  
14 *tional Native American organization to provide technical*  
15 *assistance for rural water systems for tribal communities:*  
16 *Provided further, That not to exceed \$19,000,000 of the*  
17 *amount appropriated under this heading shall be for con-*  
18 *tracting with qualified national organizations for a circuit*  
19 *rider program to provide technical assistance for rural*  
20 *water systems: Provided further, That not to exceed*  
21 *\$4,000,000 shall be for solid waste management grants: Pro-*  
22 *vided further, That \$10,000,000 of the amount appropriated*  
23 *under this heading shall be transferred to, and merged with,*  
24 *the Rural Utilities Service, High Energy Cost Grants Ac-*  
25 *count to provide grants authorized under section 19 of the*

1 *Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided*  
2 *further, That any prior year balances for high-energy cost*  
3 *grants authorized by section 19 of the Rural Electrification*  
4 *Act of 1936 (7 U.S.C. 918a) shall be transferred to and*  
5 *merged with the Rural Utilities Service, High Energy Cost*  
6 *Grants Account: Provided further, That sections 381E–H*  
7 *and 381N of the Consolidated Farm and Rural Develop-*  
8 *ment Act are not applicable to the funds made available*  
9 *under this heading.*

10 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

11 *LOANS PROGRAM ACCOUNT*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *The principal amount of direct and guaranteed loans*  
14 *as authorized by sections 305, 306, and 317 of the Rural*  
15 *Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)*  
16 *shall be made as follows: loans made pursuant to sections*  
17 *305, 306, and 317, notwithstanding 317(c), of that Act,*  
18 *rural electric, \$5,500,000,000; guaranteed underwriting*  
19 *loans pursuant to section 313A, \$750,000,000; 5 percent*  
20 *rural telecommunications loans, cost of money rural tele-*  
21 *communications loans, and for loans made pursuant to sec-*  
22 *tion 306 of that Act, rural telecommunications loans,*  
23 *\$690,000,000: Provided, That up to \$2,000,000,000 shall be*  
24 *used for the construction, acquisition, or improvement of*

1 *fossil-fueled electric generating plants (whether new or ex-*  
2 *isting) that utilize carbon sequestration systems.*

3 *For the cost of direct loans as authorized by section*  
4 *305 of the Rural Electrification Act of 1936 (7 U.S.C. 935),*  
5 *including the cost of modifying loans, as defined in section*  
6 *502 of the Congressional Budget Act of 1974, cost of money*  
7 *rural telecommunications loans, \$863,000.*

8 *In addition, for administrative expenses necessary to*  
9 *carry out the direct and guaranteed loan programs,*  
10 *\$33,270,000, which shall be transferred to and merged with*  
11 *the appropriation for “Rural Development, Salaries and*  
12 *Expenses”.*

13 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*  
14 *PROGRAM*

15 *For the principal amount of broadband telecommuni-*  
16 *cation loans, \$29,851,000.*

17 *For grants for telemedicine and distance learning serv-*  
18 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*  
19 *seq., \$32,000,000, to remain available until expended: Pro-*  
20 *vided, That \$3,000,000 shall be made available for grants*  
21 *authorized by 379G of the Consolidated Farm and Rural*  
22 *Development Act: Provided further, That funding provided*  
23 *under this heading for grants under 379G of the Consoli-*  
24 *dated Farm and Rural Development Act may only be pro-*

1 *vided to entities that meet all of the eligibility criteria for*  
2 *a consortium as established by this section.*

3 *For the cost of broadband loans, as authorized by sec-*  
4 *tion 601 of the Rural Electrification Act, \$5,000,000, to re-*  
5 *main available until expended: Provided, That the cost of*  
6 *direct loans shall be as defined in section 502 of the Con-*  
7 *gressional Budget Act of 1974.*

8 *In addition, \$30,000,000, to remain available until ex-*  
9 *pended, for a grant program to finance broadband trans-*  
10 *mission in rural areas eligible for Distance Learning and*  
11 *Telemedicine Program benefits authorized by 7 U.S.C.*  
12 *950aaa.*

#### 13 *TITLE IV*

#### 14 *DOMESTIC FOOD PROGRAMS*

#### 15 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

#### 16 *NUTRITION, AND CONSUMER SERVICES*

17 *For necessary expenses of the Office of the Under Sec-*  
18 *retary for Food, Nutrition, and Consumer Services,*  
19 *\$800,000: Provided, That funds made available by this Act*  
20 *to an agency in the Food, Nutrition and Consumer Services*  
21 *mission area for salaries and expenses are available to fund*  
22 *up to one administrative support staff for the Office.*



1 *FOOD AND NUTRITION SERVICE*2 *CHILD NUTRITION PROGRAMS*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For necessary expenses to carry out the Richard B.*  
5 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*  
6 *except section 21, and the Child Nutrition Act of 1966 (42*  
7 *U.S.C. 1771 et seq.), except sections 17 and 21;*  
8 *\$24,254,139,000 to remain available through September 30,*  
9 *2019, of which such sums as are made available under sec-*  
10 *tion 14222(b)(1) of the Food, Conservation, and Energy Act*  
11 *of 2008 (Public Law 110–246), as amended by this Act,*  
12 *shall be merged with and available for the same time period*  
13 *and purposes as provided herein: Provided, That of the total*  
14 *amount available, \$17,004,000 shall be available to carry*  
15 *out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.*  
16 *1771 et seq.): Provided further, That of the total amount*  
17 *available, \$30,000,000 shall be available to provide competi-*  
18 *tive grants to State agencies for subgrants to local edu-*  
19 *cational agencies and schools to purchase the equipment,*  
20 *with a value of greater than \$1,000, needed to serve*  
21 *healthier meals, improve food safety, and to help support*  
22 *the establishment, maintenance, or expansion of the school*  
23 *breakfast program: Provided further, That of the total*  
24 *amount available, \$28,000,000 shall remain available until*  
25 *expended to carry out section 749(g) of the Agriculture Ap-*

1 *appropriations Act of 2010 (Public Law 111–80): Provided*  
2 *further, That section 26(d) of the Richard B. Russell Na-*  
3 *tional School Lunch Act (42 U.S.C. 1769g(d)) is amended*  
4 *in the first sentence by striking “2010 through 2017” and*  
5 *inserting “2010 through 2018”: Provided further, That sec-*  
6 *tion 9(h)(3) of the Richard B. Russell National School*  
7 *Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first*  
8 *sentence by striking “for fiscal year 2017” and inserting*  
9 *“for fiscal year 2018”: Provided further, That section*  
10 *9(h)(4) of the Richard B. Russell National School Lunch*  
11 *Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence*  
12 *by striking “for fiscal year 2017” and inserting “for fiscal*  
13 *year 2018”.*

14 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*  
15 *WOMEN, INFANTS, AND CHILDREN (WIC)*

16 *For necessary expenses to carry out the special supple-*  
17 *mental nutrition program as authorized by section 17 of*  
18 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*  
19 *\$6,175,000,000, to remain available through September 30,*  
20 *2019, of which \$25,000,000 shall be placed in reserve, to*  
21 *remain available until expended, to be allocated as the Sec-*  
22 *retary deemed necessary, notwithstanding section 17(i) of*  
23 *such Act, to support participation should cost or participa-*  
24 *tion exceed budget estimates: Provided, That notwith-*  
25 *standing section 17(h)(10) of the Child Nutrition Act of*

1 1966 (42 U.S.C. 1786(h)(10)), not less than \$60,000,000  
2 shall be used for breastfeeding peer counselors and other re-  
3 lated activities, and \$14,000,000 shall be used for infra-  
4 structure: Provided further, That none of the funds provided  
5 in this account shall be available for the purchase of infant  
6 formula except in accordance with the cost containment and  
7 competitive bidding requirements specified in section 17 of  
8 such Act: Provided further, That none of the funds provided  
9 shall be available for activities that are not fully reimbursed  
10 by other Federal Government departments or agencies un-  
11 less authorized by section 17 of such Act: Provided further,  
12 That upon termination of a federally mandated vendor  
13 moratorium and subject to terms and conditions established  
14 by the Secretary, the Secretary may waive the requirement  
15 at 7 CFR 246.12(g)(6) at the request of a State agency.

16 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

17 For necessary expenses to carry out the Food and Nu-  
18 trition Act of 2008 (7 U.S.C. 2011 et seq.), \$74,013,499,000,  
19 of which \$3,000,000,000, to remain available through De-  
20 cember 31, 2019, shall be placed in reserve for use only in  
21 such amounts and at such times as may become necessary  
22 to carry out program operations: Provided, That funds pro-  
23 vided herein shall be expended in accordance with section  
24 16 of the Food and Nutrition Act of 2008: Provided further,  
25 That of the funds made available under this heading,

1 \$998,000 may be used to provide nutrition education serv-  
2 ices to State agencies and Federally Recognized Tribes par-  
3 ticipating in the Food Distribution Program on Indian  
4 Reservations: Provided further, That this appropriation  
5 shall be subject to any work registration or workfare re-  
6 quirements as may be required by law: Provided further,  
7 That funds made available for Employment and Training  
8 under this heading shall remain available through Sep-  
9 tember 30, 2019: Provided further, That funds made avail-  
10 able under this heading for section 28(d)(1), section 4(b),  
11 and section 27(a) of the Food and Nutrition Act of 2008  
12 shall remain available through September 30, 2019: Pro-  
13 vided further, That none of the funds made available under  
14 this heading may be obligated or expended in contravention  
15 of section 213A of the Immigration and Nationality Act  
16 (8 U.S.C. 1183A): Provided further, That funds made avail-  
17 able under this heading may be used to enter into contracts  
18 and employ staff to conduct studies, evaluations, or to con-  
19 duct activities related to program integrity provided that  
20 such activities are authorized by the Food and Nutrition  
21 Act of 2008.

22 **COMMODITY ASSISTANCE PROGRAM**

23 *For necessary expenses to carry out disaster assistance*  
24 *and the Commodity Supplemental Food Program as au-*  
25 *thorized by section 4(a) of the Agriculture and Consumer*

1 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*  
2 *Food Assistance Act of 1983; special assistance for the nu-*  
3 *clear affected islands, as authorized by section 103(f)(2) of*  
4 *the Compact of Free Association Amendments Act of 2003*  
5 *(Public Law 108–188); and the Farmers’ Market Nutrition*  
6 *Program, as authorized by section 17(m) of the Child Nutri-*  
7 *tion Act of 1966, \$322,139,000, to remain available through*  
8 *September 30, 2019: Provided, That none of these funds*  
9 *shall be available to reimburse the Commodity Credit Cor-*  
10 *poration for commodities donated to the program: Provided*  
11 *further, That notwithstanding any other provision of law,*  
12 *effective with funds made available in fiscal year 2018 to*  
13 *support the Seniors Farmers’ Market Nutrition Program,*  
14 *as authorized by section 4402 of the Farm Security and*  
15 *Rural Investment Act of 2002, such funds shall remain*  
16 *available through September 30, 2019: Provided further,*  
17 *That of the funds made available under section 27(a) of*  
18 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*  
19 *the Secretary may use up to 15 percent for costs associated*  
20 *with the distribution of commodities.*

21 *NUTRITION PROGRAMS ADMINISTRATION*

22 *For necessary administrative expenses of the Food and*  
23 *Nutrition Service for carrying out any domestic nutrition*  
24 *assistance program, \$153,841,000: Provided, That of the*  
25 *funds provided herein, \$2,000,000 shall be used for the pur-*

1 *poses of section 4404 of Public Law 107–171, as amended*  
2 *by section 4401 of Public Law 110–246.*

3 *TITLE V*

4 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

5 *OFFICE OF THE UNDER SECRETARY FOR TRADE AND*

6 *FOREIGN AGRICULTURAL AFFAIRS*

7 *For necessary expenses of the Office of the Under Sec-*  
8 *retary for Trade and Foreign Agricultural Affairs,*  
9 *\$875,000: Provided, That funds made available by this Act*  
10 *to any agency in the Trade and Foreign Agricultural Af-*  
11 *fairs mission area for salaries and expenses are available*  
12 *to fund up to one administrative support staff for the Office.*

13 *OFFICE OF CODEX ALIMENTARIUS*

14 *For necessary expenses of the Office of Codex*  
15 *Alimentarius, \$3,796,000.*

16 *FOREIGN AGRICULTURAL SERVICE*

17 *SALARIES AND EXPENSES*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For necessary expenses of the Foreign Agricultural*  
20 *Service, including not to exceed \$250,000 for representation*  
21 *allowances and for expenses pursuant to section 8 of the*  
22 *Act approved August 3, 1956 (7 U.S.C. 1766),*  
23 *\$199,666,000, of which no more than 6 percent shall remain*  
24 *available until September 30, 2019, for overseas operations*  
25 *to include the payment of locally employed staff: Provided,*

1 *That the Service may utilize advances of funds, or reim-*  
2 *burse this appropriation for expenditures made on behalf*  
3 *of Federal agencies, public and private organizations and*  
4 *institutions under agreements executed pursuant to the ag-*  
5 *ricultural food production assistance programs (7 U.S.C.*  
6 *1737) and the foreign assistance programs of the United*  
7 *States Agency for International Development: Provided fur-*  
8 *ther, That funds made available for middle-income country*  
9 *training programs, funds made available for the Borlaug*  
10 *International Agricultural Science and Technology Fellow-*  
11 *ship program, and up to \$2,000,000 of the Foreign Agricul-*  
12 *tural Service appropriation solely for the purpose of offset-*  
13 *ting fluctuations in international currency exchange rates,*  
14 *subject to documentation by the Foreign Agricultural Serv-*  
15 *ice, shall remain available until expended.*

16 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*  
17 *PROGRESS PROGRAM ACCOUNT*  
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For administrative expenses to carry out the credit*  
20 *program of title I, Food for Peace Act (Public Law 83-*  
21 *480) and the Food for Progress Act of 1985, \$149,000, shall*  
22 *be transferred to and merged with the appropriation for*  
23 *“Farm Service Agency, Salaries and Expenses”.*

1                    *FOOD FOR PEACE TITLE II GRANTS*

2            *For expenses during the current fiscal year, not other-*  
3 *wise recoverable, and unrecovered prior years' costs, includ-*  
4 *ing interest thereon, under the Food for Peace Act (Public*  
5 *Law 83-480), for commodities supplied in connection with*  
6 *dispositions abroad under title II of said Act,*  
7 *\$1,600,000,000, to remain available until expended: Pro-*  
8 *vided, That the Administrator of the United States Agency*  
9 *for International Development shall in each instance notify*  
10 *in writing the Committees on Appropriations of both*  
11 *Houses of Congress, the Committee on Agriculture of the*  
12 *House, the Committee on Foreign Relations of the Senate,*  
13 *the Committee on Foreign Affairs of the House, and the*  
14 *Committee on Agriculture, Nutrition, and Forestry of the*  
15 *Senate and make publicly available online the amount and*  
16 *use of authority in section 202(a) of the Food for Peace*  
17 *Act (7 U.S.C. 1722(a)) to notwithstanding the minimum level*  
18 *of nonemergency assistance required by section 412(e)(2) of*  
19 *the Food for Peace Act (7 U.S.C. 1736f(e)(2)) not later than*  
20 *15 days after the date of such action.*

21                    *MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*22                    *AND CHILD NUTRITION PROGRAM GRANTS*

23            *For necessary expenses to carry out the provisions of*  
24 *section 3107 of the Farm Security and Rural Investment*  
25 *Act of 2002 (7 U.S.C. 1736o-1), \$207,626,000, to remain*



1 *available until expended, of which \$1,000,000 is for the use*  
2 *of recently developed potable water technologies in school*  
3 *feeding projects: Provided, That the Commodity Credit Cor-*  
4 *poration is authorized to provide the services, facilities, and*  
5 *authorities for the purpose of implementing such section,*  
6 *subject to reimbursement from amounts provided herein:*  
7 *Provided further, That of the amount made available under*  
8 *this heading, \$10,000,000, shall remain available until ex-*  
9 *pended for necessary expenses to carry out the provisions*  
10 *of section 3207 of the Agricultural Act of 2014 (7 U.S.C.*  
11 *1726c).*

12 *COMMODITY CREDIT CORPORATION EXPORT (LOANS)*

13 *CREDIT GUARANTEE PROGRAM ACCOUNT*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For administrative expenses to carry out the Com-*  
16 *modity Credit Corporation's Export Guarantee Program,*  
17 *GSM 102 and GSM 103, \$8,845,000; to cover common over-*  
18 *head expenses as permitted by section 11 of the Commodity*  
19 *Credit Corporation Charter Act and in conformity with the*  
20 *Federal Credit Reform Act of 1990, of which \$6,382,000*  
21 *shall be transferred to and merged with the appropriation*  
22 *for "Foreign Agricultural Service, Salaries and Expenses",*  
23 *and of which \$2,463,000 shall be transferred to and merged*  
24 *with the appropriation for "Farm Service Agency, Salaries*  
25 *and Expenses".*

1                                    *TITLE VI*  
 2                    *RELATED AGENCIES AND FOOD AND DRUG*  
 3                                    *ADMINISTRATION*  
 4                    *DEPARTMENT OF HEALTH AND HUMAN SERVICES*  
 5                                    *FOOD AND DRUG ADMINISTRATION*  
 6                                    *SALARIES AND EXPENSES*  
 7                    *For necessary expenses of the Food and Drug Adminis-*  
 8 *tration, including hire and purchase of passenger motor ve-*  
 9 *hicles; for payment of space rental and related costs pursu-*  
 10 *ant to Public Law 92–313 for programs and activities of*  
 11 *the Food and Drug Administration which are included in*  
 12 *this Act; for rental of special purpose space in the District*  
 13 *of Columbia or elsewhere; in addition to amounts appro-*  
 14 *priated to the FDA Innovation Account, for carrying out*  
 15 *the activities described in section 1002(b)(4) of the 21st*  
 16 *Century Cures Act (Public Law 114–255); for miscellaneous*  
 17 *and emergency expenses of enforcement activities, author-*  
 18 *ized and approved by the Secretary and to be accounted*  
 19 *for solely on the Secretary’s certificate, not to exceed*  
 20 *\$25,000; and notwithstanding section 521 of Public Law*  
 21 *107–188; \$5,138,041,000: Provided, That of the amount*  
 22 *provided under this heading, \$911,346,000 shall be derived*  
 23 *from prescription drug user fees authorized by 21 U.S.C.*  
 24 *379h, and shall be credited to this account and remain*  
 25 *available until expended; \$193,291,000 shall be derived*

1 *from medical device user fees authorized by 21 U.S.C. 379j,*  
2 *and shall be credited to this account and remain available*  
3 *until expended; \$493,600,000 shall be derived from human*  
4 *generic drug user fees authorized by 21 U.S.C. 379j-42, and*  
5 *shall be credited to this account and remain available until*  
6 *expended; \$40,214,000 shall be derived from biosimilar bio-*  
7 *logical product user fees authorized by 21 U.S.C. 379j-52,*  
8 *and shall be credited to this account and remain available*  
9 *until expended; \$18,093,000 shall be derived from animal*  
10 *drug user fees authorized by 21 U.S.C. 379j-12, and shall*  
11 *be credited to this account and remain available until ex-*  
12 *pended; \$9,419,000 shall be derived from generic new ani-*  
13 *mal drug user fees authorized by 21 U.S.C. 379j-21, and*  
14 *shall be credited to this account and remain available until*  
15 *expended; \$672,000,000 shall be derived from tobacco prod-*  
16 *uct user fees authorized by 21 U.S.C. 387s, and shall be*  
17 *credited to this account and remain available until ex-*  
18 *pended: Provided further, That in addition to and notwith-*  
19 *standing any other provision under this heading, amounts*  
20 *collected for prescription drug user fees, medical device user*  
21 *fees, human generic drug user fees, biosimilar biological*  
22 *product user fees, animal drug user fees, and generic new*  
23 *animal drug user fees that exceed the respective fiscal year*  
24 *2018 limitations are appropriated and shall be credited to*  
25 *this account and remain available until expended: Provided*

1 *further, That fees derived from prescription drug, medical*  
2 *device, human generic drug, biosimilar biological product,*  
3 *animal drug, and generic new animal drug assessments for*  
4 *fiscal year 2018, including any such fees collected prior to*  
5 *fiscal year 2018 but credited for fiscal year 2018, shall be*  
6 *subject to the fiscal year 2018 limitations: Provided further,*  
7 *That the Secretary may accept payment during fiscal year*  
8 *2018 of user fees specified under this heading and author-*  
9 *ized for fiscal year 2019, prior to the due date for such fees,*  
10 *and that amounts of such fees assessed for fiscal year 2019*  
11 *for which the Secretary accepts payment in fiscal year 2018*  
12 *shall not be included in amounts under this heading: Pro-*  
13 *vided further, That none of these funds shall be used to de-*  
14 *velop, establish, or operate any program of user fees author-*  
15 *ized by 31 U.S.C. 9701: Provided further, That of the total*  
16 *amount appropriated: (1) \$1,041,615,000 shall be for the*  
17 *Center for Food Safety and Applied Nutrition and related*  
18 *field activities in the Office of Regulatory Affairs; (2)*  
19 *\$1,617,881,000 shall be for the Center for Drug Evaluation*  
20 *and Research and related field activities in the Office of*  
21 *Regulatory Affairs; (3) \$359,614,000 shall be for the Center*  
22 *for Biologics Evaluation and Research and for related field*  
23 *activities in the Office of Regulatory Affairs; (4)*  
24 *\$197,252,000 shall be for the Center for Veterinary Medicine*  
25 *and for related field activities in the Office of Regulatory*

1 *Affairs; (5) \$487,197,000 shall be for the Center for Devices*  
2 *and Radiological Health and for related field activities in*  
3 *the Office of Regulatory Affairs; (6) \$63,331,000 shall be*  
4 *for the National Center for Toxicological Research; (7)*  
5 *\$625,646,000 shall be for the Center for Tobacco Products*  
6 *and for related field activities in the Office of Regulatory*  
7 *Affairs; (8) not to exceed \$172,003,000 shall be for Rent*  
8 *and Related activities, of which \$50,559,000 is for White*  
9 *Oak Consolidation, other than the amounts paid to the Gen-*  
10 *eral Services Administration for rent; (9) not to exceed*  
11 *\$237,671,000 shall be for payments to the General Services*  
12 *Administration for rent; and (10) \$335,831,000 shall be for*  
13 *other activities, including the Office of the Commissioner*  
14 *of Food and Drugs, the Office of Foods and Veterinary Med-*  
15 *icine, the Office of Medical and Tobacco Products, the Office*  
16 *of Global and Regulatory Policy, the Office of Operations,*  
17 *the Office of the Chief Scientist, and central services for*  
18 *these offices: Provided further, That not to exceed \$25,000*  
19 *of this amount shall be for official reception and representa-*  
20 *tion expenses, not otherwise provided for, as determined by*  
21 *the Commissioner: Provided further, That any transfer of*  
22 *funds pursuant to section 770(n) of the Federal Food, Drug,*  
23 *and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from*  
24 *amounts made available under this heading for other activi-*  
25 *ties: Provided further, That of the amounts that are made*

1 *available under this heading for “other activities”, and that*  
2 *are not derived from user fees, \$1,500,000 shall be trans-*  
3 *ferred to and merged with the appropriation for “Depart-*  
4 *ment of Health and Human Services—Office of Inspector*  
5 *General” for oversight of the programs and operations of*  
6 *the Food and Drug Administration and shall be in addition*  
7 *to funds otherwise made available for oversight of the Food*  
8 *and Drug Administration: Provided further, That of the*  
9 *total amount made available under this heading,*  
10 *\$1,500,000 shall be used by the Commissioner of Food and*  
11 *Drugs, in coordination with the Secretary of Agriculture,*  
12 *for consumer outreach and education regarding agricul-*  
13 *tural biotechnology and biotechnology-derived food products*  
14 *and animal feed, including through publication and dis-*  
15 *tribution of science-based educational information on the*  
16 *environmental, nutritional, food safety, economic, and hu-*  
17 *manitarian impacts of such biotechnology, food products,*  
18 *and feed: Provided further, That funds may be transferred*  
19 *from one specified activity to another with the prior ap-*  
20 *proval of the Committees on Appropriations of both Houses*  
21 *of Congress.*

22 *In addition, mammography user fees authorized by 42*  
23 *U.S.C. 263b, export certification user fees authorized by 21*  
24 *U.S.C. 381, priority review user fees authorized by 21*  
25 *U.S.C. 360n and 360ff, food and feed recall fees, food rein-*

1 *spection fees, and voluntary qualified importer program*  
2 *fees authorized by 21 U.S.C. 379j–31, outsourcing facility*  
3 *fees authorized by 21 U.S.C. 379j–62, prescription drug*  
4 *wholesale distributor licensing and inspection fees author-*  
5 *ized by 21 U.S.C. 353(e)(3), third-party logistics provider*  
6 *licensing and inspection fees authorized by 21 U.S.C.*  
7 *360eee–3(c)(1), third-party auditor fees authorized by 21*  
8 *U.S.C. 384d(c)(8), and medical countermeasure priority re-*  
9 *view voucher user fees authorized by 21 U.S.C. 360bbb–4a,*  
10 *shall be credited to this account, to remain available until*  
11 *expended.*

12 *BUILDINGS AND FACILITIES*

13 *For plans, construction, repair, improvement, exten-*  
14 *sion, alteration, demolition, and purchase of fixed equip-*  
15 *ment or facilities of or used by the Food and Drug Adminis-*  
16 *tration, where not otherwise provided, \$11,788,000, to re-*  
17 *main available until expended.*

18 *FDA INNOVATION ACCOUNT, CURES ACT*

19 *For necessary expenses to carry out the purposes de-*  
20 *scribed under section 1002(b)(4) of the 21st Century Cures*  
21 *Act, in addition to amounts available for such purposes*  
22 *under the heading “Salaries and Expenses”, \$60,000,000,*  
23 *to remain available until expended: Provided, That*  
24 *amounts appropriated in this paragraph are appropriated*  
25 *pursuant to section 1002(b)(3) of the 21st Century Cures*

1 *Act, are to be derived from amounts transferred under sec-*  
2 *tion 1002(b)(2)(A) of such Act, and may be transferred by*  
3 *the Commissioner of Food and Drugs to the appropriation*  
4 *for “Department of Health and Human Services—Food*  
5 *and Drug Administration—Salaries and Expenses” solely*  
6 *for the purposes provided in such Act: Provided further,*  
7 *That upon a determination by the Commissioner that funds*  
8 *transferred pursuant to the previous proviso are not nec-*  
9 *essary for the purposes provided, such amounts may be*  
10 *transferred back to the account: Provided further, That such*  
11 *transfer authority is in addition to any other transfer au-*  
12 *thority provided by law.*

### 13 *INDEPENDENT AGENCIES*

#### 14 *COMMODITY FUTURES TRADING COMMISSION*

15 *For necessary expenses to carry out the provisions of*  
16 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*  
17 *the purchase and hire of passenger motor vehicles, and the*  
18 *rental of space (to include multiple year leases), in the Dis-*  
19 *trict of Columbia and elsewhere, \$249,000,000, including*  
20 *not to exceed \$3,000 for official reception and representa-*  
21 *tion expenses, and not to exceed \$25,000 for the expenses*  
22 *for consultations and meetings hosted by the Commission*  
23 *with foreign governmental and other regulatory officials, of*  
24 *which not less than \$48,000,000, to remain available until*  
25 *September 30, 2019, shall be for the purchase of information*



1 *technology and of which not less than \$2,700,000 shall be*  
2 *for expenses of the Office of the Inspector General: Provided,*  
3 *That notwithstanding the limitations in 31 U.S.C. 1553,*  
4 *amounts provided under this heading are available for the*  
5 *liquidation of obligations equal to current year payments*  
6 *on leases entered into prior to the date of enactment of this*  
7 *Act: Provided further, That for the purpose of recording and*  
8 *liquidating any lease obligations that should have been re-*  
9 *corded and liquidated against accounts closed pursuant to*  
10 *31 U.S.C. 1552, and consistent with the preceding proviso,*  
11 *such amounts shall be transferred to and recorded in a new*  
12 *no-year account in the Treasury, which may be established*  
13 *for the sole purpose of recording adjustments for and liqui-*  
14 *dating such unpaid obligations: Provided further, That if*  
15 *any furlough or reduction-in-force of personnel at the Com-*  
16 *mission occurs as a result of an action under 5 U.S.C. 7119,*  
17 *the Commission shall submit a report to the Committees*  
18 *on Appropriations of the House of Representatives and the*  
19 *Senate no later than 30 days after the furlough or reduc-*  
20 *tion-in-force occurs detailing the agency's reasoning for con-*  
21 *ducting a furlough or reduction-in-force: Provided further,*  
22 *That in the report the Commission shall explain why the*  
23 *furlough or reduction-in-force was the only reasonable*  
24 *course of action in response to an action taken under 5*  
25 *U.S.C. 7119: Provided further, That after the conclusion of*

1 *any furlough or reduction-in-force of the Commission in re-*  
2 *sponse to an action taken under 5 U.S.C. 7119, the Comp-*  
3 *troller General shall submit to the Committees on Appro-*  
4 *priations of the Senate and the House of Representatives*  
5 *a report that describes (1) the long-term cost of any pay*  
6 *increases the Commission must make in response to an ac-*  
7 *tion taken under 5 U.S.C. 7119; and (2) the operational*  
8 *impact of the furlough or reduction-in-force.*

9 *FARM CREDIT ADMINISTRATION*

10 *LIMITATION ON ADMINISTRATIVE EXPENSES*

11 *Not to exceed \$70,600,000 (from assessments collected*  
12 *from farm credit institutions, including the Federal Agri-*  
13 *cultural Mortgage Corporation) shall be obligated during*  
14 *the current fiscal year for administrative expenses as au-*  
15 *thorized under 12 U.S.C. 2249: Provided, That this limita-*  
16 *tion shall not apply to expenses associated with receiver-*  
17 *ships: Provided further, That the agency may exceed this*  
18 *limitation by up to 10 percent with notification to the Com-*  
19 *mittees on Appropriations of both Houses of Congress.*

20 *TITLE VII*

21 *GENERAL PROVISIONS*

22 *(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)*

23 *SEC. 701. Within the unit limit of cost fixed by law,*  
24 *appropriations and authorizations made for the Depart-*  
25 *ment of Agriculture for the current fiscal year under this*

1 *Act shall be available for the purchase, in addition to those*  
2 *specifically provided for, of not to exceed 71 passenger*  
3 *motor vehicles of which 68 shall be for replacement only,*  
4 *and for the hire of such vehicles: Provided, That notwith-*  
5 *standing this section, the only purchase of new passenger*  
6 *vehicles shall be for those determined by the Secretary to*  
7 *be necessary for transportation safety, to reduce operational*  
8 *costs, and for the protection of life, property, and public*  
9 *safety.*

10       *SEC. 702. Notwithstanding any other provision of this*  
11 *Act, the Secretary of Agriculture may transfer unobligated*  
12 *balances of discretionary funds appropriated by this Act*  
13 *or any other available unobligated discretionary balances*  
14 *that are remaining available of the Department of Agri-*  
15 *culture to the Working Capital Fund for the acquisition of*  
16 *plant and capital equipment necessary for the delivery of*  
17 *financial, administrative, and information technology serv-*  
18 *ices of primary benefit to the agencies of the Department*  
19 *of Agriculture, such transferred funds to remain available*  
20 *until expended: Provided, That none of the funds made*  
21 *available by this Act or any other Act shall be transferred*  
22 *to the Working Capital Fund without the prior approval*  
23 *of the agency administrator: Provided further, That none*  
24 *of the funds transferred to the Working Capital Fund pur-*  
25 *suant to this section shall be available for obligation with-*

1 out written notification to and the prior approval of the  
2 Committees on Appropriations of both Houses of Congress:  
3 Provided further, That none of the funds appropriated by  
4 this Act or made available to the Department's Working  
5 Capital Fund shall be available for obligation or expendi-  
6 ture to make any changes to the Department's National Fi-  
7 nance Center without written notification to and prior ap-  
8 proval of the Committees on Appropriations of both Houses  
9 of Congress as required by section 717 of this Act: Provided  
10 further, That none of the funds appropriated by this Act  
11 or made available to the Department's Working Capital  
12 Fund shall be available for obligation or expenditure to ini-  
13 tiate, plan, develop, implement, or make any changes to re-  
14 move or relocate any systems, missions, or functions of the  
15 offices of the Chief Financial Officer or any personnel from  
16 the National Finance Center prior to written notification  
17 to and prior approval of the Committee on Appropriations  
18 of both Houses of Congress and in accordance with the re-  
19 quirements of section 717 of this Act: Provided further, That  
20 the Secretary of Agriculture and the offices of the Chief Fi-  
21 nancial Officer shall actively market to existing and new  
22 Departments and other government agencies National Fi-  
23 nance Center shared services including, but not limited to,  
24 payroll, financial management, and human capital shared  
25 services and allow the National Finance Center to perform

1 *technology upgrades: Provided further, That of annual in-*  
2 *come amounts in the Working Capital Fund of the Depart-*  
3 *ment of Agriculture attributable to the amounts in excess*  
4 *of the true costs of the shared services provided by the Na-*  
5 *tional Finance Center and budgeted for the National Fi-*  
6 *nance Center, the Secretary shall reserve not more than 4*  
7 *percent for the replacement or acquisition of capital equip-*  
8 *ment, including equipment for the improvement, delivery,*  
9 *and implementation of financial, administrative, and in-*  
10 *formation technology services, and other systems of the Na-*  
11 *tional Finance Center or to pay any unforeseen, extraor-*  
12 *dinary cost of the National Finance Center: Provided fur-*  
13 *ther, That none of the amounts reserved shall be available*  
14 *for obligation unless the Secretary submits written notifica-*  
15 *tion of the obligation to the Committees on Appropriations*  
16 *of both Houses of Congress: Provided further, That the limi-*  
17 *tations on the obligation of funds pending notification to*  
18 *Congressional Committees shall not apply to any obligation*  
19 *that, as determined by the Secretary, is necessary to re-*  
20 *spond to a declared state of emergency that significantly*  
21 *impacts the operations of the National Finance Center; or*  
22 *to evacuate employees of the National Finance Center to*  
23 *a safe haven to continue operations of the National Finance*  
24 *Center: Provided further, That the Secretary of Agriculture*  
25 *shall conduct and submit a detailed cost benefit analysis*

1 to the Committees on Appropriations that includes a com-  
2 plete analysis of the National Finance Center data center  
3 and two other operationally comparable data centers in  
4 both size and complexity in supported applications that de-  
5 tails and provides: (1) the cost effectiveness of each center;  
6 (2) a security analysis of each center; and (3) each center's  
7 Federal Risk and Authorization Management Program  
8 (FedRAMP) certifications status and the center's dem-  
9 onstrated history record and ability for maintaining Con-  
10 tinuity of Operations Plan (COOP) functions and not miss  
11 critical operations: Provided further, That the cost-benefit  
12 analysis shall be submitted no later than 90 days after en-  
13 actment of this Act to the Committees on Appropriations:  
14 Provided further, That not later than 90 days after submis-  
15 sion of the cost-benefit analysis, the Comptroller General of  
16 the United States shall submit to the Committees on Appro-  
17 priations a sufficiency review of the cost-benefit analysis,  
18 including any findings and recommendations relating to  
19 such review.

20       *SEC. 703. No part of any appropriation contained in*  
21 *this Act shall remain available for obligation beyond the*  
22 *current fiscal year unless expressly so provided herein.*

23       *SEC. 704. No funds appropriated by this Act may be*  
24 *used to pay negotiated indirect cost rates on cooperative*  
25 *agreements or similar arrangements between the United*

1 *States Department of Agriculture and nonprofit institu-*  
2 *tions in excess of 10 percent of the total direct cost of the*  
3 *agreement when the purpose of such cooperative arrange-*  
4 *ments is to carry out programs of mutual interest between*  
5 *the two parties. This does not preclude appropriate pay-*  
6 *ment of indirect costs on grants and contracts with such*  
7 *institutions when such indirect costs are computed on a*  
8 *similar basis for all agencies for which appropriations are*  
9 *provided in this Act.*

10       *SEC. 705. Appropriations to the Department of Agri-*  
11 *culture for the cost of direct and guaranteed loans made*  
12 *available in the current fiscal year shall remain available*  
13 *until expended to disburse obligations made in the current*  
14 *fiscal year for the following accounts: the Rural Develop-*  
15 *ment Loan Fund program account, the Rural Electrifica-*  
16 *tion and Telecommunication Loans program account, and*  
17 *the Rural Housing Insurance Fund program account.*

18       *SEC. 706. None of the funds made available to the De-*  
19 *partment of Agriculture by this Act may be used to acquire*  
20 *new information technology systems or significant up-*  
21 *grades, as determined by the Office of the Chief Information*  
22 *Officer, without the approval of the Chief Information Offi-*  
23 *cer and the concurrence of the Executive Information Tech-*  
24 *nology Investment Review Board: Provided, That notwith-*  
25 *standing any other provision of law, none of the funds ap-*

1 *propriated or otherwise made available by this Act may be*  
2 *transferred to the Office of the Chief Information Officer*  
3 *without written notification to and the prior approval of*  
4 *the Committees on Appropriations of both Houses of Con-*  
5 *gress: Provided further, That, notwithstanding section*  
6 *11319 of title 40, United States Code, none of the funds*  
7 *available to the Department of Agriculture for information*  
8 *technology shall be obligated for projects, contracts, or other*  
9 *agreements over \$25,000 prior to receipt of written ap-*  
10 *proval by the Chief Information Officer: Provided further,*  
11 *That the Chief Information Officer may authorize an agen-*  
12 *cy to obligate funds without written approval from the*  
13 *Chief Information Officer for projects, contracts, or other*  
14 *agreements up to \$250,000 based upon the performance of*  
15 *an agency measured against the performance plan require-*  
16 *ments described in the explanatory statement accom-*  
17 *panying Public Law 113–235.*

18       *SEC. 707. Funds made available under section 524(b)*  
19 *of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in*  
20 *the current fiscal year shall remain available until ex-*  
21 *pendent to disburse obligations made in the current fiscal*  
22 *year.*

23       *SEC. 708. Notwithstanding any other provision of law,*  
24 *any former RUS borrower that has repaid or prepaid an*  
25 *insured, direct or guaranteed loan under the Rural Elec-*



1 *trification Act of 1936, or any not-for-profit utility that*  
2 *is eligible to receive an insured or direct loan under such*  
3 *Act, shall be eligible for assistance under section*  
4 *313(b)(2)(B) of such Act in the same manner as a borrower*  
5 *under such Act.*

6 *SEC. 709. Except as otherwise specifically provided by*  
7 *law, not more than \$20,000,000 in unobligated balances*  
8 *from appropriations made available for salaries and ex-*  
9 *penses in this Act for the Farm Service Agency shall remain*  
10 *available through September 30, 2019, for information tech-*  
11 *nology expenses: Provided, That except as otherwise specifi-*  
12 *cally provided by law, unobligated balances from appro-*  
13 *priations made available for salaries and expenses in this*  
14 *Act for the Rural Development mission area shall remain*  
15 *available through September 30, 2019, for information tech-*  
16 *nology expenses.*

17 *SEC. 710. None of the funds appropriated or otherwise*  
18 *made available by this Act may be used for first-class travel*  
19 *by the employees of agencies funded by this Act in con-*  
20 *travention of sections 301–10.122 through 301–10.124 of*  
21 *title 41, Code of Federal Regulations.*

22 *SEC. 711. In the case of each program established or*  
23 *amended by the Agricultural Act of 2014 (Public Law 113–*  
24 *79), other than by title I or subtitle A of title III of such*  
25 *Act, or programs for which indefinite amounts were pro-*

1 *vided in that Act, that is authorized or required to be car-*  
2 *ried out using funds of the Commodity Credit Corpora-*  
3 *tion—*

4 *(1) such funds shall be available for salaries and*  
5 *related administrative expenses, including technical*  
6 *assistance, associated with the implementation of the*  
7 *program, without regard to the limitation on the total*  
8 *amount of allotments and fund transfers contained in*  
9 *section 11 of the Commodity Credit Corporation*  
10 *Charter Act (15 U.S.C. 714i); and*

11 *(2) the use of such funds for such purpose shall*  
12 *not be considered to be a fund transfer or allotment*  
13 *for purposes of applying the limitation on the total*  
14 *amount of allotments and fund transfers contained in*  
15 *such section.*

16 *SEC. 712. Of the funds made available by this Act, not*  
17 *more than \$2,000,000 shall be used to cover necessary ex-*  
18 *penses of activities related to all advisory committees, pan-*  
19 *els, commissions, and task forces of the Department of Agri-*  
20 *culture, except for panels used to comply with negotiated*  
21 *rule makings and panels used to evaluate competitively*  
22 *awarded grants.*

23 *SEC. 713. None of the funds in this Act shall be avail-*  
24 *able to pay indirect costs charged against any agricultural*  
25 *research, education, or extension grant awards issued by the*

1 *National Institute of Food and Agriculture that exceed 30*  
2 *percent of total Federal funds provided under each award:*  
3 *Provided, That notwithstanding section 1462 of the Na-*  
4 *tional Agricultural Research, Extension, and Teaching Pol-*  
5 *icy Act of 1977 (7 U.S.C. 3310), funds provided by this*  
6 *Act for grants awarded competitively by the National Insti-*  
7 *tute of Food and Agriculture shall be available to pay full*  
8 *allowable indirect costs for each grant awarded under sec-*  
9 *tion 9 of the Small Business Act (15 U.S.C. 638).*

10 *SEC. 714. (a) None of the funds made available in this*  
11 *Act may be used to maintain or establish a computer net-*  
12 *work unless such network blocks the viewing, downloading,*  
13 *and exchanging of pornography.*

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

18 *SEC. 715. Notwithstanding subsection (b) of section*  
19 *14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this*  
20 *section referred to as “section 14222”), none of the funds*  
21 *appropriated or otherwise made available by this or any*  
22 *other Act shall be used to pay the salaries and expenses of*  
23 *personnel to carry out a program under section 32 of the*  
24 *Act of August 24, 1935 (7 U.S.C. 612c; in this section re-*  
25 *ferred to as “section 32”) in excess of \$1,266,582,000 (exclu-*

1 *sive of carryover appropriations from prior fiscal years),*  
2 *as follows: Child Nutrition Programs Entitlement Commod-*  
3 *ities—\$465,000,000; State Option Contracts— \$5,000,000;*  
4 *Removal of Defective Commodities— \$2,500,000; Adminis-*  
5 *tration of Section 32 Commodity Purchases—\$35,853,000:*  
6 *Provided, That of the total funds made available in the mat-*  
7 *ter preceding this proviso that remain unobligated on Octo-*  
8 *ber 1, 2018, such unobligated balances shall carryover into*  
9 *the next fiscal year and shall remain available until ex-*  
10 *pended for any of the three stated purposes of section 32,*  
11 *except that any such carryover funds used in accordance*  
12 *with clause (3) of section 32 may not exceed \$350,000,000*  
13 *and may not be obligated until the Secretary of Agriculture*  
14 *provides written notification of the expenditures to the*  
15 *Committees on Appropriations of both Houses of Congress*  
16 *at least two weeks in advance: Provided further, That, with*  
17 *the exception of any available carryover funds authorized*  
18 *in the first proviso of this section to be used for the purposes*  
19 *of clause (3) of section 32, none of the funds appropriated*  
20 *or otherwise made available by this or any other Act shall*  
21 *be used to pay the salaries or expenses of any employee of*  
22 *the Department of Agriculture to carry out clause (3) of*  
23 *section 32.*

24 *SEC. 716. None of the funds appropriated by this or*  
25 *any other Act shall be used to pay the salaries and expenses*

1 of personnel who prepare or submit appropriations lan-  
2 guage as part of the President's budget submission to the  
3 Congress for programs under the jurisdiction of the Appro-  
4 priations Subcommittees on Agriculture, Rural Develop-  
5 ment, Food and Drug Administration, and Related Agen-  
6 cies that assumes revenues or reflects a reduction from the  
7 previous year due to user fees proposals that have not been  
8 enacted into law prior to the submission of the budget unless  
9 such budget submission identifies which additional spend-  
10 ing reductions should occur in the event the user fees pro-  
11 posals are not enacted prior to the date of the convening  
12 of a committee of conference for the fiscal year 2019 appro-  
13 priations Act.

14       SEC. 717. (a) None of the funds provided by this Act,  
15 or provided by previous appropriations Acts to the agencies  
16 funded by this Act that remain available for obligation or  
17 expenditure in the current fiscal year, or provided from any  
18 accounts in the Treasury derived by the collection of fees  
19 available to the agencies funded by this Act, shall be avail-  
20 able for obligation or expenditure through a reprogram-  
21 ming, transfer of funds, or reimbursements as authorized  
22 by the Economy Act, or in the case of the Department of  
23 Agriculture, through use of the authority provided by sec-  
24 tion 702(b) of the Department of Agriculture Organic Act

1 of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–  
2 106 (7 U.S.C. 2263), that—

3 (1) creates new programs;

4 (2) eliminates a program, project, or activity;

5 (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted;

8 (4) relocates an office or employees;

9 (5) reorganizes offices, programs, or activities; or

10 (6) contracts out or privatizes any functions or  
11 activities presently performed by Federal employees;

12 unless the Secretary of Agriculture, the Chairman of the  
13 Commodity Futures Trading Commission, or the Secretary  
14 of Health and Human Services (as the case may be) notifies  
15 in writing and receives approval from the Committees on  
16 Appropriations of both Houses of Congress at least 30 days  
17 in advance of the reprogramming of such funds or the use  
18 of such authority.

19 (b) None of the funds provided by this Act, or provided  
20 by previous Appropriations Acts to the agencies funded by  
21 this Act that remain available for obligation or expenditure  
22 in the current fiscal year, or provided from any accounts  
23 in the Treasury derived by the collection of fees available  
24 to the agencies funded by this Act, shall be available for  
25 obligation or expenditure for activities, programs, or

1 *projects through a reprogramming or use of the authorities*  
2 *referred to in subsection (a) involving funds in excess of*  
3 *\$500,000 or 10 percent, whichever is less, that—*

4 *(1) augments existing programs, projects, or ac-*  
5 *tivities;*

6 *(2) reduces by 10 percent funding for any exist-*  
7 *ing program, project, or activity, or numbers of per-*  
8 *sonnel by 10 percent as approved by Congress; or*

9 *(3) results from any general savings from a re-*  
10 *duction in personnel which would result in a change*  
11 *in existing programs, activities, or projects as ap-*  
12 *proved by Congress; unless the Secretary of Agri-*  
13 *culture, the Chairman of the Commodity Futures*  
14 *Trading Commission, or the Secretary of Health and*  
15 *Human Services (as the case may be) notifies in writ-*  
16 *ing and receives approval from the Committees on*  
17 *Appropriations of both Houses of Congress at least 30*  
18 *days in advance of the reprogramming or transfer of*  
19 *such funds or the use of such authority.*

20 *(c) The Secretary of Agriculture, the Chairman of the*  
21 *Commodity Futures Trading Commission, or the Secretary*  
22 *of Health and Human Services shall notify in writing and*  
23 *receive approval from the Committees on Appropriations of*  
24 *both Houses of Congress before implementing any program*  
25 *or activity not carried out during the previous fiscal year*

1 *unless the program or activity is funded by this Act or spe-*  
2 *cifically funded by any other Act.*

3 *(d) None of the funds provided by this Act, or provided*  
4 *by previous Appropriations Acts to the agencies funded by*  
5 *this Act that remain available for obligation or expenditure*  
6 *in the current fiscal year, or provided from any accounts*  
7 *in the Treasury derived by the collection of fees available*  
8 *to the agencies funded by this Act, shall be available for—*

9 *(1) modifying major capital investments funding*  
10 *levels, including information technology systems, that*  
11 *involves increasing or decreasing funds in the current*  
12 *fiscal year for the individual investment in excess of*  
13 *\$500,000 or 10 percent of the total cost, whichever is*  
14 *less;*

15 *(2) realigning or reorganizing new, current, or*  
16 *vacant positions or agency activities or functions to*  
17 *establish a center, office, branch, or similar entity*  
18 *with five or more personnel; or*

19 *(3) carrying out activities or functions that were*  
20 *not described in the budget request; unless the agencies*  
21 *funded by this Act notify, in writing, the Committees*  
22 *on Appropriations of both Houses of Congress at least*  
23 *30 days in advance of using the funds for these pur-*  
24 *poses.*



1       (e) *As described in this section, no funds may be used*  
2 *for any activities unless the Secretary of Agriculture, the*  
3 *Chairman of the Commodity Futures Trading Commission,*  
4 *or the Secretary of Health and Human Services receives*  
5 *from the Committee on Appropriations of both Houses of*  
6 *Congress written or electronic mail confirmation of receipt*  
7 *of the notification as required in this section.*

8       *SEC. 718. Notwithstanding section 310B(g)(5) of the*  
9 *Consolidated Farm and Rural Development Act (7 U.S.C.*  
10 *1932(g)(5)), the Secretary may assess a one-time fee for any*  
11 *guaranteed business and industry loan in an amount that*  
12 *does not exceed 3 percent of the guaranteed principal por-*  
13 *tion of the loan.*

14       *SEC. 719. None of the funds appropriated or otherwise*  
15 *made available to the Department of Agriculture, the Food*  
16 *and Drug Administration, the Commodity Futures Trading*  
17 *Commission, or the Farm Credit Administration shall be*  
18 *used to transmit or otherwise make available reports, ques-*  
19 *tions, or responses to questions that are a result of informa-*  
20 *tion requested for the appropriations hearing process to any*  
21 *non-Department of Agriculture, non-Department of Health*  
22 *and Human Services, non-Commodity Futures Trading*  
23 *Commission, or non-Farm Credit Administration employee.*

24       *SEC. 720. Unless otherwise authorized by existing law,*  
25 *none of the funds provided in this Act, may be used by an*

1 *executive branch agency to produce any prepackaged news*  
2 *story intended for broadcast or distribution in the United*  
3 *States unless the story includes a clear notification within*  
4 *the text or audio of the prepackaged news story that the*  
5 *prepackaged news story was prepared or funded by that ex-*  
6 *ecutive branch agency.*

7       *SEC. 721. No employee of the Department of Agri-*  
8 *culture may be detailed or assigned from an agency or office*  
9 *funded by this Act or any other Act to any other agency*  
10 *or office of the Department for more than 60 days in a*  
11 *fiscal year unless the individual's employing agency or of-*  
12 *fice is fully reimbursed by the receiving agency or office*  
13 *for the salary and expenses of the employee for the period*  
14 *of assignment.*

15       *SEC. 722. (a) There is hereby established in the Treas-*  
16 *ury of the United States a Working Capital Fund (the*  
17 *Fund) to be administered by the Food and Drug Adminis-*  
18 *tration (FDA), without fiscal year limitation, for the pay-*  
19 *ment of salaries, travel, and other expenses necessary to the*  
20 *maintenance and operation of (1) a supply service for the*  
21 *purchase, storage, handling, issuance, packing, or shipping*  
22 *of stationery, supplies, materials, equipment, and blank*  
23 *forms, for which stocks may be maintained to meet, in*  
24 *whole or in part, the needs of the FDA and requisitions*  
25 *of other Government Offices, and (2) such other services as*

1 *the Commissioner of the FDA, subject to review by the Sec-*  
2 *retary of Health and Human Services, determines may be*  
3 *performed more advantageously as central services. The*  
4 *Fund shall be reimbursed from applicable discretionary re-*  
5 *sources, notwithstanding any otherwise applicable purpose*  
6 *limitations, available when services are performed or stock*  
7 *furnished, or in advance, on a basis of rates which shall*  
8 *include estimated or actual charges for personal services,*  
9 *materials, equipment, information technology, and other ex-*  
10 *penses. Charges for equipment and information technology*  
11 *shall include costs associated with maintenance, repair, and*  
12 *depreciation (including improvement and replacement).*

13       **(b)** *Of any discretionary resources appropriated in*  
14 *this Act for fiscal year 2018 for “Department of Health and*  
15 *Human Services, Food and Drug Administration, Salaries*  
16 *and Expenses”, not to exceed \$5,000,000 of amounts avail-*  
17 *able as of September 30 may be transferred to and merged*  
18 *with the Fund established under subsection (a), notwith-*  
19 *standing any otherwise applicable purpose limitations.*

20       **(c)** *No amounts may be transferred pursuant to this*  
21 *section that are designated by the Congress as an emergency*  
22 *requirement pursuant to a concurrent resolution on the*  
23 *budget or the Balanced Budget and Emergency Deficit Con-*  
24 *trol Act of 1985.*

1        *SEC. 723. Not later than 30 days after the date of en-*  
2 *actment of this Act, the Secretary of Agriculture, the Com-*  
3 *missioner of the Food and Drug Administration, the Chair-*  
4 *man of the Commodity Futures Trading Commission, and*  
5 *the Chairman of the Farm Credit Administration shall sub-*  
6 *mit to the Committees on Appropriations of both Houses*  
7 *of Congress a detailed spending plan by program, project,*  
8 *and activity for all the funds made available under this*  
9 *Act including appropriated user fees, as defined in the ex-*  
10 *planatory statement described in section 4 (in the matter*  
11 *preceding division A of this consolidated Act).*

12        *SEC. 724. Of the unobligated balances from amounts*  
13 *made available for the supplemental nutrition program as*  
14 *authorized by section 17 of the Child Nutrition Act of 1966*  
15 *(42 U.S.C. 1786), \$800,000,000 are hereby rescinded.*

16        *SEC. 725. The Secretary shall continue an inter-*  
17 *mediary loan packaging program based on the pilot pro-*  
18 *gram in effect for fiscal year 2013 for packaging and re-*  
19 *viewing section 502 single family direct loans. The Sec-*  
20 *retary shall continue agreements with current intermediary*  
21 *organizations and with additional qualified intermediary*  
22 *organizations. The Secretary shall work with these organi-*  
23 *zations to increase effectiveness of the section 502 single*  
24 *family direct loan program in rural communities and shall*  
25 *set aside and make available from the national reserve sec-*

1 *tion 502 loans an amount necessary to support the work*  
2 *of such intermediaries and provide a priority for review*  
3 *of such loans.*

4       *SEC. 726. For loans and loan guarantees that do not*  
5 *require budget authority and the program level has been*  
6 *established in this Act, the Secretary of Agriculture may*  
7 *increase the program level for such loans and loan guaran-*  
8 *tees by not more than 25 percent: Provided, That prior to*  
9 *the Secretary implementing such an increase, the Secretary*  
10 *notifies, in writing, the Committees on Appropriations of*  
11 *both Houses of Congress at least 15 days in advance.*

12       *SEC. 727. None of the credit card refunds or rebates*  
13 *transferred to the Working Capital Fund pursuant to sec-*  
14 *tion 729 of the Agriculture, Rural Development, Food and*  
15 *Drug Administration, and Related Agencies Appropria-*  
16 *tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall*  
17 *be available for obligation without written notification to,*  
18 *and the prior approval of, the Committees on Appropria-*  
19 *tions of both Houses of Congress: Provided, That the refunds*  
20 *or rebates so transferred shall be available for obligation*  
21 *only for the acquisition of plant and capital equipment nec-*  
22 *essary for the delivery of financial, administrative, and in-*  
23 *formation technology services of primary benefit to the*  
24 *agencies of the Department of Agriculture.*

1        *SEC. 728. None of the funds made available by this*  
2 *Act may be used to implement, administer, or enforce the*  
3 *“variety” requirements of the final rule entitled “Enhanc-*  
4 *ing Retailer Standards in the Supplemental Nutrition As-*  
5 *sistance Program (SNAP)” published by the Department*  
6 *of Agriculture in the Federal Register on December 15, 2016*  
7 *(81 Fed. Reg. 90675) until the Secretary of Agriculture*  
8 *amends the definition of the term “variety” as de fined in*  
9 *section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regula-*  
10 *tions, and “variety” as applied in the definition of the term*  
11 *“staple food” as defined in section 271.2 of title 7, Code*  
12 *of Federal Regulations, to increase the number of items that*  
13 *qualify as acceptable varieties in each staple food category*  
14 *so that the total number of such items in each staple food*  
15 *category exceeds the number of such items in each staple*  
16 *food category included in the final rule as published on De-*  
17 *cember 15, 2016: Provided, That until the Secretary pro-*  
18 *mulgates such regulatory amendments, the Secretary shall*  
19 *apply the requirements regarding acceptable varieties and*  
20 *breadth of stock to Supplemental Nutrition Assistance Pro-*  
21 *gram retailers that were in effect on the day before the date*  
22 *of the enactment of the Agricultural Act of 2014 (Public*  
23 *Law 113–79).*

24        *SEC. 729. None of the funds made available by this*  
25 *Act or any other Act may be used—*

1           (1) *in contravention of section 7606 of the Agri-*  
2           *cultural Act of 2014 (7 U.S.C. 5940); or*

3           (2) *to prohibit the transportation, processing,*  
4           *sale, or use of industrial hemp, or seeds of such plant,*  
5           *that is grown or cultivated in accordance with sub-*  
6           *section section 7606 of the Agricultural Act of 2014,*  
7           *within or outside the State in which the industrial*  
8           *hemp is grown or cultivated.*

9           *SEC. 730. Funds provided by this or any prior Appro-*  
10          *priations Act for the Agriculture and Food Research Initia-*  
11          *tive under 7 U.S.C. 450i(b) shall be made available without*  
12          *regard to section 7128 of the Agricultural Act of 2014 (7*  
13          *U.S.C. 3371 note), under the matching requirements in*  
14          *laws in effect on the date before the date of enactment of*  
15          *such section: Provided, That the requirements of 7 U.S.C.*  
16          *450i(b)(9) shall continue to apply.*

17          *SEC. 731. For tree assistance payments under section*  
18          *1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e))*  
19          *to eligible orchardists or nursery tree growers (as defined*  
20          *in such section) of pecan trees with a tree mortality rate*  
21          *that exceeds 7.5 percent (adjusted for normal mortality)*  
22          *and is less than 15 percent (adjusted for normal mortality),*  
23          *\$15,000,000, to be available until expended, for losses in-*  
24          *curred during the period beginning January 1, 2017 and*  
25          *ending December 31, 2017.*

1        *SEC. 732. In carrying out subsection (h) of section 502*  
2 *of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary*  
3 *of Agriculture shall have the same authority with respect*  
4 *to loans guaranteed under such section and eligible lenders*  
5 *for such loans as the Secretary has under subsections (h)*  
6 *and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with*  
7 *respect to loans guaranteed under such section 538 and eli-*  
8 *gible lenders for such loans.*

9        *SEC. 733. None of the funds made available by this*  
10 *Act may be used to propose, promulgate, or implement any*  
11 *rule, or take any other action with respect to, allowing or*  
12 *requiring information intended for a prescribing health*  
13 *care professional, in the case of a drug or biological product*  
14 *subject to section 503(b)(1) of the Federal Food, Drug, and*  
15 *Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to*  
16 *such professional electronically (in lieu of in paper form)*  
17 *unless and until a Federal law is enacted to allow or re-*  
18 *quire such distribution.*

19        *SEC. 734. None of the funds made available by this*  
20 *Act may be used to notify a sponsor or otherwise acknowl-*  
21 *edge receipt of a submission for an exemption for investiga-*  
22 *tional use of a drug or biological product under section*  
23 *505(i) of the Federal Food, Drug, and Cosmetic Act (21*  
24 *U.S.C. 355(i)) or section 351(a)(3) of the Public Health*  
25 *Service Act (42 U.S.C. 262(a)(3)) in research in which a*



1 *human embryo is intentionally created or modified to in-*  
2 *clude a heritable genetic modification. Any such submission*  
3 *shall be deemed to have not been received by the Secretary,*  
4 *and the exemption may not go into effect.*

5       *SEC. 735. None of the funds made available by this*  
6 *or any other Act may be used to carry out the final rule*  
7 *promulgated by the Food and Drug Administration and*  
8 *put into effect November 16, 2015, in regards to the hazard*  
9 *analysis and risk-based preventive control requirements of*  
10 *the current good manufacturing practice, hazard analysis,*  
11 *and risk-based preventive controls for food for animals rule*  
12 *with respect to the regulation of the production, distribu-*  
13 *tion, sale, or receipt of dried spent grain byproducts of the*  
14 *alcoholic beverage production process.*

15       *SEC. 736. Funds made available under title II of the*  
16 *Food for Peace Act (7 U.S.C. 1721 et seq.) may only be*  
17 *used to provide assistance to recipient nations if adequate*  
18 *monitoring and controls, as determined by the Adminis-*  
19 *trator, are in place to ensure that emergency food aid is*  
20 *received by the intended beneficiaries in areas affected by*  
21 *food shortages and not diverted for unauthorized or inap-*  
22 *propriate purposes.*

23       *SEC. 737. There is hereby appropriated \$1,996,000 to*  
24 *carry out section 1621 of Public Law 110–246.*

1        *SEC. 738. No partially hydrogenated oils as defined*  
2 *in the order published by the Food and Drug Administra-*  
3 *tion in the Federal Register on June 17, 2015 (80 Fed. Reg.*  
4 *34650 et seq.) shall be deemed unsafe within the meaning*  
5 *of section 409(a) of the Federal Food, Drug, and Cosmetic*  
6 *Act (21 U.S.C. 348(a)) and no food that is introduced or*  
7 *delivered for introduction into interstate commerce that*  
8 *bears or contains a partially hydrogenated oil shall be*  
9 *deemed adulterated under sections 402(a)(1) or*  
10 *402(a)(2)(C)(i) of this Act by virtue of bearing or con-*  
11 *taining a partially hydrogenated oil until the compliance*  
12 *date as specified in such order (June 18, 2018).*

13        *SEC. 739. For the cost of refinancing a loan pursuant*  
14 *to section 749 of division A of Public Law 115–31, and*  
15 *in addition to amounts provided by that section, for any*  
16 *borrower identified by the Federal Financing Bank for refi-*  
17 *nancing a loan where the modification calculation method-*  
18 *ology used for such refinancing pursuant to section 185 of*  
19 *Office of Management and Budget Circular No. A–11 re-*  
20 *sults in a cost to the pilot program, \$5,000,000, to remain*  
21 *available until expended: Provided, That these funds shall*  
22 *also be available for refinancing a loan pursuant to any*  
23 *extension or expansion of this pilot program that is enacted*  
24 *subsequent to this Act for those same borrowers.*

1       *SEC. 740. None of the funds made available by this*  
2 *Act may be used by the Secretary of Agriculture, acting*  
3 *through the Food and Nutrition Service, to commence any*  
4 *new research and evaluation projects until the Secretary*  
5 *submits to the Committees on Appropriations of both*  
6 *Houses of Congress a research and evaluation plan for fiscal*  
7 *year 2018, prepared in coordination with the Research,*  
8 *Education, and Economics mission area of the Department*  
9 *of Agriculture, and a period of 30 days beginning on the*  
10 *date of the submission of the plan expires to permit Con-*  
11 *gressional review of the plan.*

12       *SEC. 741. There is hereby appropriated \$8,000,000, to*  
13 *remain available until expended, to carry out section 6407*  
14 *of the Farm Security and Rural Investment Act of 2002*  
15 *(7 U.S.C. 8107a): Provided, That the Secretary may allow*  
16 *eligible entities to offer loans to customers in any part of*  
17 *their service territory and to offer loans to replace a manu-*  
18 *factured housing unit with another manufactured housing*  
19 *unit, if replacement would be more cost effective in saving*  
20 *energy: Provided further, That funds provided in section*  
21 *769 of division A, Public Law 115–31, shall remain avail-*  
22 *able until September 30, 2019.*

23       *SEC. 742. (a) The Secretary of Agriculture shall—*

1           (1) *conduct audits in a manner that evaluates*  
2           *the following factors in the country or region being*  
3           *audited, as applicable—*

4                     (A) *veterinary control and oversight;*

5                     (B) *disease history and vaccination prac-*  
6           *tices;*

7                     (C) *livestock demographics and traceability;*

8                     (D) *epidemiological separation from poten-*  
9           *tial sources of infection;*

10                    (E) *surveillance practices;*

11                    (F) *diagnostic laboratory capabilities; and*

12                    (G) *emergency preparedness and response;*

13           *and*

14           (2) *promptly make publicly available the final*  
15           *reports of any audits or reviews conducted pursuant*  
16           *to subsection (1).*

17           (b) *This section shall be applied in a manner con-*  
18           *sistent with United States obligations under its inter-*  
19           *national trade agreements.*

20           SEC. 743. *There is hereby appropriated \$1,000,000 for*  
21           *the Secretary to carry out a pilot program that provides*  
22           *forestry inventory analysis, forest management and eco-*  
23           *nomics outcomes modelling for certain currently enrolled*  
24           *Conservation Reserve Program participants. The Secretary*  
25           *shall allow the Commodity Credit Corporation to enter into*

1 *agreements with and provide grants to qualified non-profit*  
2 *organizations dedicated to conservation, forestry and wild-*  
3 *life habitats, that also have experience in conducting accu-*  
4 *rate forest inventory analysis through the use of advanced,*  
5 *cost-effective technology. The Secretary shall focus the anal-*  
6 *ysis on lands enrolled for at least eight years and located*  
7 *in areas with a substantial concentration of acres enrolled*  
8 *under conservation practices devoted to multiple bottom-*  
9 *land hardwood tree species including CP03, CP03A, CP11,*  
10 *CP22, CP31 and CP40.*

11 *SEC. 744. None of the funds made available by this*  
12 *Act may be used to carry out any activities or incur any*  
13 *expense related to the issuance of licenses under section 3*  
14 *of the Animal Welfare Act (7 U.S.C. 2133), or the renewal*  
15 *of such licenses, to class B dealers who sell dogs and cats*  
16 *for use in research, experiments, teaching, or testing.*

17 *SEC. 745. In addition to amounts otherwise made*  
18 *available by this Act and notwithstanding the last sentence*  
19 *of 16 U.S.C. 1310, there is appropriated \$4,000,000, to re-*  
20 *main available until expended, to implement non-renewable*  
21 *agreements on eligible lands, including flooded agricultural*  
22 *lands, as determined by the Secretary, under the Water*  
23 *Bank Act (16 U.S.C. 1301–1311).*

24 *SEC. 746. (a)(1) No Federal funds made available for*  
25 *this fiscal year for the rural water, waste water, waste dis-*

1 *posal, and solid waste management programs authorized by*  
2 *sections 306, 306A, 306C, 306D, 306E, and 310B of the*  
3 *Consolidated Farm and Rural Development Act (7 U.S.C.*  
4 *1926 et seq.) shall be used for a project for the construction,*  
5 *alteration, maintenance, or repair of a public water or*  
6 *wastewater system unless all of the iron and steel products*  
7 *used in the project are produced in the United States.*

8       (2) *In this section, the term “iron and steel products”*  
9 *means the following products made primarily of iron or*  
10 *steel: lined or unlined pipes and fittings, manhole covers*  
11 *and other municipal castings, hydrants, tanks, flanges, pipe*  
12 *clamps and restraints, valves, structural steel, reinforced*  
13 *precast concrete, and construction materials.*

14       (b) *Subsection (a) shall not apply in any case or cat-*  
15 *egory of cases in which the Secretary of Agriculture (in this*  
16 *section referred to as the “Secretary”) or the designee of*  
17 *the Secretary finds that—*

18               (1) *applying subsection (a) would be inconsistent*  
19 *with the public interest;*

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

23               (3) *inclusion of iron and steel products produced*  
24 *in the United States will increase the cost of the over-*  
25 *all project by more than 25 percent.*

1       (c) *If the Secretary or the designee receives a request*  
2 *for a waiver under this section, the Secretary or the designee*  
3 *shall make available to the public on an informal basis a*  
4 *copy of the request and information available to the Sec-*  
5 *retary or the designee concerning the request, and shall*  
6 *allow for informal public input on the request for at least*  
7 *15 days prior to making a finding based on the request.*  
8 *The Secretary or the designee shall make the request and*  
9 *accompanying information available by electronic means,*  
10 *including on the official public Internet Web site of the De-*  
11 *partment.*

12       (d) *This section shall be applied in a manner con-*  
13 *sistent with United States obligations under international*  
14 *agreements.*

15       (e) *The Secretary may retain up to 0.25 percent of*  
16 *the funds appropriated in this Act for “Rural Utilities*  
17 *Service—Rural Water and Waste Disposal Program Ac-*  
18 *count” for carrying out the provisions described in sub-*  
19 *section (a)(1) for management and oversight of the require-*  
20 *ments of this section.*

21       (f) *Subsection (a) shall not apply with respect to a*  
22 *project for which the engineering plans and specifications*  
23 *include use of iron and steel products otherwise prohibited*  
24 *by such subsection if the plans and specifications have re-*

1 *ceived required approvals from State agencies prior to the*  
2 *date of enactment of this Act.*

3 *(g) For purposes of this section, the terms “United*  
4 *States” and “State” shall include each of the several States,*  
5 *the District of Columbia, and each federally recognized In-*  
6 *dian tribe.*

7 *SEC. 747. The Secretary shall set aside for Rural Eco-*  
8 *nomie Area Partnership (REAP) Zones, until August 15,*  
9 *2018, an amount of funds made available in title III under*  
10 *the headings of Rural Housing Insurance Fund Program*  
11 *Account, Mutual and Self-Help Housing Grants, Rural*  
12 *Housing Assistance Grants, Rural Community Facilities*  
13 *Program Account, Rural Business Program Account, Rural*  
14 *Development Loan Fund Program Account, and Rural*  
15 *Water and Waste Disposal Program Account, equal to the*  
16 *amount obligated in REAP Zones with respect to funds*  
17 *provided under such headings in the most recent fiscal year*  
18 *any such funds were obligated under such headings for*  
19 *REAP Zones.*

20 *SEC. 748. For the purposes of determining eligibility*  
21 *or level of program assistance for Rural Development pro-*  
22 *grams the Secretary shall not include incarcerated prison*  
23 *populations.*

24 *SEC. 749. There is hereby appropriated \$1,000,000, to*  
25 *remain available until expended, for a pilot program for*



1 *the Secretary to provide grants to qualified non-profit orga-*  
2 *nizations and public housing authorities to provide tech-*  
3 *nical assistance, including financial and legal services, to*  
4 *RHS multi-family housing borrowers to facilitate the ac-*  
5 *quisition of RHS multi-family housing properties in areas*  
6 *where the Secretary determines a risk of loss of affordable*  
7 *housing, by non-profit housing organizations and public*  
8 *housing authorities as authorized by law that commit to*  
9 *keep such properties in the RHS multi-family housing pro-*  
10 *gram for a period of time as determined by the Secretary.*

11 *SEC. 750. Beginning on the date of enactment of this*  
12 *Act through fiscal year 2019, notwithstanding any other*  
13 *provision of law, any fee issued by the State's Electronic*  
14 *Benefit Transfer contractor and subcontractors, including*  
15 *Affiliates of the contractor or subcontractor, related to the*  
16 *switching or routing of benefits for Department of Agri-*  
17 *culture domestic food assistance programs shall be prohib-*  
18 *ited: Provided, That for purposes of this provision, the term*  
19 *"switching" means the routing of an intrastate or interstate*  
20 *transaction that consists of transmitting the details of a*  
21 *transaction electronically recorded through the use of an*  
22 *electronic benefit transfer card in one State to the issuer*  
23 *of the card that may be in the same or different State.*

24 *SEC. 751. None of the funds appropriated by this Act*  
25 *may be used in any way, directly or indirectly, to influence*

1 congressional action on any legislation or appropriation  
2 matters pending before Congress, other than to commu-  
3 nicate to Members of Congress as described in 18 U.S.C.  
4 1913.

5       SEC. 752. (a) *The Secretary of Agriculture (referred*  
6 *to in this section as the “Secretary”) shall carry out a pilot*  
7 *program during fiscal year 2018 with respect to the 2017*  
8 *crop year for county-level agriculture risk coverage pay-*  
9 *ments under section 1117(b)(1) of the Agricultural Act of*  
10 *2014 (7 U.S.C. 9017(b)(1)), that provides all or some of*  
11 *the State Farm Service Agency offices in each State the op-*  
12 *portunity to provide agricultural producers in the State a*  
13 *supplemental payment described in subsection (c) based on*  
14 *the alternate calculation method described in subsection (b)*  
15 *for 1 or more counties in a State if the office for that State*  
16 *determines that the alternate calculation method is nec-*  
17 *essary to ensure that, to the maximum extent practicable,*  
18 *there are not significant yield calculation disparities be-*  
19 *tween comparable counties in the State.*

20       (b) *The alternate calculation method referred to in sub-*  
21 *section (a) is a method of calculating the actual yield for*  
22 *the 2017 crop year for county-level agriculture risk coverage*  
23 *payments under section 1117(b)(1) of the Agricultural Act*  
24 *of 2014 (7 U.S.C. 9017(b)(1)), under which—*

1           (1) county data of the National Agricultural  
2           Statistics Service (referred to in this section as  
3           “NASS data”) is used for the calculations;

4           (2) if there is insufficient NASS data for a coun-  
5           ty (as determined under standards of the Secretary in  
6           effect as of the date of enactment of this Act) or the  
7           available NASS data produces a substantially dis-  
8           parate result, the calculation of the county yield is de-  
9           termined using comparable contiguous county NASS  
10          data as determined by the Farm Service Agency office  
11          in the applicable State; and

12          (3) if there is insufficient NASS data for a com-  
13          parable contiguous county (as determined under  
14          standards of the Secretary in effect as of the date of  
15          enactment of this Act), the calculation of the county  
16          yield is determined using reliable yield data from  
17          other sources, such as Risk Management Agency data,  
18          National Agricultural Statistics Service district data,  
19          National Agricultural Statistics Service State yield  
20          data, or other data as determined by the Farm Serv-  
21          ice Agency office in the applicable State.

22          (c)(1) A supplemental payment made under the pilot  
23          program established under this section may be made to an  
24          agricultural producer who is subject to the alternate cal-  
25          culation method described in subsection (b) if that agricul-

1 tural producer would otherwise receive a county-level agri-  
2 culture risk coverage payment for the 2017 crop year in  
3 an amount that is less than the payment that the agricul-  
4 tural producer would receive under the alternate calculation  
5 method.

6 (2) The amount of a supplemental payment to an agri-  
7 cultural producer under this section may not exceed the dif-  
8 ference between—

9 (A) the payment that the agricultural producer  
10 would have received without the alternate calculation  
11 method described in subsection (b); and

12 (B) the payment that the agricultural producer  
13 would receive using the alternate calculation method.

14 (d)(1) There is appropriated to the Secretary, out of  
15 funds of the Treasury not otherwise appropriated,  
16 \$5,000,000, to remain available until September 30, 2019,  
17 to carry out the pilot program described in this section.

18 (2) Of the funds appropriated, the Secretary shall use  
19 not more than \$5,000,000 to carry out the pilot program  
20 described in this section.

21 (e)(1) To the maximum extent practicable, the Sec-  
22 retary shall select States to participate in the pilot program  
23 under this section so the cost of the pilot program equals  
24 the amount provided under subsection (d).

1           (2) *To the extent that the cost of the pilot program*  
2 *exceeds the amount made available, the Secretary shall re-*  
3 *duce all payments under the pilot program on a pro rata*  
4 *basis.*

5           (f) *Nothing in this section affects the calculation of ac-*  
6 *tual yield for purposes of county-level agriculture risk cov-*  
7 *erage payments under section 1117(b)(1) of the Agricultural*  
8 *Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments*  
9 *made in accordance with the pilot program under this sec-*  
10 *tion.*

11          (g) *A calculation of actual yield made using the alter-*  
12 *nate calculation method described in subsection (b) shall not*  
13 *be used as a basis for any agriculture risk coverage payment*  
14 *determinations under section 1117 of the Agricultural Act*  
15 *of 2014 (7 U.S.C. 9017) other than for purposes of the pilot*  
16 *program under this section.*

17          SEC. 753. *For an additional amount for “National In-*  
18 *stitute of Food and Agriculture—Research and Education*  
19 *Activities”, \$6,000,000, to be available until expended, for*  
20 *relocation expenses and for the alteration and repair of*  
21 *leased buildings and improvements pursuant to 7 U.S.C.*  
22 *2250: Provided, That not later than 60 days after enact-*  
23 *ment of this Act, the Secretary of Agriculture shall submit*  
24 *a report to the Committees on Appropriations of the House*

1 of Representatives and the Senate detailing the planned  
2 uses of this funding.

3       SEC. 754. The Secretary of Agriculture and the Sec-  
4 retary's designees are hereby granted the same access to in-  
5 formation and subject to the same requirements applicable  
6 to the Secretary of Housing and Urban Development as  
7 provided in section 453 of the Social Security Act (42  
8 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal  
9 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to  
10 verify the income for individuals participating in sections  
11 502, 504, 521, and 524 of the Housing Act of 1949 (42  
12 U.S.C. 1972, 1474, 1490a, and 1490r), notwithstanding sec-  
13 tion 453(l)(1) of the Social Security Act.

14       SEC. 755. In addition to amounts otherwise made  
15 available by this Act under the heading "Domestic Food  
16 Programs—Food and Nutrition Services—Child Nutrition  
17 Programs", there is appropriated \$2,000,000, to remain  
18 available until September 30, 2019, to allow allied profes-  
19 sional associations to develop a training program for school  
20 nutrition personnel that focuses on school food service meal  
21 preparation and workforce development.

22       SEC. 756. None of the funds made available by this  
23 Act may be used to procure raw or processed poultry prod-  
24 ucts imported into the United States from the People's Re-  
25 public of China for use in the school lunch program under

1 *the Richard B. Russell National School Lunch Act (42*  
2 *U.S.C. 1751 et seq.), the Child and Adult Care Food Pro-*  
3 *gram under section 17 of such Act (42 U.S.C. 1766), the*  
4 *Summer Food Service Program for Children under section*  
5 *13 of such Act (42 U.S.C. 1761), or the school breakfast*  
6 *program under the Child Nutrition Act of 1966 (42 U.S.C.*  
7 *1771 et seq.).*

8       *SEC. 757. In response to an eligible community where*  
9 *the drinking water supplies are inadequate due to a natural*  
10 *disaster, as determined by the Secretary, including drought*  
11 *or severe weather, the Secretary may provide potable water*  
12 *through the Emergency Community Water Assistance*  
13 *Grant Program for an additional period of time not to ex-*  
14 *ceed 120 days beyond the established period provided under*  
15 *the Program in order to protect public health.*

16       *SEC. 758. Section 502(i) of the Housing Act of 1949*  
17 *(42 U.S.C. 1472(i)), is amended by striking paragraph (1)*  
18 *and inserting the following:*

19               *“(1) AUTHORITY; MAXIMUM AMOUNT.—To the ex-*  
20 *tent provided in advance in appropriations Acts, the*  
21 *Secretary may assess and collect a fee for a lender to*  
22 *access the automated underwriting systems of the De-*  
23 *partment in connection with such lender’s participa-*  
24 *tion in the single family loan program under this sec-*  
25 *tion and only in an amount necessary to cover the*

1 *costs of information technology enhancements, im-*  
2 *provements, maintenance, and development for auto-*  
3 *mated underwriting systems used in connection with*  
4 *the single family loan program under this section, ex-*  
5 *cept that such fee shall not exceed \$50 per loan.”.*

6 *SEC. 759. Of the total amounts made available by this*  
7 *Act for direct loans and grants in the following headings:*  
8 *“Rural Housing Service—Rural Housing Insurance Fund*  
9 *Program Account”; “Rural Housing Service—Mutual and*  
10 *Self-Help Housing Grants”; “Rural Economic Infrastruc-*  
11 *ture Grants”; “Rural Housing Service—Rural Community*  
12 *Facilities Program Account”; “Rural Business-Cooperative*  
13 *Service—Rural Business Program Account”; “Rural Busi-*  
14 *ness-Cooperative Service—Rural Economic Development*  
15 *Loans Program Account”; “Rural Business-Cooperative*  
16 *Service—Rural Cooperative Development Grants”; “Rural*  
17 *Utilities Service—Rural Water and Waste Disposal Pro-*  
18 *gram Account”; and “Rural Utilities Service—Rural Elec-*  
19 *trification and Telecommunications Loans Program Ac-*  
20 *count”, at least 10 percent of the funds shall be allocated*  
21 *for assistance in persistent poverty counties under this sec-*  
22 *tion, including, notwithstanding any other provision re-*  
23 *garding population limits, any county seat of such a per-*  
24 *sistent poverty county that has a population that does not*  
25 *exceed the authorized population limit by more than 10 per-*



1 *cent: Provided, That for purposes of this section, the term*  
2 *“persistent poverty counties” means any county that has*  
3 *had 20 percent or more of its population living in poverty*  
4 *over the past 30 years, as measured by the 1980, 1990, and*  
5 *2000 decennial censuses, and 2007–2011 American Commu-*  
6 *nity Survey 5-year average: Provided further, That with*  
7 *respect to specific activities for which program levels have*  
8 *been made available by this Act that are not supported by*  
9 *budget authority, the requirements of this section shall be*  
10 *applied to such program level.*

11 *SEC. 760. (a) No funds shall be used to finalize the*  
12 *proposed rule entitled “Eligibility of the People’s Republic*  
13 *of China (PRC) to Export to the United States Poultry*  
14 *Products from Birds Slaughtered in the PRC” published*  
15 *in the Federal Register by the Department of Agriculture*  
16 *on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary*  
17 *of Agriculture shall—*

18 *(1) ensure that the poultry slaughter inspection*  
19 *system for the PRC is equivalent to that of the United*  
20 *States;*

21 *(2) ensure that, before any poultry products can*  
22 *enter the United States from any such poultry plant,*  
23 *such poultry products comply with all other applica-*  
24 *ble requirements for poultry products in interstate*  
25 *commerce in the United States;*

1           (3) conduct periodic verification reviews and au-  
2           dits of any such plants in the PRC intending to ex-  
3           port into the United States processed poultry prod-  
4           ucts;

5           (4) conduct re-inspection of such poultry prod-  
6           ucts at United States ports-of-entry to check the gen-  
7           eral condition of such products, for the proper certifi-  
8           cation and labeling of such products, and for any  
9           damage to such products that may have occurred dur-  
10          ing transportation; and

11          (5) ensure that shipments of any such poultry  
12          products selected to enter the United States are subject  
13          to additional re-inspection procedures at appropriate  
14          levels to verify that the products comply with relevant  
15          Federal regulations or standards, including examina-  
16          tions for product defects and laboratory analyses to  
17          detect harmful chemical residues or pathogen testing  
18          appropriate for the products involved.

19          (b) This section shall be applied in a manner con-  
20          sistent with obligations of the United States under any  
21          trade agreement to which the United States is a party.

22          SEC. 761. (a) Section 2 of the Watershed Protection  
23          and Flood Prevention Act (16 U.S.C. 1002) is amended in  
24          the matter following paragraph (3) by striking  
25          “\$5,000,000” and inserting “\$25,000,000”.

1           (b) *Section 5 of the Watershed Protection and Flood*  
2 *Prevention Act (16 U.S.C. 1005) is amended—*

3                 (1) *in paragraph (3), by striking “\$5,000,000”*  
4 *and inserting “\$25,000,000”; and*

5                 (2) *in paragraph (4), by striking “\$5,000,000”*  
6 *and inserting “\$25,000,000”.*

7           *SEC. 762. In addition to funds appropriated in this*  
8 *Act, there is hereby appropriated \$116,000,000, to remain*  
9 *available until expended, under the heading “Food for*  
10 *Peace Title II Grants”: Provided, That the funds made*  
11 *available under this section shall be used for the purposes*  
12 *set forth in the Food for Peace Act for both emergency and*  
13 *non-emergency purposes.*

14           *SEC. 763. In addition to any other funds made avail-*  
15 *able in this Act or any other Act, there is appropriated*  
16 *\$5,000,000 to carry out section 18(g)(8) of the Richard B.*  
17 *Russell National School Lunch Act (42 U.S.C. 1769(g)), to*  
18 *remain available until expended.*

19           *SEC. 764. None of the funds made available by this*  
20 *Act may be used by the Food and Drug Administration to*  
21 *develop, issue, promote, or advance any regulations appli-*  
22 *cable to food manufacturers for population-wide sodium re-*  
23 *duction actions or to develop, issue, promote or advance*  
24 *final guidance applicable to food manufacturers for long*  
25 *term population-wide sodium reduction actions until the*

1 *date on which a dietary reference intake report with respect*  
2 *to sodium is completed.*

3       *SEC. 765. Pursuant to section 185 of Public Law 114–*  
4 *223 (as added by Public Law 114–254 (130 Stat. 1018)),*  
5 *the Secretary of Agriculture may provide financial and*  
6 *technical assistance to remove and dispose of debris and*  
7 *sediment that could adversely affect health and safety on*  
8 *non-Federal land in a flood-affected county or parish: Pro-*  
9 *vided, That such assistance may be used to restore pre-dis-*  
10 *aster hydraulic capacity of the watershed: Provided further,*  
11 *That such assistance may not be used to correct an oper-*  
12 *ation and maintenance issue that existed prior to the dis-*  
13 *aster.*

14       *SEC. 766. Section 1244 of the Food Security Act of*  
15 *1985 (16 U.S.C. 3844) is amended by adding at the end*  
16 *the following:*

17       “(m) *EXEMPTION FROM CERTAIN REPORTING RE-*  
18 *QUIREMENTS.—*

19               “(1) *DEFINITION OF EXEMPTED PRODUCER.—In*  
20 *this subsection, the term ‘exempted producer’ means a*  
21 *producer or landowner eligible to participate in any*  
22 *conservation program administered by the Secretary.*

23               “(2) *EXEMPTION.—Notwithstanding the Federal*  
24 *Funding Accountability and Transparency Act of*  
25 *2006 (Public Law 109–282; 31 U.S.C. 6101 note), the*

1        *requirements of parts 25 and 170 of title 2, Code of*  
2        *Federal Regulations (and any successor regulations),*  
3        *shall not apply with respect to assistance received by*  
4        *an exempted producer from the Secretary, acting*  
5        *through the Natural Resources Conservation Service.”.*

6        *SEC. 767. There is hereby appropriated \$600,000 for*  
7        *the purposes of section 727 of division A of Public Law*  
8        *112–55.*

9        *SEC. 768. None of the funds made available by this*  
10       *Act may be used in contravention of—*

11                *(1) section 9(b)(10) of the Richard B. Russell*  
12        *National School Lunch Act (42 U.S.C. 1758(b)(10));*  
13        *or*

14                *(2) section 245.8 of title 7, Code of Federal Regu-*  
15        *lations.*

16        *SEC. 769. There is hereby appropriated \$1,000,000, to*  
17        *remain available until September 30, 2019, for the cost of*  
18        *loans and grants that is consistent with section 4206 of the*  
19        *Agricultural Act of 2014, for necessary expenses of the Sec-*  
20        *retary to support projects that provide access to healthy food*  
21        *in underserved areas, to create and preserve quality jobs,*  
22        *and to revitalize low-income communities.*

23        *SEC. 770. During fiscal year 2018, the Food and Drug*  
24        *Administration shall not allow the introduction or delivery*  
25        *for introduction into interstate commerce of any food that*

1 *contains genetically engineered salmon until the FDA pub-*  
2 *lishes final labeling guidelines for informing consumers of*  
3 *such content.*

4 *SEC. 771. For an additional amount for “Animal and*  
5 *Plant Health Inspection Service—Salaries and Expenses”,*  
6 *\$7,500,000, to remain available until September 30, 2019,*  
7 *for one-time control and management and associated activi-*  
8 *ties directly related to the multiple-agency response to citrus*  
9 *greening.*

10 *SEC. 772. (a) The Department of Agriculture Reorga-*  
11 *nization Act of 1994 (7 U.S.C. 6931) is amended—*

12 *(1) by striking “Subtitle B—Farm and Foreign*  
13 *Agricultural Services” and inserting “Subtitle B—*  
14 *Farm Production and Conservation”; and*

15 *(2) by revising section 225 to read as follows:*

16 **“SEC. 225. UNDER SECRETARY OF AGRICULTURE FOR FARM**  
17 **PRODUCTION AND CONSERVATION.**

18 *“(a) AUTHORIZATION.—The Secretary is authorized to*  
19 *establish in the Department the position of Under Secretary*  
20 *of Agriculture for Farm Production and Conservation.*

21 *“(b) CONFIRMATION REQUIRED.—If the Secretary es-*  
22 *tablishes the position of Under Secretary of Agriculture for*  
23 *Farm Production and Conservation authorized under sub-*  
24 *section (a), the Under Secretary shall be appointed by the*  
25 *President, by and with the advice and consent of the Senate.*

1       “(c) *FUNCTIONS OF UNDERSECRETARY.*—*The Under*  
2 *Secretary of Agriculture for Farm Production and Con-*  
3 *servation shall perform such functions and duties as the*  
4 *Secretary shall prescribe.*”

5       “(d) *SUCCESSION.*—*Any official who is serving as*  
6 *Under Secretary of Agriculture for Farm and Foreign Agri-*  
7 *cultural Services on the date of the enactment of this Act*  
8 *and who was appointed by the President, by and with the*  
9 *advice and consent of the Senate, shall not be required to*  
10 *be reappointed under subsection (b) to the successor position*  
11 *authorized under subsection (a).”*”

12       (b) *Section 5314 of title 5, United States Code, is*  
13 *amended by striking “Under Secretary of Agriculture for*  
14 *Farm and Foreign Agricultural Services.” and inserting*  
15 *“Under Secretary of Agriculture for Farm Production and*  
16 *Conservation.” and “Under Secretary of Agriculture for*  
17 *Trade and Foreign Agricultural Affairs.”*”

18       *SEC. 773. None of the funds made available by this*  
19 *or any other Act may be used to enforce the final rule pro-*  
20 *mulgated by the Food and Drug Administration entitled*  
21 *“Standards for the Growing, Harvesting, Packing, and*  
22 *Holding of Produce for Human Consumption,” and pub-*  
23 *lished on November 27, 2015, with respect to the regulation*  
24 *of the production, distribution, sale, or receipt of grape*  
25 *varietals that are grown, harvested and used solely for wine*

1 *and receive commercial processing that adequately reduces*  
2 *the presence of microorganisms of public health signifi-*  
3 *cance.*

4 *SEC. 774. None of the funds made available by this*  
5 *Act may be used to revoke an exception made—*

6 *(1) pursuant to the rule entitled “Exceptions to*  
7 *Geographic Areas for Official Agencies Under the*  
8 *USGSA” published by the Department of Agriculture*  
9 *in the Federal Register on April 18, 2003 (68 Fed.*  
10 *Reg. 19137, 19139); and*

11 *(2) on a date before April 14, 2017.*

12 *SEC. 775. There is hereby appropriated \$20,000,000,*  
13 *to remain available until expended, for an additional*  
14 *amount for telemedicine and distance learning services in*  
15 *rural areas, as authorized by 7 U.S.C 950aaa et seq., to*  
16 *help address the opioid epidemic in rural America.*

17 *SEC. 776. For school year 2018–2019, only a school*  
18 *food authority that had a negative balance in the nonprofit*  
19 *school food service account as of January 31, 2018, shall*  
20 *be required to establish a price for paid lunches in accord-*  
21 *ance with Section 12(p) of the Richard B. Russell National*  
22 *School Lunch Act, 42 U.S.C. 1760(p).*

23 *SEC. 777. There is hereby appropriated \$5,000,000, to*  
24 *remain available until September 30, 2019, for a pilot pro-*  
25 *gram for the National Institute of Food and Agriculture*



1 to provide grants to nonprofit organizations for programs  
2 and services to establish and enhance farming and ranching  
3 opportunities for military veterans.

4       *SEC. 778. For an additional amount for “Department*  
5 *of Health and Human Services—Food and Drug Adminis-*  
6 *tration—Salaries and Expenses”, \$94,000,000, to remain*  
7 *available until expended, in addition to amounts otherwise*  
8 *made available for necessary expenses of processing opioid*  
9 *and other articles imported or offered for import through*  
10 *international mail facilities of the U.S. Postal Service: Pro-*  
11 *vided, That such additional amounts shall also be available*  
12 *for expanding and enhancing inspection capacity related*  
13 *to such processing activity (including but not limited to in-*  
14 *creasing staffing, obtaining necessary equipment and sup-*  
15 *plies, and expanding and upgrading infrastructure, labora-*  
16 *tory facilities, and data libraries): Provided further, That*  
17 *amounts appropriated under this section shall be in addi-*  
18 *tion to amounts otherwise made available for research and*  
19 *criminal investigations related to such import articles, and*  
20 *be available for enhancing such research and investigations:*  
21 *Provided further, That the Secretary of Health and Human*  
22 *Services shall provide quarterly reports to the Committees*  
23 *on Appropriations of the House and Senate on the obliga-*  
24 *tion of amounts appropriated under this section.*

1        *SEC. 779. For an additional amount for “Rural Utili-*  
2 *ties Service—Distance Learning, Telemedicine, and*  
3 *Broadband Program”, \$600,000,000, to remain available*  
4 *until expended, for the Secretary of Agriculture to conduct*  
5 *a new broadband loan and grant pilot program under the*  
6 *Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.):*  
7 *Provided, That for the purpose of the new pilot program,*  
8 *the authorities provided in such Act shall include the au-*  
9 *thority to make grants for such purposes, as described in*  
10 *section 601(a) of such Act: Provided further, That the cost*  
11 *of direct loans shall be as defined in section 502 of the Con-*  
12 *gressional Budget Act of 1974: Provided further, That at*  
13 *least 90 percent of the households to be served by a project*  
14 *receiving a loan or grant under the pilot program shall be*  
15 *in a rural area without sufficient access to broadband, de-*  
16 *finied for this pilot program as 10 Mbps downstream, and*  
17 *1 Mbps upstream, which shall be reevaluated and redeter-*  
18 *mined, as necessary, on an annual basis by the Secretary*  
19 *of Agriculture: Provided further, That an entity to which*  
20 *a loan or grant is made under the pilot program shall not*  
21 *use the loan or grant to overbuild or duplicate broadband*  
22 *expansion efforts made by any entity that has received a*  
23 *broadband loan from the Rural Utilities Service: Provided*  
24 *further, That in addition to other available funds, not more*  
25 *than four percent of the funds can be used for administra-*

1 *tive costs to carry out this pilot program and up to three*  
2 *percent may be utilized for technical assistance and pre-*  
3 *development planning activities to support the most rural*  
4 *communities, which shall be transferred to and merged with*  
5 *the appropriation for “Rural Development, Salaries and*  
6 *Expenses”:* *Provided further, That the Rural Utility Service*  
7 *is directed to expedite program delivery methods that would*  
8 *implement this section:* *Provided further, That for purposes*  
9 *of this section, the Secretary shall adhere to the notice, re-*  
10 *porting and service area assessment requirements set forth*  
11 *in sections 6104(a)(2)(D) and 6104(a)(2)(E) of the Agricul-*  
12 *tural Act of 2014 (7 U.S.C. 950bb(d)(5), and 950bb(d)(8)*  
13 *and 950bb(d)(10)).*

14 *SEC. 780. For an additional amount for the cost of*  
15 *direct loans and grants made under the “Rural Water and*  
16 *Waste Disposal Program Account”, \$500,000,000, to re-*  
17 *main available until expended, of which not to exceed*  
18 *\$495,000,000 shall be for grants.*

19 *SEC. 781. The Secretary of Agriculture and the Com-*  
20 *missioner of Food and Drugs shall—*

21 *(1) post on a public Website in a searchable for-*  
22 *mat information on competitive grant awards made*  
23 *using funds made available under an appropriations*  
24 *Act (other than funds appropriated to the Commodity*  
25 *Credit Corporation, the Forest Service, or funds pro-*

1 *vided under the heading “Food for Peace Title II*  
2 *Grants”)* that includes, with respect to each such  
3 *award, the Congressional District corresponding to*  
4 *the State, District, Tribal jurisdiction, or territory of*  
5 *the United States in which the recipient of the funds*  
6 *is geographically located; and*

7 *(2) not provide advance notification of such*  
8 *grant awards to any person outside of the Depart-*  
9 *ment of Agriculture or the Food and Drug Adminis-*  
10 *tration except potential awardees, until such informa-*  
11 *tion is posted, as described in paragraph (1).*

12 *SEC. 782. None of the funds made available by this*  
13 *Act may be used to pay the salaries or expenses of per-*  
14 *sonnel—*

15 *(1) to inspect horses under section 3 of the Fed-*  
16 *eral Meat Inspection Act (21 U.S.C. 603);*

17 *(2) to inspect horses under section 903 of the*  
18 *Federal Agriculture Improvement and Reform Act of*  
19 *1996 (7 U.S.C. 1901 note; Public Law 104–127); or*

20 *(3) to implement or enforce section 352.19 of*  
21 *title 9, Code of Federal Regulations (or a successor*  
22 *regulation).*

23 *SEC. 783. None of the funds appropriated or otherwise*  
24 *made available by this or any other Act shall be used to*  
25 *pay the salaries and expenses of personnel to carry out the*

1 *Biomass Crop Assistance Program authorized by section*  
2 *9011 of the Farm Security and Rural Investment Act of*  
3 *2002 (7 U.S.C. 8111).*

4 *This division may be cited as the “Agriculture, Rural*  
5 *Development, Food and Drug Administration, and Related*  
6 *Agencies Appropriations Act, 2018”.*

7 ***DIVISION B—COMMERCE, JUSTICE,***  
8 ***SCIENCE, AND RELATED AGENCIES AP-***  
9 ***PROPRIATIONS ACT, 2018***

10 *TITLE I*

11 *DEPARTMENT OF COMMERCE*

12 *INTERNATIONAL TRADE ADMINISTRATION*

13 *OPERATIONS AND ADMINISTRATION*

14 *For necessary expenses for international trade activi-*  
15 *ties of the Department of Commerce provided for by law,*  
16 *and for engaging in trade promotional activities abroad,*  
17 *including expenses of grants and cooperative agreements for*  
18 *the purpose of promoting exports of United States firms,*  
19 *without regard to sections 3702 and 3703 of title 44, United*  
20 *States Code; full medical coverage for dependent members*  
21 *of immediate families of employees stationed overseas and*  
22 *employees temporarily posted overseas; travel and transpor-*  
23 *tation of employees of the International Trade Administra-*  
24 *tion between two points abroad, without regard to section*  
25 *40118 of title 49, United States Code; employment of citi-*

1 *zens of the United States and aliens by contract for services;*  
2 *rental of space abroad for periods not exceeding 10 years,*  
3 *and expenses of alteration, repair, or improvement; pur-*  
4 *chase or construction of temporary demountable exhibition*  
5 *structures for use abroad; payment of tort claims, in the*  
6 *manner authorized in the first paragraph of section 2672*  
7 *of title 28, United States Code, when such claims arise in*  
8 *foreign countries; not to exceed \$294,300 for official rep-*  
9 *resentation expenses abroad; purchase of passenger motor*  
10 *vehicles for official use abroad, not to exceed \$45,000 per*  
11 *vehicle; obtaining insurance on official motor vehicles; and*  
12 *rental of tie lines, \$495,000,000, to remain available until*  
13 *September 30, 2019, of which \$13,000,000 is to be derived*  
14 *from fees to be retained and used by the International Trade*  
15 *Administration, notwithstanding section 3302 of title 31,*  
16 *United States Code: Provided, That, of amounts provided*  
17 *under this heading, not less than \$16,400,000 shall be for*  
18 *China antidumping and countervailing duty enforcement*  
19 *and compliance activities: Provided further, That the provi-*  
20 *sions of the first sentence of section 105(f) and all of section*  
21 *108(c) of the Mutual Educational and Cultural Exchange*  
22 *Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply*  
23 *in carrying out these activities; and that for the purpose*  
24 *of this Act, contributions under the provisions of the Mutual*  
25 *Educational and Cultural Exchange Act of 1961 shall in-*

1 *clude payment for assessments for services provided as part*  
2 *of these activities.*

3 *BUREAU OF INDUSTRY AND SECURITY*

4 *OPERATIONS AND ADMINISTRATION*

5 *For necessary expenses for export administration and*  
6 *national security activities of the Department of Commerce,*  
7 *including costs associated with the performance of export*  
8 *administration field activities both domestically and*  
9 *abroad; full medical coverage for dependent members of im-*  
10 *mediate families of employees stationed overseas; employ-*  
11 *ment of citizens of the United States and aliens by contract*  
12 *for services abroad; payment of tort claims, in the manner*  
13 *authorized in the first paragraph of section 2672 of title*  
14 *28, United States Code, when such claims arise in foreign*  
15 *countries; not to exceed \$13,500 for official representation*  
16 *expenses abroad; awards of compensation to informers*  
17 *under the Export Administration Act of 1979, and as au-*  
18 *thorized by section 1(b) of the Act of June 15, 1917 (40*  
19 *Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger*  
20 *motor vehicles for official use and motor vehicles for law*  
21 *enforcement use with special requirement vehicles eligible*  
22 *for purchase without regard to any price limitation other-*  
23 *wise established by law, \$113,500,000, to remain available*  
24 *until expended: Provided, That the provisions of the first*  
25 *sentence of section 105(f) and all of section 108(c) of the*

1 *Mutual Educational and Cultural Exchange Act of 1961*  
2 *(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying*  
3 *out these activities: Provided further, That payments and*  
4 *contributions collected and accepted for materials or serv-*  
5 *ices provided as part of such activities may be retained for*  
6 *use in covering the cost of such activities, and for providing*  
7 *information to the public with respect to the export admin-*  
8 *istration and national security activities of the Department*  
9 *of Commerce and other export control programs of the*  
10 *United States and other governments.*

11 *ECONOMIC DEVELOPMENT ADMINISTRATION*

12 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

13 *For grants for economic development assistance as pro-*  
14 *vided by the Public Works and Economic Development Act*  
15 *of 1965, for trade adjustment assistance, and for grants au-*  
16 *thorized by section 27 of the Stevenson-Wydler Technology*  
17 *Innovation Act of 1980 (15 U.S.C. 3722), \$262,500,000, to*  
18 *remain available until expended, of which \$21,000,000 shall*  
19 *be for grants under such section 27.*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of administering the economic*  
22 *development assistance programs as provided for by law,*  
23 *\$39,000,000: Provided, That these funds may be used to*  
24 *monitor projects approved pursuant to title I of the Public*  
25 *Works Employment Act of 1976, title II of the Trade Act*



1 of 1974, section 27 of the Stevenson-Wydler Technology In-  
2 novation Act of 1980 (15 U.S.C. 3722), and the Community  
3 Emergency Drought Relief Act of 1977.

4 *MINORITY BUSINESS DEVELOPMENT AGENCY*

5 *MINORITY BUSINESS DEVELOPMENT*

6 *For necessary expenses of the Department of Commerce*  
7 *in fostering, promoting, and developing minority business*  
8 *enterprise, including expenses of grants, contracts, and*  
9 *other agreements with public or private organizations,*  
10 *\$39,000,000.*

11 *ECONOMIC AND STATISTICAL ANALYSIS*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses, as authorized by law, of eco-*  
14 *nomie and statistical analysis programs of the Department*  
15 *of Commerce, \$99,000,000, to remain available until Sep-*  
16 *tember 30, 2019.*

17 *BUREAU OF THE CENSUS*

18 *CURRENT SURVEYS AND PROGRAMS*

19 *For necessary expenses for collecting, compiling, ana-*  
20 *lyzing, preparing and publishing statistics, provided for by*  
21 *law, \$270,000,000: Provided, That, from amounts provided*  
22 *herein, funds may be used for promotion, outreach, and*  
23 *marketing activities: Provided further, That the Bureau of*  
24 *the Census shall collect and analyze data for the Annual*  
25 *Social and Economic Supplement to the Current Popu-*

1 *lation Survey using the same health insurance questions in-*  
2 *cluded in previous years, in addition to the revised ques-*  
3 *tions implemented in the Current Population Survey begin-*  
4 *ning in February 2014.*

5 *PERIODIC CENSUSES AND PROGRAMS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses for collecting, compiling, ana-*  
8 *lyzing, preparing and publishing statistics for periodic cen-*  
9 *suses and programs provided for by law, \$2,544,000,000,*  
10 *to remain available until September 30, 2020: Provided,*  
11 *That, from amounts provided herein, funds may be used*  
12 *for promotion, outreach, and marketing activities: Provided*  
13 *further, That within the amounts appropriated, \$2,580,000*  
14 *shall be transferred to the “Office of Inspector General” ac-*  
15 *count for activities associated with carrying out investiga-*  
16 *tions and audits related to the Bureau of the Census: Pro-*  
17 *vided further, That not more than 50 percent of the amounts*  
18 *made available under this heading for information tech-*  
19 *nology related to 2020 census delivery, including the Census*  
20 *Enterprise Data Collection and Processing (CEDCaP) pro-*  
21 *gram, may be obligated until the Secretary updates the pre-*  
22 *vious expenditure plan and resubmits to the Committees on*  
23 *Appropriations of the House of Representatives and the*  
24 *Senate a plan for expenditure that: (1) identifies for each*  
25 *CEDCaP project/investment over \$25,000: (A) the func-*

1 *tional and performance capabilities to be delivered and the*  
2 *mission benefits to be realized; (B) an updated estimated*  
3 *lifecycle cost, including cumulative expenditures to date by*  
4 *fiscal year, and all revised estimates for development, main-*  
5 *tenance, and operations; (C) key milestones to be met; and*  
6 *(D) impacts of cost variances on other Census programs;*  
7 *(2) details for each project/investment: (A) reasons for any*  
8 *cost and schedule variances; and (B) top risks and mitiga-*  
9 *tion strategies; and (3) has been submitted to the Govern-*  
10 *ment Accountability Office.*

11 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

12 *ADMINISTRATION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses, as provided for by law, of the*  
15 *National Telecommunications and Information Adminis-*  
16 *tration (NTIA), \$39,500,000, to remain available until*  
17 *September 30, 2019: Provided, That, notwithstanding 31*  
18 *U.S.C. 1535(d), the Secretary of Commerce shall charge*  
19 *Federal agencies for costs incurred in spectrum manage-*  
20 *ment, analysis, operations, and related services, and such*  
21 *fees shall be retained and used as offsetting collections for*  
22 *costs of such spectrum services, to remain available until*  
23 *expended: Provided further, That the Secretary of Com-*  
24 *merce is authorized to retain and use as offsetting collec-*  
25 *tions all funds transferred, or previously transferred, from*

1 *other Government agencies for all costs incurred in tele-*  
2 *communications research, engineering, and related activi-*  
3 *ties by the Institute for Telecommunication Sciences of*  
4 *NTIA, in furtherance of its assigned functions under this*  
5 *paragraph, and such funds received from other Government*  
6 *agencies shall remain available until expended: Provided*  
7 *further, That \$7,500,000 shall be to update the national*  
8 *broadband availability map in coordination with the Fed-*  
9 *eral Communications Commission and using partnerships*  
10 *previously developed with the States.*

11 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*  
12 *CONSTRUCTION*

13 *For the administration of prior-year grants, recoveries*  
14 *and unobligated balances of funds previously appropriated*  
15 *are available for the administration of all open grants until*  
16 *their expiration.*

17 *UNITED STATES PATENT AND TRADEMARK OFFICE*

18 *SALARIES AND EXPENSES*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For necessary expenses of the United States Patent and*  
21 *Trademark Office (USPTO) provided for by law, including*  
22 *defense of suits instituted against the Under Secretary of*  
23 *Commerce for Intellectual Property and Director of the*  
24 *USPTO, \$3,500,000,000, to remain available until ex-*  
25 *pended: Provided, That the sum herein appropriated from*

1 *the general fund shall be reduced as offsetting collections*  
2 *of fees and surcharges assessed and collected by the USPTO*  
3 *under any law are received during fiscal year 2018, so as*  
4 *to result in a fiscal year 2018 appropriation from the gen-*  
5 *eral fund estimated at \$0: Provided further, That during*  
6 *fiscal year 2018, should the total amount of such offsetting*  
7 *collections be less than \$3,500,000,000 this amount shall be*  
8 *reduced accordingly: Provided further, That any amount re-*  
9 *ceived in excess of \$3,500,000,000 in fiscal year 2018 and*  
10 *deposited in the Patent and Trademark Fee Reserve Fund*  
11 *shall remain available until expended: Provided further,*  
12 *That the Director of USPTO shall submit a spending plan*  
13 *to the Committees on Appropriations of the House of Rep-*  
14 *resentatives and the Senate for any amounts made available*  
15 *by the preceding proviso and such spending plan shall be*  
16 *treated as a reprogramming under section 505 of this Act*  
17 *and shall not be available for obligation or expenditure ex-*  
18 *cept in compliance with the procedures set forth in that sec-*  
19 *tion: Provided further, That any amounts reprogrammed*  
20 *in accordance with the preceding proviso shall be trans-*  
21 *ferred to the United States Patent and Trademark Office*  
22 *“Salaries and Expenses” account: Provided further, That*  
23 *from amounts provided herein, not to exceed \$900 shall be*  
24 *made available in fiscal year 2018 for official reception and*  
25 *representation expenses: Provided further, That in fiscal*

1 year 2018 from the amounts made available for “Salaries  
2 and Expenses” for the USPTO, the amounts necessary to  
3 pay (1) the difference between the percentage of basic pay  
4 contributed by the USPTO and employees under section  
5 8334(a) of title 5, United States Code, and the normal cost  
6 percentage (as defined by section 8331(17) of that title) as  
7 provided by the Office of Personnel Management (OPM) for  
8 USPTO’s specific use, of basic pay, of employees subject to  
9 subchapter III of chapter 83 of that title, and (2) the present  
10 value of the otherwise unfunded accruing costs, as deter-  
11 mined by OPM for USPTO’s specific use of post-retirement  
12 life insurance and post-retirement health benefits coverage  
13 for all USPTO employees who are enrolled in Federal Em-  
14 ployees Health Benefits (FEHB) and Federal Employees  
15 Group Life Insurance (FEGLI), shall be transferred to the  
16 Civil Service Retirement and Disability Fund, the FEGLI  
17 Fund, and the FEHB Fund, as appropriate, and shall be  
18 available for the authorized purposes of those accounts: Pro-  
19 vided further, That any differences between the present  
20 value factors published in OPM’s yearly 300 series benefit  
21 letters and the factors that OPM provides for USPTO’s spe-  
22 cific use shall be recognized as an imputed cost on USPTO’s  
23 financial statements, where applicable: Provided further,  
24 That, notwithstanding any other provision of law, all fees  
25 and surcharges assessed and collected by USPTO are avail-

1 *able for USPTO only pursuant to section 42(c) of title 35,*  
2 *United States Code, as amended by section 22 of the Leahy-*  
3 *Smith America Invents Act (Public Law 112–29): Provided*  
4 *further, That within the amounts appropriated, \$1,000,000*  
5 *shall be transferred to the “Office of Inspector General” ac-*  
6 *count for activities associated with carrying out investiga-*  
7 *tions and audits related to the USPTO.*

8 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*  
9 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*  
10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses of the National Institute of*  
12 *Standards and Technology (NIST), \$724,500,000, to re-*  
13 *main available until expended, of which not to exceed*  
14 *\$9,000,000 may be transferred to the “Working Capital*  
15 *Fund”:* *Provided, That not to exceed \$20,000 shall be for*  
16 *official reception and representation expenses: Provided fur-*  
17 *ther, That NIST may provide local transportation for sum-*  
18 *mer undergraduate research fellowship program partici-*  
19 *pants.*

20 *INDUSTRIAL TECHNOLOGY SERVICES*

21 *For necessary expenses for industrial technology serv-*  
22 *ices, \$155,000,000, to remain available until expended, of*  
23 *which \$140,000,000 shall be for the Hollings Manufacturing*  
24 *Extension Partnership, and of which \$15,000,000 shall be*

1 *for the National Network for Manufacturing Innovation*  
2 *(also known as “Manufacturing USA”).*

3 *CONSTRUCTION OF RESEARCH FACILITIES*

4 *For construction of new research facilities, including*  
5 *architectural and engineering design, and for renovation*  
6 *and maintenance of existing facilities, not otherwise pro-*  
7 *vided for the National Institute of Standards and Tech-*  
8 *nology, as authorized by sections 13 through 15 of the Na-*  
9 *tional Institute of Standards and Technology Act (15*  
10 *U.S.C. 278c–278e), \$319,000,000, to remain available until*  
11 *expended: Provided, That the Secretary of Commerce shall*  
12 *include in the budget justification materials that the Sec-*  
13 *retary submits to Congress in support of the Department*  
14 *of Commerce budget (as submitted with the budget of the*  
15 *President under section 1105(a) of title 31, United States*  
16 *Code) an estimate for each National Institute of Standards*  
17 *and Technology construction project having a total multi-*  
18 *year program cost of more than \$5,000,000, and simulta-*  
19 *neously the budget justification materials shall include an*  
20 *estimate of the budgetary requirements for each such project*  
21 *for each of the 5 subsequent fiscal years.*



1 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
2 OPERATIONS, RESEARCH, AND FACILITIES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of activities authorized by law  
5 for the National Oceanic and Atmospheric Administration,  
6 including maintenance, operation, and hire of aircraft and  
7 vessels; pilot programs for state-led fisheries management,  
8 notwithstanding any other provision of law; grants, con-  
9 tracts, or other payments to nonprofit organizations for the  
10 purposes of conducting activities pursuant to cooperative  
11 agreements; and relocation of facilities, \$3,536,331,000, to  
12 remain available until September 30, 2019, except that  
13 funds provided for cooperative enforcement shall remain  
14 available until September 30, 2020: Provided, That fees and  
15 donations received by the National Ocean Service for the  
16 management of national marine sanctuaries may be re-  
17 tained and used for the salaries and expenses associated  
18 with those activities, notwithstanding section 3302 of title  
19 31, United States Code: Provided further, That in addition,  
20 \$144,000,000 shall be derived by transfer from the fund en-  
21 titled “Promote and Develop Fishery Products and Re-  
22 search Pertaining to American Fisheries”, which shall only  
23 be used for fishery activities related to the Saltonstall-Ken-  
24 nedy Grant Program, Cooperative Research, Annual Stock  
25 Assessments, Survey and Monitoring Projects, Interjurisdic-

1 *tional Fisheries Grants, and Fish Information Networks:*  
2 *Provided further, That of the \$3,697,831,000 provided for*  
3 *in direct obligations under this heading, \$3,536,331,000 is*  
4 *appropriated from the general fund, \$144,000,000 is pro-*  
5 *vided by transfer, and \$17,500,000 is derived from recov-*  
6 *eries of prior year obligations: Provided further, That any*  
7 *deviation from the amounts designated for specific activities*  
8 *in the explanatory statement described in section 4 (in the*  
9 *matter preceding division A of this consolidated Act), or*  
10 *any use of deobligated balances of funds provided under this*  
11 *heading in previous years, shall be subject to the procedures*  
12 *set forth in section 505 of this Act: Provided further, That*  
13 *in addition, for necessary retired pay expenses under the*  
14 *Retired Serviceman's Family Protection and Survivor Ben-*  
15 *efits Plan, and for payments for the medical care of retired*  
16 *personnel and their dependents under the Dependents' Med-*  
17 *ical Care Act (10 U.S.C. ch. 55), such sums as may be nec-*  
18 *essary.*

19 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For procurement, acquisition and construction of cap-*  
22 *ital assets, including alteration and modification costs, of*  
23 *the National Oceanic and Atmospheric Administration,*  
24 *\$2,290,684,000, to remain available until September 30,*  
25 *2020, except that funds provided for acquisition and con-*

1 *struction of vessels and construction of facilities shall re-*  
2 *main available until expended: Provided, That of the*  
3 *\$2,303,684,000 provided for in direct obligations under this*  
4 *heading, \$2,290,684,000 is appropriated from the general*  
5 *fund and \$13,000,000 is provided from recoveries of prior*  
6 *year obligations: Provided further, That any deviation from*  
7 *the amounts designated for specific activities in the explan-*  
8 *atory statement described in section 4 (in the matter pre-*  
9 *ceding division A of this consolidated Act), or any use of*  
10 *deobligated balances of funds provided under this heading*  
11 *in previous years, shall be subject to the procedures set forth*  
12 *in section 505 of this Act: Provided further, That the Sec-*  
13 *retary of Commerce shall include in budget justification*  
14 *materials that the Secretary submits to Congress in support*  
15 *of the Department of Commerce budget (as submitted with*  
16 *the budget of the President under section 1105(a) of title*  
17 *31, United States Code) an estimate for each National Oce-*  
18 *anic and Atmospheric Administration procurement, acqui-*  
19 *sition or construction project having a total of more than*  
20 *\$5,000,000 and simultaneously the budget justification*  
21 *shall include an estimate of the budgetary requirements for*  
22 *each such project for each of the 5 subsequent fiscal years:*  
23 *Provided further, That, within the amounts appropriated,*  
24 *\$1,302,000 shall be transferred to the “Office of Inspector*  
25 *General” account for activities associated with carrying out*

1 *investigations and audits related to satellite procurement,*  
2 *acquisition and construction.*

3 *PACIFIC COASTAL SALMON RECOVERY*

4 *For necessary expenses associated with the restoration*  
5 *of Pacific salmon populations, \$65,000,000, to remain*  
6 *available until September 30, 2019: Provided, That, of the*  
7 *funds provided herein, the Secretary of Commerce may*  
8 *issue grants to the States of Washington, Oregon, Idaho,*  
9 *Nevada, California, and Alaska, and to the Federally recog-*  
10 *nized tribes of the Columbia River and Pacific Coast (in-*  
11 *cluding Alaska), for projects necessary for conservation of*  
12 *salmon and steelhead populations that are listed as threat-*  
13 *ened or endangered, or that are identified by a State as*  
14 *at-risk to be so listed, for maintaining populations nec-*  
15 *essary for exercise of tribal treaty fishing rights or native*  
16 *subsistence fishing, or for conservation of Pacific coastal*  
17 *salmon and steelhead habitat, based on guidelines to be de-*  
18 *veloped by the Secretary of Commerce: Provided further,*  
19 *That all funds shall be allocated based on scientific and*  
20 *other merit principles and shall not be available for mar-*  
21 *keting activities: Provided further, That funds disbursed to*  
22 *States shall be subject to a matching requirement of funds*  
23 *or documented in-kind contributions of at least 33 percent*  
24 *of the Federal funds.*

1 *FISHERMEN'S CONTINGENCY FUND*

2 *For carrying out the provisions of title IV of Public*  
3 *Law 95-372, not to exceed \$349,000, to be derived from re-*  
4 *ceipts collected pursuant to that Act, to remain available*  
5 *until expended.*

6 *FISHERY DISASTER ASSISTANCE*

7 *For the necessary expenses associated with the mitiga-*  
8 *tion of fishery disasters, \$20,000,000 to remain available*  
9 *until expended: Provided, That funds shall be used for miti-*  
10 *gating the effects of commercial fishery failures and fishery*  
11 *resource disasters as declared by the Secretary of Commerce.*

12 *FISHERIES FINANCE PROGRAM ACCOUNT*

13 *Subject to section 502 of the Congressional Budget Act*  
14 *of 1974, during fiscal year 2018, obligations of direct loans*  
15 *may not exceed \$24,000,000 for Individual Fishing Quota*  
16 *loans and not to exceed \$100,000,000 for traditional direct*  
17 *loans as authorized by the Merchant Marine Act of 1936.*

18 *DEPARTMENTAL MANAGEMENT*19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the management of the De-*  
21 *partment of Commerce provided for by law, including not*  
22 *to exceed \$4,500 for official reception and representation,*  
23 *\$63,000,000.*

1                    *RENOVATION AND MODERNIZATION*

2            *For necessary expenses for the renovation and mod-*  
3 *ernization of the Herbert C. Hoover Building, \$45,130,000,*  
4 *to remain available until expended.*

5                    *OFFICE OF INSPECTOR GENERAL*

6            *For necessary expenses of the Office of Inspector Gen-*  
7 *eral in carrying out the provisions of the Inspector General*  
8 *Act of 1978 (5 U.S.C. App.), \$32,744,000.*

9            *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*10                    *(INCLUDING TRANSFER OF FUNDS)*

11            *SEC. 101. During the current fiscal year, applicable*  
12 *appropriations and funds made available to the Depart-*  
13 *ment of Commerce by this Act shall be available for the*  
14 *activities specified in the Act of October 26, 1949 (15 U.S.C.*  
15 *1514), to the extent and in the manner prescribed by the*  
16 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*  
17 *advanced payments not otherwise authorized only upon the*  
18 *certification of officials designated by the Secretary of Com-*  
19 *merce that such payments are in the public interest.*

20            *SEC. 102. During the current fiscal year, appropria-*  
21 *tions made available to the Department of Commerce by*  
22 *this Act for salaries and expenses shall be available for hire*  
23 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*  
24 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*

1 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
2 *5901–5902).*

3       *SEC. 103. Not to exceed 5 percent of any appropriation*  
4 *made available for the current fiscal year for the Depart-*  
5 *ment of Commerce in this Act may be transferred between*  
6 *such appropriations, but no such appropriation shall be in-*  
7 *creased by more than 10 percent by any such transfers: Pro-*  
8 *vided, That any transfer pursuant to this section shall be*  
9 *treated as a reprogramming of funds under section 505 of*  
10 *this Act and shall not be available for obligation or expendi-*  
11 *ture except in compliance with the procedures set forth in*  
12 *that section: Provided further, That the Secretary of Com-*  
13 *merce shall notify the Committees on Appropriations at*  
14 *least 15 days in advance of the acquisition or disposal of*  
15 *any capital asset (including land, structures, and equip-*  
16 *ment) not specifically provided for in this Act or any other*  
17 *law appropriating funds for the Department of Commerce.*

18       *SEC. 104. The requirements set forth by section 105*  
19 *of the Commerce, Justice, Science, and Related Agencies*  
20 *Appropriations Act, 2012 (Public Law 112–55), as amend-*  
21 *ed by section 105 of title I of division B of Public Law*  
22 *113–6, are hereby adopted by reference and made applicable*  
23 *with respect to fiscal year 2018: Provided, That the life*  
24 *cycle cost for the Joint Polar Satellite System is*  
25 *\$11,322,125,000 and the life cycle cost for the Geostationary*

1 *Operational Environmental Satellite R-Series Program is*  
2 *\$10,828,059,000.*

3       *SEC. 105. Notwithstanding any other provision of law,*  
4 *the Secretary may furnish services (including but not lim-*  
5 *ited to utilities, telecommunications, and security services)*  
6 *necessary to support the operation, maintenance, and im-*  
7 *provement of space that persons, firms, or organizations are*  
8 *authorized, pursuant to the Public Buildings Cooperative*  
9 *Use Act of 1976 or other authority, to use or occupy in*  
10 *the Herbert C. Hoover Building, Washington, DC, or other*  
11 *buildings, the maintenance, operation, and protection of*  
12 *which has been delegated to the Secretary from the Adminis-*  
13 *trator of General Services pursuant to the Federal Property*  
14 *and Administrative Services Act of 1949 on a reimbursable*  
15 *or non-reimbursable basis. Amounts received as reimburse-*  
16 *ment for services provided under this section or the author-*  
17 *ity under which the use or occupancy of the space is author-*  
18 *ized, up to \$200,000, shall be credited to the appropriation*  
19 *or fund which initially bears the costs of such services.*

20       *SEC. 106. Nothing in this title shall be construed to*  
21 *prevent a grant recipient from deterring child pornography,*  
22 *copyright infringement, or any other unlawful activity over*  
23 *its networks.*

24       *SEC. 107. The Administrator of the National Oceanic*  
25 *and Atmospheric Administration is authorized to use, with*



1 *their consent, with reimbursement and subject to the limits*  
2 *of available appropriations, the land, services, equipment,*  
3 *personnel, and facilities of any department, agency, or in-*  
4 *strumentality of the United States, or of any State, local*  
5 *government, Indian tribal government, Territory, or posses-*  
6 *sion, or of any political subdivision thereof, or of any for-*  
7 *eign government or international organization, for purposes*  
8 *related to carrying out the responsibilities of any statute*  
9 *administered by the National Oceanic and Atmospheric Ad-*  
10 *ministration.*

11       *SEC. 108. The National Technical Information Service*  
12 *shall not charge any customer for a copy of any report or*  
13 *document generated by the Legislative Branch unless the*  
14 *Service has provided information to the customer on how*  
15 *an electronic copy of such report or document may be*  
16 *accessed and downloaded for free online. Should a customer*  
17 *still require the Service to provide a printed or digital copy*  
18 *of the report or document, the charge shall be limited to*  
19 *recovering the Service's cost of processing, reproducing, and*  
20 *delivering such report or document.*

21       *SEC. 109. The Secretary of Commerce may waive the*  
22 *requirement for bonds under 40 U.S.C. 3131 with respect*  
23 *to contracts for the construction, alteration, or repair of ves-*  
24 *sels, regardless of the terms of the contracts as to payment*

1 or title, when the contract is made under the Coast and  
2 Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

3       SEC. 110. To carry out the responsibilities of the Na-  
4 tional Oceanic and Atmospheric Administration (NOAA),  
5 the Administrator of NOAA is authorized to: (1) enter into  
6 grants and cooperative agreements with; (2) use on a non-  
7 reimbursable basis land, services, equipment, personnel, and  
8 facilities provided by; and (3) receive and expend funds  
9 made available on a consensual basis from: a Federal agen-  
10 cy, State or subdivision thereof, local government, tribal  
11 government, territory, or possession or any subdivisions  
12 thereof: Provided, That funds received for permitting and  
13 related regulatory activities pursuant to this section shall  
14 be deposited under the heading “National Oceanic and At-  
15 mospheric Administration—Operations, Research, and Fa-  
16 cilities” and shall remain available until September 30,  
17 2020, for such purposes: Provided further, That all funds  
18 within this section and their corresponding uses are subject  
19 to section 505 of this Act.

20       SEC. 111. Amounts provided by this Act or by any  
21 prior appropriations Act that remain available for obliga-  
22 tion, for necessary expenses of the programs of the Econom-  
23 ics and Statistics Administration of the Department of  
24 Commerce, including amounts provided for programs of the  
25 Bureau of Economic Analysis and the Bureau of the Cen-

1 *sus, shall be available for expenses of cooperative agreements*  
2 *with appropriate entities, including any Federal, State, or*  
3 *local governmental unit, or institution of higher education,*  
4 *to aid and promote statistical, research, and methodology*  
5 *activities which further the purposes for which such*  
6 *amounts have been made available.*

7 *This title may be cited as the “Department of Com-*  
8 *merce Appropriations Act, 2018”.*

9 *TITLE II*

10 *DEPARTMENT OF JUSTICE*

11 *GENERAL ADMINISTRATION*

12 *SALARIES AND EXPENSES*

13 *For expenses necessary for the administration of the*  
14 *Department of Justice, \$114,000,000, of which not to exceed*  
15 *\$4,000,000 for security and construction of Department of*  
16 *Justice facilities shall remain available until expended.*

17 *JUSTICE INFORMATION SHARING TECHNOLOGY*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For necessary expenses for information sharing tech-*  
20 *nology, including planning, development, deployment and*  
21 *departmental direction, \$35,000,000, to remain available*  
22 *until expended: Provided, That the Attorney General may*  
23 *transfer up to \$35,400,000 to this account, from funds*  
24 *available to the Department of Justice for information tech-*  
25 *nology, to remain available until expended, for enterprise-*

1 *wide information technology initiatives: Provided further,*  
2 *That the transfer authority in the preceding proviso is in*  
3 *addition to any other transfer authority contained in this*  
4 *Act: Provided further, That any transfer pursuant to the*  
5 *first proviso shall be treated as a reprogramming under sec-*  
6 *tion 505 of this Act and shall not be available for obligation*  
7 *or expenditure except in compliance with the procedures set*  
8 *forth in that section.*

9 *EXECUTIVE OFFICE FOR IMMIGRATION REVIEW*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For expenses necessary for the administration of immi-*  
12 *gration-related activities of the Executive Office for Immi-*  
13 *gration Review, \$504,500,000, of which \$4,000,000 shall be*  
14 *derived by transfer from the Executive Office for Immigra-*  
15 *tion Review fees deposited in the “Immigration Examina-*  
16 *tions Fee” account: Provided, That not to exceed*  
17 *\$35,000,000 of the total amount made available under this*  
18 *heading shall remain available until expended.*

19 *OFFICE OF INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*  
21 *eral, \$97,250,000, including not to exceed \$10,000 to meet*  
22 *unforeseen emergencies of a confidential character.*

1                    *UNITED STATES PAROLE COMMISSION*  
2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the United States Parole*  
4 *Commission as authorized, \$13,308,000: Provided, That,*  
5 *notwithstanding any other provision of law, upon the expi-*  
6 *ration of a term of office of a Commissioner, the Commis-*  
7 *sioner may continue to act until a successor has been ap-*  
8 *pointed.*

9                    *LEGAL ACTIVITIES*

10            *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

11            *For expenses necessary for the legal activities of the*  
12 *Department of Justice, not otherwise provided for, includ-*  
13 *ing not to exceed \$20,000 for expenses of collecting evidence,*  
14 *to be expended under the direction of, and to be accounted*  
15 *for solely under the certificate of, the Attorney General; the*  
16 *administration of pardon and clemency petitions; and rent*  
17 *of private or Government-owned space in the District of Co-*  
18 *lumbia, \$897,500,000, of which not to exceed \$20,000,000*  
19 *for litigation support contracts shall remain available until*  
20 *expended: Provided, That of the amount provided for*  
21 *INTERPOL Washington dues payments, not to exceed*  
22 *\$685,000 shall remain available until expended: Provided*  
23 *further, That of the total amount appropriated, not to ex-*  
24 *ceed \$9,000 shall be available to INTERPOL Washington*  
25 *for official reception and representation expenses: Provided*

1 *further, That notwithstanding section 205 of this Act, upon*  
2 *a determination by the Attorney General that emergent cir-*  
3 *cumstances require additional funding for litigation activi-*  
4 *ties of the Civil Division, the Attorney General may trans-*  
5 *fer such amounts to “Salaries and Expenses, General Legal*  
6 *Activities” from available appropriations for the current*  
7 *fiscal year for the Department of Justice, as may be nec-*  
8 *essary to respond to such circumstances: Provided further,*  
9 *That any transfer pursuant to the preceding proviso shall*  
10 *be treated as a reprogramming under section 505 of this*  
11 *Act and shall not be available for obligation or expenditure*  
12 *except in compliance with the procedures set forth in that*  
13 *section: Provided further, That of the amount appropriated,*  
14 *such sums as may be necessary shall be available to the*  
15 *Civil Rights Division for salaries and expenses associated*  
16 *with the election monitoring program under section 8 of*  
17 *the Voting Rights Act of 1965 (52 U.S.C. 10305) and to*  
18 *reimburse the Office of Personnel Management for such sal-*  
19 *aries and expenses: Provided further, That of the amounts*  
20 *provided under this heading for the election monitoring*  
21 *program, \$3,390,000 shall remain available until expended.*

22 *In addition, for reimbursement of expenses of the De-*  
23 *partment of Justice associated with processing cases under*  
24 *the National Childhood Vaccine Injury Act of 1986, not to*

1 *exceed \$10,000,000, to be appropriated from the Vaccine In-*  
2 *jury Compensation Trust Fund.*

3 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

4 *For expenses necessary for the enforcement of antitrust*  
5 *and kindred laws, \$164,977,000, to remain available until*  
6 *expended: Provided, That notwithstanding any other provi-*  
7 *sion of law, fees collected for premerger notification filings*  
8 *under the Hart-Scott-Rodino Antitrust Improvements Act*  
9 *of 1976 (15 U.S.C. 18a), regardless of the year of collection*  
10 *(and estimated to be \$126,000,000 in fiscal year 2018),*  
11 *shall be retained and used for necessary expenses in this*  
12 *appropriation, and shall remain available until expended:*  
13 *Provided further, That the sum herein appropriated from*  
14 *the general fund shall be reduced as such offsetting collec-*  
15 *tions are received during fiscal year 2018, so as to result*  
16 *in a final fiscal year 2018 appropriation from the general*  
17 *fund estimated at \$38,977,000.*

18 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

19 *For necessary expenses of the Offices of the United*  
20 *States Attorneys, including inter-governmental and cooper-*  
21 *ative agreements, \$2,136,750,000: Provided, That of the*  
22 *total amount appropriated, not to exceed \$7,200 shall be*  
23 *available for official reception and representation expenses:*  
24 *Provided further, That not to exceed \$25,000,000 shall re-*  
25 *main available until expended: Provided further, That each*

1 *United States Attorney shall establish or participate in a*  
2 *task force on human trafficking.*

3 *UNITED STATES TRUSTEE SYSTEM FUND*

4 *For necessary expenses of the United States Trustee*  
5 *Program, as authorized, \$225,908,000, to remain available*  
6 *until expended: Provided, That, notwithstanding any other*  
7 *provision of law, deposits to the United States Trustee Sys-*  
8 *tem Fund and amounts herein appropriated shall be avail-*  
9 *able in such amounts as may be necessary to pay refunds*  
10 *due depositors: Provided further, That, notwithstanding*  
11 *any other provision of law, fees collected pursuant to section*  
12 *589a(b) of title 28, United States Code, shall be retained*  
13 *and used for necessary expenses in this appropriation and*  
14 *shall remain available until expended: Provided further,*  
15 *That to the extent that fees collected in fiscal year 2018,*  
16 *net of amounts necessary to pay refunds due depositors, ex-*  
17 *ceed \$225,908,000, those excess amounts shall be available*  
18 *in future fiscal years only to the extent provided in advance*  
19 *in appropriations Acts: Provided further, That the sum*  
20 *herein appropriated from the general fund shall be reduced*  
21 *(1) as such fees are received during fiscal year 2018, net*  
22 *of amounts necessary to pay refunds due depositors, (esti-*  
23 *mated at \$231,000,000) and (2) to the extent that any re-*  
24 *maining general fund appropriations can be derived from*  
25 *amounts deposited in the Fund in previous fiscal years that*



1 *are not otherwise appropriated, so as to result in a final*  
2 *fiscal year 2018 appropriation from the general fund esti-*  
3 *mated at \$0.*

4 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*  
5 *COMMISSION*

6 *For expenses necessary to carry out the activities of*  
7 *the Foreign Claims Settlement Commission, including serv-*  
8 *ices as authorized by section 3109 of title 5, United States*  
9 *Code, \$2,409,000.*

10 *FEES AND EXPENSES OF WITNESSES*

11 *For fees and expenses of witnesses, for expenses of con-*  
12 *tracts for the procurement and supervision of expert wit-*  
13 *nesses, for private counsel expenses, including advances,*  
14 *and for expenses of foreign counsel, \$270,000,000, to remain*  
15 *available until expended, of which not to exceed \$16,000,000*  
16 *is for construction of buildings for protected witness*  
17 *safesites; not to exceed \$3,000,000 is for the purchase and*  
18 *maintenance of armored and other vehicles for witness secu-*  
19 *rity caravans; and not to exceed \$15,000,000 is for the pur-*  
20 *chase, installation, maintenance, and upgrade of secure*  
21 *telecommunications equipment and a secure automated in-*  
22 *formation network to store and retrieve the identities and*  
23 *locations of protected witnesses: Provided, That amounts*  
24 *made available under this heading may not be transferred*  
25 *pursuant to section 205 of this Act.*

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE  
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Community Relations  
4 Service, \$15,500,000: Provided, That notwithstanding sec-  
5 tion 205 of this Act, upon a determination by the Attorney  
6 General that emergent circumstances require additional  
7 funding for conflict resolution and violence prevention ac-  
8 tivities of the Community Relations Service, the Attorney  
9 General may transfer such amounts to the Community Re-  
10 lations Service, from available appropriations for the cur-  
11 rent fiscal year for the Department of Justice, as may be  
12 necessary to respond to such circumstances: Provided fur-  
13 ther, That any transfer pursuant to the preceding proviso  
14 shall be treated as a reprogramming under section 505 of  
15 this Act and shall not be available for obligation or expendi-  
16 ture except in compliance with the procedures set forth in  
17 that section.

18 ASSETS FORFEITURE FUND

19 For expenses authorized by subparagraphs (B), (F),  
20 and (G) of section 524(c)(1) of title 28, United States Code,  
21 \$20,514,000, to be derived from the Department of Justice  
22 Assets Forfeiture Fund.

1                    *UNITED STATES MARSHALS SERVICE*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the United States Marshals*  
4 *Service, \$1,311,492,000, of which not to exceed \$6,000 shall*  
5 *be available for official reception and representation ex-*  
6 *penses, and not to exceed \$15,000,000 shall remain avail-*  
7 *able until expended.*

8                    *CONSTRUCTION*

9            *For construction in space controlled, occupied or uti-*  
10 *lized by the United States Marshals Service for prisoner*  
11 *holding and related support, \$53,400,000, to remain avail-*  
12 *able until expended.*

13                    *FEDERAL PRISONER DETENTION*14                    *(INCLUDING TRANSFER OF FUNDS)*

15            *For necessary expenses related to United States pris-*  
16 *oners in the custody of the United States Marshals Service*  
17 *as authorized by section 4013 of title 18, United States*  
18 *Code, \$1,536,000,000, to remain available until expended:*  
19 *Provided, That not to exceed \$20,000,000 shall be considered*  
20 *“funds appropriated for State and local law enforcement*  
21 *assistance” pursuant to section 4013(b) of title 18, United*  
22 *States Code: Provided further, That the United States Mar-*  
23 *shals Service shall be responsible for managing the Justice*  
24 *Prisoner and Alien Transportation System: Provided fur-*  
25 *ther, That any unobligated balances available from funds*

1 *appropriated under the heading “General Administration,*  
2 *Detention Trustee” shall be transferred to and merged with*  
3 *the appropriation under this heading.*

4 *NATIONAL SECURITY DIVISION*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses necessary to carry out the activities of*  
8 *the National Security Division, \$101,031,000, of which not*  
9 *to exceed \$5,000,000 for information technology systems*  
10 *shall remain available until expended: Provided, That not-*  
11 *withstanding section 205 of this Act, upon a determination*  
12 *by the Attorney General that emergent circumstances re-*  
13 *quire additional funding for the activities of the National*  
14 *Security Division, the Attorney General may transfer such*  
15 *amounts to this heading from available appropriations for*  
16 *the current fiscal year for the Department of Justice, as*  
17 *may be necessary to respond to such circumstances: Pro-*  
18 *vided further, That any transfer pursuant to the preceding*  
19 *proviso shall be treated as a reprogramming under section*  
20 *505 of this Act and shall not be available for obligation*  
21 *or expenditure except in compliance with the procedures set*  
22 *forth in that section.*

1 *INTERAGENCY LAW ENFORCEMENT*2 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

3 *For necessary expenses for the identification, inves-*  
4 *tigation, and prosecution of individuals associated with the*  
5 *most significant drug trafficking organizations,*  
6 *transnational organized crime, and money laundering or-*  
7 *ganizations not otherwise provided for, to include inter-gov-*  
8 *ernmental agreements with State and local law enforcement*  
9 *agencies engaged in the investigation and prosecution of in-*  
10 *dividuals involved in transnational organized crime and*  
11 *drug trafficking, \$542,850,000, of which \$50,000,000 shall*  
12 *remain available until expended: Provided, That any*  
13 *amounts obligated from appropriations under this heading*  
14 *may be used under authorities available to the organiza-*  
15 *tions reimbursed from this appropriation.*

16 *FEDERAL BUREAU OF INVESTIGATION*17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Bureau of Inves-*  
19 *tigation for detection, investigation, and prosecution of*  
20 *crimes against the United States, \$9,030,202,000, of which*  
21 *not to exceed \$216,900,000 shall remain available until ex-*  
22 *pended: Provided, That not to exceed \$184,500 shall be*  
23 *available for official reception and representation expenses.*

1    *CONSTRUCTION*

2            *For necessary expenses, to include the cost of equip-*  
 3 *ment, furniture, and information technology requirements,*  
 4 *related to construction or acquisition of buildings, facilities*  
 5 *and sites by purchase, or as otherwise authorized by law;*  
 6 *conversion, modification and extension of federally owned*  
 7 *buildings; preliminary planning and design of projects; and*  
 8 *operation and maintenance of secure work environment fa-*  
 9 *cilities and secure networking capabilities; \$370,000,000, to*  
 10 *remain available until expended.*

11    *DRUG ENFORCEMENT ADMINISTRATION*

12    *SALARIES AND EXPENSES*

13            *For necessary expenses of the Drug Enforcement Ad-*  
 14 *ministration, including not to exceed \$70,000 to meet un-*  
 15 *foreseen emergencies of a confidential character pursuant*  
 16 *to section 530C of title 28, United States Code; and expenses*  
 17 *for conducting drug education and training programs, in-*  
 18 *cluding travel and related expenses for participants in such*  
 19 *programs and the distribution of items of token value that*  
 20 *promote the goals of such programs, \$2,190,326,000, of*  
 21 *which not to exceed \$75,000,000 shall remain available*  
 22 *until expended and not to exceed \$90,000 shall be available*  
 23 *for official reception and representation expenses.*

1        *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*  
2                        *EXPLOSIVES*  
3                        *SALARIES AND EXPENSES*

4        *For necessary expenses of the Bureau of Alcohol, To-*  
5 *bacco, Firearms and Explosives, for training of State and*  
6 *local law enforcement agencies with or without reimburse-*  
7 *ment, including training in connection with the training*  
8 *and acquisition of canines for explosives and fire*  
9 *accelerants detection; and for provision of laboratory assist-*  
10 *ance to State and local law enforcement agencies, with or*  
11 *without reimbursement, \$1,293,776,000, of which not to ex-*  
12 *ceed \$36,000 shall be for official reception and representa-*  
13 *tion expenses, not to exceed \$1,000,000 shall be available*  
14 *for the payment of attorneys' fees as provided by section*  
15 *924(d)(2) of title 18, United States Code, and not to exceed*  
16 *\$20,000,000 shall remain available until expended: Pro-*  
17 *vided, That none of the funds appropriated herein shall be*  
18 *available to investigate or act upon applications for relief*  
19 *from Federal firearms disabilities under section 925(c) of*  
20 *title 18, United States Code: Provided further, That such*  
21 *funds shall be available to investigate and act upon appli-*  
22 *cations filed by corporations for relief from Federal fire-*  
23 *arms disabilities under section 925(c) of title 18, United*  
24 *States Code: Provided further, That no funds made avail-*  
25 *able by this or any other Act may be used to transfer the*

1 *functions, missions, or activities of the Bureau of Alcohol,*  
2 *Tobacco, Firearms and Explosives to other agencies or De-*  
3 *partments.*

4 *FEDERAL PRISON SYSTEM*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Federal Prison System*  
8 *for the administration, operation, and maintenance of Fed-*  
9 *eral penal and correctional institutions, and for the provi-*  
10 *sion of technical assistance and advice on corrections re-*  
11 *lated issues to foreign governments, \$7,114,000,000: Pro-*  
12 *vided, That the Attorney General may transfer to the De-*  
13 *partment of Health and Human Services such amounts as*  
14 *may be necessary for direct expenditures by that Depart-*  
15 *ment for medical relief for inmates of Federal penal and*  
16 *correctional institutions: Provided further, That the Direc-*  
17 *tor of the Federal Prison System, where necessary, may*  
18 *enter into contracts with a fiscal agent or fiscal inter-*  
19 *mediary claims processor to determine the amounts payable*  
20 *to persons who, on behalf of the Federal Prison System, fur-*  
21 *nish health services to individuals committed to the custody*  
22 *of the Federal Prison System: Provided further, That not*  
23 *to exceed \$5,400 shall be available for official reception and*  
24 *representation expenses: Provided further, That not to ex-*  
25 *ceed \$50,000,000 shall remain available for necessary oper-*



1 ations until September 30, 2019: Provided further, That,  
2 of the amounts provided for contract confinement, not to  
3 exceed \$20,000,000 shall remain available until expended  
4 to make payments in advance for grants, contracts and re-  
5 imburseable agreements, and other expenses: Provided fur-  
6 ther, That the Director of the Federal Prison System may  
7 accept donated property and services relating to the oper-  
8 ation of the prison card program from a not-for-profit enti-  
9 ty which has operated such program in the past, notwith-  
10 standing the fact that such not-for-profit entity furnishes  
11 services under contracts to the Federal Prison System relat-  
12 ing to the operation of pre-release services, halfway houses,  
13 or other custodial facilities.

14 *BUILDINGS AND FACILITIES*

15 *For planning, acquisition of sites and construction of*  
16 *new facilities; purchase and acquisition of facilities and re-*  
17 *modeling, and equipping of such facilities for penal and*  
18 *correctional use, including all necessary expenses incident*  
19 *thereto, by contract or force account; and constructing, re-*  
20 *modeling, and equipping necessary buildings and facilities*  
21 *at existing penal and correctional institutions, including*  
22 *all necessary expenses incident thereto, by contract or force*  
23 *account, \$161,571,000, to remain available until expended:*  
24 *Provided, That labor of United States prisoners may be*  
25 *used for work performed under this appropriation.*

1           *FEDERAL PRISON INDUSTRIES, INCORPORATED*

2           *The Federal Prison Industries, Incorporated, is hereby*  
3 *authorized to make such expenditures within the limits of*  
4 *funds and borrowing authority available, and in accord*  
5 *with the law, and to make such contracts and commitments*  
6 *without regard to fiscal year limitations as provided by sec-*  
7 *tion 9104 of title 31, United States Code, as may be nec-*  
8 *essary in carrying out the program set forth in the budget*  
9 *for the current fiscal year for such corporation.*

10          *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*  
11                           *PRISON INDUSTRIES, INCORPORATED*

12          *Not to exceed \$2,700,000 of the funds of the Federal*  
13 *Prison Industries, Incorporated, shall be available for its*  
14 *administrative expenses, and for services as authorized by*  
15 *section 3109 of title 5, United States Code, to be computed*  
16 *on an accrual basis to be determined in accordance with*  
17 *the corporation's current prescribed accounting system, and*  
18 *such amounts shall be exclusive of depreciation, payment*  
19 *of claims, and expenditures which such accounting system*  
20 *requires to be capitalized or charged to cost of commodities*  
21 *acquired or produced, including selling and shipping ex-*  
22 *penses, and expenses in connection with acquisition, con-*  
23 *struction, operation, maintenance, improvement, protec-*  
24 *tion, or disposition of facilities and other property belong-*  
25 *ing to the corporation or in which it has an interest.*

1        *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*  
2                    *OFFICE ON VIOLENCE AGAINST WOMEN*  
3                    *VIOLENCE AGAINST WOMEN PREVENTION AND*  
4                    *PROSECUTION PROGRAMS*  
5                    *(INCLUDING TRANSFER OF FUNDS)*

6        *For grants, contracts, cooperative agreements, and*  
7 *other assistance for the prevention and prosecution of vio-*  
8 *lence against women, as authorized by the Omnibus Crime*  
9 *Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et*  
10 *seq.) (“the 1968 Act”); the Violent Crime Control and Law*  
11 *Enforcement Act of 1994 (Public Law 103–322) (“the 1994*  
12 *Act”); the Victims of Child Abuse Act of 1990 (Public Law*  
13 *101–647) (“the 1990 Act”); the Prosecutorial Remedies and*  
14 *Other Tools to end the Exploitation of Children Today Act*  
15 *of 2003 (Public Law 108–21); the Juvenile Justice and De-*  
16 *linquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.)*  
17  *(“the 1974 Act”); the Victims of Trafficking and Violence*  
18 *Protection Act of 2000 (Public Law 106–386) (“the 2000*  
19 *Act”); the Violence Against Women and Department of Jus-*  
20 *tice Reauthorization Act of 2005 (Public Law 109–162)*  
21  *(“the 2005 Act”); the Violence Against Women Reauthoriza-*  
22 *tion Act of 2013 (Public Law 113–4) (“the 2013 Act”); and*  
23 *the Rape Survivor Child Custody Act of 2015 (Public Law*  
24 *114–22) (“the 2015 Act”); and for related victims services,*  
25 *\$492,000,000, to remain available until expended, which*

1 *shall be derived by transfer from amounts available for obli-*  
2 *gation in this Act from the Fund established by section 1402*  
3 *of chapter XIV of title II of Public Law 98–473 (34 U.S.C.*  
4 *20101), notwithstanding section 1402(d) of such Act of*  
5 *1984, and merged with the amounts otherwise made avail-*  
6 *able under this heading: Provided, That except as otherwise*  
7 *provided by law, not to exceed 5 percent of funds made*  
8 *available under this heading may be used for expenses re-*  
9 *lated to evaluation, training, and technical assistance: Pro-*  
10 *vided further, That of the amount provided—*

11           (1) *\$215,000,000 is for grants to combat violence*  
12 *against women, as authorized by part T of the 1968*  
13 *Act;*

14           (2) *\$35,000,000 is for transitional housing as-*  
15 *sistance grants for victims of domestic violence, dat-*  
16 *ing violence, stalking, or sexual assault as authorized*  
17 *by section 40299 of the 1994 Act;*

18           (3) *\$3,500,000 is for the National Institute of*  
19 *Justice for research and evaluation of violence against*  
20 *women and related issues addressed by grant pro-*  
21 *grams of the Office on Violence Against Women,*  
22 *which shall be transferred to “Research, Evaluation*  
23 *and Statistics” for administration by the Office of*  
24 *Justice Programs;*

1           (4) \$11,000,000 is for a grant program to pro-  
2       vide services to advocate for and respond to youth vic-  
3       tims of domestic violence, dating violence, sexual as-  
4       sault, and stalking; assistance to children and youth  
5       exposed to such violence; programs to engage men and  
6       youth in preventing such violence; and assistance to  
7       middle and high school students through education  
8       and other services related to such violence: Provided,  
9       That unobligated balances available for the programs  
10      authorized by sections 41201, 41204, 41303, and  
11      41305 of the 1994 Act, prior to its amendment by the  
12      2013 Act, shall be available for this program: Pro-  
13      vided further, That 10 percent of the total amount  
14      available for this grant program shall be available for  
15      grants under the program authorized by section 2015  
16      of the 1968 Act: Provided further, That the definitions  
17      and grant conditions in section 40002 of the 1994 Act  
18      shall apply to this program;

19           (5) \$53,000,000 is for grants to encourage arrest  
20      policies as authorized by part U of the 1968 Act, of  
21      which \$4,000,000 is for a homicide reduction initia-  
22      tive;

23           (6) \$35,000,000 is for sexual assault victims as-  
24      sistance, as authorized by section 41601 of the 1994  
25      Act;

1           (7) \$40,000,000 is for rural domestic violence  
2 and child abuse enforcement assistance grants, as au-  
3 thorized by section 40295 of the 1994 Act;

4           (8) \$20,000,000 is for grants to reduce violent  
5 crimes against women on campus, as authorized by  
6 section 304 of the 2005 Act;

7           (9) \$45,000,000 is for legal assistance for vic-  
8 tims, as authorized by section 1201 of the 2000 Act;

9           (10) \$5,000,000 is for enhanced training and  
10 services to end violence against and abuse of women  
11 in later life, as authorized by section 40802 of the  
12 1994 Act;

13           (11) \$16,000,000 is for grants to support fami-  
14 lies in the justice system, as authorized by section  
15 1301 of the 2000 Act: Provided, That unobligated bal-  
16 ances available for the programs authorized by section  
17 1301 of the 2000 Act and section 41002 of the 1994  
18 Act, prior to their amendment by the 2013 Act, shall  
19 be available for this program;

20           (12) \$6,000,000 is for education and training to  
21 end violence against and abuse of women with dis-  
22 abilities, as authorized by section 1402 of the 2000  
23 Act;

24           (13) \$500,000 is for the National Resource Cen-  
25 ter on Workplace Responses to assist victims of do-

1 *mestic violence, as authorized by section 41501 of the*  
2 *1994 Act;*

3 *(14) \$1,000,000 is for analysis and research on*  
4 *violence against Indian women, including as author-*  
5 *ized by section 904 of the 2005 Act: Provided, That*  
6 *such funds may be transferred to “Research, Evalua-*  
7 *tion and Statistics” for administration by the Office*  
8 *of Justice Programs;*

9 *(15) \$500,000 is for a national clearinghouse*  
10 *that provides training and technical assistance on*  
11 *issues relating to sexual assault of American Indian*  
12 *and Alaska Native women;*

13 *(16) \$4,000,000 is for grants to assist tribal gov-*  
14 *ernments in exercising special domestic violence*  
15 *criminal jurisdiction, as authorized by section 904 of*  
16 *the 2013 Act: Provided, That the grant conditions in*  
17 *section 40002(b) of the 1994 Act shall apply to this*  
18 *program; and*

19 *(17) \$1,500,000 for the purposes authorized*  
20 *under the 2015 Act.*

21 *OFFICE OF JUSTICE PROGRAMS*

22 *RESEARCH, EVALUATION AND STATISTICS*

23 *For grants, contracts, cooperative agreements, and*  
24 *other assistance authorized by title I of the Omnibus Crime*  
25 *Control and Safe Streets Act of 1968 (“the 1968 Act”); the*

1 *Juvenile Justice and Delinquency Prevention Act of 1974*  
2 (*“the 1974 Act”*); *the Missing Children’s Assistance Act (34*  
3 *U.S.C. 11291 et seq.)*; *the Prosecutorial Remedies and Other*  
4 *Tools to end the Exploitation of Children Today Act of 2003*  
5 (*Public Law 108–21*); *the Justice for All Act of 2004 (Pub-*  
6 *lic Law 108–405)*; *the Violence Against Women and De-*  
7 *partment of Justice Reauthorization Act of 2005 (Public*  
8 *Law 109–162)* (*“the 2005 Act”*); *the Victims of Child Abuse*  
9 *Act of 1990 (Public Law 101–647)*; *the Second Chance Act*  
10 *of 2007 (Public Law 110–199)*; *the Victims of Crime Act*  
11 *of 1984 (Public Law 98–473)*; *the Adam Walsh Child Pro-*  
12 *tection and Safety Act of 2006 (Public Law 109–248)* (*“the*  
13 *Adam Walsh Act”*); *the PROTECT Our Children Act of*  
14 *2008 (Public Law 110–401)*; *subtitle D of title II of the*  
15 *Homeland Security Act of 2002 (Public Law 107–296)*  
16 (*“the 2002 Act”*); *the NICS Improvement Amendments Act*  
17 *of 2007 (Public Law 110–180)*; *the Violence Against Women*  
18 *Reauthorization Act of 2013 (Public Law 113–4)* (*“the*  
19 *2013 Act”*); *and other programs, \$90,000,000, to remain*  
20 *available until expended, of which—*

21           (1) *\$48,000,000 is for criminal justice statistics*  
22 *programs, and other activities, as authorized by part*  
23 *C of title I of the 1968 Act, of which \$5,000,000 is*  
24 *for a nationwide incident-based crime statistics pro-*  
25 *gram; and*



1           (2) \$42,000,000 is for research, development, and  
2           evaluation programs, and other activities as author-  
3           ized by part B of title I of the 1968 Act and subtitle  
4           D of title II of the 2002 Act, of which \$4,000,000 is  
5           for research targeted toward developing a better un-  
6           derstanding of the domestic radicalization phe-  
7           nomenon, and advancing evidence-based strategies for  
8           effective intervention and prevention.

9           STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

10           (INCLUDING TRANSFER OF FUNDS)

11           For grants, contracts, cooperative agreements, and  
12           other assistance authorized by the Violent Crime Control  
13           and Law Enforcement Act of 1994 (Public Law 103–322)  
14           (“the 1994 Act”); the Omnibus Crime Control and Safe  
15           Streets Act of 1968 (“the 1968 Act”); the Justice for All  
16           Act of 2004 (Public Law 108–405); the Victims of Child  
17           Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);  
18           the Trafficking Victims Protection Reauthorization Act of  
19           2005 (Public Law 109–164); the Violence Against Women  
20           and Department of Justice Reauthorization Act of 2005  
21           (Public Law 109–162) (“the 2005 Act”); the Adam Walsh  
22           Child Protection and Safety Act of 2006 (Public Law 109–  
23           248) (“the Adam Walsh Act”); the Victims of Trafficking  
24           and Violence Protection Act of 2000 (Public Law 106–386);  
25           the NICS Improvement Amendments Act of 2007 (Public

1 *Law 110–180*); subtitle *D* of title *II* of the *Homeland Secu-*  
2 *rity Act of 2002* (*Public Law 107–296*) (“*the 2002 Act*”);  
3 *the Second Chance Act of 2007* (*Public Law 110–199*); *the*  
4 *Prioritizing Resources and Organization for Intellectual*  
5 *Property Act of 2008* (*Public Law 110–403*); *the Victims*  
6 *of Crime Act of 1984* (*Public Law 98–473*); *the Mentally*  
7 *Ill Offender Treatment and Crime Reduction Reauthoriza-*  
8 *tion and Improvement Act of 2008* (*Public Law 110–416*);  
9 *the Violence Against Women Reauthorization Act of 2013*  
10 (*Public Law 113–4*) (“*the 2013 Act*”); *the Comprehensive*  
11 *Addiction and Recovery Act of 2016* (*Public Law 114–198*)  
12 (“*CARA*”); *the Justice for All Reauthorization Act of 2016*  
13 (*Public Law 114–324*); and other programs,  
14 \$1,677,500,000, to remain available until expended as fol-  
15 lows—

16           (1) \$415,500,000 for the *Edward Byrne Memo-*  
17 *rial Justice Assistance Grant* program as authorized  
18 *by subpart 1 of part E of title I of the 1968 Act* (ex-  
19 *cept that section 1001(c), and the special rules for*  
20 *Puerto Rico under section 505(g) of title I of the 1968*  
21 *Act shall not apply for purposes of this Act*), of  
22 *which, notwithstanding such subpart 1, \$10,000,000*  
23 *is for the Officer Robert Wilson III Memorial Initia-*  
24 *tive on Preventing Violence Against Law Enforcement*  
25 *Officer Resilience and Survivability (VALOR),*

1       \$5,000,000 is for an initiative to support evidence-  
2       based policing, \$2,500,000 is for an initiative to en-  
3       hance prosecutorial decision-making, \$2,400,000 is for  
4       the operationalization, maintenance and expansion of  
5       the National Missing and Unidentified Persons Sys-  
6       tem, \$2,500,000 is for a national training initiative  
7       to improve police-based responses to people with men-  
8       tal illness or developmental disabilities, \$20,000,000  
9       is for competitive and evidence-based programs to re-  
10      duce gun crime and gang violence, \$2,000,000 is for  
11      a student loan repayment assistance program pursu-  
12      ant to section 952 of Public Law 110–315,  
13      \$15,500,000 is for prison rape prevention and pros-  
14      ecution grants to states and units of local government,  
15      and other programs, as authorized by the Prison  
16      Rape Elimination Act of 2003 (Public Law 108–79),  
17      and \$16,000,000 is for emergency law enforcement as-  
18      sistance for events occurring during or after fiscal  
19      year 2018, as authorized by section 609M of the Jus-  
20      tice Assistance Act of 1984 (34 U.S.C. 50101);

21           (2) \$240,000,000 for the State Criminal Alien  
22      Assistance Program, as authorized by section  
23      241(i)(5) of the Immigration and Nationality Act (8  
24      U.S.C. 1231(i)(5)): Provided, That no jurisdiction  
25      shall request compensation for any cost greater than

1 *the actual cost for Federal immigration and other de-*  
2 *tainees housed in State and local detention facilities;*

3 (3) \$77,000,000 for victim services programs for  
4 victims of trafficking, as authorized by section  
5 107(b)(2) of Public Law 106–386, for programs au-  
6 thorized under Public Law 109–164, or programs au-  
7 thorized under Public Law 113–4;

8 (4) \$3,000,000 for the Capital Litigation Im-  
9 provement Grant Program, as authorized by section  
10 426 of Public Law 108–405, and for grants for  
11 wrongful conviction review;

12 (5) \$14,000,000 for economic, high technology,  
13 white collar and Internet crime prevention grants, in-  
14 cluding as authorized by section 401 of Public Law  
15 110–403;

16 (6) \$20,000,000 for sex offender management as-  
17 sistance, as authorized by the Adam Walsh Act, and  
18 related activities;

19 (7) \$22,500,000 for the matching grant program  
20 for law enforcement armor vests, as authorized by sec-  
21 tion 2501 of title I of the 1968 Act: Provided, That  
22 \$1,500,000 is transferred directly to the National In-  
23 stitute of Standards and Technology’s Office of Law  
24 Enforcement Standards for research, testing and eval-  
25 uation programs;

1           (8) \$1,000,000 for the National Sex Offender  
2     Public Website;

3           (9) \$75,000,000 for grants to States to upgrade  
4     criminal and mental health records for the National  
5     Instant Criminal Background Check System, of which  
6     no less than \$25,000,000 shall be for grants made  
7     under the authorities of the NICS Improvement  
8     Amendments Act of 2007 (Public Law 110–180);

9           (10) \$30,000,000 for Paul Coverdell Forensic  
10    Sciences Improvement Grants under part BB of title  
11    I of the 1968 Act;

12           (11) \$130,000,000 for DNA-related and forensic  
13    programs and activities, of which—

14           (A) \$120,000,000 is for a DNA analysis  
15    and capacity enhancement program and for  
16    other local, State, and Federal forensic activities,  
17    including the purposes authorized under section  
18    2 of the DNA Analysis Backlog Elimination Act  
19    of 2000 (Public Law 106–546) (the Debbie Smith  
20    DNA Backlog Grant Program): Provided, That  
21    up to 4 percent of funds made available under  
22    this paragraph may be used for the purposes de-  
23    scribed in the DNA Training and Education for  
24    Law Enforcement, Correctional Personnel, and

1           *Court Officers program (Public Law 108–405,*  
2           *section 303);*

3                   *(B) \$6,000,000 is for the purposes described*  
4           *in the Kirk Bloodsworth Post-Conviction DNA*  
5           *Testing Grant Program (Public Law 108–405,*  
6           *section 412); and*

7                   *(C) \$4,000,000 is for Sexual Assault Foren-*  
8           *sic Exam Program grants, including as author-*  
9           *ized by section 304 of Public Law 108–405;*

10           *(12) \$47,500,000 for a grant program for com-*  
11           *munity-based sexual assault response reform;*

12                   *(13) \$12,000,000 for the court-appointed special*  
13           *advocate program, as authorized by section 217 of the*  
14           *1990 Act;*

15                   *(14) \$35,000,000 for assistance to Indian tribes;*

16                   *(15) \$85,000,000 for offender reentry programs*  
17           *and research, as authorized by the Second Chance Act*  
18           *of 2007 (Public Law 110–199), without regard to the*  
19           *time limitations specified at section 6(1) of such Act,*  
20           *of which not to exceed \$6,000,000 is for a program to*  
21           *improve State, local, and tribal probation or parole*  
22           *supervision efforts and strategies, \$5,000,000 is for*  
23           *Children of Incarcerated Parents Demonstrations to*  
24           *enhance and maintain parental and family relation-*  
25           *ships for incarcerated parents as a reentry or recidi-*

1 *vism reduction strategy, and \$4,000,000 is for addi-*  
2 *tional replication sites employing the Project HOPE*  
3 *Opportunity Probation with Enforcement model im-*  
4 *plementing swift and certain sanctions in probation,*  
5 *and for a research project on the effectiveness of the*  
6 *model: Provided, That up to \$7,500,000 of funds*  
7 *made available in this paragraph may be used for*  
8 *performance-based awards for Pay for Success*  
9 *projects, of which up to \$5,000,000 shall be for Pay*  
10 *for Success programs implementing the Permanent*  
11 *Supportive Housing Model;*

12 *(16) \$75,000,000 for the Comprehensive School*  
13 *Safety Initiative;*

14 *(17) \$65,000,000 for initiatives to improve po-*  
15 *lice-community relations, of which \$22,500,000 is for*  
16 *a competitive matching grant program for purchases*  
17 *of body-worn cameras for State, local and tribal law*  
18 *enforcement, \$25,000,000 is for a justice reinvestment*  
19 *initiative, for activities related to criminal justice re-*  
20 *form and recidivism reduction, and \$17,500,000 is for*  
21 *an Edward Byrne Memorial criminal justice innova-*  
22 *tion program; and*

23 *(18) \$330,000,000 for comprehensive opioid*  
24 *abuse reduction activities, including as authorized by*  
25 *CARA, and for the following programs, which shall*

1 *address opioid abuse reduction consistent with under-*  
2 *lying program authorities—*

3 *(A) \$75,000,000 for Drug Courts, as author-*  
4 *ized by section 1001(a)(25)(A) of title I of the*  
5 *1968 Act;*

6 *(B) \$30,000,000 for mental health courts*  
7 *and adult and juvenile collaboration program*  
8 *grants, as authorized by parts V and HH of title*  
9 *I of the 1968 Act, and the Mentally Ill Offender*  
10 *Treatment and Crime Reduction Reauthoriza-*  
11 *tion and Improvement Act of 2008 (Public Law*  
12 *110–416);*

13 *(C) \$30,000,000 for grants for Residential*  
14 *Substance Abuse Treatment for State Prisoners,*  
15 *as authorized by part S of title I of the 1968 Act;*

16 *(D) \$20,000,000 for a veterans treatment*  
17 *courts program;*

18 *(E) \$30,000,000 for a program to monitor*  
19 *prescription drugs and scheduled listed chemical*  
20 *products; and*

21 *(F) \$145,000,000 for a comprehensive*  
22 *opioid abuse program:*

23 *Provided, That, if a unit of local government uses any of*  
24 *the funds made available under this heading to increase the*  
25 *number of law enforcement officers, the unit of local govern-*



1 *ment will achieve a net gain in the number of law enforce-*  
2 *ment officers who perform non-administrative public sector*  
3 *safety service.*

4 *JUVENILE JUSTICE PROGRAMS*

5 *For grants, contracts, cooperative agreements, and*  
6 *other assistance authorized by the Juvenile Justice and De-*  
7 *linquency Prevention Act of 1974 (“the 1974 Act”); the Om-*  
8 *nibus Crime Control and Safe Streets Act of 1968 (“the*  
9 *1968 Act”); the Violence Against Women and Department*  
10 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
11 *162) (“the 2005 Act”); the Missing Children’s Assistance*  
12 *Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies*  
13 *and Other Tools to end the Exploitation of Children Today*  
14 *Act of 2003 (Public Law 108–21); the Victims of Child*  
15 *Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);*  
16 *the Adam Walsh Child Protection and Safety Act of 2006*  
17 *(Public Law 109–248) (“the Adam Walsh Act”); the PRO-*  
18 *TECT Our Children Act of 2008 (Public Law 110–401);*  
19 *the Violence Against Women Reauthorization Act of 2013*  
20 *(Public Law 113–4) (“the 2013 Act”); the Justice for All*  
21 *Reauthorization Act of 2016 (Public Law 114–324); and*  
22 *other juvenile justice programs, \$282,500,000, to remain*  
23 *available until expended as follows—*

24 *(1) \$60,000,000 for programs authorized by sec-*  
25 *tion 221 of the 1974 Act, and for training and tech-*

1        *nical assistance to assist small, nonprofit organiza-*  
2        *tions with the Federal grants process: Provided, That*  
3        *of the amounts provided under this paragraph,*  
4        *\$500,000 shall be for a competitive demonstration*  
5        *grant program to support emergency planning among*  
6        *State, local and tribal juvenile justice residential fa-*  
7        *cilities;*

8                *(2) \$94,000,000 for youth mentoring grants;*

9                *(3) \$27,500,000 for delinquency prevention, as*  
10        *authorized by section 505 of the 1974 Act, of which,*  
11        *pursuant to sections 261 and 262 thereof—*

12                *(A) \$5,000,000 shall be for the Tribal Youth*  
13        *Program;*

14                *(B) \$4,000,000 shall be for gang and youth*  
15        *violence education, prevention and intervention,*  
16        *and related activities;*

17                *(C) \$500,000 shall be for an Internet site*  
18        *providing information and resources on children*  
19        *of incarcerated parents;*

20                *(D) \$2,000,000 shall be for competitive*  
21        *grants focusing on girls in the juvenile justice*  
22        *system;*

23                *(E) \$8,000,000 shall be for community-*  
24        *based violence prevention initiatives, including*

1           *for public health approaches to reducing shoot-*  
2           *ings and violence; and*

3                   *(F) \$8,000,000 shall be for an opioid-af-*  
4           *ected youth initiative;*

5           *(4) \$21,000,000 for programs authorized by the*  
6           *Victims of Child Abuse Act of 1990;*

7           *(5) \$76,000,000 for missing and exploited chil-*  
8           *dren programs, including as authorized by sections*  
9           *404(b) and 405(a) of the 1974 Act (except that section*  
10           *102(b)(4)(B) of the PROTECT Our Children Act of*  
11           *2008 (Public Law 110–401) shall not apply for pur-*  
12           *poses of this Act);*

13           *(6) \$2,000,000 for child abuse training programs*  
14           *for judicial personnel and practitioners, as authorized*  
15           *by section 222 of the 1990 Act; and*

16           *(7) \$2,000,000 for a program to improve juvenile*  
17           *indigent defense:*

18           *Provided, That not more than 10 percent of each amount*  
19           *may be used for research, evaluation, and statistics activi-*  
20           *ties designed to benefit the programs or activities author-*  
21           *ized: Provided further, That not more than 2 percent of the*  
22           *amounts designated under paragraphs (1) through (3) and*  
23           *(6) may be used for training and technical assistance: Pro-*  
24           *vided further, That the two preceding provisos shall not*  
25           *apply to grants and projects administered pursuant to sec-*

1 tions 261 and 262 of the 1974 Act and to missing and ex-  
2 ploited children programs.

3 *PUBLIC SAFETY OFFICER BENEFITS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For payments and expenses authorized under section*  
6 *1001(a)(4) of title I of the Omnibus Crime Control and Safe*  
7 *Streets Act of 1968, such sums as are necessary (including*  
8 *amounts for administrative costs), to remain available*  
9 *until expended; and \$24,800,000 for payments authorized*  
10 *by section 1201(b) of such Act and for educational assist-*  
11 *ance authorized by section 1218 of such Act, to remain*  
12 *available until expended: Provided, That notwithstanding*  
13 *section 205 of this Act, upon a determination by the Attor-*  
14 *ney General that emergent circumstances require additional*  
15 *funding for such disability and education payments, the At-*  
16 *torney General may transfer such amounts to “Public Safe-*  
17 *ty Officer Benefits” from available appropriations for the*  
18 *Department of Justice as may be necessary to respond to*  
19 *such circumstances: Provided further, That any transfer*  
20 *pursuant to the preceding proviso shall be treated as a re-*  
21 *programming under section 505 of this Act and shall not*  
22 *be available for obligation or expenditure except in compli-*  
23 *ance with the procedures set forth in that section.*

1            *COMMUNITY ORIENTED POLICING SERVICES*  
2            *COMMUNITY ORIENTED POLICING SERVICES PROGRAMS*  
3            *(INCLUDING TRANSFER OF FUNDS)*

4            *For activities authorized by the Violent Crime Control*  
5 *and Law Enforcement Act of 1994 (Public Law 103–322);*  
6 *the Omnibus Crime Control and Safe Streets Act of 1968*  
7 *(“the 1968 Act”); and the Violence Against Women and De-*  
8 *partment of Justice Reauthorization Act of 2005 (Public*  
9 *Law 109–162) (“the 2005 Act”), \$275,500,000, to remain*  
10 *available until expended: Provided, That any balances*  
11 *made available through prior year deobligations shall only*  
12 *be available in accordance with section 505 of this Act: Pro-*  
13 *vided further, That of the amount provided under this head-*  
14 *ing—*

15            *(1) \$225,500,000 is for grants under section*  
16 *1701 of title I of the 1968 Act (34 U.S.C. 10381) for*  
17 *the hiring and rehiring of additional career law en-*  
18 *forcement officers under part Q of such title notwith-*  
19 *standing subsection (i) of such section: Provided,*  
20 *That, notwithstanding section 1704(c) of such title*  
21 *(34 U.S.C. 10384(c)), funding for hiring or rehiring*  
22 *a career law enforcement officer may not exceed*  
23 *\$125,000 unless the Director of the Office of Commu-*  
24 *nity Oriented Policing Services grants a waiver from*  
25 *this limitation: Provided further, That within the*

1        *amounts appropriated under this paragraph,*  
2        *\$30,000,000 is for improving tribal law enforcement,*  
3        *including hiring, equipment, training, anti-meth-*  
4        *amphetamine activities, and anti-opioid activities:*  
5        *Provided further, That of the amounts appropriated*  
6        *under this paragraph, \$10,000,000 is for community*  
7        *policing development activities in furtherance of the*  
8        *purposes in section 1701: Provided further, That of*  
9        *the amounts appropriated under this paragraph*  
10       *\$36,000,000 is for regional information sharing ac-*  
11       *tivities, as authorized by part M of title I of the 1968*  
12       *Act, which shall be transferred to and merged with*  
13       *“Research, Evaluation, and Statistics” for adminis-*  
14       *tration by the Office of Justice Programs;*

15                *(2) \$10,000,000 is for activities authorized by*  
16        *the POLICE Act of 2016 (Public Law 114–199);*

17                *(3) \$8,000,000 is for competitive grants to State*  
18        *law enforcement agencies in States with high seizures*  
19        *of precursor chemicals, finished methamphetamine,*  
20        *laboratories, and laboratory dump seizures: Provided,*  
21        *That funds appropriated under this paragraph shall*  
22        *be utilized for investigative purposes to locate or in-*  
23        *vestigate illicit activities, including precursor diver-*  
24        *sion, laboratories, or methamphetamine traffickers;*  
25        *and*

1           (4) \$32,000,000 is for competitive grants to  
2           statewide law enforcement agencies in States with  
3           high rates of primary treatment admissions for her-  
4           oin and other opioids: Provided, That these funds  
5           shall be utilized for investigative purposes to locate or  
6           investigate illicit activities, including activities re-  
7           lated to the distribution of heroin or unlawful dis-  
8           tribution of prescription opioids, or unlawful heroin  
9           and prescription opioid traffickers through statewide  
10          collaboration.

11          GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

12                               (INCLUDING TRANSFER OF FUNDS)

13          SEC. 201. In addition to amounts otherwise made  
14          available in this title for official reception and representa-  
15          tion expenses, a total of not to exceed \$50,000 from funds  
16          appropriated to the Department of Justice in this title shall  
17          be available to the Attorney General for official reception  
18          and representation expenses.

19          SEC. 202. None of the funds appropriated by this title  
20          shall be available to pay for an abortion, except where the  
21          life of the mother would be endangered if the fetus were car-  
22          ried to term, or in the case of rape or incest: Provided, That  
23          should this prohibition be declared unconstitutional by a  
24          court of competent jurisdiction, this section shall be null  
25          and void.

1       *SEC. 203. None of the funds appropriated under this*  
2 *title shall be used to require any person to perform, or fa-*  
3 *cilitate in any way the performance of, any abortion.*

4       *SEC. 204. Nothing in the preceding section shall re-*  
5 *move the obligation of the Director of the Bureau of Prisons*  
6 *to provide escort services necessary for a female inmate to*  
7 *receive such service outside the Federal facility: Provided,*  
8 *That nothing in this section in any way diminishes the*  
9 *effect of section 203 intended to address the philosophical*  
10 *beliefs of individual employees of the Bureau of Prisons.*

11       *SEC. 205. Not to exceed 5 percent of any appropriation*  
12 *made available for the current fiscal year for the Depart-*  
13 *ment of Justice in this Act may be transferred between such*  
14 *appropriations, but no such appropriation, except as other-*  
15 *wise specifically provided, shall be increased by more than*  
16 *10 percent by any such transfers: Provided, That any trans-*  
17 *fer pursuant to this section shall be treated as a reprogram-*  
18 *ming of funds under section 505 of this Act and shall not*  
19 *be available for obligation except in compliance with the*  
20 *procedures set forth in that section.*

21       *SEC. 206. None of the funds made available under this*  
22 *title may be used by the Federal Bureau of Prisons or the*  
23 *United States Marshals Service for the purpose of trans-*  
24 *porting an individual who is a prisoner pursuant to convic-*  
25 *tion for crime under State or Federal law and is classified*



1 *as a maximum or high security prisoner, other than to a*  
2 *prison or other facility certified by the Federal Bureau of*  
3 *Prisons as appropriately secure for housing such a prisoner.*

4 *SEC. 207. (a) None of the funds appropriated by this*  
5 *Act may be used by Federal prisons to purchase cable tele-*  
6 *vision services, or to rent or purchase audiovisual or elec-*  
7 *tronic media or equipment used primarily for recreational*  
8 *purposes.*

9 *(b) Subsection (a) does not preclude the rental, mainte-*  
10 *nance, or purchase of audiovisual or electronic media or*  
11 *equipment for inmate training, religious, or educational*  
12 *programs.*

13 *SEC. 208. None of the funds made available under this*  
14 *title shall be obligated or expended for any new or enhanced*  
15 *information technology program having total estimated de-*  
16 *velopment costs in excess of \$100,000,000, unless the Deputy*  
17 *Attorney General and the investment review board certify*  
18 *to the Committees on Appropriations of the House of Rep-*  
19 *resentatives and the Senate that the information technology*  
20 *program has appropriate program management controls*  
21 *and contractor oversight mechanisms in place, and that the*  
22 *program is compatible with the enterprise architecture of*  
23 *the Department of Justice.*

24 *SEC. 209. The notification thresholds and procedures*  
25 *set forth in section 505 of this Act shall apply to deviations*

1 *from the amounts designated for specific activities in this*  
2 *Act and in the explanatory statement described in section*  
3 *4 (in the matter preceding division A of this consolidated*  
4 *Act), and to any use of deobligated balances of funds pro-*  
5 *vided under this title in previous years.*

6       *SEC. 210. None of the funds appropriated by this Act*  
7 *may be used to plan for, begin, continue, finish, process,*  
8 *or approve a public-private competition under the Office*  
9 *of Management and Budget Circular A-76 or any successor*  
10 *administrative regulation, directive, or policy for work per-*  
11 *formed by employees of the Bureau of Prisons or of Federal*  
12 *Prison Industries, Incorporated.*

13       *SEC. 211. Notwithstanding any other provision of law,*  
14 *no funds shall be available for the salary, benefits, or ex-*  
15 *penses of any United States Attorney assigned dual or addi-*  
16 *tional responsibilities by the Attorney General or his des-*  
17 *ignee that exempt that United States Attorney from the*  
18 *residency requirements of section 545 of title 28, United*  
19 *States Code.*

20       *SEC. 212. At the discretion of the Attorney General,*  
21 *and in addition to any amounts that otherwise may be*  
22 *available (or authorized to be made available) by law, with*  
23 *respect to funds appropriated by this title under the head-*  
24 *ings "Research, Evaluation and Statistics", "State and*

1 *Local Law Enforcement Assistance*”, and “*Juvenile Justice*  
2 *Programs*” —

3           (1) *up to 3 percent of funds made available to*  
4 *the Office of Justice Programs for grant or reimburse-*  
5 *ment programs may be used by such Office to provide*  
6 *training and technical assistance; and*

7           (2) *up to 2 percent of funds made available for*  
8 *grant or reimbursement programs under such head-*  
9 *ings, except for amounts appropriated specifically for*  
10 *research, evaluation, or statistical programs adminis-*  
11 *tered by the National Institute of Justice and the Bu-*  
12 *reau of Justice Statistics, shall be transferred to and*  
13 *merged with funds provided to the National Institute*  
14 *of Justice and the Bureau of Justice Statistics, to be*  
15 *used by them for research, evaluation, or statistical*  
16 *purposes, without regard to the authorizations for*  
17 *such grant or reimbursement programs.*

18       *SEC. 213. Upon request by a grantee for whom the At-*  
19 *torney General has determined there is a fiscal hardship,*  
20 *the Attorney General may, with respect to funds appro-*  
21 *priated in this or any other Act making appropriations for*  
22 *fiscal years 2015 through 2018 for the following programs,*  
23 *waive the following requirements:*

24           (1) *For the adult and juvenile offender State and*  
25 *local reentry demonstration projects under part FF of*

1 *title I of the Omnibus Crime Control and Safe Streets*  
2 *Act of 1968 (34 U.S.C. 10631 et seq.), the require-*  
3 *ments under section 2976(g)(1) of such part (34*  
4 *U.S.C. 10631(g)(1)).*

5 (2) *For State, Tribal, and local reentry courts*  
6 *under part FF of title I of such Act of 1968 (34*  
7 *U.S.C. 10631 et seq.), the requirements under section*  
8 *2978(e)(1) and (2) of such part (34 U.S.C.*  
9 *10633(e)(1) and (2)).*

10 (3) *For the prosecution drug treatment alter-*  
11 *natives to prison program under part CC of title I of*  
12 *such Act of 1968 (34 U.S.C. 10581), the requirements*  
13 *under the second sentence of section 2901(f) of such*  
14 *part (34 U.S.C. 10581(f)).*

15 *SEC. 214. Notwithstanding any other provision of law,*  
16 *section 20109(a) of subtitle A of title II of the Violent Crime*  
17 *Control and Law Enforcement Act of 1994 (34 U.S.C.*  
18 *12109(a)) shall not apply to amounts made available by*  
19 *this or any other Act.*

20 *SEC. 215. None of the funds made available under this*  
21 *Act, other than for the national instant criminal back-*  
22 *ground check system established under section 103 of the*  
23 *Brady Handgun Violence Prevention Act (34 U.S.C.*  
24 *40901), may be used by a Federal law enforcement officer*  
25 *to facilitate the transfer of an operable firearm to an indi-*

1 *vidual if the Federal law enforcement officer knows or sus-*  
2 *pects that the individual is an agent of a drug cartel, unless*  
3 *law enforcement personnel of the United States continu-*  
4 *ously monitor or control the firearm at all times.*

5       *SEC. 216. (a) None of the income retained in the De-*  
6 *partment of Justice Working Capital Fund pursuant to*  
7 *title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.*  
8 *527 note) shall be available for obligation during fiscal year*  
9 *2018, except up to \$40,000,000 may be obligated for imple-*  
10 *mentation of a unified Department of Justice financial*  
11 *management system.*

12       *(b) Not to exceed \$30,000,000 of the unobligated bal-*  
13 *ances transferred to the capital account of the Department*  
14 *of Justice Working Capital Fund pursuant to title I of Pub-*  
15 *lic Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall*  
16 *be available for obligation in fiscal year 2018, and any use,*  
17 *obligation, transfer or allocation of such funds shall be*  
18 *treated as a reprogramming of funds under section 505 of*  
19 *this Act.*

20       *(c) Not to exceed \$10,000,000 of the excess unobligated*  
21 *balances available under section 524(c)(8)(E) of title 28,*  
22 *United States Code, shall be available for obligation during*  
23 *fiscal year 2018, and any use, obligation, transfer or alloca-*  
24 *tion of such funds shall be treated as a reprogramming of*  
25 *funds under section 505 of this Act.*

1       *SEC. 217. Discretionary funds that are made available*  
2 *in this Act for the Office of Justice Programs may be used*  
3 *to participate in Performance Partnership Pilots author-*  
4 *ized under section 526 of division H of Public Law 113-*  
5 *76, section 524 of division G of Public Law 113-235, sec-*  
6 *tion 525 of division H of Public Law 114-113, and such*  
7 *authorities as are enacted for Performance Partnership Pi-*  
8 *lots in an appropriations Act for fiscal years 2017 and*  
9 *2018.*

10       *This title may be cited as the “Department of Justice*  
11 *Appropriations Act, 2018”.*

12                                   *TITLE III*

13                                   *SCIENCE*

14                   *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

15       *For necessary expenses of the Office of Science and*  
16 *Technology Policy, in carrying out the purposes of the Na-*  
17 *tional Science and Technology Policy, Organization, and*  
18 *Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of pas-*  
19 *senger motor vehicles, and services as authorized by section*  
20 *3109 of title 5, United States Code, not to exceed \$2,250*  
21 *for official reception and representation expenses, and rent-*  
22 *al of conference rooms in the District of Columbia,*  
23 *\$5,544,000.*

1                                    *NATIONAL SPACE COUNCIL*

2            *For necessary expenses of the National Space Council,*  
3 *in carrying out the purposes of Title V of Public Law 100-*  
4 *685 and Executive Order 13803, hire of passenger motor*  
5 *vehicles, and services as authorized by section 3109 of title*  
6 *5, United States Code, not to exceed \$2,250 for official re-*  
7 *ception and representation expenses, \$1,965,000: Provided,*  
8 *That notwithstanding any other provision of law, the Na-*  
9 *tional Space Council may accept personnel support from*  
10 *Federal agencies, departments, and offices, and such Fed-*  
11 *eral agencies, departments, and offices may detail staff*  
12 *without reimbursement to the National Space Council for*  
13 *purposes provided herein.*

14                                    *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*15                                    *SCIENCE*

16            *For necessary expenses, not otherwise provided for, in*  
17 *the conduct and support of science research and develop-*  
18 *ment activities, including research, development, oper-*  
19 *ations, support, and services; maintenance and repair, fa-*  
20 *cility planning and design; space flight, spacecraft control,*  
21 *and communications activities; program management; per-*  
22 *sonnel and related costs, including uniforms or allowances*  
23 *therefor, as authorized by sections 5901 and 5902 of title*  
24 *5, United States Code; travel expenses; purchase and hire*  
25 *of passenger motor vehicles; and purchase, lease, charter,*

1 maintenance, and operation of mission and administrative  
2 aircraft, \$6,221,500,000, to remain available until Sep-  
3 tember 30, 2019: Provided, That the formulation and devel-  
4 opment costs (with development cost as defined under sec-  
5 tion 30104 of title 51, United States Code) for the James  
6 Webb Space Telescope shall not exceed \$8,000,000,000: Pro-  
7 vided further, That should the individual identified under  
8 subsection (c)(2)(E) of section 30104 of title 51, United  
9 States Code, as responsible for the James Webb Space Tele-  
10 scope determine that the development cost of the program  
11 is likely to exceed that limitation, the individual shall im-  
12 mediately notify the Administrator and the increase shall  
13 be treated as if it meets the 30 percent threshold described  
14 in subsection (f) of section 30104: Provided further, That,  
15 of the amounts provided, \$595,000,000 is for an orbiter and  
16 a lander to meet the science goals for the Jupiter Europa  
17 mission as outlined in the most recent planetary science  
18 decadal survey: Provided further, That the National Aero-  
19 nautics and Space Administration shall use the Space  
20 Launch System as the launch vehicles for the Jupiter Eu-  
21 ropa mission, plan for an orbiter launch no later than 2022  
22 and a lander launch no later than 2024, and include in  
23 the fiscal year 2020 budget the 5-year funding profile nec-  
24 essary to achieve these goals.



## AERONAUTICS

1  
2       *For necessary expenses, not otherwise provided for, in*  
3 *the conduct and support of aeronautics research and devel-*  
4 *opment activities, including research, development, oper-*  
5 *ations, support, and services; maintenance and repair, fa-*  
6 *cility planning and design; space flight, spacecraft control,*  
7 *and communications activities; program management; per-*  
8 *sonnel and related costs, including uniforms or allowances*  
9 *therefor, as authorized by sections 5901 and 5902 of title*  
10 *5, United States Code; travel expenses; purchase and hire*  
11 *of passenger motor vehicles; and purchase, lease, charter,*  
12 *maintenance, and operation of mission and administrative*  
13 *aircraft, \$685,000,000, to remain available until September*  
14 *30, 2019.*

## SPACE TECHNOLOGY

15  
16       *For necessary expenses, not otherwise provided for, in*  
17 *the conduct and support of space technology research and*  
18 *development activities, including research, development, op-*  
19 *erations, support, and services; maintenance and repair, fa-*  
20 *cility planning and design; space flight, spacecraft control,*  
21 *and communications activities; program management; per-*  
22 *sonnel and related costs, including uniforms or allowances*  
23 *therefor, as authorized by sections 5901 and 5902 of title*  
24 *5, United States Code; travel expenses; purchase and hire*  
25 *of passenger motor vehicles; and purchase, lease, charter,*

1 *maintenance, and operation of mission and administrative*  
2 *aircraft, \$760,000,000, to remain available until September*  
3 *30, 2019: Provided, That \$130,000,000 shall be for RE-*  
4 *STORE.*

5 *EXPLORATION*

6 *For necessary expenses, not otherwise provided for, in*  
7 *the conduct and support of exploration research and devel-*  
8 *opment activities, including research, development, oper-*  
9 *ations, support, and services; maintenance and repair, fa-*  
10 *cility planning and design; space flight, spacecraft control,*  
11 *and communications activities; program management; per-*  
12 *sonnel and related costs, including uniforms or allowances*  
13 *therefor, as authorized by sections 5901 and 5902 of title*  
14 *5, United States Code; travel expenses; purchase and hire*  
15 *of passenger motor vehicles; and purchase, lease, charter,*  
16 *maintenance, and operation of mission and administrative*  
17 *aircraft, \$4,790,000,000, to remain available until Sep-*  
18 *tember 30, 2019: Provided, That not less than*  
19 *\$1,350,000,000 shall be for the Orion Multi-Purpose Crew*  
20 *Vehicle: Provided further, That not less than \$2,150,000,000*  
21 *shall be for the Space Launch System (SLS) launch vehicle,*  
22 *which shall have a lift capability not less than 130 metric*  
23 *tons and which shall have core elements and an Exploration*  
24 *Upper Stage developed simultaneously: Provided further,*  
25 *That of the amounts provided for SLS, not less than*

1 \$300,000,000 shall be for Exploration Upper Stage develop-  
2 ment: Provided further, That \$895,000,000 shall be for Ex-  
3 ploration Ground Systems, including \$350,000,000 for a  
4 second mobile launch platform and associated SLS activi-  
5 ties: Provided further, That the National Aeronautics and  
6 Space Administration (NASA) shall provide to the Com-  
7 mittees on Appropriations of the House of Representatives  
8 and the Senate, concurrent with the annual budget submis-  
9 sion, a 5-year budget profile for an integrated system that  
10 includes the Space Launch System, the Orion Multi-Pur-  
11 pose Crew Vehicle, and associated ground systems that will  
12 ensure an Exploration Mission-2 crewed launch as early  
13 as possible, as well as a system-based funding profile for  
14 a sustained launch cadence beyond the initial crewed test  
15 launch: Provided further, That acquisition of Orion crew  
16 vehicles, SLS launch vehicles, Exploration Ground Systems,  
17 mobile launch platforms, and their associated components  
18 may be funded incrementally in fiscal year 2018 and there-  
19 after: Provided further, That \$395,000,000 shall be for ex-  
20 ploration research and development.

21 *SPACE OPERATIONS*

22 *For necessary expenses, not otherwise provided for, in*  
23 *the conduct and support of space operations research and*  
24 *development activities, including research, development, op-*  
25 *erations, support and services; space flight, spacecraft con-*

1 *trol and communications activities, including operations,*  
2 *production, and services; maintenance and repair, facility*  
3 *planning and design; program management; personnel and*  
4 *related costs, including uniforms or allowances therefor, as*  
5 *authorized by sections 5901 and 5902 of title 5, United*  
6 *States Code; travel expenses; purchase and hire of passenger*  
7 *motor vehicles; and purchase, lease, charter, maintenance*  
8 *and operation of mission and administrative aircraft,*  
9 *\$4,751,500,000, to remain available until September 30,*  
10 *2019.*

11 *EDUCATION*

12 *For necessary expenses, not otherwise provided for, in*  
13 *the conduct and support of aerospace and aeronautical edu-*  
14 *cation research and development activities, including re-*  
15 *search, development, operations, support, and services; pro-*  
16 *gram management; personnel and related costs, including*  
17 *uniforms or allowances therefor, as authorized by sections*  
18 *5901 and 5902 of title 5, United States Code; travel ex-*  
19 *penses; purchase and hire of passenger motor vehicles; and*  
20 *purchase, lease, charter, maintenance, and operation of*  
21 *mission and administrative aircraft, \$100,000,000, to re-*  
22 *main available until September 30, 2019, of which*  
23 *\$18,000,000 shall be for the Established Program to Stimu-*  
24 *late Competitive Research and \$40,000,000 shall be for the*  
25 *National Space Grant College and Fellowship Program.*



1 *until September 30, 2023: Provided, That proceeds from*  
2 *leases deposited into this account shall be available for a*  
3 *period of 5 years to the extent and in amounts as provided*  
4 *in annual appropriations Acts: Provided further, That such*  
5 *proceeds referred to in the preceding proviso shall be avail-*  
6 *able for obligation for fiscal year 2018 in an amount not*  
7 *to exceed \$9,470,300: Provided further, That each annual*  
8 *budget request shall include an annual estimate of gross re-*  
9 *ceipts and collections and proposed use of all funds collected*  
10 *pursuant to section 20145 of title 51, United States Code.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For necessary expenses of the Office of Inspector Gen-*  
13 *eral in carrying out the Inspector General Act of 1978,*  
14 *\$39,000,000, of which \$500,000 shall remain available until*  
15 *September 30, 2019.*

16 *ADMINISTRATIVE PROVISIONS*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *Funds for any announced prize otherwise authorized*  
19 *shall remain available, without fiscal year limitation, until*  
20 *a prize is claimed or the offer is withdrawn.*

21 *Not to exceed 5 percent of any appropriation made*  
22 *available for the current fiscal year for the National Aero-*  
23 *nautics and Space Administration in this Act may be*  
24 *transferred between such appropriations, but no such ap-*  
25 *propriation, except as otherwise specifically provided, shall*

1 *be increased by more than 10 percent by any such transfers.*  
2 *Balances so transferred shall be merged with and available*  
3 *for the same purposes and the same time period as the ap-*  
4 *propriations to which transferred. Any transfer pursuant*  
5 *to this provision shall be treated as a reprogramming of*  
6 *funds under section 505 of this Act and shall not be avail-*  
7 *able for obligation except in compliance with the procedures*  
8 *set forth in that section.*

9 *The spending plan required by this Act shall be pro-*  
10 *vided by NASA at the theme, program, project and activity*  
11 *level. The spending plan, as well as any subsequent change*  
12 *of an amount established in that spending plan that meets*  
13 *the notification requirements of section 505 of this Act, shall*  
14 *be treated as a reprogramming under section 505 of this*  
15 *Act and shall not be available for obligation or expenditure*  
16 *except in compliance with the procedures set forth in that*  
17 *section.*

18 *NATIONAL SCIENCE FOUNDATION*

19 *RESEARCH AND RELATED ACTIVITIES*

20 *For necessary expenses in carrying out the National*  
21 *Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),*  
22 *and Public Law 86–209 (42 U.S.C. 1880 et seq.); services*  
23 *as authorized by section 3109 of title 5, United States Code;*  
24 *maintenance and operation of aircraft and purchase of*  
25 *flight services for research support; acquisition of aircraft;*

1 *and authorized travel; \$6,334,476,000, to remain available*  
2 *until September 30, 2019, of which not to exceed*  
3 *\$544,000,000 shall remain available until expended for*  
4 *polar research and operations support, and for reimburse-*  
5 *ment to other Federal agencies for operational and science*  
6 *support and logistical and other related activities for the*  
7 *United States Antarctic program: Provided, That receipts*  
8 *for scientific support services and materials furnished by*  
9 *the National Research Centers and other National Science*  
10 *Foundation supported research facilities may be credited to*  
11 *this appropriation.*

12 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

13 *CONSTRUCTION*

14 *For necessary expenses for the acquisition, construc-*  
15 *tion, commissioning, and upgrading of major research*  
16 *equipment, facilities, and other such capital assets pursuant*  
17 *to the National Science Foundation Act of 1950 (42 U.S.C.*  
18 *1861 et seq.), including authorized travel, \$182,800,000, to*  
19 *remain available until expended.*

20 *EDUCATION AND HUMAN RESOURCES*

21 *For necessary expenses in carrying out science, mathe-*  
22 *matics and engineering education and human resources*  
23 *programs and activities pursuant to the National Science*  
24 *Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including*  
25 *services as authorized by section 3109 of title 5, United*



1 *States Code, authorized travel, and rental of conference*  
2 *rooms in the District of Columbia, \$902,000,000, to remain*  
3 *available until September 30, 2019.*

4 *AGENCY OPERATIONS AND AWARD MANAGEMENT*

5 *For agency operations and award management nec-*  
6 *essary in carrying out the National Science Foundation Act*  
7 *of 1950 (42 U.S.C. 1861 et seq.); services authorized by sec-*  
8 *tion 3109 of title 5, United States Code; hire of passenger*  
9 *motor vehicles; uniforms or allowances therefor, as author-*  
10 *ized by sections 5901 and 5902 of title 5, United States*  
11 *Code; rental of conference rooms in the District of Colum-*  
12 *bia; and reimbursement of the Department of Homeland Se-*  
13 *curity for security guard services; \$328,510,000: Provided,*  
14 *That not to exceed \$8,280 is for official reception and rep-*  
15 *resentation expenses: Provided further, That contracts may*  
16 *be entered into under this heading in fiscal year 2018 for*  
17 *maintenance and operation of facilities and for other serv-*  
18 *ices to be provided during the next fiscal year.*

19 *OFFICE OF THE NATIONAL SCIENCE BOARD*

20 *For necessary expenses (including payment of salaries,*  
21 *authorized travel, hire of passenger motor vehicles, the rent-*  
22 *al of conference rooms in the District of Columbia, and the*  
23 *employment of experts and consultants under section 3109*  
24 *of title 5, United States Code) involved in carrying out sec-*  
25 *tion 4 of the National Science Foundation Act of 1950 (42*

1 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*  
2 *seq.), \$4,370,000: Provided, That not to exceed \$2,500 shall*  
3 *be available for official reception and representation ex-*  
4 *penses.*

5 *OFFICE OF INSPECTOR GENERAL*

6 *For necessary expenses of the Office of Inspector Gen-*  
7 *eral as authorized by the Inspector General Act of 1978,*  
8 *\$15,200,000, of which \$400,000 shall remain available until*  
9 *September 30, 2019.*

10 *ADMINISTRATIVE PROVISIONS*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *Not to exceed 5 percent of any appropriation made*  
13 *available for the current fiscal year for the National Science*  
14 *Foundation in this Act may be transferred between such*  
15 *appropriations, but no such appropriation shall be in-*  
16 *creased by more than 10 percent by any such transfers. Any*  
17 *transfer pursuant to this paragraph shall be treated as a*  
18 *reprogramming of funds under section 505 of this Act and*  
19 *shall not be available for obligation except in compliance*  
20 *with the procedures set forth in that section.*

21 *The Director of the National Science Foundation shall*  
22 *notify the Committees on Appropriations of the House of*  
23 *Representatives and the Senate at least 30 days in advance*  
24 *of the acquisition or disposal of any capital asset (including*  
25 *land, structures, and equipment) not specifically provided*

1 *for in this Act or any other law appropriating funds for*  
2 *the National Science Foundation.*

3 *This title may be cited as the “Science Appropriations*  
4 *Act, 2018”.*

5 *TITLE IV*

6 *RELATED AGENCIES*

7 *COMMISSION ON CIVIL RIGHTS*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Commission on Civil*  
10 *Rights, including hire of passenger motor vehicles,*  
11 *\$9,700,000: Provided, That none of the funds appropriated*  
12 *in this paragraph may be used to employ any individuals*  
13 *under Schedule C of subpart C of part 213 of title 5 of*  
14 *the Code of Federal Regulations exclusive of one special as-*  
15 *sistant for each Commissioner: Provided further, That none*  
16 *of the funds appropriated in this paragraph shall be used*  
17 *to reimburse Commissioners for more than 75 billable days,*  
18 *with the exception of the chairperson, who is permitted 125*  
19 *billable days: Provided further, That none of the funds ap-*  
20 *propriated in this paragraph shall be used for any activity*  
21 *or expense that is not explicitly authorized by section 3 of*  
22 *the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).*

1        *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the Equal Employment Op-*  
4 *portunity Commission as authorized by title VII of the*  
5 *Civil Rights Act of 1964, the Age Discrimination in Em-*  
6 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*  
7 *icans with Disabilities Act of 1990, section 501 of the Reha-*  
8 *ilitation Act of 1973, the Civil Rights Act of 1991, the*  
9 *Genetic Information Nondiscrimination Act (GINA) of*  
10 *2008 (Public Law 110–233), the ADA Amendments Act of*  
11 *2008 (Public Law 110–325), and the Lilly Ledbetter Fair*  
12 *Pay Act of 2009 (Public Law 111–2), including services*  
13 *as authorized by section 3109 of title 5, United States Code;*  
14 *hire of passenger motor vehicles as authorized by section*  
15 *1343(b) of title 31, United States Code; nonmonetary*  
16 *awards to private citizens; and up to \$29,500,000 for pay-*  
17 *ments to State and local enforcement agencies for author-*  
18 *ized services to the Commission, \$379,500,000: Provided,*  
19 *That the Commission is authorized to make available for*  
20 *official reception and representation expenses not to exceed*  
21 *\$2,250 from available funds: Provided further, That the*  
22 *Commission may take no action to implement any work-*  
23 *force repositioning, restructuring, or reorganization until*  
24 *such time as the Committees on Appropriations of the*  
25 *House of Representatives and the Senate have been notified*

1 *of such proposals, in accordance with the reprogramming*  
2 *requirements of section 505 of this Act: Provided further,*  
3 *That the Chair is authorized to accept and use any gift*  
4 *or donation to carry out the work of the Commission.*

5 *INTERNATIONAL TRADE COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the International Trade*  
8 *Commission, including hire of passenger motor vehicles and*  
9 *services as authorized by section 3109 of title 5, United*  
10 *States Code, and not to exceed \$2,250 for official reception*  
11 *and representation expenses, \$93,700,000, to remain avail-*  
12 *able until expended.*

13 *LEGAL SERVICES CORPORATION*

14 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

15 *For payment to the Legal Services Corporation to*  
16 *carry out the purposes of the Legal Services Corporation*  
17 *Act of 1974, \$410,000,000, of which \$376,000,000 is for*  
18 *basic field programs and required independent audits;*  
19 *\$5,100,000 is for the Office of Inspector General, of which*  
20 *such amounts as may be necessary may be used to conduct*  
21 *additional audits of recipients; \$19,400,000 is for manage-*  
22 *ment and grants oversight; \$4,000,000 is for client self-help*  
23 *and information technology; \$4,500,000 is for a Pro Bono*  
24 *Innovation Fund; and \$1,000,000 is for loan repayment as-*  
25 *sistance: Provided, That the Legal Services Corporation*

1 *may continue to provide locality pay to officers and em-*  
2 *ployees at a rate no greater than that provided by the Fed-*  
3 *eral Government to Washington, DC-based employees as au-*  
4 *thorized by section 5304 of title 5, United States Code, not-*  
5 *withstanding section 1005(d) of the Legal Services Corpora-*  
6 *tion Act (42 U.S.C. 2996d(d)): Provided further, That the*  
7 *authorities provided in section 205 of this Act shall be ap-*  
8 *plicable to the Legal Services Corporation: Provided fur-*  
9 *ther, That, for the purposes of section 505 of this Act, the*  
10 *Legal Services Corporation shall be considered an agency*  
11 *of the United States Government.*

12 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

13 *CORPORATION*

14 *None of the funds appropriated in this Act to the Legal*  
15 *Services Corporation shall be expended for any purpose pro-*  
16 *hibited or limited by, or contrary to any of the provisions*  
17 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*  
18 *105–119, and all funds appropriated in this Act to the*  
19 *Legal Services Corporation shall be subject to the same*  
20 *terms and conditions set forth in such sections, except that*  
21 *all references in sections 502 and 503 to 1997 and 1998*  
22 *shall be deemed to refer instead to 2017 and 2018, respec-*  
23 *tively.*

1 *MARINE MAMMAL COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Marine Mammal Com-*  
4 *mission as authorized by title II of the Marine Mammal*  
5 *Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,431,000.*

6 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of the United*  
9 *States Trade Representative, including the hire of passenger*  
10 *motor vehicles and the employment of experts and consult-*  
11 *ants as authorized by section 3109 of title 5, United States*  
12 *Code, \$57,600,000, of which \$1,000,000 shall remain avail-*  
13 *able until expended: Provided, That of the total amount*  
14 *made available under this heading, not to exceed \$124,000*  
15 *shall be available for official reception and representation*  
16 *expenses.*

17 *TRADE ENFORCEMENT TRUST FUND*18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For activities of the United States Trade Representa-*  
20 *tive authorized by section 611 of the Trade Facilitation and*  
21 *Trade Enforcement Act of 2015 (19 U.S.C. 4405), including*  
22 *transfers, \$15,000,000, to be derived from the Trade En-*  
23 *forcement Trust Fund: Provided, That any transfer pursu-*  
24 *ant to subsection (d)(1) of such section shall be treated as*  
25 *a reprogramming under section 505 of this Act.*

*STATE JUSTICE INSTITUTE**SALARIES AND EXPENSES*

1           *For necessary expenses of the State Justice Institute,*  
2  
3           *as authorized by the State Justice Institute Act of 1984 (42*  
4           *U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall*  
5           *remain available until September 30, 2019: Provided, That*  
6           *not to exceed \$2,250 shall be available for official reception*  
7           *and representation expenses: Provided further, That, for the*  
8           *purposes of section 505 of this Act, the State Justice Insti-*  
9           *tute shall be considered an agency of the United States Gov-*  
10           *ernment.*

*TITLE V**GENERAL PROVISIONS**(INCLUDING RESCISSIONS)**(INCLUDING TRANSFER OF FUNDS)*

12           *SEC. 501. No part of any appropriation contained in*  
13           *this Act shall be used for publicity or propaganda purposes*  
14           *not authorized by the Congress.*

15           *SEC. 502. No part of any appropriation contained in*  
16           *this Act shall remain available for obligation beyond the*  
17           *current fiscal year unless expressly so provided herein.*

18           *SEC. 503. The expenditure of any appropriation under*  
19           *this Act for any consulting service through procurement*  
20           *contract, pursuant to section 3109 of title 5, United States*  
21           *Code, shall be limited to those contracts where such expendi-*  
22           *-*  
23           *-*  
24           *-*  
25           *-*



1 *tures are a matter of public record and available for public*  
2 *inspection, except where otherwise provided under existing*  
3 *law, or under existing Executive order issued pursuant to*  
4 *existing law.*

5 *SEC. 504. If any provision of this Act or the applica-*  
6 *tion of such provision to any person or circumstances shall*  
7 *be held invalid, the remainder of the Act and the applica-*  
8 *tion of each provision to persons or circumstances other*  
9 *than those as to which it is held invalid shall not be affected*  
10 *thereby.*

11 *SEC. 505. None of the funds provided under this Act,*  
12 *or provided under previous appropriations Acts to the agen-*  
13 *cies funded by this Act that remain available for obligation*  
14 *or expenditure in fiscal year 2018, or provided from any*  
15 *accounts in the Treasury of the United States derived by*  
16 *the collection of fees available to the agencies funded by this*  
17 *Act, shall be available for obligation or expenditure through*  
18 *a reprogramming of funds that: (1) creates or initiates a*  
19 *new program, project or activity; (2) eliminates a program,*  
20 *project or activity; (3) increases funds or personnel by any*  
21 *means for any project or activity for which funds have been*  
22 *denied or restricted; (4) relocates an office or employees; (5)*  
23 *reorganizes or renames offices, programs or activities; (6)*  
24 *contracts out or privatizes any functions or activities pres-*  
25 *ently performed by Federal employees; (7) augments exist-*

1 *ing programs, projects or activities in excess of \$500,000*  
2 *or 10 percent, whichever is less, or reduces by 10 percent*  
3 *funding for any program, project or activity, or numbers*  
4 *of personnel by 10 percent; or (8) results from any general*  
5 *savings, including savings from a reduction in personnel,*  
6 *which would result in a change in existing programs,*  
7 *projects or activities as approved by Congress; unless the*  
8 *House and Senate Committees on Appropriations are noti-*  
9 *fied 15 days in advance of such reprogramming of funds.*

10       *SEC. 506. (a) If it has been finally determined by a*  
11 *court or Federal agency that any person intentionally af-*  
12 *fixed a label bearing a “Made in America” inscription, or*  
13 *any inscription with the same meaning, to any product sold*  
14 *in or shipped to the United States that is not made in the*  
15 *United States, the person shall be ineligible to receive any*  
16 *contract or subcontract made with funds made available in*  
17 *this Act, pursuant to the debarment, suspension, and ineli-*  
18 *gibility procedures described in sections 9.400 through*  
19 *9.409 of title 48, Code of Federal Regulations.*

20       *(b)(1) To the extent practicable, with respect to author-*  
21 *ized purchases of promotional items, funds made available*  
22 *by this Act shall be used to purchase items that are manu-*  
23 *factured, produced, or assembled in the United States, its*  
24 *territories or possessions.*

1           (2) *The term “promotional items” has the meaning*  
2 *given the term in OMB Circular A–87, Attachment B, Item*  
3 *(1)(f)(3).*

4           *SEC. 507. (a) The Departments of Commerce and Jus-*  
5 *tice, the National Science Foundation, and the National*  
6 *Aeronautics and Space Administration shall provide to the*  
7 *Committees on Appropriations of the House of Representa-*  
8 *tives and the Senate a quarterly report on the status of bal-*  
9 *ances of appropriations at the account level. For unobli-*  
10 *gated, uncommitted balances and unobligated, committed*  
11 *balances the quarterly reports shall separately identify the*  
12 *amounts attributable to each source year of appropriation*  
13 *from which the balances were derived. For balances that are*  
14 *obligated, but unexpended, the quarterly reports shall sepa-*  
15 *rately identify amounts by the year of obligation.*

16           *(b) The report described in subsection (a) shall be sub-*  
17 *mitted within 30 days of the end of each quarter.*

18           *(c) If a department or agency is unable to fulfill any*  
19 *aspect of a reporting requirement described in subsection*  
20 *(a) due to a limitation of a current accounting system, the*  
21 *department or agency shall fulfill such aspect to the max-*  
22 *imum extent practicable under such accounting system and*  
23 *shall identify and describe in each quarterly report the ex-*  
24 *tent to which such aspect is not fulfilled.*

1        *SEC. 508. Any costs incurred by a department or agen-*  
2 *cy funded under this Act resulting from, or to prevent, per-*  
3 *sonnel actions taken in response to funding reductions in-*  
4 *cluded in this Act shall be absorbed within the total budg-*  
5 *etary resources available to such department or agency:*  
6 *Provided, That the authority to transfer funds between ap-*  
7 *propriations accounts as may be necessary to carry out this*  
8 *section is provided in addition to authorities included else-*  
9 *where in this Act: Provided further, That use of funds to*  
10 *carry out this section shall be treated as a reprogramming*  
11 *of funds under section 505 of this Act and shall not be avail-*  
12 *able for obligation or expenditure except in compliance with*  
13 *the procedures set forth in that section: Provided further,*  
14 *That for the Department of Commerce, this section shall*  
15 *also apply to actions taken for the care and protection of*  
16 *loan collateral or grant property.*

17        *SEC. 509. None of the funds provided by this Act shall*  
18 *be available to promote the sale or export of tobacco or to-*  
19 *bacco products, or to seek the reduction or removal by any*  
20 *foreign country of restrictions on the marketing of tobacco*  
21 *or tobacco products, except for restrictions which are not*  
22 *applied equally to all tobacco or tobacco products of the*  
23 *same type.*

24        *SEC. 510. Notwithstanding any other provision of law,*  
25 *amounts deposited or available in the Fund established by*

1 *section 1402 of chapter XIV of title II of Public Law 98–*  
2 *473 (34 U.S.C. 20101) in any fiscal year in excess of*  
3 *\$4,436,000,000 shall not be available for obligation until*  
4 *the following fiscal year: Provided, That notwithstanding*  
5 *section 1402(d) of such Act, of the amounts available from*  
6 *the Fund for obligation: (1) \$10,000,000 shall remain avail-*  
7 *able until expended to the Department of Justice Office of*  
8 *Inspector General for oversight and auditing purposes; and*  
9 *(2) 3 percent shall be available to the Office for Victims*  
10 *of Crime for grants, consistent with the requirements of the*  
11 *Victims of Crime Act, to Indian tribes to improve services*  
12 *for victims of crime.*

13       *SEC. 511. None of the funds made available to the De-*  
14 *partment of Justice in this Act may be used to discriminate*  
15 *against or denigrate the religious or moral beliefs of stu-*  
16 *dents who participate in programs for which financial as-*  
17 *sistance is provided from those funds, or of the parents or*  
18 *legal guardians of such students.*

19       *SEC. 512. None of the funds made available in this*  
20 *Act may be transferred to any department, agency, or in-*  
21 *strumentality of the United States Government, except pur-*  
22 *suant to a transfer made by, or transfer authority provided*  
23 *in, this Act or any other appropriations Act.*

24       *SEC. 513. (a) The Inspectors General of the Depart-*  
25 *ment of Commerce, the Department of Justice, the National*

1 *Aeronautics and Space Administration, the National*  
2 *Science Foundation, and the Legal Services Corporation*  
3 *shall conduct audits, pursuant to the Inspector General Act*  
4 *(5 U.S.C. App.), of grants or contracts for which funds are*  
5 *appropriated by this Act, and shall submit reports to Con-*  
6 *gress on the progress of such audits, which may include pre-*  
7 *liminary findings and a description of areas of particular*  
8 *interest, within 180 days after initiating such an audit and*  
9 *every 180 days thereafter until any such audit is completed.*

10       *(b) Within 60 days after the date on which an audit*  
11 *described in subsection (a) by an Inspector General is com-*  
12 *pleted, the Secretary, Attorney General, Administrator, Di-*  
13 *rector, or President, as appropriate, shall make the results*  
14 *of the audit available to the public on the Internet website*  
15 *maintained by the Department, Administration, Founda-*  
16 *tion, or Corporation, respectively. The results shall be made*  
17 *available in redacted form to exclude—*

18               *(1) any matter described in section 552(b) of*  
19       *title 5, United States Code; and*

20               *(2) sensitive personal information for any indi-*  
21       *vidual, the public access to which could be used to*  
22       *commit identity theft or for other inappropriate or*  
23       *unlawful purposes.*

24       *(c) Any person awarded a grant or contract funded*  
25 *by amounts appropriated by this Act shall submit a state-*

1 *ment to the Secretary of Commerce, the Attorney General,*  
2 *the Administrator, Director, or President, as appropriate,*  
3 *certifying that no funds derived from the grant or contract*  
4 *will be made available through a subcontract or in any*  
5 *other manner to another person who has a financial interest*  
6 *in the person awarded the grant or contract.*

7       (d) *The provisions of the preceding subsections of this*  
8 *section shall take effect 30 days after the date on which the*  
9 *Director of the Office of Management and Budget, in con-*  
10 *sultation with the Director of the Office of Government Eth-*  
11 *ics, determines that a uniform set of rules and requirements,*  
12 *substantially similar to the requirements in such sub-*  
13 *sections, consistently apply under the executive branch eth-*  
14 *ics program to all Federal departments, agencies, and enti-*  
15 *ties.*

16       SEC. 514. (a) *None of the funds appropriated or other-*  
17 *wise made available under this Act may be used by the De-*  
18 *partments of Commerce and Justice, the National Aero-*  
19 *nautics and Space Administration, or the National Science*  
20 *Foundation to acquire a high-impact or moderate-impact*  
21 *information system, as defined for security categorization*  
22 *in the National Institute of Standards and Technology's*  
23 *(NIST) Federal Information Processing Standard Publica-*  
24 *tion 199, "Standards for Security Categorization of Federal*

1 *Information and Information Systems” unless the agency*  
2 *has—*

3           (1) *reviewed the supply chain risk for the infor-*  
4 *mation systems against criteria developed by NIST*  
5 *and the Federal Bureau of Investigation (FBI) to in-*  
6 *form acquisition decisions for high-impact and mod-*  
7 *erate-impact information systems within the Federal*  
8 *Government;*

9           (2) *reviewed the supply chain risk from the pre-*  
10 *sumptive awardee against available and relevant*  
11 *threat information provided by the FBI and other ap-*  
12 *propriate agencies; and*

13           (3) *in consultation with the FBI or other appro-*  
14 *priate Federal entity, conducted an assessment of any*  
15 *risk of cyber-espionage or sabotage associated with the*  
16 *acquisition of such system, including any risk associ-*  
17 *ated with such system being produced, manufactured,*  
18 *or assembled by one or more entities identified by the*  
19 *United States Government as posing a cyber threat,*  
20 *including but not limited to, those that may be*  
21 *owned, directed, or subsidized by the People’s Repub-*  
22 *lic of China, the Islamic Republic of Iran, the Demo-*  
23 *cratic People’s Republic of Korea, or the Russian Fed-*  
24 *eration.*



1           (b) *None of the funds appropriated or otherwise made*  
2 *available under this Act may be used to acquire a high-*  
3 *impact or moderate-impact information system reviewed*  
4 *and assessed under subsection (a) unless the head of the as-*  
5 *sessing entity described in subsection (a) has—*

6           (1) *developed, in consultation with NIST, the*  
7 *FBI, and supply chain risk management experts, a*  
8 *mitigation strategy for any identified risks;*

9           (2) *determined, in consultation with NIST and*  
10 *the FBI, that the acquisition of such system is in the*  
11 *national interest of the United States; and*

12           (3) *reported that determination to the Commit-*  
13 *tees on Appropriations of the House of Representa-*  
14 *tives and the Senate and the agency Inspector Gen-*  
15 *eral.*

16       *SEC. 515. None of the funds made available in this*  
17 *Act shall be used in any way whatsoever to support or jus-*  
18 *tify the use of torture by any official or contract employee*  
19 *of the United States Government.*

20       *SEC. 516. (a) Notwithstanding any other provision of*  
21 *law or treaty, none of the funds appropriated or otherwise*  
22 *made available under this Act or any other Act may be*  
23 *expended or obligated by a department, agency, or instru-*  
24 *mentality of the United States to pay administrative ex-*  
25 *penses or to compensate an officer or employee of the United*

1 *States in connection with requiring an export license for*  
2 *the export to Canada of components, parts, accessories or*  
3 *attachments for firearms listed in Category I, section 121.1*  
4 *of title 22, Code of Federal Regulations (International Traf-*  
5 *ficking in Arms Regulations (ITAR), part 121, as it existed*  
6 *on April 1, 2005) with a total value not exceeding \$500*  
7 *wholesale in any transaction, provided that the conditions*  
8 *of subsection (b) of this section are met by the exporting*  
9 *party for such articles.*

10 *(b) The foregoing exemption from obtaining an export*  
11 *license—*

12 *(1) does not exempt an exporter from filing any*  
13 *Shipper's Export Declaration or notification letter re-*  
14 *quired by law, or from being otherwise eligible under*  
15 *the laws of the United States to possess, ship, trans-*  
16 *port, or export the articles enumerated in subsection*  
17 *(a); and*

18 *(2) does not permit the export without a license*  
19 *of—*

20 *(A) fully automatic firearms and compo-*  
21 *nents and parts for such firearms, other than for*  
22 *end use by the Federal Government, or a Provin-*  
23 *cial or Municipal Government of Canada;*

24 *(B) barrels, cylinders, receivers (frames) or*  
25 *complete breech mechanisms for any firearm list-*

1           *ed in Category I, other than for end use by the*  
2           *Federal Government, or a Provincial or Munic-*  
3           *ipal Government of Canada; or*

4           *(C) articles for export from Canada to an-*  
5           *other foreign destination.*

6           *(c) In accordance with this section, the District Direc-*  
7           *tors of Customs and postmasters shall permit the permanent*  
8           *or temporary export without a license of any unclassified*  
9           *articles specified in subsection (a) to Canada for end use*  
10          *in Canada or return to the United States, or temporary*  
11          *import of Canadian-origin items from Canada for end use*  
12          *in the United States or return to Canada for a Canadian*  
13          *citizen.*

14          *(d) The President may require export licenses under*  
15          *this section on a temporary basis if the President deter-*  
16          *mines, upon publication first in the Federal Register, that*  
17          *the Government of Canada has implemented or maintained*  
18          *inadequate import controls for the articles specified in sub-*  
19          *section (a), such that a significant diversion of such articles*  
20          *has and continues to take place for use in international*  
21          *terrorism or in the escalation of a conflict in another na-*  
22          *tion. The President shall terminate the requirements of a*  
23          *license when reasons for the temporary requirements have*  
24          *ceased.*

1       *SEC. 517. Notwithstanding any other provision of law,*  
2 *no department, agency, or instrumentality of the United*  
3 *States receiving appropriated funds under this Act or any*  
4 *other Act shall obligate or expend in any way such funds*  
5 *to pay administrative expenses or the compensation of any*  
6 *officer or employee of the United States to deny any appli-*  
7 *cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and*  
8 *qualified pursuant to 27 CFR section 478.112 or .113, for*  
9 *a permit to import United States origin “curios or relics”*  
10 *firearms, parts, or ammunition.*

11       *SEC. 518. None of the funds made available in this*  
12 *Act may be used to include in any new bilateral or multi-*  
13 *lateral trade agreement the text of—*

14             (1) *paragraph 2 of article 16.7 of the United*  
15       *States–Singapore Free Trade Agreement;*

16             (2) *paragraph 4 of article 17.9 of the United*  
17       *States–Australia Free Trade Agreement; or*

18             (3) *paragraph 4 of article 15.9 of the United*  
19       *States–Morocco Free Trade Agreement.*

20       *SEC. 519. None of the funds made available in this*  
21 *Act may be used to authorize or issue a national security*  
22 *letter in contravention of any of the following laws author-*  
23 *izing the Federal Bureau of Investigation to issue national*  
24 *security letters: The Right to Financial Privacy Act of*  
25 *1978; The Electronic Communications Privacy Act of 1986;*

1 *The Fair Credit Reporting Act; The National Security Act*  
2 *of 1947; USA PATRIOT Act; USA FREEDOM Act of*  
3 *2015; and the laws amended by these Acts.*

4       *SEC. 520. If at any time during any quarter, the pro-*  
5 *gram manager of a project within the jurisdiction of the*  
6 *Departments of Commerce or Justice, the National Aero-*  
7 *nautics and Space Administration, or the National Science*  
8 *Foundation totaling more than \$75,000,000 has reasonable*  
9 *cause to believe that the total program cost has increased*  
10 *by 10 percent or more, the program manager shall imme-*  
11 *diately inform the respective Secretary, Administrator, or*  
12 *Director. The Secretary, Administrator, or Director shall*  
13 *notify the House and Senate Committees on Appropriations*  
14 *within 30 days in writing of such increase, and shall in-*  
15 *clude in such notice: the date on which such determination*  
16 *was made; a statement of the reasons for such increases;*  
17 *the action taken and proposed to be taken to control future*  
18 *cost growth of the project; changes made in the performance*  
19 *or schedule milestones and the degree to which such changes*  
20 *have contributed to the increase in total program costs or*  
21 *procurement costs; new estimates of the total project or pro-*  
22 *curement costs; and a statement validating that the project's*  
23 *management structure is adequate to control total project*  
24 *or procurement costs.*

1       *SEC. 521. Funds appropriated by this Act, or made*  
2 *available by the transfer of funds in this Act, for intelligence*  
3 *or intelligence related activities are deemed to be specifi-*  
4 *cally authorized by the Congress for purposes of section 504*  
5 *of the National Security Act of 1947 (50 U.S.C. 3094) dur-*  
6 *ing fiscal year 2018 until the enactment of the Intelligence*  
7 *Authorization Act for fiscal year 2018.*

8       *SEC. 522. None of the funds appropriated or otherwise*  
9 *made available by this Act may be used to enter into a*  
10 *contract in an amount greater than \$5,000,000 or to award*  
11 *a grant in excess of such amount unless the prospective con-*  
12 *tractor or grantee certifies in writing to the agency award-*  
13 *ing the contract or grant that, to the best of its knowledge*  
14 *and belief, the contractor or grantee has filed all Federal*  
15 *tax returns required during the three years preceding the*  
16 *certification, has not been convicted of a criminal offense*  
17 *under the Internal Revenue Code of 1986, and has not, more*  
18 *than 90 days prior to certification, been notified of any*  
19 *unpaid Federal tax assessment for which the liability re-*  
20 *mains unsatisfied, unless the assessment is the subject of*  
21 *an installment agreement or offer in compromise that has*  
22 *been approved by the Internal Revenue Service and is not*  
23 *in default, or the assessment is the subject of a non-frivolous*  
24 *administrative or judicial proceeding.*

*(RESCISSIONS)*

1  
2       *SEC. 523. (a) Of the unobligated balances from prior*  
3 *year appropriations available to the Department of Com-*  
4 *merce, Economic Development Administration, Economic*  
5 *Development Assistance Programs, \$10,000,000 is rescinded*  
6 *not later than September 30, 2018.*

7       *(b) Of the unobligated balances available to the De-*  
8 *partment of Justice, the following funds are hereby re-*  
9 *scinded, not later than September 30, 2018, from the fol-*  
10 *lowing accounts in the specified amounts—*

11           *(1) “Working Capital Fund”, \$154,768,000;*

12           *(2) “Federal Bureau of Investigation, Salaries*  
13 *and Expenses”, \$127,291,000 including from, but not*  
14 *limited to, fees collected to defray expenses for the au-*  
15 *tomation of fingerprint identification and criminal*  
16 *justice information services and associated costs;*

17           *(3) “State and Local Law Enforcement Activi-*  
18 *ties, Office on Violence Against Women, Violence*  
19 *Against Women Prevention and Prosecution Pro-*  
20 *grams”, \$15,000,000;*

21           *(4) “State and Local Law Enforcement Activi-*  
22 *ties, Office of Justice Programs”, \$40,000,000;*

23           *(5) “State and Local Law Enforcement Activi-*  
24 *ties, Community Oriented Policing Services”,*  
25 *\$10,000,000; and*

1           (6) “*Legal Activities, Assets Forfeiture Fund*”,  
2           \$304,000,000, is permanently rescinded.

3           (c) *The Departments of Commerce and Justice shall*  
4 *submit to the Committees on Appropriations of the House*  
5 *of Representatives and the Senate a report no later than*  
6 *September 1, 2018, specifying the amount of each rescission*  
7 *made pursuant to subsections (a) and (b).*

8           *SEC. 524. None of the funds made available in this*  
9 *Act may be used to purchase first class or premium airline*  
10 *travel in contravention of sections 301–10.122 through 301–*  
11 *10.124 of title 41 of the Code of Federal Regulations.*

12          *SEC. 525. None of the funds made available in this*  
13 *Act may be used to send or otherwise pay for the attendance*  
14 *of more than 50 employees from a Federal department or*  
15 *agency, who are stationed in the United States, at any sin-*  
16 *gle conference occurring outside the United States unless*  
17 *such conference is a law enforcement training or oper-*  
18 *ational conference for law enforcement personnel and the*  
19 *majority of Federal employees in attendance are law en-*  
20 *forcement personnel stationed outside the United States.*

21          *SEC. 526. None of the funds appropriated or otherwise*  
22 *made available in this or any other Act may be used to*  
23 *transfer, release, or assist in the transfer or release to or*  
24 *within the United States, its territories, or possessions*  
25 *Khalid Sheikh Mohammed or any other detainee who—*



1           (1) *is not a United States citizen or a member*  
2           *of the Armed Forces of the United States; and*

3           (2) *is or was held on or after June 24, 2009, at*  
4           *the United States Naval Station, Guantanamo Bay,*  
5           *Cuba, by the Department of Defense.*

6           SEC. 527. (a) *None of the funds appropriated or other-*  
7           *wise made available in this or any other Act may be used*  
8           *to construct, acquire, or modify any facility in the United*  
9           *States, its territories, or possessions to house any individual*  
10           *described in subsection (c) for the purposes of detention or*  
11           *imprisonment in the custody or under the effective control*  
12           *of the Department of Defense.*

13           (b) *The prohibition in subsection (a) shall not apply*  
14           *to any modification of facilities at United States Naval*  
15           *Station, Guantanamo Bay, Cuba.*

16           (c) *An individual described in this subsection is any*  
17           *individual who, as of June 24, 2009, is located at United*  
18           *States Naval Station, Guantanamo Bay, Cuba, and who—*

19           (1) *is not a citizen of the United States or a*  
20           *member of the Armed Forces of the United States; and*

21           (2) *is—*

22                   (A) *in the custody or under the effective*  
23                   *control of the Department of Defense; or*

24                   (B) *otherwise under detention at United*  
25                   *States Naval Station, Guantanamo Bay, Cuba.*

1        *SEC. 528. The Director of the Office of Management*  
2 *and Budget shall instruct any department, agency, or in-*  
3 *strumentality of the United States receiving funds appro-*  
4 *priated under this Act to track undisbursed balances in ex-*  
5 *pired grant accounts and include in its annual performance*  
6 *plan and performance and accountability reports the fol-*  
7 *lowing:*

8            (1) *Details on future action the department,*  
9 *agency, or instrumentality will take to resolve*  
10 *undisbursed balances in expired grant accounts.*

11           (2) *The method that the department, agency, or*  
12 *instrumentality uses to track undisbursed balances in*  
13 *expired grant accounts.*

14           (3) *Identification of undisbursed balances in ex-*  
15 *pired grant accounts that may be returned to the*  
16 *Treasury of the United States.*

17           (4) *In the preceding 3 fiscal years, details on the*  
18 *total number of expired grant accounts with*  
19 *undisbursed balances (on the first day of each fiscal*  
20 *year) for the department, agency, or instrumentality*  
21 *and the total finances that have not been obligated to*  
22 *a specific project remaining in the accounts.*

23        *SEC. 529. (a) None of the funds made available by this*  
24 *Act may be used for the National Aeronautics and Space*  
25 *Administration (NASA) or the Office of Science and Tech-*

1 *nology Policy (OSTP) to develop, design, plan, promulgate,*  
2 *implement, or execute a bilateral policy, program, order,*  
3 *or contract of any kind to participate, collaborate, or co-*  
4 *ordinate bilaterally in any way with China or any Chinese-*  
5 *owned company unless such activities are specifically au-*  
6 *thorized by a law enacted after the date of enactment of*  
7 *this Act.*

8       *(b) None of the funds made available by this Act may*  
9 *be used to effectuate the hosting of official Chinese visitors*  
10 *at facilities belonging to or utilized by NASA.*

11       *(c) The limitations described in subsections (a) and*  
12 *(b) shall not apply to activities which NASA or OSTP, after*  
13 *consultation with the Federal Bureau of Investigation, have*  
14 *certified—*

15             *(1) pose no risk of resulting in the transfer of*  
16 *technology, data, or other information with national*  
17 *security or economic security implications to China*  
18 *or a Chinese-owned company; and*

19             *(2) will not involve knowing interactions with*  
20 *officials who have been determined by the United*  
21 *States to have direct involvement with violations of*  
22 *human rights.*

23       *(d) Any certification made under subsection (c) shall*  
24 *be submitted to the Committees on Appropriations of the*  
25 *House of Representatives and the Senate, and the Federal*

1 *Bureau of Investigation, no later than 30 days prior to the*  
2 *activity in question and shall include a description of the*  
3 *purpose of the activity, its agenda, its major participants,*  
4 *and its location and timing.*

5 *SEC. 530. None of the funds made available by this*  
6 *Act may be used to pay the salaries or expenses of personnel*  
7 *to deny, or fail to act on, an application for the importation*  
8 *of any model of shotgun if—*

9 *(1) all other requirements of law with respect to*  
10 *the proposed importation are met; and*

11 *(2) no application for the importation of such*  
12 *model of shotgun, in the same configuration, had been*  
13 *denied by the Attorney General prior to January 1,*  
14 *2011, on the basis that the shotgun was not particu-*  
15 *larly suitable for or readily adaptable to sporting*  
16 *purposes.*

17 *SEC. 531. (a) None of the funds made available in this*  
18 *Act may be used to maintain or establish a computer net-*  
19 *work unless such network blocks the viewing, downloading,*  
20 *and exchanging of pornography.*

21 *(b) Nothing in subsection (a) shall limit the use of*  
22 *funds necessary for any Federal, State, tribal, or local law*  
23 *enforcement agency or any other entity carrying out crimi-*  
24 *nal investigations, prosecution, adjudication, or other law*  
25 *enforcement- or victim assistance-related activity.*

1        *SEC. 532. The Departments of Commerce and Justice,*  
2 *the National Aeronautics and Space Administration, the*  
3 *National Science Foundation, the Commission on Civil*  
4 *Rights, the Equal Employment Opportunity Commission,*  
5 *the International Trade Commission, the Legal Services*  
6 *Corporation, the Marine Mammal Commission, the Offices*  
7 *of Science and Technology Policy and the United States*  
8 *Trade Representative, the National Space Council, and the*  
9 *State Justice Institute shall submit spending plans, signed*  
10 *by the respective department or agency head, to the Com-*  
11 *mittees on Appropriations of the House of Representatives*  
12 *and the Senate within 45 days after the date of enactment*  
13 *of this Act.*

14        *SEC. 533. None of the funds made available by this*  
15 *Act may be obligated or expended to implement the Arms*  
16 *Trade Treaty until the Senate approves a resolution of rati-*  
17 *fication for the Treaty.*

18        *SEC. 534. The Department of Commerce, the National*  
19 *Aeronautics and Space Administration, and the National*  
20 *Science Foundation shall provide a quarterly report to the*  
21 *Committees on Appropriations of the House of Representa-*  
22 *tives and the Senate on any official travel to China by any*  
23 *employee of such Department or agency, including the pur-*  
24 *pose of such travel.*

1        *SEC. 535. Of the amounts made available by this Act,*  
2 *not less than 10 percent of each total amount provided, re-*  
3 *spectively, for Public Works grants authorized by the Public*  
4 *Works and Economic Development Act of 1965 and grants*  
5 *authorized by section 27 of the Stevenson-Wydler Tech-*  
6 *nology Innovation Act of 1980 (15 U.S.C. 3722) shall be*  
7 *allocated for assistance in persistent poverty counties: Pro-*  
8 *vided, That for purposes of this section, the term “persistent*  
9 *poverty counties” means any county that has had 20 per-*  
10 *cent or more of its population living in poverty over the*  
11 *past 30 years, as measured by the 1990 and 2000 decennial*  
12 *censuses and the most recent Small Area Income and Pov-*  
13 *erty Estimates.*

14        *SEC. 536. Notwithstanding any other provision of this*  
15 *Act, none of the funds appropriated or otherwise made*  
16 *available by this Act may be used to pay award or incentive*  
17 *fees for contractor performance that has been judged to be*  
18 *below satisfactory performance or for performance that does*  
19 *not meet the basic requirements of a contract.*

20        *SEC. 537. None of the funds made available by this*  
21 *Act may be used in contravention of section 7606 (“Legiti-*  
22 *macy of Industrial Hemp Research”) of the Agricultural*  
23 *Act of 2014 (Public Law 113–79) by the Department of Jus-*  
24 *tice or the Drug Enforcement Administration.*

1        *SEC. 538. None of the funds made available under this*  
2 *Act to the Department of Justice may be used, with respect*  
3 *to any of the States of Alabama, Alaska, Arizona, Arkansas,*  
4 *California, Colorado, Connecticut, Delaware, Florida, Geor-*  
5 *gia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana,*  
6 *Maine, Maryland, Massachusetts, Michigan, Minnesota,*  
7 *Mississippi, Missouri, Montana, Nevada, New Hampshire,*  
8 *New Jersey, New Mexico, New York, North Carolina, North*  
9 *Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Is-*  
10 *land, South Carolina, Tennessee, Texas, Utah, Vermont,*  
11 *Virginia, Washington, West Virginia, Wisconsin, and Wyo-*  
12 *ming, or with respect to the District of Columbia, Guam,*  
13 *or Puerto Rico, to prevent any of them from implementing*  
14 *their own laws that authorize the use, distribution, posses-*  
15 *sion, or cultivation of medical marijuana.*

16        *SEC. 539. Not later than 30 days after the enactment*  
17 *of this Act, the Secretary of Commerce (Secretary) shall lift*  
18 *the stay on the effective date of the final rule for the seafood*  
19 *import monitoring program published by the Secretary on*  
20 *December 9, 2016, (81 Fed. Reg. 88975 et seq.) for the spe-*  
21 *cies described in section 300.324(a)(3) of title 50, Code of*  
22 *Federal Regulations: Provided, That the compliance date*  
23 *for the species described in section 300.324(a)(3) of title 50,*  
24 *Code of Federal Regulations, shall occur not later than De-*  
25 *cember 31, 2018: Provided further, That not later than De-*

1 cember 31, 2018, the Secretary shall establish a traceability  
2 program for United States inland, coastal, and marine  
3 aquaculture of shrimp and abalone from point of produc-  
4 tion to entry into United States commerce: Provided fur-  
5 ther, That the Secretary shall promulgate such regulations  
6 as are necessary and appropriate to establish and imple-  
7 ment the program: Provided further, That information col-  
8 lected pursuant to a regulation promulgated under this sec-  
9 tion shall be confidential and not be disclosed except for  
10 the information disclosed under section 401(b)(1) of the  
11 Magnuson-Stevens Fishery Conservation and Management  
12 Act (16 U.S.C. 1881a(b)(1)): Provided further, That any  
13 regulations promulgated under this section shall be enforced  
14 as if this section were a provision of the Magnuson-Stevens  
15 Fishery Conservation and Management Act (16 U.S.C.  
16 1801 et seq.) and the regulations were promulgated under  
17 such Act.

18       SEC. 540. For an additional amount for “Department  
19 of Justice, State and Local Law Enforcement Activities, Of-  
20 fice of Justice Programs, State and Local Law Enforcement  
21 Assistance”, \$2,500,000 to keep young athletes safe.

22       This division may be cited as the “Commerce, Justice,  
23 Science, and Related Agencies Appropriations Act, 2018”.



1 ***DIVISION C—DEPARTMENT OF DEFENSE***  
2 ***APPROPRIATIONS ACT, 2018***

3 ***TITLE I***

4 ***MILITARY PERSONNEL***

5 ***MILITARY PERSONNEL, ARMY***

6 *For pay, allowances, individual clothing, subsistence,*  
7 *interest on deposits, gratuities, permanent change of station*  
8 *travel (including all expenses thereof for organizational*  
9 *movements), and expenses of temporary duty travel between*  
10 *permanent duty stations, for members of the Army on active*  
11 *duty (except members of reserve components provided for*  
12 *elsewhere), cadets, and aviation cadets; for members of the*  
13 *Reserve Officers' Training Corps; and for payments pursu-*  
14 *ant to section 156 of Public Law 97–377, as amended (42*  
15 *U.S.C. 402 note), and to the Department of Defense Mili-*  
16 *tary Retirement Fund, \$41,628,855,000.*

17 ***MILITARY PERSONNEL, NAVY***

18 *For pay, allowances, individual clothing, subsistence,*  
19 *interest on deposits, gratuities, permanent change of station*  
20 *travel (including all expenses thereof for organizational*  
21 *movements), and expenses of temporary duty travel between*  
22 *permanent duty stations, for members of the Navy on active*  
23 *duty (except members of the Reserve provided for elsewhere),*  
24 *midshipmen, and aviation cadets; for members of the Re-*  
25 *serve Officers' Training Corps; and for payments pursuant*

1 *to section 156 of Public Law 97-377, as amended (42*  
2 *U.S.C. 402 note), and to the Department of Defense Mili-*  
3 *tary Retirement Fund, \$28,772,118,000.*

4 *MILITARY PERSONNEL, MARINE CORPS*

5 *For pay, allowances, individual clothing, subsistence,*  
6 *interest on deposits, gratuities, permanent change of station*  
7 *travel (including all expenses thereof for organizational*  
8 *movements), and expenses of temporary duty travel between*  
9 *permanent duty stations, for members of the Marine Corps*  
10 *on active duty (except members of the Reserve provided for*  
11 *elsewhere); and for payments pursuant to section 156 of*  
12 *Public Law 97-377, as amended (42 U.S.C. 402 note), and*  
13 *to the Department of Defense Military Retirement Fund,*  
14 *\$13,231,114,000.*

15 *MILITARY PERSONNEL, AIR FORCE*

16 *For pay, allowances, individual clothing, subsistence,*  
17 *interest on deposits, gratuities, permanent change of station*  
18 *travel (including all expenses thereof for organizational*  
19 *movements), and expenses of temporary duty travel between*  
20 *permanent duty stations, for members of the Air Force on*  
21 *active duty (except members of reserve components provided*  
22 *for elsewhere), cadets, and aviation cadets; for members of*  
23 *the Reserve Officers' Training Corps; and for payments*  
24 *pursuant to section 156 of Public Law 97-377, as amended*

1 *(42 U.S.C. 402 note), and to the Department of Defense*  
2 *Military Retirement Fund, \$28,790,440,000.*

3 *RESERVE PERSONNEL, ARMY*

4 *For pay, allowances, clothing, subsistence, gratuities,*  
5 *travel, and related expenses for personnel of the Army Re-*  
6 *serve on active duty under sections 10211, 10302, and 3038*  
7 *of title 10, United States Code, or while serving on active*  
8 *duty under section 12301(d) of title 10, United States Code,*  
9 *in connection with performing duty specified in section*  
10 *12310(a) of title 10, United States Code, or while under-*  
11 *going reserve training, or while performing drills or equiva-*  
12 *lent duty or other duty, and expenses authorized by section*  
13 *16131 of title 10, United States Code; and for payments*  
14 *to the Department of Defense Military Retirement Fund,*  
15 *\$4,715,608,000.*

16 *RESERVE PERSONNEL, NAVY*

17 *For pay, allowances, clothing, subsistence, gratuities,*  
18 *travel, and related expenses for personnel of the Navy Re-*  
19 *serve on active duty under section 10211 of title 10, United*  
20 *States Code, or while serving on active duty under section*  
21 *12301(d) of title 10, United States Code, in connection with*  
22 *performing duty specified in section 12310(a) of title 10,*  
23 *United States Code, or while undergoing reserve training,*  
24 *or while performing drills or equivalent duty, and expenses*  
25 *authorized by section 16131 of title 10, United States Code;*

1 *and for payments to the Department of Defense Military*  
2 *Retirement Fund, \$1,988,362,000.*

3 *RESERVE PERSONNEL, MARINE CORPS*

4 *For pay, allowances, clothing, subsistence, gratuities,*  
5 *travel, and related expenses for personnel of the Marine*  
6 *Corps Reserve on active duty under section 10211 of title*  
7 *10, United States Code, or while serving on active duty*  
8 *under section 12301(d) of title 10, United States Code, in*  
9 *connection with performing duty specified in section*  
10 *12310(a) of title 10, United States Code, or while under-*  
11 *going reserve training, or while performing drills or equiva-*  
12 *lent duty, and for members of the Marine Corps platoon*  
13 *leaders class, and expenses authorized by section 16131 of*  
14 *title 10, United States Code; and for payments to the De-*  
15 *partment of Defense Military Retirement Fund,*  
16 *\$764,903,000.*

17 *RESERVE PERSONNEL, AIR FORCE*

18 *For pay, allowances, clothing, subsistence, gratuities,*  
19 *travel, and related expenses for personnel of the Air Force*  
20 *Reserve on active duty under sections 10211, 10305, and*  
21 *8038 of title 10, United States Code, or while serving on*  
22 *active duty under section 12301(d) of title 10, United States*  
23 *Code, in connection with performing duty specified in sec-*  
24 *tion 12310(a) of title 10, United States Code, or while un-*  
25 *dergoing reserve training, or while performing drills or*

1 *equivalent duty or other duty, and expenses authorized by*  
2 *section 16131 of title 10, United States Code; and for pay-*  
3 *ments to the Department of Defense Military Retirement*  
4 *Fund, \$1,802,554,000.*

5 *NATIONAL GUARD PERSONNEL, ARMY*

6 *For pay, allowances, clothing, subsistence, gratuities,*  
7 *travel, and related expenses for personnel of the Army Na-*  
8 *tional Guard while on duty under sections 10211, 10302,*  
9 *or 12402 of title 10 or section 708 of title 32, United States*  
10 *Code, or while serving on duty under section 12301(d) of*  
11 *title 10 or section 502(f) of title 32, United States Code,*  
12 *in connection with performing duty specified in section*  
13 *12310(a) of title 10, United States Code, or while under-*  
14 *going training, or while performing drills or equivalent*  
15 *duty or other duty, and expenses authorized by section*  
16 *16131 of title 10, United States Code; and for payments*  
17 *to the Department of Defense Military Retirement Fund,*  
18 *\$8,264,626,000.*

19 *NATIONAL GUARD PERSONNEL, AIR FORCE*

20 *For pay, allowances, clothing, subsistence, gratuities,*  
21 *travel, and related expenses for personnel of the Air Na-*  
22 *tional Guard on duty under sections 10211, 10305, or*  
23 *12402 of title 10 or section 708 of title 32, United States*  
24 *Code, or while serving on duty under section 12301(d) of*  
25 *title 10 or section 502(f) of title 32, United States Code,*

1 *in connection with performing duty specified in section*  
2 *12310(a) of title 10, United States Code, or while under-*  
3 *going training, or while performing drills or equivalent*  
4 *duty or other duty, and expenses authorized by section*  
5 *16131 of title 10, United States Code; and for payments*  
6 *to the Department of Defense Military Retirement Fund,*  
7 *\$3,408,817,000.*

8 *TITLE II*

9 *OPERATION AND MAINTENANCE*

10 *OPERATION AND MAINTENANCE, ARMY*

11 *For expenses, not otherwise provided for, necessary for*  
12 *the operation and maintenance of the Army, as authorized*  
13 *by law, \$38,816,957,000: Provided, That not to exceed*  
14 *\$12,478,000 can be used for emergencies and extraordinary*  
15 *expenses, to be expended on the approval or authority of*  
16 *the Secretary of the Army, and payments may be made on*  
17 *his certificate of necessity for confidential military pur-*  
18 *poses.*

19 *OPERATION AND MAINTENANCE, NAVY*

20 *For expenses, not otherwise provided for, necessary for*  
21 *the operation and maintenance of the Navy and the Marine*  
22 *Corps, as authorized by law, \$45,384,353,000: Provided,*  
23 *That not to exceed \$15,055,000 can be used for emergencies*  
24 *and extraordinary expenses, to be expended on the approval*  
25 *or authority of the Secretary of the Navy, and payments*

1 *may be made on his certificate of necessity for confidential*  
2 *military purposes.*

3 *OPERATION AND MAINTENANCE, MARINE CORPS*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance of the Marine Corps, as au-*  
6 *thorized by law, \$6,605,546,000.*

7 *OPERATION AND MAINTENANCE, AIR FORCE*

8 *For expenses, not otherwise provided for, necessary for*  
9 *the operation and maintenance of the Air Force, as author-*  
10 *ized by law, \$39,544,193,000: Provided, That not to exceed*  
11 *\$7,699,000 can be used for emergencies and extraordinary*  
12 *expenses, to be expended on the approval or authority of*  
13 *the Secretary of the Air Force, and payments may be made*  
14 *on his certificate of necessity for confidential military pur-*  
15 *poses.*

16 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For expenses, not otherwise provided for, necessary for*  
19 *the operation and maintenance of activities and agencies*  
20 *of the Department of Defense (other than the military de-*  
21 *partments), as authorized by law, \$34,059,257,000: Pro-*  
22 *vided, That not more than \$15,000,000 may be used for*  
23 *the Combatant Commander Initiative Fund authorized*  
24 *under section 166a of title 10, United States Code: Provided*  
25 *further, That not to exceed \$36,000,000 can be used for*

1 *emergencies and extraordinary expenses, to be expended on*  
2 *the approval or authority of the Secretary of Defense, and*  
3 *payments may be made on his certificate of necessity for*  
4 *confidential military purposes: Provided further, That of*  
5 *the funds provided under this heading, not less than*  
6 *\$38,458,000 shall be made available for the Procurement*  
7 *Technical Assistance Cooperative Agreement Program, of*  
8 *which not less than \$3,600,000 shall be available for centers*  
9 *defined in 10 U.S.C. 2411(1)(D): Provided further, That*  
10 *none of the funds appropriated or otherwise made available*  
11 *by this Act may be used to plan or implement the consolida-*  
12 *tion of a budget or appropriations liaison office of the Office*  
13 *of the Secretary of Defense, the office of the Secretary of*  
14 *a military department, or the service headquarters of one*  
15 *of the Armed Forces into a legislative affairs or legislative*  
16 *liaison office: Provided further, That \$9,385,000, to remain*  
17 *available until expended, is available only for expenses re-*  
18 *lating to certain classified activities, and may be trans-*  
19 *ferred as necessary by the Secretary of Defense to operation*  
20 *and maintenance appropriations or research, development,*  
21 *test and evaluation appropriations, to be merged with and*  
22 *to be available for the same time period as the appropria-*  
23 *tions to which transferred: Provided further, That any ceil-*  
24 *ing on the investment item unit cost of items that may be*  
25 *purchased with operation and maintenance funds shall not*



1 *apply to the funds described in the preceding proviso: Pro-*  
2 *vided further, That of the funds provided under this head-*  
3 *ing, \$631,670,000, of which \$157,917,000, to remain avail-*  
4 *able until September 30, 2019, shall be available to provide*  
5 *support and assistance to foreign security forces or other*  
6 *groups or individuals to conduct, support or facilitate*  
7 *counterterrorism, crisis response, or other Department of*  
8 *Defense security cooperation programs: Provided further,*  
9 *That the transfer authority provided under this heading is*  
10 *in addition to any other transfer authority provided else-*  
11 *where in this Act.*

12 *OPERATION AND MAINTENANCE, ARMY RESERVE*

13 *For expenses, not otherwise provided for, necessary for*  
14 *the operation and maintenance, including training, organi-*  
15 *zation, and administration, of the Army Reserve; repair of*  
16 *facilities and equipment; hire of passenger motor vehicles;*  
17 *travel and transportation; care of the dead; recruiting; pro-*  
18 *curement of services, supplies, and equipment; and commu-*  
19 *nications, \$2,877,104,000.*

20 *OPERATION AND MAINTENANCE, NAVY RESERVE*

21 *For expenses, not otherwise provided for, necessary for*  
22 *the operation and maintenance, including training, organi-*  
23 *zation, and administration, of the Navy Reserve; repair of*  
24 *facilities and equipment; hire of passenger motor vehicles;*  
25 *travel and transportation; care of the dead; recruiting; pro-*

1 *curement of services, supplies, and equipment; and commu-*  
2 *nications, \$1,069,707,000.*

3 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance, including training, organi-*  
6 *zation, and administration, of the Marine Corps Reserve;*  
7 *repair of facilities and equipment; hire of passenger motor*  
8 *vehicles; travel and transportation; care of the dead; recruit-*  
9 *ing; procurement of services, supplies, and equipment; and*  
10 *communications, \$284,837,000.*

11 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

12 *For expenses, not otherwise provided for, necessary for*  
13 *the operation and maintenance, including training, organi-*  
14 *zation, and administration, of the Air Force Reserve; repair*  
15 *of facilities and equipment; hire of passenger motor vehicles;*  
16 *travel and transportation; care of the dead; recruiting; pro-*  
17 *curement of services, supplies, and equipment; and commu-*  
18 *nications, \$3,202,307,000.*

19 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

20 *For expenses of training, organizing, and admin-*  
21 *istering the Army National Guard, including medical and*  
22 *hospital treatment and related expenses in non-Federal hos-*  
23 *pitals; maintenance, operation, and repairs to structures*  
24 *and facilities; hire of passenger motor vehicles; personnel*  
25 *services in the National Guard Bureau; travel expenses*

1 *(other than mileage), as authorized by law for Army per-*  
2 *sonnel on active duty, for Army National Guard division,*  
3 *regimental, and battalion commanders while inspecting*  
4 *units in compliance with National Guard Bureau regula-*  
5 *tions when specifically authorized by the Chief, National*  
6 *Guard Bureau; supplying and equipping the Army Na-*  
7 *tional Guard as authorized by law; and expenses of repair,*  
8 *modification, maintenance, and issue of supplies and*  
9 *equipment (including aircraft), \$7,284,170,000.*

10 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

11 *For expenses of training, organizing, and admin-*  
12 *istering the Air National Guard, including medical and*  
13 *hospital treatment and related expenses in non-Federal hos-*  
14 *pitals; maintenance, operation, and repairs to structures*  
15 *and facilities; transportation of things, hire of passenger*  
16 *motor vehicles; supplying and equipping the Air National*  
17 *Guard, as authorized by law; expenses for repair, modifica-*  
18 *tion, maintenance, and issue of supplies and equipment,*  
19 *including those furnished from stocks under the control of*  
20 *agencies of the Department of Defense; travel expenses (other*  
21 *than mileage) on the same basis as authorized by law for*  
22 *Air National Guard personnel on active Federal duty, for*  
23 *Air National Guard commanders while inspecting units in*  
24 *compliance with National Guard Bureau regulations when*

1 *specifically authorized by the Chief, National Guard Bu-*  
2 *reau, \$6,900,798,000.*

3 *UNITED STATES COURT OF APPEALS FOR THE ARMED*  
4 *FORCES*

5 *For salaries and expenses necessary for the United*  
6 *States Court of Appeals for the Armed Forces, \$14,538,000,*  
7 *of which not to exceed \$5,000 may be used for official rep-*  
8 *resentation purposes.*

9 *ENVIRONMENTAL RESTORATION, ARMY*  
10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the Department of the Army, \$235,809,000, to re-*  
12 *main available until transferred: Provided, That the Sec-*  
13 *retary of the Army shall, upon determining that such funds*  
14 *are required for environmental restoration, reduction and*  
15 *recycling of hazardous waste, removal of unsafe buildings*  
16 *and debris of the Department of the Army, or for similar*  
17 *purposes, transfer the funds made available by this appro-*  
18 *priation to other appropriations made available to the De-*  
19 *partment of the Army, to be merged with and to be available*  
20 *for the same purposes and for the same time period as the*  
21 *appropriations to which transferred: Provided further, That*  
22 *upon a determination that all or part of the funds trans-*  
23 *ferred from this appropriation are not necessary for the*  
24 *purposes provided herein, such amounts may be transferred*  
25 *back to this appropriation: Provided further, That the*

1 *transfer authority provided under this heading is in addi-*  
2 *tion to any other transfer authority provided elsewhere in*  
3 *this Act.*

4 *ENVIRONMENTAL RESTORATION, NAVY*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the Department of the Navy, \$365,883,000, to re-*  
7 *main available until transferred: Provided, That the Sec-*  
8 *retary of the Navy shall, upon determining that such funds*  
9 *are required for environmental restoration, reduction and*  
10 *recycling of hazardous waste, removal of unsafe buildings*  
11 *and debris of the Department of the Navy, or for similar*  
12 *purposes, transfer the funds made available by this appro-*  
13 *priation to other appropriations made available to the De-*  
14 *partment of the Navy, to be merged with and to be available*  
15 *for the same purposes and for the same time period as the*  
16 *appropriations to which transferred: Provided further, That*  
17 *upon a determination that all or part of the funds trans-*  
18 *ferred from this appropriation are not necessary for the*  
19 *purposes provided herein, such amounts may be transferred*  
20 *back to this appropriation: Provided further, That the*  
21 *transfer authority provided under this heading is in addi-*  
22 *tion to any other transfer authority provided elsewhere in*  
23 *this Act.*

1           *ENVIRONMENTAL RESTORATION, AIR FORCE*2                           *(INCLUDING TRANSFER OF FUNDS)*

3           *For the Department of the Air Force, \$352,549,000,*  
4 *to remain available until transferred: Provided, That the*  
5 *Secretary of the Air Force shall, upon determining that*  
6 *such funds are required for environmental restoration, re-*  
7 *duction and recycling of hazardous waste, removal of unsafe*  
8 *buildings and debris of the Department of the Air Force,*  
9 *or for similar purposes, transfer the funds made available*  
10 *by this appropriation to other appropriations made avail-*  
11 *able to the Department of the Air Force, to be merged with*  
12 *and to be available for the same purposes and for the same*  
13 *time period as the appropriations to which transferred:*  
14 *Provided further, That upon a determination that all or*  
15 *part of the funds transferred from this appropriation are*  
16 *not necessary for the purposes provided herein, such*  
17 *amounts may be transferred back to this appropriation:*  
18 *Provided further, That the transfer authority provided*  
19 *under this heading is in addition to any other transfer au-*  
20 *thority provided elsewhere in this Act.*

21           *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*22                           *(INCLUDING TRANSFER OF FUNDS)*

23           *For the Department of Defense, \$19,002,000, to remain*  
24 *available until transferred: Provided, That the Secretary of*  
25 *Defense shall, upon determining that such funds are re-*

1 *quired for environmental restoration, reduction and recy-*  
2 *cling of hazardous waste, removal of unsafe buildings and*  
3 *debris of the Department of Defense, or for similar purposes,*  
4 *transfer the funds made available by this appropriation to*  
5 *other appropriations made available to the Department of*  
6 *Defense, to be merged with and to be available for the same*  
7 *purposes and for the same time period as the appropria-*  
8 *tions to which transferred: Provided further, That upon a*  
9 *determination that all or part of the funds transferred from*  
10 *this appropriation are not necessary for the purposes pro-*  
11 *vided herein, such amounts may be transferred back to this*  
12 *appropriation: Provided further, That the transfer author-*  
13 *ity provided under this heading is in addition to any other*  
14 *transfer authority provided elsewhere in this Act.*

15       *ENVIRONMENTAL RESTORATION, FORMERLY USED*  
16                               *DEFENSE SITES*  
17                               *(INCLUDING TRANSFER OF FUNDS)*

18       *For the Department of the Army, \$248,673,000, to re-*  
19 *main available until transferred: Provided, That the Sec-*  
20 *retary of the Army shall, upon determining that such funds*  
21 *are required for environmental restoration, reduction and*  
22 *recycling of hazardous waste, removal of unsafe buildings*  
23 *and debris at sites formerly used by the Department of De-*  
24 *fense, transfer the funds made available by this appropria-*  
25 *tion to other appropriations made available to the Depart-*

1 *ment of the Army, to be merged with and to be available*  
2 *for the same purposes and for the same time period as the*  
3 *appropriations to which transferred: Provided further, That*  
4 *upon a determination that all or part of the funds trans-*  
5 *ferred from this appropriation are not necessary for the*  
6 *purposes provided herein, such amounts may be transferred*  
7 *back to this appropriation: Provided further, That the*  
8 *transfer authority provided under this heading is in addi-*  
9 *tion to any other transfer authority provided elsewhere in*  
10 *this Act.*

11 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

12 *For expenses relating to the Overseas Humanitarian,*  
13 *Disaster, and Civic Aid programs of the Department of De-*  
14 *fense (consisting of the programs provided under sections*  
15 *401, 402, 404, 407, 2557, and 2561 of title 10, United*  
16 *States Code), \$129,900,000, to remain available until Sep-*  
17 *tember 30, 2019.*

18 *COOPERATIVE THREAT REDUCTION ACCOUNT*

19 *For assistance, including assistance provided by con-*  
20 *tract or by grants, under programs and activities of the*  
21 *Department of Defense Cooperative Threat Reduction Pro-*  
22 *gram authorized under the Department of Defense Cooper-*  
23 *ative Threat Reduction Act, \$350,000,000, to remain avail-*  
24 *able until September 30, 2020.*



1     *DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE*2                             *DEVELOPMENT FUND*

3             *For the Department of Defense Acquisition Workforce*  
4 *Development Fund, \$500,000,000, to remain available for*  
5 *obligation until September 30, 2019: Provided, That no*  
6 *other amounts may be otherwise credited or transferred to*  
7 *the Fund, or deposited into the Fund, in fiscal year 2018*  
8 *pursuant to section 1705(d) of title 10, United States Code:*  
9 *Provided further, That within 60 days after the date of en-*  
10 *actment of this Act, the Secretary of Defense shall transfer*  
11 *to the Treasury from amounts made available under this*  
12 *heading an amount equal to any amounts transferred to*  
13 *the Fund for fiscal year 2018 before the date of the enact-*  
14 *ment of this Act pursuant to section 1705(d)(3) of title 10,*  
15 *United States Code, or any other provision of law: Provided*  
16 *further, That amounts so transferred shall be deposited in*  
17 *the Treasury as miscellaneous receipts.*

18                             *TITLE III*19                             *PROCUREMENT*20                             *AIRCRAFT PROCUREMENT, ARMY*

21             *For construction, procurement, production, modifica-*  
22 *tion, and modernization of aircraft, equipment, including*  
23 *ordnance, ground handling equipment, spare parts, and ac-*  
24 *cessories therefor; specialized equipment and training de-*  
25 *vices; expansion of public and private plants, including the*

1 *land necessary therefor, for the foregoing purposes, and such*  
2 *lands and interests therein, may be acquired, and construc-*  
3 *tion prosecuted thereon prior to approval of title; and pro-*  
4 *curement and installation of equipment, appliances, and*  
5 *machine tools in public and private plants; reserve plant*  
6 *and Government and contractor-owned equipment layaway;*  
7 *and other expenses necessary for the foregoing purposes,*  
8 *\$5,535,794,000, to remain available for obligation until*  
9 *September 30, 2020.*

10 *MISSILE PROCUREMENT, ARMY*

11 *For construction, procurement, production, modifica-*  
12 *tion, and modernization of missiles, equipment, including*  
13 *ordnance, ground handling equipment, spare parts, and ac-*  
14 *cessories therefor; specialized equipment and training de-*  
15 *vices; expansion of public and private plants, including the*  
16 *land necessary therefor, for the foregoing purposes, and such*  
17 *lands and interests therein, may be acquired, and construc-*  
18 *tion prosecuted thereon prior to approval of title; and pro-*  
19 *curement and installation of equipment, appliances, and*  
20 *machine tools in public and private plants; reserve plant*  
21 *and Government and contractor-owned equipment layaway;*  
22 *and other expenses necessary for the foregoing purposes,*  
23 *\$3,196,910,000, to remain available for obligation until*  
24 *September 30, 2020.*

1        *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*  
 2                                 *VEHICLES, ARMY*

3            *For construction, procurement, production, and modi-*  
 4 *fication of weapons and tracked combat vehicles, equipment,*  
 5 *including ordnance, spare parts, and accessories therefor;*  
 6 *specialized equipment and training devices; expansion of*  
 7 *public and private plants, including the land necessary*  
 8 *therefor, for the foregoing purposes, and such lands and in-*  
 9 *terests therein, may be acquired, and construction pros-*  
 10 *ecuted thereon prior to approval of title; and procurement*  
 11 *and installation of equipment, appliances, and machine*  
 12 *tools in public and private plants; reserve plant and Gov-*  
 13 *ernment and contractor-owned equipment layaway; and*  
 14 *other expenses necessary for the foregoing purposes,*  
 15 *\$4,391,573,000, to remain available for obligation until*  
 16 *September 30, 2020.*

17                                 *PROCUREMENT OF AMMUNITION, ARMY*

18            *For construction, procurement, production, and modi-*  
 19 *fication of ammunition, and accessories therefor; specialized*  
 20 *equipment and training devices; expansion of public and*  
 21 *private plants, including ammunition facilities, authorized*  
 22 *by section 2854 of title 10, United States Code, and the*  
 23 *land necessary therefor, for the foregoing purposes, and such*  
 24 *lands and interests therein, may be acquired, and construc-*  
 25 *tion prosecuted thereon prior to approval of title; and pro-*

1 *curement and installation of equipment, appliances, and*  
2 *machine tools in public and private plants; reserve plant*  
3 *and Government and contractor-owned equipment layaway;*  
4 *and other expenses necessary for the foregoing purposes,*  
5 *\$2,548,740,000, to remain available for obligation until*  
6 *September 30, 2020.*

7 *OTHER PROCUREMENT, ARMY*

8 *For construction, procurement, production, and modi-*  
9 *fication of vehicles, including tactical, support, and non-*  
10 *tracked combat vehicles; the purchase of passenger motor ve-*  
11 *hicles for replacement only; communications and electronic*  
12 *equipment; other support equipment; spare parts, ordnance,*  
13 *and accessories therefor; specialized equipment and training*  
14 *devices; expansion of public and private plants, including*  
15 *the land necessary therefor, for the foregoing purposes, and*  
16 *such lands and interests therein, may be acquired, and con-*  
17 *struction prosecuted thereon prior to approval of title; and*  
18 *procurement and installation of equipment, appliances,*  
19 *and machine tools in public and private plants; reserve*  
20 *plant and Government and contractor-owned equipment*  
21 *layaway; and other expenses necessary for the foregoing*  
22 *purposes, \$8,298,418,000, to remain available for obligation*  
23 *until September 30, 2020.*

1                    *AIRCRAFT PROCUREMENT, NAVY*

2            *For construction, procurement, production, modifica-*  
3 *tion, and modernization of aircraft, equipment, including*  
4 *ordnance, spare parts, and accessories therefor; specialized*  
5 *equipment; expansion of public and private plants, includ-*  
6 *ing the land necessary therefor, and such lands and inter-*  
7 *ests therein, may be acquired, and construction prosecuted*  
8 *thereon prior to approval of title; and procurement and in-*  
9 *stallation of equipment, appliances, and machine tools in*  
10 *public and private plants; reserve plant and Government*  
11 *and contractor-owned equipment layaway,*  
12 *\$19,957,380,000, to remain available for obligation until*  
13 *September 30, 2020.*

14                    *WEAPONS PROCUREMENT, NAVY*

15            *For construction, procurement, production, modifica-*  
16 *tion, and modernization of missiles, torpedoes, other weap-*  
17 *ons, and related support equipment including spare parts,*  
18 *and accessories therefor; expansion of public and private*  
19 *plants, including the land necessary therefor, and such*  
20 *lands and interests therein, may be acquired, and construc-*  
21 *tion prosecuted thereon prior to approval of title; and pro-*  
22 *curement and installation of equipment, appliances, and*  
23 *machine tools in public and private plants; reserve plant*  
24 *and Government and contractor-owned equipment layaway,*

1 \$3,510,590,000, to remain available for obligation until  
2 September 30, 2020.

3 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

4 *CORPS*

5 *For construction, procurement, production, and modi-*  
6 *fication of ammunition, and accessories therefor; specialized*  
7 *equipment and training devices; expansion of public and*  
8 *private plants, including ammunition facilities, authorized*  
9 *by section 2854 of title 10, United States Code, and the*  
10 *land necessary therefor, for the foregoing purposes, and such*  
11 *lands and interests therein, may be acquired, and construc-*  
12 *tion prosecuted thereon prior to approval of title; and pro-*  
13 *curement and installation of equipment, appliances, and*  
14 *machine tools in public and private plants; reserve plant*  
15 *and Government and contractor-owned equipment layaway;*  
16 *and other expenses necessary for the foregoing purposes,*  
17 *\$804,335,000, to remain available for obligation until Sep-*  
18 *tember 30, 2020.*

19 *SHIPBUILDING AND CONVERSION, NAVY*

20 *For expenses necessary for the construction, acquisi-*  
21 *tion, or conversion of vessels as authorized by law, includ-*  
22 *ing armor and armament thereof, plant equipment, appli-*  
23 *ances, and machine tools and installation thereof in public*  
24 *and private plants; reserve plant and Government and con-*  
25 *tractor-owned equipment layaway; procurement of critical,*

1 *long lead time components and designs for vessels to be con-*  
2 *structed or converted in the future; and expansion of public*  
3 *and private plants, including land necessary therefor, and*  
4 *such lands and interests therein, may be acquired, and con-*  
5 *struction prosecuted thereon prior to approval of title, as*  
6 *follows:*

7 *Ohio Replacement Submarine (AP),*  
8 *\$861,853,000;*

9 *Carrier Replacement Program (CVN 80),*  
10 *\$1,569,646,000;*

11 *Carrier Replacement Program (CVN 79),*  
12 *\$2,561,058,000;*

13 *Virginia Class Submarine, \$3,305,315,000;*

14 *Virginia Class Submarine (AP), \$2,145,596,000;*

15 *CVN Refueling Overhauls, \$1,569,669,000;*

16 *CVN Refueling Overhauls (AP), \$75,897,000;*

17 *DDG-1000 Program, \$216,968,000;*

18 *DDG-51 Destroyer, \$3,357,079,000;*

19 *DDG-51 Destroyer (AP), \$90,336,000;*

20 *Littoral Combat Ship, \$1,566,971,000;*

21 *Amphibious Ship Replacement, \$1,800,000,000;*

22 *Expeditionary Sea Base, \$635,000,000;*

23 *LHA Replacement, \$1,710,927,000;*

24 *Expeditionary Fast Transport, \$225,000,000;*

25 *TAO Fleet Oiler, \$457,988,000;*

1            *TAO Fleet Oiler (AP), \$75,068,000;*  
2            *Towing, Salvage, and Rescue Ship, \$76,204,000;*  
3            *T-AGS      Oceanographic      Survey      Ship,*  
4            *\$180,000,000;*  
5            *Ship to Shore Connector, \$524,554,000;*  
6            *Service Craft, \$62,994,000;*  
7            *For outfitting, post delivery, conversions, and*  
8            *first destination transportation, \$489,073,000;*  
9            *Completion of Prior Year Shipbuilding Pro-*  
10           *grams, \$117,542,000; and*  
11           *Polar Icebreakers, \$150,000,000.*

12           *In all: \$23,824,738,000, to remain available for obliga-*  
13           *tion until September 30, 2022: Provided, That additional*  
14           *obligations may be incurred after September 30, 2022, for*  
15           *engineering services, tests, evaluations, and other such budg-*  
16           *eted work that must be performed in the final stage of ship*  
17           *construction: Provided further, That none of the funds pro-*  
18           *vided under this heading for the construction or conversion*  
19           *of any naval vessel to be constructed in shipyards in the*  
20           *United States shall be expended in foreign facilities for the*  
21           *construction of major components of such vessel: Provided*  
22           *further, That none of the funds provided under this heading*  
23           *shall be used for the construction of any naval vessel in*  
24           *foreign shipyards: Provided further, That funds appro-*  
25           *priated or otherwise made available by this Act for produc-*



1 *tion of the common missile compartment of nuclear-powered*  
2 *vessels may be available for multiyear procurement of crit-*  
3 *ical components to support continuous production of such*  
4 *compartments only in accordance with the provisions of*  
5 *subsection (i) of section 2218a of title 10, United States*  
6 *Code (as added by section 1023 of the National Defense Au-*  
7 *thorization Act for Fiscal Year 2017 (Public Law 114-*  
8 *328)).*

9 *OTHER PROCUREMENT, NAVY*

10 *For procurement, production, and modernization of*  
11 *support equipment and materials not otherwise provided*  
12 *for, Navy ordnance (except ordnance for new aircraft, new*  
13 *ships, and ships authorized for conversion); the purchase*  
14 *of passenger motor vehicles for replacement only; expansion*  
15 *of public and private plants, including the land necessary*  
16 *therefor, and such lands and interests therein, may be ac-*  
17 *quired, and construction prosecuted thereon prior to ap-*  
18 *proval of title; and procurement and installation of equip-*  
19 *ment, appliances, and machine tools in public and private*  
20 *plants; reserve plant and Government and contractor-owned*  
21 *equipment layaway, \$7,941,018,000, to remain available*  
22 *for obligation until September 30, 2020.*

23 *PROCUREMENT, MARINE CORPS*

24 *For expenses necessary for the procurement, manufac-*  
25 *ture, and modification of missiles, armament, military*

1 *equipment, spare parts, and accessories therefor; plant*  
2 *equipment, appliances, and machine tools, and installation*  
3 *thereof in public and private plants; reserve plant and Gov-*  
4 *ernment and contractor-owned equipment layaway; vehicles*  
5 *for the Marine Corps, including the purchase of passenger*  
6 *motor vehicles for replacement only; and expansion of pub-*  
7 *lic and private plants, including land necessary therefor,*  
8 *and such lands and interests therein, may be acquired, and*  
9 *construction prosecuted thereon prior to approval of title,*  
10 *\$1,942,737,000, to remain available for obligation until*  
11 *September 30, 2020.*

12 *AIRCRAFT PROCUREMENT, AIR FORCE*

13 *For construction, procurement, and modification of*  
14 *aircraft and equipment, including armor and armament,*  
15 *specialized ground handling equipment, and training de-*  
16 *vices, spare parts, and accessories therefor; specialized*  
17 *equipment; expansion of public and private plants, Govern-*  
18 *ment-owned equipment and installation thereof in such*  
19 *plants, erection of structures, and acquisition of land, for*  
20 *the foregoing purposes, and such lands and interests therein,*  
21 *may be acquired, and construction prosecuted thereon prior*  
22 *to approval of title; reserve plant and Government and con-*  
23 *tractor-owned equipment layaway; and other expenses nec-*  
24 *essary for the foregoing purposes including rents and trans-*

1 *portation of things, \$18,504,556,000, to remain available*  
2 *for obligation until September 30, 2020.*

3 *MISSILE PROCUREMENT, AIR FORCE*

4 *For construction, procurement, and modification of*  
5 *missiles, rockets, and related equipment, including spare*  
6 *parts and accessories therefor; ground handling equipment,*  
7 *and training devices; expansion of public and private*  
8 *plants, Government-owned equipment and installation*  
9 *thereof in such plants, erection of structures, and acquisi-*  
10 *tion of land, for the foregoing purposes, and such lands and*  
11 *interests therein, may be acquired, and construction pros-*  
12 *ecuted thereon prior to approval of title; reserve plant and*  
13 *Government and contractor-owned equipment layaway; and*  
14 *other expenses necessary for the foregoing purposes includ-*  
15 *ing rents and transportation of things, \$2,207,747,000, to*  
16 *remain available for obligation until September 30, 2020.*

17 *SPACE PROCUREMENT, AIR FORCE*

18 *For construction, procurement, and modification of*  
19 *spacecraft, rockets, and related equipment, including spare*  
20 *parts and accessories therefor; ground handling equipment,*  
21 *and training devices; expansion of public and private*  
22 *plants, Government-owned equipment and installation*  
23 *thereof in such plants, erection of structures, and acquisi-*  
24 *tion of land, for the foregoing purposes, and such lands and*  
25 *interests therein, may be acquired, and construction pros-*

1 *ecuted thereon prior to approval of title; reserve plant and*  
2 *Government and contractor-owned equipment layaway; and*  
3 *other expenses necessary for the foregoing purposes includ-*  
4 *ing rents and transportation of things, \$3,552,175,000, to*  
5 *remain available for obligation until September 30, 2020.*

6 *PROCUREMENT OF AMMUNITION, AIR FORCE*

7 *For construction, procurement, production, and modi-*  
8 *fication of ammunition, and accessories therefor; specialized*  
9 *equipment and training devices; expansion of public and*  
10 *private plants, including ammunition facilities, authorized*  
11 *by section 2854 of title 10, United States Code, and the*  
12 *land necessary therefor, for the foregoing purposes, and such*  
13 *lands and interests therein, may be acquired, and construc-*  
14 *tion prosecuted thereon prior to approval of title; and pro-*  
15 *curement and installation of equipment, appliances, and*  
16 *machine tools in public and private plants; reserve plant*  
17 *and Government and contractor-owned equipment layaway;*  
18 *and other expenses necessary for the foregoing purposes,*  
19 *\$1,651,977,000, to remain available for obligation until*  
20 *September 30, 2020.*

21 *OTHER PROCUREMENT, AIR FORCE*

22 *For procurement and modification of equipment (in-*  
23 *cluding ground guidance and electronic control equipment,*  
24 *and ground electronic and communication equipment), and*  
25 *supplies, materials, and spare parts therefor, not otherwise*

1 *provided for; the purchase of passenger motor vehicles for*  
2 *replacement only; lease of passenger motor vehicles; and ex-*  
3 *pansion of public and private plants, Government-owned*  
4 *equipment and installation thereof in such plants, erection*  
5 *of structures, and acquisition of land, for the foregoing pur-*  
6 *poses, and such lands and interests therein, may be ac-*  
7 *quired, and construction prosecuted thereon, prior to ap-*  
8 *proval of title; reserve plant and Government and con-*  
9 *tractor-owned equipment layaway, \$20,503,273,000, to re-*  
10 *main available for obligation until September 30, 2020.*

11 *PROCUREMENT, DEFENSE-WIDE*

12 *For expenses of activities and agencies of the Depart-*  
13 *ment of Defense (other than the military departments) nec-*  
14 *essary for procurement, production, and modification of*  
15 *equipment, supplies, materials, and spare parts therefor,*  
16 *not otherwise provided for; the purchase of passenger motor*  
17 *vehicles for replacement only; expansion of public and pri-*  
18 *vate plants, equipment, and installation thereof in such*  
19 *plants, erection of structures, and acquisition of land for*  
20 *the foregoing purposes, and such lands and interests therein,*  
21 *may be acquired, and construction prosecuted thereon prior*  
22 *to approval of title; reserve plant and Government and con-*  
23 *tractor-owned equipment layaway, \$5,429,270,000, to re-*  
24 *main available for obligation until September 30, 2020.*

1            *DEFENSE PRODUCTION ACT PURCHASES*

2            *For activities by the Department of Defense pursuant*  
3 *to sections 108, 301, 302, and 303 of the Defense Production*  
4 *Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),*  
5 *\$67,401,000, to remain available until expended.*

6            *TITLE IV*7            *RESEARCH, DEVELOPMENT, TEST AND*8            *EVALUATION*9 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

10          *For expenses necessary for basic and applied scientific*  
11 *research, development, test and evaluation, including main-*  
12 *tenance, rehabilitation, lease, and operation of facilities*  
13 *and equipment, \$10,647,426,000, to remain available for*  
14 *obligation until September 30, 2019.*

15 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

16          *For expenses necessary for basic and applied scientific*  
17 *research, development, test and evaluation, including main-*  
18 *tenance, rehabilitation, lease, and operation of facilities*  
19 *and equipment, \$18,010,754,000, to remain available for*  
20 *obligation until September 30, 2019: Provided, That funds*  
21 *appropriated in this paragraph which are available for the*  
22 *V-22 may be used to meet unique operational requirements*  
23 *of the Special Operations Forces.*

1 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
2 *FORCE*

3 *For expenses necessary for basic and applied scientific*  
4 *research, development, test and evaluation, including main-*  
5 *tenance, rehabilitation, lease, and operation of facilities*  
6 *and equipment, \$37,428,078,000, to remain available for*  
7 *obligation until September 30, 2019.*

8 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
9 *DEFENSE-WIDE*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For expenses of activities and agencies of the Depart-*  
12 *ment of Defense (other than the military departments), nec-*  
13 *essary for basic and applied scientific research, develop-*  
14 *ment, test and evaluation; advanced research projects as*  
15 *may be designated and determined by the Secretary of De-*  
16 *fense, pursuant to law; maintenance, rehabilitation, lease,*  
17 *and operation of facilities and equipment, \$22,010,975,000,*  
18 *to remain available for obligation until September 30,*  
19 *2019: Provided, That, of the funds made available in this*  
20 *paragraph, \$250,000,000 for the Defense Rapid Innovation*  
21 *Program shall only be available for expenses, not otherwise*  
22 *provided for, to include program management and over-*  
23 *sight, to conduct research, development, test and evaluation*  
24 *to include proof of concept demonstration; engineering, test-*  
25 *ing, and validation; and transition to full-scale production:*

1 *Provided further, That the Secretary of Defense may trans-*  
2 *fer funds provided herein for the Defense Rapid Innovation*  
3 *Program to appropriations for research, development, test*  
4 *and evaluation to accomplish the purpose provided herein:*  
5 *Provided further, That this transfer authority is in addi-*  
6 *tion to any other transfer authority available to the Depart-*  
7 *ment of Defense: Provided further, That the Secretary of*  
8 *Defense shall, not fewer than 30 days prior to making*  
9 *transfers from this appropriation, notify the congressional*  
10 *defense committees in writing of the details of any such*  
11 *transfer.*

12 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

13 *For expenses, not otherwise provided for, necessary for*  
14 *the independent activities of the Director, Operational Test*  
15 *and Evaluation, in the direction and supervision of oper-*  
16 *ational test and evaluation, including initial operational*  
17 *test and evaluation which is conducted prior to, and in sup-*  
18 *port of, production decisions; joint operational testing and*  
19 *evaluation; and administrative expenses in connection*  
20 *therewith, \$210,900,000, to remain available for obligation*  
21 *until September 30, 2019.*



1 *TITLE V*  
2 *REVOLVING AND MANAGEMENT FUNDS*  
3 *DEFENSE WORKING CAPITAL FUNDS*

4 *For the Defense Working Capital Funds,*  
5 *\$1,685,596,000.*

6 *TITLE VI*  
7 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

8 *DEFENSE HEALTH PROGRAM*

9 *For expenses, not otherwise provided for, for medical*  
10 *and health care programs of the Department of Defense as*  
11 *authorized by law, \$34,428,167,000; of which*  
12 *\$31,521,850,000 shall be for operation and maintenance, of*  
13 *which not to exceed one percent shall remain available for*  
14 *obligation until September 30, 2019, and of which up to*  
15 *\$15,349,700,000 may be available for contracts entered into*  
16 *under the TRICARE program; of which \$867,002,000, to*  
17 *remain available for obligation until September 30, 2020,*  
18 *shall be for procurement; and of which \$2,039,315,000, to*  
19 *remain available for obligation until September 30, 2019,*  
20 *shall be for research, development, test and evaluation: Pro-*  
21 *vided, That, notwithstanding any other provision of law,*  
22 *of the amount made available under this heading for re-*  
23 *search, development, test and evaluation, not less than*  
24 *\$8,000,000 shall be available for HIV prevention edu-*  
25 *cational activities undertaken in connection with United*

1 *States military training, exercises, and humanitarian as-*  
2 *sistance activities conducted primarily in African nations:*  
3 *Provided further, That of the funds provided under this*  
4 *heading for research, development, test and evaluation, not*  
5 *less than \$1,095,100,000 shall be made available to the*  
6 *United States Army Medical Research and Materiel Com-*  
7 *mand to carry out the congressionally directed medical re-*  
8 *search programs.*

9 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*

10 *DEFENSE*

11 *For expenses, not otherwise provided for, necessary for*  
12 *the destruction of the United States stockpile of lethal chem-*  
13 *ical agents and munitions in accordance with the provi-*  
14 *sions of section 1412 of the Department of Defense Author-*  
15 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*  
16 *of other chemical warfare materials that are not in the*  
17 *chemical weapon stockpile, \$961,732,000, of which*  
18 *\$104,237,000 shall be for operation and maintenance, of*  
19 *which no less than \$49,401,000 shall be for the Chemical*  
20 *Stockpile Emergency Preparedness Program, consisting of*  
21 *\$21,045,000 for activities on military installations and*  
22 *\$28,356,000, to remain available until September 30, 2019,*  
23 *to assist State and local governments; \$18,081,000 shall be*  
24 *for procurement, to remain available until September 30,*  
25 *2020, of which \$16,787,000 shall be for the Chemical Stock-*

1 *pile Emergency Preparedness Program to assist State and*  
2 *local governments and \$1,294,000 for activities on military*  
3 *installations; and \$839,414,000, to remain available until*  
4 *September 30, 2019, shall be for research, development, test*  
5 *and evaluation, of which \$831,900,000 shall only be for the*  
6 *Assembled Chemical Weapons Alternatives program.*

7 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

8 *DEFENSE*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For drug interdiction and counter-drug activities of*  
11 *the Department of Defense, for transfer to appropriations*  
12 *available to the Department of Defense for military per-*  
13 *sonnel of the reserve components serving under the provi-*  
14 *sions of title 10 and title 32, United States Code; for oper-*  
15 *ation and maintenance; for procurement; and for research,*  
16 *development, test and evaluation, \$934,814,000, of which*  
17 *\$552,648,000 shall be for counter-narcotics support;*  
18 *\$120,813,000 shall be for the drug demand reduction pro-*  
19 *gram; \$236,353,000 shall be for the National Guard*  
20 *counter-drug program; and \$25,000,000 shall be for the Na-*  
21 *tional Guard counter-drug schools program: Provided, That*  
22 *the funds appropriated under this heading shall be avail-*  
23 *able for obligation for the same time period and for the*  
24 *same purpose as the appropriation to which transferred:*  
25 *Provided further, That upon a determination that all or*

1 *part of the funds transferred from this appropriation are*  
2 *not necessary for the purposes provided herein, such*  
3 *amounts may be transferred back to this appropriation:*  
4 *Provided further, That the transfer authority provided*  
5 *under this heading is in addition to any other transfer au-*  
6 *thority contained elsewhere in this Act.*

7 *OFFICE OF THE INSPECTOR GENERAL*

8 *For expenses and activities of the Office of the Inspec-*  
9 *tor General in carrying out the provisions of the Inspector*  
10 *General Act of 1978, as amended, \$321,887,000, of which*  
11 *\$319,087,000 shall be for operation and maintenance, of*  
12 *which not to exceed \$700,000 is available for emergencies*  
13 *and extraordinary expenses to be expended on the approval*  
14 *or authority of the Inspector General, and payments may*  
15 *be made on the Inspector General's certificate of necessity*  
16 *for confidential military purposes; and of which \$2,800,000,*  
17 *to remain available until September 30, 2019, shall be for*  
18 *research, development, test and evaluation.*

19 *TITLE VII*

20 *RELATED AGENCIES*

21 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

22 *DISABILITY SYSTEM FUND*

23 *For payment to the Central Intelligence Agency Retire-*  
24 *ment and Disability System Fund, to maintain the proper*  
25 *funding level for continuing the operation of the Central*

1 *Intelligence Agency Retirement and Disability System,*  
2 *\$514,000,000.*

3 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

4 *For necessary expenses of the Intelligence Community*  
5 *Management Account, \$537,600,000.*

6 *TITLE VIII*

7 *GENERAL PROVISIONS*

8 *SEC. 8001. No part of any appropriation contained*  
9 *in this Act shall be used for publicity or propaganda pur-*  
10 *poses not authorized by the Congress.*

11 *SEC. 8002. During the current fiscal year, provisions*  
12 *of law prohibiting the payment of compensation to, or em-*  
13 *ployment of, any person not a citizen of the United States*  
14 *shall not apply to personnel of the Department of Defense:*  
15 *Provided, That salary increases granted to direct and indi-*  
16 *rect hire foreign national employees of the Department of*  
17 *Defense funded by this Act shall not be at a rate in excess*  
18 *of the percentage increase authorized by law for civilian*  
19 *employees of the Department of Defense whose pay is com-*  
20 *puted under the provisions of section 5332 of title 5, United*  
21 *States Code, or at a rate in excess of the percentage increase*  
22 *provided by the appropriate host nation to its own employ-*  
23 *ees, whichever is higher: Provided further, That this section*  
24 *shall not apply to Department of Defense foreign service*  
25 *national employees serving at United States diplomatic*



1 purposes, and for the same time period, as the appropria-  
2 tion or fund to which transferred: Provided, That such au-  
3 thority to transfer may not be used unless for higher pri-  
4 ority items, based on unforeseen military requirements,  
5 than those for which originally appropriated and in no case  
6 where the item for which funds are requested has been de-  
7 nied by the Congress: Provided further, That the Secretary  
8 of Defense shall notify the Congress promptly of all transfers  
9 made pursuant to this authority or any other authority in  
10 this Act: Provided further, That no part of the funds in  
11 this Act shall be available to prepare or present a request  
12 to the Committees on Appropriations for reprogramming  
13 of funds, unless for higher priority items, based on unfore-  
14 seen military requirements, than those for which originally  
15 appropriated and in no case where the item for which re-  
16 programming is requested has been denied by the Congress:  
17 Provided further, That a request for multiple  
18 reprogrammings of funds using authority provided in this  
19 section shall be made prior to June 30, 2018: Provided fur-  
20 ther, That transfers among military personnel appropria-  
21 tions shall not be taken into account for purposes of the  
22 limitation on the amount of funds that may be transferred  
23 under this section.

24 SEC. 8006. (a) With regard to the list of specific pro-  
25 grams, projects, and activities (and the dollar amounts and

1 *adjustments to budget activities corresponding to such pro-*  
2 *grams, projects, and activities) contained in the tables titled*  
3 *Explanation of Project Level Adjustments in the explana-*  
4 *tory statement regarding this Act, the obligation and ex-*  
5 *penditure of amounts appropriated or otherwise made*  
6 *available in this Act for those programs, projects, and ac-*  
7 *tivities for which the amounts appropriated exceed the*  
8 *amounts requested are hereby required by law to be carried*  
9 *out in the manner provided by such tables to the same ex-*  
10 *tent as if the tables were included in the text of this Act.*

11 *(b) Amounts specified in the referenced tables described*  
12 *in subsection (a) shall not be treated as subdivisions of ap-*  
13 *propriations for purposes of section 8005 of this Act: Pro-*  
14 *vided, That section 8005 shall apply when transfers of the*  
15 *amounts described in subsection (a) occur between appro-*  
16 *priation accounts.*

17 *SEC. 8007. (a) Not later than 60 days after enactment*  
18 *of this Act, the Department of Defense shall submit a report*  
19 *to the congressional defense committees to establish the base-*  
20 *line for application of reprogramming and transfer au-*  
21 *thorities for fiscal year 2018: Provided, That the report*  
22 *shall include—*

23 *(1) a table for each appropriation with a sepa-*  
24 *rate column to display the President's budget request,*  
25 *adjustments made by Congress, adjustments due to*



1       enacted rescissions, if appropriate, and the fiscal year  
2       enacted level;

3               (2) a delineation in the table for each appropria-  
4       tion both by budget activity and program, project,  
5       and activity as detailed in the Budget Appendix; and

6               (3) an identification of items of special congres-  
7       sional interest.

8       (b) Notwithstanding section 8005 of this Act, none of  
9       the funds provided in this Act shall be available for re-  
10      programming or transfer until the report identified in sub-  
11      section (a) is submitted to the congressional defense commit-  
12      tees, unless the Secretary of Defense certifies in writing to  
13      the congressional defense committees that such reprogram-  
14      ming or transfer is necessary as an emergency requirement:  
15      Provided, That this subsection shall not apply to transfers  
16      from the following appropriations accounts:

17               (1) “Environmental Restoration, Army”;

18               (2) “Environmental Restoration, Navy”;

19               (3) “Environmental Restoration, Air Force”;

20               (4) “Environmental Restoration, Defense-Wide”;

21               (5) “Environmental Restoration, Formerly Used  
22      Defense Sites”; and

23               (6) “Drug Interdiction and Counter-drug Activi-  
24      ties, Defense”.

(TRANSFER OF FUNDS)

1  
2       *SEC. 8008. During the current fiscal year, cash bal-*  
3 *ances in working capital funds of the Department of De-*  
4 *fense established pursuant to section 2208 of title 10, United*  
5 *States Code, may be maintained in only such amounts as*  
6 *are necessary at any time for cash disbursements to be made*  
7 *from such funds: Provided, That transfers may be made be-*  
8 *tween such funds: Provided further, That transfers may be*  
9 *made between working capital funds and the “Foreign Cur-*  
10 *rency Fluctuations, Defense” appropriation and the “Oper-*  
11 *ation and Maintenance” appropriation accounts in such*  
12 *amounts as may be determined by the Secretary of Defense,*  
13 *with the approval of the Office of Management and Budget,*  
14 *except that such transfers may not be made unless the Sec-*  
15 *retary of Defense has notified the Congress of the proposed*  
16 *transfer: Provided further, That except in amounts equal*  
17 *to the amounts appropriated to working capital funds in*  
18 *this Act, no obligations may be made against a working*  
19 *capital fund to procure or increase the value of war reserve*  
20 *material inventory, unless the Secretary of Defense has no-*  
21 *tified the Congress prior to any such obligation.*

22       *SEC. 8009. Funds appropriated by this Act may not*  
23 *be used to initiate a special access program without prior*  
24 *notification 30 calendar days in advance to the congres-*  
25 *sional defense committees.*

1        *SEC. 8010. None of the funds provided in this Act shall*  
2 *be available to initiate: (1) a multiyear contract that em-*  
3 *plloys economic order quantity procurement in excess of*  
4 *\$20,000,000 in any one year of the contract or that includes*  
5 *an unfunded contingent liability in excess of \$20,000,000;*  
6 *or (2) a contract for advance procurement leading to a*  
7 *multiyear contract that employs economic order quantity*  
8 *procurement in excess of \$20,000,000 in any one year, un-*  
9 *less the congressional defense committees have been notified*  
10 *at least 30 days in advance of the proposed contract award:*  
11 *Provided, That no part of any appropriation contained in*  
12 *this Act shall be available to initiate a multiyear contract*  
13 *for which the economic order quantity advance procurement*  
14 *is not funded at least to the limits of the Government's li-*  
15 *ability: Provided further, That no part of any appropria-*  
16 *tion contained in this Act shall be available to initiate*  
17 *multiyear procurement contracts for any systems or compo-*  
18 *nent thereof if the value of the multiyear contract would*  
19 *exceed \$500,000,000 unless specifically provided in this Act:*  
20 *Provided further, That no multiyear procurement contract*  
21 *can be terminated without 30-day prior notification to the*  
22 *congressional defense committees: Provided further, That the*  
23 *execution of multiyear authority shall require the use of a*  
24 *present value analysis to determine lowest cost compared*  
25 *to an annual procurement: Provided further, That none of*

1 *the funds provided in this Act may be used for a multiyear*  
2 *contract executed after the date of the enactment of this Act*  
3 *unless in the case of any such contract—*

4           (1) *the Secretary of Defense has submitted to*  
5 *Congress a budget request for full funding of units to*  
6 *be procured through the contract and, in the case of*  
7 *a contract for procurement of aircraft, that includes,*  
8 *for any aircraft unit to be procured through the con-*  
9 *tract for which procurement funds are requested in*  
10 *that budget request for production beyond advance*  
11 *procurement activities in the fiscal year covered by*  
12 *the budget, full funding of procurement of such unit*  
13 *in that fiscal year;*

14           (2) *cancellation provisions in the contract do not*  
15 *include consideration of recurring manufacturing*  
16 *costs of the contractor associated with the production*  
17 *of unfunded units to be delivered under the contract;*

18           (3) *the contract provides that payments to the*  
19 *contractor under the contract shall not be made in*  
20 *advance of incurred costs on funded units; and*

21           (4) *the contract does not provide for a price ad-*  
22 *justment based on a failure to award a follow-on con-*  
23 *tract.*

24           *Funds appropriated in title III of this Act may be*  
25 *used for a multiyear procurement contract as follows: V—*

1 22 Osprey aircraft variants; up to 13 SSN Virginia Class  
2 Submarines and Government-furnished equipment; and  
3 DDG-51 Arleigh Burke class Flight III guided missile de-  
4 stroyers, the MK41 Vertical Launching Systems, and asso-  
5 ciated Government-furnished systems and subsystems: Pro-  
6 vided, That the term of any multiyear procurement contract  
7 for V-22 Osprey aircraft variants entered into for use of  
8 any part of any appropriation contained in this Act may  
9 not exceed 5 years.

10       *SEC. 8011. Within the funds appropriated for the oper-*  
11 *ation and maintenance of the Armed Forces, funds are here-*  
12 *by appropriated pursuant to section 401 of title 10, United*  
13 *States Code, for humanitarian and civic assistance costs*  
14 *under chapter 20 of title 10, United States Code. Such funds*  
15 *may also be obligated for humanitarian and civic assist-*  
16 *ance costs incidental to authorized operations and pursuant*  
17 *to authority granted in section 401 of chapter 20 of title*  
18 *10, United States Code, and these obligations shall be re-*  
19 *ported as required by section 401(d) of title 10, United*  
20 *States Code: Provided, That funds available for operation*  
21 *and maintenance shall be available for providing humani-*  
22 *tarian and similar assistance by using Civic Action Teams*  
23 *in the Trust Territories of the Pacific Islands and freely*  
24 *associated states of Micronesia, pursuant to the Compact*  
25 *of Free Association as authorized by Public Law 99-239:*

1 *Provided further, That upon a determination by the Sec-*  
2 *retary of the Army that such action is beneficial for grad-*  
3 *uate medical education programs conducted at Army med-*  
4 *ical facilities located in Hawaii, the Secretary of the Army*  
5 *may authorize the provision of medical services at such fa-*  
6 *cilities and transportation to such facilities, on a nonreim-*  
7 *bursable basis, for civilian patients from American Samoa,*  
8 *the Commonwealth of the Northern Mariana Islands, the*  
9 *Marshall Islands, the Federated States of Micronesia,*  
10 *Palau, and Guam.*

11 *SEC. 8012. (a) During the current fiscal year, the ci-*  
12 *vilian personnel of the Department of Defense may not be*  
13 *managed on the basis of any end-strength, and the manage-*  
14 *ment of such personnel during that fiscal year shall not be*  
15 *subject to any constraint or limitation (known as an end-*  
16 *strength) on the number of such personnel who may be em-*  
17 *ployed on the last day of such fiscal year.*

18 *(b) The fiscal year 2019 budget request for the Depart-*  
19 *ment of Defense as well as all justification material and*  
20 *other documentation supporting the fiscal year 2019 De-*  
21 *partment of Defense budget request shall be prepared and*  
22 *submitted to the Congress as if subsections (a) and (b) of*  
23 *this provision were effective with regard to fiscal year 2019.*

24 *(c) As required by section 1107 of the National Defense*  
25 *Authorization Act for Fiscal Year 2014 (Public Law 113-*

1 66; 10 U.S.C. 2358 note) civilian personnel at the Depart-  
2 ment of Army Science and Technology Reinvention Labora-  
3 tories may not be managed on the basis of the Table of Dis-  
4 tribution and Allowances, and the management of the work-  
5 force strength shall be done in a manner consistent with  
6 the budget available with respect to such Laboratories.

7 (d) Nothing in this section shall be construed to apply  
8 to military (civilian) technicians.

9 SEC. 8013. None of the funds made available by this  
10 Act shall be used in any way, directly or indirectly, to in-  
11 fluence congressional action on any legislation or appro-  
12 priation matters pending before the Congress.

13 SEC. 8014. None of the funds appropriated by this Act  
14 shall be available for the basic pay and allowances of any  
15 member of the Army participating as a full-time student  
16 and receiving benefits paid by the Secretary of Veterans Af-  
17 fairs from the Department of Defense Education Benefits  
18 Fund when time spent as a full-time student is credited  
19 toward completion of a service commitment: Provided, That  
20 this section shall not apply to those members who have reen-  
21 listed with this option prior to October 1, 1987: Provided  
22 further, That this section applies only to active components  
23 of the Army.

*(TRANSFER OF FUNDS)*

1  
2       *SEC. 8015. Funds appropriated in title III of this Act*  
3 *for the Department of Defense Pilot Mentor-Protégé Pro-*  
4 *gram may be transferred to any other appropriation con-*  
5 *tained in this Act solely for the purpose of implementing*  
6 *a Mentor-Protégé Program developmental assistance agree-*  
7 *ment pursuant to section 831 of the National Defense Au-*  
8 *thorization Act for Fiscal Year 1991 (Public Law 101–510;*  
9 *10 U.S.C. 2302 note), as amended, under the authority of*  
10 *this provision or any other transfer authority contained in*  
11 *this Act.*

12       *SEC. 8016. None of the funds in this Act may be avail-*  
13 *able for the purchase by the Department of Defense (and*  
14 *its departments and agencies) of welded shipboard anchor*  
15 *and mooring chain 4 inches in diameter and under unless*  
16 *the anchor and mooring chain are manufactured in the*  
17 *United States from components which are substantially*  
18 *manufactured in the United States: Provided, That for the*  
19 *purpose of this section, the term “manufactured” shall in-*  
20 *clude cutting, heat treating, quality control, testing of chain*  
21 *and welding (including the forging and shot blasting proc-*  
22 *ess): Provided further, That for the purpose of this section*  
23 *substantially all of the components of anchor and mooring*  
24 *chain shall be considered to be produced or manufactured*  
25 *in the United States if the aggregate cost of the components*



1 *produced or manufactured in the United States exceeds the*  
2 *aggregate cost of the components produced or manufactured*  
3 *outside the United States: Provided further, That when ade-*  
4 *quate domestic supplies are not available to meet Depart-*  
5 *ment of Defense requirements on a timely basis, the Sec-*  
6 *retary of the service responsible for the procurement may*  
7 *waive this restriction on a case-by-case basis by certifying*  
8 *in writing to the Committees on Appropriations that such*  
9 *an acquisition must be made in order to acquire capability*  
10 *for national security purposes.*

11 *SEC. 8017. None of the funds appropriated by this Act*  
12 *shall be used for the support of any nonappropriated funds*  
13 *activity of the Department of Defense that procures malt*  
14 *beverages and wine with nonappropriated funds for resale*  
15 *(including such alcoholic beverages sold by the drink) on*  
16 *a military installation located in the United States unless*  
17 *such malt beverages and wine are procured within that*  
18 *State, or in the case of the District of Columbia, within*  
19 *the District of Columbia, in which the military installation*  
20 *is located: Provided, That, in a case in which the military*  
21 *installation is located in more than one State, purchases*  
22 *may be made in any State in which the installation is lo-*  
23 *cated: Provided further, That such local procurement re-*  
24 *quirements for malt beverages and wine shall apply to all*  
25 *alcoholic beverages only for military installations in States*

1 *which are not contiguous with another State: Provided fur-*  
2 *ther, That alcoholic beverages other than wine and malt bev-*  
3 *erages, in contiguous States and the District of Columbia*  
4 *shall be procured from the most competitive source, price*  
5 *and other factors considered.*

6       *SEC. 8018. None of the funds available to the Depart-*  
7 *ment of Defense may be used to demilitarize or dispose of*  
8 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*  
9 *rifles, .30 caliber rifles, or M-1911 pistols, or to demili-*  
10 *tarize or destroy small arms ammunition or ammunition*  
11 *components that are not otherwise prohibited from commer-*  
12 *cial sale under Federal law, unless the small arms ammuni-*  
13 *tion or ammunition components are certified by the Sec-*  
14 *retary of the Army or designee as unserviceable or unsafe*  
15 *for further use.*

16       *SEC. 8019. No more than \$500,000 of the funds appro-*  
17 *priated or made available in this Act shall be used during*  
18 *a single fiscal year for any single relocation of an organiza-*  
19 *tion, unit, activity or function of the Department of Defense*  
20 *into or within the National Capital Region: Provided, That*  
21 *the Secretary of Defense may waive this restriction on a*  
22 *case-by-case basis by certifying in writing to the congres-*  
23 *sional defense committees that such a relocation is required*  
24 *in the best interest of the Government.*

1        *SEC. 8020. Of the funds made available in this Act,*  
2        *\$20,000,000 shall be available for incentive payments au-*  
3        *thorized by section 504 of the Indian Financing Act of 1974*  
4        *(25 U.S.C. 1544): Provided, That a prime contractor or a*  
5        *subcontractor at any tier that makes a subcontract award*  
6        *to any subcontractor or supplier as defined in section 1544*  
7        *of title 25, United States Code, or a small business owned*  
8        *and controlled by an individual or individuals defined*  
9        *under section 4221(9) of title 25, United States Code, shall*  
10       *be considered a contractor for the purposes of being allowed*  
11       *additional compensation under section 504 of the Indian*  
12       *Financing Act of 1974 (25 U.S.C. 1544) whenever the*  
13       *prime contract or subcontract amount is over \$500,000 and*  
14       *involves the expenditure of funds appropriated by an Act*  
15       *making appropriations for the Department of Defense with*  
16       *respect to any fiscal year: Provided further, That notwith-*  
17       *standing section 1906 of title 41, United States Code, this*  
18       *section shall be applicable to any Department of Defense*  
19       *acquisition of supplies or services, including any contract*  
20       *and any subcontract at any tier for acquisition of commer-*  
21       *cial items produced or manufactured, in whole or in part,*  
22       *by any subcontractor or supplier defined in section 1544*  
23       *of title 25, United States Code, or a small business owned*  
24       *and controlled by an individual or individuals defined*  
25       *under section 4221(9) of title 25, United States Code.*

1        *SEC. 8021. Funds appropriated by this Act for the De-*  
2 *fense Media Activity shall not be used for any national or*  
3 *international political or psychological activities.*

4        *SEC. 8022. During the current fiscal year, the Depart-*  
5 *ment of Defense is authorized to incur obligations of not*  
6 *to exceed \$350,000,000 for purposes specified in section*  
7 *2350j(c) of title 10, United States Code, in anticipation of*  
8 *receipt of contributions, only from the Government of Ku-*  
9 *wait, under that section: Provided, That, upon receipt, such*  
10 *contributions from the Government of Kuwait shall be cred-*  
11 *ited to the appropriations or fund which incurred such obli-*  
12 *gations.*

13        *SEC. 8023. (a) Of the funds made available in this*  
14 *Act, not less than \$43,100,000 shall be available for the*  
15 *Civil Air Patrol Corporation, of which—*

16            (1) *\$30,800,000 shall be available from “Oper-*  
17 *ation and Maintenance, Air Force” to support Civil*  
18 *Air Patrol Corporation operation and maintenance,*  
19 *readiness, counter-drug activities, and drug demand*  
20 *reduction activities involving youth programs;*

21            (2) *\$10,600,000 shall be available from “Aircraft*  
22 *Procurement, Air Force”;* and

23            (3) *\$1,700,000 shall be available from “Other*  
24 *Procurement, Air Force” for vehicle procurement.*

1           **(b)** *The Secretary of the Air Force should waive reim-*  
2 *bursement for any funds used by the Civil Air Patrol for*  
3 *counter-drug activities in support of Federal, State, and*  
4 *local government agencies.*

5           **SEC. 8024.** *(a) None of the funds appropriated in this*  
6 *Act are available to establish a new Department of Defense*  
7 *(department) federally funded research and development*  
8 *center (FFRDC), either as a new entity, or as a separate*  
9 *entity administrated by an organization managing another*  
10 *FFRDC, or as a nonprofit membership corporation con-*  
11 *sisting of a consortium of other FFRDCs and other non-*  
12 *profit entities.*

13           **(b)** *No member of a Board of Directors, Trustees, Over-*  
14 *seers, Advisory Group, Special Issues Panel, Visiting Com-*  
15 *mittee, or any similar entity of a defense FFRDC, and no*  
16 *paid consultant to any defense FFRDC, except when acting*  
17 *in a technical advisory capacity, may be compensated for*  
18 *his or her services as a member of such entity, or as a paid*  
19 *consultant by more than one FFRDC in a fiscal year: Pro-*  
20 *vided, That a member of any such entity referred to pre-*  
21 *viously in this subsection shall be allowed travel expenses*  
22 *and per diem as authorized under the Federal Joint Travel*  
23 *Regulations, when engaged in the performance of member-*  
24 *ship duties.*

1           (c) Notwithstanding any other provision of law, none  
2 of the funds available to the department from any source  
3 during the current fiscal year may be used by a defense  
4 FFRDC, through a fee or other payment mechanism, for  
5 construction of new buildings not located on a military in-  
6 stallation, for payment of cost sharing for projects funded  
7 by Government grants, for absorption of contract overruns,  
8 or for certain charitable contributions, not to include em-  
9 ployee participation in community service and/or develop-  
10 ment.

11           (d) Notwithstanding any other provision of law, of the  
12 funds available to the department during fiscal year 2018,  
13 not more than 6,030 staff years of technical effort (staff  
14 years) may be funded for defense FFRDCs: Provided, That,  
15 of the specific amount referred to previously in this sub-  
16 section, not more than 1,125 staff years may be funded for  
17 the defense studies and analysis FFRDCs: Provided further,  
18 That this subsection shall not apply to staff years funded  
19 in the National Intelligence Program (NIP) and the Mili-  
20 tary Intelligence Program (MIP).

21           (e) The Secretary of Defense shall, with the submission  
22 of the department's fiscal year 2019 budget request, submit  
23 a report presenting the specific amounts of staff years of  
24 technical effort to be allocated for each defense FFRDC dur-  
25 ing that fiscal year and the associated budget estimates.

1           (f) Notwithstanding any other provision of this Act,  
2 the total amount appropriated in this Act for FFRDCs is  
3 hereby reduced by \$131,000,000.

4           SEC. 8025. None of the funds appropriated or made  
5 available in this Act shall be used to procure carbon, alloy,  
6 or armor steel plate for use in any Government-owned facil-  
7 ity or property under the control of the Department of De-  
8 fense which were not melted and rolled in the United States  
9 or Canada: Provided, That these procurement restrictions  
10 shall apply to any and all Federal Supply Class 9515,  
11 American Society of Testing and Materials (ASTM) or  
12 American Iron and Steel Institute (AISI) specifications of  
13 carbon, alloy or armor steel plate: Provided further, That  
14 the Secretary of the military department responsible for the  
15 procurement may waive this restriction on a case-by-case  
16 basis by certifying in writing to the Committees on Appro-  
17 priations of the House of Representatives and the Senate  
18 that adequate domestic supplies are not available to meet  
19 Department of Defense requirements on a timely basis and  
20 that such an acquisition must be made in order to acquire  
21 capability for national security purposes: Provided further,  
22 That these restrictions shall not apply to contracts which  
23 are in being as of the date of the enactment of this Act.

24           SEC. 8026. For the purposes of this Act, the term “con-  
25 gressional defense committees” means the Armed Services

1 *Committee of the House of Representatives, the Armed Serv-*  
2 *ices Committee of the Senate, the Subcommittee on Defense*  
3 *of the Committee on Appropriations of the Senate, and the*  
4 *Subcommittee on Defense of the Committee on Appropria-*  
5 *tions of the House of Representatives.*

6       *SEC. 8027. During the current fiscal year, the Depart-*  
7 *ment of Defense may acquire the modification, depot main-*  
8 *tenance and repair of aircraft, vehicles and vessels as well*  
9 *as the production of components and other Defense-related*  
10 *articles, through competition between Department of De-*  
11 *fense depot maintenance activities and private firms: Pro-*  
12 *vided, That the Senior Acquisition Executive of the military*  
13 *department or Defense Agency concerned, with power of del-*  
14 *egation, shall certify that successful bids include comparable*  
15 *estimates of all direct and indirect costs for both public and*  
16 *private bids: Provided further, That Office of Management*  
17 *and Budget Circular A-76 shall not apply to competitions*  
18 *conducted under this section.*

19       *SEC. 8028. (a)(1) If the Secretary of Defense, after con-*  
20 *sultation with the United States Trade Representative, de-*  
21 *termines that a foreign country which is party to an agree-*  
22 *ment described in paragraph (2) has violated the terms of*  
23 *the agreement by discriminating against certain types of*  
24 *products produced in the United States that are covered by*  
25 *the agreement, the Secretary of Defense shall rescind the*



1 *Secretary’s blanket waiver of the Buy American Act with*  
2 *respect to such types of products produced in that foreign*  
3 *country.*

4 *(2) An agreement referred to in paragraph (1) is any*  
5 *reciprocal defense procurement memorandum of under-*  
6 *standing, between the United States and a foreign country*  
7 *pursuant to which the Secretary of Defense has prospec-*  
8 *tively waived the Buy American Act for certain products*  
9 *in that country.*

10 *(b) The Secretary of Defense shall submit to the Con-*  
11 *gress a report on the amount of Department of Defense pur-*  
12 *chases from foreign entities in fiscal year 2018. Such report*  
13 *shall separately indicate the dollar value of items for which*  
14 *the Buy American Act was waived pursuant to any agree-*  
15 *ment described in subsection (a)(2), the Trade Agreement*  
16 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*  
17 *agreement to which the United States is a party.*

18 *(c) For purposes of this section, the term “Buy Amer-*  
19 *ican Act” means chapter 83 of title 41, United States Code.*

20 *SEC. 8029. During the current fiscal year, amounts*  
21 *contained in the Department of Defense Overseas Military*  
22 *Facility Investment Recovery Account established by section*  
23 *2921(c)(1) of the National Defense Authorization Act of*  
24 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*

1 *available until expended for the payments specified by sec-*  
2 *tion 2921(c)(2) of that Act.*

3       *SEC. 8030. (a) Notwithstanding any other provision*  
4 *of law, the Secretary of the Air Force may convey at no*  
5 *cost to the Air Force, without consideration, to Indian*  
6 *tribes located in the States of Nevada, Idaho, North Dakota,*  
7 *South Dakota, Montana, Oregon, Minnesota, and Wash-*  
8 *ington relocatable military housing units located at Grand*  
9 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*  
10 *tain Home Air Force Base, Ellsworth Air Force Base, and*  
11 *Minot Air Force Base that are excess to the needs of the*  
12 *Air Force.*

13       *(b) The Secretary of the Air Force shall convey, at no*  
14 *cost to the Air Force, military housing units under sub-*  
15 *section (a) in accordance with the request for such units*  
16 *that are submitted to the Secretary by the Operation Walk-*  
17 *ing Shield Program on behalf of Indian tribes located in*  
18 *the States of Nevada, Idaho, North Dakota, South Dakota,*  
19 *Montana, Oregon, Minnesota, and Washington. Any such*  
20 *conveyance shall be subject to the condition that the housing*  
21 *units shall be removed within a reasonable period of time,*  
22 *as determined by the Secretary.*

23       *(c) The Operation Walking Shield Program shall re-*  
24 *solve any conflicts among requests of Indian tribes for hous-*

1 *ing units under subsection (a) before submitting requests*  
2 *to the Secretary of the Air Force under subsection (b).*

3 *(d) In this section, the term “Indian tribe” means any*  
4 *recognized Indian tribe included on the current list pub-*  
5 *lished by the Secretary of the Interior under section 104*  
6 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*  
7 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).*

8 *SEC. 8031. During the current fiscal year, appropria-*  
9 *tions which are available to the Department of Defense for*  
10 *operation and maintenance may be used to purchase items*  
11 *having an investment item unit cost of not more than*  
12 *\$250,000.*

13 *SEC. 8032. None of the funds made available by this*  
14 *Act may be used to—*

15 *(1) disestablish, or prepare to disestablish, a*  
16 *Senior Reserve Officers’ Training Corps program in*  
17 *accordance with Department of Defense Instruction*  
18 *Number 1215.08, dated June 26, 2006; or*

19 *(2) close, downgrade from host to extension cen-*  
20 *ter, or place on probation a Senior Reserve Officers’*  
21 *Training Corps program in accordance with the in-*  
22 *formation paper of the Department of the Army titled*  
23 *“Army Senior Reserve Officer’s Training Corps*  
24 *(SROTC) Program Review and Criteria”, dated Jan-*  
25 *uary 27, 2014.*

1        *SEC. 8033. The Secretary of Defense shall issue regula-*  
2 *tions to prohibit the sale of any tobacco or tobacco-related*  
3 *products in military resale outlets in the United States, its*  
4 *territories and possessions at a price below the most com-*  
5 *petitive price in the local community: Provided, That such*  
6 *regulations shall direct that the prices of tobacco or tobacco-*  
7 *related products in overseas military retail outlets shall be*  
8 *within the range of prices established for military retail*  
9 *system stores located in the United States.*

10        *SEC. 8034. (a) During the current fiscal year, none*  
11 *of the appropriations or funds available to the Department*  
12 *of Defense Working Capital Funds shall be used for the pur-*  
13 *chase of an investment item for the purpose of acquiring*  
14 *a new inventory item for sale or anticipated sale during*  
15 *the current fiscal year or a subsequent fiscal year to cus-*  
16 *tomers of the Department of Defense Working Capital*  
17 *Funds if such an item would not have been chargeable to*  
18 *the Department of Defense Business Operations Fund dur-*  
19 *ing fiscal year 1994 and if the purchase of such an invest-*  
20 *ment item would be chargeable during the current fiscal*  
21 *year to appropriations made to the Department of Defense*  
22 *for procurement.*

23        *(b) The fiscal year 2019 budget request for the Depart-*  
24 *ment of Defense as well as all justification material and*  
25 *other documentation supporting the fiscal year 2019 De-*

1 *partment of Defense budget shall be prepared and submitted*  
2 *to the Congress on the basis that any equipment which was*  
3 *classified as an end item and funded in a procurement ap-*  
4 *propriation contained in this Act shall be budgeted for in*  
5 *a proposed fiscal year 2019 procurement appropriation and*  
6 *not in the supply management business area or any other*  
7 *area or category of the Department of Defense Working*  
8 *Capital Funds.*

9       *SEC. 8035. None of the funds appropriated by this Act*  
10 *for programs of the Central Intelligence Agency shall re-*  
11 *main available for obligation beyond the current fiscal year,*  
12 *except for funds appropriated for the Reserve for Contin-*  
13 *gencies, which shall remain available until September 30,*  
14 *2019: Provided, That funds appropriated, transferred, or*  
15 *otherwise credited to the Central Intelligence Agency Cen-*  
16 *tral Services Working Capital Fund during this or any*  
17 *prior or subsequent fiscal year shall remain available until*  
18 *expended: Provided further, That any funds appropriated*  
19 *or transferred to the Central Intelligence Agency for ad-*  
20 *vanced research and development acquisition, for agent op-*  
21 *erations, and for covert action programs authorized by the*  
22 *President under section 503 of the National Security Act*  
23 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*  
24 *tember 30, 2019.*

1        *SEC. 8036. Up to \$10,322,000 of the funds appro-*  
2 *priated under the heading “Operation and Maintenance,*  
3 *Navy” may be made available for the Asia Pacific Regional*  
4 *Initiative Program for the purpose of enabling the Pacific*  
5 *Command to execute Theater Security Cooperation activi-*  
6 *ties such as humanitarian assistance, and payment of in-*  
7 *cremental and personnel costs of training and exercising*  
8 *with foreign security forces: Provided, That funds made*  
9 *available for this purpose may be used, notwithstanding*  
10 *any other funding authorities for humanitarian assistance,*  
11 *security assistance or combined exercise expenses: Provided*  
12 *further, That funds may not be obligated to provide assist-*  
13 *ance to any foreign country that is otherwise prohibited*  
14 *from receiving such type of assistance under any other pro-*  
15 *vision of law.*

16        *SEC. 8037. Of the funds appropriated to the Depart-*  
17 *ment of Defense under the heading “Operation and Mainte-*  
18 *nance, Defense-Wide”, not less than \$12,000,000 shall be*  
19 *made available only for the mitigation of environmental*  
20 *impacts, including training and technical assistance to*  
21 *tribes, related administrative support, the gathering of in-*  
22 *formation, documenting of environmental damage, and de-*  
23 *veloping a system for prioritization of mitigation and cost*  
24 *to complete estimates for mitigation, on Indian lands re-*  
25 *sulting from Department of Defense activities.*

1        *SEC. 8038. (a) None of the funds appropriated in this*  
2 *Act may be expended by an entity of the Department of*  
3 *Defense unless the entity, in expending the funds, complies*  
4 *with the Buy American Act. For purposes of this subsection,*  
5 *the term “Buy American Act” means chapter 83 of title*  
6 *41, United States Code.*

7        *(b) If the Secretary of Defense determines that a person*  
8 *has been convicted of intentionally affixing a label bearing*  
9 *a “Made in America” inscription to any product sold in*  
10 *or shipped to the United States that is not made in Amer-*  
11 *ica, the Secretary shall determine, in accordance with sec-*  
12 *tion 2410f of title 10, United States Code, whether the per-*  
13 *son should be debarred from contracting with the Depart-*  
14 *ment of Defense.*

15        *(c) In the case of any equipment or products purchased*  
16 *with appropriations provided under this Act, it is the sense*  
17 *of the Congress that any entity of the Department of De-*  
18 *fense, in expending the appropriation, purchase only Amer-*  
19 *ican-made equipment and products, provided that Amer-*  
20 *ican-made equipment and products are cost-competitive,*  
21 *quality competitive, and available in a timely fashion.*

22        *SEC. 8039. (a) Except as provided in subsections (b)*  
23 *and (c), none of the funds made available by this Act may*  
24 *be used—*

25                *(1) to establish a field operating agency; or*

1           (2) to pay the basic pay of a member of the  
2       *Armed Forces or civilian employee of the department*  
3       *who is transferred or reassigned from a headquarters*  
4       *activity if the member or employee's place of duty re-*  
5       *remains at the location of that headquarters.*

6           (b) *The Secretary of Defense or Secretary of a military*  
7       *department may waive the limitations in subsection (a),*  
8       *on a case-by-case basis, if the Secretary determines, and cer-*  
9       *tifies to the Committees on Appropriations of the House of*  
10      *Representatives and the Senate that the granting of the*  
11      *waiver will reduce the personnel requirements or the finan-*  
12      *cial requirements of the department.*

13          (c) *This section does not apply to—*

14               (1) *field operating agencies funded within the*  
15               *National Intelligence Program;*

16               (2) *an Army field operating agency established*  
17               *to eliminate, mitigate, or counter the effects of impro-*  
18               *vised explosive devices, and, as determined by the Sec-*  
19               *retary of the Army, other similar threats;*

20               (3) *an Army field operating agency established*  
21               *to improve the effectiveness and efficiencies of biomet-*  
22               *ric activities and to integrate common biometric tech-*  
23               *nologies throughout the Department of Defense; or*

24               (4) *an Air Force field operating agency estab-*  
25               *lished to administer the Air Force Mortuary Affairs*



1        *Program and Mortuary Operations for the Depart-*  
2        *ment of Defense and authorized Federal entities.*

3        *SEC. 8040. (a) None of the funds appropriated by this*  
4        *Act shall be available to convert to contractor performance*  
5        *an activity or function of the Department of Defense that,*  
6        *on or after the date of the enactment of this Act, is per-*  
7        *formed by Department of Defense civilian employees un-*  
8        *less—*

9                *(1) the conversion is based on the result of a pub-*  
10              *lic-private competition that includes a most efficient*  
11              *and cost effective organization plan developed by such*  
12              *activity or function;*

13              *(2) the Competitive Sourcing Official determines*  
14              *that, over all performance periods stated in the solici-*  
15              *tation of offers for performance of the activity or*  
16              *function, the cost of performance of the activity or*  
17              *function by a contractor would be less costly to the*  
18              *Department of Defense by an amount that equals or*  
19              *exceeds the lesser of—*

20                      *(A) 10 percent of the most efficient organi-*  
21                      *zation's personnel-related costs for performance*  
22                      *of that activity or function by Federal employ-*  
23                      *ees; or*

24                      *(B) \$10,000,000; and*

1           (3) *the contractor does not receive an advantage*  
2           *for a proposal that would reduce costs for the Depart-*  
3           *ment of Defense by—*

4                   (A) *not making an employer-sponsored*  
5                   *health insurance plan available to the workers*  
6                   *who are to be employed in the performance of*  
7                   *that activity or function under the contract; or*

8                   (B) *offering to such workers an employer-*  
9                   *sponsored health benefits plan that requires the*  
10                   *employer to contribute less towards the premium*  
11                   *or subscription share than the amount that is*  
12                   *paid by the Department of Defense for health*  
13                   *benefits for civilian employees under chapter 89*  
14                   *of title 5, United States Code.*

15           (b)(1) *The Department of Defense, without regard to*  
16           *subsection (a) of this section or subsection (a), (b), or (c)*  
17           *of section 2461 of title 10, United States Code, and notwith-*  
18           *standing any administrative regulation, requirement, or*  
19           *policy to the contrary shall have full authority to enter into*  
20           *a contract for the performance of any commercial or indus-*  
21           *trial type function of the Department of Defense that—*

22                   (A) *is included on the procurement list estab-*  
23                   *lished pursuant to section 2 of the Javits-Wagner-*  
24                   *O'Day Act (section 8503 of title 41, United States*  
25                   *Code);*

1           (B) is planned to be converted to performance by  
2           a qualified nonprofit agency for the blind or by a  
3           qualified nonprofit agency for other severely handi-  
4           capped individuals in accordance with that Act; or

5           (C) is planned to be converted to performance by  
6           a qualified firm under at least 51 percent ownership  
7           by an Indian tribe, as defined in section 4(e) of the  
8           Indian Self-Determination and Education Assistance  
9           Act (25 U.S.C. 450b(e)), or a Native Hawaiian Orga-  
10          nization, as defined in section 8(a)(15) of the Small  
11          Business Act (15 U.S.C. 637(a)(15)).

12          (2) This section shall not apply to depot contracts or  
13          contracts for depot maintenance as provided in sections  
14          2469 and 2474 of title 10, United States Code.

15          (c) The conversion of any activity or function of the  
16          Department of Defense under the authority provided by this  
17          section shall be credited toward any competitive or out-  
18          sourcing goal, target, or measurement that may be estab-  
19          lished by statute, regulation, or policy and is deemed to  
20          be awarded under the authority of, and in compliance with,  
21          subsection (h) of section 2304 of title 10, United States  
22          Code, for the competition or outsourcing of commercial ac-  
23          tivities.

*(RESCISSIONS)*

1  
2       *SEC. 8041. Of the funds appropriated in Department*  
3 *of Defense Appropriations Acts, the following funds are*  
4 *hereby rescinded from the following accounts and programs*  
5 *in the specified amounts: Provided, That no amounts may*  
6 *be rescinded from amounts that were designated by the Con-*  
7 *gress for Overseas Contingency Operations/Global War on*  
8 *Terrorism or as an emergency requirement pursuant to the*  
9 *Concurrent Resolution on the Budget or the Balanced Budg-*  
10 *et and Emergency Deficit Control Act of 1985, as amended:*

11           *“Other Procurement, Army”, 2016/2018,*  
12           *\$5,517,000;*

13           *“Aircraft Procurement, Navy”, 2016/2018,*  
14           *\$172,000,000;*

15           *“Aircraft Procurement, Air Force”, 2016/2018,*  
16           *\$56,900,000;*

17           *“Procurement of Ammunition, Air Force”, 2016/*  
18           *2018, \$5,000,000;*

19           *“Procurement, Defense-wide”, 2016/2018,*  
20           *\$7,264,000;*

21           *“Missile Procurement, Army”, 2017/2019,*  
22           *\$19,319,000;*

23           *“Aircraft Procurement, Army”, 2017/2019,*  
24           *\$17,000,000;*

1           *“Procurement of Weapons and Tracked Combat*  
2           *Vehicles, Army”*, 2017/2019, \$7,064,000;

3           *“Procurement of Ammunition, Army”*, 2017/  
4           2019, \$15,507,000;

5           *“Other Procurement, Army”*, 2017/2019,  
6           \$12,535,000;

7           *“Aircraft Procurement, Navy”*, 2017/2019,  
8           \$45,900,000;

9           *“Weapons Procurement, Navy”*, 2017/2019,  
10          \$32,200,000;

11          *“Shipbuilding and Conversion, Navy: Carrier*  
12          *Replacement Program”*, 2017/2021, \$14,000,000;

13          *“Aircraft Procurement, Air Force”*, 2017/2019,  
14          \$78,347,000;

15          *“Missile Procurement, Air Force”*, 2017/2019,  
16          \$31,639,000;

17          *“Space Procurement, Air Force”*, 2017/2019,  
18          \$34,900,000;

19          *“Procurement of Ammunition, Air Force”*, 2017/  
20          2019, \$18,000,000;

21          *“Other Procurement, Air Force”*, 2017/2019,  
22          \$136,691,000;

23          *“Research, Development, Test and Evaluation,*  
24          *Army”*, 2017/2018, \$62,331,000;

1           *“Research, Development, Test and Evaluation,*  
2           *Navy”, 2017/2018, \$9,128,000;*

3           *“Research, Development, Test and Evaluation,*  
4           *Air Force”, 2017/2018, \$131,000,000; and*

5           *“Defense Health Program: Research, Develop-*  
6           *ment, Test and Evaluation”, 2017/2018, \$30,000,000.*

7           *SEC. 8042. None of the funds available in this Act may*  
8           *be used to reduce the authorized positions for military tech-*  
9           *nicians (dual status) of the Army National Guard, Air Na-*  
10          *tional Guard, Army Reserve and Air Force Reserve for the*  
11          *purpose of applying any administratively imposed civilian*  
12          *personnel ceiling, freeze, or reduction on military techni-*  
13          *cians (dual status), unless such reductions are a direct re-*  
14          *sult of a reduction in military force structure.*

15          *SEC. 8043. None of the funds appropriated or other-*  
16          *wise made available in this Act may be obligated or ex-*  
17          *pended for assistance to the Democratic People’s Republic*  
18          *of Korea unless specifically appropriated for that purpose.*

19          *SEC. 8044. Funds appropriated in this Act for oper-*  
20          *ation and maintenance of the Military Departments, Com-*  
21          *batant Commands and Defense Agencies shall be available*  
22          *for reimbursement of pay, allowances and other expenses*  
23          *which would otherwise be incurred against appropriations*  
24          *for the National Guard and Reserve when members of the*  
25          *National Guard and Reserve provide intelligence or coun-*

1 *terintelligence support to Combatant Commands, Defense*  
2 *Agencies and Joint Intelligence Activities, including the ac-*  
3 *tivities and programs included within the National Intel-*  
4 *ligence Program and the Military Intelligence Program:*  
5 *Provided, That nothing in this section authorizes deviation*  
6 *from established Reserve and National Guard personnel and*  
7 *training procedures.*

8       *SEC. 8045. (a) None of the funds available to the De-*  
9 *partment of Defense for any fiscal year for drug interdic-*  
10 *tion or counter-drug activities may be transferred to any*  
11 *other department or agency of the United States except as*  
12 *specifically provided in an appropriations law.*

13       *(b) None of the funds available to the Central Intel-*  
14 *ligence Agency for any fiscal year for drug interdiction or*  
15 *counter-drug activities may be transferred to any other de-*  
16 *partment or agency of the United States except as specifi-*  
17 *cally provided in an appropriations law.*

18       *SEC. 8046. None of the funds appropriated by this Act*  
19 *may be used for the procurement of ball and roller bearings*  
20 *other than those produced by a domestic source and of do-*  
21 *mestic origin: Provided, That the Secretary of the military*  
22 *department responsible for such procurement may waive*  
23 *this restriction on a case-by-case basis by certifying in writ-*  
24 *ing to the Committees on Appropriations of the House of*  
25 *Representatives and the Senate, that adequate domestic*

1 *supplies are not available to meet Department of Defense*  
2 *requirements on a timely basis and that such an acquisition*  
3 *must be made in order to acquire capability for national*  
4 *security purposes: Provided further, That this restriction*  
5 *shall not apply to the purchase of “commercial items”, as*  
6 *defined by section 103 of title 41, United States Code, except*  
7 *that the restriction shall apply to ball or roller bearings*  
8 *purchased as end items.*

9       *SEC. 8047. Of the amounts appropriated for “Working*  
10 *Capital Fund, Army”, \$99,000,000 shall be available to*  
11 *maintain competitive rates at the arsenals.*

12       *SEC. 8048. None of the funds made available by this*  
13 *Act for Evolved Expendable Launch Vehicle service competi-*  
14 *tive procurements may be used unless the competitive pro-*  
15 *curements are open for award to all certified providers of*  
16 *Evolved Expendable Launch Vehicle-class systems: Pro-*  
17 *vided, That the award shall be made to the provider that*  
18 *offers the best value to the government.*

19       *SEC. 8049. In addition to the amounts appropriated*  
20 *or otherwise made available elsewhere in this Act,*  
21 *\$44,000,000 is hereby appropriated to the Department of*  
22 *Defense: Provided, That upon the determination of the Sec-*  
23 *retary of Defense that it shall serve the national interest,*  
24 *the Secretary shall make grants in the amounts specified*



1 *as follows: \$20,000,000 to the United Service Organizations*  
2 *and \$24,000,000 to the Red Cross.*

3 *SEC. 8050. None of the funds in this Act may be used*  
4 *to purchase any supercomputer which is not manufactured*  
5 *in the United States, unless the Secretary of Defense cer-*  
6 *tifies to the congressional defense committees that such an*  
7 *acquisition must be made in order to acquire capability for*  
8 *national security purposes that is not available from*  
9 *United States manufacturers.*

10 *SEC. 8051. Notwithstanding any other provision in*  
11 *this Act, the Small Business Innovation Research program*  
12 *and the Small Business Technology Transfer program set-*  
13 *asides shall be taken proportionally from all programs,*  
14 *projects, or activities to the extent they contribute to the*  
15 *extramural budget.*

16 *SEC. 8052. None of the funds available to the Depart-*  
17 *ment of Defense under this Act shall be obligated or ex-*  
18 *pended to pay a contractor under a contract with the De-*  
19 *partment of Defense for costs of any amount paid by the*  
20 *contractor to an employee when—*

21 *(1) such costs are for a bonus or otherwise in ex-*  
22 *cess of the normal salary paid by the contractor to the*  
23 *employee; and*

24 *(2) such bonus is part of restructuring costs asso-*  
25 *ciated with a business combination.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8053. During the current fiscal year, no more  
3 than \$30,000,000 of appropriations made in this Act under  
4 the heading “Operation and Maintenance, Defense-Wide”  
5 may be transferred to appropriations available for the pay  
6 of military personnel, to be merged with, and to be available  
7 for the same time period as the appropriations to which  
8 transferred, to be used in support of such personnel in con-  
9 nection with support and services for eligible organizations  
10 and activities outside the Department of Defense pursuant  
11 to section 2012 of title 10, United States Code.

12 SEC. 8054. During the current fiscal year, in the case  
13 of an appropriation account of the Department of Defense  
14 for which the period of availability for obligation has ex-  
15 pired or which has closed under the provisions of section  
16 1552 of title 31, United States Code, and which has a nega-  
17 tive unliquidated or unexpended balance, an obligation or  
18 an adjustment of an obligation may be charged to any cur-  
19 rent appropriation account for the same purpose as the ex-  
20 pired or closed account if—

21 (1) the obligation would have been properly  
22 chargeable (except as to amount) to the expired or  
23 closed account before the end of the period of avail-  
24 ability or closing of that account;

1           (2) *the obligation is not otherwise properly*  
2 *chargeable to any current appropriation account of*  
3 *the Department of Defense; and*

4           (3) *in the case of an expired account, the obliga-*  
5 *tion is not chargeable to a current appropriation of*  
6 *the Department of Defense under the provisions of sec-*  
7 *tion 1405(b)(8) of the National Defense Authorization*  
8 *Act for Fiscal Year 1991, Public Law 101–510, as*  
9 *amended (31 U.S.C. 1551 note): Provided, That in*  
10 *the case of an expired account, if subsequent review*  
11 *or investigation discloses that there was not in fact a*  
12 *negative unliquidated or unexpended balance in the*  
13 *account, any charge to a current account under the*  
14 *authority of this section shall be reversed and re-*  
15 *corded against the expired account: Provided further,*  
16 *That the total amount charged to a current appro-*  
17 *propriation under this section may not exceed an*  
18 *amount equal to 1 percent of the total appropriation*  
19 *for that account.*

20       *SEC. 8055. (a) Notwithstanding any other provision*  
21 *of law, the Chief of the National Guard Bureau may permit*  
22 *the use of equipment of the National Guard Distance Learn-*  
23 *ing Project by any person or entity on a space-available,*  
24 *reimbursable basis. The Chief of the National Guard Bu-*

1 *reau shall establish the amount of reimbursement for such*  
2 *use on a case-by-case basis.*

3 *(b) Amounts collected under subsection (a) shall be*  
4 *credited to funds available for the National Guard Distance*  
5 *Learning Project and be available to defray the costs associ-*  
6 *ated with the use of equipment of the project under that*  
7 *subsection. Such funds shall be available for such purposes*  
8 *without fiscal year limitation.*

9 *SEC. 8056. None of the funds available to the Depart-*  
10 *ment of Defense may be obligated to modify command and*  
11 *control relationships to give Fleet Forces Command oper-*  
12 *ational and administrative control of United States Navy*  
13 *forces assigned to the Pacific fleet: Provided, That the com-*  
14 *mand and control relationships which existed on October*  
15 *1, 2004, shall remain in force until a written modification*  
16 *has been proposed to the House and Senate Appropriations*  
17 *Committees: Provided further, That the proposed modifica-*  
18 *tion may be implemented 30 days after the notification un-*  
19 *less an objection is received from either the House or Senate*  
20 *Appropriations Committees: Provided further, That any*  
21 *proposed modification shall not preclude the ability of the*  
22 *commander of United States Pacific Command to meet*  
23 *operational requirements.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8057. *Of the funds appropriated in this Act*  
3 *under the heading “Operation and Maintenance, Defense-*  
4 *wide”, \$35,000,000 shall be for continued implementation*  
5 *and expansion of the Sexual Assault Special Victims’ Coun-*  
6 *sel Program: Provided, That the funds are made available*  
7 *for transfer to the Department of the Army, the Department*  
8 *of the Navy, and the Department of the Air Force: Provided*  
9 *further, That funds transferred shall be merged with and*  
10 *available for the same purposes and for the same time pe-*  
11 *riod as the appropriations to which the funds are trans-*  
12 *ferred: Provided further, That this transfer authority is in*  
13 *addition to any other transfer authority provided in this*  
14 *Act.*

15 SEC. 8058. *None of the funds appropriated in title IV*  
16 *of this Act may be used to procure end-items for delivery*  
17 *to military forces for operational training, operational use*  
18 *or inventory requirements: Provided, That this restriction*  
19 *does not apply to end-items used in development, proto-*  
20 *typing, and test activities preceding and leading to accept-*  
21 *ance for operational use: Provided further, That the Sec-*  
22 *retary of Defense shall, not later than 60 days after enact-*  
23 *ment of this Act, submit a report detailing the use of funds*  
24 *requested in research, development, test and evaluation ac-*  
25 *counts for end-items used in development, prototyping and*

1 *test activities preceding and leading to acceptance for oper-*  
2 *ational use: Provided further, That this restriction does not*  
3 *apply to programs funded within the National Intelligence*  
4 *Program: Provided further, That the Secretary of Defense*  
5 *may waive this restriction on a case-by-case basis by certi-*  
6 *fying in writing to the Committees on Appropriations of*  
7 *the House of Representatives and the Senate that it is in*  
8 *the national security interest to do so.*

9       *SEC. 8059. (a) The Secretary of Defense may, on a*  
10 *case-by-case basis, waive with respect to a foreign country*  
11 *each limitation on the procurement of defense items from*  
12 *foreign sources provided in law if the Secretary determines*  
13 *that the application of the limitation with respect to that*  
14 *country would invalidate cooperative programs entered into*  
15 *between the Department of Defense and the foreign country,*  
16 *or would invalidate reciprocal trade agreements for the pro-*  
17 *curement of defense items entered into under section 2531*  
18 *of title 10, United States Code, and the country does not*  
19 *discriminate against the same or similar defense items pro-*  
20 *duced in the United States for that country.*

21       *(b) Subsection (a) applies with respect to—*

22               *(1) contracts and subcontracts entered into on or*  
23               *after the date of the enactment of this Act; and*

24               *(2) options for the procurement of items that are*  
25               *exercised after such date under contracts that are en-*



1 *tion 116 of the John C. Stennis Center for Public Service*  
2 *Training and Development Act (2 U.S.C. 1105).*

3       *SEC. 8062. Notwithstanding any other provision of*  
4 *law, funds appropriated in this Act under the heading “Re-*  
5 *search, Development, Test and Evaluation, Defense-Wide”*  
6 *for any new start advanced concept technology demonstra-*  
7 *tion project or joint capability demonstration project may*  
8 *only be obligated 45 days after a report, including a de-*  
9 *scription of the project, the planned acquisition and transi-*  
10 *tion strategy and its estimated annual and total cost, has*  
11 *been provided in writing to the congressional defense com-*  
12 *mittees: Provided, That the Secretary of Defense may waive*  
13 *this restriction on a case-by-case basis by certifying to the*  
14 *congressional defense committees that it is in the national*  
15 *interest to do so.*

16       *SEC. 8063. The Secretary of Defense shall continue to*  
17 *provide a classified quarterly report to the House and Sen-*  
18 *ate Appropriations Committees, Subcommittees on Defense*  
19 *on certain matters as directed in the classified annex ac-*  
20 *companying this Act.*

21       *SEC. 8064. Notwithstanding section 12310(b) of title*  
22 *10, United States Code, a Reserve who is a member of the*  
23 *National Guard serving on full-time National Guard duty*  
24 *under section 502(f) of title 32, United States Code, may*



1 *perform duties in support of the ground-based elements of*  
2 *the National Ballistic Missile Defense System.*

3       *SEC. 8065. None of the funds provided in this Act may*  
4 *be used to transfer to any nongovernmental entity ammuni-*  
5 *tion held by the Department of Defense that has a center-*  
6 *fire cartridge and a United States military nomenclature*  
7 *designation of “armor penetrator”, “armor piercing (AP)”,*  
8 *“armor piercing incendiary (API)”, or “armor-piercing in-*  
9 *cendiary tracer (API-T)”, except to an entity performing*  
10 *demilitarization services for the Department of Defense*  
11 *under a contract that requires the entity to demonstrate to*  
12 *the satisfaction of the Department of Defense that armor*  
13 *piercing projectiles are either: (1) rendered incapable of*  
14 *reuse by the demilitarization process; or (2) used to manu-*  
15 *facture ammunition pursuant to a contract with the De-*  
16 *partment of Defense or the manufacture of ammunition for*  
17 *export pursuant to a License for Permanent Export of Un-*  
18 *classified Military Articles issued by the Department of*  
19 *State.*

20       *SEC. 8066. Notwithstanding any other provision of*  
21 *law, the Chief of the National Guard Bureau, or his des-*  
22 *ignee, may waive payment of all or part of the consider-*  
23 *ation that otherwise would be required under section 2667*  
24 *of title 10, United States Code, in the case of a lease of*  
25 *personal property for a period not in excess of 1 year to*

1 *any organization specified in section 508(d) of title 32,*  
2 *United States Code, or any other youth, social, or fraternal*  
3 *nonprofit organization as may be approved by the Chief*  
4 *of the National Guard Bureau, or his designee, on a case-*  
5 *by-case basis.*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 8067. Of the amounts appropriated in this Act*  
8 *under the heading “Operation and Maintenance, Army”,*  
9 *\$66,881,780 shall remain available until expended: Pro-*  
10 *vided, That, notwithstanding any other provision of law,*  
11 *the Secretary of Defense is authorized to transfer such funds*  
12 *to other activities of the Federal Government: Provided fur-*  
13 *ther, That the Secretary of Defense is authorized to enter*  
14 *into and carry out contracts for the acquisition of real*  
15 *property, construction, personal services, and operations re-*  
16 *lated to projects carrying out the purposes of this section:*  
17 *Provided further, That contracts entered into under the au-*  
18 *thority of this section may provide for such indemnification*  
19 *as the Secretary determines to be necessary: Provided fur-*  
20 *ther, That projects authorized by this section shall comply*  
21 *with applicable Federal, State, and local law to the max-*  
22 *imum extent consistent with the national security, as deter-*  
23 *mined by the Secretary of Defense.*

1        *SEC. 8068. (a) None of the funds appropriated in this*  
2 *or any other Act may be used to take any action to mod-*  
3 *ify—*

4            *(1) the appropriations account structure for the*  
5 *National Intelligence Program budget, including*  
6 *through the creation of a new appropriation or new*  
7 *appropriation account;*

8            *(2) how the National Intelligence Program budg-*  
9 *et request is presented in the unclassified P-1, R-1,*  
10 *and O-1 documents supporting the Department of*  
11 *Defense budget request;*

12           *(3) the process by which the National Intelligence*  
13 *Program appropriations are apportioned to the exe-*  
14 *cuting agencies; or*

15           *(4) the process by which the National Intelligence*  
16 *Program appropriations are allotted, obligated and*  
17 *disbursed.*

18        *(b) Nothing in section (a) shall be construed to prohibit*  
19 *the merger of programs or changes to the National Intel-*  
20 *ligence Program budget at or below the Expenditure Center*  
21 *level, provided such change is otherwise in accordance with*  
22 *paragraphs (a)(1)–(3).*

23        *(c) The Director of National Intelligence and the Sec-*  
24 *retary of Defense may jointly, only for the purposes of*  
25 *achieving auditable financial statements and improving fis-*

1 *cal reporting, study and develop detailed proposals for al-*  
2 *ternative financial management processes. Such study shall*  
3 *include a comprehensive counterintelligence risk assessment*  
4 *to ensure that none of the alternative processes will ad-*  
5 *versely affect counterintelligence.*

6 *(d) Upon development of the detailed proposals defined*  
7 *under subsection (c), the Director of National Intelligence*  
8 *and the Secretary of Defense shall—*

9 *(1) provide the proposed alternatives to all af-*  
10 *ected agencies;*

11 *(2) receive certification from all affected agencies*  
12 *attesting that the proposed alternatives will help*  
13 *achieve auditability, improve fiscal reporting, and*  
14 *will not adversely affect counterintelligence; and*

15 *(3) not later than 30 days after receiving all nec-*  
16 *essary certifications under paragraph (2), present the*  
17 *proposed alternatives and certifications to the con-*  
18 *gressional defense and intelligence committees.*

19 *SEC. 8069. In addition to amounts provided elsewhere*  
20 *in this Act, \$10,000,000 is hereby appropriated to the De-*  
21 *partment of Defense, to remain available for obligation*  
22 *until expended: Provided, That notwithstanding any other*  
23 *provision of law, that upon the determination of the Sec-*  
24 *retary of Defense that it shall serve the national interest,*  
25 *these funds shall be available only for a grant to the Fisher*

1 *House Foundation, Inc., only for the construction and fur-*  
2 *nishing of additional Fisher Houses to meet the needs of*  
3 *military family members when confronted with the illness*  
4 *or hospitalization of an eligible military beneficiary.*

5       *SEC. 8070. Any notice that is required to be submitted*  
6 *to the Committees on Appropriations of the Senate and the*  
7 *House of Representatives under section 806(c)(4) of the Bob*  
8 *Stump National Defense Authorization Act for Fiscal Year*  
9 *2003 (10 U.S.C. 2302 note) after the date of the enactment*  
10 *of this Act shall be submitted pursuant to that requirement*  
11 *concurrently to the Subcommittees on Defense of the Com-*  
12 *mittees on Appropriations of the Senate and the House of*  
13 *Representatives.*

14                       *(INCLUDING TRANSFER OF FUNDS)*

15       *SEC. 8071. Of the amounts appropriated in this Act*  
16 *under the headings “Procurement, Defense-Wide” and “Re-*  
17 *search, Development, Test and Evaluation, Defense-Wide”,*  
18 *\$705,800,000 shall be for the Israeli Cooperative Programs:*  
19 *Provided, That of this amount, \$92,000,000 shall be for the*  
20 *Secretary of Defense to provide to the Government of Israel*  
21 *for the procurement of the Iron Dome defense system to*  
22 *counter short-range rocket threats, subject to the U.S.-Israel*  
23 *Iron Dome Procurement Agreement, as amended;*  
24 *\$221,500,000 shall be for the Short Range Ballistic Missile*  
25 *Defense (SRBMD) program, including cruise missile de-*

1 *fense research and development under the SRBMD pro-*  
2 *gram, of which \$120,000,000 shall be for co-production ac-*  
3 *tivities of SRBMD systems in the United States and in*  
4 *Israel to meet Israel's defense requirements consistent with*  
5 *each nation's laws, regulations, and procedures, subject to*  
6 *the U.S.-Israeli co-production agreement for SRBMD, as*  
7 *amended; \$310,000,000 shall be for an upper-tier compo-*  
8 *nent to the Israeli Missile Defense Architecture, of which*  
9 *\$120,000,000 shall be for co-production activities of Arrow*  
10 *3 Upper Tier systems in the United States and in Israel*  
11 *to meet Israel's defense requirements consistent with each*  
12 *nation's laws, regulations, and procedures, subject to the*  
13 *U.S.-Israeli co-production agreement for Arrow 3 Upper*  
14 *Tier, as amended, of which \$105,000,000 shall be for testing*  
15 *of the upper-tier component to the Israeli Missile Defense*  
16 *Architecture in the United States; and \$82,300,000 shall*  
17 *be for the Arrow System Improvement Program including*  
18 *development of a long range, ground and airborne, detection*  
19 *suite: Provided further, That the transfer authority pro-*  
20 *vided under this provision is in addition to any other*  
21 *transfer authority contained in this Act.*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *SEC. 8072. Of the amounts appropriated in this Act*  
24 *under the heading "Shipbuilding and Conversion, Navy",*  
25 *\$117,542,000 shall be available until September 30, 2018,*

1 *to fund prior year shipbuilding cost increases: Provided,*  
2 *That upon enactment of this Act, the Secretary of the Navy*  
3 *shall transfer funds to the following appropriations in the*  
4 *amounts specified: Provided further, That the amounts*  
5 *transferred shall be merged with and be available for the*  
6 *same purposes as the appropriations to which transferred*  
7 *to:*

8           (1) *Under the heading “Shipbuilding and Con-*  
9 *version, Navy”, 2008/2018: Carrier Replacement Pro-*  
10 *gram \$20,000,000;*

11           (2) *Under the heading “Shipbuilding and Con-*  
12 *version, Navy”, 2012/2018: DDG–51 Destroyer*  
13 *\$19,436,000;*

14           (3) *Under the heading “Shipbuilding and Con-*  
15 *version, Navy”, 2012/2018: Littoral Combat Ship*  
16 *\$6,394,000;*

17           (4) *Under the heading “Shipbuilding and Con-*  
18 *version, Navy”, 2012/2018: LHA Replacement*  
19 *\$14,200,000;*

20           (5) *Under the heading “Shipbuilding and Con-*  
21 *version, Navy”, 2013/2018: DDG–51 Destroyer*  
22 *\$31,941,000;*

23           (6) *Under the heading “Shipbuilding and Con-*  
24 *version, Navy”, 2014/2018: Littoral Combat Ship*  
25 *\$20,471,000; and*

1           (7) *Under the heading “Shipbuilding and Con-*  
2           *version, Navy”, 2015/2018: LCAC \$5,100,000.*

3           *SEC. 8073. Funds appropriated by this Act, or made*  
4           *available by the transfer of funds in this Act, for intelligence*  
5           *activities are deemed to be specifically authorized by the*  
6           *Congress for purposes of section 504 of the National Secu-*  
7           *rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2018*  
8           *until the enactment of the Intelligence Authorization Act*  
9           *for Fiscal Year 2018.*

10          *SEC. 8074. None of the funds provided in this Act shall*  
11          *be available for obligation or expenditure through a re-*  
12          *programming of funds that creates or initiates a new pro-*  
13          *gram, project, or activity unless such program, project, or*  
14          *activity must be undertaken immediately in the interest of*  
15          *national security and only after written prior notification*  
16          *to the congressional defense committees.*

17          *SEC. 8075. The budget of the President for fiscal year*  
18          *2019 submitted to the Congress pursuant to section 1105*  
19          *of title 31, United States Code, shall include separate budget*  
20          *justification documents for costs of United States Armed*  
21          *Forces’ participation in contingency operations for the*  
22          *Military Personnel accounts, the Operation and Mainte-*  
23          *nance accounts, the Procurement accounts, and the Re-*  
24          *search, Development, Test and Evaluation accounts: Pro-*  
25          *vided, That these documents shall include a description of*



1 *the funding requested for each contingency operation, for*  
2 *each military service, to include all Active and Reserve*  
3 *components, and for each appropriations account: Provided*  
4 *further, That these documents shall include estimated costs*  
5 *for each element of expense or object class, a reconciliation*  
6 *of increases and decreases for each contingency operation,*  
7 *and programmatic data including, but not limited to, troop*  
8 *strength for each Active and Reserve component, and esti-*  
9 *mates of the major weapons systems deployed in support*  
10 *of each contingency: Provided further, That these documents*  
11 *shall include budget exhibits OP-5 and OP-32 (as defined*  
12 *in the Department of Defense Financial Management Regu-*  
13 *lation) for all contingency operations for the budget year*  
14 *and the two preceding fiscal years.*

15 *SEC. 8076. None of the funds in this Act may be used*  
16 *for research, development, test, evaluation, procurement or*  
17 *deployment of nuclear armed interceptors of a missile de-*  
18 *fense system.*

19 *SEC. 8077. Notwithstanding any other provision of*  
20 *this Act, to reflect savings due to favorable foreign exchange*  
21 *rates, the total amount appropriated in this Act is hereby*  
22 *reduced by \$4,000,000.*

23 *SEC. 8078. The Secretary of Defense may use up to*  
24 *\$800,000,000 of the amounts appropriated or otherwise*  
25 *made available in this Act to the Department of Defense*

1 *for the rapid acquisition and deployment of supplies and*  
2 *associated support services pursuant to section 806 of the*  
3 *Bob Stump National Defense Authorization Act for Fiscal*  
4 *Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):*  
5 *Provided, That the Secretary of Defense shall notify the con-*  
6 *gressional defense committees promptly of all uses of this*  
7 *authority.*

8       *SEC. 8079. None of the funds appropriated or made*  
9 *available in this Act shall be used to reduce or disestablish*  
10 *the operation of the 53rd Weather Reconnaissance Squad-*  
11 *ron of the Air Force Reserve, if such action would reduce*  
12 *the WC–130 Weather Reconnaissance mission below the lev-*  
13 *els funded in this Act: Provided, That the Air Force shall*  
14 *allow the 53rd Weather Reconnaissance Squadron to per-*  
15 *form other missions in support of national defense require-*  
16 *ments during the non-hurricane season.*

17       *SEC. 8080. None of the funds provided in this Act shall*  
18 *be available for integration of foreign intelligence informa-*  
19 *tion unless the information has been lawfully collected and*  
20 *processed during the conduct of authorized foreign intel-*  
21 *ligence activities: Provided, That information pertaining to*  
22 *United States persons shall only be handled in accordance*  
23 *with protections provided in the Fourth Amendment of the*  
24 *United States Constitution as implemented through Execu-*  
25 *tive Order No. 12333.*

1        *SEC. 8081. (a) None of the funds appropriated by this*  
2 *Act may be used to transfer research and development, ac-*  
3 *quisition, or other program authority relating to current*  
4 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

5        *(b) The Army shall retain responsibility for and oper-*  
6 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*  
7 *Vehicle (UAV) in order to support the Secretary of Defense*  
8 *in matters relating to the employment of unmanned aerial*  
9 *vehicles.*

10        *SEC. 8082. None of the funds appropriated by this Act*  
11 *for programs of the Office of the Director of National Intel-*  
12 *ligence shall remain available for obligation beyond the cur-*  
13 *rent fiscal year, except for funds appropriated for research*  
14 *and technology, which shall remain available until Sep-*  
15 *tember 30, 2019.*

16        *SEC. 8083. For purposes of section 1553(b) of title 31,*  
17 *United States Code, any subdivision of appropriations*  
18 *made in this Act under the heading “Shipbuilding and*  
19 *Conversion, Navy” shall be considered to be for the same*  
20 *purpose as any subdivision under the heading “Ship-*  
21 *building and Conversion, Navy” appropriations in any*  
22 *prior fiscal year, and the 1 percent limitation shall apply*  
23 *to the total amount of the appropriation.*

24        *SEC. 8084. (a) Not later than 60 days after the date*  
25 *of enactment of this Act, the Director of National Intel-*

1 *ligence shall submit a report to the congressional intel-*  
2 *ligence committees to establish the baseline for application*  
3 *of reprogramming and transfer authorities for fiscal year*  
4 *2018: Provided, That the report shall include—*

5           (1) *a table for each appropriation with a sepa-*  
6 *rate column to display the President’s budget request,*  
7 *adjustments made by Congress, adjustments due to*  
8 *enacted rescissions, if appropriate, and the fiscal year*  
9 *enacted level;*

10           (2) *a delineation in the table for each appropria-*  
11 *tion by Expenditure Center and project; and*

12           (3) *an identification of items of special congres-*  
13 *sional interest.*

14           (b) *None of the funds provided for the National Intel-*  
15 *ligence Program in this Act shall be available for re-*  
16 *programming or transfer until the report identified in sub-*  
17 *section (a) is submitted to the congressional intelligence*  
18 *committees, unless the Director of National Intelligence cer-*  
19 *tifies in writing to the congressional intelligence committees*  
20 *that such reprogramming or transfer is necessary as an*  
21 *emergency requirement.*

22           SEC. 8085. *None of the funds made available by this*  
23 *Act may be used to eliminate, restructure, or realign Army*  
24 *Contracting Command—New Jersey or make dispropor-*  
25 *tionate personnel reductions at any Army Contracting*

1 *Command—New Jersey sites without 30-day prior notifica-*  
2 *tion to the congressional defense committees.*

3 *SEC. 8086. Notwithstanding any other provision of*  
4 *law, any transfer of funds, appropriated or otherwise made*  
5 *available by this Act, for support to friendly foreign coun-*  
6 *tries in connection with the conduct of operations in which*  
7 *the United States is not participating, pursuant to section*  
8 *331(d) Title 10 U.S.C. shall be made in accordance with*  
9 *sections 8005 or 9002 of this Act, as applicable.*

10 *SEC. 8087. Any transfer of amounts appropriated to,*  
11 *credited to, or deposited in the Department of Defense Ac-*  
12 *quisition Workforce Development Fund in or for fiscal year*  
13 *2018 to a military department or Defense Agency pursuant*  
14 *to section 1705(e)(1) of title 10, United States Code, shall*  
15 *be covered by and subject to sections 8005 or 9002 of this*  
16 *Act, as applicable.*

17 *SEC. 8088. None of the funds made available by this*  
18 *Act for excess defense articles, assistance under section 333*  
19 *of title 10, United States Code, or peacekeeping operations*  
20 *for the countries designated annually to be in violation of*  
21 *the standards of the Child Soldiers Prevention Act of 2008*  
22 *(Public Law 110–457; 22 U.S.C. 2370c–1) may be used to*  
23 *support any military training or operation that includes*  
24 *child soldiers, as defined by the Child Soldiers Prevention*  
25 *Act of 2008, unless such assistance is otherwise permitted*

1 *under section 404 of the Child Soldiers Prevention Act of*  
2 *2008.*

3 *SEC. 8089. (a) None of the funds provided for the Na-*  
4 *tional Intelligence Program in this or any prior appropria-*  
5 *tions Act shall be available for obligation or expenditure*  
6 *through a reprogramming or transfer of funds in accord-*  
7 *ance with section 102A(d) of the National Security Act of*  
8 *1947 (50 U.S.C. 3024(d)) that—*

9 *(1) creates a new start effort;*

10 *(2) terminates a program with appropriated*  
11 *funding of \$10,000,000 or more;*

12 *(3) transfers funding into or out of the National*  
13 *Intelligence Program; or*

14 *(4) transfers funding between appropriations,*  
15 *unless the congressional intelligence committees are notified*  
16 *30 days in advance of such reprogramming of funds; this*  
17 *notification period may be reduced for urgent national se-*  
18 *curity requirements.*

19 *(b) None of the funds provided for the National Intel-*  
20 *ligence Program in this or any prior appropriations Act*  
21 *shall be available for obligation or expenditure through a*  
22 *reprogramming or transfer of funds in accordance with sec-*  
23 *tion 102A(d) of the National Security Act of 1947 (50*  
24 *U.S.C. 3024(d)) that results in a cumulative increase or*  
25 *decrease of the levels specified in the classified annex accom-*

1 *panying the Act unless the congressional intelligence com-*  
2 *mittees are notified 30 days in advance of such reprogram-*  
3 *ming of funds; this notification period may be reduced for*  
4 *urgent national security requirements.*

5       *SEC. 8090. The Director of National Intelligence shall*  
6 *submit to Congress each year, at or about the time that*  
7 *the President's budget is submitted to Congress that year*  
8 *under section 1105(a) of title 31, United States Code, a fu-*  
9 *ture-years intelligence program (including associated an-*  
10 *nexes) reflecting the estimated expenditures and proposed*  
11 *appropriations included in that budget. Any such future-*  
12 *years intelligence program shall cover the fiscal year with*  
13 *respect to which the budget is submitted and at least the*  
14 *four succeeding fiscal years.*

15       *SEC. 8091. For the purposes of this Act, the term "con-*  
16 *gressional intelligence committees" means the Permanent*  
17 *Select Committee on Intelligence of the House of Represent-*  
18 *atives, the Select Committee on Intelligence of the Senate,*  
19 *the Subcommittee on Defense of the Committee on Appro-*  
20 *priations of the House of Representatives, and the Sub-*  
21 *committee on Defense of the Committee on Appropriations*  
22 *of the Senate.*

23                                   *(INCLUDING TRANSFER OF FUNDS)*

24       *SEC. 8092. During the current fiscal year, not to ex-*  
25 *ceed \$11,000,000 from each of the appropriations made in*

1 *title II of this Act for “Operation and Maintenance, Army”,*  
2 *“Operation and Maintenance, Navy”, and “Operation and*  
3 *Maintenance, Air Force” may be transferred by the mili-*  
4 *tary department concerned to its central fund established*  
5 *for Fisher Houses and Suites pursuant to section 2493(d)*  
6 *of title 10, United States Code.*

7 *SEC. 8093. None of the funds appropriated by this Act*  
8 *may be available for the purpose of making remittances to*  
9 *the Department of Defense Acquisition Workforce Develop-*  
10 *ment Fund in accordance with section 1705 of title 10,*  
11 *United States Code.*

12 *SEC. 8094. (a) Any agency receiving funds made*  
13 *available in this Act, shall, subject to subsections (b) and*  
14 *(c), post on the public Web site of that agency any report*  
15 *required to be submitted by the Congress in this or any*  
16 *other Act, upon the determination by the head of the agency*  
17 *that it shall serve the national interest.*

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

19 *(1) the public posting of the report compromises*  
20 *national security; or*

21 *(2) the report contains proprietary information.*

22 *(c) The head of the agency posting such report shall*  
23 *do so only after such report has been made available to the*  
24 *requesting Committee or Committees of Congress for no less*  
25 *than 45 days.*



1        *SEC. 8095. (a) None of the funds appropriated or oth-*  
2 *erwise made available by this Act may be expended for any*  
3 *Federal contract for an amount in excess of \$1,000,000, un-*  
4 *less the contractor agrees not to—*

5            *(1) enter into any agreement with any of its em-*  
6 *ployees or independent contractors that requires, as a*  
7 *condition of employment, that the employee or inde-*  
8 *pendent contractor agree to resolve through arbitra-*  
9 *tion any claim under title VII of the Civil Rights Act*  
10 *of 1964 or any tort related to or arising out of sexual*  
11 *assault or harassment, including assault and battery,*  
12 *intentional infliction of emotional distress, false im-*  
13 *prisonment, or negligent hiring, supervision, or reten-*  
14 *tion; or*

15            *(2) take any action to enforce any provision of*  
16 *an existing agreement with an employee or inde-*  
17 *pendent contractor that mandates that the employee*  
18 *or independent contractor resolve through arbitration*  
19 *any claim under title VII of the Civil Rights Act of*  
20 *1964 or any tort related to or arising out of sexual*  
21 *assault or harassment, including assault and battery,*  
22 *intentional infliction of emotional distress, false im-*  
23 *prisonment, or negligent hiring, supervision, or reten-*  
24 *tion.*

1           (b) None of the funds appropriated or otherwise made  
2 available by this Act may be expended for any Federal con-  
3 tract unless the contractor certifies that it requires each cov-  
4 ered subcontractor to agree not to enter into, and not to  
5 take any action to enforce any provision of, any agreement  
6 as described in paragraphs (1) and (2) of subsection (a),  
7 with respect to any employee or independent contractor per-  
8 forming work related to such subcontract. For purposes of  
9 this subsection, a “covered subcontractor” is an entity that  
10 has a subcontract in excess of \$1,000,000 on a contract sub-  
11 ject to subsection (a).

12           (c) The prohibitions in this section do not apply with  
13 respect to a contractor’s or subcontractor’s agreements with  
14 employees or independent contractors that may not be en-  
15 forced in a court of the United States.

16           (d) The Secretary of Defense may waive the applica-  
17 tion of subsection (a) or (b) to a particular contractor or  
18 subcontractor for the purposes of a particular contract or  
19 subcontract if the Secretary or the Deputy Secretary per-  
20 sonally determines that the waiver is necessary to avoid  
21 harm to national security interests of the United States,  
22 and that the term of the contract or subcontract is not  
23 longer than necessary to avoid such harm. The determina-  
24 tion shall set forth with specificity the grounds for the waiv-  
25 er and for the contract or subcontract term selected, and

1 *shall state any alternatives considered in lieu of a waiver*  
2 *and the reasons each such alternative would not avoid harm*  
3 *to national security interests of the United States. The Sec-*  
4 *retary of Defense shall transmit to Congress, and simulta-*  
5 *neously make public, any determination under this sub-*  
6 *section not less than 15 business days before the contract*  
7 *or subcontract addressed in the determination may be*  
8 *awarded.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 8096. From within the funds appropriated for*  
11 *operation and maintenance for the Defense Health Program*  
12 *in this Act, up to \$115,519,000, shall be available for trans-*  
13 *fer to the Joint Department of Defense-Department of Vet-*  
14 *erans Affairs Medical Facility Demonstration Fund in ac-*  
15 *cordance with the provisions of section 1704 of the National*  
16 *Defense Authorization Act for Fiscal Year 2010, Public Law*  
17 *111–84: Provided, That for purposes of section 1704(b), the*  
18 *facility operations funded are operations of the integrated*  
19 *Captain James A. Lovell Federal Health Care Center, con-*  
20 *sisting of the North Chicago Veterans Affairs Medical Cen-*  
21 *ter, the Navy Ambulatory Care Center, and supporting fa-*  
22 *cilities designated as a combined Federal medical facility*  
23 *as described by section 706 of Public Law 110–417: Pro-*  
24 *vided further, That additional funds may be transferred*  
25 *from funds appropriated for operation and maintenance for*

1 *the Defense Health Program to the Joint Department of De-*  
2 *fense-Department of Veterans Affairs Medical Facility*  
3 *Demonstration Fund upon written notification by the Sec-*  
4 *retary of Defense to the Committees on Appropriations of*  
5 *the House of Representatives and the Senate.*

6       *SEC. 8097. None of the funds appropriated or other-*  
7 *wise made available by this Act may be used by the Depart-*  
8 *ment of Defense or a component thereof in contravention*  
9 *of the provisions of section 130h of title 10, United States*  
10 *Code.*

11       *SEC. 8098. Appropriations available to the Depart-*  
12 *ment of Defense may be used for the purchase of heavy and*  
13 *light armored vehicles for the physical security of personnel*  
14 *or for force protection purposes up to a limit of \$450,000*  
15 *per vehicle, notwithstanding price or other limitations ap-*  
16 *plicable to the purchase of passenger carrying vehicles.*

17                                   *(INCLUDING TRANSFER OF FUNDS)*

18       *SEC. 8099. Upon a determination by the Director of*  
19 *National Intelligence that such action is necessary and in*  
20 *the national interest, the Director may, with the approval*  
21 *of the Office of Management and Budget, transfer not to*  
22 *exceed \$1,500,000,000 of the funds made available in this*  
23 *Act for the National Intelligence Program: Provided, That*  
24 *such authority to transfer may not be used unless for higher*  
25 *priority items, based on unforeseen intelligence require-*

1 ments, than those for which originally appropriated and  
2 in no case where the item for which funds are requested  
3 has been denied by the Congress: Provided further, That a  
4 request for multiple reprogrammings of funds using author-  
5 ity provided in this section shall be made prior to June  
6 30, 2018.

7       *SEC. 8100. None of the funds appropriated or other-*  
8 *wise made available in this or any other Act may be used*  
9 *to transfer, release, or assist in the transfer or release to*  
10 *or within the United States, its territories, or possessions*  
11 *Khalid Sheikh Mohammed or any other detainee who—*

12             *(1) is not a United States citizen or a member*  
13 *of the Armed Forces of the United States; and*

14             *(2) is or was held on or after June 24, 2009, at*  
15 *United States Naval Station, Guantánamo Bay,*  
16 *Cuba, by the Department of Defense.*

17       *SEC. 8101. (a) None of the funds appropriated or oth-*  
18 *erwise made available in this or any other Act may be used*  
19 *to construct, acquire, or modify any facility in the United*  
20 *States, its territories, or possessions to house any individual*  
21 *described in subsection (c) for the purposes of detention or*  
22 *imprisonment in the custody or under the effective control*  
23 *of the Department of Defense.*

1       (b) *The prohibition in subsection (a) shall not apply*  
2 *to any modification of facilities at United States Naval*  
3 *Station, Guantánamo Bay, Cuba.*

4       (c) *An individual described in this subsection is any*  
5 *individual who, as of June 24, 2009, is located at United*  
6 *States Naval Station, Guantánamo Bay, Cuba, and who—*

7           (1) *is not a citizen of the United States or a*  
8 *member of the Armed Forces of the United States; and*

9           (2) *is—*

10           (A) *in the custody or under the effective*  
11 *control of the Department of Defense; or*

12           (B) *otherwise under detention at United*  
13 *States Naval Station, Guantánamo Bay, Cuba.*

14       *SEC. 8102. None of the funds appropriated or other-*  
15 *wise made available in this Act may be used to transfer*  
16 *any individual detained at United States Naval Station*  
17 *Guantánamo Bay, Cuba, to the custody or control of the*  
18 *individual's country of origin, any other foreign country,*  
19 *or any other foreign entity except in accordance with sec-*  
20 *tion 1034 of the National Defense Authorization Act for Fis-*  
21 *cal Year 2016 (Public Law 114–92) and section 1034 of*  
22 *the National Defense Authorization Act for Fiscal Year*  
23 *2017 (Public Law 114–328).*

1        *SEC. 8103. None of the funds made available by this*  
2 *Act may be used in contravention of the War Powers Reso-*  
3 *lution (50 U.S.C. 1541 et seq.).*

4        *SEC. 8104. (a) None of the funds appropriated or oth-*  
5 *erwise made available by this or any other Act may be used*  
6 *by the Secretary of Defense, or any other official or officer*  
7 *of the Department of Defense, to enter into a contract,*  
8 *memorandum of understanding, or cooperative agreement*  
9 *with, or make a grant to, or provide a loan or loan guar-*  
10 *antee to Rosoboronexport or any subsidiary of*  
11 *Rosoboronexport.*

12        *(b) The Secretary of Defense may waive the limitation*  
13 *in subsection (a) if the Secretary, in consultation with the*  
14 *Secretary of State and the Director of National Intelligence,*  
15 *determines that it is in the vital national security interest*  
16 *of the United States to do so, and certifies in writing to*  
17 *the congressional defense committees that, to the best of the*  
18 *Secretary's knowledge:*

19            *(1) Rosoboronexport has ceased the transfer of le-*  
20 *thal military equipment to, and the maintenance of*  
21 *existing lethal military equipment for, the Govern-*  
22 *ment of the Syrian Arab Republic;*

23            *(2) The armed forces of the Russian Federation*  
24 *have withdrawn from Crimea, other than armed*  
25 *forces present on military bases subject to agreements*

1       *in force between the Government of the Russian Fed-*  
2       *eration and the Government of Ukraine; and*

3               *(3) Agents of the Russian Federation have ceased*  
4       *taking active measures to destabilize the control of the*  
5       *Government of Ukraine over eastern Ukraine.*

6       *(c) The Inspector General of the Department of Defense*  
7       *shall conduct a review of any action involving*  
8       *Rosoboronexport with respect to a waiver issued by the Sec-*  
9       *retary of Defense pursuant to subsection (b), and not later*  
10       *than 90 days after the date on which such a waiver is issued*  
11       *by the Secretary of Defense, the Inspector General shall sub-*  
12       *mit to the congressional defense committees a report con-*  
13       *taining the results of the review conducted with respect to*  
14       *such waiver.*

15       *SEC. 8105. None of the funds made available in this*  
16       *Act may be used for the purchase or manufacture of a flag*  
17       *of the United States unless such flags are treated as covered*  
18       *items under section 2533a(b) of title 10, United States*  
19       *Code.*

20       *SEC. 8106. The Secretary of Defense, in consultation*  
21       *with the Service Secretaries, shall submit two reports to the*  
22       *congressional defense committees, not later than March 1,*  
23       *2018, and not later than September 1, 2018, detailing the*  
24       *submission of records during the previous 6 months to data-*  
25       *bases accessible to the National Instant Criminal Back-*



1 ground Check System (NICS), including the Interstate  
2 Identification Index (III), the National Crime Information  
3 Center (NCIC), and the NICS Index, as required by Public  
4 Law 110–180: Provided, That such reports shall provide the  
5 number and category of records submitted by month to each  
6 such database, by Service or Component: Provided further,  
7 That such reports shall identify the number and category  
8 of records submitted by month to those databases for which  
9 the Identification for Firearm Sales (IFFS) flag or other  
10 database flags were used to pre-validate the records and in-  
11 dicate that such persons are prohibited from receiving or  
12 possessing a firearm: Provided further, That such reports  
13 shall describe the steps taken during the previous 6 months,  
14 by Service or Component, to ensure complete and accurate  
15 submission and appropriate flagging of records of individ-  
16 uals prohibited from gun possession or receipt pursuant to  
17 18 U.S.C. 922(g) or (n) including applicable records involv-  
18 ing proceedings under the Uniform Code of Military Jus-  
19 tice.

20       SEC. 8107. (a) Of the funds appropriated in this Act  
21 for the Department of Defense, amounts may be made avail-  
22 able, under such regulations as the Secretary of Defense  
23 may prescribe, to local military commanders appointed by  
24 the Secretary, or by an officer or employee designated by  
25 the Secretary, to provide at their discretion *ex gratia* pay-

1 *ments in amounts consistent with subsection (d) of this sec-*  
2 *tion for damage, personal injury, or death that is incident*  
3 *to combat operations of the Armed Forces in a foreign coun-*  
4 *try.*

5 *(b) An ex gratia payment under this section may be*  
6 *provided only if—*

7 *(1) the prospective foreign civilian recipient is*  
8 *determined by the local military commander to be*  
9 *friendly to the United States;*

10 *(2) a claim for damages would not be compen-*  
11 *sable under chapter 163 of title 10, United States*  
12 *Code (commonly known as the “Foreign Claims*  
13 *Act”); and*

14 *(3) the property damage, personal injury, or*  
15 *death was not caused by action by an enemy.*

16 *(c) NATURE OF PAYMENTS.—Any payments provided*  
17 *under a program under subsection (a) shall not be consid-*  
18 *ered an admission or acknowledgement of any legal obliga-*  
19 *tion to compensate for any damage, personal injury, or*  
20 *death.*

21 *(d) AMOUNT OF PAYMENTS.—If the Secretary of De-*  
22 *fense determines a program under subsection (a) to be ap-*  
23 *propriate in a particular setting, the amounts of payments,*  
24 *if any, to be provided to civilians determined to have suf-*  
25 *fered harm incident to combat operations of the Armed*

1 *Forces under the program should be determined pursuant*  
2 *to regulations prescribed by the Secretary and based on an*  
3 *assessment, which should include such factors as cultural*  
4 *appropriateness and prevailing economic conditions.*

5       *(e) LEGAL ADVICE.—Local military commanders shall*  
6 *receive legal advice before making ex gratia payments under*  
7 *this subsection. The legal advisor, under regulations of the*  
8 *Department of Defense, shall advise on whether an ex gratia*  
9 *payment is proper under this section and applicable De-*  
10 *partment of Defense regulations.*

11       *(f) WRITTEN RECORD.—A written record of any ex*  
12 *gratia payment offered or denied shall be kept by the local*  
13 *commander and on a timely basis submitted to the appro-*  
14 *priate office in the Department of Defense as determined*  
15 *by the Secretary of Defense.*

16       *(g) REPORT.—The Secretary of Defense shall report to*  
17 *the congressional defense committees on an annual basis the*  
18 *efficacy of the ex gratia payment program including the*  
19 *number of types of cases considered, amounts offered, the*  
20 *response from ex gratia payment recipients, and any rec-*  
21 *ommended modifications to the program.*

22       *SEC. 8108. None of the funds available in this Act to*  
23 *the Department of Defense, other than appropriations made*  
24 *for necessary or routine refurbishments, upgrades or main-*  
25 *tenance activities, shall be used to reduce or to prepare to*

1 *reduce the number of deployed and non-deployed strategic*  
2 *delivery vehicles and launchers below the levels set forth in*  
3 *the report submitted to Congress in accordance with section*  
4 *1042 of the National Defense Authorization Act for Fiscal*  
5 *Year 2012.*

6 *SEC. 8109. The Secretary of Defense shall post grant*  
7 *awards on a public Website in a searchable format.*

8 *SEC. 8110. The Secretary of each military department,*  
9 *in reducing each research, development, test and evaluation*  
10 *and procurement account of the military department as re-*  
11 *quired under paragraph (1) of section 828(d) of the Na-*  
12 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*  
13 *lic Law 114–92; 10 U.S.C. 2430 note), as amended by sec-*  
14 *tion 825(a)(3) of the National Defense Authorization Act*  
15 *for Fiscal Year 2018, shall allocate the percentage reduction*  
16 *determined under paragraph (2) of such section 828(d) pro-*  
17 *portionally from all programs, projects, or activities under*  
18 *such account: Provided, That the authority under section*  
19 *804(d)(2) of the National Defense Authorization Act for Fis-*  
20 *cal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note)*  
21 *to transfer amounts available in the Rapid Prototyping*  
22 *Fund shall be subject to section 8005 or 9002 of this Act,*  
23 *as applicable.*

24 *SEC. 8111. None of the funds made available by this*  
25 *Act may be used to fund the performance of a flight dem-*

1 *onstration team at a location outside of the United States:*  
2  *Provided, That this prohibition applies only if a perform-*  
3 *ance of a flight demonstration team at a location within*  
4  *the United States was canceled during the current fiscal*  
5  *year due to insufficient funding.*

6  *SEC. 8112. None of the funds made available by this*  
7  *Act may be used by the National Security Agency to—*

8  *(1) conduct an acquisition pursuant to section*  
9  *702 of the Foreign Intelligence Surveillance Act of*  
10  *1978 for the purpose of targeting a United States per-*  
11 *son; or*

12  *(2) acquire, monitor, or store the contents (as*  
13  *such term is defined in section 2510(8) of title 18,*  
14  *United States Code) of any electronic communication*  
15  *of a United States person from a provider of elec-*  
16 *tronic communication services to the public pursuant*  
17  *to section 501 of the Foreign Intelligence Surveillance*  
18  *Act of 1978.*

19  *SEC. 8113. None of the funds made available by this*  
20  *Act may be obligated or expended to implement the Arms*  
21  *Trade Treaty until the Senate approves a resolution of rati-*  
22 *fication for the Treaty.*

23  *SEC. 8114. None of the funds made available in this*  
24  *or any other Act may be used to pay the salary of any*  
25  *officer or employee of any agency funded by this Act who*

1 *approves or implements the transfer of administrative re-*  
2 *sponsibilities or budgetary resources of any program,*  
3 *project, or activity financed by this Act to the jurisdiction*  
4 *of another Federal agency not financed by this Act without*  
5 *the express authorization of Congress: Provided, That this*  
6 *limitation shall not apply to transfers of funds expressly*  
7 *provided for in Defense Appropriations Acts, or provisions*  
8 *of Acts providing supplemental appropriations for the De-*  
9 *partment of Defense.*

10       *SEC. 8115. None of the funds made available in this*  
11 *Act may be obligated for activities authorized under section*  
12 *1208 of the Ronald W. Reagan National Defense Authoriza-*  
13 *tion Act for Fiscal Year 2005 (Public Law 112–81; 125*  
14 *Stat. 1621) to initiate support for, or expand support to,*  
15 *foreign forces, irregular forces, groups, or individuals unless*  
16 *the congressional defense committees are notified in accord-*  
17 *ance with the direction contained in the classified annex*  
18 *accompanying this Act, not less than 15 days before initi-*  
19 *ating such support: Provided, That none of the funds made*  
20 *available in this Act may be used under section 1208 for*  
21 *any activity that is not in support of an ongoing military*  
22 *operation being conducted by United States Special Oper-*  
23 *ations Forces to combat terrorism: Provided further, That*  
24 *the Secretary of Defense may waive the prohibitions in this*  
25 *section if the Secretary determines that such waiver is re-*

1 *quired by extraordinary circumstances and, by not later*  
2 *than 72 hours after making such waiver, notifies the con-*  
3 *gressional defense committees of such waiver.*

4       *SEC. 8116. None of the funds made available by this*  
5 *Act may be used with respect to Iraq in contravention of*  
6 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*  
7 *ing for the introduction of United States armed forces into*  
8 *hostilities in Iraq, into situations in Iraq where imminent*  
9 *involvement in hostilities is clearly indicated by the cir-*  
10 *cumstances, or into Iraqi territory, airspace, or waters*  
11 *while equipped for combat, in contravention of the congres-*  
12 *sional consultation and reporting requirements of sections*  
13 *3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).*

14       *SEC. 8117. None of the funds provided in this Act for*  
15 *the T-AO(X) program shall be used to award a new con-*  
16 *tract that provides for the acquisition of the following com-*  
17 *ponents unless those components are manufactured in the*  
18 *United States: Auxiliary equipment (including pumps) for*  
19 *shipboard services; propulsion equipment (including en-*  
20 *gines, reduction gears, and propellers); shipboard cranes;*  
21 *and spreaders for shipboard cranes.*

22       *SEC. 8118. Notwithstanding any other provision of*  
23 *this Act, to reflect savings due to lower than anticipated*  
24 *fuel costs, the total amount appropriated in title II of this*  
25 *Act is hereby reduced by \$110,780,000.*





1 *the heading “Operation and Maintenance, Defense-Wide”,*  
2 *and up to \$45,000,000 under the heading “Research, Devel-*  
3 *opment, Test and Evaluation, Defense-Wide” to develop, re-*  
4 *place, and sustain Federal Government security and suit-*  
5 *ability background investigation information technology*  
6 *systems of the Office of Personnel Management or other Fed-*  
7 *eral agency responsible for conducting such investigations:*  
8 *Provided, That the Secretary may transfer additional*  
9 *amounts into these headings or into “Procurement, Defense-*  
10 *Wide” using established reprogramming procedures pre-*  
11 *scribed in the Department of Defense Financial Manage-*  
12 *ment Regulation 7000.14, Volume 3, Chapter 6, dated Sep-*  
13 *tember 2015: Provided further, That such funds shall sup-*  
14 *plement, not supplant any other amounts made available*  
15 *to other Federal agencies for such purposes.*

16 *SEC. 8123. None of the funds made available by this*  
17 *Act may be used to carry out the closure or realignment*  
18 *of the United States Naval Station, Guantánamo Bay,*  
19 *Cuba.*

20 *SEC. 8124. (a) None of the funds made available in*  
21 *this Act may be used to maintain or establish a computer*  
22 *network unless such network is designed to block access to*  
23 *pornography websites.*

24 *(b) Nothing in subsection (a) shall limit the use of*  
25 *funds necessary for any Federal, State, tribal, or local law*

1 *enforcement agency or any other entity carrying out crimi-*  
2 *nal investigations, prosecution, or adjudication activities,*  
3 *or for any activity necessary for the national defense, in-*  
4 *cluding intelligence activities.*

5       *SEC. 8125. Notwithstanding any other provision of*  
6 *law, any transfer of funds appropriated or otherwise made*  
7 *available by this Act to the Global Engagement Center es-*  
8 *tablished by section 1287 of the National Defense Authoriza-*  
9 *tion Act for Fiscal Year 2017 (Public Law 114–328; 130*  
10 *Stat. 22 U.S.C. 2656 note) shall be made in accordance*  
11 *with section 8005 or 9002 of this Act, as applicable.*

12       *SEC. 8126. No amounts credited or otherwise made*  
13 *available in this or any other Act to the Department of De-*  
14 *fense Acquisition Workforce Development Fund may be*  
15 *transferred to:*

16           (1) *the Rapid Prototyping Fund established*  
17 *under section 804(d) of the National Defense Author-*  
18 *ization Act for Fiscal Year 2016 (10 U.S.C. 2302*  
19 *note); or*

20           (2) *credited to a military-department specific*  
21 *fund established under section 804(d)(2) of the Na-*  
22 *tional Defense Authorization Act for Fiscal Year 2016*  
23 *(as amended by section 897 of the National Defense*  
24 *Authorization Act for Fiscal Year 2017).*

1        *SEC. 8127. In addition to amounts provided elsewhere*  
2 *in this Act, there is appropriated \$235,000,000, for an ad-*  
3 *ditional amount for “Operation and Maintenance, Defense-*  
4 *Wide”, to remain available until expended: Provided, That*  
5 *such funds shall only be available to the Secretary of De-*  
6 *fense, acting through the Office of Economic Adjustment of*  
7 *the Department of Defense, or for transfer to the Secretary*  
8 *of Education, notwithstanding any other provision of law,*  
9 *to make grants, conclude cooperative agreements, or supple-*  
10 *ment other Federal funds to construct, renovate, repair, or*  
11 *expand elementary and secondary public schools on mili-*  
12 *tary installations in order to address capacity or facility*  
13 *condition deficiencies at such schools: Provided further,*  
14 *That in making such funds available, the Office of Eco-*  
15 *nomie Adjustment or the Secretary of Education shall give*  
16 *priority consideration to those military installations with*  
17 *schools having the most serious capacity or facility condi-*  
18 *tion deficiencies as determined by the Secretary of Defense:*  
19 *Provided further, That as a condition of receiving funds*  
20 *under this section a local educational agency or State shall*  
21 *provide a matching share as described in the notice titled*  
22 *“Department of Defense Program for Construction, Renova-*  
23 *tion, Repair or Expansion of Public Schools Located on*  
24 *Military Installations” published by the Department of De-*  
25 *fense in the Federal Register on September 9, 2011 (76 Fed.*

1 *Reg. 55883 et seq.): Provided further, That these provisions*  
2 *apply to funds provided under this section, and to funds*  
3 *previously provided by Congress to construct, renovate, re-*  
4 *pair, or expand elementary and secondary public schools*  
5 *on military installations in order to address capacity or*  
6 *facility condition deficiencies at such schools to the extent*  
7 *such funds remain unobligated on the date of enactment of*  
8 *this section.*

9       *SEC. 8128. In carrying out the program described in*  
10 *the memorandum on the subject of “Policy for Assisted Re-*  
11 *productive Services for the Benefit of Seriously or Severely*  
12 *Ill/Injured (Category II or III) Active Duty Service Mem-*  
13 *bers” issued by the Assistant Secretary of Defense for*  
14 *Health Affairs on April 3, 2012, and the guidance issued*  
15 *to implement such memorandum, the Secretary of Defense*  
16 *shall apply such policy and guidance, except that—*

17               *(1) the limitation on periods regarding embryo*  
18               *cryopreservation and storage set forth in part III(G)*  
19               *and in part IV(H) of such memorandum shall not*  
20               *apply; and*

21               *(2) the term “assisted reproductive technology”*  
22               *shall include embryo cryopreservation and storage*  
23               *without limitation on the duration of such*  
24               *cryopreservation and storage.*

1        *SEC. 8129. None of the funds made available by this*  
2 *Act may be used to provide arms, training, or other assist-*  
3 *ance to the Azov Battalion.*

4        *SEC. 8130. None of the funds made available by this*  
5 *Act may be used to purchase heavy water from Iran.*

6        *SEC. 8131. Section 316(a)(2) of the National Defense*  
7 *Authorization Act for Fiscal Year 2018 (Public Law 115-*  
8 *91) is amended by striking “the study under this sub-*  
9 *section” and inserting “the study and assessment under this*  
10 *section”.*

11        *SEC. 8132. Notwithstanding any other provision of*  
12 *law, from funds made available to the Department of De-*  
13 *fense in title II of this Act under the heading “Operation*  
14 *and Maintenance, Defense-Wide”, \$15,000,000 shall be*  
15 *available for a project in a country designated by the Sec-*  
16 *retary of Defense: Provided, That in furtherance of the*  
17 *project the Department of Defense is authorized to acquire*  
18 *services, including services performed pursuant to a grant*  
19 *agreement, from another Federal agency, on an advance of*  
20 *funds or reimbursable basis: Provided further, That an*  
21 *order for services placed under this section is deemed to be*  
22 *an obligation in the same manner that a similar order*  
23 *placed under a contract with a private contractor is an ob-*  
24 *ligation.*

## 1 TITLE IX

## 2 OVERSEAS CONTINGENCY OPERATIONS

## 3 MILITARY PERSONNEL

## 4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,  
6 Army”, \$2,683,694,000: Provided, That such amount is des-  
7 ignated by the Congress for Overseas Contingency Oper-  
8 ations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

## 11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,  
13 Navy”, \$377,857,000: Provided, That such amount is des-  
14 ignated by the Congress for Overseas Contingency Oper-  
15 ations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

## 18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,  
20 Marine Corps”, \$103,979,000: Provided, That such amount  
21 is designated by the Congress for Overseas Contingency Op-  
22 erations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

1 *MILITARY PERSONNEL, AIR FORCE*

2 *For an additional amount for “Military Personnel,*  
3 *Air Force”, \$914,119,000: Provided, That such amount is*  
4 *designated by the Congress for Overseas Contingency Oper-*  
5 *ations/Global War on Terrorism pursuant to section*  
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
7 *Deficit Control Act of 1985.*

8 *RESERVE PERSONNEL, ARMY*

9 *For an additional amount for “Reserve Personnel,*  
10 *Army”, \$24,942,000: Provided, That such amount is des-*  
11 *ignated by the Congress for Overseas Contingency Oper-*  
12 *ations/Global War on Terrorism pursuant to section*  
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
14 *Deficit Control Act of 1985.*

15 *RESERVE PERSONNEL, NAVY*

16 *For an additional amount for “Reserve Personnel,*  
17 *Navy”, \$9,091,000: Provided, That such amount is des-*  
18 *ignated by the Congress for Overseas Contingency Oper-*  
19 *ations/Global War on Terrorism pursuant to section*  
20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
21 *Deficit Control Act of 1985.*

22 *RESERVE PERSONNEL, MARINE CORPS*

23 *For an additional amount for “Reserve Personnel, Ma-*  
24 *rine Corps”, \$2,328,000: Provided, That such amount is*  
25 *designated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*  
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
3 *Deficit Control Act of 1985.*

4 *RESERVE PERSONNEL, AIR FORCE*

5 *For an additional amount for “Reserve Personnel, Air*  
6 *Force”, \$20,569,000: Provided, That such amount is des-*  
7 *ignated by the Congress for Overseas Contingency Oper-*  
8 *ations/Global War on Terrorism pursuant to section*  
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
10 *Deficit Control Act of 1985.*

11 *NATIONAL GUARD PERSONNEL, ARMY*

12 *For an additional amount for “National Guard Per-*  
13 *sonnel, Army”, \$184,589,000: Provided, That such amount*  
14 *is designated by the Congress for Overseas Contingency Op-*  
15 *erations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *NATIONAL GUARD PERSONNEL, AIR FORCE*

19 *For an additional amount for “National Guard Per-*  
20 *sonnel, Air Force”, \$5,004,000: Provided, That such*  
21 *amount is designated by the Congress for Overseas Contin-*  
22 *gency Operations/Global War on Terrorism pursuant to sec-*  
23 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
24 *gency Deficit Control Act of 1985.*



1                    *OPERATION AND MAINTENANCE*2                    *OPERATION AND MAINTENANCE, ARMY*

3            *For an additional amount for “Operation and Mainte-*  
4 *nance, Army”, \$17,352,994,000: Provided, That such*  
5 *amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

9                    *OPERATION AND MAINTENANCE, NAVY*

10           *For an additional amount for “Operation and Mainte-*  
11 *nance, Navy”, \$6,449,404,000: Provided, That such amount*  
12 *is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

16                  *OPERATION AND MAINTENANCE, MARINE CORPS*

17           *For an additional amount for “Operation and Mainte-*  
18 *nance, Marine Corps”, \$1,401,536,000: Provided, That such*  
19 *amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

23                  *OPERATION AND MAINTENANCE, AIR FORCE*

24           *For an additional amount for “Operation and Mainte-*  
25 *nance, Air Force”, \$10,873,895,000: Provided, That such*

1 amount is designated by the Congress for Overseas Contin-  
2 gency Operations/Global War on Terrorism pursuant to sec-  
3 tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Mainte-  
7 nance, Defense-Wide”, \$7,575,195,000: Provided, That of  
8 the funds provided under this heading, not to exceed  
9 \$1,000,000,000, to remain available until September 30,  
10 2019, shall be for payments to reimburse key cooperating  
11 nations for logistical, military, and other support, includ-  
12 ing access, provided to United States military and stability  
13 operations in Afghanistan and to counter the Islamic State  
14 of Iraq and Syria: Provided further, That such reimburse-  
15 ment payments may be made in such amounts as the Sec-  
16 retary of Defense, with the concurrence of the Secretary of  
17 State, and in consultation with the Director of the Office  
18 of Management and Budget, may determine, based on docu-  
19 mentation determined by the Secretary of Defense to ade-  
20 quately account for the support provided, and such deter-  
21 mination is final and conclusive upon the accounting offi-  
22 cers of the United States, and 15 days following notification  
23 to the appropriate congressional committees: Provided fur-  
24 ther, That these funds may be used for the purpose of pro-  
25 viding specialized training and procuring supplies and spe-

1 cialized equipment and providing such supplies and loan-  
2 ing such equipment on a non-reimbursable basis to coaliti-  
3 on forces supporting United States military and stability  
4 operations in Afghanistan and to counter the Islamic State  
5 of Iraq and Syria, and 15 days following notification to  
6 the appropriate congressional committees: Provided further,  
7 That these funds may be used to support the Government  
8 of Jordan, in such amounts as the Secretary of Defense may  
9 determine, to enhance the ability of the armed forces of Jor-  
10 dan to increase or sustain security along its borders, upon  
11 15 days prior written notification to the congressional de-  
12 fense committees outlining the amounts intended to be pro-  
13 vided and the nature of the expenses incurred: Provided fur-  
14 ther, That of the funds provided under this heading, not  
15 to exceed \$750,000,000, to remain available until September  
16 30, 2019, shall be available to provide support and assist-  
17 ance to foreign security forces or other groups or individuals  
18 to conduct, support or facilitate counterterrorism, crisis re-  
19 sponse, or other Department of Defense security cooperation  
20 programs: Provided further, That the Secretary of Defense  
21 shall provide quarterly reports to the congressional defense  
22 committees on the use of funds provided in this paragraph:  
23 Provided further, That such amount is designated by the  
24 Congress for Overseas Contingency Operations/Global War  
25 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the

1 *Balanced Budget and Emergency Deficit Control Act of*  
2 *1985.*

3 *OPERATION AND MAINTENANCE, ARMY RESERVE*

4 *For an additional amount for “Operation and Mainte-*  
5 *nance, Army Reserve”, \$24,699,000: Provided, That such*  
6 *amount is designated by the Congress for Overseas Contin-*  
7 *gency Operations/Global War on Terrorism pursuant to sec-*  
8 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
9 *gency Deficit Control Act of 1985.*

10 *OPERATION AND MAINTENANCE, NAVY RESERVE*

11 *For an additional amount for “Operation and Mainte-*  
12 *nance, Navy Reserve”, \$23,980,000: Provided, That such*  
13 *amount is designated by the Congress for Overseas Contin-*  
14 *gency Operations/Global War on Terrorism pursuant to sec-*  
15 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
16 *gency Deficit Control Act of 1985.*

17 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

18 *For an additional amount for “Operation and Mainte-*  
19 *nance, Marine Corps Reserve”, \$3,367,000: Provided, That*  
20 *such amount is designated by the Congress for Overseas*  
21 *Contingency Operations/Global War on Terrorism pursu-*  
22 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
23 *Emergency Deficit Control Act of 1985.*

1     *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

2         *For an additional amount for “Operation and Mainte-*  
3 *nance, Air Force Reserve”, \$53,523,000: Provided, That*  
4 *such amount is designated by the Congress for Overseas*  
5 *Contingency Operations/Global War on Terrorism pursu-*  
6 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
7 *Emergency Deficit Control Act of 1985.*

8     *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

9         *For an additional amount for “Operation and Mainte-*  
10 *nance, Army National Guard”, \$108,111,000: Provided,*  
11 *That such amount is designated by the Congress for Over-*  
12 *seas Contingency Operations/Global War on Terrorism pur-*  
13 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
14 *and Emergency Deficit Control Act of 1985.*

15     *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

16         *For an additional amount for “Operation and Mainte-*  
17 *nance, Air National Guard”, \$15,400,000: Provided, That*  
18 *such amount is designated by the Congress for Overseas*  
19 *Contingency Operations/Global War on Terrorism pursu-*  
20 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985.*

22             *AFGHANISTAN SECURITY FORCES FUND*

23         *For the “Afghanistan Security Forces Fund”,*  
24 *\$4,666,815,000, to remain available until September 30,*  
25 *2019: Provided, That such funds shall be available to the*

1 *Secretary of Defense for the purpose of allowing the Com-*  
2 *mander, Combined Security Transition Command—Af-*  
3 *ghanistan, or the Secretary’s designee, to provide assistance,*  
4 *with the concurrence of the Secretary of State, to the secu-*  
5 *rity forces of Afghanistan, including the provision of equip-*  
6 *ment, supplies, services, training, facility and infrastruc-*  
7 *ture repair, renovation, construction, and funding: Pro-*  
8 *vided further, That the Secretary of Defense may obligate*  
9 *and expend funds made available to the Department of De-*  
10 *fense in this title for additional costs associated with exist-*  
11 *ing projects previously funded with amounts provided*  
12 *under the heading “Afghanistan Infrastructure Fund” in*  
13 *prior Acts: Provided further, That such costs shall be lim-*  
14 *ited to contract changes resulting from inflation, market*  
15 *fluctuation, rate adjustments, and other necessary contract*  
16 *actions to complete existing projects, and associated super-*  
17 *vision and administration costs and costs for design during*  
18 *construction: Provided further, That the Secretary may not*  
19 *use more than \$50,000,000 under the authority provided*  
20 *in this section: Provided further, That the Secretary shall*  
21 *notify in advance such contract changes and adjustments*  
22 *in annual reports to the congressional defense committees:*  
23 *Provided further, That the authority to provide assistance*  
24 *under this heading is in addition to any other authority*  
25 *to provide assistance to foreign nations: Provided further,*

1 *That contributions of funds for the purposes provided herein*  
2 *from any person, foreign government, or international orga-*  
3 *nization may be credited to this Fund, to remain available*  
4 *until expended, and used for such purposes: Provided fur-*  
5 *ther, That the Secretary of Defense shall notify the congres-*  
6 *sional defense committees in writing upon the receipt and*  
7 *upon the obligation of any contribution, delineating the*  
8 *sources and amounts of the funds received and the specific*  
9 *use of such contributions: Provided further, That the Sec-*  
10 *retary of Defense shall, not fewer than 15 days prior to obli-*  
11 *gating from this appropriation account, notify the congres-*  
12 *sional defense committees in writing of the details of any*  
13 *such obligation: Provided further, That the Secretary of De-*  
14 *fense shall notify the congressional defense committees of*  
15 *any proposed new projects or transfer of funds between*  
16 *budget sub-activity groups in excess of \$20,000,000: Pro-*  
17 *vided further, That the United States may accept equip-*  
18 *ment procured using funds provided under this heading in*  
19 *this or prior Acts that was transferred to the security forces*  
20 *of Afghanistan and returned by such forces to the United*  
21 *States: Provided further, That equipment procured using*  
22 *funds provided under this heading in this or prior Acts,*  
23 *and not yet transferred to the security forces of Afghanistan*  
24 *or transferred to the security forces of Afghanistan and re-*  
25 *turned by such forces to the United States, may be treated*

1 *as stocks of the Department of Defense upon written notifi-*  
2 *cation to the congressional defense committees: Provided*  
3 *further, That of the funds provided under this heading, not*  
4 *less than \$10,000,000 shall be for recruitment and retention*  
5 *of women in the Afghanistan National Security Forces, and*  
6 *the recruitment and training of female security personnel:*  
7 *Provided further, That such amount is designated by the*  
8 *Congress for Overseas Contingency Operations/Global War*  
9 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
10 *Balanced Budget and Emergency Deficit Control Act of*  
11 *1985.*

12 *COUNTER-ISIS TRAIN AND EQUIP FUND*

13 *For the “Counter-Islamic State of Iraq and Syria*  
14 *Train and Equip Fund”, \$1,769,000,000, to remain avail-*  
15 *able until September 30, 2019: Provided, That such funds*  
16 *shall be available to the Secretary of Defense in coordina-*  
17 *tion with the Secretary of State, to provide assistance, in-*  
18 *cluding training; equipment; logistics support, supplies,*  
19 *and services; stipends; infrastructure repair and renova-*  
20 *tion; and sustainment, to foreign security forces, irregular*  
21 *forces, groups, or individuals participating, or preparing*  
22 *to participate in activities to counter the Islamic State of*  
23 *Iraq and Syria, and their affiliated or associated groups:*  
24 *Provided further, That these funds may be used in such*  
25 *amounts as the Secretary of Defense may determine to en-*



1 *hance the border security of nations adjacent to conflict*  
2 *areas including Jordan, Lebanon, Egypt, and Tunisia re-*  
3 *sulting from actions of the Islamic State of Iraq and Syria:*  
4 *Provided further, That amounts made available under this*  
5 *heading shall be available to provide assistance only for ac-*  
6 *tivities in a country designated by the Secretary of Defense,*  
7 *in coordination with the Secretary of State, as having a*  
8 *security mission to counter the Islamic State of Iraq and*  
9 *Syria, and following written notification to the congres-*  
10 *sional defense committees of such designation: Provided fur-*  
11 *ther, That the Secretary of Defense shall ensure that prior*  
12 *to providing assistance to elements of any forces or individ-*  
13 *uals, such elements or individuals are appropriately vetted,*  
14 *including at a minimum, assessing such elements for asso-*  
15 *ciations with terrorist groups or groups associated with the*  
16 *Government of Iran; and receiving commitments from such*  
17 *elements to promote respect for human rights and the rule*  
18 *of law: Provided further, That the Secretary of Defense*  
19 *shall, not fewer than 15 days prior to obligating from this*  
20 *appropriation account, notify the congressional defense*  
21 *committees in writing of the details of any such obligation:*  
22 *Provided further, That the Secretary of Defense may accept*  
23 *and retain contributions, including assistance in-kind,*  
24 *from foreign governments, including the Government of*  
25 *Iraq and other entities, to carry out assistance authorized*

1 *under this heading: Provided further, That contributions of*  
2 *funds for the purposes provided herein from any foreign*  
3 *government or other entity may be credited to this Fund,*  
4 *to remain available until expended, and used for such pur-*  
5 *poses: Provided further, That the Secretary of Defense may*  
6 *waive a provision of law relating to the acquisition of items*  
7 *and support services or sections 40 and 40A of the Arms*  
8 *Export Control Act (22 U.S.C. 2780 and 2785) if the Sec-*  
9 *retary determines that such provision of law would pro-*  
10 *hibit, restrict, delay or otherwise limit the provision of such*  
11 *assistance and a notice of and justification for such waiver*  
12 *is submitted to the congressional defense committees, the*  
13 *Committees on Appropriations and Foreign Relations of the*  
14 *Senate and the Committees on Appropriations and Foreign*  
15 *Affairs of the House of Representatives: Provided further,*  
16 *That the United States may accept equipment procured*  
17 *using funds provided under this heading, or under the head-*  
18 *ing, "Iraq Train and Equip Fund" in prior Acts, that was*  
19 *transferred to security forces, irregular forces, or groups*  
20 *participating, or preparing to participate in activities to*  
21 *counter the Islamic State of Iraq and Syria and returned*  
22 *by such forces or groups to the United States, may be treat-*  
23 *ed as stocks of the Department of Defense upon written noti-*  
24 *fication to the congressional defense committees: Provided*  
25 *further, That equipment procured using funds provided*

1 *under this heading, or under the heading, “Iraq Train and*  
2 *Equip Fund” in prior Acts, and not yet transferred to secu-*  
3 *rity forces, irregular forces, or groups participating, or pre-*  
4 *paring to participate in activities to counter the Islamic*  
5 *State of Iraq and Syria may be treated as stocks of the*  
6 *Department of Defense when determined by the Secretary*  
7 *to no longer be required for transfer to such forces or groups*  
8 *and upon written notification to the congressional defense*  
9 *committees: Provided further, That the Secretary of Defense*  
10 *shall provide quarterly reports to the congressional defense*  
11 *committees on the use of funds provided under this heading,*  
12 *including, but not limited to, the number of individuals*  
13 *trained, the nature and scope of support and sustainment*  
14 *provided to each group or individual, the area of operations*  
15 *for each group, and the contributions of other countries,*  
16 *groups, or individuals: Provided further, That such amount*  
17 *is designated by the Congress for Overseas Contingency Op-*  
18 *erations/Global War on Terrorism pursuant to section*  
19 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
20 *Deficit Control Act of 1985.*

## 21 *PROCUREMENT*

### 22 *AIRCRAFT PROCUREMENT, ARMY*

23 *For an additional amount for “Aircraft Procurement,*  
24 *Army”, \$420,086,000, to remain available until September*  
25 *30, 2020: Provided, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985.*

5 *MISSILE PROCUREMENT, ARMY*

6 *For an additional amount for “Missile Procurement,*  
7 *Army”, \$709,283,000, to remain available until September*  
8 *30, 2020: Provided, That such amount is designated by the*  
9 *Congress for Overseas Contingency Operations/Global War*  
10 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
11 *Balanced Budget and Emergency Deficit Control Act of*  
12 *1985.*

13 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

14 *VEHICLES, ARMY*

15 *For an additional amount for “Procurement of Weap-*  
16 *ons and Tracked Combat Vehicles, Army”, \$1,191,139,000,*  
17 *to remain available until September 30, 2020: Provided,*  
18 *That such amount is designated by the Congress for Over-*  
19 *seas Contingency Operations/Global War on Terrorism pur-*  
20 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
21 *and Emergency Deficit Control Act of 1985.*

22 *PROCUREMENT OF AMMUNITION, ARMY*

23 *For an additional amount for “Procurement of Am-*  
24 *munition, Army”, \$191,836,000, to remain available until*  
25 *September 30, 2020: Provided, That such amount is des-*

1 *ignated by the Congress for Overseas Contingency Oper-*  
2 *ations/Global War on Terrorism pursuant to section*  
3 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
4 *Deficit Control Act of 1985.*

5 *OTHER PROCUREMENT, ARMY*

6 *For an additional amount for “Other Procurement,*  
7 *Army”, \$405,575,000, to remain available until September*  
8 *30, 2020: Provided, That such amount is designated by the*  
9 *Congress for Overseas Contingency Operations/Global War*  
10 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
11 *Balanced Budget and Emergency Deficit Control Act of*  
12 *1985.*

13 *AIRCRAFT PROCUREMENT, NAVY*

14 *For an additional amount for “Aircraft Procurement,*  
15 *Navy”, \$157,300,000, to remain available until September*  
16 *30, 2020: Provided, That such amount is designated by the*  
17 *Congress for Overseas Contingency Operations/Global War*  
18 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
19 *Balanced Budget and Emergency Deficit Control Act of*  
20 *1985.*

21 *WEAPONS PROCUREMENT, NAVY*

22 *For an additional amount for “Weapons Procurement,*  
23 *Navy”, \$130,994,000, to remain available until September*  
24 *30, 2020: Provided, That such amount is designated by the*  
25 *Congress for Overseas Contingency Operations/Global War*

1 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
2 *Balanced Budget and Emergency Deficit Control Act of*  
3 *1985.*

4 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*  
5 *CORPS*

6 *For an additional amount for “Procurement of Am-*  
7 *munition, Navy and Marine Corps”, \$233,406,000, to re-*  
8 *main available until September 30, 2020: Provided, That*  
9 *such amount is designated by the Congress for Overseas*  
10 *Contingency Operations/Global War on Terrorism pursu-*  
11 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
12 *Emergency Deficit Control Act of 1985.*

13 *OTHER PROCUREMENT, NAVY*

14 *For an additional amount for “Other Procurement,*  
15 *Navy”, \$239,359,000, to remain available until September*  
16 *30, 2020: Provided, That such amount is designated by the*  
17 *Congress for Overseas Contingency Operations/Global War*  
18 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
19 *Balanced Budget and Emergency Deficit Control Act of*  
20 *1985.*

21 *PROCUREMENT, MARINE CORPS*

22 *For an additional amount for “Procurement, Marine*  
23 *Corps”, \$64,307,000, to remain available until September*  
24 *30, 2020: Provided, That such amount is designated by the*  
25 *Congress for Overseas Contingency Operations/Global War*

1 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
2 *Balanced Budget and Emergency Deficit Control Act of*  
3 *1985.*

4 *AIRCRAFT PROCUREMENT, AIR FORCE*

5 *For an additional amount for “Aircraft Procurement,*  
6 *Air Force”, \$503,938,000, to remain available until Sep-*  
7 *tember 30, 2020: Provided, That such amount is designated*  
8 *by the Congress for Overseas Contingency Operations/Glob-*  
9 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
10 *of the Balanced Budget and Emergency Deficit Control Act*  
11 *of 1985.*

12 *MISSILE PROCUREMENT, AIR FORCE*

13 *For an additional amount for “Missile Procurement,*  
14 *Air Force”, \$481,700,000, to remain available until Sep-*  
15 *tember 30, 2020: Provided, That such amount is designated*  
16 *by the Congress for Overseas Contingency Operations/Glob-*  
17 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
18 *of the Balanced Budget and Emergency Deficit Control Act*  
19 *of 1985.*

20 *SPACE PROCUREMENT, AIR FORCE*

21 *For an additional amount for “Space Procurement,*  
22 *Air Force”, \$2,256,000, to remain available until Sep-*  
23 *tember 30, 2020: Provided, That such amount is designated*  
24 *by the Congress for Overseas Contingency Operations/Glob-*  
25 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*

1 *of the Balanced Budget and Emergency Deficit Control Act*  
2 *of 1985.*

3 *PROCUREMENT OF AMMUNITION, AIR FORCE*

4 *For an additional amount for “Procurement of Am-*  
5 *munication, Air Force”, \$551,509,000, to remain available*  
6 *until September 30, 2020: Provided, That such amount is*  
7 *designated by the Congress for Overseas Contingency Oper-*  
8 *ations/Global War on Terrorism pursuant to section*  
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
10 *Deficit Control Act of 1985.*

11 *OTHER PROCUREMENT, AIR FORCE*

12 *For an additional amount for “Other Procurement,*  
13 *Air Force”, \$3,324,590,000, to remain available until Sep-*  
14 *tember 30, 2020: Provided, That such amount is designated*  
15 *by the Congress for Overseas Contingency Operations/Glob-*  
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
17 *of the Balanced Budget and Emergency Deficit Control Act*  
18 *of 1985.*

19 *PROCUREMENT, DEFENSE-WIDE*

20 *For an additional amount for “Procurement, Defense-*  
21 *Wide”, \$517,041,000, to remain available until September*  
22 *30, 2020: Provided, That such amount is designated by the*  
23 *Congress for Overseas Contingency Operations/Global War*  
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*



1 *Balanced Budget and Emergency Deficit Control Act of*  
2 *1985.*

3 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

4 *For procurement of rotary-wing aircraft; combat, tac-*  
5 *tical and support vehicles; other weapons; and other pro-*  
6 *curement items for the reserve components of the Armed*  
7 *Forces, \$1,300,000,000, to remain available for obligation*  
8 *until September 30, 2020: Provided, That the Chiefs of Na-*  
9 *tional Guard and Reserve components shall, not later than*  
10 *30 days after enactment of this Act, individually submit*  
11 *to the congressional defense committees the modernization*  
12 *priority assessment for their respective National Guard or*  
13 *Reserve component: Provided further, That none of the*  
14 *funds made available by this paragraph may be used to*  
15 *procure manned fixed wing aircraft, or procure or modify*  
16 *missiles, munitions, or ammunition: Provided further, That*  
17 *such amount is designated by the Congress for Overseas*  
18 *Contingency Operations/Global War on Terrorism pursu-*  
19 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
20 *Emergency Deficit Control Act of 1985.*

21 *RESEARCH, DEVELOPMENT, TEST AND*

22 *EVALUATION*

23 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

24 *For an additional amount for “Research, Develop-*  
25 *ment, Test and Evaluation, Army”, \$235,368,000, to re-*

1 *main available until September 30, 2019: Provided, That*  
2 *such amount is designated by the Congress for Overseas*  
3 *Contingency Operations/Global War on Terrorism pursu-*  
4 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
5 *Emergency Deficit Control Act of 1985.*

6 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*  
7 *For an additional amount for “Research, Develop-*  
8 *ment, Test and Evaluation, Navy”, \$167,565,000, to re-*  
9 *main available until September 30, 2019: Provided, That*  
10 *such amount is designated by the Congress for Overseas*  
11 *Contingency Operations/Global War on Terrorism pursu-*  
12 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
13 *Emergency Deficit Control Act of 1985.*

14 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
15 *FORCE*

16 *For an additional amount for “Research, Develop-*  
17 *ment, Test and Evaluation, Air Force”, \$129,608,000, to*  
18 *remain available until September 30, 2019: Provided, That*  
19 *such amount is designated by the Congress for Overseas*  
20 *Contingency Operations/Global War on Terrorism pursu-*  
21 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
22 *Emergency Deficit Control Act of 1985.*

1     *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
2                                     *DEFENSE-WIDE*

3         *For an additional amount for “Research, Develop-*  
4 *ment, Test and Evaluation, Defense-Wide”, \$394,396,000,*  
5 *to remain available until September 30, 2019: Provided,*  
6 *That such amount is designated by the Congress for Over-*  
7 *seas Contingency Operations/Global War on Terrorism pur-*  
8 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
9 *and Emergency Deficit Control Act of 1985.*

10                     *REVOLVING AND MANAGEMENT FUNDS*

11                             *DEFENSE WORKING CAPITAL FUNDS*

12         *For an additional amount for “Defense Working Cap-*  
13 *ital Funds”, \$148,956,000: Provided, That such amount is*  
14 *designated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18                     *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

19                             *DEFENSE HEALTH PROGRAM*

20         *For an additional amount for “Defense Health Pro-*  
21 *gram”, \$395,805,000, which shall be for operation and*  
22 *maintenance: Provided, That such amount is designated by*  
23 *the Congress for Overseas Contingency Operations/Global*  
24 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*

1 *the Balanced Budget and Emergency Deficit Control Act*  
2 *of 1985.*

3 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*  
4 *DEFENSE*

5 *For an additional amount for “Drug Interdiction and*  
6 *Counter-Drug Activities, Defense”, \$196,300,000: Provided,*  
7 *That such amount is designated by the Congress for Over-*  
8 *seas Contingency Operations/Global War on Terrorism pur-*  
9 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
10 *and Emergency Deficit Control Act of 1985.*

11 *OFFICE OF THE INSPECTOR GENERAL*

12 *For an additional amount for the “Office of the Inspec-*  
13 *tor General”, \$24,692,000: Provided, That such amount is*  
14 *designated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *GENERAL PROVISIONS—THIS TITLE*

19 *SEC. 9001. Notwithstanding any other provision of*  
20 *law, funds made available in this title are in addition to*  
21 *amounts appropriated or otherwise made available for the*  
22 *Department of Defense for fiscal year 2018.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 9002. Upon the determination of the Secretary*  
25 *of Defense that such action is necessary in the national in-*

1 *terest, the Secretary may, with the approval of the Office*  
2 *of Management and Budget, transfer up to \$2,250,000,000*  
3 *between the appropriations or funds made available to the*  
4 *Department of Defense in this title: Provided, That the Sec-*  
5 *retary shall notify the Congress promptly of each transfer*  
6 *made pursuant to the authority in this section: Provided*  
7 *further, That the authority provided in this section is in*  
8 *addition to any other transfer authority available to the*  
9 *Department of Defense and is subject to the same terms and*  
10 *conditions as the authority provided in section 8005 of this*  
11 *Act.*

12 *SEC. 9003. Supervision and administration costs and*  
13 *costs for design during construction associated with a con-*  
14 *struction project funded with appropriations available for*  
15 *operation and maintenance or the “Afghanistan Security*  
16 *Forces Fund” provided in this Act and executed in direct*  
17 *support of overseas contingency operations in Afghanistan,*  
18 *may be obligated at the time a construction contract is*  
19 *awarded: Provided, That, for the purpose of this section,*  
20 *supervision and administration costs and costs for design*  
21 *during construction include all in-house Government costs.*

22 *SEC. 9004. From funds made available in this title,*  
23 *the Secretary of Defense may purchase for use by military*  
24 *and civilian employees of the Department of Defense in the*  
25 *United States Central Command area of responsibility: (1)*

1 passenger motor vehicles up to a limit of \$75,000 per vehi-  
2 cle; and (2) heavy and light armored vehicles for the phys-  
3 ical security of personnel or for force protection purposes  
4 up to a limit of \$450,000 per vehicle, notwithstanding price  
5 or other limitations applicable to the purchase of passenger  
6 carrying vehicles.

7       SEC. 9005. Not to exceed \$5,000,000 of the amounts  
8 appropriated by this title under the heading “Operation  
9 and Maintenance, Army” may be used, notwithstanding  
10 any other provision of law, to fund the Commanders’ Emer-  
11 gency Response Program (CERP), for the purpose of ena-  
12 bling military commanders in Afghanistan to respond to  
13 urgent, small-scale, humanitarian relief and reconstruction  
14 requirements within their areas of responsibility: Provided,  
15 That each project (including any ancillary or related ele-  
16 ments in connection with such project) executed under this  
17 authority shall not exceed \$2,000,000: Provided further,  
18 That not later than 45 days after the end of each 6 months  
19 of the fiscal year, the Secretary of Defense shall submit to  
20 the congressional defense committees a report regarding the  
21 source of funds and the allocation and use of funds during  
22 that 6-month period that were made available pursuant to  
23 the authority provided in this section or under any other  
24 provision of law for the purposes described herein: Provided  
25 further, That, not later than 30 days after the end of each

1 *fiscal year quarter, the Army shall submit to the congres-*  
2 *sional defense committees quarterly commitment, obliga-*  
3 *tion, and expenditure data for the CERP in Afghanistan:*  
4 *Provided further, That, not less than 15 days before making*  
5 *funds available pursuant to the authority provided in this*  
6 *section or under any other provision of law for the purposes*  
7 *described herein for a project with a total anticipated cost*  
8 *for completion of \$500,000 or more, the Secretary shall sub-*  
9 *mit to the congressional defense committees a written notice*  
10 *containing each of the following:*

11           (1) *The location, nature and purpose of the pro-*  
12 *posed project, including how the project is intended to*  
13 *advance the military campaign plan for the country*  
14 *in which it is to be carried out.*

15           (2) *The budget, implementation timeline with*  
16 *milestones, and completion date for the proposed*  
17 *project, including any other CERP funding that has*  
18 *been or is anticipated to be contributed to the comple-*  
19 *tion of the project.*

20           (3) *A plan for the sustainment of the proposed*  
21 *project, including the agreement with either the host*  
22 *nation, a non-Department of Defense agency of the*  
23 *United States Government or a third-party contrib-*  
24 *utor to finance the sustainment of the activities and*

1        *maintenance of any equipment or facilities to be pro-*  
2        *vided through the proposed project.*

3        *SEC. 9006. Funds available to the Department of De-*  
4        *fense for operation and maintenance may be used, notwith-*  
5        *standing any other provision of law, to provide supplies,*  
6        *services, transportation, including airlift and sealift, and*  
7        *other logistical support to allied forces participating in a*  
8        *combined operation with the armed forces of the United*  
9        *States and coalition forces supporting military and sta-*  
10       *bility operations in Afghanistan and to counter the Islamic*  
11       *State of Iraq and Syria: Provided, That the Secretary of*  
12       *Defense shall provide quarterly reports to the congressional*  
13       *defense committees regarding support provided under this*  
14       *section.*

15       *SEC. 9007. None of the funds appropriated or other-*  
16       *wise made available by this or any other Act shall be obli-*  
17       *gated or expended by the United States Government for a*  
18       *purpose as follows:*

19                *(1) To establish any military installation or base*  
20        *for the purpose of providing for the permanent sta-*  
21        *tioning of United States Armed Forces in Iraq.*

22                *(2) To exercise United States control over any*  
23        *oil resource of Iraq.*

24                *(3) To establish any military installation or base*  
25        *for the purpose of providing for the permanent sta-*



1        *tioning of United States Armed Forces in Afghani-*  
2        *stan.*

3        *SEC. 9008. None of the funds made available in this*  
4        *Act may be used in contravention of the following laws en-*  
5        *acted or regulations promulgated to implement the United*  
6        *Nations Convention Against Torture and Other Cruel, In-*  
7        *human or Degrading Treatment or Punishment (done at*  
8        *New York on December 10, 1984):*

9            (1) *Section 2340A of title 18, United States*  
10        *Code.*

11            (2) *Section 2242 of the Foreign Affairs Reform*  
12        *and Restructuring Act of 1998 (division G of Public*  
13        *Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231*  
14        *note) and regulations prescribed thereto, including*  
15        *regulations under part 208 of title 8, Code of Federal*  
16        *Regulations, and part 95 of title 22, Code of Federal*  
17        *Regulations.*

18            (3) *Sections 1002 and 1003 of the Department of*  
19        *Defense, Emergency Supplemental Appropriations to*  
20        *Address Hurricanes in the Gulf of Mexico, and Pan-*  
21        *demic Influenza Act, 2006 (Public Law 109–148).*

22        *SEC. 9009. None of the funds provided for the “Afghan-*  
23        *istan Security Forces Fund” (ASFF) may be obligated*  
24        *prior to the approval of a financial and activity plan by*  
25        *the Afghanistan Resources Oversight Council (AROC) of the*

1 *Department of Defense: Provided, That the AROC must ap-*  
2 *prove the requirement and acquisition plan for any service*  
3 *requirements in excess of \$50,000,000 annually and any*  
4 *non-standard equipment requirements in excess of*  
5 *\$100,000,000 using ASFF: Provided further, That the De-*  
6 *partment of Defense must certify to the congressional de-*  
7 *fense committees that the AROC has convened and approved*  
8 *a process for ensuring compliance with the requirements in*  
9 *the preceding proviso and accompanying report language*  
10 *for the ASFF.*

11       *SEC. 9010. Funds made available in this title to the*  
12 *Department of Defense for operation and maintenance may*  
13 *be used to purchase items having an investment unit cost*  
14 *of not more than \$250,000: Provided, That, upon deter-*  
15 *mination by the Secretary of Defense that such action is*  
16 *necessary to meet the operational requirements of a Com-*  
17 *mander of a Combatant Command engaged in contingency*  
18 *operations overseas, such funds may be used to purchase*  
19 *items having an investment item unit cost of not more than*  
20 *\$500,000.*

21       *SEC. 9011. Up to \$500,000,000 of funds appropriated*  
22 *by this Act for the Defense Security Cooperation Agency*  
23 *in “Operation and Maintenance, Defense-Wide” may be*  
24 *used to provide assistance to the Government of Jordan to*

1 *support the armed forces of Jordan and to enhance security*  
2 *along its borders.*

3 *SEC. 9012. None of the funds made available by this*  
4 *Act under the heading “Counter-ISIS Train and Equip*  
5 *Fund” may be used to procure or transfer man-portable air*  
6 *defense systems.*

7 *SEC. 9013. For the “Ukraine Security Assistance Ini-*  
8 *tiative”, \$200,000,000 is hereby appropriated, to remain*  
9 *available until September 30, 2018: Provided, That such*  
10 *funds shall be available to the Secretary of Defense, in co-*  
11 *ordination with the Secretary of State, to provide assist-*  
12 *ance, including training; equipment; lethal weapons of a*  
13 *defensive nature; logistics support, supplies and services;*  
14 *sustainment; and intelligence support to the military and*  
15 *national security forces of Ukraine, and for replacement of*  
16 *any weapons or defensive articles provided to the Govern-*  
17 *ment of Ukraine from the inventory of the United States:*  
18 *Provided further, That the Secretary of Defense shall, not*  
19 *less than 15 days prior to obligating funds provided under*  
20 *this heading, notify the congressional defense committees in*  
21 *writing of the details of any such obligation: Provided fur-*  
22 *ther, That the United States may accept equipment pro-*  
23 *cured using funds provided under this heading in this or*  
24 *prior Acts that was transferred to the security forces of*  
25 *Ukraine and returned by such forces to the United States:*

1 *Provided further, That equipment procured using funds*  
2 *provided under this heading in this or prior Acts, and not*  
3 *yet transferred to the military or National Security Forces*  
4 *of Ukraine or returned by such forces to the United States,*  
5 *may be treated as stocks of the Department of Defense upon*  
6 *written notification to the congressional defense committees:*  
7 *Provided further, That amounts made available by this sec-*  
8 *tion are designated by the Congress for Overseas Contin-*  
9 *gency Operations/Global War on Terrorism pursuant to sec-*  
10 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
11 *gency Deficit Control Act of 1985.*

12 *SEC. 9014. Funds appropriated in this title shall be*  
13 *available for replacement of funds for items provided to the*  
14 *Government of Ukraine from the inventory of the United*  
15 *States to the extent specifically provided for in section 9013*  
16 *of this Act.*

17 *SEC. 9015. None of the funds made available by this*  
18 *Act under section 9013 for “Assistance and Sustainment*  
19 *to the Military and National Security Forces of Ukraine”*  
20 *may be used to procure or transfer man-portable air defense*  
21 *systems.*

22 *SEC. 9016. (a) None of the funds appropriated or oth-*  
23 *erwise made available by this Act under the heading “Oper-*  
24 *ation and Maintenance, Defense-Wide” for payments under*  
25 *section 1233 of Public Law 110–181 for reimbursement to*

1 *the Government of Pakistan may be made available unless*  
2 *the Secretary of Defense, in coordination with the Secretary*  
3 *of State, certifies to the congressional defense committees*  
4 *that the Government of Pakistan is—*

5           (1) *cooperating with the United States in*  
6 *counterterrorism efforts against the Haqqani Network,*  
7 *the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-*  
8 *e-Mohammed, Al Qaeda, and other domestic and for-*  
9 *foreign terrorist organizations, including taking steps to*  
10 *end support for such groups and prevent them from*  
11 *basing and operating in Pakistan and carrying out*  
12 *cross border attacks into neighboring countries;*

13           (2) *not supporting terrorist activities against*  
14 *United States or coalition forces in Afghanistan, and*  
15 *Pakistan's military and intelligence agencies are not*  
16 *intervening extra-judicially into political and judicial*  
17 *processes in Pakistan;*

18           (3) *dismantling improvised explosive device*  
19 *(IED) networks and interdicting precursor chemicals*  
20 *used in the manufacture of IEDs;*

21           (4) *preventing the proliferation of nuclear-re-*  
22 *lated material and expertise;*

23           (5) *implementing policies to protect judicial*  
24 *independence and due process of law;*

1           (6) *issuing visas in a timely manner for United*  
2           *States visitors engaged in counterterrorism efforts and*  
3           *assistance programs in Pakistan; and*

4           (7) *providing humanitarian organizations access*  
5           *to detainees, internally displaced persons, and other*  
6           *Pakistani civilians affected by the conflict.*

7           (b) *The Secretary of Defense, in coordination with the*  
8           *Secretary of State, may waive the restriction in subsection*  
9           (i) *on a case-by-case basis by certifying in writing to the*  
10           *congressional defense committees that it is in the national*  
11           *security interest to do so: Provided, That if the Secretary*  
12           *of Defense, in coordination with the Secretary of State, ex-*  
13           *ercises such waiver authority, the Secretaries shall report*  
14           *to the congressional defense committees on both the justifica-*  
15           *tion for the waiver and on the requirements of this section*  
16           *that the Government of Pakistan was not able to meet: Pro-*  
17           *vided further, That such report may be submitted in classi-*  
18           *fied form if necessary.*

19                                    (INCLUDING TRANSFER OF FUNDS)

20           SEC. 9017. *In addition to amounts otherwise made*  
21           *available in this Act, \$770,000,000 is hereby appropriated*  
22           *to the Department of Defense and made available for trans-*  
23           *fer only to the operation and maintenance, military per-*  
24           *sonnel, and procurement accounts, to improve the intel-*  
25           *ligence, surveillance, and reconnaissance capabilities of the*

1 *Department of Defense: Provided, That the transfer author-*  
2 *ity provided in this section is in addition to any other*  
3 *transfer authority provided elsewhere in this Act: Provided*  
4 *further, That not later than 30 days prior to exercising the*  
5 *transfer authority provided in this section, the Secretary*  
6 *of Defense shall submit a report to the congressional defense*  
7 *committees on the proposed uses of these funds: Provided*  
8 *further, That the funds provided in this section may not*  
9 *be transferred to any program, project, or activity specifi-*  
10 *cally limited or denied by this Act: Provided further, That*  
11 *amounts made available by this section are designated by*  
12 *the Congress for Overseas Contingency Operations/Global*  
13 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
14 *the Balanced Budget and Emergency Deficit Control Act*  
15 *of 1985: Provided further, That the authority to provide*  
16 *funding under this section shall terminate on September 30,*  
17 *2018.*

18       *SEC. 9018. None of the funds made available by this*  
19 *Act may be used with respect to Syria in contravention of*  
20 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*  
21 *ing for the introduction of United States armed or military*  
22 *forces into hostilities in Syria, into situations in Syria*  
23 *where imminent involvement in hostilities is clearly indi-*  
24 *cated by the circumstances, or into Syrian territory, air-*  
25 *space, or waters while equipped for combat, in contraven-*

1 tion of the congressional consultation and reporting require-  
 2 ments of sections 3 and 4 of that law (50 U.S.C. 1542 and  
 3 1543).

4 SEC. 9019. None of the funds in this Act may be made  
 5 available for the transfer of additional C-130 cargo aircraft  
 6 to the Afghanistan National Security Forces or the Afghani-  
 7 stan Air Force until the Department of Defense provides  
 8 a report to the congressional defense committees of the Af-  
 9 ghanistan Air Force's medium airlift requirements. The re-  
 10 port should identify Afghanistan's ability to utilize and  
 11 maintain existing medium lift aircraft in the inventory  
 12 and the best alternative platform, if necessary, to provide  
 13 additional support to the Afghanistan Air Force's current  
 14 medium airlift capacity.

15 (RESCISSIONS)

16 SEC. 9020. Of the funds appropriated in Department  
 17 of Defense Appropriations Acts, the following funds are  
 18 hereby rescinded from the following accounts and programs  
 19 in the specified amounts: Provided, That such amounts are  
 20 designated by the Congress for Overseas Contingency Oper-  
 21 ations/Global War on Terrorism pursuant to section  
 22 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
 23 Deficit Control Act of 1985:

24 "Operation and Maintenance, Defense-Wide: Co-  
 25 alition Support Fund", 2017/2018, \$500,000,000;



1           “*Operation and Maintenance, Defense-Wide:*  
2     *DSCA Security Cooperation*”, 2017/2018,  
3     \$250,000,000;

4           “*Afghanistan Security Forces Fund*”, 2017/2018,  
5     \$100,000,000;

6           “*Counter-ISIL Train and Equip Fund*”, 2017/  
7     2018, \$80,000,000;

8           “*Other Procurement, Air Force*”, 2017/2019,  
9     \$25,100,000; and

10          “*Counter-ISIL Overseas Contingency Operations*  
11     *Transfer Fund*”, XXXX, \$1,610,000,000.

12         *SEC. 9021. (a) Not later than 30 days after the date*  
13     *of the enactment of this Act, the President shall submit to*  
14     *Congress a report on the United States strategy to defeat*  
15     *Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria*  
16     *(ISIS), and their associated forces and co-belligerents.*

17         *(b) The report required under subsection (a) shall in-*  
18     *clude the following:*

19             *(1) An analysis of the adequacy of the existing*  
20     *legal framework to accomplish the strategy described*  
21     *in subsection (a), particularly with respect to the Au-*  
22     *thorization for Use of Military Force (Public Law*  
23     *107–40; 50 U.S.C. 1541 note) and the Authorization*  
24     *for Use of Military Force Against Iraq Resolution of*  
25     *2002 (Public Law 107–243; 50 U.S.C. 1541 note).*

1           (2) *An analysis of the budgetary resources nec-*  
2           *essary to accomplish the strategy described in sub-*  
3           *section (a).*

4           (c) *Not later than 30 days after the date on which the*  
5           *President submits to the appropriate congressional commit-*  
6           *tees the report required by subsection (a), the Secretary of*  
7           *State and the Secretary of Defense shall testify at any hear-*  
8           *ing held by any of the appropriate congressional committees*  
9           *on the report and to which the Secretary is invited.*

10          (d) *In this section, the term “appropriate congres-*  
11          *sional committees” means—*

12                 (1) *the Committees on Foreign Relations, Armed*  
13                 *Services and Appropriations of the Senate; and*

14                 (2) *the Committees on Foreign Affairs, Armed*  
15                 *Services and Appropriations of the House of Rep-*  
16                 *resentatives.*

17          SEC. 9022. *Funds available for the Afghanistan Secu-*  
18          *rity Forces Fund may be used to provide limited training,*  
19          *equipment, and other assistance that would otherwise be*  
20          *prohibited by 10 U.S.C. 362 to a unit of the security forces*  
21          *of Afghanistan only if the Secretary certifies to the congres-*  
22          *sional defense committees, within 30 days of a decision to*  
23          *provide such assistance, that (1) a denial of such assistance*  
24          *would present significant risk to U.S. or coalition forces*  
25          *or significantly undermine United States national security*

1 objectives in Afghanistan; and (2) the Secretary has sought  
2 a commitment by the Government of Afghanistan to take  
3 all necessary corrective steps: Provided, That such certifi-  
4 cation shall be accompanied by a report describing: (1) the  
5 information relating to the gross violation of human rights;  
6 (2) the circumstances that necessitated the provision of such  
7 assistance; (3) the Afghan security force unit involved; (4)  
8 the assistance provided and the assistance withheld; and (5)  
9 the corrective steps to be taken by the Government of Af-  
10 ghanistan: Provided further, That every 120 days after the  
11 initial report an additional report shall be submitted de-  
12 tailing the status of any corrective steps taken by the Gov-  
13 ernment of Afghanistan: Provided further, That if the Gov-  
14 ernment of Afghanistan has not initiated necessary correc-  
15 tive steps within one year of the certification, the authority  
16 under this section to provide assistance to such unit shall  
17 no longer apply: Provided further, That the Secretary shall  
18 submit a report to such committees detailing the final dis-  
19 position of the case by the Government of Afghanistan.

20       This division may be cited as the “Department of De-  
21 fense Appropriations Act, 2018”.

1 ***DIVISION D—ENERGY AND WATER DEVEL-***  
2 ***OPMENT AND RELATED AGENCIES AP-***  
3 ***PROPRIATIONS ACT, 2018***

4 *TITLE I*

5 *CORPS OF ENGINEERS—CIVIL*

6 *DEPARTMENT OF THE ARMY*

7 *CORPS OF ENGINEERS—CIVIL*

8 *The following appropriations shall be expended under*  
9 *the direction of the Secretary of the Army and the super-*  
10 *vision of the Chief of Engineers for authorized civil func-*  
11 *tions of the Department of the Army pertaining to river*  
12 *and harbor, flood and storm damage reduction, shore pro-*  
13 *tection, aquatic ecosystem restoration, and related efforts.*

14 *INVESTIGATIONS*

15 *For expenses necessary where authorized by law for the*  
16 *collection and study of basic information pertaining to*  
17 *river and harbor, flood and storm damage reduction, shore*  
18 *protection, aquatic ecosystem restoration, and related needs;*  
19 *for surveys and detailed studies, and plans and specifica-*  
20 *tions of proposed river and harbor, flood and storm damage*  
21 *reduction, shore protection, and aquatic ecosystem restora-*  
22 *tion projects, and related efforts prior to construction; for*  
23 *restudy of authorized projects; and for miscellaneous inves-*  
24 *tigations, and, when authorized by law, surveys and de-*  
25 *tailed studies, and plans and specifications of projects prior*

1 to construction, \$123,000,000, to remain available until ex-  
2 pended: Provided, That the Secretary shall initiate six new  
3 study starts during fiscal year 2018: Provided further, That  
4 the new study starts shall consist of five studies where the  
5 majority of the benefits are derived from navigation trans-  
6 portation savings or from flood and storm damage reduc-  
7 tion and one study where the majority of benefits are de-  
8 rived from environmental restoration: Provided further,  
9 That the Secretary shall not deviate from the new starts  
10 proposed in the work plan, once the plan has been submitted  
11 to the Committees on Appropriations of both Houses of Con-  
12 gress.

13 CONSTRUCTION

14 For expenses necessary for the construction of river  
15 and harbor, flood and storm damage reduction, shore pro-  
16 tection, aquatic ecosystem restoration, and related projects  
17 authorized by law; for conducting detailed studies, and  
18 plans and specifications, of such projects (including those  
19 involving participation by States, local governments, or  
20 private groups) authorized or made eligible for selection by  
21 law (but such detailed studies, and plans and specifications,  
22 shall not constitute a commitment of the Government to  
23 construction); \$2,085,000,000, to remain available until ex-  
24 pended; of which such sums as are necessary to cover the  
25 Federal share of construction costs for facilities under the

1 *Dredged Material Disposal Facilities* program shall be de-  
2 rived from the Harbor Maintenance Trust Fund as author-  
3 ized by Public Law 104–303; and of which such sums as  
4 are necessary to cover one-half of the costs of construction,  
5 replacement, rehabilitation, and expansion of inland water-  
6 ways projects shall be derived from the Inland Waterways  
7 Trust Fund, except as otherwise specifically provided for  
8 in law: Provided, That the Secretary shall initiate five new  
9 construction starts during fiscal year 2018: Provided fur-  
10 ther, That the new construction starts shall consist of four  
11 projects where the majority of the benefits are derived from  
12 navigation transportation savings or from flood and storm  
13 damage reduction and one project where the majority of the  
14 benefits are derived from environmental restoration: Pro-  
15 vided further, That for new construction projects, project  
16 cost sharing agreements shall be executed as soon as prac-  
17 ticable but no later than September 30, 2018: Provided fur-  
18 ther, That no allocation for a new start shall be considered  
19 final and no work allowance shall be made until the Sec-  
20 retary provides to the Committees on Appropriations of  
21 both Houses of Congress an out-year funding scenario dem-  
22 onstrating the affordability of the selected new starts and  
23 the impacts on other projects: Provided further, That the  
24 Secretary may not deviate from the new starts proposed in

1 *the work plan, once the plan has been submitted to the Com-*  
2 *mittees on Appropriations of both Houses of Congress.*

3 *MISSISSIPPI RIVER AND TRIBUTARIES*

4 *For expenses necessary for flood damage reduction*  
5 *projects and related efforts in the Mississippi River alluvial*  
6 *valley below Cape Girardeau, Missouri, as authorized by*  
7 *law, \$425,000,000, to remain available until expended, of*  
8 *which such sums as are necessary to cover the Federal share*  
9 *of eligible operation and maintenance costs for inland har-*  
10 *bors shall be derived from the Harbor Maintenance Trust*  
11 *Fund: Provided, That the Secretary shall initiate one new*  
12 *study start during fiscal year 2018.*

13 *OPERATION AND MAINTENANCE*

14 *For expenses necessary for the operation, maintenance,*  
15 *and care of existing river and harbor, flood and storm dam-*  
16 *age reduction, aquatic ecosystem restoration, and related*  
17 *projects authorized by law; providing security for infra-*  
18 *structure owned or operated by the Corps, including admin-*  
19 *istrative buildings and laboratories; maintaining harbor*  
20 *channels provided by a State, municipality, or other public*  
21 *agency that serve essential navigation needs of general com-*  
22 *merce, where authorized by law; surveying and charting*  
23 *northern and northwestern lakes and connecting waters;*  
24 *clearing and straightening channels; and removing obstruc-*  
25 *tions to navigation, \$3,630,000,000, to remain available*

1 *until expended, of which such sums as are necessary to cover*  
2 *the Federal share of eligible operation and maintenance*  
3 *costs for coastal harbors and channels, and for inland har-*  
4 *bors shall be derived from the Harbor Maintenance Trust*  
5 *Fund; of which such sums as become available from the spe-*  
6 *cial account for the Corps of Engineers established by the*  
7 *Land and Water Conservation Fund Act of 1965 shall be*  
8 *derived from that account for resource protection, research,*  
9 *interpretation, and maintenance activities related to re-*  
10 *source protection in the areas at which outdoor recreation*  
11 *is available; and of which such sums as become available*  
12 *from fees collected under section 217 of Public Law 104-*  
13 *303 shall be used to cover the cost of operation and mainte-*  
14 *nance of the dredged material disposal facilities for which*  
15 *such fees have been collected: Provided, That 1 percent of*  
16 *the total amount of funds provided for each of the programs,*  
17 *projects, or activities funded under this heading shall not*  
18 *be allocated to a field operating activity prior to the begin-*  
19 *ning of the fourth quarter of the fiscal year and shall be*  
20 *available for use by the Chief of Engineers to fund such*  
21 *emergency activities as the Chief of Engineers determines*  
22 *to be necessary and appropriate, and that the Chief of Engi-*  
23 *neers shall allocate during the fourth quarter any remain-*  
24 *ing funds which have not been used for emergency activities*



1 *proportionally in accordance with the amounts provided for*  
2 *the programs, projects, or activities.*

3 *REGULATORY PROGRAM*

4 *For expenses necessary for administration of laws per-*  
5 *taining to regulation of navigable waters and wetlands,*  
6 *\$200,000,000, to remain available until September 30,*  
7 *2019.*

8 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*

9 *For expenses necessary to clean up contamination*  
10 *from sites in the United States resulting from work per-*  
11 *formed as part of the Nation's early atomic energy pro-*  
12 *gram, \$139,000,000, to remain available until expended.*

13 *FLOOD CONTROL AND COASTAL EMERGENCIES*

14 *For expenses necessary to prepare for flood, hurricane,*  
15 *and other natural disasters and support emergency oper-*  
16 *ations, repairs, and other activities in response to such dis-*  
17 *asters as authorized by law, \$35,000,000, to remain avail-*  
18 *able until expended.*

19 *EXPENSES*

20 *For expenses necessary for the supervision and general*  
21 *administration of the civil works program in the head-*  
22 *quarters of the Corps of Engineers and the offices of the*  
23 *Division Engineers; and for costs of management and oper-*  
24 *ation of the Humphreys Engineer Center Support Activity,*  
25 *the Institute for Water Resources, the United States Army*

1 *Engineer Research and Development Center, and the*  
2 *United States Army Corps of Engineers Finance Center al-*  
3 *locable to the civil works program, \$185,000,000, to remain*  
4 *available until September 30, 2019, of which not to exceed*  
5 *\$5,000 may be used for official reception and representation*  
6 *purposes and only during the current fiscal year: Provided,*  
7 *That no part of any other appropriation provided in this*  
8 *title shall be available to fund the civil works activities of*  
9 *the Office of the Chief of Engineers or the civil works execu-*  
10 *tive direction and management activities of the division of*  
11 *ices: Provided further, That any Flood Control and Coastal*  
12 *Emergencies appropriation may be used to fund the super-*  
13 *vision and general administration of emergency operations,*  
14 *repairs, and other activities in response to any flood, hurri-*  
15 *cane, or other natural disaster.*

16 *OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR*  
17 *CIVIL WORKS*

18 *For the Office of the Assistant Secretary of the Army*  
19 *for Civil Works as authorized by 10 U.S.C. 3016(b)(3),*  
20 *\$5,000,000, to remain available until September 30, 2019:*  
21 *Provided, That not more than 75 percent of such amount*  
22 *may be obligated or expended until the Assistant Secretary*  
23 *submits to the Committees on Appropriations of both*  
24 *Houses of Congress a work plan that allocates at least 95*  
25 *percent of the additional funding provided under each head-*

1 *ing in this title (as designated under such heading in the*  
2 *explanatory statement described in section 4 (in the matter*  
3 *preceding division A of this consolidated Act)) to specific*  
4 *programs, projects, or activities.*

5 *GENERAL PROVISIONS—CORPS OF ENGINEERS—*

6 *CIVIL*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *SEC. 101. (a) None of the funds provided in title I*  
9 *of this Act, or provided by previous appropriations Acts*  
10 *to the agencies or entities funded in title I of this Act that*  
11 *remain available for obligation or expenditure in fiscal year*  
12 *2018, shall be available for obligation or expenditure*  
13 *through a reprogramming of funds that:*

14 *(1) creates or initiates a new program, project,*  
15 *or activity;*

16 *(2) eliminates a program, project, or activity;*

17 *(3) increases funds or personnel for any pro-*  
18 *gram, project, or activity for which funds have been*  
19 *denied or restricted by this Act, unless prior approval*  
20 *is received from the House and Senate Committees on*  
21 *Appropriations;*

22 *(4) proposes to use funds directed for a specific*  
23 *activity for a different purpose, unless prior approval*  
24 *is received from the House and Senate Committees on*  
25 *Appropriations;*

1           (5) *augments or reduces existing programs,*  
2           *projects, or activities in excess of the amounts con-*  
3           *tained in paragraphs (6) through (10), unless prior*  
4           *approval is received from the House and Senate Com-*  
5           *mittees on Appropriations;*

6           (6) *INVESTIGATIONS.—For a base level over*  
7           *\$100,000, reprogramming of 25 percent of the base*  
8           *amount up to a limit of \$150,000 per project, study*  
9           *or activity is allowed: Provided, That for a base level*  
10          *less than \$100,000, the reprogramming limit is*  
11          *\$25,000: Provided further, That up to \$25,000 may be*  
12          *reprogrammed into any continuing study or activity*  
13          *that did not receive an appropriation for existing ob-*  
14          *ligations and concomitant administrative expenses;*

15          (7) *CONSTRUCTION.—For a base level over*  
16          *\$2,000,000, reprogramming of 15 percent of the base*  
17          *amount up to a limit of \$3,000,000 per project, study*  
18          *or activity is allowed: Provided, That for a base level*  
19          *less than \$2,000,000, the reprogramming limit is*  
20          *\$300,000: Provided further, That up to \$3,000,000*  
21          *may be reprogrammed for settled contractor claims,*  
22          *changed conditions, or real estate deficiency judg-*  
23          *ments: Provided further, That up to \$300,000 may be*  
24          *reprogrammed into any continuing study or activity*

1       *that did not receive an appropriation for existing ob-*  
2       *ligations and concomitant administrative expenses;*

3           (8) *OPERATION AND MAINTENANCE.—Unlimited*  
4       *reprogramming authority is granted for the Corps to*  
5       *be able to respond to emergencies: Provided, That the*  
6       *Chief of Engineers shall notify the House and Senate*  
7       *Committees on Appropriations of these emergency ac-*  
8       *tions as soon thereafter as practicable: Provided fur-*  
9       *ther, That for a base level over \$1,000,000, re-*  
10       *programming of 15 percent of the base amount up to*  
11       *a limit of \$5,000,000 per project, study, or activity*  
12       *is allowed: Provided further, That for a base level less*  
13       *than \$1,000,000, the reprogramming limit is*  
14       *\$150,000: Provided further, That \$150,000 may be re-*  
15       *programmed into any continuing study or activity*  
16       *that did not receive an appropriation;*

17           (9) *MISSISSIPPI RIVER AND TRIBUTARIES.—The*  
18       *reprogramming guidelines in paragraphs (6), (7),*  
19       *and (8) shall apply to the Investigations, Construc-*  
20       *tion, and Operation and Maintenance portions of the*  
21       *Mississippi River and Tributaries Account, respec-*  
22       *tively; and*

23           (10) *FORMERLY UTILIZED SITES REMEDIAL AC-*  
24       *TION PROGRAM.—Reprogramming of up to 15 percent*  
25       *of the base of the receiving project is permitted.*

1       (b) *DE MINIMUS REPROGRAMMINGS.*—*In no case*  
2 *should a reprogramming for less than \$50,000 be submitted*  
3 *to the House and Senate Committees on Appropriations.*

4       (c) *CONTINUING AUTHORITIES PROGRAM.*—*Subsection*  
5 *(a)(1) shall not apply to any project or activity funded*  
6 *under the continuing authorities program.*

7       (d) *Not later than 60 days after the date of enactment*  
8 *of this Act, the Secretary shall submit a report to the House*  
9 *and Senate Committees on Appropriations to establish the*  
10 *baseline for application of reprogramming and transfer au-*  
11 *thorities for the current fiscal year which shall include:*

12           (1) *A table for each appropriation with a sepa-*  
13 *rate column to display the President's budget request,*  
14 *adjustments made by Congress, adjustments due to*  
15 *enacted rescissions, if applicable, and the fiscal year*  
16 *enacted level; and*

17           (2) *A delineation in the table for each appro-*  
18 *priation both by object class and program, project*  
19 *and activity as detailed in the budget appendix for*  
20 *the respective appropriations; and*

21           (3) *An identification of items of special congres-*  
22 *sional interest.*

23       *SEC. 102. The Secretary shall allocate funds made*  
24 *available in this Act solely in accordance with the provi-*  
25 *sions of this Act and the explanatory statement described*

1 *in section 4 (in the matter preceding division A of this con-*  
2 *solidated Act), including the determination and designation*  
3 *of new starts.*

4       *SEC. 103. None of the funds made available in this*  
5 *title may be used to award or modify any contract that*  
6 *commits funds beyond the amounts appropriated for that*  
7 *program, project, or activity that remain unobligated, ex-*  
8 *cept that such amounts may include any funds that have*  
9 *been made available through reprogramming pursuant to*  
10 *section 101.*

11       *SEC. 104. The Secretary of the Army may transfer to*  
12 *the Fish and Wildlife Service, and the Fish and Wildlife*  
13 *Service may accept and expend, up to \$5,400,000 of funds*  
14 *provided in this title under the heading “Operation and*  
15 *Maintenance” to mitigate for fisheries lost due to Corps of*  
16 *Engineers projects.*

17       *SEC. 105. None of the funds in this Act shall be used*  
18 *for an open lake placement alternative for dredged material,*  
19 *after evaluating the least costly, environmentally acceptable*  
20 *manner for the disposal or management of dredged material*  
21 *originating from Lake Erie or tributaries thereto, unless it*  
22 *is approved under a State water quality certification pur-*  
23 *suant to section 401 of the Federal Water Pollution Control*  
24 *Act (33 U.S.C. 1341): Provided, That until an open lake*  
25 *placement alternative for dredged material is approved*

1 *under a State water quality certification, the Corps of En-*  
2 *gineers shall continue upland placement of such dredged*  
3 *material consistent with the requirements of section 101 of*  
4 *the Water Resources Development Act of 1986 (33 U.S.C.*  
5 *2211).*

6 *SEC. 106. None of the funds made available in this*  
7 *title may be used for any acquisition of buoy chain that*  
8 *is not consistent with 48 CFR 225.7007, subsections (a)(1)*  
9 *and (a)(2).*

10 *SEC. 107. None of the funds made available by this*  
11 *Act may be used to carry out any water supply reallocation*  
12 *study under the Wolf Creek Dam, Lake Cumberland, Ken-*  
13 *tucky, project authorized under the Act of July 24, 1946*  
14 *(60 Stat. 636, ch. 595).*

15 *SEC. 108. None of the funds made available by this*  
16 *Act may be used to require a permit for the discharge of*  
17 *dredged or fill material under the Federal Water Pollution*  
18 *Control Act (33 U.S.C. 1251 et seq.) for the activities identi-*  
19 *fied in subparagraphs (A) and (C) of section 404(f)(1) of*  
20 *the Act (33 U.S.C. 1344(f)(1)(A), (C)).*

21 *SEC. 109. Relative to the Rough River Lake Flowage*  
22 *Easement Encroachment Resolution Plan, the Chief of En-*  
23 *gineers shall submit to the Committees on Appropriations*  
24 *of both Houses of Congress, not later than 180 days after*  
25 *the date of enactment of this Act, a report that includes*



1 *an inventory of habitable structures and improvements*  
2 *built, installed, or established in the flowage easement*  
3 *boundary; whether each such structure or improvement in*  
4 *the inventory was built, installed or established within the*  
5 *flowage easement boundary before or after the surveys con-*  
6 *ducted by the Corps of Engineers in 2013, 2014, and 2015;*  
7 *and what notice landowners had of the flowage easement*  
8 *boundary prior to those surveys.*

9

*TITLE II*

10

*DEPARTMENT OF THE INTERIOR*

11

*CENTRAL UTAH PROJECT*

12

*CENTRAL UTAH PROJECT COMPLETION ACCOUNT*

13

*For carrying out activities authorized by the Central*  
14 *Utah Project Completion Act, \$10,500,000, to remain avail-*  
15 *able until expended, of which \$898,000 shall be deposited*  
16 *into the Utah Reclamation Mitigation and Conservation*  
17 *Account for use by the Utah Reclamation Mitigation and*  
18 *Conservation Commission: Provided, That of the amount*  
19 *provided under this heading, \$1,450,000 shall be available*  
20 *until September 30, 2019, for expenses necessary in car-*  
21 *rying out related responsibilities of the Secretary of the In-*  
22 *terior: Provided further, That for fiscal year 2018, of the*  
23 *amount made available to the Commission under this Act*  
24 *or any other Act, the Commission may use an amount not*  
25 *to exceed \$1,500,000 for administrative expenses.*

1 *BUREAU OF RECLAMATION*

2 *The following appropriations shall be expended to exe-*  
3 *cute authorized functions of the Bureau of Reclamation:*

4 *WATER AND RELATED RESOURCES*  
5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For management, development, and restoration of*  
7 *water and related natural resources and for related activi-*  
8 *ties, including the operation, maintenance, and rehabilita-*  
9 *tion of reclamation and other facilities, participation in*  
10 *fulfilling related Federal responsibilities to Native Ameri-*  
11 *cans, and related grants to, and cooperative and other*  
12 *agreements with, State and local governments, federally rec-*  
13 *ognized Indian tribes, and others, \$1,332,124,000, to re-*  
14 *main available until expended, of which \$67,693,000 shall*  
15 *be available for transfer to the Upper Colorado River Basin*  
16 *Fund and \$5,551,000 shall be available for transfer to the*  
17 *Lower Colorado River Basin Development Fund; of which*  
18 *such amounts as may be necessary may be advanced to the*  
19 *Colorado River Dam Fund: Provided, That such transfers*  
20 *may be increased or decreased within the overall appropria-*  
21 *tion under this heading: Provided further, That of the total*  
22 *appropriated, the amount for program activities that can*  
23 *be financed by the Reclamation Fund or the Bureau of Rec-*  
24 *lamation special fee account established by 16 U.S.C. 6806*  
25 *shall be derived from that Fund or account: Provided fur-*

1 *ther, That funds contributed under 43 U.S.C. 395 are avail-*  
2 *able until expended for the purposes for which the funds*  
3 *were contributed: Provided further, That funds advanced*  
4 *under 43 U.S.C. 397a shall be credited to this account and*  
5 *are available until expended for the same purposes as the*  
6 *sums appropriated under this heading: Provided further,*  
7 *That of the amounts provided herein, funds may be used*  
8 *for high-priority projects which shall be carried out by the*  
9 *Youth Conservation Corps, as authorized by 16 U.S.C.*  
10 *1706: Provided further, That in accordance with section*  
11 *4009(c) of Public Law 114–322 and as recommended by*  
12 *the Secretary in a letter dated November 21, 2017, funding*  
13 *provided for such purpose in fiscal year 2017 shall be made*  
14 *available to the North Valley Regional Recycled Water Pro-*  
15 *gram, the Orange County Sanitation District Effluent*  
16 *Reuse Implementation Project—Headworks Segregation,*  
17 *and the Groundwater Reliability Improvement Program*  
18 *(GRIP) Recycled Water Project: Provided further, That in*  
19 *accordance with section 4007 of Public Law 114–322 and*  
20 *as recommended by the Secretary in a letter dated February*  
21 *23, 2018, funding provided for such purpose in fiscal year*  
22 *2017 shall be made available to the Shasta Dam and Res-*  
23 *ervoir Enlargement Project, the North-of-Delta Offstream*  
24 *Storage Investigation/Sites Reservoir Storage Project, the*  
25 *Upper San Joaquin River Basin Storage Investigation, the*

1 *Friant-Kern Canal Subsidence Challenges Project, the Boise*  
2 *River Basin Feasibility Study, the Yakima River Basin*  
3 *Water Enhancement Project—Cle Elum Pool Raise, and the*  
4 *Upper Yakima System Storage Feasibility Study.*

5 *CENTRAL VALLEY PROJECT RESTORATION FUND*

6 *For carrying out the programs, projects, plans, habitat*  
7 *restoration, improvement, and acquisition provisions of the*  
8 *Central Valley Project Improvement Act, \$41,376,000, to be*  
9 *derived from such sums as may be collected in the Central*  
10 *Valley Project Restoration Fund pursuant to sections*  
11 *3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,*  
12 *to remain available until expended: Provided, That the Bu-*  
13 *reau of Reclamation is directed to assess and collect the full*  
14 *amount of the additional mitigation and restoration pay-*  
15 *ments authorized by section 3407(d) of Public Law 102–*  
16 *575: Provided further, That none of the funds made avail-*  
17 *able under this heading may be used for the acquisition or*  
18 *leasing of water for in-stream purposes if the water is al-*  
19 *ready committed to in-stream purposes by a court adopted*  
20 *decree or order.*

21 *CALIFORNIA BAY-DELTA RESTORATION*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For carrying out activities authorized by the Water*  
24 *Supply, Reliability, and Environmental Improvement Act,*  
25 *consistent with plans to be approved by the Secretary of*

1 *the Interior, \$37,000,000, to remain available until ex-*  
2 *pended, of which such amounts as may be necessary to*  
3 *carry out such activities may be transferred to appropriate*  
4 *accounts of other participating Federal agencies to carry*  
5 *out authorized purposes: Provided, That funds appro-*  
6 *priated herein may be used for the Federal share of the costs*  
7 *of CALFED Program management: Provided further, That*  
8 *CALFED implementation shall be carried out in a bal-*  
9 *anced manner with clear performance measures dem-*  
10 *onstrating concurrent progress in achieving the goals and*  
11 *objectives of the Program.*

12 *POLICY AND ADMINISTRATION*

13 *For expenses necessary for policy, administration, and*  
14 *related functions in the Office of the Commissioner, the*  
15 *Denver office, and offices in the five regions of the Bureau*  
16 *of Reclamation, to remain available until September 30,*  
17 *2019, \$59,000,000, to be derived from the Reclamation*  
18 *Fund and be nonreimbursable as provided in 43 U.S.C.*  
19 *377: Provided, That no part of any other appropriation in*  
20 *this Act shall be available for activities or functions budg-*  
21 *eted as policy and administration expenses.*

22 *ADMINISTRATIVE PROVISION*

23 *Appropriations for the Bureau of Reclamation shall*  
24 *be available for purchase of not to exceed five passenger*  
25 *motor vehicles, which are for replacement only.*

1     *GENERAL PROVISIONS—DEPARTMENT OF THE*  
2                                     *INTERIOR*

3             *SEC. 201. (a) None of the funds provided in title II*  
4 *of this Act for Water and Related Resources, or provided*  
5 *by previous or subsequent appropriations Acts to the agen-*  
6 *cies or entities funded in title II of this Act for Water and*  
7 *Related Resources that remain available for obligation or*  
8 *expenditure in fiscal year 2018, shall be available for obli-*  
9 *gation or expenditure through a reprogramming of funds*  
10 *that—*

11                     (1) *initiates or creates a new program, project,*  
12             *or activity;*

13                     (2) *eliminates a program, project, or activity;*

14                     (3) *increases funds for any program, project, or*  
15 *activity for which funds have been denied or restricted*  
16 *by this Act, unless prior approval is received from the*  
17 *Committees on Appropriations of the House of Rep-*  
18 *resentatives and the Senate;*

19                     (4) *restarts or resumes any program, project or*  
20 *activity for which funds are not provided in this Act,*  
21 *unless prior approval is received from the Committees*  
22 *on Appropriations of the House of Representatives*  
23 *and the Senate;*

24                     (5) *transfers funds in excess of the following lim-*  
25 *its, unless prior approval is received from the Com-*

1 *mittees on Appropriations of the House of Represent-*  
2 *atives and the Senate:*

3 (A) *15 percent for any program, project or*  
4 *activity for which \$2,000,000 or more is avail-*  
5 *able at the beginning of the fiscal year; or*

6 (B) *\$400,000 for any program, project or*  
7 *activity for which less than \$2,000,000 is avail-*  
8 *able at the beginning of the fiscal year;*

9 (6) *transfers more than \$500,000 from either the*  
10 *Facilities Operation, Maintenance, and Rehabilita-*  
11 *tion category or the Resources Management and De-*  
12 *velopment category to any program, project, or activ-*  
13 *ity in the other category, unless prior approval is re-*  
14 *ceived from the Committees on Appropriations of the*  
15 *House of Representatives and the Senate; or*

16 (7) *transfers, where necessary to discharge legal*  
17 *obligations of the Bureau of Reclamation, more than*  
18 *\$5,000,000 to provide adequate funds for settled con-*  
19 *tractor claims, increased contractor earnings due to*  
20 *accelerated rates of operations, and real estate defi-*  
21 *ciency judgments, unless prior approval is received*  
22 *from the Committees on Appropriations of the House*  
23 *of Representatives and the Senate.*

1       (b) *Subsection (a)(5) shall not apply to any transfer*  
2 *of funds within the Facilities Operation, Maintenance, and*  
3 *Rehabilitation category.*

4       (c) *For purposes of this section, the term transfer*  
5 *means any movement of funds into or out of a program,*  
6 *project, or activity.*

7       (d) *The Bureau of Reclamation shall submit reports*  
8 *on a quarterly basis to the Committees on Appropriations*  
9 *of the House of Representatives and the Senate detailing*  
10 *all the funds reprogrammed between programs, projects, ac-*  
11 *tivities, or categories of funding. The first quarterly report*  
12 *shall be submitted not later than 60 days after the date of*  
13 *enactment of this Act.*

14       SEC. 202. (a) *None of the funds appropriated or other-*  
15 *wise made available by this Act may be used to determine*  
16 *the final point of discharge for the interceptor drain for*  
17 *the San Luis Unit until development by the Secretary of*  
18 *the Interior and the State of California of a plan, which*  
19 *shall conform to the water quality standards of the State*  
20 *of California as approved by the Administrator of the Envi-*  
21 *ronmental Protection Agency, to minimize any detrimental*  
22 *effect of the San Luis drainage waters.*

23       (b) *The costs of the Kesterson Reservoir Cleanup Pro-*  
24 *gram and the costs of the San Joaquin Valley Drainage*  
25 *Program shall be classified by the Secretary of the Interior*



1 *as reimbursable or nonreimbursable and collected until fully*  
2 *repaid pursuant to the “Cleanup Program—Alternative*  
3 *Repayment Plan” and the “SJVDP—Alternative Repay-*  
4 *ment Plan” described in the report entitled “Repayment*  
5 *Report, Kesterson Reservoir Cleanup Program and San*  
6 *Joaquin Valley Drainage Program, February 1995”, pre-*  
7 *pared by the Department of the Interior, Bureau of Rec-*  
8 *lamation. Any future obligations of funds by the United*  
9 *States relating to, or providing for, drainage service or*  
10 *drainage studies for the San Luis Unit shall be fully reim-*  
11 *bursable by San Luis Unit beneficiaries of such service or*  
12 *studies pursuant to Federal reclamation law.*

13 *SEC. 203. (a) Section 104(c) of the Reclamation States*  
14 *Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c))*  
15 *is amended by striking “2017” and inserting “2020”.*

16 *(b) Section 301 of the Reclamation States Emergency*  
17 *Drought Relief Act of 1991 (43 U.S.C. 2241) is amended*  
18 *by—*

19 *(1) striking “2017” and inserting “2020”; and*  
20 *(2) striking “\$90,000,000” and inserting*  
21 *“\$120,000,000”.*

22 *SEC. 204. Notwithstanding any other provision of law,*  
23 *during the period from November 1 through April 30, water*  
24 *users may use their diversion structures for the purpose of*  
25 *recharging the Eastern Snake Plain Aquifer, when the Sec-*

1 *retary, in consultation with the Advisory Committee and*  
2 *Water District 1 watermaster, determines there is water*  
3 *available in excess of that needed to satisfy existing*  
4 *Minidoka Project storage and hydropower rights and ensure*  
5 *operational flexibility.*

6

*TITLE III*

7

*DEPARTMENT OF ENERGY*

8

*ENERGY PROGRAMS*

9

*ENERGY EFFICIENCY AND RENEWABLE ENERGY*

10 *For Department of Energy expenses including the pur-*  
11 *chase, construction, and acquisition of plant and capital*  
12 *equipment, and other expenses necessary for energy effi-*  
13 *ciency and renewable energy activities in carrying out the*  
14 *purposes of the Department of Energy Organization Act (42*  
15 *U.S.C. 7101 et seq.), including the acquisition or con-*  
16 *demnation of any real property or any facility or for plant*  
17 *or facility acquisition, construction, or expansion,*  
18 *\$2,321,778,000, to remain available until expended: Pro-*  
19 *vided, That of such amount, \$162,500,000 shall be available*  
20 *until September 30, 2019, for program direction.*

21

*ELECTRICITY DELIVERY AND ENERGY RELIABILITY*

22

23 *For Department of Energy expenses including the pur-*  
24 *chase, construction, and acquisition of plant and capital*  
25 *equipment, and other expenses necessary for electricity de-*  
*livery and energy reliability activities in carrying out the*

1 *purposes of the Department of Energy Organization Act (42*  
2 *U.S.C. 7101 et seq.), including the acquisition or con-*  
3 *demnation of any real property or any facility or for plant*  
4 *or facility acquisition, construction, or expansion,*  
5 *\$248,329,000, to remain available until expended: Pro-*  
6 *vided, That of such amount, \$28,500,000 shall be available*  
7 *until September 30, 2019, for program direction.*

8 *NUCLEAR ENERGY*

9 *For Department of Energy expenses including the pur-*  
10 *chase, construction, and acquisition of plant and capital*  
11 *equipment, and other expenses necessary for nuclear energy*  
12 *activities in carrying out the purposes of the Department*  
13 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*  
14 *cluding the acquisition or condemnation of any real prop-*  
15 *erty or any facility or for plant or facility acquisition, con-*  
16 *struction, or expansion, \$1,205,056,000, to remain avail-*  
17 *able until expended: Provided, That of such amount,*  
18 *\$80,000,000 shall be available until September 30, 2019,*  
19 *for program direction.*

20 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

21 *For Department of Energy expenses necessary in car-*  
22 *rying out fossil energy research and development activities,*  
23 *under the authority of the Department of Energy Organiza-*  
24 *tion Act (42 U.S.C. 7101 et seq.), including the acquisition*  
25 *of interest, including defeasible and equitable interests in*

1 *any real property or any facility or for plant or facility*  
2 *acquisition or expansion, and for conducting inquiries,*  
3 *technological investigations and research concerning the ex-*  
4 *traction, processing, use, and disposal of mineral substances*  
5 *without objectionable social and environmental costs (30*  
6 *U.S.C. 3, 1602, and 1603), \$726,817,000, to remain avail-*  
7 *able until expended: Provided, That of such amount*  
8 *\$60,000,000 shall be available until September 30, 2019,*  
9 *for program direction.*

10 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

11 *For Department of Energy expenses necessary to carry*  
12 *out naval petroleum and oil shale reserve activities,*  
13 *\$4,900,000, to remain available until expended: Provided,*  
14 *That notwithstanding any other provision of law, unobli-*  
15 *gated funds remaining from prior years shall be available*  
16 *for all naval petroleum and oil shale reserve activities.*

17 *STRATEGIC PETROLEUM RESERVE*

18 *For Department of Energy expenses necessary for*  
19 *Strategic Petroleum Reserve facility development and oper-*  
20 *ations and program management activities pursuant to the*  
21 *Energy Policy and Conservation Act (42 U.S.C. 6201 et*  
22 *seq.), \$252,000,000, to remain available until expended:*  
23 *Provided, That, as authorized by section 404 of the Bipar-*  
24 *tisan Budget Act of 2015 (Public Law 114-74; 42 U.S.C.*  
25 *6239 note), the Secretary of Energy shall draw down and*

1 *sell not to exceed \$350,000,000 of crude oil from the Stra-*  
2 *tegic Petroleum Reserve in fiscal year 2018: Provided fur-*  
3 *ther, That the proceeds from such drawdown and sale shall*  
4 *be deposited into the “Energy Security and Infrastructure*  
5 *Modernization Fund” during fiscal year 2018: Provided*  
6 *further, That such amounts shall remain available until ex-*  
7 *pended for necessary expenses to carry out the Life Exten-*  
8 *sion II project for the Strategic Petroleum Reserve: Pro-*  
9 *vided further, That section 158 of the Continuing Appro-*  
10 *priations Act, 2018 (division D of Public Law 115–56), as*  
11 *amended by the Further Extension of Continuing Appro-*  
12 *priations Act, 2018 (subdivision 3 of division B of Public*  
13 *Law 115–123), shall no longer apply.*

14 *SPR PETROLEUM ACCOUNT*

15 *For the acquisition, transportation, and injection of*  
16 *petroleum products, and for other necessary expenses pursu-*  
17 *ant to the Energy Policy and Conservation Act of 1975,*  
18 *as amended (42 U.S.C. 6201 et seq.), sections 403 and 404*  
19 *of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239*  
20 *note), and section 5010 of the 21st Century Cures Act (Pub-*  
21 *lic Law 114–255), \$8,400,000, to remain available until ex-*  
22 *pended.*

23 *NORTHEAST HOME HEATING OIL RESERVE*

24 *For Department of Energy expenses necessary for*  
25 *Northeast Home Heating Oil Reserve storage, operation,*

1 *and management activities pursuant to the Energy Policy*  
2 *and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000,*  
3 *to remain available until expended.*

4 *ENERGY INFORMATION ADMINISTRATION*

5 *For Department of Energy expenses necessary in car-*  
6 *rying out the activities of the Energy Information Adminis-*  
7 *tration, \$125,000,000, to remain available until expended.*

8 *NON-DEFENSE ENVIRONMENTAL CLEANUP*

9 *For Department of Energy expenses, including the*  
10 *purchase, construction, and acquisition of plant and cap-*  
11 *ital equipment and other expenses necessary for non-defense*  
12 *environmental cleanup activities in carrying out the pur-*  
13 *poses of the Department of Energy Organization Act (42*  
14 *U.S.C. 7101 et seq.), including the acquisition or con-*  
15 *demnation of any real property or any facility or for plant*  
16 *or facility acquisition, construction, or expansion,*  
17 *\$298,400,000, to remain available until expended.*

18 *URANIUM ENRICHMENT DECONTAMINATION AND*

19 *DECOMMISSIONING FUND*

20 *For Department of Energy expenses necessary in car-*  
21 *rying out uranium enrichment facility decontamination*  
22 *and decommissioning, remedial actions, and other activities*  
23 *of title II of the Atomic Energy Act of 1954, and title X,*  
24 *subtitle A, of the Energy Policy Act of 1992, \$840,000,000,*  
25 *to be derived from the Uranium Enrichment Decontamina-*

1 *tion and Decommissioning Fund, to remain available until*  
2 *expended, of which \$35,732,000 shall be available in accord-*  
3 *ance with title X, subtitle A, of the Energy Policy Act of*  
4 *1992.*

5 *SCIENCE*

6 *For Department of Energy expenses including the pur-*  
7 *chase, construction, and acquisition of plant and capital*  
8 *equipment, and other expenses necessary for science activi-*  
9 *ties in carrying out the purposes of the Department of En-*  
10 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
11 *the acquisition or condemnation of any real property or*  
12 *facility or for plant or facility acquisition, construction, or*  
13 *expansion, and purchase of not more than 16 passenger*  
14 *motor vehicles for replacement only, including one ambu-*  
15 *lance and one bus, \$6,259,903,000, to remain available*  
16 *until expended: Provided, That of such amount,*  
17 *\$183,000,000 shall be available until September 30, 2019,*  
18 *for program direction.*

19 *ADVANCED RESEARCH PROJECTS AGENCY—ENERGY*

20 *For Department of Energy expenses necessary in car-*  
21 *rying out the activities authorized by section 5012 of the*  
22 *America COMPETES Act (Public Law 110–69),*  
23 *\$353,314,000, to remain available until expended: Pro-*  
24 *vided, That of such amount, \$29,250,000 shall be available*  
25 *until September 30, 2019, for program direction.*

1     *TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE*  
2                                     *PROGRAM*

3             *Such sums as are derived from amounts received from*  
4 *borrowers pursuant to section 1702(b) of the Energy Policy*  
5 *Act of 2005 under this heading in prior Acts, shall be col-*  
6 *lected in accordance with section 502(7) of the Congres-*  
7 *sional Budget Act of 1974: Provided, That for necessary ad-*  
8 *ministrative expenses to carry out this Loan Guarantee*  
9 *program, \$33,000,000 is appropriated from fees collected in*  
10 *prior years pursuant to section 1702(h) of the Energy Pol-*  
11 *icy Act of 2005 which are not otherwise appropriated, to*  
12 *remain available until September 30, 2019: Provided fur-*  
13 *ther, That if the amount in the previous proviso is not*  
14 *available from such fees, an amount for such purposes is*  
15 *also appropriated from the general fund so as to result in*  
16 *a total amount appropriated for such purpose of no more*  
17 *than \$23,000,000: Provided further, That fees collected pur-*  
18 *suant to such section 1702(h) for fiscal year 2018 shall be*  
19 *credited as offsetting collections under this heading and*  
20 *shall not be available until appropriated: Provided further,*  
21 *That the Department of Energy shall not subordinate any*  
22 *loan obligation to other financing in violation of section*  
23 *1702 of the Energy Policy Act of 2005 or subordinate any*  
24 *Guaranteed Obligation to any loan or other debt obligations*





1 *increases of the same or greater amount: Provided further,*  
2 *That moneys received by the Department for miscellaneous*  
3 *revenues estimated to total \$96,000,000 in fiscal year 2018*  
4 *may be retained and used for operating expenses within this*  
5 *account, as authorized by section 201 of Public Law 95–*  
6 *238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-*  
7 *vided further, That the sum herein appropriated shall be*  
8 *reduced as collections are received during the fiscal year*  
9 *so as to result in a final fiscal year 2018 appropriation*  
10 *from the general fund estimated at not more than*  
11 *\$189,652,000.*

12 *OFFICE OF THE INSPECTOR GENERAL*

13 *For expenses necessary for the Office of the Inspector*  
14 *General in carrying out the provisions of the Inspector Gen-*  
15 *eral Act of 1978, \$49,000,000, to remain available until*  
16 *September 30, 2019.*

17 *ATOMIC ENERGY DEFENSE ACTIVITIES*

18 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

19 *WEAPONS ACTIVITIES*

20 *For Department of Energy expenses, including the*  
21 *purchase, construction, and acquisition of plant and cap-*  
22 *ital equipment and other incidental expenses necessary for*  
23 *atomic energy defense weapons activities in carrying out*  
24 *the purposes of the Department of Energy Organization Act*  
25 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*

1 *demnation of any real property or any facility or for plant*  
2 *or facility acquisition, construction, or expansion,*  
3 *\$10,642,138,000, to remain available until expended: Pro-*  
4 *vided, That of such amount, \$105,600,000 shall be available*  
5 *until September 30, 2019, for program direction.*

6 *DEFENSE NUCLEAR NONPROLIFERATION*

7 *(INCLUDING RESCISSION OF FUNDS)*

8 *For Department of Energy expenses, including the*  
9 *purchase, construction, and acquisition of plant and cap-*  
10 *ital equipment and other incidental expenses necessary for*  
11 *defense nuclear nonproliferation activities, in carrying out*  
12 *the purposes of the Department of Energy Organization Act*  
13 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*  
14 *demnation of any real property or any facility or for plant*  
15 *or facility acquisition, construction, or expansion,*  
16 *\$2,048,219,000, to remain available until expended: Pro-*  
17 *vided, That of the unobligated balances from prior year ap-*  
18 *propriations available under this heading, \$49,000,000 is*  
19 *hereby rescinded: Provided further, That no amounts may*  
20 *be rescinded from amounts that were designated by the Con-*  
21 *gress as an emergency requirement pursuant to a concur-*  
22 *rent resolution on the budget or the Balanced Budget and*  
23 *Emergency Deficit Control Act of 1985.*

1                                    *NAVAL REACTORS*  
 2                                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For Department of Energy expenses necessary for*  
 4 *naval reactors activities to carry out the Department of En-*  
 5 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
 6 *the acquisition (by purchase, condemnation, construction,*  
 7 *or otherwise) of real property, plant, and capital equip-*  
 8 *ment, facilities, and facility expansion, \$1,620,000,000, to*  
 9 *remain available until expended, of which, \$85,500,000*  
 10 *shall be transferred to “Department of Energy—Energy*  
 11 *Programs—Nuclear Energy”, for the Advanced Test React-*  
 12 *tor: Provided, That of such amount, \$47,651,000 shall be*  
 13 *available until September 30, 2019, for program direction.*

14                                    *FEDERAL SALARIES AND EXPENSES*

15            *For expenses necessary for Federal Salaries and Ex-*  
 16 *penses in the National Nuclear Security Administration,*  
 17 *\$407,595,000, to remain available until September 30,*  
 18 *2019, including official reception and representation ex-*  
 19 *penses not to exceed \$12,000.*

20                                    *ENVIRONMENTAL AND OTHER DEFENSE*

21                                    *ACTIVITIES*

22                                    *DEFENSE ENVIRONMENTAL CLEANUP*

23            *For Department of Energy expenses, including the*  
 24 *purchase, construction, and acquisition of plant and cap-*  
 25 *ital equipment and other expenses necessary for atomic en-*

1 *ergy defense environmental cleanup activities in carrying*  
2 *out the purposes of the Department of Energy Organization*  
3 *Act (42 U.S.C. 7101 et seq.), including the acquisition or*  
4 *condemnation of any real property or any facility or for*  
5 *plant or facility acquisition, construction, or expansion,*  
6 *\$5,988,048,000, to remain available until expended: Pro-*  
7 *vided, That of such amount, \$300,000,000 shall be available*  
8 *until September 30, 2019, for program direction.*

9 *OTHER DEFENSE ACTIVITIES*

10 *For Department of Energy expenses, including the*  
11 *purchase, construction, and acquisition of plant and cap-*  
12 *ital equipment and other expenses, necessary for atomic en-*  
13 *ergy defense, other defense activities, and classified activi-*  
14 *ties, in carrying out the purposes of the Department of En-*  
15 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
16 *the acquisition or condemnation of any real property or*  
17 *any facility or for plant or facility acquisition, construc-*  
18 *tion, or expansion, \$840,000,000, to remain available until*  
19 *expended: Provided, That of such amount, \$284,653,000*  
20 *shall be available until September 30, 2019, for program*  
21 *direction.*

22 *POWER MARKETING ADMINISTRATIONS*

23 *BONNEVILLE POWER ADMINISTRATION FUND*

24 *Expenditures from the Bonneville Power Administra-*  
25 *tion Fund, established pursuant to Public Law 93-454, are*

1 *approved for official reception and representation expenses*  
2 *in an amount not to exceed \$5,000: Provided, That during*  
3 *fiscal year 2018, no new direct loan obligations may be*  
4 *made.*

5 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*  
6 *ADMINISTRATION*

7 *For expenses necessary for operation and maintenance*  
8 *of power transmission facilities and for marketing electric*  
9 *power and energy, including transmission wheeling and*  
10 *ancillary services, pursuant to section 5 of the Flood Con-*  
11 *trol Act of 1944 (16 U.S.C. 825s), as applied to the south-*  
12 *eastern power area, \$6,379,000, including official reception*  
13 *and representation expenses in an amount not to exceed*  
14 *\$1,500, to remain available until expended: Provided, That*  
15 *notwithstanding 31 U.S.C. 3302 and section 5 of the Flood*  
16 *Control Act of 1944, up to \$6,379,000 collected by the*  
17 *Southeastern Power Administration from the sale of power*  
18 *and related services shall be credited to this account as dis-*  
19 *cretionary offsetting collections, to remain available until*  
20 *expended for the sole purpose of funding the annual ex-*  
21 *penses of the Southeastern Power Administration: Provided*  
22 *further, That the sum herein appropriated for annual ex-*  
23 *penses shall be reduced as collections are received during*  
24 *the fiscal year so as to result in a final fiscal year 2018*  
25 *appropriation estimated at not more than \$0: Provided fur-*

1 *ther, That notwithstanding 31 U.S.C. 3302, up to*  
2 *\$51,000,000 collected by the Southeastern Power Adminis-*  
3 *tration pursuant to the Flood Control Act of 1944 to recover*  
4 *purchase power and wheeling expenses shall be credited to*  
5 *this account as offsetting collections, to remain available*  
6 *until expended for the sole purpose of making purchase*  
7 *power and wheeling expenditures: Provided further, That*  
8 *for purposes of this appropriation, annual expenses means*  
9 *expenditures that are generally recovered in the same year*  
10 *that they are incurred (excluding purchase power and*  
11 *wheeling expenses).*

12 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*  
13 *ADMINISTRATION*

14 *For expenses necessary for operation and maintenance*  
15 *of power transmission facilities and for marketing electric*  
16 *power and energy, for construction and acquisition of*  
17 *transmission lines, substations and appurtenant facilities,*  
18 *and for administrative expenses, including official recep-*  
19 *tion and representation expenses in an amount not to ex-*  
20 *ceed \$1,500 in carrying out section 5 of the Flood Control*  
21 *Act of 1944 (16 U.S.C. 825s), as applied to the South-*  
22 *western Power Administration, \$30,288,000, to remain*  
23 *available until expended: Provided, That notwithstanding*  
24 *31 U.S.C. 3302 and section 5 of the Flood Control Act of*  
25 *1944 (16 U.S.C. 825s), up to \$18,888,000 collected by the*

1 *Southwestern Power Administration from the sale of power*  
2 *and related services shall be credited to this account as dis-*  
3 *cretionary offsetting collections, to remain available until*  
4 *expended, for the sole purpose of funding the annual ex-*  
5 *penses of the Southwestern Power Administration: Provided*  
6 *further, That the sum herein appropriated for annual ex-*  
7 *penses shall be reduced as collections are received during*  
8 *the fiscal year so as to result in a final fiscal year 2018*  
9 *appropriation estimated at not more than \$11,400,000:*  
10 *Provided further, That notwithstanding 31 U.S.C. 3302, up*  
11 *to \$40,000,000 collected by the Southwestern Power Admin-*  
12 *istration pursuant to the Flood Control Act of 1944 to re-*  
13 *cover purchase power and wheeling expenses shall be cred-*  
14 *ited to this account as offsetting collections, to remain avail-*  
15 *able until expended for the sole purpose of making purchase*  
16 *power and wheeling expenditures: Provided further, That*  
17 *for purposes of this appropriation, annual expenses means*  
18 *expenditures that are generally recovered in the same year*  
19 *that they are incurred (excluding purchase power and*  
20 *wheeling expenses).*

21 *CONSTRUCTION, REHABILITATION, OPERATION AND*  
22 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*  
23 *For carrying out the functions authorized by title III,*  
24 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*  
25 *7152), and other related activities including conservation*



1 *and renewable resources programs as authorized,*  
2 *\$223,276,000, including official reception and representa-*  
3 *tion expenses in an amount not to exceed \$1,500, to remain*  
4 *available until expended, of which \$221,251,000 shall be de-*  
5 *rived from the Department of the Interior Reclamation*  
6 *Fund: Provided, That notwithstanding 31 U.S.C. 3302, sec-*  
7 *tion 5 of the Flood Control Act of 1944 (16 U.S.C. 825s),*  
8 *and section 1 of the Interior Department Appropriation*  
9 *Act, 1939 (43 U.S.C. 392a), up to \$129,904,000 collected*  
10 *by the Western Area Power Administration from the sale*  
11 *of power and related services shall be credited to this ac-*  
12 *count as discretionary offsetting collections, to remain*  
13 *available until expended, for the sole purpose of funding*  
14 *the annual expenses of the Western Area Power Administra-*  
15 *tion: Provided further, That the sum herein appropriated*  
16 *for annual expenses shall be reduced as collections are re-*  
17 *ceived during the fiscal year so as to result in a final fiscal*  
18 *year 2018 appropriation estimated at not more than*  
19 *\$93,372,000, of which \$91,347,000 is derived from the Rec-*  
20 *lamation Fund: Provided further, That notwithstanding 31*  
21 *U.S.C. 3302, up to \$209,000,000 collected by the Western*  
22 *Area Power Administration pursuant to the Flood Control*  
23 *Act of 1944 and the Reclamation Project Act of 1939 to*  
24 *recover purchase power and wheeling expenses shall be cred-*  
25 *ited to this account as offsetting collections, to remain avail-*

1 *able until expended for the sole purpose of making purchase*  
2 *power and wheeling expenditures: Provided further, That*  
3 *for purposes of this appropriation, annual expenses means*  
4 *expenditures that are generally recovered in the same year*  
5 *that they are incurred (excluding purchase power and*  
6 *wheeling expenses).*

7 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

8 *FUND*

9 *For operation, maintenance, and emergency costs for*  
10 *the hydroelectric facilities at the Falcon and Amistad*  
11 *Dams, \$4,176,000, to remain available until expended, and*  
12 *to be derived from the Falcon and Amistad Operating and*  
13 *Maintenance Fund of the Western Area Power Administra-*  
14 *tion, as provided in section 2 of the Act of June 18, 1954*  
15 *(68 Stat. 255): Provided, That notwithstanding the provi-*  
16 *sions of that Act and of 31 U.S.C. 3302, up to \$3,948,000*  
17 *collected by the Western Area Power Administration from*  
18 *the sale of power and related services from the Falcon and*  
19 *Amistad Dams shall be credited to this account as discre-*  
20 *tionary offsetting collections, to remain available until ex-*  
21 *pended for the sole purpose of funding the annual expenses*  
22 *of the hydroelectric facilities of these Dams and associated*  
23 *Western Area Power Administration activities: Provided*  
24 *further, That the sum herein appropriated for annual ex-*  
25 *penses shall be reduced as collections are received during*

1 *the fiscal year so as to result in a final fiscal year 2018*  
2 *appropriation estimated at not more than \$228,000: Pro-*  
3 *vided further, That for purposes of this appropriation, an-*  
4 *nual expenses means expenditures that are generally recov-*  
5 *ered in the same year that they are incurred: Provided fur-*  
6 *ther, That for fiscal year 2018, the Administrator of the*  
7 *Western Area Power Administration may accept up to*  
8 *\$872,000 in funds contributed by United States power cus-*  
9 *tomers of the Falcon and Amistad Dams for deposit into*  
10 *the Falcon and Amistad Operating and Maintenance Fund,*  
11 *and such funds shall be available for the purpose for which*  
12 *contributed in like manner as if said sums had been specifi-*  
13 *cally appropriated for such purpose: Provided further, That*  
14 *any such funds shall be available without further appro-*  
15 *priation and without fiscal year limitation for use by the*  
16 *Commissioner of the United States Section of the Inter-*  
17 *national Boundary and Water Commission for the sole pur-*  
18 *pose of operating, maintaining, repairing, rehabilitating,*  
19 *replacing, or upgrading the hydroelectric facilities at these*  
20 *Dams in accordance with agreements reached between the*  
21 *Administrator, Commissioner, and the power customers.*

22 *FEDERAL ENERGY REGULATORY COMMISSION*

23 *SALARIES AND EXPENSES*

24 *For expenses necessary for the Federal Energy Regu-*  
25 *latory Commission to carry out the provisions of the De-*



1 *if the program, project, or activity has not been funded by*  
2 *Congress.*

3 *(b)(1) Unless the Secretary of Energy notifies the Com-*  
4 *mittees on Appropriations of both Houses of Congress at*  
5 *least 3 full business days in advance, none of the funds*  
6 *made available in this title may be used to—*

7 *(A) make a grant allocation or discretionary*  
8 *grant award totaling \$1,000,000 or more;*

9 *(B) make a discretionary contract award or*  
10 *Other Transaction Agreement totaling \$1,000,000 or*  
11 *more, including a contract covered by the Federal Ac-*  
12 *quisition Regulation;*

13 *(C) issue a letter of intent to make an allocation,*  
14 *award, or Agreement in excess of the limits in sub-*  
15 *paragraph (A) or (B); or*

16 *(D) announce publicly the intention to make an*  
17 *allocation, award, or Agreement in excess of the limits*  
18 *in subparagraph (A) or (B).*

19 *(2) The Secretary of Energy shall submit to the Com-*  
20 *mittees on Appropriations of both Houses of Congress with-*  
21 *in 15 days of the conclusion of each quarter a report detail-*  
22 *ing each grant allocation or discretionary grant award to-*  
23 *taling less than \$1,000,000 provided during the previous*  
24 *quarter.*

1           (3) *The notification required by paragraph (1) and the*  
2 *report required by paragraph (2) shall include the recipient*  
3 *of the award, the amount of the award, the fiscal year for*  
4 *which the funds for the award were appropriated, the ac-*  
5 *count and program, project, or activity from which the*  
6 *funds are being drawn, the title of the award, and a brief*  
7 *description of the activity for which the award is made.*

8           (c) *The Department of Energy may not, with respect*  
9 *to any program, project, or activity that uses budget au-*  
10 *thority made available in this title under the heading “De-*  
11 *partment of Energy—Energy Programs”, enter into a*  
12 *multiyear contract, award a multiyear grant, or enter into*  
13 *a multiyear cooperative agreement unless—*

14                 (1) *the contract, grant, or cooperative agreement*  
15 *is funded for the full period of performance as antici-*  
16 *ipated at the time of award; or*

17                 (2) *the contract, grant, or cooperative agreement*  
18 *includes a clause conditioning the Federal Govern-*  
19 *ment’s obligation on the availability of future year*  
20 *budget authority and the Secretary notifies the Com-*  
21 *mittees on Appropriations of both Houses of Congress*  
22 *at least 3 days in advance.*

23           (d) *Except as provided in subsections (e), (f), and (g),*  
24 *the amounts made available by this title shall be expended*  
25 *as authorized by law for the programs, projects, and activi-*

1 *ties specified in the “Final Bill” column in the “Depart-*  
2 *ment of Energy” table included under the heading “Title*  
3 *III—Department of Energy” in the explanatory statement*  
4 *described in section 4 (in the matter preceding division A*  
5 *of this consolidated Act).*

6       *(e) The amounts made available by this title may be*  
7 *reprogrammed for any program, project, or activity, and*  
8 *the Department shall notify the Committees on Appropria-*  
9 *tions of both Houses of Congress at least 30 days prior to*  
10 *the use of any proposed reprogramming that would cause*  
11 *any program, project, or activity funding level to increase*  
12 *or decrease by more than \$5,000,000 or 10 percent, which-*  
13 *ever is less, during the time period covered by this Act.*

14       *(f) None of the funds provided in this title shall be*  
15 *available for obligation or expenditure through a re-*  
16 *programming of funds that—*

17           *(1) creates, initiates, or eliminates a program,*  
18           *project, or activity;*

19           *(2) increases funds or personnel for any pro-*  
20           *gram, project, or activity for which funds are denied*  
21           *or restricted by this Act; or*

22           *(3) reduces funds that are directed to be used for*  
23           *a specific program, project, or activity by this Act.*

24       *(g)(1) The Secretary of Energy may waive any re-*  
25 *quirement or restriction in this section that applies to the*

1 *use of funds made available for the Department of Energy*  
2 *if compliance with such requirement or restriction would*  
3 *pose a substantial risk to human health, the environment,*  
4 *welfare, or national security.*

5       (2) *The Secretary of Energy shall notify the Commit-*  
6 *tees on Appropriations of both Houses of Congress of any*  
7 *waiver under paragraph (1) as soon as practicable, but not*  
8 *later than 3 days after the date of the activity to which*  
9 *a requirement or restriction would otherwise have applied.*  
10 *Such notice shall include an explanation of the substantial*  
11 *risk under paragraph (1) that permitted such waiver.*

12       (h) *The unexpended balances of prior appropriations*  
13 *provided for activities in this Act may be available to the*  
14 *same appropriation accounts for such activities established*  
15 *pursuant to this title. Available balances may be merged*  
16 *with funds in the applicable established accounts and there-*  
17 *after may be accounted for as one fund for the same time*  
18 *period as originally enacted.*

19       SEC. 302. *Funds appropriated by this or any other*  
20 *Act, or made available by the transfer of funds in this Act,*  
21 *for intelligence activities are deemed to be specifically au-*  
22 *thorized by the Congress for purposes of section 504 of the*  
23 *National Security Act of 1947 (50 U.S.C. 3094) during fis-*  
24 *cal year 2018 until the enactment of the Intelligence Au-*  
25 *thorization Act for fiscal year 2018.*



1       *SEC. 303. None of the funds made available in this*  
2 *title shall be used for the construction of facilities classified*  
3 *as high-hazard nuclear facilities under 10 CFR Part 830*  
4 *unless independent oversight is conducted by the Office of*  
5 *Enterprise Assessments to ensure the project is in compli-*  
6 *ance with nuclear safety requirements.*

7       *SEC. 304. None of the funds made available in this*  
8 *title may be used to approve critical decision-2 or critical*  
9 *decision-3 under Department of Energy Order 413.3B, or*  
10 *any successive departmental guidance, for construction*  
11 *projects where the total project cost exceeds \$100,000,000,*  
12 *until a separate independent cost estimate has been devel-*  
13 *oped for the project for that critical decision.*

14       *SEC. 305. (a) None of the funds made available in this*  
15 *or any prior Act under the heading “Defense Nuclear Non-*  
16 *proliferation” may be made available to enter into new con-*  
17 *tracts with, or new agreements for Federal assistance to,*  
18 *the Russian Federation.*

19       *(b) The Secretary of Energy may waive the prohibition*  
20 *in subsection (a) if the Secretary determines that such ac-*  
21 *tivity is in the national security interests of the United*  
22 *States. This waiver authority may not be delegated.*

23       *(c) A waiver under subsection (b) shall not be effective*  
24 *until 15 days after the date on which the Secretary submits*  
25 *to the Committees on Appropriations of both Houses of Con-*

1 *gress, in classified form if necessary, a report on the jus-*  
2 *tification for the waiver.*

3       *SEC. 306. (a) NEW REGIONAL RESERVES.—The Sec-*  
4 *retary of Energy may not establish any new regional petro-*  
5 *leum product reserve unless funding for the proposed re-*  
6 *gional petroleum product reserve is explicitly requested in*  
7 *advance in an annual budget submission and approved by*  
8 *the Congress in an appropriations Act.*

9       *(b) The budget request or notification shall include—*

10           *(1) the justification for the new reserve;*

11           *(2) a cost estimate for the establishment, oper-*  
12 *ation, and maintenance of the reserve, including*  
13 *funding sources;*

14           *(3) a detailed plan for operation of the reserve,*  
15 *including the conditions upon which the products*  
16 *may be released;*

17           *(4) the location of the reserve; and*

18           *(5) the estimate of the total inventory of the re-*  
19 *serve.*

20       *SEC. 307. The Secretary of Energy may not transfer*  
21 *more than \$274,833,000 from the amounts made available*  
22 *under this title to the working capital fund established*  
23 *under section 653 of the Department of Energy Organiza-*  
24 *tion Act (42 U.S.C. 7263): Provided, That the Secretary*  
25 *may transfer additional amounts to the working capital*

1 *fund after the Secretary provides notification in advance*  
2 *of any such transfer to the Committees on Appropriations*  
3 *of both Houses of Congress: Provided further, That any such*  
4 *notification shall identify the sources of funds by program,*  
5 *project, or activity: Provided further, That the Secretary*  
6 *shall notify the Committees on Appropriations of both*  
7 *Houses of Congress before adding or removing any activities*  
8 *from the fund.*

9       *SEC. 308. Not later than 90 days after the date of en-*  
10 *actment of this Act, the Secretary of the Department of En-*  
11 *ergy, in consultation with the Office of Management and*  
12 *Budget, shall submit to the Committees on Appropriations*  
13 *of both Houses of Congress a report that provides a detailed*  
14 *explanation, using specific receipts data and legal authori-*  
15 *ties, of how each of the Western Area Power Administration,*  
16 *the Southwestern Power Administration, and the South-*  
17 *eastern Power Administration are executing current receipt*  
18 *authority provided in this and prior year appropriations*  
19 *Acts to create carryover of unobligated balances for pur-*  
20 *chase power and wheeling expenditures.*

21       *SEC. 309. (a) Funds provided by this Act for Project*  
22 *99–D–143, Mixed Oxide Fuel Fabrication Facility, and*  
23 *any funds provided by prior Acts for such Project that re-*  
24 *main unobligated, may be made available only for construc-*  
25 *tion and project support activities for such Project.*

1           **(b)** *The Secretary of Energy shall not be subject to the*  
2 *requirements of subsection (a) if the Secretary waives the*  
3 *requirements of section 3121(a) of the National Defense Au-*  
4 *thorization Act for Fiscal Year 2018 (Public Law 115–91)*  
5 *in accordance with subsection (b) of such section.*

6           **(c)** *If the Secretary waives the requirements of section*  
7 *3121(a) of the National Defense Authorization Act for Fis-*  
8 *cal Year 2018, the Secretary—*

9                   **(1)** *shall concurrently submit to the Committees*  
10 *on Appropriations of both Houses of Congress the*  
11 *lifecycle cost estimate used to make the certification*  
12 *under section 3121(b) of such Act; and*

13                   **(2)** *may not use funds provided for the Project*  
14 *to eliminate such Project until the date that is 30*  
15 *days after the submission of the lifecycle cost estimate*  
16 *required under paragraph (1).*

17           **SEC. 310.** *The unappropriated receipts currently in*  
18 *the Uranium Supply and Enrichment Activities account*  
19 *shall be transferred to and merged with the Uranium En-*  
20 *richment Decontamination and Decommissioning Fund*  
21 *and shall be available only to the extent provided in ad-*  
22 *vance in appropriations Acts.*

23           **SEC. 311.** *Notwithstanding section 161 of the Energy*  
24 *Policy and Conservation Act (42 U.S.C. 6241), upon a de-*  
25 *termination by the President in this fiscal year that a re-*

1 *gional supply shortage of refined petroleum product of sig-*  
2 *nificant scope and duration exists, that a severe increase*  
3 *in the price of refined petroleum product will likely result*  
4 *from such shortage, and that a draw down and sale of re-*  
5 *fined petroleum product would assist directly and signifi-*  
6 *cantly in reducing the adverse impact of such shortage, the*  
7 *Secretary of Energy may draw down and sell refined petro-*  
8 *leum product from the Strategic Petroleum Reserve. Pro-*  
9 *ceeds from a sale under this section shall be deposited into*  
10 *the SPR Petroleum Account established in section 167 of*  
11 *the Energy Policy and Conservation Act (42 U.S.C. 6247),*  
12 *and such amounts shall be available for obligation, without*  
13 *fiscal year limitation, consistent with that section.*

14

*TITLE IV*

15

*INDEPENDENT AGENCIES*

16

*APPALACHIAN REGIONAL COMMISSION*

17

*For expenses necessary to carry out the programs au-*  
18 *thorized by the Appalachian Regional Development Act of*  
19 *1965, and for expenses necessary for the Federal Co-Chair-*  
20 *man and the Alternate on the Appalachian Regional Com-*  
21 *mission, for payment of the Federal share of the adminis-*  
22 *trative expenses of the Commission, including services as*  
23 *authorized by 5 U.S.C. 3109, and hire of passenger motor*  
24 *vehicles, \$155,000,000, to remain available until expended.*

1           *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*2                           *SALARIES AND EXPENSES*

3           *For expenses necessary for the Defense Nuclear Facili-*  
4 *ties Safety Board in carrying out activities authorized by*  
5 *the Atomic Energy Act of 1954, as amended by Public Law*  
6 *100–456, section 1441, \$31,000,000, to remain available*  
7 *until September 30, 2019.*

8                           *DELTA REGIONAL AUTHORITY*9                           *SALARIES AND EXPENSES*

10          *For expenses necessary for the Delta Regional Author-*  
11 *ity and to carry out its activities, as authorized by the*  
12 *Delta Regional Authority Act of 2000, notwithstanding sec-*  
13 *tions 382F(d), 382M, and 382N of said Act, \$25,000,000,*  
14 *to remain available until expended.*

15                           *DENALI COMMISSION*

16          *For expenses necessary for the Denali Commission in-*  
17 *cluding the purchase, construction, and acquisition of plant*  
18 *and capital equipment as necessary and other expenses,*  
19 *\$30,000,000, to remain available until expended, notwith-*  
20 *standing the limitations contained in section 306(g) of the*  
21 *Denali Commission Act of 1998: Provided, That funds shall*  
22 *be available for construction projects in an amount not to*  
23 *exceed 80 percent of total project cost for distressed commu-*  
24 *nities, as defined by section 307 of the Denali Commission*  
25 *Act of 1998 (division C, title III, Public Law 105–277),*

1 *as amended by section 701 of appendix D, title VII, Public*  
2 *Law 106–113 (113 Stat. 1501A–280), and an amount not*  
3 *to exceed 50 percent for non-distressed communities: Pro-*  
4 *vided further, That notwithstanding any other provision of*  
5 *law regarding payment of a non-Federal share in connec-*  
6 *tion with a grant-in-aid program, amounts under this*  
7 *heading shall be available for the payment of such a non-*  
8 *Federal share for programs undertaken to carry out the*  
9 *purposes of the Commission.*

10 *NORTHERN BORDER REGIONAL COMMISSION*

11 *For expenses necessary for the Northern Border Re-*  
12 *gional Commission in carrying out activities authorized by*  
13 *subtitle V of title 40, United States Code, \$15,000,000, to*  
14 *remain available until expended: Provided, That such*  
15 *amounts shall be available for administrative expenses, not-*  
16 *withstanding section 15751(b) of title 40, United States*  
17 *Code: Provided further, That during fiscal year 2018, the*  
18 *duties and authority of the Federal Cochairperson shall be*  
19 *assumed by the Northern Border Regional Commission Pro-*  
20 *gram Director if the position of the Federal Cochairperson*  
21 *and Alternate Federal Cochairperson is vacant.*

22 *SOUTHEAST CRESCENT REGIONAL COMMISSION*

23 *For expenses necessary for the Southeast Crescent Re-*  
24 *gional Commission in carrying out activities authorized by*

1 *subtitle V of title 40, United States Code, \$250,000, to re-*  
2 *main available until expended.*

3 *NUCLEAR REGULATORY COMMISSION*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING RESCISSION OF FUNDS)*

6 *For expenses necessary for the Commission in carrying*  
7 *out the purposes of the Energy Reorganization Act of 1974*  
8 *and the Atomic Energy Act of 1954, \$909,137,000, includ-*  
9 *ing official representation expenses not to exceed \$25,000,*  
10 *to remain available until expended: Provided, That of the*  
11 *amount appropriated herein, not more than \$9,500,000*  
12 *may be made available for salaries, travel, and other sup-*  
13 *port costs for the Office of the Commission, to remain avail-*  
14 *able until September 30, 2019, of which, notwithstanding*  
15 *section 201(a)(2)(c) of the Energy Reorganization Act of*  
16 *1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure*  
17 *shall only be approved by a majority vote of the Commis-*  
18 *sion: Provided further, That revenues from licensing fees,*  
19 *inspection services, and other services and collections esti-*  
20 *mated at \$779,768,032 in fiscal year 2018 shall be retained*  
21 *and used for necessary salaries and expenses in this ac-*  
22 *count, notwithstanding 31 U.S.C. 3302, and shall remain*  
23 *available until expended: Provided further, That of the*  
24 *amounts appropriated under this heading, not less than*  
25 *\$10,000,000 shall be for activities related to the development*



1 of regulatory infrastructure for advanced nuclear tech-  
2 nologies, and \$16,200,000 shall be for international activi-  
3 ties, except that the amounts provided under this proviso  
4 shall not be derived from fee revenues, notwithstanding 42  
5 U.S.C. 2214: Provided further, That the sum herein appro-  
6 priated shall be reduced by the amount of revenues received  
7 during fiscal year 2018 so as to result in a final fiscal year  
8 2018 appropriation estimated at not more than  
9 \$129,300,892: Provided further, That of the amounts appro-  
10 priated under this heading, \$10,000,000 shall be for univer-  
11 sity research and development in areas relevant to the Com-  
12 mission's mission, and \$5,000,000 shall be for a Nuclear  
13 Science and Engineering Grant Program that will support  
14 multiyear projects that do not align with programmatic  
15 missions but are critical to maintaining the discipline of  
16 nuclear science and engineering: Provided further, That  
17 \$68,076.04 of unobligated balances from the funds trans-  
18 ferred to the Nuclear Regulatory Commission from the  
19 United States Agency for International Development pursu-  
20 ant to section 632(a) of the Foreign Assistance Act of 1961  
21 are rescinded: Provided further, That no amounts may be  
22 rescinded from amounts that were designated by the Con-  
23 gress as an emergency requirement pursuant to a concur-  
24 rent resolution on the budget or the Balanced Budget and  
25 Emergency Deficit Control Act of 1985.

1                                    *OFFICE OF INSPECTOR GENERAL*

2            *For expenses necessary for the Office of Inspector Gen-*  
3 *eral in carrying out the provisions of the Inspector General*  
4 *Act of 1978, \$12,859,000, to remain available until Sep-*  
5 *tember 30, 2019: Provided, That revenues from licensing*  
6 *fees, inspection services, and other services and collections*  
7 *estimated at \$10,555,000 in fiscal year 2018 shall be re-*  
8 *tained and be available until September 30, 2019, for nec-*  
9 *essary salaries and expenses in this account, notwith-*  
10 *standing section 3302 of title 31, United States Code: Pro-*  
11 *vided further, That the sum herein appropriated shall be*  
12 *reduced by the amount of revenues received during fiscal*  
13 *year 2018 so as to result in a final fiscal year 2018 appro-*  
14 *priation estimated at not more than \$2,304,000: Provided*  
15 *further, That of the amounts appropriated under this head-*  
16 *ing, \$1,131,000 shall be for Inspector General services for*  
17 *the Defense Nuclear Facilities Safety Board, which shall not*  
18 *be available from fee revenues.*

19                                    *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

20                                    *SALARIES AND EXPENSES*

21            *For expenses necessary for the Nuclear Waste Tech-*  
22 *nical Review Board, as authorized by Public Law 100–203,*  
23 *section 5051, \$3,600,000, to be derived from the Nuclear*  
24 *Waste Fund, to remain available until September 30, 2019.*

1           *GENERAL PROVISIONS—INDEPENDENT*2                           *AGENCIES*

3           *SEC. 401. The Nuclear Regulatory Commission shall*  
4 *comply with the July 5, 2011, version of Chapter VI of its*  
5 *Internal Commission Procedures when responding to Con-*  
6 *gressional requests for information.*

7           *SEC. 402. (a) The amounts made available by this title*  
8 *for the Nuclear Regulatory Commission may be repro-*  
9 *grammed for any program, project, or activity, and the*  
10 *Commission shall notify the Committees on Appropriations*  
11 *of both Houses of Congress at least 30 days prior to the*  
12 *use of any proposed reprogramming that would cause any*  
13 *program funding level to increase or decrease by more than*  
14 *\$500,000 or 10 percent, whichever is less, during the time*  
15 *period covered by this Act.*

16           *(b)(1) The Nuclear Regulatory Commission may waive*  
17 *the notification requirement in subsection (a) if compliance*  
18 *with such requirement would pose a substantial risk to*  
19 *human health, the environment, welfare, or national secu-*  
20 *urity.*

21           *(2) The Nuclear Regulatory Commission shall notify*  
22 *the Committees on Appropriations of both Houses of Con-*  
23 *gress of any waiver under paragraph (1) as soon as prac-*  
24 *ticable, but not later than 3 days after the date of the activ-*  
25 *ity to which a requirement or restriction would otherwise*

1 *have applied. Such notice shall include an explanation of*  
2 *the substantial risk under paragraph (1) that permitted*  
3 *such waiver and shall provide a detailed report to the Com-*  
4 *mittees of such waiver and changes to funding levels to pro-*  
5 *grams, projects, or activities.*

6       (c) *Except as provided in subsections (a), (b), and (d),*  
7 *the amounts made available by this title for “Nuclear Regu-*  
8 *latory Commission—Salaries and Expenses” shall be ex-*  
9 *pended as directed in the explanatory statement described*  
10 *in section 4 (in the matter preceding division A of this con-*  
11 *solidated Act).*

12       (d) *None of the funds provided for the Nuclear Regu-*  
13 *latory Commission shall be available for obligation or ex-*  
14 *penditure through a reprogramming of funds that increases*  
15 *funds or personnel for any program, project, or activity for*  
16 *which funds are denied or restricted by this Act.*

17       (e) *The Commission shall provide a monthly report to*  
18 *the Committees on Appropriations of both Houses of Con-*  
19 *gress, which includes the following for each program,*  
20 *project, or activity, including any prior year appropria-*  
21 *tions—*

- 22               (1) *total budget authority;*  
23               (2) *total unobligated balances; and*  
24               (3) *total unliquidated obligations.*

## TITLE V

## GENERAL PROVISIONS

1  
2  
3       *SEC. 501. None of the funds appropriated by this Act*  
4 *may be used in any way, directly or indirectly, to influence*  
5 *congressional action on any legislation or appropriation*  
6 *matters pending before Congress, other than to commu-*  
7 *nicate to Members of Congress as described in 18 U.S.C.*  
8 *1913.*

9       *SEC. 502. (a) None of the funds made available in title*  
10 *III of this Act may be transferred to any department, agen-*  
11 *cy, or instrumentality of the United States Government, ex-*  
12 *cept pursuant to a transfer made by or transfer authority*  
13 *provided in this Act or any other appropriations Act for*  
14 *any fiscal year, transfer authority referenced in the report*  
15 *of the Committee on Appropriations accompanying this*  
16 *Act, or any authority whereby a department, agency, or in-*  
17 *strumentality of the United States Government may pro-*  
18 *vide goods or services to another department, agency, or in-*  
19 *strumentality.*

20       *(b) None of the funds made available for any depart-*  
21 *ment, agency, or instrumentality of the United States Gov-*  
22 *ernment may be transferred to accounts funded in title III*  
23 *of this Act, except pursuant to a transfer made by or trans-*  
24 *fer authority provided in this Act or any other appropria-*  
25 *tions Act for any fiscal year, transfer authority referenced*

1 *in the explanatory statement described in section 4 (in the*  
2 *matter preceding division A of this consolidated Act), or*  
3 *any authority whereby a department, agency, or instru-*  
4 *mentality of the United States Government may provide*  
5 *goods or services to another department, agency, or instru-*  
6 *mentality.*

7       (c) *The head of any relevant department or agency*  
8 *funded in this Act utilizing any transfer authority shall*  
9 *submit to the Committees on Appropriations of both Houses*  
10 *of Congress a semiannual report detailing the transfer au-*  
11 *thorities, except for any authority whereby a department,*  
12 *agency, or instrumentality of the United States Government*  
13 *may provide goods or services to another department, agen-*  
14 *cy, or instrumentality, used in the previous 6 months and*  
15 *in the year-to-date. This report shall include the amounts*  
16 *transferred and the purposes for which they were trans-*  
17 *ferred, and shall not replace or modify existing notification*  
18 *requirements for each authority.*

19       SEC. 503. *None of the funds made available by this*  
20 *Act may be used in contravention of Executive Order No.*  
21 *12898 of February 11, 1994 (Federal Actions to Address*  
22 *Environmental Justice in Minority Populations and Low-*  
23 *Income Populations).*

24       SEC. 504. (a) *None of the funds made available in this*  
25 *Act may be used to maintain or establish a computer net-*

1 *work unless such network blocks the viewing, downloading,*  
2 *and exchanging of pornography.*

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

7 *This division may be cited as the “Energy and Water*  
8 *Development and Related Agencies Appropriations Act,*  
9 *2018”.*

10 ***DIVISION E—FINANCIAL SERVICES AND***  
11 ***GENERAL GOVERNMENT APPROPRIA-***  
12 ***TIONS ACT, 2018***

13 ***TITLE I***

14 ***DEPARTMENT OF THE TREASURY***

15 ***DEPARTMENTAL OFFICES***

16 ***SALARIES AND EXPENSES***

17 *For necessary expenses of the Departmental Offices in-*  
18 *cluding operation and maintenance of the Treasury Build-*  
19 *ing and Freedman’s Bank Building; hire of passenger*  
20 *motor vehicles; maintenance, repairs, and improvements of,*  
21 *and purchase of commercial insurance policies for, real*  
22 *properties leased or owned overseas, when necessary for the*  
23 *performance of official business; executive direction pro-*  
24 *gram activities; international affairs and economic policy*  
25 *activities; domestic finance and tax policy activities, in-*

1 *cluding technical assistance to Puerto Rico; and Treasury-*  
2 *wide management policies and programs activities,*  
3 *\$201,751,000: Provided, That of the amount appropriated*  
4 *under this heading—*

5 *(1) not to exceed \$350,000 is for official recep-*  
6 *tion and representation expenses;*

7 *(2) not to exceed \$258,000 is for unforeseen*  
8 *emergencies of a confidential nature to be allocated*  
9 *and expended under the direction of the Secretary of*  
10 *the Treasury and to be accounted for solely on the*  
11 *Secretary's certificate; and*

12 *(3) not to exceed \$24,000,000 shall remain avail-*  
13 *able until September 30, 2019, for—*

14 *(A) the Treasury-wide Financial Statement*  
15 *Audit and Internal Control Program;*

16 *(B) information technology modernization*  
17 *requirements;*

18 *(C) the audit, oversight, and administration*  
19 *of the Gulf Coast Restoration Trust Fund;*

20 *(D) the development and implementation of*  
21 *programs within the Office of Critical Infra-*  
22 *structure Protection and Compliance Policy, in-*  
23 *cluding entering into cooperative agreements;*

24 *(E) operations and maintenance of facili-*  
25 *ties; and*



1                   (F) international operations.

2           OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

3                   SALARIES AND EXPENSES

4           For the necessary expenses of the Office of Terrorism  
5 and Financial Intelligence to safeguard the financial sys-  
6 tem against illicit use and to combat rogue nations, ter-  
7 rorist facilitators, weapons of mass destruction  
8 proliferators, money launderers, drug kingpins, and other  
9 national security threats, \$141,778,000: Provided, That of  
10 the amount appropriated under this heading: (1) up to  
11 \$32,000,000 may be transferred to the Departmental Offices  
12 Salaries and Expenses appropriation and shall be available  
13 for administrative support to the Office of Terrorism and  
14 Financial Intelligence; and (2) up to \$5,000,000 shall re-  
15 main available until September 30, 2019.

16                   CYBERSECURITY ENHANCEMENT ACCOUNT

17           For salaries and expenses for enhanced cybersecurity  
18 for systems operated by the Department of the Treasury,  
19 \$24,000,000, to remain available until September 30, 2020:  
20 Provided, That such funds shall supplement and not sup-  
21 plant any other amounts made available to the Treasury  
22 offices and bureaus for cybersecurity: Provided further,  
23 That the Chief Information Officer of the individual offices  
24 and bureaus shall submit a spend plan for each investment  
25 to the Treasury Chief Information Officer for approval:

1 *Provided further, That the submitted spend plan shall be*  
2 *reviewed and approved by the Treasury Chief Information*  
3 *Officer prior to the obligation of funds under this heading:*  
4 *Provided further, That of the total amount made available*  
5 *under this heading \$1,000,000 shall be available for admin-*  
6 *istrative expenses for the Treasury Chief Information Offi-*  
7 *cer to provide oversight of the investments made under this*  
8 *heading: Provided further, That such funds shall supple-*  
9 *ment and not supplant any other amounts made available*  
10 *to the Treasury Chief Information Officer.*

11 *DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS*

12 *PROGRAMS*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For development and acquisition of automatic data*  
15 *processing equipment, software, and services and for repairs*  
16 *and renovations to buildings owned by the Department of*  
17 *the Treasury, \$4,426,000, to remain available until Sep-*  
18 *tember 30, 2020: Provided, That these funds shall be trans-*  
19 *ferred to accounts and in amounts as necessary to satisfy*  
20 *the requirements of the Department's offices, bureaus, and*  
21 *other organizations: Provided further, That this transfer*  
22 *authority shall be in addition to any other transfer author-*  
23 *ity provided in this Act: Provided further, That none of*  
24 *the funds appropriated under this heading shall be used to*  
25 *support or supplement "Internal Revenue Service, Oper-*

1 *ations Support” or “Internal Revenue Service, Business*  
2 *Systems Modernization”.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Office of Inspector Gen-*  
6 *eral in carrying out the provisions of the Inspector General*  
7 *Act of 1978, \$37,044,000, including hire of passenger motor*  
8 *vehicles; of which not to exceed \$100,000 shall be available*  
9 *for unforeseen emergencies of a confidential nature, to be*  
10 *allocated and expended under the direction of the Inspector*  
11 *General of the Treasury; of which up to \$2,800,000 to re-*  
12 *main available until September 30, 2019, shall be for audits*  
13 *and investigations conducted pursuant to section 1608 of*  
14 *the Resources and Ecosystems Sustainability, Tourist Op-*  
15 *portunities, and Revived Economies of the Gulf Coast*  
16 *States Act of 2012 (33 U.S.C. 1321 note); and of which*  
17 *not to exceed \$1,000 shall be available for official reception*  
18 *and representation expenses.*

19 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Treasury Inspector Gen-*  
22 *eral for Tax Administration in carrying out the Inspector*  
23 *General Act of 1978, as amended, including purchase and*  
24 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); and*  
25 *services authorized by 5 U.S.C. 3109, at such rates as may*

1 *be determined by the Inspector General for Tax Administra-*  
2 *tion; \$169,634,000, of which \$5,000,000 shall remain avail-*  
3 *able until September 30, 2019; of which not to exceed*  
4 *\$6,000,000 shall be available for official travel expenses; of*  
5 *which not to exceed \$500,000 shall be available for unfore-*  
6 *seen emergencies of a confidential nature, to be allocated*  
7 *and expended under the direction of the Inspector General*  
8 *for Tax Administration; and of which not to exceed \$1,500*  
9 *shall be available for official reception and representation*  
10 *expenses.*

11 *SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET*

12 *RELIEF PROGRAM*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Office of the Special In-*  
15 *pector General in carrying out the provisions of the Emer-*  
16 *gency Economic Stabilization Act of 2008 (Public Law*  
17 *110–343), \$34,000,000.*

18 *FINANCIAL CRIMES ENFORCEMENT NETWORK*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Financial Crimes En-*  
21 *forcement Network, including hire of passenger motor vehi-*  
22 *cles; travel and training expenses of non-Federal and for-*  
23 *ign government personnel to attend meetings and training*  
24 *concerned with domestic and foreign financial intelligence*  
25 *activities, law enforcement, and financial regulation; serv-*

1 *ices authorized by 5 U.S.C. 3109; not to exceed \$10,000 for*  
2 *official reception and representation expenses; and for as-*  
3 *sistance to Federal law enforcement agencies, with or with-*  
4 *out reimbursement, \$115,003,000, of which not to exceed*  
5 *\$34,335,000 shall remain available until September 30,*  
6 *2020.*

7 *TREASURY FORFEITURE FUND*

8 *(RESCISSION)*

9 *Of the unobligated balances available under this head-*  
10 *ing, \$702,000,000 are hereby permanently rescinded not*  
11 *later than September 30, 2018.*

12 *(INCLUDING RETURN OF FUNDS)*

13 *In addition, of amounts in the Treasury Forfeiture*  
14 *Fund, \$38,800,000 from funds paid to the United States*  
15 *Government by BNP Paribas S.A. as part of, or related*  
16 *to, a plea agreement dated June 27, 2014, entered into be-*  
17 *tween the Department of Justice and BNP Paribas S.A.,*  
18 *and subject to a consent order entered by the United States*  
19 *District Court for the Southern District of New York on*  
20 *May 1, 2015, in United States v. BNPP, No. 14 Cr. 460*  
21 *(S.D.N.Y.), are hereby returned to the General Fund of the*  
22 *Treasury.*

1                    *BUREAU OF THE FISCAL SERVICE*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of operations of the Bureau of*  
4 *the Fiscal Service, \$338,280,000; of which not to exceed*  
5 *\$4,210,000, to remain available until September 30, 2020,*  
6 *is for information systems modernization initiatives; and*  
7 *of which \$5,000 shall be available for official reception and*  
8 *representation expenses.*

9            *In addition, \$165,000, to be derived from the Oil Spill*  
10 *Liability Trust Fund to reimburse administrative and per-*  
11 *sonnel expenses for financial management of the Fund, as*  
12 *authorized by section 1012 of Public Law 101–380.*

13                    *ALCOHOL AND TOBACCO TAX AND TRADE BUREAU*14                    *SALARIES AND EXPENSES*

15            *For necessary expenses of carrying out section 1111*  
16 *of the Homeland Security Act of 2002, including hire of*  
17 *passenger motor vehicles, \$111,439,000; of which not to ex-*  
18 *ceed \$6,000 for official reception and representation ex-*  
19 *penses; not to exceed \$50,000 for cooperative research and*  
20 *development programs for laboratory services; and provi-*  
21 *sion of laboratory assistance to State and local agencies*  
22 *with or without reimbursement: Provided, That of the*  
23 *amount appropriated under this heading, \$5,000,000 shall*  
24 *be for the costs of accelerating the processing of formula and*  
25 *label applications: Provided further, That of the amount ap-*

1 *propriated under this heading, \$5,000,000, to remain avail-*  
2 *able until September 30, 2019, shall be for the costs associ-*  
3 *ated with enforcement of the trade practice provisions of*  
4 *the Federal Alcohol Administration Act (27 U.S.C. 201 et*  
5 *seq.).*

6 *UNITED STATES MINT*

7 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

8 *Pursuant to section 5136 of title 31, United States*  
9 *Code, the United States Mint is provided funding through*  
10 *the United States Mint Public Enterprise Fund for costs*  
11 *associated with the production of circulating coins, numis-*  
12 *matic coins, and protective services, including both oper-*  
13 *ating expenses and capital investments: Provided, That the*  
14 *aggregate amount of new liabilities and obligations in-*  
15 *curred during fiscal year 2018 under such section 5136 for*  
16 *circulating coinage and protective service capital invest-*  
17 *ments of the United States Mint shall not exceed*  
18 *\$30,000,000.*

19 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*

20 *FUND PROGRAM ACCOUNT*

21 *To carry out the Riegle Community Development and*  
22 *Regulatory Improvements Act of 1994 (subtitle A of title*  
23 *I of Public Law 103–325), including services authorized by*  
24 *section 3109 of title 5, United States Code, but at rates for*  
25 *individuals not to exceed the per diem rate equivalent to*

1 *the rate for EX-3, \$250,000,000. Of the amount appro-*  
2 *riated under this heading—*

3           (1) *not less than \$160,000,000, notwithstanding*  
4 *section 108(e) of Public Law 103-325 (12 U.S.C.*  
5 *4707(e)) with regard to Small and/or Emerging Com-*  
6 *munity Development Financial Institutions Assist-*  
7 *ance awards, is available until September 30, 2019,*  
8 *for financial assistance, technical assistance, training,*  
9 *and outreach under subparagraphs (A) and (B) of*  
10 *section 108(a)(1), respectively, of Public Law 103-*  
11 *325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up*  
12 *to \$2,680,000 may be used for the cost of direct loans,*  
13 *and of which up to \$3,000,000, notwithstanding sub-*  
14 *section (d) of section 108 of Public Law 103-325 (12*  
15 *U.S.C. 4707 (d)), may be available to provide finan-*  
16 *cial assistance, technical assistance, training, and*  
17 *outreach to community development financial institu-*  
18 *tions to expand investments that benefit individuals*  
19 *with disabilities: Provided, That the cost of direct and*  
20 *guaranteed loans, including the cost of modifying*  
21 *such loans, shall be as defined in section 502 of the*  
22 *Congressional Budget Act of 1974: Provided further,*  
23 *That these funds are available to subsidize gross obli-*  
24 *gations for the principal amount of direct loans not*  
25 *to exceed \$25,000,000;*



1           (2) *not less than \$16,000,000, notwithstanding*  
2 *section 108(e) of Public Law 103–325 (12 U.S.C.*  
3 *4707(e)), is available until September 30, 2019, for fi-*  
4 *nancial assistance, technical assistance, training, and*  
5 *outreach programs designed to benefit Native Amer-*  
6 *ican, Native Hawaiian, and Alaska Native commu-*  
7 *nities and provided primarily through qualified com-*  
8 *munity development lender organizations with experi-*  
9 *ence and expertise in community development bank-*  
10 *ing and lending in Indian country, Native American*  
11 *organizations, tribes and tribal organizations, and*  
12 *other suitable providers;*

13           (3) *not less than \$25,000,000 is available until*  
14 *September 30, 2019, for the Bank Enterprise Award*  
15 *program;*

16           (4) *not less than \$22,000,000, notwithstanding*  
17 *subsections (d) and (e) of section 108 of Public Law*  
18 *103–325 (12 U.S.C. 4707(d) and (e)), is available*  
19 *until September 30, 2019, for a Healthy Food Fi-*  
20 *nancing Initiative to provide financial assistance,*  
21 *technical assistance, training, and outreach to com-*  
22 *munity development financial institutions for the*  
23 *purpose of offering affordable financing and technical*  
24 *assistance to expand the availability of healthy food*  
25 *options in distressed communities;*

1           (5) up to \$27,000,000 is available until Sep-  
2           tember 30, 2018, for administrative expenses, includ-  
3           ing administration of CDFI fund programs and the  
4           New Markets Tax Credit Program, of which not less  
5           than \$1,000,000 is for development of tools to better  
6           assess and inform CDFI investment performance, and  
7           up to \$300,000 is for administrative expenses to  
8           carry out the direct loan program; and

9           (6) during fiscal year 2018, none of the funds  
10          available under this heading are available for the  
11          cost, as defined in section 502 of the Congressional  
12          Budget Act of 1974, of commitments to guarantee  
13          bonds and notes under section 114A of the Riegle  
14          Community Development and Regulatory Improve-  
15          ment Act of 1994 (12 U.S.C. 4713a): Provided, That  
16          commitments to guarantee bonds and notes under  
17          such section 114A shall not exceed \$500,000,000: Pro-  
18          vided further, That such section 114A shall remain in  
19          effect until December 31, 2018: Provided further, That  
20          of the funds awarded under this heading, not less  
21          than 10 percent shall be used for awards that support  
22          investments that serve populations living in persistent  
23          poverty counties: Provided further, That for the pur-  
24          poses of this section, the term “persistent poverty  
25          counties” means any county that has had 20 percent

1        *or more of its population living in poverty over the*  
2        *past 30 years, as measured by the 1990 and 2000 de-*  
3        *ennial censuses and the 2011–2015 5-year data se-*  
4        *ries available from the American Community Survey*  
5        *of the Census Bureau.*

6                                *INTERNAL REVENUE SERVICE*

7                                *TAXPAYER SERVICES*

8        *For necessary expenses of the Internal Revenue Service*  
9        *to provide taxpayer services, including pre-filing assistance*  
10        *and education, filing and account services, taxpayer advo-*  
11        *cacy services, and other services as authorized by 5 U.S.C.*  
12        *3109, at such rates as may be determined by the Commis-*  
13        *sioner, \$2,506,554,000, of which not less than \$9,890,000*  
14        *shall be for the Tax Counseling for the Elderly Program,*  
15        *of which not less than \$12,000,000 shall be available for*  
16        *low-income taxpayer clinic grants, and of which not less*  
17        *than \$15,000,000, to remain available until September 30,*  
18        *2019, shall be available for a Community Volunteer Income*  
19        *Tax Assistance matching grants program for tax return*  
20        *preparation assistance, of which not less than \$206,000,000*  
21        *shall be available for operating expenses of the Taxpayer*  
22        *Advocate Service: Provided, That of the amounts made*  
23        *available for the Taxpayer Advocate Service, not less than*  
24        *\$5,500,000 shall be for identity theft casework.*

*ENFORCEMENT*

1  
2       *For necessary expenses for tax enforcement activities*  
3 *of the Internal Revenue Service to determine and collect*  
4 *owed taxes, to provide legal and litigation support, to con-*  
5 *duct criminal investigations, to enforce criminal statutes*  
6 *related to violations of internal revenue laws and other fi-*  
7 *nancial crimes, to purchase and hire passenger motor vehi-*  
8 *cles (31 U.S.C. 1343(b)), and to provide other services as*  
9 *authorized by 5 U.S.C. 3109, at such rates as may be deter-*  
10 *mined by the Commissioner, \$4,860,000,000, of which not*  
11 *to exceed \$50,000,000 shall remain available until Sep-*  
12 *tember 30, 2019, and of which not less than \$60,257,000*  
13 *shall be for the Interagency Crime and Drug Enforcement*  
14 *program.*

*OPERATIONS SUPPORT*

15  
16       *For necessary expenses of the Internal Revenue Service*  
17 *to support taxpayer services and enforcement programs, in-*  
18 *cluding rent payments; facilities services; printing; postage;*  
19 *physical security; headquarters and other IRS-wide admin-*  
20 *istration activities; research and statistics of income; tele-*  
21 *communications; information technology development, en-*  
22 *hancement, operations, maintenance, and security; the hire*  
23 *of passenger motor vehicles (31 U.S.C. 1343(b)); the oper-*  
24 *ations of the Internal Revenue Service Oversight Board;*  
25 *and other services as authorized by 5 U.S.C. 3109, at such*

1 rates as may be determined by the Commissioner;  
2 \$3,634,000,000, of which not to exceed \$50,000,000 shall re-  
3 main available until September 30, 2019; of which not to  
4 exceed \$10,000,000 shall remain available until expended  
5 for acquisition of equipment and construction, repair and  
6 renovation of facilities; of which not to exceed \$1,000,000  
7 shall remain available until September 30, 2020, for re-  
8 search; of which not to exceed \$20,000 shall be for official  
9 reception and representation expenses: Provided, That not  
10 later than 30 days after the end of each quarter, the Inter-  
11 nal Revenue Service shall submit a report to the Committees  
12 on Appropriations of the House of Representatives and the  
13 Senate and the Comptroller General of the United States  
14 detailing the cost and schedule performance for its major  
15 information technology investments, including the purpose  
16 and life-cycle stages of the investments; the reasons for any  
17 cost and schedule variances; the risks of such investments  
18 and strategies the Internal Revenue Service is using to  
19 mitigate such risks; and the expected developmental mile-  
20 stones to be achieved and costs to be incurred in the next  
21 quarter: Provided further, That the Internal Revenue Serv-  
22 ice shall include, in its budget justification for fiscal year  
23 2019, a summary of cost and schedule performance infor-  
24 mation for its major information technology systems.

1                    *BUSINESS SYSTEMS MODERNIZATION*

2            *For necessary expenses of the Internal Revenue Serv-*  
3 *ice's business systems modernization program,*  
4 *\$110,000,000, to remain available until September 30,*  
5 *2020, for the capital asset acquisition of information tech-*  
6 *nology systems, including management and related contrac-*  
7 *tual costs of said acquisitions, including related Internal*  
8 *Revenue Service labor costs, and contractual costs associ-*  
9 *ated with operations authorized by 5 U.S.C. 3109: Pro-*  
10 *vided, That not later than 30 days after the end of each*  
11 *quarter, the Internal Revenue Service shall submit a report*  
12 *to the Committees on Appropriations of the House of Rep-*  
13 *resentatives and the Senate and the Comptroller General*  
14 *of the United States detailing the cost and schedule perform-*  
15 *ance for major information technology investments, includ-*  
16 *ing the purposes and life-cycle stages of the investments; the*  
17 *reasons for any cost and schedule variances; the risks of*  
18 *such investments and the strategies the Internal Revenue*  
19 *Service is using to mitigate such risks; and the expected*  
20 *developmental milestones to be achieved and costs to be in-*  
21 *curred in the next quarter.*

1        *ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE*

2                                *SERVICE*

3                                *(INCLUDING TRANSFERS OF FUNDS)*

4        *SEC. 101. Not to exceed 5 percent of any appropriation*  
5 *made available in this Act to the Internal Revenue Service*  
6 *may be transferred to any other Internal Revenue Service*  
7 *appropriation upon the advance approval of the Commit-*  
8 *tees on Appropriations.*

9        *SEC. 102. The Internal Revenue Service shall main-*  
10 *tain an employee training program, which shall include the*  
11 *following topics: taxpayers' rights, dealing courteously with*  
12 *taxpayers, cross-cultural relations, ethics, and the impartial*  
13 *application of tax law.*

14        *SEC. 103. The Internal Revenue Service shall institute*  
15 *and enforce policies and procedures that will safeguard the*  
16 *confidentiality of taxpayer information and protect tax-*  
17 *payers against identity theft.*

18        *SEC. 104. Funds made available by this or any other*  
19 *Act to the Internal Revenue Service shall be available for*  
20 *improved facilities and increased staffing to provide suffi-*  
21 *cient and effective 1–800 help line service for taxpayers. The*  
22 *Commissioner shall continue to make improvements to the*  
23 *Internal Revenue Service 1–800 help line service a priority*  
24 *and allocate resources necessary to enhance the response*

1 *time to taxpayer communications, particularly with regard*  
2 *to victims of tax-related crimes.*

3       *SEC. 105. None of the funds made available to the In-*  
4 *ternal Revenue Service by this Act may be used to make*  
5 *a video unless the Service-Wide Video Editorial Board de-*  
6 *termines in advance that making the video is appropriate,*  
7 *taking into account the cost, topic, tone, and purpose of the*  
8 *video.*

9       *SEC. 106. The Internal Revenue Service shall issue a*  
10 *notice of confirmation of any address change relating to an*  
11 *employer making employment tax payments, and such no-*  
12 *tice shall be sent to both the employer's former and new*  
13 *address and an officer or employee of the Internal Revenue*  
14 *Service shall give special consideration to an offer-in-com-*  
15 *promise from a taxpayer who has been the victim of fraud*  
16 *by a third party payroll tax preparer.*

17       *SEC. 107. None of the funds made available under this*  
18 *Act may be used by the Internal Revenue Service to target*  
19 *citizens of the United States for exercising any right guar-*  
20 *anteed under the First Amendment to the Constitution of*  
21 *the United States.*

22       *SEC. 108. None of the funds made available in this*  
23 *Act may be used by the Internal Revenue Service to target*  
24 *groups for regulatory scrutiny based on their ideological be-*  
25 *liefs.*



1        *SEC. 109. None of funds made available by this Act*  
2 *to the Internal Revenue Service shall be obligated or ex-*  
3 *pended on conferences that do not adhere to the procedures,*  
4 *verification processes, documentation requirements, and*  
5 *policies issued by the Chief Financial Officer, Human Cap-*  
6 *ital Office, and Agency-Wide Shared Services as a result*  
7 *of the recommendations in the report published on May 31,*  
8 *2013, by the Treasury Inspector General for Tax Adminis-*  
9 *tration entitled “Review of the August 2010 Small Busi-*  
10 *ness/Self-Employed Division’s Conference in Anaheim,*  
11 *California” (Reference Number 2013–10–037).*

12        *SEC. 110. None of the funds made available in this*  
13 *Act to the Internal Revenue Service may be obligated or*  
14 *expended—*

15            *(1) to make a payment to any employee under*  
16            *a bonus, award, or recognition program; or*

17            *(2) under any hiring or personnel selection proc-*  
18            *ess with respect to re-hiring a former employee, unless*  
19            *such program or process takes into account the con-*  
20            *duct and Federal tax compliance of such employee or*  
21            *former employee.*

22        *SEC. 111. None of the funds made available by this*  
23 *Act may be used in contravention of section 6103 of the*  
24 *Internal Revenue Code of 1986 (relating to confidentiality*  
25 *and disclosure of returns and return information).*

1        *SEC. 112. Except to the extent provided in section*  
 2 *6014, 6020, or 6201(d) of the Internal Revenue Code of*  
 3 *1986, no funds in this or any other Act shall be available*  
 4 *to the Secretary of the Treasury to provide to any person*  
 5 *a proposed final return or statement for use by such person*  
 6 *to satisfy a filing or reporting requirement under such*  
 7 *Code.*

8        *SEC. 113. In addition to the amounts otherwise made*  
 9 *available in this Act for the Internal Revenue Service,*  
 10 *\$320,000,000, to be available until September 30, 2019,*  
 11 *shall be transferred by the Commissioner to the “Taxpayer*  
 12 *Services”, “Enforcement”, or “Operations Support” ac-*  
 13 *counts of the Internal Revenue Service for an additional*  
 14 *amount to be used solely for carrying out Public Law 115–*  
 15 *97: Provided, That such funds shall not be available until*  
 16 *the Commissioner submits to the Committees on Appropria-*  
 17 *tions of the House of Representatives and the Senate a*  
 18 *spending plan for such funds.*

19        *ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE*  
 20    *TREASURY*  
 21    *(INCLUDING TRANSFERS OF FUNDS)*

22        *SEC. 114. Appropriations to the Department of the*  
 23 *Treasury in this Act shall be available for uniforms or al-*  
 24 *lowances therefor, as authorized by law (5 U.S.C. 5901),*  
 25 *including maintenance, repairs, and cleaning; purchase of*

1 *insurance for official motor vehicles operated in foreign*  
2 *countries; purchase of motor vehicles without regard to the*  
3 *general purchase price limitations for vehicles purchased*  
4 *and used overseas for the current fiscal year; entering into*  
5 *contracts with the Department of State for the furnishing*  
6 *of health and medical services to employees and their de-*  
7 *pendents serving in foreign countries; and services author-*  
8 *ized by 5 U.S.C. 3109.*

9       *SEC. 115. Not to exceed 2 percent of any appropria-*  
10 *tions in this title made available under the headings “De-*  
11 *partmental Offices—Salaries and Expenses”, “Office of In-*  
12 *spector General”, “Special Inspector General for the Trou-*  
13 *bled Asset Relief Program”, “Financial Crimes Enforce-*  
14 *ment Network”, “Bureau of the Fiscal Service”, and “Alco-*  
15 *hol and Tobacco Tax and Trade Bureau” may be trans-*  
16 *ferred between such appropriations upon the advance ap-*  
17 *proval of the Committees on Appropriations of the House*  
18 *of Representatives and the Senate: Provided, That no trans-*  
19 *fer under this section may increase or decrease any such*  
20 *appropriation by more than 2 percent.*

21       *SEC. 116. Not to exceed 2 percent of any appropriation*  
22 *made available in this Act to the Internal Revenue Service*  
23 *may be transferred to the Treasury Inspector General for*  
24 *Tax Administration’s appropriation upon the advance ap-*  
25 *proval of the Committees on Appropriations of the House*

1 *of Representatives and the Senate: Provided, That no trans-*  
2 *fer may increase or decrease any such appropriation by*  
3 *more than 2 percent.*

4 *SEC. 117. None of the funds appropriated in this Act*  
5 *or otherwise available to the Department of the Treasury*  
6 *or the Bureau of Engraving and Printing may be used to*  
7 *redesign the \$1 Federal Reserve note.*

8 *SEC. 118. The Secretary of the Treasury may transfer*  
9 *funds from the “Bureau of the Fiscal Service-Salaries and*  
10 *Expenses” to the Debt Collection Fund as necessary to cover*  
11 *the costs of debt collection: Provided, That such amounts*  
12 *shall be reimbursed to such salaries and expenses account*  
13 *from debt collections received in the Debt Collection Fund.*

14 *SEC. 119. None of the funds appropriated or otherwise*  
15 *made available by this or any other Act may be used by*  
16 *the United States Mint to construct or operate any museum*  
17 *without the explicit approval of the Committees on Appro-*  
18 *priations of the House of Representatives and the Senate,*  
19 *the House Committee on Financial Services, and the Senate*  
20 *Committee on Banking, Housing, and Urban Affairs.*

21 *SEC. 120. None of the funds appropriated or otherwise*  
22 *made available by this or any other Act or source to the*  
23 *Department of the Treasury, the Bureau of Engraving and*  
24 *Printing, and the United States Mint, individually or col-*  
25 *lectively, may be used to consolidate any or all functions*

1 *of the Bureau of Engraving and Printing and the United*  
2 *States Mint without the explicit approval of the House*  
3 *Committee on Financial Services; the Senate Committee on*  
4 *Banking, Housing, and Urban Affairs; and the Committees*  
5 *on Appropriations of the House of Representatives and the*  
6 *Senate.*

7       *SEC. 121. Funds appropriated by this Act, or made*  
8 *available by the transfer of funds in this Act, for the De-*  
9 *partment of the Treasury's intelligence or intelligence re-*  
10 *lated activities are deemed to be specifically authorized by*  
11 *the Congress for purposes of section 504 of the National Se-*  
12 *curity Act of 1947 (50 U.S.C. 414) during fiscal year 2018*  
13 *until the enactment of the Intelligence Authorization Act*  
14 *for Fiscal Year 2018.*

15       *SEC. 122. Not to exceed \$5,000 shall be made available*  
16 *from the Bureau of Engraving and Printing's Industrial*  
17 *Revolving Fund for necessary official reception and rep-*  
18 *resentation expenses.*

19       *SEC. 123. The Secretary of the Treasury shall submit*  
20 *a Capital Investment Plan to the Committees on Appro-*  
21 *priations of the Senate and the House of Representatives*  
22 *not later than 30 days following the submission of the an-*  
23 *ual budget submitted by the President: Provided, That*  
24 *such Capital Investment Plan shall include capital invest-*  
25 *ment spending from all accounts within the Department of*

1 *the Treasury, including but not limited to the Department-*  
2 *wide Systems and Capital Investment Programs account,*  
3 *Treasury Franchise Fund account, and the Treasury For-*  
4 *feiture Fund account: Provided further, That such Capital*  
5 *Investment Plan shall include expenditures occurring in*  
6 *previous fiscal years for each capital investment project*  
7 *that has not been fully completed.*

8       *SEC. 124. Within 45 days after the date of enactment*  
9 *of this Act, the Secretary of the Treasury shall submit an*  
10 *itemized report to the Committees on Appropriations of the*  
11 *House of Representatives and the Senate on the amount of*  
12 *total funds charged to each office by the Franchise Fund*  
13 *including the amount charged for each service provided by*  
14 *the Franchise Fund to each office, a detailed description*  
15 *of the services, a detailed explanation of how each charge*  
16 *for each service is calculated, and a description of the role*  
17 *customers have in governing in the Franchise Fund.*

18       *SEC. 125. During fiscal year 2018—*

19             *(1) none of the funds made available in this or*  
20 *any other Act may be used by the Department of the*  
21 *Treasury, including the Internal Revenue Service, to*  
22 *issue, revise, or finalize any regulation, revenue rul-*  
23 *ing, or other guidance not limited to a particular tax-*  
24 *payer relating to the standard which is used to deter-*  
25 *mine whether an organization is operated exclusively*

1       *for the promotion of social welfare for purposes of sec-*  
2       *tion 501(c)(4) of the Internal Revenue Code of 1986*  
3       *(including the proposed regulations published at 78*  
4       *Fed. Reg. 71535 (November 29, 2013)); and*

5               *(2) the standard and definitions as in effect on*  
6       *January 1, 2010, which are used to make such deter-*  
7       *minations shall apply after the date of the enactment*  
8       *of this Act for purposes of determining status under*  
9       *section 501(c)(4) of such Code of organizations cre-*  
10       *ated on, before, or after such date.*

11       *SEC. 126. (a) Not later than 60 days after the end of*  
12       *each quarter, the Office of Financial Stability and the Of-*  
13       *fice of Financial Research shall submit reports on their ac-*  
14       *tivities to the Committees on Appropriations of the House*  
15       *of Representatives and the Senate, the Committee on Finan-*  
16       *cial Services of the House of Representatives and the Senate*  
17       *Committee on Banking, Housing, and Urban Affairs.*

18               *(b) The reports required under subsection (a) shall in-*  
19       *clude—*

20               *(1) the obligations made during the previous*  
21       *quarter by object class, office, and activity;*

22               *(2) the estimated obligations for the remainder of*  
23       *the fiscal year by object class, office, and activity;*

24               *(3) the number of full-time equivalents within*  
25       *each office during the previous quarter;*

1           (4) *the estimated number of full-time equivalents*  
2           *within each office for the remainder of the fiscal year;*  
3           *and*

4           (5) *actions taken to achieve the goals, objectives,*  
5           *and performance measures of each office.*

6           (c) *At the request of any such Committees specified in*  
7           *subsection (a), the Office of Financial Stability and the Of-*  
8           *fice of Financial Research shall make officials available to*  
9           *testify on the contents of the reports required under sub-*  
10          *section (a).*

11          SEC. 127. *Notwithstanding paragraph (2) of section*  
12          *402(c) of the Helping Families Save their Homes Act of*  
13          *2009, in utilizing funds made available by paragraph (1)*  
14          *of section 402(c) of such Act, the Special Inspector General*  
15          *for the Troubled Asset Relief Program shall prioritize the*  
16          *performance of audits or investigations of any program that*  
17          *is funded in whole or in part by funds appropriated under*  
18          *the Emergency Economic Stabilization Act of 2008, to the*  
19          *extent that such priority is consistent with other aspects*  
20          *of the mission of the Special Inspector General.*

21          *This title may be cited as the “Department of the*  
22          *Treasury Appropriations Act, 2018”.*





## REIMBURSABLE EXPENSES

1  
2       *For the reimbursable expenses of the Executive Resi-*  
3 *dence at the White House, such sums as may be necessary:*  
4 *Provided, That all reimbursable operating expenses of the*  
5 *Executive Residence shall be made in accordance with the*  
6 *provisions of this paragraph: Provided further, That, not-*  
7 *withstanding any other provision of law, such amount for*  
8 *reimbursable operating expenses shall be the exclusive au-*  
9 *thority of the Executive Residence to incur obligations and*  
10 *to receive offsetting collections, for such expenses: Provided*  
11 *further, That the Executive Residence shall require each*  
12 *person sponsoring a reimbursable political event to pay in*  
13 *advance an amount equal to the estimated cost of the event,*  
14 *and all such advance payments shall be credited to this ac-*  
15 *count and remain available until expended: Provided fur-*  
16 *ther, That the Executive Residence shall require the na-*  
17 *tional committee of the political party of the President to*  
18 *maintain on deposit \$25,000, to be separately accounted for*  
19 *and available for expenses relating to reimbursable political*  
20 *events sponsored by such committee during such fiscal year:*  
21 *Provided further, That the Executive Residence shall ensure*  
22 *that a written notice of any amount owed for a reimburs-*  
23 *able operating expense under this paragraph is submitted*  
24 *to the person owing such amount within 60 days after such*  
25 *expense is incurred, and that such amount is collected with-*

1 *in 30 days after the submission of such notice: Provided*  
2 *further, That the Executive Residence shall charge interest*  
3 *and assess penalties and other charges on any such amount*  
4 *that is not reimbursed within such 30 days, in accordance*  
5 *with the interest and penalty provisions applicable to an*  
6 *outstanding debt on a United States Government claim*  
7 *under 31 U.S.C. 3717: Provided further, That each such*  
8 *amount that is reimbursed, and any accompanying interest*  
9 *and charges, shall be deposited in the Treasury as miscella-*  
10 *neous receipts: Provided further, That the Executive Resi-*  
11 *dence shall prepare and submit to the Committees on Ap-*  
12 *propriations, by not later than 90 days after the end of*  
13 *the fiscal year covered by this Act, a report setting forth*  
14 *the reimbursable operating expenses of the Executive Resi-*  
15 *dence during the preceding fiscal year, including the total*  
16 *amount of such expenses, the amount of such total that con-*  
17 *sists of reimbursable official and ceremonial events, the*  
18 *amount of such total that consists of reimbursable political*  
19 *events, and the portion of each such amount that has been*  
20 *reimbursed as of the date of the report: Provided further,*  
21 *That the Executive Residence shall maintain a system for*  
22 *the tracking of expenses related to reimbursable events with-*  
23 *in the Executive Residence that includes a standard for the*  
24 *classification of any such expense as political or non-*  
25 *political: Provided further, That no provision of this para-*

1 *graph may be construed to exempt the Executive Residence*  
2 *from any other applicable requirement of subchapter I or*  
3 *II of chapter 37 of title 31, United States Code.*

4 *WHITE HOUSE REPAIR AND RESTORATION*

5 *For the repair, alteration, and improvement of the Ex-*  
6 *ecutive Residence at the White House pursuant to 3 U.S.C.*  
7 *105(d), \$750,000, to remain available until expended, for*  
8 *required maintenance, resolution of safety and health*  
9 *issues, and continued preventative maintenance.*

10 *COUNCIL OF ECONOMIC ADVISERS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Council of Economic Ad-*  
13 *visers in carrying out its functions under the Employment*  
14 *Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.*

15 *NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY*

16 *COUNCIL*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the National Security Coun-*  
19 *cil and the Homeland Security Council, including services*  
20 *as authorized by 5 U.S.C. 3109, \$11,800,000.*

21 *OFFICE OF ADMINISTRATION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Office of Administration,*  
24 *including services as authorized by 5 U.S.C. 3109 and 3*  
25 *U.S.C. 107, and hire of passenger motor vehicles,*

1 \$100,000,000, of which not to exceed \$12,800,000 shall re-  
2 main available until expended for continued modernization  
3 of information resources within the Executive Office of the  
4 President.

5 OFFICE OF MANAGEMENT AND BUDGET

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Management  
8 and Budget, including hire of passenger motor vehicles and  
9 services as authorized by 5 U.S.C. 3109, to carry out the  
10 provisions of chapter 35 of title 44, United States Code,  
11 and to prepare and submit the budget of the United States  
12 Government, in accordance with section 1105(a) of title 31,  
13 United States Code, \$101,000,000, of which not to exceed  
14 \$3,000 shall be available for official representation expenses:  
15 Provided, That none of the funds appropriated in this Act  
16 for the Office of Management and Budget may be used for  
17 the purpose of reviewing any agricultural marketing orders  
18 or any activities or regulations under the provisions of the  
19 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.  
20 601 et seq.): Provided further, That none of the funds made  
21 available for the Office of Management and Budget by this  
22 Act may be expended for the altering of the transcript of  
23 actual testimony of witnesses, except for testimony of offi-  
24 cials of the Office of Management and Budget, before the  
25 Committees on Appropriations or their subcommittees: Pro-

1 *vided further, That of the funds made available for the Of-*  
2 *fice of Management and Budget by this Act, no less than*  
3 *three full-time equivalent senior staff position shall be dedi-*  
4 *cated solely to the Office of the Intellectual Property En-*  
5 *forcement Coordinator: Provided further, That none of the*  
6 *funds provided in this or prior Acts shall be used, directly*  
7 *or indirectly, by the Office of Management and Budget, for*  
8 *evaluating or determining if water resource project or study*  
9 *reports submitted by the Chief of Engineers acting through*  
10 *the Secretary of the Army are in compliance with all appli-*  
11 *cable laws, regulations, and requirements relevant to the*  
12 *Civil Works water resource planning process: Provided fur-*  
13 *ther, That the Office of Management and Budget shall have*  
14 *not more than 60 days in which to perform budgetary pol-*  
15 *icy reviews of water resource matters on which the Chief*  
16 *of Engineers has reported: Provided further, That the Direc-*  
17 *tor of the Office of Management and Budget shall notify*  
18 *the appropriate authorizing and appropriating committees*  
19 *when the 60-day review is initiated: Provided further, That*  
20 *if water resource reports have not been transmitted to the*  
21 *appropriate authorizing and appropriating committees*  
22 *within 15 days after the end of the Office of Management*  
23 *and Budget review period based on the notification from*  
24 *the Director, Congress shall assume Office of Management*

1 *and Budget concurrence with the report and act accord-*  
2 *ingly.*

3 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Office of National Drug*  
6 *Control Policy; for research activities pursuant to the Office*  
7 *of National Drug Control Policy Reauthorization Act of*  
8 *2006 (Public Law 109–469); not to exceed \$10,000 for offi-*  
9 *cial reception and representation expenses; and for partici-*  
10 *pation in joint projects or in the provision of services on*  
11 *matters of mutual interest with nonprofit, research, or pub-*  
12 *lic organizations or agencies, with or without reimburse-*  
13 *ment, \$18,400,000: Provided, That the Office is authorized*  
14 *to accept, hold, administer, and utilize gifts, both real and*  
15 *personal, public and private, without fiscal year limitation,*  
16 *for the purpose of aiding or facilitating the work of the Of-*  
17 *fice.*

18 *FEDERAL DRUG CONTROL PROGRAMS*

19 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For necessary expenses of the Office of National Drug*  
22 *Control Policy’s High Intensity Drug Trafficking Areas*  
23 *Program, \$280,000,000, to remain available until Sep-*  
24 *tember 30, 2019, for drug control activities consistent with*  
25 *the approved strategy for each of the designated High Inten-*

1 *sity Drug Trafficking Areas (“HIDTAs”), of which not less*  
2 *than 51 percent shall be transferred to State and local enti-*  
3 *ties for drug control activities and shall be obligated not*  
4 *later than 120 days after enactment of this Act: Provided,*  
5 *That up to 49 percent may be transferred to Federal agen-*  
6 *cies and departments in amounts determined by the Direc-*  
7 *tor of the Office of National Drug Control Policy, of which*  
8 *up to \$2,700,000 may be used for auditing services and as-*  
9 *sociated activities: Provided further, That, notwithstanding*  
10 *the requirements of Public Law 106–58, any unexpended*  
11 *funds obligated prior to fiscal year 2016 may be used for*  
12 *any other approved activities of that HIDTA, subject to re-*  
13 *programming requirements: Provided further, That each*  
14 *HIDTA designated as of September 30, 2017, shall be fund-*  
15 *ed at not less than the fiscal year 2017 base level, unless*  
16 *the Director submits to the Committees on Appropriations*  
17 *of the House of Representatives and the Senate justification*  
18 *for changes to those levels based on clearly articulated prior-*  
19 *ities and published Office of National Drug Control Policy*  
20 *performance measures of effectiveness: Provided further,*  
21 *That the Director shall notify the Committees on Appro-*  
22 *priations of the initial allocation of fiscal year 2018 fund-*  
23 *ing among HIDTAs not later than 45 days after enactment*  
24 *of this Act, and shall notify the Committees of planned uses*  
25 *of discretionary HIDTA funding, as determined in con-*



1 *sultation with the HIDTA Directors, not later than 90 days*  
2 *after enactment of this Act: Provided further, That upon*  
3 *a determination that all or part of the funds so transferred*  
4 *from this appropriation are not necessary for the purposes*  
5 *provided herein and upon notification to the Committees*  
6 *on Appropriations of the House of Representatives and the*  
7 *Senate, such amounts may be transferred back to this ap-*  
8 *propriation.*

9 *OTHER FEDERAL DRUG CONTROL PROGRAMS*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For other drug control activities authorized by the Of-*  
12 *fice of National Drug Control Policy Reauthorization Act*  
13 *of 2006 (Public Law 109–469), \$117,093,000, to remain*  
14 *available until expended, which shall be available as follows:*  
15 *\$99,000,000 for the Drug-Free Communities Program, of*  
16 *which \$2,000,000 shall be made available as directed by sec-*  
17 *tion 4 of Public Law 107–82, as amended by Public Law*  
18 *109–469 (21 U.S.C. 1521 note); \$2,000,000 for drug court*  
19 *training and technical assistance; \$9,500,000 for anti-*  
20 *doping activities; \$2,343,000 for the United States member-*  
21 *ship dues to the World Anti-Doping Agency; and \$1,250,000*  
22 *shall be made available as directed by section 1105 of Public*  
23 *Law 109–469; and \$3,000,000, to remain available until*  
24 *expended, shall be for activities authorized by section 103*  
25 *of Public Law 114–198: Provided, That amounts made*

1 *available under this heading may be transferred to other*  
2 *Federal departments and agencies to carry out such activi-*  
3 *ties.*

4 *UNANTICIPATED NEEDS*

5 *For expenses necessary to enable the President to meet*  
6 *unanticipated needs, in furtherance of the national interest,*  
7 *security, or defense which may arise at home or abroad dur-*  
8 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*  
9 *\$798,000, to remain available until September 30, 2019.*

10 *INFORMATION TECHNOLOGY OVERSIGHT AND REFORM*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses for the furtherance of inte-*  
13 *grated, efficient, secure, and effective uses of information*  
14 *technology in the Federal Government, \$19,000,000, to re-*  
15 *main available until expended: Provided, That the Director*  
16 *of the Office of Management and Budget may transfer these*  
17 *funds to one or more other agencies to carry out projects*  
18 *to meet these purposes.*

19 *SPECIAL ASSISTANCE TO THE PRESIDENT*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses to enable the Vice President to*  
22 *provide assistance to the President in connection with spe-*  
23 *cially assigned functions; services as authorized by 5 U.S.C.*  
24 *3109 and 3 U.S.C. 106, including subsistence expenses as*  
25 *authorized by 3 U.S.C. 106, which shall be expended and*

1 *accounted for as provided in that section; and hire of pas-*  
2 *senger motor vehicles, \$4,288,000.*

3 *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*

4 *OPERATING EXPENSES*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the care, operation, refurnishing, improvement,*  
7 *and to the extent not otherwise provided for, heating and*  
8 *lighting, including electric power and fixtures, of the offi-*  
9 *cial residence of the Vice President; the hire of passenger*  
10 *motor vehicles; and not to exceed \$90,000 pursuant to 3*  
11 *U.S.C. 106(b)(2), \$302,000: Provided, That advances, re-*  
12 *payments, or transfers from this appropriation may be*  
13 *made to any department or agency for expenses of carrying*  
14 *out such activities.*

15 *ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF*  
16 *THE PRESIDENT AND FUNDS APPROPRIATED TO THE*  
17 *PRESIDENT*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *SEC. 201. From funds made available in this Act*  
20 *under the headings “The White House”, “Executive Resi-*  
21 *dence at the White House”, “White House Repair and Res-*  
22 *toration”, “Council of Economic Advisers”, “National Se-*  
23 *curity Council and Homeland Security Council”, “Office*  
24 *of Administration”, “Special Assistance to the President”,*  
25 *and “Official Residence of the Vice President”, the Director*

1 *of the Office of Management and Budget (or such other offi-*  
2 *cer as the President may designate in writing), may, with*  
3 *advance approval of the Committees on Appropriations of*  
4 *the House of Representatives and the Senate, transfer not*  
5 *to exceed 10 percent of any such appropriation to any other*  
6 *such appropriation, to be merged with and available for*  
7 *the same time and for the same purposes as the appropria-*  
8 *tion to which transferred: Provided, That the amount of an*  
9 *appropriation shall not be increased by more than 50 per-*  
10 *cent by such transfers: Provided further, That no amount*  
11 *shall be transferred from “Special Assistance to the Presi-*  
12 *dent” or “Official Residence of the Vice President” without*  
13 *the approval of the Vice President.*

14 *SEC. 202. Within 90 days after the date of enactment*  
15 *of this section, the Director of the Office of Management*  
16 *and Budget shall submit a report to the Committees on Ap-*  
17 *propriations of the House of Representatives and the Senate*  
18 *on the costs of implementing the Dodd-Frank Wall Street*  
19 *Reform and Consumer Protection Act (Public Law 111-*  
20 *203). Such report shall include—*

21 *(1) the estimated mandatory and discretionary*  
22 *obligations of funds through fiscal year 2019, by Fed-*  
23 *eral agency and by fiscal year, including—*

1           (A) the estimated obligations by cost inputs  
2           such as rent, information technology, contracts,  
3           and personnel;

4           (B) the methodology and data sources used  
5           to calculate such estimated obligations; and

6           (C) the specific section of such Act that re-  
7           quires the obligation of funds; and

8           (2) the estimated receipts through fiscal year  
9           2019 from assessments, user fees, and other fees by the  
10          Federal agency making the collections, by fiscal year,  
11          including—

12           (A) the methodology and data sources used  
13           to calculate such estimated collections; and

14           (B) the specific section of such Act that au-  
15           thorizes the collection of funds.

16          SEC. 203. (a) During fiscal year 2018, any Executive  
17          order or Presidential memorandum issued or revoked by the  
18          President shall be accompanied by a written statement from  
19          the Director of the Office of Management and Budget on  
20          the budgetary impact, including costs, benefits, and reve-  
21          nues, of such order or memorandum.

22          (b) Any such statement shall include—

23           (1) a narrative summary of the budgetary im-  
24           pact of such order or memorandum on the Federal  
25           Government;

1           (2) *the impact on mandatory and discretionary*  
2 *obligations and outlays as the result of such order or*  
3 *memorandum, listed by Federal agency, for each year*  
4 *in the 5-fiscal year period beginning in fiscal year*  
5 *2018; and*

6           (3) *the impact on revenues of the Federal Gov-*  
7 *ernment as the result of such order or memorandum*  
8 *over the 5-fiscal-year period beginning in fiscal year*  
9 *2018.*

10          (c) *If an Executive order or Presidential memorandum*  
11 *is issued during fiscal year 2018 due to a national emer-*  
12 *gency, the Director of the Office of Management and Budget*  
13 *may issue the statement required by subsection (a) not later*  
14 *than 15 days after the date that such order or memorandum*  
15 *is issued.*

16          (d) *The requirement for cost estimates for Presidential*  
17 *memoranda shall only apply for Presidential memoranda*  
18 *estimated to have a regulatory cost in excess of*  
19 *\$100,000,000.*

20          *This title may be cited as the “Executive Office of the*  
21 *President Appropriations Act, 2018”.*

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*TITLE III*

*THE JUDICIARY*

*SUPREME COURT OF THE UNITED STATES*

*SALARIES AND EXPENSES*

*For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$82,028,000, of which \$1,500,000 shall remain available until expended.*

*In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.*

*CARE OF THE BUILDING AND GROUNDS*

*For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, \$16,153,000, to remain available until expended.*

1 *UNITED STATES COURT OF APPEALS FOR THE FEDERAL*  
2 *CIRCUIT*

3 *SALARIES AND EXPENSES*

4 *For salaries of officers and employees, and for nec-*  
5 *essary expenses of the court, as authorized by law,*  
6 *\$31,291,000.*

7 *In addition, there are appropriated such sums as may*  
8 *be necessary under current law for the salaries of the chief*  
9 *judge and judges of the court.*

10 *UNITED STATES COURT OF INTERNATIONAL TRADE*

11 *SALARIES AND EXPENSES*

12 *For salaries of officers and employees of the court, serv-*  
13 *ices, and necessary expenses of the court, as authorized by*  
14 *law, \$18,889,000.*

15 *In addition, there are appropriated such sums as may*  
16 *be necessary under current law for the salaries of the chief*  
17 *judge and judges of the court.*

18 *COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*

19 *JUDICIAL SERVICES*

20 *SALARIES AND EXPENSES*

21 *For the salaries of judges of the United States Court*  
22 *of Federal Claims, magistrate judges, and all other officers*  
23 *and employees of the Federal Judiciary not otherwise spe-*  
24 *cifically provided for, necessary expenses of the courts, and*  
25 *the purchase, rental, repair, and cleaning of uniforms for*



1 *Probation and Pretrial Services Office staff, as authorized*  
2 *by law, \$5,099,061,000 (including the purchase of firearms*  
3 *and ammunition); of which not to exceed \$27,817,000 shall*  
4 *remain available until expended for space alteration*  
5 *projects and for furniture and furnishings related to new*  
6 *space alteration and construction projects.*

7 *In addition, there are appropriated such sums as may*  
8 *be necessary under current law for the salaries of circuit*  
9 *and district judges (including judges of the territorial courts*  
10 *of the United States), bankruptcy judges, and justices and*  
11 *judges retired from office or from regular active service.*

12 *In addition, for expenses of the United States Court*  
13 *of Federal Claims associated with processing cases under*  
14 *the National Childhood Vaccine Injury Act of 1986 (Public*  
15 *Law 99–660), not to exceed \$8,230,000, to be appropriated*  
16 *from the Vaccine Injury Compensation Trust Fund.*

17 *DEFENDER SERVICES*

18 *For the operation of Federal Defender organizations;*  
19 *the compensation and reimbursement of expenses of attor-*  
20 *neys appointed to represent persons under 18 U.S.C. 3006A*  
21 *and 3599, and for the compensation and reimbursement of*  
22 *expenses of persons furnishing investigative, expert, and*  
23 *other services for such representations as authorized by law;*  
24 *the compensation (in accordance with the maximums under*  
25 *18 U.S.C. 3006A) and reimbursement of expenses of attor-*

1 *neys appointed to assist the court in criminal cases where*  
2 *the defendant has waived representation by counsel; the*  
3 *compensation and reimbursement of expenses of attorneys*  
4 *appointed to represent jurors in civil actions for the protec-*  
5 *tion of their employment, as authorized by 28 U.S.C.*  
6 *1875(d)(1); the compensation and reimbursement of ex-*  
7 *penses of attorneys appointed under 18 U.S.C. 983(b)(1)*  
8 *in connection with certain judicial civil forfeiture pro-*  
9 *ceedings; the compensation and reimbursement of travel ex-*  
10 *penses of guardians ad litem appointed under 18 U.S.C.*  
11 *4100(b); and for necessary training and general adminis-*  
12 *trative expenses, \$1,078,713,000 to remain available until*  
13 *expended.*

14 *FEES OF JURORS AND COMMISSIONERS*

15 *For fees and expenses of jurors as authorized by 28*  
16 *U.S.C. 1871 and 1876; compensation of jury commissioners*  
17 *as authorized by 28 U.S.C. 1863; and compensation of com-*  
18 *missioners appointed in condemnation cases pursuant to*  
19 *rule 71.1(h) of the Federal Rules of Civil Procedure (28*  
20 *U.S.C. Appendix Rule 71.1(h)), \$50,944,000, to remain*  
21 *available until expended: Provided, That the compensation*  
22 *of land commissioners shall not exceed the daily equivalent*  
23 *of the highest rate payable under 5 U.S.C. 5332.*

1                                    *COURT SECURITY*2                                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For necessary expenses, not otherwise provided for, in-*  
4 *cident to the provision of protective guard services for*  
5 *United States courthouses and other facilities housing Fed-*  
6 *eral court operations, and the procurement, installation,*  
7 *and maintenance of security systems and equipment for*  
8 *United States courthouses and other facilities housing Fed-*  
9 *eral court operations, including building ingress-egress con-*  
10 *trol, inspection of mail and packages, directed security pa-*  
11 *trols, perimeter security, basic security services provided by*  
12 *the Federal Protective Service, and other similar activities*  
13 *as authorized by section 1010 of the Judicial Improvement*  
14 *and Access to Justice Act (Public Law 100-702),*  
15 *\$586,999,000, of which not to exceed \$20,000,000 shall re-*  
16 *main available until expended, to be expended directly or*  
17 *transferred to the United States Marshals Service, which*  
18 *shall be responsible for administering the Judicial Facility*  
19 *Security Program consistent with standards or guidelines*  
20 *agreed to by the Director of the Administrative Office of*  
21 *the United States Courts and the Attorney General.*

1        *ADMINISTRATIVE OFFICE OF THE UNITED STATES*2                                        *COURTS*3                                        *SALARIES AND EXPENSES*

4        *For necessary expenses of the Administrative Office of*  
5 *the United States Courts as authorized by law, including*  
6 *travel as authorized by 31 U.S.C. 1345, hire of a passenger*  
7 *motor vehicle as authorized by 31 U.S.C. 1343(b), adver-*  
8 *tising and rent in the District of Columbia and elsewhere,*  
9 *\$90,423,000, of which not to exceed \$8,500 is authorized*  
10 *for official reception and representation expenses.*

11                                        *FEDERAL JUDICIAL CENTER*12                                        *SALARIES AND EXPENSES*

13        *For necessary expenses of the Federal Judicial Center,*  
14 *as authorized by Public Law 90–219, \$29,265,000; of which*  
15 *\$1,800,000 shall remain available through September 30,*  
16 *2019, to provide education and training to Federal court*  
17 *personnel; and of which not to exceed \$1,500 is authorized*  
18 *for official reception and representation expenses.*

19                                        *UNITED STATES SENTENCING COMMISSION*20                                        *SALARIES AND EXPENSES*

21        *For the salaries and expenses necessary to carry out*  
22 *the provisions of chapter 58 of title 28, United States Code,*  
23 *\$18,699,000, of which not to exceed \$1,000 is authorized*  
24 *for official reception and representation expenses.*

1 *ADMINISTRATIVE PROVISIONS—THE JUDICIARY*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *SEC. 301. Appropriations and authorizations made in*  
4 *this title which are available for salaries and expenses shall*  
5 *be available for services as authorized by 5 U.S.C. 3109.*

6 *SEC. 302. Not to exceed 5 percent of any appropriation*  
7 *made available for the current fiscal year for the Judiciary*  
8 *in this Act may be transferred between such appropriations,*  
9 *but no such appropriation, except “Courts of Appeals, Dis-*  
10 *trict Courts, and Other Judicial Services, Defender Serv-*  
11 *ices” and “Courts of Appeals, District Courts, and Other*  
12 *Judicial Services, Fees of Jurors and Commissioners”, shall*  
13 *be increased by more than 10 percent by any such transfers:*  
14 *Provided, That any transfer pursuant to this section shall*  
15 *be treated as a reprogramming of funds under sections 604*  
16 *and 608 of this Act and shall not be available for obligation*  
17 *or expenditure except in compliance with the procedures set*  
18 *forth in section 608.*

19 *SEC. 303. Notwithstanding any other provision of law,*  
20 *the salaries and expenses appropriation for “Courts of Ap-*  
21 *peals, District Courts, and Other Judicial Services” shall*  
22 *be available for official reception and representation ex-*  
23 *penses of the Judicial Conference of the United States: Pro-*  
24 *vided, That such available funds shall not exceed \$11,000*  
25 *and shall be administered by the Director of the Adminis-*

1 *trative Office of the United States Courts in the capacity*  
2 *as Secretary of the Judicial Conference.*

3 *SEC. 304. Section 3315(a) of title 40, United States*  
4 *Code, shall be applied by substituting “Federal” for “execu-*  
5 *tive” each place it appears.*

6 *SEC. 305. In accordance with 28 U.S.C. 561–569, and*  
7 *notwithstanding any other provision of law, the United*  
8 *States Marshals Service shall provide, for such courthouses*  
9 *as its Director may designate in consultation with the Di-*  
10 *rector of the Administrative Office of the United States*  
11 *Courts, for purposes of a pilot program, the security services*  
12 *that 40 U.S.C. 1315 authorizes the Department of Home-*  
13 *land Security to provide, except for the services specified*  
14 *in 40 U.S.C. 1315(b)(2)(E). For building-specific security*  
15 *services at these courthouses, the Director of the Administra-*  
16 *tive Office of the United States Courts shall reimburse the*  
17 *United States Marshals Service rather than the Department*  
18 *of Homeland Security.*

19 *SEC. 306. (a) Section 203(c) of the Judicial Improve-*  
20 *ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133*  
21 *note), is amended in the matter following paragraph 12—*

22 *(1) in the second sentence (relating to the Dis-*  
23 *trict of Kansas), by striking “26 years and 6 months”*  
24 *and inserting “27 years and 6 months”; and*

1           (2) *in the sixth sentence (relating to the District*  
2           *of Hawaii), by striking “21 years and 6 months” and*  
3           *inserting “24 years and 6 months”.*

4           (b) *Section 406 of the Transportation, Treasury,*  
5           *Housing and Urban Development, the Judiciary, the Dis-*  
6           *trict of Columbia, and Independent Agencies Appropria-*  
7           *tions Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28*  
8           *U.S.C. 133 note) is amended in the second sentence (relat-*  
9           *ing to the eastern District of Missouri) by striking “24*  
10           *years and 6 months” and inserting “25 years and 6*  
11           *months”.*

12           (c) *Section 312(c)(2) of the 21st Century Department*  
13           *of Justice Appropriations Authorization Act (Public Law*  
14           *107–273; 28 U.S.C. 133 note), is amended—*

15           (1) *in the first sentence by striking “15 years”*  
16           *and inserting “16 years”;*

17           (2) *in the second sentence (relating to the central*  
18           *District of California), by striking “14 years and 6*  
19           *months” and inserting “15 years and 6 months”; and*

20           (3) *in the third sentence (relating to the western*  
21           *district of North Carolina), by striking “13 years”*  
22           *and inserting “14 years”.*

23           SEC. 307. (a) *Section 1871(b) of title 28, United States*  
24           *Code, is amended in paragraph (1) by striking “\$40” and*  
25           *inserting “\$50”.*

1       ***(b) EFFECTIVE DATE.***—*The amendment made in sub-*  
2 *section (a) shall take effect 45 days after the date of enact-*  
3 *ment of this Act.*

4       *This title may be cited as the “Judiciary Appropria-*  
5 *tions Act, 2018”.*

6   **TITLE IV**

7   **DISTRICT OF COLUMBIA**

8   **FEDERAL FUNDS**

9   **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

10       *For a Federal payment to the District of Columbia,*  
11 *to be deposited into a dedicated account, for a nationwide*  
12 *program to be administered by the Mayor, for District of*  
13 *Columbia resident tuition support, \$40,000,000, to remain*  
14 *available until expended: Provided, That such funds, in-*  
15 *cluding any interest accrued thereon, may be used on behalf*  
16 *of eligible District of Columbia residents to pay an amount*  
17 *based upon the difference between in-State and out-of-State*  
18 *tuition at public institutions of higher education, or to pay*  
19 *up to \$2,500 each year at eligible private institutions of*  
20 *higher education: Provided further, That the awarding of*  
21 *such funds may be prioritized on the basis of a resident’s*  
22 *academic merit, the income and need of eligible students*  
23 *and such other factors as may be authorized: Provided fur-*  
24 *ther, That the District of Columbia government shall main-*  
25 *tain a dedicated account for the Resident Tuition Support*



1 *Program that shall consist of the Federal funds appro-*  
2 *priated to the Program in this Act and any subsequent ap-*  
3 *propriations, any unobligated balances from prior fiscal*  
4 *years, and any interest earned in this or any fiscal year:*  
5 *Provided further, That the account shall be under the con-*  
6 *trol of the District of Columbia Chief Financial Officer, who*  
7 *shall use those funds solely for the purposes of carrying out*  
8 *the Resident Tuition Support Program: Provided further,*  
9 *That the Office of the Chief Financial Officer shall provide*  
10 *a quarterly financial report to the Committees on Appro-*  
11 *priations of the House of Representatives and the Senate*  
12 *for these funds showing, by object class, the expenditures*  
13 *made and the purpose therefor.*

14 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*  
15 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

16 *For a Federal payment of necessary expenses, as deter-*  
17 *mined by the Mayor of the District of Columbia in written*  
18 *consultation with the elected county or city officials of sur-*  
19 *rounding jurisdictions, \$13,000,000, to remain available*  
20 *until expended, for the costs of providing public safety at*  
21 *events related to the presence of the National Capital in*  
22 *the District of Columbia, including support requested by*  
23 *the Director of the United States Secret Service in carrying*  
24 *out protective duties under the direction of the Secretary*  
25 *of Homeland Security, and for the costs of providing sup-*

1 *port to respond to immediate and specific terrorist threats*  
2 *or attacks in the District of Columbia or surrounding juris-*  
3 *dictions.*

4 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

5 *COURTS*

6 *For salaries and expenses for the District of Columbia*  
7 *Courts, \$265,400,000 to be allocated as follows: for the Dis-*  
8 *trict of Columbia Court of Appeals, \$14,000,000, of which*  
9 *not to exceed \$2,500 is for official reception and representa-*  
10 *tion expenses; for the Superior Court of the District of Co-*  
11 *lumbia, \$121,000,000, of which not to exceed \$2,500 is for*  
12 *official reception and representation expenses; for the Dis-*  
13 *trict of Columbia Court System, \$71,500,000, of which not*  
14 *to exceed \$2,500 is for official reception and representation*  
15 *expenses; and \$58,900,000, to remain available until Sep-*  
16 *tember 30, 2019, for capital improvements for District of*  
17 *Columbia courthouse facilities: Provided, That funds made*  
18 *available for capital improvements shall be expended con-*  
19 *sistent with the District of Columbia Courts master plan*  
20 *study and facilities condition assessment: Provided further,*  
21 *That notwithstanding any other provision of law, all*  
22 *amounts under this heading shall be apportioned quarterly*  
23 *by the Office of Management and Budget and obligated and*  
24 *expended in the same manner as funds appropriated for*  
25 *salaries and expenses of other Federal agencies: Provided*

1 *further, That 30 days after providing written notice to the*  
2 *Committees on Appropriations of the House of Representa-*  
3 *tives and the Senate, the District of Columbia Courts may*  
4 *reallocate not more than \$6,000,000 of the funds provided*  
5 *under this heading among the items and entities funded*  
6 *under this heading: Provided further, That the Joint Com-*  
7 *mittee on Judicial Administration in the District of Colum-*  
8 *bia may, by regulation, establish a program substantially*  
9 *similar to the program set forth in subchapter II of chapter*  
10 *35 of title 5, United States Code, for employees of the Dis-*  
11 *trict of Columbia Courts.*

12 *FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT*  
13 *OF COLUMBIA COURTS*  
14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For payments authorized under section 11–2604 and*  
16 *section 11–2605, D.C. Official Code (relating to representa-*  
17 *tion provided under the District of Columbia Criminal Jus-*  
18 *tice Act), payments for counsel appointed in proceedings*  
19 *in the Family Court of the Superior Court of the District*  
20 *of Columbia under chapter 23 of title 16, D.C. Official*  
21 *Code, or pursuant to contractual agreements to provide*  
22 *guardian ad litem representation, training, technical as-*  
23 *sistance, and such other services as are necessary to improve*  
24 *the quality of guardian ad litem representation, payments*  
25 *for counsel appointed in adoption proceedings under chap-*

1 *ter 3 of title 16, D.C. Official Code, and payments author-*  
2 *ized under section 21–2060, D.C. Official Code (relating to*  
3 *services provided under the District of Columbia Guardian-*  
4 *ship, Protective Proceedings, and Durable Power of Attor-*  
5 *ney Act of 1986), \$49,890,000, to remain available until*  
6 *expended: Provided, That not more than \$20,000,000 in un-*  
7 *obligated funds provided in this account may be transferred*  
8 *to and merged with funds made available under the heading*  
9 *“Federal Payment to the District of Columbia Courts,” to*  
10 *be available for the same period and purposes as funds*  
11 *made available under that heading for capital improve-*  
12 *ments to District of Columbia courthouse facilities: Pro-*  
13 *vided, That funds provided under this heading shall be ad-*  
14 *ministered by the Joint Committee on Judicial Administra-*  
15 *tion in the District of Columbia: Provided further, That,*  
16 *notwithstanding any other provision of law, this appro-*  
17 *priation shall be apportioned quarterly by the Office of*  
18 *Management and Budget and obligated and expended in*  
19 *the same manner as funds appropriated for expenses of*  
20 *other Federal agencies.*

21 *FEDERAL PAYMENT TO THE COURT SERVICES AND OF-*  
22 *FENDER SUPERVISION AGENCY FOR THE DISTRICT OF*  
23 *COLUMBIA*

24 *For salaries and expenses, including the transfer and*  
25 *hire of motor vehicles, of the Court Services and Offender*

1 *Supervision Agency for the District of Columbia, as author-*  
2 *ized by the National Capital Revitalization and Self-Gov-*  
3 *ernment Improvement Act of 1997, \$244,298,000, of which*  
4 *not to exceed \$2,000 is for official reception and representa-*  
5 *tion expenses related to Community Supervision and Pre-*  
6 *trial Services Agency programs, of which not to exceed*  
7 *\$25,000 is for dues and assessments relating to the imple-*  
8 *mentation of the Court Services and Offender Supervision*  
9 *Agency Interstate Supervision Act of 2002; of which*  
10 *\$180,840,000 shall be for necessary expenses of Community*  
11 *Supervision and Sex Offender Registration, to include ex-*  
12 *penses relating to the supervision of adults subject to protec-*  
13 *tion orders or the provision of services for or related to such*  
14 *persons; and of which \$63,458,000 shall be available to the*  
15 *Pretrial Services Agency: Provided, That notwithstanding*  
16 *any other provision of law, all amounts under this heading*  
17 *shall be apportioned quarterly by the Office of Management*  
18 *and Budget and obligated and expended in the same man-*  
19 *ner as funds appropriated for salaries and expenses of other*  
20 *Federal agencies: Provided further, That amounts under*  
21 *this heading may be used for programmatic incentives for*  
22 *defendants to successfully complete their terms of super-*  
23 *vision.*

1 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*2 *PUBLIC DEFENDER SERVICE*

3 *For salaries and expenses, including the transfer and*  
4 *hire of motor vehicles, of the District of Columbia Public*  
5 *Defender Service, as authorized by the National Capital Re-*  
6 *vitalization and Self-Government Improvement Act of 1997,*  
7 *\$41,829,000: Provided, That notwithstanding any other*  
8 *provision of law, all amounts under this heading shall be*  
9 *apportioned quarterly by the Office of Management and*  
10 *Budget and obligated and expended in the same manner*  
11 *as funds appropriated for salaries and expenses of Federal*  
12 *agencies.*

13 *FEDERAL PAYMENT TO THE CRIMINAL JUSTICE*14 *COORDINATING COUNCIL*

15 *For a Federal payment to the Criminal Justice Co-*  
16 *ordinating Council, \$2,000,000, to remain available until*  
17 *expended, to support initiatives related to the coordination*  
18 *of Federal and local criminal justice resources in the Dis-*  
19 *trict of Columbia.*

20 *FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS*

21 *For a Federal payment, to remain available until Sep-*  
22 *tember 30, 2019, to the Commission on Judicial Disabilities*  
23 *and Tenure, \$295,000, and for the Judicial Nomination*  
24 *Commission, \$270,000.*

1           *FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT*

2           *For a Federal payment for a school improvement pro-*  
3 *gram in the District of Columbia, \$45,000,000, to remain*  
4 *available until expended, for payments authorized under the*  
5 *Scholarship for Opportunity and Results Act (division C*  
6 *of Public Law 112–10): Provided, That, to the extent that*  
7 *funds are available for opportunity scholarships and fol-*  
8 *lowing the priorities included in section 3006 of such Act,*  
9 *the Secretary of Education shall make scholarships avail-*  
10 *able to students eligible under section 3013(3) of such Act*  
11 *(Public Law 112–10; 125 Stat. 211) including students who*  
12 *were not offered a scholarship during any previous school*  
13 *year: Provided further, That within funds provided for op-*  
14 *portunity scholarships \$3,200,000 shall be for the activities*  
15 *specified in sections 3007(b) through 3007(d) and 3009 of*  
16 *the Act.*

17           *FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA*18   *NATIONAL GUARD*

19           *For a Federal payment to the District of Columbia*  
20 *National Guard, \$435,000, to remain available until ex-*  
21 *pended for the Major General David F. Wherley, Jr. Dis-*  
22 *trict of Columbia National Guard Retention and College*  
23 *Access Program.*

1 *FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/*  
2 *AIDS*

3 *For a Federal payment to the District of Columbia*  
4 *for the testing of individuals for, and the treatment of indi-*  
5 *viduals with, human immunodeficiency virus and acquired*  
6 *immunodeficiency syndrome in the District of Columbia,*  
7 *\$5,000,000.*

8 *DISTRICT OF COLUMBIA FUNDS*

9 *Local funds are appropriated for the District of Co-*  
10 *lumbia for the current fiscal year out of the General Fund*  
11 *of the District of Columbia (“General Fund”) for programs*  
12 *and activities set forth under the heading “PART A—SUM-*  
13 *MARY OF EXPENSES” and at the rate set forth under such*  
14 *heading, as included in D.C. Bill 22–242, as amended as*  
15 *of the date of enactment of this Act: Provided, That notwith-*  
16 *standing any other provision of law, except as provided in*  
17 *section 450A of the District of Columbia Home Rule Act*  
18 *(section 1–204.50a, D.C. Official Code), sections 816 and*  
19 *817 of the Financial Services and General Government Ap-*  
20 *propriations Act, 2009 (secs. 47–369.01 and 47–369.02,*  
21 *D.C. Official Code), and provisions of this Act, the total*  
22 *amount appropriated in this Act for operating expenses for*  
23 *the District of Columbia for fiscal year 2018 under this*  
24 *heading shall not exceed the estimates included in D.C. Bill*  
25 *22–242, as amended as of the date of enactment of this Act*



1 *or the sum of the total revenues of the District of Columbia*  
2 *for such fiscal year: Provided further, That the amount ap-*  
3 *propriated may be increased by proceeds of one-time trans-*  
4 *actions, which are expended for emergency or unanticipated*  
5 *operating or capital needs: Provided further, That such in-*  
6 *creases shall be approved by enactment of local District law*  
7 *and shall comply with all reserve requirements contained*  
8 *in the District of Columbia Home Rule Act: Provided fur-*  
9 *ther, That the Chief Financial Officer of the District of Co-*  
10 *lumbia shall take such steps as are necessary to assure that*  
11 *the District of Columbia meets these requirements, includ-*  
12 *ing the apportioning by the Chief Financial Officer of the*  
13 *appropriations and funds made available to the District*  
14 *during fiscal year 2018, except that the Chief Financial Of-*  
15 *ficer may not reprogram for operating expenses any funds*  
16 *derived from bonds, notes, or other obligations issued for*  
17 *capital projects.*

18 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER*

19 *AND SEWER AUTHORITY*

20 *For a Federal payment to the District of Columbia*  
21 *Water and Sewer Authority, \$14,000,000, to remain avail-*  
22 *able until expended, to continue implementation of the*  
23 *Combined Sewer Overflow Long-Term Plan: Provided, That*  
24 *the District of Columbia Water and Sewer Authority pro-*  
25 *vides a 100 percent match for this payment.*

1        *This title may be cited as the “District of Columbia*  
2 *Appropriations Act, 2018”.*

3

*TITLE V*

4

*INDEPENDENT AGENCIES*

5

*ADMINISTRATIVE CONFERENCE OF THE UNITED STATES*

6

*SALARIES AND EXPENSES*

7

*For necessary expenses of the Administrative Con-*  
8 *ference of the United States, authorized by 5 U.S.C. 591*  
9 *et seq., \$3,100,000, to remain available until September 30,*  
10 *2019, of which not to exceed \$1,000 is for official reception*  
11 *and representation expenses.*

12

*CONSUMER PRODUCT SAFETY COMMISSION*

13

*SALARIES AND EXPENSES*

14

*For necessary expenses of the Consumer Product Safety*  
15 *Commission, including hire of passenger motor vehicles,*  
16 *services as authorized by 5 U.S.C. 3109, but at rates for*  
17 *individuals not to exceed the per diem rate equivalent to*  
18 *the maximum rate payable under 5 U.S.C. 5376, purchase*  
19 *of nominal awards to recognize non-Federal officials’ con-*  
20 *tributions to Commission activities, and not to exceed*  
21 *\$8,000 for official reception and representation expenses,*  
22 *\$126,000,000, of which \$1,100,000 shall remain available*  
23 *until expended to carry out the program, including admin-*  
24 *istrative costs, required by section 1405 of the Virginia*

1 *Graeme Baker Pool and Spa Safety Act (Public Law 110–*  
2 *140; 15 U.S.C. 8004).*

3 *ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT*

4 *SAFETY COMMISSION*

5 *SEC. 501. During fiscal year 2018, none of the*  
6 *amounts made available by this Act may be used to finalize*  
7 *or implement the Safety Standard for Recreational Off-*  
8 *Highway Vehicles published by the Consumer Product Safe-*  
9 *ty Commission in the Federal Register on November 19,*  
10 *2014 (79 Fed. Reg. 68964) until after—*

11 *(1) the National Academy of Sciences, in con-*  
12 *sultation with the National Highway Traffic Safety*  
13 *Administration and the Department of Defense, com-*  
14 *pletes a study to determine—*

15 *(A) the technical validity of the lateral sta-*  
16 *bility and vehicle handling requirements pro-*  
17 *posed by such standard for purposes of reducing*  
18 *the risk of Recreational Off-Highway Vehicle (re-*  
19 *ferred to in this section as “ROV”) rollovers in*  
20 *the off-road environment, including the repeat-*  
21 *ability and reproducibility of testing for compli-*  
22 *ance with such requirements;*

23 *(B) the number of ROV rollovers that would*  
24 *be prevented if the proposed requirements were*  
25 *adopted;*

1           (C) whether there is a technical basis for the  
2           proposal to provide information on a point-of-  
3           sale hangtag about a ROV's rollover resistance  
4           on a progressive scale; and

5           (D) the effect on the utility of ROVs used by  
6           the United States military if the proposed re-  
7           quirements were adopted; and

8           (2) a report containing the results of the study  
9           completed under paragraph (1) is delivered to—

10           (A) the Committee on Commerce, Science,  
11           and Transportation of the Senate;

12           (B) the Committee on Energy and Com-  
13           merce of the House of Representatives;

14           (C) the Committee on Appropriations of the  
15           Senate; and

16           (D) the Committee on Appropriations of the  
17           House of Representatives.

18           *ELECTION ASSISTANCE COMMISSION*

19           *SALARIES AND EXPENSES*

20           *(INCLUDING TRANSFER OF FUNDS)*

21           For necessary expenses to carry out the Help America  
22           Vote Act of 2002 (Public Law 107–252), \$10,100,000, of  
23           which \$1,500,000 shall be transferred to the National Insti-  
24           tute of Standards and Technology for election reform activi-  
25           ties authorized under the Help America Vote Act of 2002.

1 *ELECTION REFORM PROGRAM*

2 *Notwithstanding section 104(c)(2)(B) of the Help*  
3 *America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),*  
4 *\$380,000,000 is provided to the Election Assistance Com-*  
5 *mission for necessary expenses to make payments to States*  
6 *for activities to improve the administration of elections for*  
7 *Federal office, including to enhance election technology and*  
8 *make election security improvements, as authorized by sec-*  
9 *tions 101, 103, and 104 of such Act: Provided, That each*  
10 *reference to the “Administrator of General Services” or the*  
11 *“Administrator” in sections 101 and 103 shall be deemed*  
12 *to refer to the “Election Assistance Commission”: Provided*  
13 *further, That each reference to “\$5,000,000” in section 103*  
14 *shall be deemed to refer to “\$3,000,000” and each reference*  
15 *to “\$1,000,000” in section 103 shall be deemed to refer to*  
16 *“\$600,000”: Provided further, That not later than 45 days*  
17 *after the date of enactment of this Act, the Election Assist-*  
18 *ance Commission shall make the payments to states under*  
19 *this heading: Provided further, That not later than two*  
20 *years after receiving a payment under this heading, a state*  
21 *shall make available funds for such activities in an amount*  
22 *equal to 5 percent of the total amount of the payment made*  
23 *to the State under this heading.*

1            *FEDERAL COMMUNICATIONS COMMISSION*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses of the Federal Communications*  
4 *Commission, as authorized by law, including uniforms and*  
5 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*  
6 *not to exceed \$4,000 for official reception and representa-*  
7 *tion expenses; purchase and hire of motor vehicles; special*  
8 *counsel fees; and services as authorized by 5 U.S.C. 3109,*  
9 *\$322,035,000, to remain available until expended: Pro-*  
10 *vided, That \$322,035,000 of offsetting collections shall be*  
11 *assessed and collected pursuant to section 9 of title I of the*  
12 *Communications Act of 1934, shall be retained and used*  
13 *for necessary expenses and shall remain available until ex-*  
14 *pended: Provided further, That the sum herein appro-*  
15 *priated shall be reduced as such offsetting collections are*  
16 *received during fiscal year 2018 so as to result in a final*  
17 *fiscal year 2018 appropriation estimated at \$0: Provided*  
18 *further, That any offsetting collections received in excess of*  
19 *\$322,035,000 in fiscal year 2018 shall not be available for*  
20 *obligation: Provided further, That remaining offsetting col-*  
21 *lections from prior years collected in excess of the amount*  
22 *specified for collection in each such year and otherwise be-*  
23 *coming available on October 1, 2017, shall not be available*  
24 *for obligation: Provided further, That, notwithstanding 47*  
25 *U.S.C. 309(j)(8)(B), proceeds from the use of a competitive*

1 *bidding system that may be retained and made available*  
2 *for obligation shall not exceed \$111,150,000 for fiscal year*  
3 *2018: Provided further, That, of the amount appropriated*  
4 *under this heading, not less than \$11,020,000 shall be for*  
5 *the salaries and expenses of the Office of Inspector General.*

6 *ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS*

7 *COMMISSION*

8 *SEC. 510. None of the funds appropriated by this Act*  
9 *may be used by the Federal Communications Commission*  
10 *to modify, amend, or change its rules or regulations for uni-*  
11 *versal service support payments to implement the February*  
12 *27, 2004 recommendations of the Federal-State Joint Board*  
13 *on Universal Service regarding single connection or pri-*  
14 *mary line restrictions on universal service support pay-*  
15 *ments.*

16 *SEC. 511. Section 6403 of the Middle Class Tax Relief*  
17 *and Job Creation Act of 2012 (47 U.S.C. 1452) is amended*  
18 *by adding at the end the following:*

19 *“(j) RESERVE SOURCE FOR PAYMENT OF RELOCATION*  
20 *COSTS.—*

21 *“(1) FUNDING.—There are hereby authorized to*  
22 *be appropriated, and appropriated, to the TV Broad-*  
23 *caster Relocation Fund established by subsection (d),*  
24 *out of any monies in the Treasury not otherwise ap-*  
25 *propriated—*

1           “(A) for fiscal year 2018, \$600,000,000, to  
2 remain available, notwithstanding subsection  
3 (d)(4), until not later than July 3, 2023, pursu-  
4 ant to this subsection; and

5           “(B) for fiscal year 2019, \$400,000,000, to  
6 remain available, notwithstanding subsection  
7 (d)(4), until not later than July 3, 2023, pursu-  
8 ant to this subsection.

9           “(2) AVAILABILITY OF FUNDS.—

10           “(A) IN GENERAL.—If the Commission  
11 makes the certification described in subpara-  
12 graph (B), amounts made available to the TV  
13 Broadcaster Relocation Fund by paragraph (1)  
14 shall be available to the Commission to make—

15           “(i) reimbursements pursuant to sub-  
16 section (b)(4)(A)(i) or (b)(4)(A)(ii), includ-  
17 ing not more than \$350,000,000 for this  
18 purpose from funds made available by  
19 paragraph (1)(A);

20           “(ii) payments required by subsection  
21 (k), including not more than \$150,000,000  
22 for this purpose from funds made available  
23 by paragraph (1)(A);

24           “(iii) payments required by subsection  
25 (l), including not more than \$50,000,000 for



1           *this purpose from funds made available by*  
2           *paragraph (1)(A); and*

3           “*(iv) payments solely for the purposes*  
4           *of consumer education relating to the reor-*  
5           *ganization of broadcast television spectrum*  
6           *under subsection (b), including \$50,000,000*  
7           *for this purpose from funds made available*  
8           *by paragraph (1)(A).*

9           “(B) *CERTIFICATION.—The certification de-*  
10          *scribed in this subparagraph is a certification*  
11          *from the Commission to the Secretary of the*  
12          *Treasury that the funds available prior to the*  
13          *date of enactment of this subsection in the TV*  
14          *Broadcaster Relocation Fund are likely to be in-*  
15          *sufficient to reimburse reasonably incurred costs*  
16          *described in subsection (b)(4)(A)(i) or*  
17          *(b)(4)(A)(ii).*

18          “(C) *AVAILABILITY FOR PAYMENTS AFTER*  
19          *APRIL 13, 2020.—*

20          “(i) *FOR PAYMENTS TO BROADCAST*  
21          *TELEVISION LICENSEES AND MVPDS.—Not-*  
22          *withstanding subsection (b)(4)(D), the Com-*  
23          *mission may make payments pursuant to*  
24          *subsection (b)(4)(A)(i) or (b)(4)(A)(ii) from*  
25          *amounts made available to the TV Broad-*

1            *caster Relocation Fund by paragraph (1)*  
2            *after April 13, 2020, if, before making any*  
3            *such payments after such date, the Commis-*  
4            *sion submits to Congress a certification that*  
5            *such payments are necessary to reimburse*  
6            *reasonably incurred costs described in such*  
7            *subsection.*

8            *“(ii) FOR PAYMENTS TO TELEVISION*  
9            *TRANSLATOR STATIONS AND LOW POWER*  
10           *TELEVISION STATIONS.—Amounts made*  
11           *available to the TV Broadcaster Relocation*  
12           *Fund by paragraph (1) shall not be avail-*  
13           *able to the Commission to make payments*  
14           *required by subsection (k) after April 13,*  
15           *2020, unless, before making any such pay-*  
16           *ments after such date, the Commission sub-*  
17           *mits to Congress a certification that such*  
18           *payments are necessary to reimburse costs*  
19           *reasonably incurred by a television trans-*  
20           *lator station or low power television station*  
21           *(as such terms are defined in subsection (k))*  
22           *on or after January 1, 2017, in order for*  
23           *such station to relocate its television service*  
24           *from one channel to another channel or oth-*  
25           *erwise modify its facility as a result of the*

1            *reorganization of broadcast television spec-*  
2            *trum under subsection (b).*

3            “(iii) *FOR PAYMENTS TO FM BROAD-*  
4            *CAST STATIONS.—Amounts made available*  
5            *to the TV Broadcaster Relocation Fund by*  
6            *paragraph (1) shall not be available to the*  
7            *Commission to make payments required by*  
8            *subsection (l) after April 13, 2020, unless,*  
9            *before making any such payments after such*  
10           *date, the Commission submits to Congress a*  
11           *certification that such payments are nec-*  
12           *essary to reimburse costs reasonably in-*  
13           *curring by an FM broadcast station (as de-*  
14           *fined in subsection (l)) for facilities nec-*  
15           *essary for such station to reasonably mini-*  
16           *mize disruption of service as a result of the*  
17           *reorganization of broadcast television spec-*  
18           *trum under subsection (b).*

19           “(3) *UNUSED FUNDS RESCINDED AND DEPOS-*  
20           *ITED INTO THE GENERAL FUND OF THE TREASURY.—*

21           “(A) *RESCISSION AND DEPOSIT.—If any*  
22           *unobligated amounts made available to the TV*  
23           *Broadcaster Relocation Fund by paragraph (1)*  
24           *remain in the Fund after the date described in*  
25           *subparagraph (B), such amounts shall be re-*

1           *scinded and deposited into the general fund of*  
2           *the Treasury, where such amounts shall be dedi-*  
3           *cated for the sole purpose of deficit reduction.*

4           “(B) *DATE DESCRIBED.*—*The date described*  
5           *in this subparagraph is the earlier of—*

6                     “(i) *the date of a certification by the*  
7                     *Commission under subparagraph (C) that*  
8                     *all reimbursements pursuant to subsections*  
9                     *(b)(4)(A)(i) and (b)(4)(A)(ii) have been*  
10                    *made and that all reimbursements pursuant*  
11                    *to subsections (k) and (l) have been made;*  
12                    *or*

13                    “(ii) *July 3, 2023.*

14           “(C) *CERTIFICATION.*—*If all reimburse-*  
15           *ments pursuant to subsections (b)(4)(A)(i) and*  
16           *(b)(4)(A)(ii) and all reimbursements pursuant to*  
17           *subsections (k) and (l) have been made before*  
18           *July 3, 2023, the Commission shall submit to the*  
19           *Secretary of the Treasury a certification that all*  
20           *such reimbursements have been made.*

21           “(4) *ADMINISTRATIVE COSTS.*—*The amount of*  
22           *auction proceeds that the salaries and expenses ac-*  
23           *count of the Commission is required to retain under*  
24           *section 309(j)(8)(B) of the Communications Act of*  
25           *1934 (47 U.S.C. 309(j)(8)(B)), including from the*

1        *proceeds of the forward auction under this section,*  
2        *shall be sufficient to cover the administrative costs in-*  
3        *curring by the Commission in making any reimburse-*  
4        *ments out of the TV Broadcaster Relocation Fund*  
5        *from amounts made available to that Fund by para-*  
6        *graph (1).*

7        *“(k) PAYMENT OF RELOCATION COSTS OF TELEVISION*  
8        *TRANSLATOR STATIONS AND LOW POWER TELEVISION STA-*  
9        *TIONS.—*

10            *“(1) PAYMENT REQUIRED.—From amounts made*  
11            *available under subsection (j)(2), the Commission*  
12            *shall reimburse costs reasonably incurred by a tele-*  
13            *vision translator station or low power television sta-*  
14            *tion on or after January 1, 2017, in order for such*  
15            *station to relocate its television service from one chan-*  
16            *nel to another channel or otherwise modify its facility*  
17            *as a result of the reorganization of broadcast tele-*  
18            *vision spectrum under subsection (b). Only stations*  
19            *that are eligible to file and do file an application in*  
20            *the Commission’s Special Displacement Window are*  
21            *eligible to seek reimbursement under this paragraph.*

22            *“(2) LIMITATION.—The Commission may not*  
23            *make reimbursements under paragraph (1) for lost*  
24            *revenues.*

1           “(3) *DUPLICATIVE PAYMENTS PROHIBITED.*—*In*  
2           *the case of a low power television station that has*  
3           *been accorded primary status as a Class A television*  
4           *licensee under section 73.6001(a) of title 47, Code of*  
5           *Federal Regulations—*

6           “(A) *if the licensee of such station has re-*  
7           *ceived reimbursement with respect to such sta-*  
8           *tion under subsection (b)(4)(A)(i) (including*  
9           *from amounts made available under subsection*  
10           *(j)(2)(A)(i), or from any other source, such sta-*  
11           *tion may not receive reimbursement under para-*  
12           *graph (1); and*

13           “(B) *if such station has received reimburse-*  
14           *ment under paragraph (1), the licensee of such*  
15           *station may not receive reimbursement with re-*  
16           *spect to such station under subsection*  
17           *(b)(4)(A)(i).*

18           “(4) *ADDITIONAL LIMITATION.*—*The Commission*  
19           *may not make reimbursement under paragraph (1)*  
20           *for costs incurred to resolve mutually exclusive appli-*  
21           *cations, including costs incurred in any auction of*  
22           *available channels.*

23           “(5) *DEFINITIONS.*—*In this subsection:*

24           “(A) *LOW POWER TELEVISION STATION.*—

25           *The term ‘low power television station’ means a*

1           *low power TV station (as defined in section*  
2           *74.701 of title 47, Code of Federal Regulations)*  
3           *that was licensed and transmitting for at least*  
4           *9 of the 12 months prior to April 13, 2017. For*  
5           *purposes of the preceding sentence, the operation*  
6           *of analog and digital companion facilities may*  
7           *be combined.*

8           “(B) *TELEVISION TRANSLATOR STATION.*—  
9           *The term ‘television translator station’ means a*  
10          *television broadcast translator station (as defined*  
11          *in section 74.701 of title 47, Code of Federal*  
12          *Regulations) that was licensed and transmitting*  
13          *for at least 9 of the 12 months prior to April 13,*  
14          *2017. For purposes of the preceding sentence, the*  
15          *operation of analog and digital companion fa-*  
16          *cilities may be combined.*

17          “(l) *PAYMENT OF RELOCATION COSTS OF FM BROAD-*  
18          *CAST STATIONS.*—

19                 “(1) *PAYMENT REQUIRED.*—

20                 “(A) *IN GENERAL.*—*From amounts made*  
21                 *available under subsection (j)(2), the Commis-*  
22                 *sion shall reimburse costs reasonably incurred by*  
23                 *an FM broadcast station for facilities necessary*  
24                 *for such station to reasonably minimize interrup-*  
25                 *tion of service as a result of the reorganization*

1           of broadcast television spectrum under subsection  
2           (b).

3           “(B) *LIMITATION.*—*The Commission may*  
4           *not make reimbursements under subparagraph*  
5           *(A) for lost revenues.*

6           “(C) *DUPLICATIVE PAYMENTS PROHIB-*  
7           *ITED.*—*If an FM broadcast station has received*  
8           *a payment for interim facilities from the licensee*  
9           *of a television broadcast station that was reim-*  
10          *bursed for such payment under subsection*  
11          *(b)(4)(A)(i) (including from amounts made*  
12          *available under subsection (j)(2)(A)(i)), or from*  
13          *any other source, such FM broadcast station may*  
14          *not receive any reimbursements under subpara-*  
15          *graph (A).*

16          “(2) *FM BROADCAST STATION DEFINED.*—*In this*  
17          *subsection, the term ‘FM broadcast station’ has the*  
18          *meaning given such term in section 73.310 of title 47,*  
19          *Code of Federal Regulations, and includes an FM*  
20          *translator, which has the meaning given the term ‘FM*  
21          *translator’ in section 74.1201 of such title.*

22          “(m) *RULEMAKING.*—

23          “(1) *IN GENERAL.*—*Not later than 1 year after*  
24          *the date of enactment of this subsection, the Commis-*



1        *sion shall complete a rulemaking to implement sub-*  
2        *sections (k) and (l).*

3                “(2) *MATTERS FOR INCLUSION.—The rulemaking*  
4        *completed under paragraph (1) shall include the de-*  
5        *velopment of lists of reasonable eligible costs to be re-*  
6        *imbursed by the Commission pursuant to subsections*  
7        *(k) and (l), and procedures for the submission and re-*  
8        *view of cost estimates and other materials related to*  
9        *those costs consistent with the regulations developed*  
10       *by the Commission pursuant to subsection (b)(4).*

11               “(n) *RULE OF CONSTRUCTION.—*

12               “(1) *Nothing in subsections (j) through (m) shall*  
13       *alter the final transition phase completion date estab-*  
14       *lished by the Commission for full power and Class A*  
15       *television stations.”.*

16               *FEDERAL DEPOSIT INSURANCE CORPORATION*

17               *OFFICE OF THE INSPECTOR GENERAL*

18               *For necessary expenses of the Office of Inspector Gen-*  
19       *eral in carrying out the provisions of the Inspector General*  
20       *Act of 1978, \$39,136,000, to be derived from the Deposit*  
21       *Insurance Fund or, only when appropriate, the FSLIC Res-*  
22       *olution Fund.*

1 *FEDERAL ELECTION COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses to carry out the provisions of*  
4 *the Federal Election Campaign Act of 1971, \$71,250,000,*  
5 *of which not to exceed \$5,000 shall be available for reception*  
6 *and representation expenses.*

7 *FEDERAL LABOR RELATIONS AUTHORITY*8 *SALARIES AND EXPENSES*

9 *For necessary expenses to carry out functions of the*  
10 *Federal Labor Relations Authority, pursuant to Reorga-*  
11 *nization Plan Numbered 2 of 1978, and the Civil Service*  
12 *Reform Act of 1978, including services authorized by 5*  
13 *U.S.C. 3109, and including hire of experts and consultants,*  
14 *hire of passenger motor vehicles, and including official re-*  
15 *ception and representation expenses (not to exceed \$1,500)*  
16 *and rental of conference rooms in the District of Columbia*  
17 *and elsewhere, \$26,200,000: Provided, That public members*  
18 *of the Federal Service Impasses Panel may be paid travel*  
19 *expenses and per diem in lieu of subsistence as authorized*  
20 *by law (5 U.S.C. 5703) for persons employed intermittently*  
21 *in the Government service, and compensation as authorized*  
22 *by 5 U.S.C. 3109: Provided further, That, notwithstanding*  
23 *31 U.S.C. 3302, funds received from fees charged to non-*  
24 *Federal participants at labor-management relations con-*  
25 *ferences shall be credited to and merged with this account,*

1 *to be available without further appropriation for the costs*  
2 *of carrying out these conferences.*

3 *FEDERAL TRADE COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Federal Trade Commis-*  
6 *sion, including uniforms or allowances therefor, as author-*  
7 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*  
8 *U.S.C. 3109; hire of passenger motor vehicles; and not to*  
9 *exceed \$2,000 for official reception and representation ex-*  
10 *penses, \$306,317,000, to remain available until expended:*  
11 *Provided, That not to exceed \$300,000 shall be available*  
12 *for use to contract with a person or persons for collection*  
13 *services in accordance with the terms of 31 U.S.C. 3718:*  
14 *Provided further, That, notwithstanding any other provi-*  
15 *sion of law, not to exceed \$126,000,000 of offsetting collec-*  
16 *tions derived from fees collected for premerger notification*  
17 *filings under the Hart-Scott-Rodino Antitrust Improve-*  
18 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*  
19 *of collection, shall be retained and used for necessary ex-*  
20 *penses in this appropriation: Provided further, That, not-*  
21 *withstanding any other provision of law, not to exceed*  
22 *\$16,000,000 in offsetting collections derived from fees suffi-*  
23 *cient to implement and enforce the Telemarketing Sales*  
24 *Rule, promulgated under the Telemarketing and Consumer*  
25 *Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.),*

1 *shall be credited to this account, and be retained and used*  
2 *for necessary expenses in this appropriation: Provided fur-*  
3 *ther, That the sum herein appropriated from the general*  
4 *fund shall be reduced as such offsetting collections are re-*  
5 *ceived during fiscal year 2018, so as to result in a final*  
6 *fiscal year 2018 appropriation from the general fund esti-*  
7 *mated at not more than \$164,317,000: Provided further,*  
8 *That none of the funds made available to the Federal Trade*  
9 *Commission may be used to implement subsection (e)(2)(B)*  
10 *of section 43 of the Federal Deposit Insurance Act (12*  
11 *U.S.C. 1831t).*

12 *GENERAL SERVICES ADMINISTRATION*

13 *REAL PROPERTY ACTIVITIES*

14 *FEDERAL BUILDINGS FUND*

15 *LIMITATIONS ON AVAILABILITY OF REVENUE*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *Amounts in the Fund, including revenues and collec-*  
18 *tions deposited into the Fund, shall be available for nec-*  
19 *essary expenses of real property management and related*  
20 *activities not otherwise provided for, including operation,*  
21 *maintenance, and protection of federally owned and leased*  
22 *buildings; rental of buildings in the District of Columbia;*  
23 *restoration of leased premises; moving governmental agen-*  
24 *cies (including space adjustments and telecommunications*  
25 *relocation expenses) in connection with the assignment, al-*

1 *location, and transfer of space; contractual services incident*  
2 *to cleaning or servicing buildings, and moving; repair and*  
3 *alteration of federally owned buildings, including grounds,*  
4 *approaches, and appurtenances; care and safeguarding of*  
5 *sites; maintenance, preservation, demolition, and equip-*  
6 *ment; acquisition of buildings and sites by purchase, con-*  
7 *demnation, or as otherwise authorized by law; acquisition*  
8 *of options to purchase buildings and sites; conversion and*  
9 *extension of federally owned buildings; preliminary plan-*  
10 *ning and design of projects by contract or otherwise; con-*  
11 *struction of new buildings (including equipment for such*  
12 *buildings); and payment of principal, interest, and any*  
13 *other obligations for public buildings acquired by install-*  
14 *ment purchase and purchase contract; in the aggregate*  
15 *amount of \$9,073,938,000, of which—*

16           (1) *\$692,069,000 shall remain available until ex-*  
17           *pended for construction and acquisition (including*  
18           *funds for sites and expenses, and associated design*  
19           *and construction services) as follows:*

20                   (A) *\$132,979,000 shall be for the Alexandria*  
21                   *Bay, New York, Land Port of Entry;*

22                   (B) *\$121,848,000 shall be for the San*  
23                   *Diego, California, Otay Mesa Land Port of*  
24                   *Entry;*

1           (C) \$137,242,000 shall be for the Harris-  
2           burg, Pennsylvania, United States Courthouse,  
3           as requested by the Federal Judiciary;

4           (D) \$110,000,000 shall be for the Hunts-  
5           ville, Alabama, United States Courthouse, as re-  
6           quested by the Federal Judiciary;

7           (E) \$190,000,000 shall be for the Fort Lau-  
8           derdale, Florida, United States Courthouse, as  
9           requested by the Federal Judiciary:

10          *Provided, That each of the foregoing limits of costs on*  
11          *new construction and acquisition projects may be ex-*  
12          *ceeded to the extent that savings are effected in other*  
13          *such projects, but not to exceed 10 percent of the*  
14          *amounts included in a transmitted prospectus, if re-*  
15          *quired, unless advance approval is obtained from the*  
16          *Committees on Appropriations of a greater amount;*

17          (2) \$666,335,000 shall remain available until ex-  
18          pended for repairs and alterations, including associ-  
19          ated design and construction services, of which—

20               (A) \$289,245,000 is for Major Repairs and  
21               Alterations;

22               (B) \$312,090,000 is for Basic Repairs and  
23               Alterations; and

24               (C) \$65,000,000 is for Special Emphasis  
25               Programs, of which—

1                   (i) \$25,000,000 is for Fire and Life  
2                   Safety;  
3                   (ii) \$20,000,000 is for Judiciary Cap-  
4                   ital Security; and  
5                   (iii) \$20,000,000 is for Consolidation  
6                   Activities: Provided, That consolidation  
7                   projects result in reduced annual rent paid  
8                   by the tenant agency: Provided further,  
9                   That no consolidation project exceed  
10                  \$10,000,000 in costs: Provided further, That  
11                  consolidation projects are approved by each  
12                  of the committees specified in section  
13                  3307(a) of title 40, United States Code:  
14                  Provided further, That preference is given to  
15                  consolidation projects that achieve a utiliza-  
16                  tion rate of 130 usable square feet or less  
17                  per person for office space: Provided further,  
18                  That the obligation of funds under this  
19                  paragraph for consolidation activities may  
20                  not be made until 10 days after a proposed  
21                  spending plan and explanation for each  
22                  project to be undertaken, including esti-  
23                  mated savings, has been submitted to the  
24                  Committees on Appropriations of the House  
25                  of Representatives and the Senate:

1       *Provided, That funds made available in this or any*  
2       *previous Act in the Federal Buildings Fund for Re-*  
3       *pairs and Alterations shall, for prospectus projects, be*  
4       *limited to the amount identified for each project, ex-*  
5       *cept each project in this or any previous Act may be*  
6       *increased by an amount not to exceed 10 percent un-*  
7       *less advance approval is obtained from the Commit-*  
8       *tees on Appropriations of a greater amount: Provided*  
9       *further, That additional projects for which*  
10       *prospectuses have been fully approved may be funded*  
11       *under this category only if advance approval is ob-*  
12       *tained from the Committees on Appropriations: Pro-*  
13       *vided further, That the amounts provided in this or*  
14       *any prior Act for “Repairs and Alterations” may be*  
15       *used to fund costs associated with implementing secu-*  
16       *rity improvements to buildings necessary to meet the*  
17       *minimum standards for security in accordance with*  
18       *current law and in compliance with the reprogram-*  
19       *ming guidelines of the appropriate Committees of the*  
20       *House and Senate: Provided further, That the dif-*  
21       *ference between the funds appropriated and expended*  
22       *on any projects in this or any prior Act, under the*  
23       *heading “Repairs and Alterations”, may be trans-*  
24       *ferred to Basic Repairs and Alterations or used to*  
25       *fund authorized increases in prospectus projects: Pro-*



1        *vided further, That the amount provided in this or*  
2        *any prior Act for Basic Repairs and Alterations may*  
3        *be used to pay claims against the Government arising*  
4        *from any projects under the heading “Repairs and*  
5        *Alterations” or used to fund authorized increases in*  
6        *prospectus projects;*

7                *(3) \$5,493,768,000 for rental of space to remain*  
8        *available until expended; and*

9                *(4) \$2,221,766,000 for building operations to re-*  
10        *main available until expended, of which*  
11        *\$1,146,089,000 is for building services, and*  
12        *\$1,075,677,000 is for salaries and expenses: Provided,*  
13        *That not to exceed 5 percent of any appropriation*  
14        *made available under this paragraph for building op-*  
15        *erations may be transferred between and merged with*  
16        *such appropriations upon notification to the Commit-*  
17        *tees on Appropriations of the House of Representa-*  
18        *tives and the Senate, but no such appropriation shall*  
19        *be increased by more than 5 percent by any such*  
20        *transfers: Provided further, That section 521 of this*  
21        *title shall not apply with respect to funds made avail-*  
22        *able under this heading for building operations: Pro-*  
23        *vided further, That the total amount of funds made*  
24        *available from this Fund to the General Services Ad-*  
25        *ministration shall not be available for expenses of any*

1     *construction, repair, alteration and acquisition*  
2     *project for which a prospectus, if required by 40*  
3     *U.S.C. 3307(a), has not been approved, except that*  
4     *necessary funds may be expended for each project for*  
5     *required expenses for the development of a proposed*  
6     *prospectus: Provided further, That funds available in*  
7     *the Federal Buildings Fund may be expended for*  
8     *emergency repairs when advance approval is obtained*  
9     *from the Committees on Appropriations: Provided*  
10    *further, That amounts necessary to provide reimburs-*  
11    *able special services to other agencies under 40 U.S.C.*  
12    *592(b)(2) and amounts to provide such reimbursable*  
13    *fencing, lighting, guard booths, and other facilities on*  
14    *private or other property not in Government owner-*  
15    *ship or control as may be appropriate to enable the*  
16    *United States Secret Service to perform its protective*  
17    *functions pursuant to 18 U.S.C. 3056, shall be avail-*  
18    *able from such revenues and collections: Provided fur-*  
19    *ther, That revenues and collections and any other*  
20    *sums accruing to this Fund during fiscal year 2018,*  
21    *excluding reimbursements under 40 U.S.C. 592(b)(2),*  
22    *in excess of the aggregate new obligational authority*  
23    *authorized for Real Property Activities of the Federal*  
24    *Buildings Fund in this Act shall remain in the Fund*

1        *and shall not be available for expenditure except as*  
2        *authorized in appropriations Acts.*

3                                *GENERAL ACTIVITIES*

4                                *GOVERNMENT-WIDE POLICY*

5        *For expenses authorized by law, not otherwise provided*  
6        *for, for Government-wide policy and evaluation activities*  
7        *associated with the management of real and personal prop-*  
8        *erty assets and certain administrative services; Govern-*  
9        *ment-wide policy support responsibilities relating to acqui-*  
10       *sition, travel, motor vehicles, information technology man-*  
11       *agement, and related technology activities; and services as*  
12       *authorized by 5 U.S.C. 3109; \$53,499,000.*

13                                *OPERATING EXPENSES*

14       *For expenses authorized by law, not otherwise provided*  
15       *for, for Government-wide activities associated with utiliza-*  
16       *tion and donation of surplus personal property; disposal*  
17       *of real property; agency-wide policy direction, manage-*  
18       *ment, and communications; and services as authorized by*  
19       *5 U.S.C. 3109; \$45,645,000, of which \$24,357,000 is for*  
20       *Real and Personal Property Management and Disposal;*  
21       *\$21,288,000 is for the Office of the Administrator, of which*  
22       *not to exceed \$7,500 is for official reception and representa-*  
23       *tion expenses.*

1                    *CIVILIAN BOARD OF CONTRACT APPEALS*

2            *For expenses authorized by law, not otherwise provided*  
3 *for, for the activities associated with the Civilian Board of*  
4 *Contract Appeals, \$8,795,000.*

5                    *OFFICE OF INSPECTOR GENERAL*

6            *For necessary expenses of the Office of Inspector Gen-*  
7 *eral and service authorized by 5 U.S.C. 3109, \$65,000,000:*  
8 *Provided, That not to exceed \$50,000 shall be available for*  
9 *payment for information and detection of fraud against the*  
10 *Government, including payment for recovery of stolen Gov-*  
11 *ernment property: Provided further, That not to exceed*  
12 *\$2,500 shall be available for awards to employees of other*  
13 *Federal agencies and private citizens in recognition of ef-*  
14 *forts and initiatives resulting in enhanced Office of Inspec-*  
15 *tor General effectiveness.*

16                    *ALLOWANCES AND OFFICE STAFF FOR FORMER*17                    *PRESIDENTS*

18            *For carrying out the provisions of the Act of August*  
19 *25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,*  
20 *\$4,754,000.*

21                    *FEDERAL CITIZEN SERVICES FUND*22                    *(INCLUDING TRANSFERS OF FUNDS)*

23            *For necessary expenses of the Office of Products and*  
24 *Programs, including services authorized by 40 U.S.C. 323*  
25 *and 44 U.S.C. 3604; and for necessary expenses in support*

1 *of interagency projects that enable the Federal Government*  
2 *to enhance its ability to conduct activities electronically,*  
3 *through the development and implementation of innovative*  
4 *uses of information technology; \$50,000,000, to be deposited*  
5 *into the Federal Citizen Services Fund: Provided, That the*  
6 *previous amount may be transferred to Federal agencies to*  
7 *carry out the purpose of the Federal Citizen Services Fund:*  
8 *Provided further, That the appropriations, revenues, reim-*  
9 *bursments, and collections deposited into the Fund shall*  
10 *be available until expended for necessary expenses of Fed-*  
11 *eral Citizen Services and other activities that enable the*  
12 *Federal Government to enhance its ability to conduct ac-*  
13 *tivities electronically in the aggregate amount not to exceed*  
14 *\$100,000,000: Provided further, That appropriations, reve-*  
15 *nues, reimbursements, and collections accruing to this Fund*  
16 *during fiscal year 2018 in excess of such amount shall re-*  
17 *main in the Fund and shall not be available for expenditure*  
18 *except as authorized in appropriations Acts: Provided fur-*  
19 *ther, That any appropriations provided to the Electronic*  
20 *Government Fund that remain unobligated may be trans-*  
21 *ferred to the Federal Citizen Services Fund: Provided fur-*  
22 *ther, That the transfer authorities provided herein shall be*  
23 *in addition to any other transfer authority provided in this*  
24 *Act.*

1                    *TECHNOLOGY MODERNIZATION FUND*

2            *For the Technology Modernization Fund,*  
3 *\$100,000,000, to remain available until expended, for tech-*  
4 *nology-related modernization activities.*

5                    *ASSET PROCEEDS AND SPACE MANAGEMENT FUND*

6            *For carrying out the purposes of the Federal Assets*  
7 *Sale and Transfer Act of 2016 (Public Law 114–287),*  
8 *\$5,000,000, to be deposited into the Asset Proceeds and*  
9 *Space Management Fund, to remain available until ex-*  
10 *pended.*

11                    *ENVIRONMENTAL REVIEW IMPROVEMENT FUND*

12            *For necessary expenses of the Environmental Review*  
13 *Improvement Fund established pursuant to 42 U.S.C.*  
14 *4370m-8(d), \$1,000,000, to remain available until ex-*  
15 *pended.*

16                    *ADMINISTRATIVE PROVISIONS—GENERAL SERVICES*

17                                    *ADMINISTRATION*

18                                    *(INCLUDING TRANSFER OF FUNDS)*

19            *SEC. 520. Funds available to the General Services Ad-*  
20 *ministration shall be available for the hire of passenger*  
21 *motor vehicles.*

22            *SEC. 521. Funds in the Federal Buildings Fund made*  
23 *available for fiscal year 2018 for Federal Buildings Fund*  
24 *activities may be transferred between such activities only*  
25 *to the extent necessary to meet program requirements: Pro-*

1 *vided, That any proposed transfers shall be approved in ad-*  
2 *vance by the Committees on Appropriations of the House*  
3 *of Representatives and the Senate.*

4       *SEC. 522. Except as otherwise provided in this title,*  
5 *funds made available by this Act shall be used to transmit*  
6 *a fiscal year 2019 request for United States Courthouse con-*  
7 *struction only if the request: (1) meets the design guide*  
8 *standards for construction as established and approved by*  
9 *the General Services Administration, the Judicial Con-*  
10 *ference of the United States, and the Office of Management*  
11 *and Budget; (2) reflects the priorities of the Judicial Con-*  
12 *ference of the United States as set out in its approved*  
13 *Courthouse Project Priorities plan; and (3) includes a*  
14 *standardized courtroom utilization study of each facility to*  
15 *be constructed, replaced, or expanded.*

16       *SEC. 523. None of the funds provided in this Act may*  
17 *be used to increase the amount of occupiable square feet,*  
18 *provide cleaning services, security enhancements, or any*  
19 *other service usually provided through the Federal Build-*  
20 *ings Fund, to any agency that does not pay the rate per*  
21 *square foot assessment for space and services as determined*  
22 *by the General Services Administration in consideration of*  
23 *the Public Buildings Amendments Act of 1972 (Public Law*  
24 *92-313).*

1        *SEC. 524. From funds made available under the head-*  
2 *ing Federal Buildings Fund, Limitations on Availability*  
3 *of Revenue, claims against the Government of less than*  
4 *\$250,000 arising from direct construction projects and ac-*  
5 *quisition of buildings may be liquidated from savings ef-*  
6 *fecting in other construction projects with prior notification*  
7 *to the Committees on Appropriations of the House of Rep-*  
8 *resentatives and the Senate.*

9        *SEC. 525. In any case in which the Committee on*  
10 *Transportation and Infrastructure of the House of Rep-*  
11 *resentatives and the Committee on Environment and Public*  
12 *Works of the Senate adopt a resolution granting lease au-*  
13 *thority pursuant to a prospectus transmitted to Congress*  
14 *by the Administrator of the General Services Administra-*  
15 *tion under 40 U.S.C. 3307, the Administrator shall ensure*  
16 *that the delineated area of procurement is identical to the*  
17 *delineated area included in the prospectus for all lease*  
18 *agreements, except that, if the Administrator determines*  
19 *that the delineated area of the procurement should not be*  
20 *identical to the delineated area included in the prospectus,*  
21 *the Administrator shall provide an explanatory statement*  
22 *to each of such committees and the Committees on Appro-*  
23 *priations of the House of Representatives and the Senate*  
24 *prior to exercising any lease authority provided in the reso-*  
25 *lution.*



1        *SEC. 526. With respect to each project funded under*  
2 *the heading “Major Repairs and Alterations” or “Judiciary*  
3 *Capital Security Program”, and with respect to E-Govern-*  
4 *ment projects funded under the heading “Federal Citizen*  
5 *Services Fund”, the Administrator of General Services shall*  
6 *submit a spending plan and explanation for each project*  
7 *to be undertaken to the Committees on Appropriations of*  
8 *the House of Representatives and the Senate not later than*  
9 *60 days after the date of enactment of this Act.*

10        *SEC. 527. Section 16 of the Federal Assets Sale and*  
11 *Transfer Act of 2016 (Public Law 114–287) is amended—*

12            *(1) by inserting the following at the end of sub-*  
13 *paragraph (a)(1): “The Account shall be under the*  
14 *custody and control of the Chairperson of the Board*  
15 *and deposits in the Account shall remain available*  
16 *until expended.”;*

17            *(2) by striking subparagraph (b)(1) and insert-*  
18 *ing in lieu thereof the following:*

19            *“(1) ESTABLISHMENT.—There is established in*  
20 *the Treasury of the United States an account to be*  
21 *known as the ‘Public Buildings Reform Board—Asset*  
22 *Proceeds and Space Management Fund’ (in this sub-*  
23 *section referred to as the ‘Fund’). The Fund shall be*  
24 *under the custody and control of the Administrator of*

1        *General Services and deposits in the Fund shall re-*  
2        *main available until expended.”.*

3            *HARRY S TRUMAN SCHOLARSHIP FOUNDATION*

4                    *SALARIES AND EXPENSES*

5        *For payment to the Harry S Truman Scholarship*  
6        *Foundation Trust Fund, established by section 10 of Public*  
7        *Law 93-642, \$1,000,000, to remain available until ex-*  
8        *pended.*

9            *MERIT SYSTEMS PROTECTION BOARD*

10                   *SALARIES AND EXPENSES*

11                   *(INCLUDING TRANSFER OF FUNDS)*

12        *For necessary expenses to carry out functions of the*  
13        *Merit Systems Protection Board pursuant to Reorganiza-*  
14        *tion Plan Numbered 2 of 1978, the Civil Service Reform*  
15        *Act of 1978, and the Whistleblower Protection Act of 1989*  
16        *(5 U.S.C. 5509 note), including services as authorized by*  
17        *5 U.S.C. 3109, rental of conference rooms in the District*  
18        *of Columbia and elsewhere, hire of passenger motor vehicles,*  
19        *direct procurement of survey printing, and not to exceed*  
20        *\$2,000 for official reception and representation expenses,*  
21        *\$44,490,000, to remain available until September 30, 2019,*  
22        *and in addition not to exceed \$2,345,000, to remain avail-*  
23        *able until September 30, 2019, for administrative expenses*  
24        *to adjudicate retirement appeals to be transferred from the*

1 *Civil Service Retirement and Disability Fund in amounts*  
2 *determined by the Merit Systems Protection Board.*

3 *MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION*

4 *MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For payment to the Morris K. Udall and Stewart L.*  
7 *Udall Trust Fund, pursuant to the Morris K. Udall and*  
8 *Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.),*  
9 *\$1,975,000, to remain available until expended, of which,*  
10 *notwithstanding sections 8 and 9 of such Act: (1) up to*  
11 *\$50,000 shall be used to conduct financial audits pursuant*  
12 *to the Accountability of Tax Dollars Act of 2002 (Public*  
13 *Law 107–289); and (2) up to \$1,000,000 shall be available*  
14 *to carry out the activities authorized by section 6(7) of Pub-*  
15 *lic Law 102–259 and section 817(a) of Public Law 106–*  
16 *568 (20 U.S.C. 5604(7)): Provided, That of the total*  
17 *amount made available under this heading \$200,000 shall*  
18 *be transferred to the Office of Inspector General of the De-*  
19 *partment of the Interior, to remain available until ex-*  
20 *pended, for audits and investigations of the Morris K. Udall*  
21 *and Stewart L. Udall Foundation, consistent with the In-*  
22 *pector General Act of 1978 (5 U.S.C. App.).*

23 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

24 *For payment to the Environmental Dispute Resolution*  
25 *Fund to carry out activities authorized in the Environ-*

1 *mental Policy and Conflict Resolution Act of 1998,*  
2 *\$3,366,000, to remain available until expended.*

3 *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

4 *OPERATING EXPENSES*

5 *For necessary expenses in connection with the admin-*  
6 *istration of the National Archives and Records Administra-*  
7 *tion and archived Federal records and related activities, as*  
8 *provided by law, and for expenses necessary for the review*  
9 *and declassification of documents, the activities of the Pub-*  
10 *lic Interest Declassification Board, the operations and*  
11 *maintenance of the electronic records archives, the hire of*  
12 *passenger motor vehicles, and for uniforms or allowances*  
13 *therefor, as authorized by law (5 U.S.C. 5901), including*  
14 *maintenance, repairs, and cleaning, \$384,911,000, of which*  
15 *\$7,500,000 shall remain available until expended for the re-*  
16 *pair, alteration, and improvement of an additional leased*  
17 *facility to provide adequate storage for holdings of the*  
18 *House of Representatives and the Senate.*

19 *OFFICE OF INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*  
21 *eral in carrying out the provisions of the Inspector General*  
22 *Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–*  
23 *16 (2008), and the Inspector General Act of 1978 (5 U.S.C.*  
24 *App.), and for the hire of passenger motor vehicles,*  
25 *\$4,801,000.*

1                               *REPAIRS AND RESTORATION*

2           *For the repair, alteration, and improvement of ar-*  
3 *chives facilities, and to provide adequate storage for hold-*  
4 *ings, \$7,500,000, to remain available until expended.*

5                               *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*6   *COMMISSION*7   *GRANTS PROGRAM*

8           *For necessary expenses for allocations and grants for*  
9 *historical publications and records as authorized by 44*  
10 *U.S.C. 2504, \$6,000,000, to remain available until ex-*  
11 *pended.*

12                               *NATIONAL CREDIT UNION ADMINISTRATION*13                               *COMMUNITY DEVELOPMENT REVOLVING LOAN FUND*

14           *For the Community Development Revolving Loan*  
15 *Fund program as authorized by 42 U.S.C. 9812, 9822 and*  
16 *9910, \$2,000,000 shall be available until September 30,*  
17 *2019, for technical assistance to low-income designated*  
18 *credit unions.*

19                               *OFFICE OF GOVERNMENT ETHICS*20   *SALARIES AND EXPENSES*

21           *For necessary expenses to carry out functions of the*  
22 *Office of Government Ethics pursuant to the Ethics in Gov-*  
23 *ernment Act of 1978, the Ethics Reform Act of 1989, and*  
24 *the Stop Trading on Congressional Knowledge Act of 2012,*  
25 *including services as authorized by 5 U.S.C. 3109, rental*

1 of conference rooms in the District of Columbia and else-  
2 where, hire of passenger motor vehicles, and not to exceed  
3 \$1,500 for official reception and representation expenses,  
4 \$16,439,000.

5 *OFFICE OF PERSONNEL MANAGEMENT*

6 *SALARIES AND EXPENSES*

7 *(INCLUDING TRANSFER OF TRUST FUNDS)*

8 *For necessary expenses to carry out functions of the*  
9 *Office of Personnel Management (OPM) pursuant to Reor-*  
10 *ganization Plan Numbered 2 of 1978 and the Civil Service*  
11 *Reform Act of 1978, including services as authorized by 5*  
12 *U.S.C. 3109; medical examinations performed for veterans*  
13 *by private physicians on a fee basis; rental of conference*  
14 *rooms in the District of Columbia and elsewhere; hire of*  
15 *passenger motor vehicles; not to exceed \$2,500 for official*  
16 *reception and representation expenses; advances for reim-*  
17 *bursements to applicable funds of OPM and the Federal Bu-*  
18 *reau of Investigation for expenses incurred under Executive*  
19 *Order No. 10422 of January 9, 1953, as amended; and pay-*  
20 *ment of per diem and/or subsistence allowances to employ-*  
21 *ees where Voting Rights Act activities require an employee*  
22 *to remain overnight at his or her post of duty,*  
23 *\$129,341,000: Provided, That of the total amount made*  
24 *available under this heading, not to exceed \$21,000,000*  
25 *shall remain available until September 30, 2019, for infor-*

1 *mation technology infrastructure modernization and Trust*  
2 *Fund Federal Financial System migration or moderniza-*  
3 *tion, and shall be in addition to funds otherwise made*  
4 *available for such purposes upon submitting to the Commit-*  
5 *tees on Appropriations of the Senate and House of Rep-*  
6 *resentatives the plan of expenditure as required by the*  
7 *“Consolidated Appropriations Act, 2017”:* *Provided further,*  
8 *That the amount made available by the previous proviso*  
9 *may not be obligated until the Director of the Office of Per-*  
10 *sonnel Management submits to the Committees on Appro-*  
11 *priations of the Senate and the House of Representatives*  
12 *within 90 days of enactment a plan for expenditure of such*  
13 *amount, prepared in consultation with the Director of the*  
14 *Office of Management and Budget, the Administrator of the*  
15 *United States Digital Service, and the Secretary of Home-*  
16 *land Security, that—*

17           (1) *identifies the full scope and cost of the IT*  
18           *systems remediation and stabilization project;*

19           (2) *meets the capital planning and investment*  
20           *control review requirements established by the Office*  
21           *of Management and Budget, including Circular A–11,*  
22           *part 7;*

23           (3) *includes a Major IT Business Case under the*  
24           *requirements established by the Office of Management*  
25           *and Budget Exhibit 300;*

1           (4) *complies with the acquisition rules, require-*  
2           *ments, guidelines, and systems acquisition manage-*  
3           *ment practices of the Government;*

4           (5) *complies with all Office of Management and*  
5           *Budget, Department of Homeland Security and Na-*  
6           *tional Institute of Standards and Technology require-*  
7           *ments related to securing the agency's information*  
8           *system as described in 44 U.S.C. 3554; and*

9           (6) *is reviewed and commented upon within 60*  
10          *days of plan development by the Inspector General of*  
11          *the Office of Personnel Management, and such com-*  
12          *ments are submitted to the Director of the Office of*  
13          *Personnel Management before the date of such submis-*  
14          *sion:*

15          *Provided further, That of the total amount made available*  
16          *under this heading, \$584,000 may be made available for*  
17          *strengthening the capacity and capabilities of the acquisi-*  
18          *tion workforce (as defined by the Office of Federal Procure-*  
19          *ment Policy Act, as amended (41 U.S.C. 4001 et seq.)), in-*  
20          *cluding the recruitment, hiring, training, and retention of*  
21          *such workforce and information technology in support of*  
22          *acquisition workforce effectiveness or for management solu-*  
23          *tions to improve acquisition management; and in addition*  
24          *\$131,414,000 for administrative expenses, to be transferred*  
25          *from the appropriate trust funds of OPM without regard*



1 *to other statutes, including direct procurement of printed*  
2 *materials, for the retirement and insurance programs: Pro-*  
3 *vided further, That the provisions of this appropriation*  
4 *shall not affect the authority to use applicable trust funds*  
5 *as provided by sections 8348(a)(1)(B), 8958(f)(2)(A),*  
6 *8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States*  
7 *Code: Provided further, That no part of this appropriation*  
8 *shall be available for salaries and expenses of the Legal Ex-*  
9 *amining Unit of OPM established pursuant to Executive*  
10 *Order No. 9358 of July 1, 1943, or any successor unit of*  
11 *like purpose: Provided further, That the President's Com-*  
12 *mission on White House Fellows, established by Executive*  
13 *Order No. 11183 of October 3, 1964, may, during fiscal year*  
14 *2018, accept donations of money, property, and personal*  
15 *services: Provided further, That such donations, including*  
16 *those from prior years, may be used for the development*  
17 *of publicity materials to provide information about the*  
18 *White House Fellows, except that no such donations shall*  
19 *be accepted for travel or reimbursement of travel expenses,*  
20 *or for the salaries of employees of such Commission.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *SALARIES AND EXPENSES*

23 *(INCLUDING TRANSFER OF TRUST FUNDS)*

24 *For necessary expenses of the Office of Inspector Gen-*  
25 *eral in carrying out the provisions of the Inspector General*

1 *Act of 1978, including services as authorized by 5 U.S.C.*  
2 *3109, hire of passenger motor vehicles, \$5,000,000, and in*  
3 *addition, not to exceed \$25,000,000 for administrative ex-*  
4 *penses to audit, investigate, and provide other oversight of*  
5 *the Office of Personnel Management's retirement and insur-*  
6 *ance programs, to be transferred from the appropriate trust*  
7 *funds of the Office of Personnel Management, as determined*  
8 *by the Inspector General: Provided, That the Inspector Gen-*  
9 *eral is authorized to rent conference rooms in the District*  
10 *of Columbia and elsewhere.*

11 *OFFICE OF SPECIAL COUNSEL*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses to carry out functions of the*  
14 *Office of Special Counsel pursuant to Reorganization Plan*  
15 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*  
16 *(Public Law 95-454), the Whistleblower Protection Act of*  
17 *1989 (Public Law 101-12) as amended by Public Law 107-*  
18 *304, the Whistleblower Protection Enhancement Act of 2012*  
19 *(Public Law 112-199), and the Uniformed Services Em-*  
20 *ployment and Reemployment Rights Act of 1994 (Public*  
21 *Law 103-353), including services as authorized by 5 U.S.C.*  
22 *3109, payment of fees and expenses for witnesses, rental of*  
23 *conference rooms in the District of Columbia and elsewhere,*  
24 *and hire of passenger motor vehicles; \$26,535,000.*

1                    *POSTAL REGULATORY COMMISSION*2                    *SALARIES AND EXPENSES*3                    *(INCLUDING TRANSFER OF FUNDS)*

4            *For necessary expenses of the Postal Regulatory Com-*  
5 *mission in carrying out the provisions of the Postal Ac-*  
6 *countability and Enhancement Act (Public Law 109–435),*  
7 *\$15,200,000, to be derived by transfer from the Postal Serv-*  
8 *ice Fund and expended as authorized by section 603(a) of*  
9 *such Act.*

10                  *PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD*11                  *SALARIES AND EXPENSES*

12            *For necessary expenses of the Privacy and Civil Lib-*  
13 *erties Oversight Board, as authorized by section 1061 of the*  
14 *Intelligence Reform and Terrorism Prevention Act of 2004*  
15 *(42 U.S.C. 2000ee), \$8,000,000, to remain available until*  
16 *September 30, 2019.*

17                  *PUBLIC BUILDINGS REFORM BOARD*18                  *SALARIES AND EXPENSES*

19            *For salaries and expenses of the Public Buildings Re-*  
20 *form Board in carrying out the Federal Assets Sale and*  
21 *Transfer Act of 2016 (Public Law 114–287), \$5,000,000,*  
22 *to remain available until expended.*

1            *SECURITIES AND EXCHANGE COMMISSION*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses for the Securities and Exchange*  
4 *Commission, including services as authorized by 5 U.S.C.*  
5 *3109, the rental of space (to include multiple year leases)*  
6 *in the District of Columbia and elsewhere, and not to exceed*  
7 *\$3,500 for official reception and representation expenses,*  
8 *\$1,652,000,000, to remain available until expended; of*  
9 *which funding for information technology initiatives shall*  
10 *be increased over the fiscal year 2017 level by not less than*  
11 *\$45,000,000; of which not less than \$14,748,358 shall be for*  
12 *the Office of Inspector General; of which not to exceed*  
13 *\$75,000 shall be available for a permanent secretariat for*  
14 *the International Organization of Securities Commissions;*  
15 *and of which not to exceed \$100,000 shall be available for*  
16 *expenses for consultations and meetings hosted by the Com-*  
17 *mission with foreign governmental and other regulatory of-*  
18 *icials, members of their delegations and staffs to exchange*  
19 *views concerning securities matters, such expenses to in-*  
20 *clude necessary logistic and administrative expenses and*  
21 *the expenses of Commission staff and foreign invitees in at-*  
22 *tendance including: (1) incidental expenses such as meals;*  
23 *(2) travel and transportation; and (3) related lodging or*  
24 *subsistence; and of which not less than \$68,950,000 shall*  
25 *be for the Division of Economic and Risk Analysis.*

1        *In addition to the foregoing appropriation, for costs*  
2 *associated with relocation under a replacement lease for the*  
3 *Commission's headquarters facilities, not to exceed*  
4 *\$244,507,052, to remain available until expended: Pro-*  
5 *vided, That for purposes of calculating the fee rate under*  
6 *section 31(j) of the Securities Exchange Act of 1934 (15*  
7 *U.S.C. 78ee(j)) for fiscal year 2018, all amounts appro-*  
8 *priated under this heading shall be deemed to be the regular*  
9 *appropriation to the Commission for fiscal year 2018: Pro-*  
10 *vided further, That fees and charges authorized by section*  
11 *31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)*  
12 *shall be credited to this account as offsetting collections:*  
13 *Provided further, That not to exceed \$1,652,000,000 of such*  
14 *offsetting collections shall be available until expended for*  
15 *necessary expenses of this account and not to exceed*  
16 *\$244,507,052 of such offsetting collections shall be available*  
17 *until expended for costs under this heading associated with*  
18 *relocation under a replacement lease for the Commission's*  
19 *headquarters facilities: Provided further, That the total*  
20 *amount appropriated under this heading from the general*  
21 *fund for fiscal year 2018 shall be reduced as such offsetting*  
22 *fees are received so as to result in a final total fiscal year*  
23 *2018 appropriation from the general fund estimated at not*  
24 *more than \$0: Provided further, That if any amount of the*  
25 *appropriation for costs associated with relocation under a*

1 replacement lease for the Commission's headquarters facili-  
2 ties is subsequently de-obligated by the Commission, such  
3 amount that was derived from the general fund shall be re-  
4 turned to the general fund, and such amounts that were  
5 derived from fees or assessments collected for such purpose  
6 shall be paid to each national securities exchange and na-  
7 tional securities association, respectively, in proportion to  
8 any fees or assessments paid by such national securities ex-  
9 change or national securities association under section 31  
10 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)  
11 in fiscal year 2018.

12 *SELECTIVE SERVICE SYSTEM*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Selective Service System,*  
15 *including expenses of attendance at meetings and of train-*  
16 *ing for uniformed personnel assigned to the Selective Serv-*  
17 *ice System, as authorized by 5 U.S.C. 4101–4118 for civil-*  
18 *ian employees; hire of passenger motor vehicles; services as*  
19 *authorized by 5 U.S.C. 3109; and not to exceed \$750 for*  
20 *official reception and representation expenses; \$22,900,000:*  
21 *Provided, That during the current fiscal year, the President*  
22 *may exempt this appropriation from the provisions of 31*  
23 *U.S.C. 1341, whenever the President deems such action to*  
24 *be necessary in the interest of national defense: Provided*  
25 *further, That none of the funds appropriated by this Act*

1 *may be expended for or in connection with the induction*  
2 *of any person into the Armed Forces of the United States.*

3 *SMALL BUSINESS ADMINISTRATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses, not otherwise provided for, of*  
6 *the Small Business Administration, including hire of pas-*  
7 *senger motor vehicles as authorized by sections 1343 and*  
8 *1344 of title 31, United States Code, and not to exceed*  
9 *\$3,500 for official reception and representation expenses,*  
10 *\$268,500,000, of which not less than \$12,000,000 shall be*  
11 *available for examinations, reviews, and other lender over-*  
12 *sight activities: Provided, That the Administrator is au-*  
13 *thorized to charge fees to cover the cost of publications devel-*  
14 *oped by the Small Business Administration, and certain*  
15 *loan program activities, including fees authorized by sec-*  
16 *tion 5(b) of the Small Business Act: Provided further, That,*  
17 *notwithstanding 31 U.S.C. 3302, revenues received from all*  
18 *such activities shall be credited to this account, to remain*  
19 *available until expended, for carrying out these purposes*  
20 *without further appropriations: Provided further, That the*  
21 *Small Business Administration may accept gifts in an*  
22 *amount not to exceed \$4,000,000 and may co-sponsor ac-*  
23 *tivities, each in accordance with section 132(a) of division*  
24 *K of Public Law 108-447, during fiscal year 2018: Pro-*  
25 *vided further, That \$6,100,000 shall be available for the*

1 *Loan Modernization and Accounting System, to be avail-*  
2 *able until September 30, 2019: Provided further, That*  
3 *\$3,000,000 shall be for the Federal and State Technology*  
4 *Partnership Program under section 34 of the Small Busi-*  
5 *ness Act (15 U.S.C. 657d).*

6 *ENTREPRENEURIAL DEVELOPMENT PROGRAMS*

7 *For necessary expenses of programs supporting entre-*  
8 *preneurial and small business development, \$247,100,000,*  
9 *to remain available until September 30, 2019: Provided,*  
10 *That \$130,000,000 shall be available to fund grants for per-*  
11 *formance in fiscal year 2018 or fiscal year 2019 as author-*  
12 *ized by section 21 of the Small Business Act: Provided fur-*  
13 *ther, That \$31,000,000 shall be for marketing, management,*  
14 *and technical assistance under section 7(m) of the Small*  
15 *Business Act (15 U.S.C. 636(m)(4)) by intermediaries that*  
16 *make microloans under the microloan program: Provided*  
17 *further, That \$18,000,000 shall be available for grants to*  
18 *States to carry out export programs that assist small busi-*  
19 *ness concerns authorized under section 22(l) of the Small*  
20 *Business Act (15 U.S.C. 649(l)).*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For necessary expenses of the Office of Inspector Gen-*  
23 *eral in carrying out the provisions of the Inspector General*  
24 *Act of 1978, \$19,900,000.*



## 1 OFFICE OF ADVOCACY

2 *For necessary expenses of the Office of Advocacy in*  
3 *carrying out the provisions of title II of Public Law 94–*  
4 *305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility*  
5 *Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to remain*  
6 *available until expended.*

## 7 BUSINESS LOANS PROGRAM ACCOUNT

## 8 (INCLUDING TRANSFER OF FUNDS)

9 *For the cost of direct loans, \$3,438,172, to remain*  
10 *available until expended: Provided, That such costs, includ-*  
11 *ing the cost of modifying such loans, shall be as defined*  
12 *in section 502 of the Congressional Budget Act of 1974: Pro-*  
13 *vided further, That subject to section 502 of the Congres-*  
14 *sional Budget Act of 1974, during fiscal year 2018 commit-*  
15 *ments to guarantee loans under section 503 of the Small*  
16 *Business Investment Act of 1958 shall not exceed*  
17 *\$7,500,000,000: Provided further, That during fiscal year*  
18 *2018 commitments for general business loans authorized*  
19 *under section 7(a) of the Small Business Act shall not ex-*  
20 *ceed \$29,000,000,000 for a combination of amortizing term*  
21 *loans and the aggregated maximum line of credit provided*  
22 *by revolving loans: Provided further, That during fiscal*  
23 *year 2018 commitments for loans authorized under sub-*  
24 *paragraph (C) of section 502(7) of The Small Business In-*  
25 *vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed*

1 \$7,500,000,000: *Provided further, That during fiscal year*  
2 *2018 commitments to guarantee loans for debentures under*  
3 *section 303(b) of the Small Business Investment Act of 1958*  
4 *shall not exceed \$4,000,000,000: Provided further, That dur-*  
5 *ing fiscal year 2018, guarantees of trust certificates author-*  
6 *ized by section 5(g) of the Small Business Act shall not ex-*  
7 *ceed a principal amount of \$12,000,000,000. In addition,*  
8 *for administrative expenses to carry out the direct and*  
9 *guaranteed loan programs, \$152,782,000, which may be*  
10 *transferred to and merged with the appropriations for Sala-*  
11 *ries and Expenses.*

12         *ADMINISTRATIVE PROVISIONS—SMALL BUSINESS*

13                     *ADMINISTRATION*

14         *(INCLUDING RESCISSION AND TRANSFER OF FUNDS)*

15         *SEC. 530. Not to exceed 5 percent of any appropriation*  
16 *made available for the current fiscal year for the Small*  
17 *Business Administration in this Act may be transferred be-*  
18 *tween such appropriations, but no such appropriation shall*  
19 *be increased by more than 10 percent by any such transfers:*  
20 *Provided, That any transfer pursuant to this paragraph*  
21 *shall be treated as a reprogramming of funds under section*  
22 *608 of this Act and shall not be available for obligation*  
23 *or expenditure except in compliance with the procedures set*  
24 *forth in that section.*

1        *SEC. 531. Of the unobligated balances available for the*  
2 *Immediate Disaster Assistance Program authorized by sec-*  
3 *tion 42 of the Small Business Act (15 U.S. C. 657n) and*  
4 *the Expedited Disaster Assistance Loan Program author-*  
5 *ized by section 12085 of Public Law 110–246, \$2,600,000*  
6 *are hereby permanently cancelled: Provided, That no*  
7 *amounts may be cancelled from amounts that were des-*  
8 *ignated by the Congress as an emergency requirement pur-*  
9 *suant to the Concurrent Resolution on the Budget or the*  
10 *Balanced Budget and Emergency Deficit Control Act of*  
11 *1985.*

12        *SEC. 532. Section 7(m)(4)(E) of the Small Business*  
13 *Act (15 U.S.C. 636(m)(4)(E)) is amended by striking “25*  
14 *percent” each place such term appears and inserting “50*  
15 *percent”.*

16                                    *UNITED STATES POSTAL SERVICE*

17                                    *PAYMENT TO THE POSTAL SERVICE FUND*

18        *For payment to the Postal Service Fund for revenue*  
19 *forgone on free and reduced rate mail, pursuant to sub-*  
20 *sections (c) and (d) of section 2401 of title 39, United States*  
21 *Code, \$58,118,000: Provided, That mail for overseas voting*  
22 *and mail for the blind shall continue to be free: Provided*  
23 *further, That 6-day delivery and rural delivery of mail*  
24 *shall continue at not less than the 1983 level: Provided fur-*  
25 *ther, That none of the funds made available to the Postal*

1 *Service by this Act shall be used to implement any rule,*  
2 *regulation, or policy of charging any officer or employee*  
3 *of any State or local child support enforcement agency, or*  
4 *any individual participating in a State or local program*  
5 *of child support enforcement, a fee for information requested*  
6 *or provided concerning an address of a postal customer:*  
7 *Provided further, That none of the funds provided in this*  
8 *Act shall be used to consolidate or close small rural and*  
9 *other small post offices.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *SALARIES AND EXPENSES*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses of the Office of Inspector Gen-*  
14 *eral in carrying out the provisions of the Inspector General*  
15 *Act of 1978, \$245,000,000, to be derived by transfer from*  
16 *the Postal Service Fund and expended as authorized by sec-*  
17 *tion 603(b)(3) of the Postal Accountability and Enhance-*  
18 *ment Act (Public Law 109-435).*

19 *UNITED STATES TAX COURT*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses, including contract reporting*  
22 *and other services as authorized by 5 U.S.C. 3109,*  
23 *\$50,739,887, of which \$500,000 shall remain available until*  
24 *expended: Provided, That travel expenses of the judges shall*  
25 *be paid upon the written certificate of the judge.*

## TITLE VI

## GENERAL PROVISIONS—THIS ACT

1  
2  
3       *SEC. 601. None of the funds in this Act shall be used*  
4 *for the planning or execution of any program to pay the*  
5 *expenses of, or otherwise compensate, non-Federal parties*  
6 *intervening in regulatory or adjudicatory proceedings fund-*  
7 *ed in this Act.*

8       *SEC. 602. None of the funds appropriated in this Act*  
9 *shall remain available for obligation beyond the current fis-*  
10 *cal year, nor may any be transferred to other appropria-*  
11 *tions, unless expressly so provided herein.*

12       *SEC. 603. The expenditure of any appropriation under*  
13 *this Act for any consulting service through procurement*  
14 *contract pursuant to 5 U.S.C. 3109, shall be limited to those*  
15 *contracts where such expenditures are a matter of public*  
16 *record and available for public inspection, except where oth-*  
17 *erwise provided under existing law, or under existing Exec-*  
18 *utive order issued pursuant to existing law.*

19       *SEC. 604. None of the funds made available in this*  
20 *Act may be transferred to any department, agency, or in-*  
21 *strumentality of the United States Government, except pur-*  
22 *suant to a transfer made by, or transfer authority provided*  
23 *in, this Act or any other appropriations Act.*

24       *SEC. 605. None of the funds made available by this*  
25 *Act shall be available for any activity or for paying the*

1 *salary of any Government employee where funding an ac-*  
2 *tivity or paying a salary to a Government employee would*  
3 *result in a decision, determination, rule, regulation, or pol-*  
4 *icy that would prohibit the enforcement of section 307 of*  
5 *the Tariff Act of 1930 (19 U.S.C. 1307).*

6 *SEC. 606. No funds appropriated pursuant to this Act*  
7 *may be expended by an entity unless the entity agrees that*  
8 *in expending the assistance the entity will comply with*  
9 *chapter 83 of title 41, United States Code.*

10 *SEC. 607. No funds appropriated or otherwise made*  
11 *available under this Act shall be made available to any per-*  
12 *son or entity that has been convicted of violating chapter*  
13 *83 of title 41, United States Code.*

14 *SEC. 608. Except as otherwise provided in this Act,*  
15 *none of the funds provided in this Act, provided by previous*  
16 *appropriations Acts to the agencies or entities funded in*  
17 *this Act that remain available for obligation or expenditure*  
18 *in fiscal year 2018, or provided from any accounts in the*  
19 *Treasury derived by the collection of fees and available to*  
20 *the agencies funded by this Act, shall be available for obliga-*  
21 *tion or expenditure through a reprogramming of funds that:*  
22 *(1) creates a new program; (2) eliminates a program,*  
23 *project, or activity; (3) increases funds or personnel for any*  
24 *program, project, or activity for which funds have been de-*  
25 *nied or restricted by the Congress; (4) proposes to use funds*

1 *directed for a specific activity by the Committee on Appro-*  
2 *priations of either the House of Representatives or the Sen-*  
3 *ate for a different purpose; (5) augments existing programs,*  
4 *projects, or activities in excess of \$5,000,000 or 10 percent,*  
5 *whichever is less; (6) reduces existing programs, projects,*  
6 *or activities by \$5,000,000 or 10 percent, whichever is less;*  
7 *or (7) creates or reorganizes offices, programs, or activities*  
8 *unless prior approval is received from the Committees on*  
9 *Appropriations of the House of Representatives and the*  
10 *Senate: Provided, That prior to any significant reorganiza-*  
11 *tion or restructuring of offices, programs, or activities, each*  
12 *agency or entity funded in this Act shall consult with the*  
13 *Committees on Appropriations of the House of Representa-*  
14 *tives and the Senate: Provided further, That not later than*  
15 *60 days after the date of enactment of this Act, each agency*  
16 *funded by this Act shall submit a report to the Committees*  
17 *on Appropriations of the House of Representatives and the*  
18 *Senate to establish the baseline for application of re-*  
19 *programming and transfer authorities for the current fiscal*  
20 *year: Provided further, That at a minimum the report shall*  
21 *include: (1) a table for each appropriation with a separate*  
22 *column to display the President's budget request, adjust-*  
23 *ments made by Congress, adjustments due to enacted rescis-*  
24 *sions, if appropriate, and the fiscal year enacted level; (2)*  
25 *a delineation in the table for each appropriation both by*

1 *object class and program, project, and activity as detailed*  
2 *in the budget appendix for the respective appropriation;*  
3 *and (3) an identification of items of special congressional*  
4 *interest: Provided further, That the amount appropriated*  
5 *or limited for salaries and expenses for an agency shall be*  
6 *reduced by \$100,000 per day for each day after the required*  
7 *date that the report has not been submitted to the Congress.*

8       *SEC. 609. Except as otherwise specifically provided by*  
9 *law, not to exceed 50 percent of unobligated balances re-*  
10 *maining available at the end of fiscal year 2018 from ap-*  
11 *propriations made available for salaries and expenses for*  
12 *fiscal year 2018 in this Act, shall remain available through*  
13 *September 30, 2019, for each such account for the purposes*  
14 *authorized: Provided, That a request shall be submitted to*  
15 *the Committees on Appropriations of the House of Rep-*  
16 *resentatives and the Senate for approval prior to the ex-*  
17 *penditure of such funds: Provided further, That these re-*  
18 *quests shall be made in compliance with reprogramming*  
19 *guidelines.*

20       *SEC. 610. (a) None of the funds made available in this*  
21 *Act may be used by the Executive Office of the President*  
22 *to request—*

23               *(1) any official background investigation report*  
24               *on any individual from the Federal Bureau of Inves-*  
25               *tigation; or*



1           (2) a determination with respect to the treatment  
2           of an organization as described in section 501(c) of  
3           the Internal Revenue Code of 1986 and exempt from  
4           taxation under section 501(a) of such Code from the  
5           Department of the Treasury or the Internal Revenue  
6           Service.

7           (b) Subsection (a) shall not apply—

8           (1) in the case of an official background inves-  
9           tigation report, if such individual has given express  
10          written consent for such request not more than 6  
11          months prior to the date of such request and during  
12          the same presidential administration; or

13          (2) if such request is required due to extraor-  
14          dinary circumstances involving national security.

15          SEC. 611. The cost accounting standards promulgated  
16          under chapter 15 of title 41, United States Code shall not  
17          apply with respect to a contract under the Federal Employ-  
18          ees Health Benefits Program established under chapter 89  
19          of title 5, United States Code.

20          SEC. 612. For the purpose of resolving litigation and  
21          implementing any settlement agreements regarding the non-  
22          foreign area cost-of-living allowance program, the Office of  
23          Personnel Management may accept and utilize (without re-  
24          gard to any restriction on unanticipated travel expenses  
25          imposed in an Appropriations Act) funds made available

1 *to the Office of Personnel Management pursuant to court*  
2 *approval.*

3       *SEC. 613. No funds appropriated by this Act shall be*  
4 *available to pay for an abortion, or the administrative ex-*  
5 *penses in connection with any health plan under the Fed-*  
6 *eral employees health benefits program which provides any*  
7 *benefits or coverage for abortions.*

8       *SEC. 614. The provision of section 613 shall not apply*  
9 *where the life of the mother would be endangered if the fetus*  
10 *were carried to term, or the pregnancy is the result of an*  
11 *act of rape or incest.*

12       *SEC. 615. In order to promote Government access to*  
13 *commercial information technology, the restriction on pur-*  
14 *chasing nondomestic articles, materials, and supplies set*  
15 *forth in chapter 83 of title 41, United States Code (popu-*  
16 *larly known as the Buy American Act), shall not apply to*  
17 *the acquisition by the Federal Government of information*  
18 *technology (as defined in section 11101 of title 40, United*  
19 *States Code), that is a commercial item (as defined in sec-*  
20 *tion 103 of title 41, United States Code).*

21       *SEC. 616. Notwithstanding section 1353 of title 31,*  
22 *United States Code, no officer or employee of any regulatory*  
23 *agency or commission funded by this Act may accept on*  
24 *behalf of that agency, nor may such agency or commission*  
25 *accept, payment or reimbursement from a non-Federal enti-*

1 *ty for travel, subsistence, or related expenses for the purpose*  
2 *of enabling an officer or employee to attend and participate*  
3 *in any meeting or similar function relating to the official*  
4 *duties of the officer or employee when the entity offering*  
5 *payment or reimbursement is a person or entity subject to*  
6 *regulation by such agency or commission, or represents a*  
7 *person or entity subject to regulation by such agency or*  
8 *commission, unless the person or entity is an organization*  
9 *described in section 501(c)(3) of the Internal Revenue Code*  
10 *of 1986 and exempt from tax under section 501(a) of such*  
11 *Code.*

12 *SEC. 617. Notwithstanding section 708 of this Act,*  
13 *funds made available to the Commodity Futures Trading*  
14 *Commission and the Securities and Exchange Commission*  
15 *by this or any other Act may be used for the interagency*  
16 *funding and sponsorship of a joint advisory committee to*  
17 *advise on emerging regulatory issues.*

18 *SEC. 618. (a)(1) Notwithstanding any other provision*  
19 *of law, an Executive agency covered by this Act otherwise*  
20 *authorized to enter into contracts for either leases or the*  
21 *construction or alteration of real property for office, meet-*  
22 *ing, storage, or other space must consult with the General*  
23 *Services Administration before issuing a solicitation for of-*  
24 *fers of new leases or construction contracts, and in the case*

1 *of succeeding leases, before entering into negotiations with*  
2 *the current lessor.*

3 *(2) Any such agency with authority to enter into an*  
4 *emergency lease may do so during any period declared by*  
5 *the President to require emergency leasing authority with*  
6 *respect to such agency.*

7 *(b) For purposes of this section, the term “Executive*  
8 *agency covered by this Act” means any Executive agency*  
9 *provided funds by this Act, but does not include the General*  
10 *Services Administration or the United States Postal Serv-*  
11 *ice.*

12 *SEC. 619. (a) There are appropriated for the following*  
13 *activities the amounts required under current law:*

14 *(1) Compensation of the President (3 U.S.C.*  
15 *102).*

16 *(2) Payments to—*

17 *(A) the Judicial Officers’ Retirement Fund*  
18 *(28 U.S.C. 377(o));*

19 *(B) the Judicial Survivors’ Annuities Fund*  
20 *(28 U.S.C. 376(c)); and*

21 *(C) the United States Court of Federal*  
22 *Claims Judges’ Retirement Fund (28 U.S.C.*  
23 *178(l)).*

24 *(3) Payment of Government contributions—*

1           (A) with respect to the health benefits of re-  
2           tired employees, as authorized by chapter 89 of  
3           title 5, United States Code, and the Retired Fed-  
4           eral Employees Health Benefits Act (74 Stat.  
5           849); and

6           (B) with respect to the life insurance bene-  
7           fits for employees retiring after December 31,  
8           1989 (5 U.S.C. ch. 87).

9           (4) Payment to finance the unfunded liability of  
10          new and increased annuity benefits under the Civil  
11          Service Retirement and Disability Fund (5 U.S.C.  
12          8348).

13          (5) Payment of annuities authorized to be paid  
14          from the Civil Service Retirement and Disability  
15          Fund by statutory provisions other than subchapter  
16          III of chapter 83 or chapter 84 of title 5, United  
17          States Code.

18          (b) Nothing in this section may be construed to exempt  
19          any amount appropriated by this section from any other-  
20          wise applicable limitation on the use of funds contained in  
21          this Act.

22          SEC. 620. In addition to amounts made available in  
23          prior fiscal years, the Public Company Accounting Over-  
24          sight Board (Board) shall have authority to obligate funds  
25          for the scholarship program established by section 109(c)(2)

1 *of the Sarbanes-Oxley Act of 2002 (Public Law 107–204)*  
2 *in an amount not to exceed \$1,000,000 of funds collected*  
3 *by the Board between January 1, 2017 and December 31,*  
4 *2017, including accrued interest, as a result of the assess-*  
5 *ment of monetary penalties. Funds available for obligation*  
6 *in fiscal year 2018 shall remain available until expended.*

7 *SEC. 621. None of the funds made available in this*  
8 *Act may be used by the Federal Trade Commission to com-*  
9 *plete the draft report entitled “Interagency Working Group*  
10 *on Food Marketed to Children: Preliminary Proposed Nu-*  
11 *trition Principles to Guide Industry Self-Regulatory Ef-*  
12 *forts” unless the Interagency Working Group on Food Mar-*  
13 *keted to Children complies with Executive Order No. 13563.*

14 *SEC. 622. None of the funds made available by this*  
15 *Act may be used to pay the salaries and expenses for the*  
16 *following positions:*

17 *(1) Director, White House Office of Health Re-*  
18 *form.*

19 *(2) Assistant to the President for Energy and*  
20 *Climate Change.*

21 *(3) Senior Advisor to the Secretary of the Treas-*  
22 *ury assigned to the Presidential Task Force on the*  
23 *Auto Industry and Senior Counselor for Manufac-*  
24 *turing Policy.*

25 *(4) White House Director of Urban Affairs.*

1        *SEC. 623. None of the funds in this Act may be used*  
2 *for the Director of the Office of Personnel Management to*  
3 *award a contract, enter an extension of, or exercise an op-*  
4 *tion on a contract to a contractor conducting the final qual-*  
5 *ity review processes for background investigation fieldwork*  
6 *services or background investigation support services that,*  
7 *as of the date of the award of the contract, are being con-*  
8 *ducted by that contractor.*

9        *SEC. 624. (a) The head of each executive branch agency*  
10 *funded by this Act shall ensure that the Chief Information*  
11 *Officer of the agency has the authority to participate in*  
12 *decisions regarding the budget planning process related to*  
13 *information technology.*

14        *(b) Amounts appropriated for any executive branch*  
15 *agency funded by this Act that are available for informa-*  
16 *tion technology shall be allocated within the agency, con-*  
17 *sistent with the provisions of appropriations Acts and budg-*  
18 *et guidelines and recommendations from the Director of the*  
19 *Office of Management and Budget, in such manner as speci-*  
20 *fied by, or approved by, the Chief Information Officer of*  
21 *the agency in consultation with the Chief Financial Officer*  
22 *of the agency and budget officials.*

23        *SEC. 625. None of the funds made available in this*  
24 *Act may be used in contravention of chapter 29, 31, or 33*  
25 *of title 44, United States Code.*

1       *SEC. 626. None of the funds made available in this*  
2 *Act may be used by a governmental entity to require the*  
3 *disclosure by a provider of electronic communication service*  
4 *to the public or remote computing service of the contents*  
5 *of a wire or electronic communication that is in electronic*  
6 *storage with the provider (as such terms are defined in sec-*  
7 *tions 2510 and 2711 of title 18, United States Code) in*  
8 *a manner that violates the Fourth Amendment to the Con-*  
9 *stitution of the United States.*

10       *SEC. 627. None of the funds appropriated by this Act*  
11 *may be used by the Federal Communications Commission*  
12 *to modify, amend, or change the rules or regulations of the*  
13 *Commission for universal service high-cost support for com-*  
14 *petitive eligible telecommunications carriers in a way that*  
15 *is inconsistent with paragraph (e)(5) or (e)(6) of section*  
16 *54.307 of title 47, Code of Federal Regulations, as in effect*  
17 *on July 15, 2015: Provided, That this section shall not pro-*  
18 *hibit the Commission from considering, developing, or*  
19 *adopting other support mechanisms as an alternative to*  
20 *Mobility Fund Phase II.*

21       *SEC. 628. No funds provided in this Act shall be used*  
22 *to deny an Inspector General funded under this Act timely*  
23 *access to any records, documents, or other materials avail-*  
24 *able to the department or agency over which that Inspector*  
25 *General has responsibilities under the Inspector General Act*



1 of 1978, or to prevent or impede that Inspector General's  
2 access to such records, documents, or other materials, under  
3 any provision of law, except a provision of law that ex-  
4 pressly refers to the Inspector General and expressly limits  
5 the Inspector General's right of access. A department or  
6 agency covered by this section shall provide its Inspector  
7 General with access to all such records, documents, and  
8 other materials in a timely manner. Each Inspector Gen-  
9 eral shall ensure compliance with statutory limitations on  
10 disclosure relevant to the information provided by the estab-  
11 lishment over which that Inspector General has responsibil-  
12 ities under the Inspector General Act of 1978. Each Inspec-  
13 tor General covered by this section shall report to the Com-  
14 mittees on Appropriations of the House of Representatives  
15 and the Senate within 5 calendar days any failures to com-  
16 ply with this requirement.

17       SEC. 629. (a) None of the funds made available in this  
18 Act may be used to maintain or establish a computer net-  
19 work unless such network blocks the viewing, downloading,  
20 and exchanging of pornography.

21       (b) Nothing in subsection (a) shall limit the use of  
22 funds necessary for any Federal, State, tribal, or local law  
23 enforcement agency or any other entity carrying out crimi-  
24 nal investigations, prosecution, adjudication activities, or  
25 other law enforcement- or victim assistance-related activity.

1        *SEC. 630. Section 633(a) of title VI of division E of*  
2 *the Consolidated Appropriations Act, 2017 (Public Law*  
3 *115–31) is amended—*

4            *(1) by inserting “and” at the end of paragraph*  
5 *(1);*

6            *(2) by striking paragraph (2); and*

7            *(3) by redesignating paragraph (3) as para-*  
8 *graph (2).*

9        *SEC. 631. None of the funds made available by this*  
10 *Act shall be used by the Securities and Exchange Commis-*  
11 *sion to finalize, issue, or implement any rule, regulation,*  
12 *or order regarding the disclosure of political contributions,*  
13 *contributions to tax exempt organizations, or dues paid to*  
14 *trade associations.*

15        *SEC. 632. (a) The United States courthouse located at*  
16 *501 East Court Street in Jackson, Mississippi, shall be*  
17 *known and designated as the “Thad Cochran United States*  
18 *Courthouse”.*

19            *(b) Any reference in a law, map, regulation, document,*  
20 *paper, or other record of the United States to the United*  
21 *States courthouse referred to in subsection (a) shall be*  
22 *deemed to be a reference to the “Thad Cochran United*  
23 *States Courthouse”.*

## TITLE VII

## GENERAL PROVISIONS—GOVERNMENT-WIDE

## DEPARTMENTS, AGENCIES, AND CORPORATIONS

## (INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2018 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at \$19,947 except station wagons for which the maximum shall be \$19,997: Provided, That these limits may be exceeded by not to exceed \$7,250 for police-type vehicles: Provided further, That the limits set forth in this sec-

1 *tion may not be exceeded by more than 5 percent for electric*  
2 *or hybrid vehicles purchased for demonstration under the*  
3 *provisions of the Electric and Hybrid Vehicle Research, De-*  
4 *velopment, and Demonstration Act of 1976: Provided fur-*  
5 *ther, That the limits set forth in this section may be exceed-*  
6 *ed by the incremental cost of clean alternative fuels vehicles*  
7 *acquired pursuant to Public Law 101–549 over the cost of*  
8 *comparable conventionally fueled vehicles: Provided further,*  
9 *That the limits set forth in this section shall not apply to*  
10 *any vehicle that is a commercial item and which operates*  
11 *on alternative fuel, including but not limited to electric,*  
12 *plug-in hybrid electric, and hydrogen fuel cell vehicles.*

13 *SEC. 703. Appropriations of the executive departments*  
14 *and independent establishments for the current fiscal year*  
15 *available for expenses of travel, or for the expenses of the*  
16 *activity concerned, are hereby made available for quarters*  
17 *allowances and cost-of-living allowances, in accordance*  
18 *with 5 U.S.C. 5922–5924.*

19 *SEC. 704. Unless otherwise specified in law during the*  
20 *current fiscal year, no part of any appropriation contained*  
21 *in this or any other Act shall be used to pay the compensa-*  
22 *tion of any officer or employee of the Government of the*  
23 *United States (including any agency the majority of the*  
24 *stock of which is owned by the Government of the United*  
25 *States) whose post of duty is in the continental United*

1 *States unless such person: (1) is a citizen of the United*  
2 *States; (2) is a person who is lawfully admitted for perma-*  
3 *nent residence and is seeking citizenship as outlined in 8*  
4 *U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as*  
5 *a refugee under 8 U.S.C. 1157 or is granted asylum under*  
6 *8 U.S.C. 1158 and has filed a declaration of intention to*  
7 *become a lawful permanent resident and then a citizen*  
8 *when eligible; or (4) is a person who owes allegiance to the*  
9 *United States: Provided, That for purposes of this section,*  
10 *affidavits signed by any such person shall be considered*  
11 *prima facie evidence that the requirements of this section*  
12 *with respect to his or her status are being complied with:*  
13 *Provided further, That for purposes of subsections (2) and*  
14 *(3) such affidavits shall be submitted prior to employment*  
15 *and updated thereafter as necessary: Provided further, That*  
16 *any person making a false affidavit shall be guilty of a*  
17 *felony, and upon conviction, shall be fined no more than*  
18 *\$4,000 or imprisoned for not more than 1 year, or both:*  
19 *Provided further, That the above penal clause shall be in*  
20 *addition to, and not in substitution for, any other provi-*  
21 *sions of existing law: Provided further, That any payment*  
22 *made to any officer or employee contrary to the provisions*  
23 *of this section shall be recoverable in action by the Federal*  
24 *Government: Provided further, That this section shall not*  
25 *apply to any person who is an officer or employee of the*

1 *Government of the United States on the date of enactment*  
2 *of this Act, or to international broadcasters employed by*  
3 *the Broadcasting Board of Governors, or to temporary em-*  
4 *ployment of translators, or to temporary employment in the*  
5 *field service (not to exceed 60 days) as a result of emer-*  
6 *gencies: Provided further, That this section does not apply*  
7 *to the employment as Wildland firefighters for not more*  
8 *than 120 days of nonresident aliens employed by the De-*  
9 *partment of the Interior or the USDA Forest Service pursu-*  
10 *ant to an agreement with another country.*

11       *SEC. 705. Appropriations available to any department*  
12 *or agency during the current fiscal year for necessary ex-*  
13 *penses, including maintenance or operating expenses, shall*  
14 *also be available for payment to the General Services Ad-*  
15 *ministration for charges for space and services and those*  
16 *expenses of renovation and alteration of buildings and fa-*  
17 *cilities which constitute public improvements performed in*  
18 *accordance with the Public Buildings Act of 1959 (73 Stat.*  
19 *479), the Public Buildings Amendments of 1972 (86 Stat.*  
20 *216), or other applicable law.*

21       *SEC. 706. In addition to funds provided in this or any*  
22 *other Act, all Federal agencies are authorized to receive and*  
23 *use funds resulting from the sale of materials, including*  
24 *Federal records disposed of pursuant to a records schedule*  
25 *recovered through recycling or waste prevention programs.*

1 *Such funds shall be available until expended for the fol-*  
2 *lowing purposes:*

3           (1) *Acquisition, waste reduction and prevention,*  
4 *and recycling programs as described in Executive*  
5 *Order No. 13693 (March 19, 2015), including any*  
6 *such programs adopted prior to the effective date of*  
7 *the Executive order.*

8           (2) *Other Federal agency environmental manage-*  
9 *ment programs, including, but not limited to, the de-*  
10 *velopment and implementation of hazardous waste*  
11 *management and pollution prevention programs.*

12           (3) *Other employee programs as authorized by*  
13 *law or as deemed appropriate by the head of the Fed-*  
14 *eral agency.*

15       *SEC. 707. Funds made available by this or any other*  
16 *Act for administrative expenses in the current fiscal year*  
17 *of the corporations and agencies subject to chapter 91 of*  
18 *title 31, United States Code, shall be available, in addition*  
19 *to objects for which such funds are otherwise available, for*  
20 *rent in the District of Columbia; services in accordance*  
21 *with 5 U.S.C. 3109; and the objects specified under this*  
22 *head, all the provisions of which shall be applicable to the*  
23 *expenditure of such funds unless otherwise specified in the*  
24 *Act by which they are made available: Provided, That in*  
25 *the event any functions budgeted as administrative expenses*

1 *are subsequently transferred to or paid from other funds,*  
2 *the limitations on administrative expenses shall be cor-*  
3 *respondingly reduced.*

4       *SEC. 708. No part of any appropriation contained in*  
5 *this or any other Act shall be available for interagency fi-*  
6 *nancing of boards (except Federal Executive Boards), com-*  
7 *missions, councils, committees, or similar groups (whether*  
8 *or not they are interagency entities) which do not have a*  
9 *prior and specific statutory approval to receive financial*  
10 *support from more than one agency or instrumentality.*

11       *SEC. 709. None of the funds made available pursuant*  
12 *to the provisions of this or any other Act shall be used to*  
13 *implement, administer, or enforce any regulation which has*  
14 *been disapproved pursuant to a joint resolution duly adopt-*  
15 *ed in accordance with the applicable law of the United*  
16 *States.*

17       *SEC. 710. During the period in which the head of any*  
18 *department or agency, or any other officer or civilian em-*  
19 *ployee of the Federal Government appointed by the Presi-*  
20 *dent of the United States, holds office, no funds may be obli-*  
21 *gated or expended in excess of \$5,000 to furnish or redeco-*  
22 *rate the office of such department head, agency head, officer,*  
23 *or employee, or to purchase furniture or make improve-*  
24 *ments for any such office, unless advance notice of such fur-*  
25 *nishing or redecoration is transmitted to the Committees*



1 *on Appropriations of the House of Representatives and the*  
2 *Senate. For the purposes of this section, the term “office”*  
3 *shall include the entire suite of offices assigned to the indi-*  
4 *vidual, as well as any other space used primarily by the*  
5 *individual or the use of which is directly controlled by the*  
6 *individual.*

7       *SEC. 711. Notwithstanding 31 U.S.C. 1346, or section*  
8 *708 of this Act, funds made available for the current fiscal*  
9 *year by this or any other Act shall be available for the inter-*  
10 *agency funding of national security and emergency pre-*  
11 *paredness telecommunications initiatives which benefit*  
12 *multiple Federal departments, agencies, or entities, as pro-*  
13 *vided by Executive Order No. 13618 (July 6, 2012).*

14       *SEC. 712. (a) None of the funds made available by this*  
15 *or any other Act may be obligated or expended by any de-*  
16 *partment, agency, or other instrumentality of the Federal*  
17 *Government to pay the salaries or expenses of any indi-*  
18 *vidual appointed to a position of a confidential or policy-*  
19 *determining character that is excepted from the competitive*  
20 *service under section 3302 of title 5, United States Code,*  
21 *(pursuant to schedule C of subpart C of part 213 of title*  
22 *5 of the Code of Federal Regulations) unless the head of*  
23 *the applicable department, agency, or other instrumentality*  
24 *employing such schedule C individual certifies to the Direc-*  
25 *tor of the Office of Personnel Management that the schedule*

1 *C position occupied by the individual was not created solely*  
2 *or primarily in order to detail the individual to the White*  
3 *House.*

4 *(b) The provisions of this section shall not apply to*  
5 *Federal employees or members of the armed forces detailed*  
6 *to or from an element of the intelligence community (as*  
7 *that term is defined under section 3(4) of the National Secu-*  
8 *rity Act of 1947 (50 U.S.C. 3003(4)).*

9 *SEC. 713. No part of any appropriation contained in*  
10 *this or any other Act shall be available for the payment*  
11 *of the salary of any officer or employee of the Federal Gov-*  
12 *ernment, who—*

13 *(1) prohibits or prevents, or attempts or threat-*  
14 *ens to prohibit or prevent, any other officer or em-*  
15 *ployee of the Federal Government from having any*  
16 *direct oral or written communication or contact with*  
17 *any Member, committee, or subcommittee of the Con-*  
18 *gress in connection with any matter pertaining to the*  
19 *employment of such other officer or employee or per-*  
20 *taining to the department or agency of such other of-*  
21 *ficer or employee in any way, irrespective of whether*  
22 *such communication or contact is at the initiative of*  
23 *such other officer or employee or in response to the re-*  
24 *quest or inquiry of such Member, committee, or sub-*  
25 *committee; or*

1           (2) removes, suspends from duty without pay,  
2 demotes, reduces in rank, seniority, status, pay, or  
3 performance or efficiency rating, denies promotion to,  
4 relocates, reassigns, transfers, disciplines, or discrimi-  
5 nates in regard to any employment right, entitlement,  
6 or benefit, or any term or condition of employment of,  
7 any other officer or employee of the Federal Govern-  
8 ment, or attempts or threatens to commit any of the  
9 foregoing actions with respect to such other officer or  
10 employee, by reason of any communication or contact  
11 of such other officer or employee with any Member,  
12 committee, or subcommittee of the Congress as de-  
13 scribed in paragraph (1).

14       SEC. 714. (a) None of the funds made available in this  
15 or any other Act may be obligated or expended for any em-  
16 ployee training that—

17           (1) does not meet identified needs for knowledge,  
18 skills, and abilities bearing directly upon the perform-  
19 ance of official duties;

20           (2) contains elements likely to induce high levels  
21 of emotional response or psychological stress in some  
22 participants;

23           (3) does not require prior employee notification  
24 of the content and methods to be used in the training  
25 and written end of course evaluation;

1           (4) contains any methods or content associated  
2           with religious or quasi-religious belief systems or  
3           “new age” belief systems as defined in Equal Employ-  
4           ment Opportunity Commission Notice N-915.022,  
5           dated September 2, 1988; or

6           (5) is offensive to, or designed to change, partici-  
7           pants’ personal values or lifestyle outside the work-  
8           place.

9           (b) Nothing in this section shall prohibit, restrict, or  
10          otherwise preclude an agency from conducting training  
11          bearing directly upon the performance of official duties.

12          SEC. 715. No part of any funds appropriated in this  
13          or any other Act shall be used by an agency of the executive  
14          branch, other than for normal and recognized executive-leg-  
15          islative relationships, for publicity or propaganda pur-  
16          poses, and for the preparation, distribution or use of any  
17          kit, pamphlet, booklet, publication, radio, television, or film  
18          presentation designed to support or defeat legislation pend-  
19          ing before the Congress, except in presentation to the Con-  
20          gress itself.

21          SEC. 716. None of the funds appropriated by this or  
22          any other Act may be used by an agency to provide a Fed-  
23          eral employee’s home address to any labor organization ex-  
24          cept when the employee has authorized such disclosure or

1 *when such disclosure has been ordered by a court of com-*  
2 *petent jurisdiction.*

3       *SEC. 717. None of the funds made available in this*  
4 *or any other Act may be used to provide any non-public*  
5 *information such as mailing, telephone or electronic mail-*  
6 *ing lists to any person or any organization outside of the*  
7 *Federal Government without the approval of the Commit-*  
8 *tees on Appropriations of the House of Representatives and*  
9 *the Senate.*

10       *SEC. 718. No part of any appropriation contained in*  
11 *this or any other Act shall be used directly or indirectly,*  
12 *including by private contractor, for publicity or propa-*  
13 *ganda purposes within the United States not heretofore au-*  
14 *thorized by Congress.*

15       *SEC. 719. (a) In this section, the term “agency”—*

16               *(1) means an Executive agency, as defined under*  
17               *5 U.S.C. 105; and*

18               *(2) includes a military department, as defined*  
19 *under section 102 of such title, the United States*  
20 *Postal Service, and the Postal Regulatory Commis-*  
21 *sion.*

22       *(b) Unless authorized in accordance with law or regu-*  
23 *lations to use such time for other purposes, an employee*  
24 *of an agency shall use official time in an honest effort to*  
25 *perform official duties. An employee not under a leave sys-*

1 *tem, including a Presidential appointee exempted under 5*  
2 *U.S.C. 6301(2), has an obligation to expend an honest effort*  
3 *and a reasonable proportion of such employee's time in the*  
4 *performance of official duties.*

5 *SEC. 720. Notwithstanding 31 U.S.C. 1346 and section*  
6 *708 of this Act, funds made available for the current fiscal*  
7 *year by this or any other Act to any department or agency,*  
8 *which is a member of the Federal Accounting Standards*  
9 *Advisory Board (FASAB), shall be available to finance an*  
10 *appropriate share of FASAB administrative costs.*

11 *SEC. 721. Notwithstanding 31 U.S.C. 1346 and section*  
12 *708 of this Act, the head of each Executive department and*  
13 *agency is hereby authorized to transfer to or reimburse*  
14 *“General Services Administration, Government-wide Pol-*  
15 *icy” with the approval of the Director of the Office of Man-*  
16 *agement and Budget, funds made available for the current*  
17 *fiscal year by this or any other Act, including rebates from*  
18 *charge card and other contracts: Provided, That these funds*  
19 *shall be administered by the Administrator of General Serv-*  
20 *ices to support Government-wide and other multi-agency fi-*  
21 *nancial, information technology, procurement, and other*  
22 *management innovations, initiatives, and activities, in-*  
23 *cluding improving coordination and reducing duplication,*  
24 *as approved by the Director of the Office of Management*  
25 *and Budget, in consultation with the appropriate inter-*

1 *agency and multi-agency groups designated by the Director*  
2 *(including the President’s Management Council for overall*  
3 *management improvement initiatives, the Chief Financial*  
4 *Officers Council for financial management initiatives, the*  
5 *Chief Information Officers Council for information tech-*  
6 *nology initiatives, the Chief Human Capital Officers Coun-*  
7 *cil for human capital initiatives, the Chief Acquisition Offi-*  
8 *cers Council for procurement initiatives, and the Perform-*  
9 *ance Improvement Council for performance improvement*  
10 *initiatives): Provided further, That the total funds trans-*  
11 *ferred or reimbursed shall not exceed \$15,000,000 to im-*  
12 *prove coordination, reduce duplication, and for other ac-*  
13 *tivities related to Federal Government Priority Goals estab-*  
14 *lished by 31 U.S.C. 1120, and not to exceed \$17,000,000*  
15 *for Government-Wide innovations, initiatives, and activi-*  
16 *ties: Provided further, That the funds transferred to or for*  
17 *reimbursement of “General Services Administration, Gov-*  
18 *ernment-wide Policy” during fiscal year 2018 shall remain*  
19 *available for obligation through September 30, 2019: Pro-*  
20 *vided further, That such transfers or reimbursements may*  
21 *only be made after 15 days following notification of the*  
22 *Committees on Appropriations of the House of Representa-*  
23 *tives and the Senate by the Director of the Office of Manage-*  
24 *ment and Budget.*

1        *SEC. 722. Notwithstanding any other provision of law,*  
2 *a woman may breastfeed her child at any location in a*  
3 *Federal building or on Federal property, if the woman and*  
4 *her child are otherwise authorized to be present at the loca-*  
5 *tion.*

6        *SEC. 723. Notwithstanding 31 U.S.C. 1346, or section*  
7 *708 of this Act, funds made available for the current fiscal*  
8 *year by this or any other Act shall be available for the inter-*  
9 *agency funding of specific projects, workshops, studies, and*  
10 *similar efforts to carry out the purposes of the National*  
11 *Science and Technology Council (authorized by Executive*  
12 *Order No. 12881), which benefit multiple Federal depart-*  
13 *ments, agencies, or entities: Provided, That the Office of*  
14 *Management and Budget shall provide a report describing*  
15 *the budget of and resources connected with the National*  
16 *Science and Technology Council to the Committees on Ap-*  
17 *propriations, the House Committee on Science and Tech-*  
18 *nology, and the Senate Committee on Commerce, Science,*  
19 *and Transportation 90 days after enactment of this Act.*

20        *SEC. 724. Any request for proposals, solicitation, grant*  
21 *application, form, notification, press release, or other publi-*  
22 *cations involving the distribution of Federal funds shall*  
23 *comply with any relevant requirements in part 200 of title*  
24 *2, Code of Federal Regulations: Provided, That this section*



1 *shall apply to direct payments, formula funds, and grants*  
2 *received by a State receiving Federal funds.*

3 *SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY*  
4 *MONITORING OF INDIVIDUALS' INTERNET USE.—None of*  
5 *the funds made available in this or any other Act may be*  
6 *used by any Federal agency—*

7 *(1) to collect, review, or create any aggregation*  
8 *of data, derived from any means, that includes any*  
9 *personally identifiable information relating to an in-*  
10 *dividual's access to or use of any Federal Government*  
11 *Internet site of the agency; or*

12 *(2) to enter into any agreement with a third*  
13 *party (including another government agency) to col-*  
14 *lect, review, or obtain any aggregation of data, de-*  
15 *derived from any means, that includes any personally*  
16 *identifiable information relating to an individual's*  
17 *access to or use of any nongovernmental Internet site.*

18 *(b) EXCEPTIONS.—The limitations established in sub-*  
19 *section (a) shall not apply to—*

20 *(1) any record of aggregate data that does not*  
21 *identify particular persons;*

22 *(2) any voluntary submission of personally iden-*  
23 *tifiable information;*

1           (3) *any action taken for law enforcement, regu-*  
2 *latory, or supervisory purposes, in accordance with*  
3 *applicable law; or*

4           (4) *any action described in subsection (a)(1) that*  
5 *is a system security action taken by the operator of*  
6 *an Internet site and is necessarily incident to pro-*  
7 *viding the Internet site services or to protecting the*  
8 *rights or property of the provider of the Internet site.*

9           (c) *DEFINITIONS.—For the purposes of this section:*

10           (1) *The term “regulatory” means agency actions*  
11 *to implement, interpret or enforce authorities pro-*  
12 *vided in law.*

13           (2) *The term “supervisory” means examinations*  
14 *of the agency’s supervised institutions, including as-*  
15 *sessing safety and soundness, overall financial condi-*  
16 *tion, management practices and policies and compli-*  
17 *ance with applicable standards as provided in law.*

18           SEC. 726. (a) *None of the funds appropriated by this*  
19 *Act may be used to enter into or renew a contract which*  
20 *includes a provision providing prescription drug coverage,*  
21 *except where the contract also includes a provision for con-*  
22 *traceptive coverage.*

23           (b) *Nothing in this section shall apply to a contract*  
24 *with—*

25           (1) *any of the following religious plans:*

1                   (A) *Personal Care's HMO; and*

2                   (B) *OSF HealthPlans, Inc.; and*

3                   (2) *any existing or future plan, if the carrier for*  
4                   *the plan objects to such coverage on the basis of reli-*  
5                   *gious beliefs.*

6                   (c) *In implementing this section, any plan that enters*  
7                   *into or renews a contract under this section may not subject*  
8                   *any individual to discrimination on the basis that the indi-*  
9                   *vidual refuses to prescribe or otherwise provide for contra-*  
10                   *ceptives because such activities would be contrary to the in-*  
11                   *dividual's religious beliefs or moral convictions.*

12                   (d) *Nothing in this section shall be construed to require*  
13                   *coverage of abortion or abortion-related services.*

14                   SEC. 727. *The United States is committed to ensuring*  
15                   *the health of its Olympic, Pan American, and Paralympic*  
16                   *athletes, and supports the strict adherence to anti-doping*  
17                   *in sport through testing, adjudication, education, and re-*  
18                   *search as performed by nationally recognized oversight au-*  
19                   *thorities.*

20                   SEC. 728. *Notwithstanding any other provision of law,*  
21                   *funds appropriated for official travel to Federal depart-*  
22                   *ments and agencies may be used by such departments and*  
23                   *agencies, if consistent with Office of Management and*  
24                   *Budget Circular A-126 regarding official travel for Govern-*

1 *ment personnel, to participate in the fractional aircraft*  
2 *ownership pilot program.*

3       *SEC. 729. Notwithstanding any other provision of law,*  
4 *none of the funds appropriated or made available under*  
5 *this or any other appropriations Act may be used to imple-*  
6 *ment or enforce restrictions or limitations on the Coast*  
7 *Guard Congressional Fellowship Program, or to implement*  
8 *the proposed regulations of the Office of Personnel Manage-*  
9 *ment to add sections 300.311 through 300.316 to part 300*  
10 *of title 5 of the Code of Federal Regulations, published in*  
11 *the Federal Register, volume 68, number 174, on September*  
12 *9, 2003 (relating to the detail of executive branch employees*  
13 *to the legislative branch).*

14       *SEC. 730. Notwithstanding any other provision of law,*  
15 *no executive branch agency shall purchase, construct, or*  
16 *lease any additional facilities, except within or contiguous*  
17 *to existing locations, to be used for the purpose of con-*  
18 *ducting Federal law enforcement training without the ad-*  
19 *vance approval of the Committees on Appropriations of the*  
20 *House of Representatives and the Senate, except that the*  
21 *Federal Law Enforcement Training Center is authorized to*  
22 *obtain the temporary use of additional facilities by lease,*  
23 *contract, or other agreement for training which cannot be*  
24 *accommodated in existing Center facilities.*

1       *SEC. 731. Unless otherwise authorized by existing law,*  
2 *none of the funds provided in this or any other Act may*  
3 *be used by an executive branch agency to produce any pre-*  
4 *packaged news story intended for broadcast or distribution*  
5 *in the United States, unless the story includes a clear notifi-*  
6 *cation within the text or audio of the prepackaged news*  
7 *story that the prepackaged news story was prepared or*  
8 *funded by that executive branch agency.*

9       *SEC. 732. None of the funds made available in this*  
10 *Act may be used in contravention of section 552a of title*  
11 *5, United States Code (popularly known as the Privacy*  
12 *Act), and regulations implementing that section.*

13       *SEC. 733. (a) IN GENERAL.—None of the funds appro-*  
14 *priated or otherwise made available by this or any other*  
15 *Act may be used for any Federal Government contract with*  
16 *any foreign incorporated entity which is treated as an in-*  
17 *verted domestic corporation under section 835(b) of the*  
18 *Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any*  
19 *subsidiary of such an entity.*

20       *(b) WAIVERS.—*

21             *(1) IN GENERAL.—Any Secretary shall waive*  
22 *subsection (a) with respect to any Federal Govern-*  
23 *ment contract under the authority of such Secretary*  
24 *if the Secretary determines that the waiver is required*  
25 *in the interest of national security.*

1           (2) *REPORT TO CONGRESS.*—Any Secretary  
2           issuing a waiver under paragraph (1) shall report  
3           such issuance to Congress.

4           (c) *EXCEPTION.*—This section shall not apply to any  
5           Federal Government contract entered into before the date  
6           of the enactment of this Act, or to any task order issued  
7           pursuant to such contract.

8           *SEC. 734. During fiscal year 2018, for each employee*  
9           *who—*

10           (1) *retires under section 8336(d)(2) or*  
11           *8414(b)(1)(B) of title 5, United States Code; or*

12           (2) *retires under any other provision of sub-*  
13           *chapter III of chapter 83 or chapter 84 of such title*  
14           *5 and receives a payment as an incentive to separate,*  
15           *the separating agency shall remit to the Civil Service*  
16           *Retirement and Disability Fund an amount equal to*  
17           *the Office of Personnel Management's average unit*  
18           *cost of processing a retirement claim for the preceding*  
19           *fiscal year. Such amounts shall be available until ex-*  
20           *pended to the Office of Personnel Management and*  
21           *shall be deemed to be an administrative expense*  
22           *under section 8348(a)(1)(B) of title 5, United States*  
23           *Code.*

24           *SEC. 735. (a) None of the funds made available in this*  
25           *or any other Act may be used to recommend or require any*

1 *entity submitting an offer for a Federal contract to disclose*  
2 *any of the following information as a condition of submit-*  
3 *ting the offer:*

4           (1) *Any payment consisting of a contribution,*  
5 *expenditure, independent expenditure, or disburse-*  
6 *ment for an electioneering communication that is*  
7 *made by the entity, its officers or directors, or any of*  
8 *its affiliates or subsidiaries to a candidate for election*  
9 *for Federal office or to a political committee, or that*  
10 *is otherwise made with respect to any election for*  
11 *Federal office.*

12           (2) *Any disbursement of funds (other than a*  
13 *payment described in paragraph (1)) made by the en-*  
14 *tity, its officers or directors, or any of its affiliates or*  
15 *subsidiaries to any person with the intent or the rea-*  
16 *sonable expectation that the person will use the funds*  
17 *to make a payment described in paragraph (1).*

18           (b) *In this section, each of the terms “contribution”,*  
19 *“expenditure”, “independent expenditure”, “electioneering*  
20 *communication”, “candidate”, “election”, and “Federal of-*  
21 *fice” has the meaning given such term in the Federal Elec-*  
22 *tion Campaign Act of 1971 (52 U.S.C. 30101 et seq.).*

23           SEC. 736. *None of the funds made available in this*  
24 *or any other Act may be used to pay for the painting of*  
25 *a portrait of an officer or employee of the Federal govern-*

1 *ment, including the President, the Vice President, a member*  
2 *of Congress (including a Delegate or a Resident Commis-*  
3 *sioner to Congress), the head of an executive branch agency*  
4 *(as defined in section 133 of title 41, United States Code),*  
5 *or the head of an office of the legislative branch.*

6       *SEC. 737. (a)(1) Notwithstanding any other provision*  
7 *of law, and except as otherwise provided in this section,*  
8 *no part of any of the funds appropriated for fiscal year*  
9 *2018, by this or any other Act, may be used to pay any*  
10 *prevailing rate employee described in section 5342(a)(2)(A)*  
11 *of title 5, United States Code—*

12           *(A) during the period from the date of expiration*  
13 *of the limitation imposed by the comparable section*  
14 *for the previous fiscal years until the normal effective*  
15 *date of the applicable wage survey adjustment that is*  
16 *to take effect in fiscal year 2018, in an amount that*  
17 *exceeds the rate payable for the applicable grade and*  
18 *step of the applicable wage schedule in accordance*  
19 *with such section; and*

20           *(B) during the period consisting of the remain-*  
21 *der of fiscal year 2018, in an amount that exceeds,*  
22 *as a result of a wage survey adjustment, the rate pay-*  
23 *able under subparagraph (A) by more than the sum*  
24 *of—*



1           (i) the percentage adjustment taking effect  
2           in fiscal year 2018 under section 5303 of title 5,  
3           United States Code, in the rates of pay under the  
4           General Schedule; and

5           (ii) the difference between the overall aver-  
6           age percentage of the locality-based com-  
7           parability payments taking effect in fiscal year  
8           2018 under section 5304 of such title (whether by  
9           adjustment or otherwise), and the overall average  
10          percentage of such payments which was effective  
11          in the previous fiscal year under such section.

12          (2) Notwithstanding any other provision of law, no  
13          prevailing rate employee described in subparagraph (B) or  
14          (C) of section 5342(a)(2) of title 5, United States Code, and  
15          no employee covered by section 5348 of such title, may be  
16          paid during the periods for which paragraph (1) is in effect  
17          at a rate that exceeds the rates that would be payable under  
18          paragraph (1) were paragraph (1) applicable to such em-  
19          ployee.

20          (3) For the purposes of this subsection, the rates pay-  
21          able to an employee who is covered by this subsection and  
22          who is paid from a schedule not in existence on September  
23          30, 2017, shall be determined under regulations prescribed  
24          by the Office of Personnel Management.

1       (4) *Notwithstanding any other provision of law, rates*  
2 *of premium pay for employees subject to this subsection*  
3 *may not be changed from the rates in effect on September*  
4 *30, 2017, except to the extent determined by the Office of*  
5 *Personnel Management to be consistent with the purpose of*  
6 *this subsection.*

7       (5) *This subsection shall apply with respect to pay for*  
8 *service performed after September 30, 2017.*

9       (6) *For the purpose of administering any provision*  
10 *of law (including any rule or regulation that provides pre-*  
11 *mium pay, retirement, life insurance, or any other em-*  
12 *ployee benefit) that requires any deduction or contribution,*  
13 *or that imposes any requirement or limitation on the basis*  
14 *of a rate of salary or basic pay, the rate of salary or basic*  
15 *pay payable after the application of this subsection shall*  
16 *be treated as the rate of salary or basic pay.*

17       (7) *Nothing in this subsection shall be considered to*  
18 *permit or require the payment to any employee covered by*  
19 *this subsection at a rate in excess of the rate that would*  
20 *be payable were this subsection not in effect.*

21       (8) *The Office of Personnel Management may provide*  
22 *for exceptions to the limitations imposed by this subsection*  
23 *if the Office determines that such exceptions are necessary*  
24 *to ensure the recruitment or retention of qualified employ-*  
25 *ees.*

1       (b) Notwithstanding subsection (a), the adjustment in  
2 rates of basic pay for the statutory pay systems that take  
3 place in fiscal year 2018 under sections 5344 and 5348 of  
4 title 5, United States Code, shall be—

5           (1) not less than the percentage received by em-  
6 ployees in the same location whose rates of basic pay  
7 are adjusted pursuant to the statutory pay systems  
8 under sections 5303 and 5304 of title 5, United States  
9 Code: Provided, That prevailing rate employees at lo-  
10 cations where there are no employees whose pay is in-  
11 creased pursuant to sections 5303 and 5304 of title 5,  
12 United States Code, and prevailing rate employees de-  
13 scribed in section 5343(a)(5) of title 5, United States  
14 Code, shall be considered to be located in the pay lo-  
15 cality designated as “Rest of United States” pursuant  
16 to section 5304 of title 5, United States Code, for pur-  
17 poses of this subsection; and

18           (2) effective as of the first day of the first appli-  
19 cable pay period beginning after September 30, 2017.

20       SEC. 738. (a) The Vice President may not receive a  
21 pay raise in calendar year 2018, notwithstanding the rate  
22 adjustment made under section 104 of title 3, United States  
23 Code, or any other provision of law.

24       (b) An employee serving in an Executive Schedule po-  
25 sition, or in a position for which the rate of pay is fixed

1 *by statute at an Executive Schedule rate, may not receive*  
2 *a pay rate increase in calendar year 2018, notwithstanding*  
3 *schedule adjustments made under section 5318 of title 5,*  
4 *United States Code, or any other provision of law, except*  
5 *as provided in subsection (g), (h), or (i). This subsection*  
6 *applies only to employees who are holding a position under*  
7 *a political appointment.*

8       *(c) A chief of mission or ambassador at large may not*  
9 *receive a pay rate increase in calendar year 2018, notwith-*  
10 *standing section 401 of the Foreign Service Act of 1980*  
11 *(Public Law 96–465) or any other provision of law, except*  
12 *as provided in subsection (g), (h), or (i).*

13       *(d) Notwithstanding sections 5382 and 5383 of title*  
14 *5, United States Code, a pay rate increase may not be re-*  
15 *ceived in calendar year 2018 (except as provided in sub-*  
16 *section (g), (h), or (i)) by—*

17               *(1) a noncareer appointee in the Senior Execu-*  
18 *tive Service paid a rate of basic pay at or above level*  
19 *IV of the Executive Schedule; or*

20               *(2) a limited term appointee or limited emer-*  
21 *gency appointee in the Senior Executive Service serv-*  
22 *ing under a political appointment and paid a rate of*  
23 *basic pay at or above level IV of the Executive Sched-*  
24 *ule.*

1       (e) Any employee paid a rate of basic pay (including  
2 any locality-based payments under section 5304 of title 5,  
3 United States Code, or similar authority) at or above level  
4 IV of the Executive Schedule who serves under a political  
5 appointment may not receive a pay rate increase in cal-  
6 endar year 2018, notwithstanding any other provision of  
7 law, except as provided in subsection (g), (h), or (i). This  
8 subsection does not apply to employees in the General  
9 Schedule pay system or the Foreign Service pay system, or  
10 to employees appointed under section 3161 of title 5, United  
11 States Code, or to employees in another pay system whose  
12 position would be classified at GS-15 or below if chapter  
13 51 of title 5, United States Code, applied to them.

14       (f) Nothing in subsections (b) through (e) shall prevent  
15 employees who do not serve under a political appointment  
16 from receiving pay increases as otherwise provided under  
17 applicable law.

18       (g) A career appointee in the Senior Executive Service  
19 who receives a Presidential appointment and who makes  
20 an election to retain Senior Executive Service basic pay  
21 entitlements under section 3392 of title 5, United States  
22 Code, is not subject to this section.

23       (h) A member of the Senior Foreign Service who re-  
24 ceives a Presidential appointment to any position in the  
25 executive branch and who makes an election to retain Sen-

1 *ior Foreign Service pay entitlements under section 302(b)*  
2 *of the Foreign Service Act of 1980 (Public Law 96-465)*  
3 *is not subject to this section.*

4 *(i) Notwithstanding subsections (b) through (e), an em-*  
5 *ployee in a covered position may receive a pay rate increase*  
6 *upon an authorized movement to a different covered posi-*  
7 *tion with higher-level duties and a pre-established higher*  
8 *level or range of pay, except that any such increase must*  
9 *be based on the rates of pay and applicable pay limitations*  
10 *in effect on December 31, 2013.*

11 *(j) Notwithstanding any other provision of law, for an*  
12 *individual who is newly appointed to a covered position*  
13 *during the period of time subject to this section, the initial*  
14 *pay rate shall be based on the rates of pay and applicable*  
15 *pay limitations in effect on December 31, 2013.*

16 *(k) If an employee affected by subsections (b) through*  
17 *(e) is subject to a biweekly pay period that begins in cal-*  
18 *endar year 2018 but ends in calendar year 2019, the bar*  
19 *on the employee's receipt of pay rate increases shall apply*  
20 *through the end of that pay period.*

21 *SEC. 739. (a) The head of any Executive branch de-*  
22 *partment, agency, board, commission, or office funded by*  
23 *this or any other appropriations Act shall submit annual*  
24 *reports to the Inspector General or senior ethics official for*  
25 *any entity without an Inspector General, regarding the*

1 *costs and contracting procedures related to each conference*  
2 *held by any such department, agency, board, commission,*  
3 *or office during fiscal year 2018 for which the cost to the*  
4 *United States Government was more than \$100,000.*

5 *(b) Each report submitted shall include, for each con-*  
6 *ference described in subsection (a) held during the applica-*  
7 *ble period—*

8 *(1) a description of its purpose;*

9 *(2) the number of participants attending;*

10 *(3) a detailed statement of the costs to the United*  
11 *States Government, including—*

12 *(A) the cost of any food or beverages;*

13 *(B) the cost of any audio-visual services;*

14 *(C) the cost of employee or contractor travel*  
15 *to and from the conference; and*

16 *(D) a discussion of the methodology used to*  
17 *determine which costs relate to the conference;*  
18 *and*

19 *(4) a description of the contracting procedures*  
20 *used including—*

21 *(A) whether contracts were awarded on a*  
22 *competitive basis; and*

23 *(B) a discussion of any cost comparison*  
24 *conducted by the departmental component or of-*

1           *office in evaluating potential contractors for the*  
2           *conference.*

3           *(c) Within 15 days after the end of a quarter, the head*  
4           *of any such department, agency, board, commission, or of-*  
5           *office shall notify the Inspector General or senior ethics offi-*  
6           *cial for any entity without an Inspector General, of the*  
7           *date, location, and number of employees attending a con-*  
8           *ference held by any Executive branch department, agency,*  
9           *board, commission, or office funded by this or any other*  
10           *appropriations Act during fiscal year 2018 for which the*  
11           *cost to the United States Government was more than*  
12           *\$20,000.*

13           *(d) A grant or contract funded by amounts appro-*  
14           *priated by this or any other appropriations Act may not*  
15           *be used for the purpose of defraying the costs of a conference*  
16           *described in subsection (c) that is not directly and program-*  
17           *matically related to the purpose for which the grant or con-*  
18           *tract was awarded, such as a conference held in connection*  
19           *with planning, training, assessment, review, or other rou-*  
20           *tine purposes related to a project funded by the grant or*  
21           *contract.*

22           *(e) None of the funds made available in this or any*  
23           *other appropriations Act may be used for travel and con-*  
24           *ference activities that are not in compliance with Office of*  
25           *Management and Budget Memorandum M-12-12 dated*



1 *May 11, 2012 or any subsequent revisions to that memo-*  
2 *randum.*

3       *SEC. 740. None of the funds made available in this*  
4 *or any other appropriations Act may be used to increase,*  
5 *eliminate, or reduce funding for a program, project, or ac-*  
6 *tivity as proposed in the President’s budget request for a*  
7 *fiscal year until such proposed change is subsequently en-*  
8 *acted in an appropriation Act, or unless such change is*  
9 *made pursuant to the reprogramming or transfer provisions*  
10 *of this or any other appropriations Act.*

11       *SEC. 741. None of the funds made available by this*  
12 *or any other Act may be used to implement, administer,*  
13 *enforce, or apply the rule entitled “Competitive Area” pub-*  
14 *lished by the Office of Personnel Management in the Federal*  
15 *Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).*

16       *SEC. 742. None of the funds appropriated or otherwise*  
17 *made available by this or any other Act may be used to*  
18 *begin or announce a study or public-private competition*  
19 *regarding the conversion to contractor performance of any*  
20 *function performed by Federal employees pursuant to Office*  
21 *of Management and Budget Circular A–76 or any other ad-*  
22 *ministrative regulation, directive, or policy.*

23       *SEC. 743. (a) None of the funds appropriated or other-*  
24 *wise made available by this or any other Act may be avail-*  
25 *able for a contract, grant, or cooperative agreement with*

1 *an entity that requires employees or contractors of such en-*  
2 *tity seeking to report fraud, waste, or abuse to sign internal*  
3 *confidentiality agreements or statements prohibiting or oth-*  
4 *erwise restricting such employees or contractors from law-*  
5 *fully reporting such waste, fraud, or abuse to a designated*  
6 *investigative or law enforcement representative of a Federal*  
7 *department or agency authorized to receive such informa-*  
8 *tion.*

9       **(b)** *The limitation in subsection (a) shall not con-*  
10 *travene requirements applicable to Standard Form 312,*  
11 *Form 4414, or any other form issued by a Federal depart-*  
12 *ment or agency governing the nondisclosure of classified in-*  
13 *formation.*

14       **SEC. 744. (a)** *No funds appropriated in this or any*  
15 *other Act may be used to implement or enforce the agree-*  
16 *ments in Standard Forms 312 and 4414 of the Government*  
17 *or any other nondisclosure policy, form, or agreement if*  
18 *such policy, form, or agreement does not contain the fol-*  
19 *lowing provisions: “These provisions are consistent with*  
20 *and do not supersede, conflict with, or otherwise alter the*  
21 *employee obligations, rights, or liabilities created by exist-*  
22 *ing statute or Executive order relating to (1) classified in-*  
23 *formation, (2) communications to Congress, (3) the report-*  
24 *ing to an Inspector General of a violation of any law, rule,*  
25 *or regulation, or mismanagement, a gross waste of funds,*

1 *an abuse of authority, or a substantial and specific danger*  
2 *to public health or safety, or (4) any other whistleblower*  
3 *protection. The definitions, requirements, obligations,*  
4 *rights, sanctions, and liabilities created by controlling Ex-*  
5 *ecutive orders and statutory provisions are incorporated*  
6 *into this agreement and are controlling.”: Provided, That*  
7 *notwithstanding the preceding provision of this section, a*  
8 *nondisclosure policy form or agreement that is to be exe-*  
9 *cuted by a person connected with the conduct of an intel-*  
10 *ligence or intelligence-related activity, other than an em-*  
11 *ployee or officer of the United States Government, may con-*  
12 *tain provisions appropriate to the particular activity for*  
13 *which such document is to be used. Such form or agreement*  
14 *shall, at a minimum, require that the person will not dis-*  
15 *close any classified information received in the course of*  
16 *such activity unless specifically authorized to do so by the*  
17 *United States Government. Such nondisclosure forms shall*  
18 *also make it clear that they do not bar disclosures to Con-*  
19 *gress, or to an authorized official of an executive agency*  
20 *or the Department of Justice, that are essential to reporting*  
21 *a substantial violation of law.*

22 *(b) A nondisclosure agreement may continue to be im-*  
23 *plemented and enforced notwithstanding subsection (a) if*  
24 *it complies with the requirements for such agreement that*  
25 *were in effect when the agreement was entered into.*

1       (c) *No funds appropriated in this or any other Act*  
2 *may be used to implement or enforce any agreement entered*  
3 *into during fiscal year 2014 which does not contain sub-*  
4 *stantially similar language to that required in subsection*  
5 *(a).*

6       *SEC. 745. None of the funds made available by this*  
7 *or any other Act may be used to enter into a contract,*  
8 *memorandum of understanding, or cooperative agreement*  
9 *with, make a grant to, or provide a loan or loan guarantee*  
10 *to, any corporation that has any unpaid Federal tax liabil-*  
11 *ity that has been assessed, for which all judicial and admin-*  
12 *istrative remedies have been exhausted or have lapsed, and*  
13 *that is not being paid in a timely manner pursuant to an*  
14 *agreement with the authority responsible for collecting the*  
15 *tax liability, where the awarding agency is aware of the*  
16 *unpaid tax liability, unless a Federal agency has considered*  
17 *suspension or debarment of the corporation and has made*  
18 *a determination that this further action is not necessary*  
19 *to protect the interests of the Government.*

20       *SEC. 746. None of the funds made available by this*  
21 *or any other Act may be used to enter into a contract,*  
22 *memorandum of understanding, or cooperative agreement*  
23 *with, make a grant to, or provide a loan or loan guarantee*  
24 *to, any corporation that was convicted of a felony criminal*  
25 *violation under any Federal law within the preceding 24*

1 months, where the awarding agency is aware of the convic-  
2 tion, unless a Federal agency has considered suspension or  
3 debarment of the corporation and has made a determina-  
4 tion that this further action is not necessary to protect the  
5 interests of the Government.

6       SEC. 747. (a) During fiscal year 2018, on the date on  
7 which a request is made for a transfer of funds in accord-  
8 ance with section 1017 of Public Law 111–203, the Bureau  
9 of Consumer Financial Protection shall notify the Commit-  
10 tees on Appropriations of the House of Representatives and  
11 the Senate, the Committee on Financial Services of the  
12 House of Representatives, and the Committee on Banking,  
13 Housing, and Urban Affairs of the Senate of such request.

14       (b) Any notification required by this section shall be  
15 made available on the Bureau’s public Web site.

16       SEC. 748. If, for fiscal year 2018, new budget authority  
17 provided in appropriations Acts exceeds the discretionary  
18 spending limit for any category set forth in section 251(c)  
19 of the Balanced Budget and Emergency Deficit Control Act  
20 of 1985 due to estimating differences with the Congressional  
21 Budget Office, an adjustment to the discretionary spending  
22 limit in such category for fiscal year 2018 shall be made  
23 by the Director of the Office of Management and Budget  
24 in the amount of the excess but the total of all such adjust-  
25 ments shall not exceed 0.2 percent of the sum of the adjusted

1 *discretionary spending limits for all categories for that fis-*  
 2 *cal year.*

3 *SEC. 749. Except as expressly provided otherwise, any*  
 4 *reference to “this Act” contained in any title other than*  
 5 *title IV or VIII shall not apply to such title IV or VIII.*

6 *TITLE VIII*

7 *GENERAL PROVISIONS—DISTRICT OF COLUMBIA*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *SEC. 801. There are appropriated from the applicable*  
 10 *funds of the District of Columbia such sums as may be nec-*  
 11 *essary for making refunds and for the payment of legal set-*  
 12 *tlements or judgments that have been entered against the*  
 13 *District of Columbia government.*

14 *SEC. 802. None of the Federal funds provided in this*  
 15 *Act shall be used for publicity or propaganda purposes or*  
 16 *implementation of any policy including boycott designed to*  
 17 *support or defeat legislation pending before Congress or any*  
 18 *State legislature.*

19 *SEC. 803. (a) None of the Federal funds provided*  
 20 *under this Act to the agencies funded by this Act, both Fed-*  
 21 *eral and District government agencies, that remain avail-*  
 22 *able for obligation or expenditure in fiscal year 2018, or*  
 23 *provided from any accounts in the Treasury of the United*  
 24 *States derived by the collection of fees available to the agen-*  
 25 *cies funded by this Act, shall be available for obligation or*

1 *expenditures for an agency through a reprogramming of*  
2 *funds which—*

3           (1) *creates new programs;*

4           (2) *eliminates a program, project, or responsi-*  
5 *bility center;*

6           (3) *establishes or changes allocations specifically*  
7 *denied, limited or increased under this Act;*

8           (4) *increases funds or personnel by any means*  
9 *for any program, project, or responsibility center for*  
10 *which funds have been denied or restricted;*

11           (5) *re-establishes any program or project pre-*  
12 *viously deferred through reprogramming;*

13           (6) *augments any existing program, project, or*  
14 *responsibility center through a reprogramming of*  
15 *funds in excess of \$3,000,000 or 10 percent, whichever*  
16 *is less; or*

17           (7) *increases by 20 percent or more personnel as-*  
18 *signed to a specific program, project or responsibility*  
19 *center,*

20 *unless prior approval is received from the Committees on*  
21 *Appropriations of the House of Representatives and the*  
22 *Senate.*

23           (b) *The District of Columbia government is authorized*  
24 *to approve and execute reprogramming and transfer re-*

1 *quests of local funds under this title through November 7,*  
2 *2018.*

3 *SEC. 804. None of the Federal funds provided in this*  
4 *Act may be used by the District of Columbia to provide*  
5 *for salaries, expenses, or other costs associated with the of-*  
6 *fices of United States Senator or United States Representa-*  
7 *tive under section 4(d) of the District of Columbia State-*  
8 *hood Constitutional Convention Initiatives of 1979 (D.C.*  
9 *Law 3–171; D.C. Official Code, sec. 1–123).*

10 *SEC. 805. Except as otherwise provided in this section,*  
11 *none of the funds made available by this Act or by any*  
12 *other Act may be used to provide any officer or employee*  
13 *of the District of Columbia with an official vehicle unless*  
14 *the officer or employee uses the vehicle only in the perform-*  
15 *ance of the officer’s or employee’s official duties. For pur-*  
16 *poses of this section, the term “official duties” does not in-*  
17 *clude travel between the officer’s or employee’s residence and*  
18 *workplace, except in the case of—*

19 *(1) an officer or employee of the Metropolitan*  
20 *Police Department who resides in the District of Co-*  
21 *lumbia or is otherwise designated by the Chief of the*  
22 *Department;*

23 *(2) at the discretion of the Fire Chief, an officer*  
24 *or employee of the District of Columbia Fire and*  
25 *Emergency Medical Services Department who resides*



1 *in the District of Columbia and is on call 24 hours*  
2 *a day;*

3 *(3) at the discretion of the Director of the De-*  
4 *partment of Corrections, an officer or employee of the*  
5 *District of Columbia Department of Corrections who*  
6 *resides in the District of Columbia and is on call 24*  
7 *hours a day;*

8 *(4) at the discretion of the Chief Medical Exam-*  
9 *iner, an officer or employee of the Office of the Chief*  
10 *Medical Examiner who resides in the District of Co-*  
11 *lumbia and is on call 24 hours a day;*

12 *(5) at the discretion of the Director of the Home-*  
13 *land Security and Emergency Management Agency,*  
14 *an officer or employee of the Homeland Security and*  
15 *Emergency Management Agency who resides in the*  
16 *District of Columbia and is on call 24 hours a day;*

17 *(6) the Mayor of the District of Columbia; and*

18 *(7) the Chairman of the Council of the District*  
19 *of Columbia.*

20 *SEC. 806. (a) None of the Federal funds contained in*  
21 *this Act may be used by the District of Columbia Attorney*  
22 *General or any other officer or entity of the District govern-*  
23 *ment to provide assistance for any petition drive or civil*  
24 *action which seeks to require Congress to provide for voting*  
25 *representation in Congress for the District of Columbia.*

1       **(b)** *Nothing in this section bars the District of Colum-*  
2 *bia Attorney General from reviewing or commenting on*  
3 *briefs in private lawsuits, or from consulting with officials*  
4 *of the District government regarding such lawsuits.*

5       **SEC. 807.** *None of the Federal funds contained in this*  
6 *Act may be used to distribute any needle or syringe for the*  
7 *purpose of preventing the spread of blood borne pathogens*  
8 *in any location that has been determined by the local public*  
9 *health or local law enforcement authorities to be inappro-*  
10 *prate for such distribution.*

11       **SEC. 808.** *Nothing in this Act may be construed to pre-*  
12 *vent the Council or Mayor of the District of Columbia from*  
13 *addressing the issue of the provision of contraceptive cov-*  
14 *erage by health insurance plans, but it is the intent of Con-*  
15 *gress that any legislation enacted on such issue should in-*  
16 *clude a “conscience clause” which provides exceptions for*  
17 *religious beliefs and moral convictions.*

18       **SEC. 809. (a)** *None of the Federal funds contained in*  
19 *this Act may be used to enact or carry out any law, rule,*  
20 *or regulation to legalize or otherwise reduce penalties asso-*  
21 *ciated with the possession, use, or distribution of any sched-*  
22 *ule I substance under the Controlled Substances Act (21*  
23 *U.S.C. 801 et seq.) or any tetrahydrocannabinols deriva-*  
24 *tive.*

1       (b) *No funds available for obligation or expenditure*  
2 *by the District of Columbia government under any author-*  
3 *ity may be used to enact any law, rule, or regulation to*  
4 *legalize or otherwise reduce penalties associated with the*  
5 *possession, use, or distribution of any schedule I substance*  
6 *under the Controlled Substances Act (21 U.S.C. 801 et seq.)*  
7 *or any tetrahydrocannabinols derivative for recreational*  
8 *purposes.*

9       SEC. 810. *No funds available for obligation or expendi-*  
10 *ture by the District of Columbia government under any au-*  
11 *thority shall be expended for any abortion except where the*  
12 *life of the mother would be endangered if the fetus were car-*  
13 *ried to term or where the pregnancy is the result of an act*  
14 *of rape or incest.*

15       SEC. 811. (a) *No later than 30 calendar days after*  
16 *the date of the enactment of this Act, the Chief Financial*  
17 *Officer for the District of Columbia shall submit to the ap-*  
18 *propriate committees of Congress, the Mayor, and the Coun-*  
19 *cil of the District of Columbia, a revised appropriated funds*  
20 *operating budget in the format of the budget that the Dis-*  
21 *trict of Columbia government submitted pursuant to section*  
22 *442 of the District of Columbia Home Rule Act (D.C. Offi-*  
23 *cial Code, sec. 1–204.42), for all agencies of the District of*  
24 *Columbia government for fiscal year 2018 that is in the*  
25 *total amount of the approved appropriation and that re-*

1 *aligns all budgeted data for personal services and other-*  
2 *than-personal services, respectively, with anticipated actual*  
3 *expenditures.*

4 *(b) This section shall apply only to an agency for*  
5 *which the Chief Financial Officer for the District of Colum-*  
6 *bia certifies that a reallocation is required to address unan-*  
7 *anticipated changes in program requirements.*

8 *SEC. 812. No later than 30 calendar days after the*  
9 *date of the enactment of this Act, the Chief Financial Offi-*  
10 *cer for the District of Columbia shall submit to the appro-*  
11 *priate committees of Congress, the Mayor, and the Council*  
12 *for the District of Columbia, a revised appropriated funds*  
13 *operating budget for the District of Columbia Public*  
14 *Schools that aligns schools budgets to actual enrollment. The*  
15 *revised appropriated funds budget shall be in the format*  
16 *of the budget that the District of Columbia government sub-*  
17 *mitted pursuant to section 442 of the District of Columbia*  
18 *Home Rule Act (D.C. Official Code, sec. 1–204.42).*

19 *SEC. 813. (a) Amounts appropriated in this Act as*  
20 *operating funds may be transferred to the District of Co-*  
21 *lumbia’s enterprise and capital funds and such amounts,*  
22 *once transferred, shall retain appropriation authority con-*  
23 *sistent with the provisions of this Act.*

24 *(b) The District of Columbia government is authorized*  
25 *to reprogram or transfer for operating expenses any local*

1 *funds transferred or reprogrammed in this or the four prior*  
2 *fiscal years from operating funds to capital funds, and such*  
3 *amounts, once transferred or reprogrammed, shall retain*  
4 *appropriation authority consistent with the provisions of*  
5 *this Act.*

6 *(c) The District of Columbia government may not*  
7 *transfer or reprogram for operating expenses any funds de-*  
8 *rived from bonds, notes, or other obligations issued for cap-*  
9 *ital projects.*

10 *SEC. 814. None of the Federal funds appropriated in*  
11 *this Act shall remain available for obligation beyond the*  
12 *current fiscal year, nor may any be transferred to other*  
13 *appropriations, unless expressly so provided herein.*

14 *SEC. 815. Except as otherwise specifically provided by*  
15 *law or under this Act, not to exceed 50 percent of unobli-*  
16 *gated balances remaining available at the end of fiscal year*  
17 *2018 from appropriations of Federal funds made available*  
18 *for salaries and expenses for fiscal year 2018 in this Act,*  
19 *shall remain available through September 30, 2019, for each*  
20 *such account for the purposes authorized: Provided, That*  
21 *a request shall be submitted to the Committees on Appro-*  
22 *priations of the House of Representatives and the Senate*  
23 *for approval prior to the expenditure of such funds: Pro-*  
24 *vided further, That these requests shall be made in compli-*

1 *ance with reprogramming guidelines outlined in section*  
2 *803 of this Act.*

3       *SEC. 816. (a)(1) During fiscal year 2019, during a*  
4 *period in which neither a District of Columbia continuing*  
5 *resolution or a regular District of Columbia appropriation*  
6 *bill is in effect, local funds are appropriated in the amount*  
7 *provided for any project or activity for which local funds*  
8 *are provided in the Act referred to in paragraph (2) (subject*  
9 *to any modifications enacted by the District of Columbia*  
10 *as of the beginning of the period during which this sub-*  
11 *section is in effect) at the rate set forth by such Act.*

12       *(2) The Act referred to in this paragraph is the Act*  
13 *of the Council of the District of Columbia pursuant to which*  
14 *a proposed budget is approved for fiscal year 2019 which*  
15 *(subject to the requirements of the District of Columbia*  
16 *Home Rule Act) will constitute the local portion of the an-*  
17 *nual budget for the District of Columbia government for*  
18 *fiscal year 2019 for purposes of section 446 of the District*  
19 *of Columbia Home Rule Act (sec. 1–204.46, D.C. Official*  
20 *Code).*

21       *(b) Appropriations made by subsection (a) shall cease*  
22 *to be available—*

23               *(1) during any period in which a District of Co-*  
24       *lumbia continuing resolution for fiscal year 2019 is*  
25       *in effect; or*

1           (2) upon the enactment into law of the regular  
2       *District of Columbia appropriation bill for fiscal year*  
3       *2019.*

4           (c) An appropriation made by subsection (a) is pro-  
5       *vided under the authority and conditions as provided under*  
6       *this Act and shall be available to the extent and in the man-*  
7       *ner that would be provided by this Act.*

8           (d) An appropriation made by subsection (a) shall  
9       *cover all obligations or expenditures incurred for such*  
10       *project or activity during the portion of fiscal year 2019*  
11       *for which this section applies to such project or activity.*

12          (e) This section shall not apply to a project or activity  
13       *during any period of fiscal year 2019 if any other provision*  
14       *of law (other than an authorization of appropriations)—*

15               (1) makes an appropriation, makes funds avail-  
16       *able, or grants authority for such project or activity*  
17       *to continue for such period; or*

18               (2) specifically provides that no appropriation  
19       *shall be made, no funds shall be made available, or*  
20       *no authority shall be granted for such project or ac-*  
21       *tivity to continue for such period.*

22          (f) Nothing in this section shall be construed to affect  
23       *obligations of the government of the District of Columbia*  
24       *mandated by other law.*





1 \$227,516,000 shall remain available until September 30,  
2 2019: Provided, That not to exceed \$2,000 shall be for offi-  
3 cial reception and representation expenses.

4 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

5 *For necessary expenses of the Management Directorate*  
6 *for procurement, construction, and improvements,*  
7 *\$29,569,000, to remain available until September 30, 2019.*

8 *RESEARCH AND DEVELOPMENT*

9 *For necessary expenses of the Management Directorate*  
10 *for research and development, \$2,545,000, to remain avail-*  
11 *able until September 30, 2019.*

12 *INTELLIGENCE, ANALYSIS, AND OPERATIONS*

13 *COORDINATION*

14 *OPERATIONS AND SUPPORT*

15 *For necessary expenses of the Office of Intelligence and*  
16 *Analysis and the Office of Operations Coordination for op-*  
17 *erations and support, \$245,905,000, of which \$77,915,000*  
18 *shall remain available until September 30, 2019: Provided,*  
19 *That not to exceed \$3,825 shall be for official reception and*  
20 *representation expenses and not to exceed \$2,000,000 is*  
21 *available for facility needs associated with secure space at*  
22 *fusion centers, including improvements to buildings.*

1                    *OFFICE OF INSPECTOR GENERAL*  
2                    *OPERATIONS AND SUPPORT*

3            *For necessary expenses of the Office of Inspector Gen-*  
4 *eral for operations and support, \$168,000,000: Provided,*  
5 *That not to exceed \$300,000 may be used for certain con-*  
6 *fidential operational expenses, including the payment of in-*  
7 *formants, to be expended at the direction of the Inspector*  
8 *General.*

9                    *ADMINISTRATIVE PROVISIONS*

10            *SEC. 101. Hereafter, the Secretary of Homeland Secu-*  
11 *rity shall submit to the Committees on Appropriations of*  
12 *the Senate and the House of Representatives, at the time*  
13 *the President's budget proposal is submitted pursuant to*  
14 *section 1105(a) of title 31, United States Code, the Future*  
15 *Years Homeland Security Program, as authorized by sec-*  
16 *tion 874 of the Homeland Security Act of 2002 (6 U.S.C.*  
17 *454).*

18            *SEC. 102. Not later than 30 days after the last day*  
19 *of each month, the Chief Financial Officer of the Depart-*  
20 *ment of Homeland Security shall submit to the Committees*  
21 *on Appropriations of the Senate and the House of Rep-*  
22 *resentatives a monthly budget and staffing report that in-*  
23 *cludes total obligations of the Department for that month*  
24 *and for the fiscal year at the appropriation and program,*

1 *project, and activity levels, by the source year of the appro-*  
2 *priation.*

3       *SEC. 103. (a) Notwithstanding section 518 of division*  
4 *F of the Consolidated Appropriations Act, 2016 (Public*  
5 *Law 114–113), the Secretary of Homeland Security shall*  
6 *submit a report not later than October 15, 2018, to the In-*  
7 *spector General of the Department of Homeland Security*  
8 *listing all grants and contracts awarded by any means*  
9 *other than full and open competition during fiscal years*  
10 *2017 and 2018.*

11       *(b) The Inspector General shall review the report re-*  
12 *quired by subsection (a) to assess departmental compliance*  
13 *with applicable laws and regulations and report the results*  
14 *of that review to the Committees on Appropriations of the*  
15 *Senate and the House of Representatives not later than Feb-*  
16 *ruary 15, 2019.*

17       *SEC. 104. The Secretary of Homeland Security shall*  
18 *require that all contracts of the Department of Homeland*  
19 *Security that provide award fees link such fees to successful*  
20 *acquisition outcomes, which shall be specified in terms of*  
21 *cost, schedule, and performance.*

22       *SEC. 105. The Secretary of Homeland Security, in*  
23 *consultation with the Secretary of the Treasury, shall notify*  
24 *the Committees on Appropriations of the Senate and the*  
25 *House of Representatives of any proposed transfers of funds*

1 *available under section 9703(g)(4)(B) of title 31, United*  
2 *States Code (as added by Public Law 102–393) from the*  
3 *Department of the Treasury Forfeiture Fund to any agency*  
4 *within the Department of Homeland Security: Provided,*  
5 *That none of the funds identified for such a transfer may*  
6 *be obligated until the Committees on Appropriations of the*  
7 *Senate and the House of Representatives are notified of the*  
8 *proposed transfers.*

9       *SEC. 106. All official costs associated with the use of*  
10 *Government aircraft by Department of Homeland Security*  
11 *personnel to support official travel of the Secretary and the*  
12 *Deputy Secretary shall be paid from amounts made avail-*  
13 *able for the Office of the Secretary.*

14       *SEC. 107. (a) Not later than 30 days after the date*  
15 *of enactment of this Act, the Secretary of Homeland Secu-*  
16 *rity shall submit to the Committees on Appropriations of*  
17 *the Senate and the House of Representatives, the Commit-*  
18 *tees on the Judiciary of the Senate and the House of Rep-*  
19 *resentatives, the Committee on Homeland Security and*  
20 *Governmental Affairs of the Senate, and the Committee on*  
21 *Homeland Security of the House of Representatives, a re-*  
22 *port for fiscal year 2017 on visa overstay data by country*  
23 *as required by section 1376 of title 8, United States Code:*  
24 *Provided, That the report on visa overstay data shall also*  
25 *include—*



1 chase and lease of up to 7,500 (6,500 for replacement only)  
2 police-type vehicles; the purchase, maintenance, or oper-  
3 ation of marine vessels, aircraft, and unmanned aerial sys-  
4 tems; and contracting with individuals for personal services  
5 abroad; \$11,485,164,000; of which \$3,274,000 shall be de-  
6 rived from the Harbor Maintenance Trust Fund for admin-  
7 istrative expenses related to the collection of the Harbor  
8 Maintenance Fee pursuant to section 9505(c)(3) of the In-  
9 ternal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and  
10 notwithstanding section 1511(e)(1) of the Homeland Secu-  
11 rity Act of 2002 (6 U.S.C. 551(e)(1)); of which  
12 \$681,441,500 shall be available until September 30, 2019;  
13 and of which such sums as become available in the Customs  
14 User Fee Account, except sums subject to section 13031(f)(3)  
15 of the Consolidated Omnibus Budget Reconciliation Act of  
16 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that ac-  
17 count: Provided, That not to exceed \$34,425 shall be for offi-  
18 cial reception and representation expenses: Provided fur-  
19 ther, That not to exceed \$15,000,000 may be transferred to  
20 the Bureau of Indian Affairs for the maintenance and re-  
21 pair of roads on Native American reservations, as required  
22 by the Border Patrol: Provided further, That not to exceed  
23 \$150,000 shall be available for payment for rental space  
24 in connection with preclearance operations: Provided fur-  
25 ther, That not to exceed \$1,000,000 shall be for awards of

1 *compensation to informants, to be accounted for solely*  
2 *under the certificate of the Secretary of Homeland Security.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of U.S. Customs and Border*  
5 *Protection for procurement, construction, and improve-*  
6 *ments, including procurements to buy marine vessels, air-*  
7 *craft, and unmanned aerial systems, \$2,281,357,000, of*  
8 *which \$846,343,000 shall remain available until September*  
9 *30, 2020, and of which \$1,435,014,000 shall remain avail-*  
10 *able until September 30, 2022.*

11 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*

12 *OPERATIONS AND SUPPORT*

13 *For necessary expenses of U.S. Immigration and Cus-*  
14 *toms Enforcement for operations and support, including the*  
15 *purchase and lease of up to 3,790 (2,350 for replacement*  
16 *only) police-type vehicles; overseas vetted units; and mainte-*  
17 *nance, minor construction, and minor leasehold improve-*  
18 *ments at owned and leased facilities; \$6,993,975,000; of*  
19 *which \$6,000,000 shall remain available until expended for*  
20 *efforts to enforce laws against forced child labor; of which*  
21 *\$33,700,000 shall remain available until September 30,*  
22 *2019; of which not less than \$15,000,000 shall be available*  
23 *for investigation of intellectual property rights violations,*  
24 *including operation of the National Intellectual Property*  
25 *Rights Coordination Center; of which not less than*

1 \$9,000,000 shall be available for facilities repair and main-  
2 tenance projects; of which not less than \$84,000,000 shall  
3 be available for vehicle fleet recapitalization; and of which  
4 not less than \$4,110,337,000 shall be for enforcement, deten-  
5 tion, and removal operations, including transportation of  
6 unaccompanied minor aliens: Provided, That not to exceed  
7 \$11,475 shall be for official reception and representation  
8 expenses: Provided further, That not to exceed \$10,000,000  
9 shall be available until expended for conducting special op-  
10 erations under section 3131 of the Customs Enforcement Act  
11 of 1986 (19 U.S.C. 2081): Provided further, That not to  
12 exceed \$2,000,000 shall be for awards of compensation to  
13 informants, to be accounted for solely under the certificate  
14 of the Secretary of Homeland Security: Provided further,  
15 That not to exceed \$11,216,000 shall be available to fund  
16 or reimburse other Federal agencies for the costs associated  
17 with the care, maintenance, and repatriation of smuggled  
18 aliens unlawfully present in the United States: Provided  
19 further, That of the amounts made available under this  
20 heading, \$5,000,000 shall be withheld from obligation until  
21 the Secretary of Homeland Security submits to the Commit-  
22 tees on Appropriations of the Senate and the House of Rep-  
23 resentatives the report required under section 212 of this  
24 Act.



1        *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

2            *For necessary expenses of U.S. Immigration and Cus-*  
3 *toms Enforcement for procurement, construction, and im-*  
4 *provements, \$81,899,000, to remain available until Sep-*  
5 *tember 30, 2020; of which not less than \$29,000,000 shall*  
6 *be available for facilities repair and maintenance projects.*

7            *TRANSPORTATION SECURITY ADMINISTRATION*8                            *OPERATIONS AND SUPPORT*

9            *For necessary expenses of the Transportation Security*  
10 *Administration for operations and support, \$7,207,851,000,*  
11 *to remain available until September 30, 2019: Provided,*  
12 *That not to exceed \$7,650 shall be for official reception and*  
13 *representation expenses: Provided further, That security*  
14 *service fees authorized under section 44940 of title 49,*  
15 *United States Code, shall be credited to this appropriation*  
16 *as offsetting collections and shall be available only for avia-*  
17 *tion security: Provided further, That the sum appropriated*  
18 *under this heading from the general fund shall be reduced*  
19 *on a dollar-for-dollar basis as such offsetting collections are*  
20 *received during fiscal year 2018 so as to result in a final*  
21 *fiscal year appropriation from the general fund estimated*  
22 *at not more than \$4,737,851,000.*

23        *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

24            *For necessary expenses of the Transportation Security*  
25 *Administration for procurement, construction, and im-*

1 *provements, \$167,314,000, to remain available until Sep-*  
2 *tember 30, 2020.*

3 *RESEARCH AND DEVELOPMENT*

4 *For necessary expenses of the Transportation Security*  
5 *Administration for research and development, \$20,190,000,*  
6 *to remain available until September 30, 2019.*

7 *COAST GUARD*

8 *OPERATING EXPENSES*

9 *For necessary expenses for the operations and mainte-*  
10 *nance of the Coast Guard, not otherwise provided for; pur-*  
11 *chase or lease of not to exceed 25 passenger motor vehicles,*  
12 *which shall be for replacement only; purchase or lease of*  
13 *small boats for contingent and emergent requirements (at*  
14 *a unit cost of not more than \$700,000) and repairs and*  
15 *service-life replacements, not to exceed a total of*  
16 *\$31,000,000; purchase or lease of boats necessary for over-*  
17 *seas deployments and activities; payments pursuant to sec-*  
18 *tion 156 of Public Law 97–377 (42 U.S.C. 402 note; 96*  
19 *Stat. 1920); and recreation and welfare; \$7,373,313,000; of*  
20 *which \$503,000,000 shall be for defense-related activities,*  
21 *of which \$163,000,000 is designated by the Congress for*  
22 *Overseas Contingency Operations/Global War on Terrorism*  
23 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
24 *and Emergency Deficit Control Act of 1985 and shall be*  
25 *available only if the President subsequently so designates*

1 *all such amounts and transmits such designations to the*  
2 *Congress; and of which \$24,500,000 shall be derived from*  
3 *the Oil Spill Liability Trust Fund to carry out the purposes*  
4 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*  
5 *U.S.C. 2712(a)(5)): Provided, That not to exceed \$23,000*  
6 *shall be for official reception and representation expenses:*  
7 *Provided further, That \$25,000,000 shall be withheld from*  
8 *obligation for Coast Guard Headquarters Directorates until*  
9 *a future-years capital investment plan for fiscal years 2019*  
10 *through 2023 is submitted to the Committees on Appropria-*  
11 *tions of the Senate and the House of Representatives pursu-*  
12 *ant to section 220 of this Act.*

13 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

14 *For necessary expenses to carry out the environmental*  
15 *compliance and restoration functions of the Coast Guard*  
16 *under chapter 19 of title 14, United States Code,*  
17 *\$13,397,000, to remain available until September 30, 2022.*

18 *RESERVE TRAINING*

19 *For necessary expenses of the Coast Guard Reserve; op-*  
20 *erations and maintenance of the Coast Guard Reserve Pro-*  
21 *gram; personnel and training costs; and equipment and*  
22 *services; \$114,875,000.*

23 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

24 *For necessary expenses of the Coast Guard for acquisi-*  
25 *tion, construction, renovation, and improvement of aids to*

1 navigation, shore facilities (including facilities at Depart-  
2 ment of Defense installations used by the Coast Guard), ves-  
3 sels, and aircraft, including equipment related thereto,  
4 \$2,694,745,000; of which \$20,000,000 shall be derived from  
5 the Oil Spill Liability Trust Fund to carry out the purposes  
6 of section 1012(a)(5) of the Oil Pollution Act of 1990 (33  
7 U.S.C. 2712(a)(5)); and of which \$2,573,000,000 shall be  
8 available until September 30, 2022, of which \$95,000,000  
9 shall be immediately available and allotted to contract for  
10 long lead time materials for the eleventh National Security  
11 Cutter notwithstanding the availability of funds for produc-  
12 tion or post-production costs.

13 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

14 For necessary expenses of the Coast Guard for research,  
15 development, test, and evaluation; and for maintenance, re-  
16 habilitation, lease, and operation of facilities and equip-  
17 ment; \$29,141,000, to remain available until September 30,  
18 2020, of which \$500,000 shall be derived from the Oil Spill  
19 Liability Trust Fund to carry out the purposes of section  
20 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.  
21 2712(a)(5)): Provided, That there may be credited to and  
22 used for the purposes of this appropriation funds received  
23 from State and local governments, other public authorities,  
24 private sources, and foreign countries for expenses incurred  
25 for research, development, testing, and evaluation.

1 *RETIRE*  
2 *D PAY*

3 *For retired pay, including the payment of obligations*  
4 *otherwise chargeable to lapsed appropriations for this pur-*  
5 *pose, payments under the Retired Serviceman's Family*  
6 *Protection and Survivor Benefits Plans, payment for career*  
7 *status bonuses, payment of continuation pay under section*  
8 *356 of title 37, United States Code, concurrent receipts,*  
9 *combat-related special compensation, and payments for*  
10 *medical care of retired personnel and their dependents*  
11 *under chapter 55 of title 10, United States Code,*  
12 *\$1,676,117,000, to remain available until expended.*

13 *UNITED STATES SECRET SERVICE*14 *OPERATIONS AND SUPPORT*

15 *For necessary expenses of the United States Secret*  
16 *Service for operations and support, including purchase of*  
17 *not to exceed 652 vehicles for police-type use for replacement*  
18 *only; hire of passenger motor vehicles; purchase of motor-*  
19 *cycles made in the United States; hire of aircraft; rental*  
20 *of buildings in the District of Columbia; fencing, lighting,*  
21 *guard booths, and other facilities on private or other prop-*  
22 *erty not in Government ownership or control, as may be*  
23 *necessary to perform protective functions; conduct of and*  
24 *participation in firearms matches; presentation of awards;*  
25 *conduct of behavioral research in support of protective intel-*  
*ligence and operations; payment in advance for commercial*

1 accommodations as may be necessary to perform protective  
2 functions; and payment, without regard to section 5702 of  
3 title 5, United States Code, of subsistence expenses of em-  
4 ployees who are on protective missions, whether at or away  
5 from their duty stations; \$1,915,794,000; of which  
6 \$39,692,000 shall remain available until September 30,  
7 2019, of which \$6,000,000 shall be for a grant for activities  
8 related to investigations of missing and exploited children;  
9 and of which \$9,866,000 shall be for premium pay in excess  
10 of the annual equivalent of the limitation on the rate of  
11 pay contained in section 5547(a) of title 5, United States  
12 Code, pursuant to section 2 of the Overtime Pay for Protec-  
13 tive Services Act of 2016 (5 U.S.C. 5547 note), as amended  
14 by the Secret Service Recruitment and Retention Act of  
15 2018: Provided, That not to exceed \$19,125 shall be for offi-  
16 cial reception and representation expenses: Provided fur-  
17 ther, That not to exceed \$100,000 shall be to provide tech-  
18 nical assistance and equipment to foreign law enforcement  
19 organizations in counterfeit investigations.

20 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

21 *For necessary expenses of the United States Secret*  
22 *Service for procurement, construction, and improvements,*  
23 *\$90,480,000, to remain available until September 30, 2020.*



1        *national security purposes and in cases of immigra-*  
2        *tion emergencies.*

3            (2) “*United States Secret Service—Operations*  
4        *and Support*”, except that the Secretary of Homeland  
5        *Security, or the designee of the Secretary, may waive*  
6        *such amount as necessary for national security pur-*  
7        *poses.*

8        *SEC. 202. Funding made available under the heading*  
9        *“U.S. Customs and Border Protection—Operations and*  
10       *Support” and “U.S. Customs and Border Protection—Pro-*  
11       *curement, Construction, and Improvements” shall be avail-*  
12       *able for customs expenses when necessary to maintain oper-*  
13       *ations and prevent adverse personnel actions in Puerto Rico*  
14       *in addition to funding provided by 48 U.S.C. 740.*

15        *SEC. 203. Hereafter, no U.S. Customs and Border Pro-*  
16       *tection aircraft or other related equipment, with the excep-*  
17       *tion of aircraft that are one of a kind and have been identi-*  
18       *fied as excess to U.S. Customs and Border Protection re-*  
19       *quirements and aircraft that have been damaged beyond re-*  
20       *pair, shall be transferred to any other Federal agency, de-*  
21       *partment, or office outside of the Department of Homeland*  
22       *Security without prior notice to the Committees on Appro-*  
23       *priations of the Senate and the House of Representatives.*

24        *SEC. 204. As authorized by section 601(b) of the*  
25       *United States-Colombia Trade Promotion Agreement Im-*



1 *plementation Act (Public Law 112–42), fees collected from*  
2 *passengers arriving from Canada, Mexico, or an adjacent*  
3 *island pursuant to section 13031(a)(5) of the Consolidated*  
4 *Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.*  
5 *58c(a)(5)) shall be available until expended.*

6       *SEC. 205. For an additional amount for “U.S. Cus-*  
7 *toms and Border Protection—Operations and Support”,*  
8 *\$31,000,000, to remain available until expended, to be re-*  
9 *duced by amounts collected and credited to this appropria-*  
10 *tion in fiscal year 2018 from amounts authorized to be col-*  
11 *lected by section 286(i) of the Immigration and Nationality*  
12 *Act (8 U.S.C. 1356(i)), section 10412 of the Farm Security*  
13 *and Rural Investment Act of 2002 (7 U.S.C. 8311), and*  
14 *section 817 of the Trade Facilitation and Trade Enforce-*  
15 *ment Act of 2015 (Public Law 114–25), or other such au-*  
16 *thorizing language: Provided, That to the extent that*  
17 *amounts realized from such collections exceed \$31,000,000,*  
18 *those amounts in excess of \$31,000,000 shall be credited to*  
19 *this appropriation, to remain available until expended.*

20       *SEC. 206. None of the funds made available in this*  
21 *Act for U.S. Customs and Border Protection may be used*  
22 *to prevent an individual not in the business of importing*  
23 *a prescription drug (within the meaning of section 801(g)*  
24 *of the Federal Food, Drug, and Cosmetic Act) from import-*  
25 *ing a prescription drug from Canada that complies with*

1 *the Federal Food, Drug, and Cosmetic Act: Provided, That*  
2 *this section shall apply only to individuals transporting on*  
3 *their person a personal-use quantity of the prescription*  
4 *drug, not to exceed a 90-day supply: Provided further, That*  
5 *the prescription drug may not be—*

6           (1) *a controlled substance, as defined in section*  
7           *102 of the Controlled Substances Act (21 U.S.C. 802);*  
8           *or*

9           (2) *a biological product, as defined in section*  
10          *351 of the Public Health Service Act (42 U.S.C. 262).*

11          *SEC. 207. Notwithstanding any other provision of law,*  
12 *none of the funds provided in this or any other Act shall*  
13 *be used to approve a waiver of the navigation and vessel-*  
14 *inspection laws pursuant to section 501(b) of title 46,*  
15 *United States Code, for the transportation of crude oil dis-*  
16 *tributed from and to the Strategic Petroleum Reserve until*  
17 *the Secretary of Homeland Security, after consultation with*  
18 *the Secretaries of the Departments of Energy and Transpor-*  
19 *tation and representatives from the United States flag mar-*  
20 *itime industry, takes adequate measures to ensure the use*  
21 *of United States flag vessels: Provided, That the Secretary*  
22 *shall notify the Committees on Appropriations of the Senate*  
23 *and the House of Representatives, the Committee on Com-*  
24 *merce, Science, and Transportation of the Senate, and the*  
25 *Committee on Transportation and Infrastructure of the*

1 *House of Representatives within 2 business days of any re-*  
2 *quest for waivers of navigation and vessel-inspection laws*  
3 *pursuant to section 501(b) of title 46, United States Code,*  
4 *with respect to such transportation, and the disposition of*  
5 *such requests.*

6 *SEC. 208. (a) Beginning on the date of enactment of*  
7 *this Act, the Secretary of Homeland Security shall not—*

8 *(1) establish, collect, or otherwise impose any*  
9 *new border crossing fee on individuals crossing the*  
10 *Southern border or the Northern border at a land port*  
11 *of entry; or*

12 *(2) conduct any study relating to the imposition*  
13 *of a border crossing fee.*

14 *(b) In this section, the term “border crossing fee”*  
15 *means a fee that every pedestrian, cyclist, and driver and*  
16 *passenger of a private motor vehicle is required to pay for*  
17 *the privilege of crossing the Southern border or the Northern*  
18 *border at a land port of entry.*

19 *SEC. 209. Without regard to the limitation as to time*  
20 *and condition of section 503(d) of this Act, the Secretary*  
21 *may reprogram within and transfer funds to “U.S. Immi-*  
22 *gration and Customs Enforcement—Operations and Sup-*  
23 *port” as necessary to ensure the detention of aliens*  
24 *prioritized for removal.*

1        *SEC. 210. None of the funds provided under the head-*  
2 *ing “U.S. Immigration and Customs Enforcement—Oper-*  
3 *ations and Support” may be used to continue a delegation*  
4 *of law enforcement authority authorized under section*  
5 *287(g) of the Immigration and Nationality Act (8 U.S.C.*  
6 *1357(g)) if the Department of Homeland Security Inspector*  
7 *General determines that the terms of the agreement gov-*  
8 *erning the delegation of authority have been materially vio-*  
9 *lated.*

10        *SEC. 211. None of the funds provided under the head-*  
11 *ing “U.S. Immigration and Customs Enforcement—Oper-*  
12 *ations and Support” may be used to continue any contract*  
13 *for the provision of detention services if the two most recent*  
14 *overall performance evaluations received by the contracted*  
15 *facility are less than “adequate” or the equivalent median*  
16 *score in any subsequent performance evaluation system.*

17        *SEC. 212. The Secretary of Homeland Security shall*  
18 *submit a report to the Committees on Appropriations of the*  
19 *Senate and the House of Representatives that (a) identifies*  
20 *any instance during fiscal year 2017 or 2018 in which pay-*  
21 *ments have been made by U.S. Immigration and Customs*  
22 *Enforcement, or employees of U.S. Immigration and Cus-*  
23 *toms Enforcement have erroneously entered into financial*  
24 *obligations, for activities in violation of subpart D of part*  
25 *550 of title 5, Code of Federal Regulations; (b) includes spe-*

1 *cific actions the Office of the Chief Financial Officer and*  
2 *the Office of the Principal Legal Advisor will take to im-*  
3 *prove agency-wide understanding of such subpart D; and*  
4 *(c) includes a certification by the Director of U.S. Immigra-*  
5 *tion and Customs Enforcement that the Office of the Chief*  
6 *Financial Officer and the Office of the Principal Legal Ad-*  
7 *visor have developed a plan and implemented training nec-*  
8 *essary for strengthening internal controls necessary to avoid*  
9 *violations of such subpart D.*

10       *SEC. 213. (a) Notwithstanding any other provision of*  
11 *law, for employees of U.S. Immigration and Customs En-*  
12 *forcement and their dependents eligible for Payments Dur-*  
13 *ing Evacuation in accordance with title 5, Code of Federal*  
14 *Regulations, part 550, from August 23, 2017, through De-*  
15 *cember 1, 2017, as a result of Hurricanes Harvey, Irma,*  
16 *and Maria, the requirement of section 550.405(b)(2) of such*  
17 *title to reduce subsistence expenses to 60 percent of the ap-*  
18 *plicable rate shall not apply.*

19       *(b) The Secretary of Homeland Security may author-*  
20 *ize reimbursement for lodging, meals, and incidental ex-*  
21 *penses for such employees and their dependents using the*  
22 *actual expense method set forth in subpart D of part 301-*  
23 *11 of title 41, Code of Federal Regulations, subject to the*  
24 *cap of 300 percent of the applicable maximum per diem*  
25 *rate, as provided in such section.*

1        *SEC. 214. Members of the United States House of Rep-*  
2 *resentatives and the United States Senate, including the*  
3 *leadership; the heads of Federal agencies and commissions,*  
4 *including the Secretary, Deputy Secretary, Under Secre-*  
5 *taries, and Assistant Secretaries of the Department of*  
6 *Homeland Security; the United States Attorney General,*  
7 *Deputy Attorney General, Assistant Attorneys General, and*  
8 *the United States Attorneys; and senior members of the Ex-*  
9 *ecutive Office of the President, including the Director of the*  
10 *Office of Management and Budget, shall not be exempt from*  
11 *Federal passenger and baggage screening.*

12        *SEC. 215. Any award by the Transportation Security*  
13 *Administration to deploy explosives detection systems shall*  
14 *be based on risk, the airport's current reliance on other*  
15 *screening solutions, lobby congestion resulting in increased*  
16 *security concerns, high injury rates, airport readiness, and*  
17 *increased cost effectiveness.*

18        *SEC. 216. Notwithstanding section 44923 of title 49,*  
19 *United States Code, for fiscal year 2018, any funds in the*  
20 *Aviation Security Capital Fund established by section*  
21 *44923(h) of title 49, United States Code, may be used for*  
22 *the procurement and installation of explosives detection sys-*  
23 *tems or for the issuance of other transaction agreements for*  
24 *the purpose of funding projects described in section*  
25 *44923(a) of such title.*

1        *SEC. 217. None of the funds made available by this*  
2 *or any other Act may be used by the Administrator of the*  
3 *Transportation Security Administration to implement, ad-*  
4 *minister, or enforce, in abrogation of the responsibility de-*  
5 *scribed in section 44903(n)(1) of title 49, United States*  
6 *Code, any requirement that airport operators provide air-*  
7 *port-financed staffing to monitor exit points from the sterile*  
8 *area of any airport at which the Transportation Security*  
9 *Administration provided such monitoring as of December*  
10 *1, 2013.*

11        *SEC. 218. None of the funds made available by this*  
12 *Act under the heading “Coast Guard—Operating Ex-*  
13 *penses” shall be for expenses incurred for recreational ves-*  
14 *sels under section 12114 of title 46, United States Code,*  
15 *except to the extent fees are collected from owners of yachts*  
16 *and credited to the appropriation made available by this*  
17 *Act under the heading “Coast Guard—Operating Ex-*  
18 *penses”:* *Provided, That to the extent such fees are insuffi-*  
19 *cient to pay expenses of recreational vessel documentation*  
20 *under such section 12114, and there is a backlog of rec-*  
21 *reational vessel applications, personnel performing non-rec-*  
22 *reational vessel documentation functions under subchapter*  
23 *II of chapter 121 of title 46, United States Code, may per-*  
24 *form documentation under section 12114.*

1        *SEC. 219. Without regard to the limitation as to time*  
2 *and condition of section 503(d) of this Act, after June 30,*  
3 *up to \$10,000,000 may be reprogrammed to or from the*  
4 *Military Pay and Allowances funding category within*  
5 *“Coast Guard—Operating Expenses” in accordance with*  
6 *subsection (a) of section 503 of this Act.*

7        *SEC. 220. Notwithstanding any other provision of law,*  
8 *the Commandant of the Coast Guard shall submit to the*  
9 *Committees on Appropriations of the Senate and the House*  
10 *of Representatives a future-years capital investment plan*  
11 *as described in the second proviso under the heading “Coast*  
12 *Guard—Acquisition, Construction, and Improvements” in*  
13 *the Department of Homeland Security Appropriations Act,*  
14 *2015 (Public Law 114–4), which shall be subject to the re-*  
15 *quirements in the third and fourth provisos under such*  
16 *heading.*

17        *SEC. 221. None of the funds in this Act shall be used*  
18 *to reduce the Coast Guard’s Operations Systems Center*  
19 *mission or its government-employed or contract staff levels.*

20        *SEC. 222. None of the funds appropriated by this Act*  
21 *may be used to conduct, or to implement the results of, a*  
22 *competition under Office of Management and Budget Cir-*  
23 *cular A–76 for activities performed with respect to the Coast*  
24 *Guard National Vessel Documentation Center.*



1        *SEC. 223. Funds made available in this Act may be*  
2 *used to alter operations within the Civil Engineering Pro-*  
3 *gram of the Coast Guard nationwide, including civil engi-*  
4 *neering units, facilities design and construction centers,*  
5 *maintenance and logistics commands, and the Coast Guard*  
6 *Academy, except that none of the funds provided in this*  
7 *Act may be used to reduce operations within any civil engi-*  
8 *neering unit unless specifically authorized by a statute en-*  
9 *acted after the date of enactment of this Act.*

10        *SEC. 224. Funds made available for Overseas Contin-*  
11 *gency Operations/Global War on Terrorism under the head-*  
12 *ing “Coast Guard—Operating Expenses” may be allocated*  
13 *by program, project, and activity, notwithstanding section*  
14 *503 of this Act.*

15        *SEC. 225. Section 423 of title 14, United States Code,*  
16 *is amended by inserting after subsection (c) the following:*

17        *“(d) In addition to amounts computed pursuant to*  
18 *subsections (a) through (c) of this section, a full TSP mem-*  
19 *ber (as defined in section 8440e(a) of title 5) of the Coast*  
20 *Guard is entitled to continuation pay pursuant to section*  
21 *356 of title 37.”.*

22        *SEC. 226. The United States Secret Service is author-*  
23 *ized to obligate funds in anticipation of reimbursements*  
24 *from Federal agencies and entities, as defined in section*  
25 *105 of title 5, United States Code, for personnel receiving*

1 *training sponsored by the James J. Rowley Training Cen-*  
2 *ter, except that total obligations at the end of the fiscal year*  
3 *shall not exceed total budgetary resources available under*  
4 *the heading “United States Secret Service—Operations and*  
5 *Support” at the end of the fiscal year.*

6       *SEC. 227. None of the funds made available to the*  
7 *United States Secret Service by this Act or by previous ap-*  
8 *propriations Acts may be made available for the protection*  
9 *of the head of a Federal agency other than the Secretary*  
10 *of Homeland Security: Provided, That the Director of the*  
11 *United States Secret Service may enter into agreements to*  
12 *provide such protection on a fully reimbursable basis.*

13       *SEC. 228. For purposes of section 503(a)(3) of this Act,*  
14 *up to \$15,000,000 may be reprogrammed within “United*  
15 *States Secret Service—Operations and Support”.*

16       *SEC. 229. Funding made available in this Act for*  
17 *“United States Secret Service—Operations and Support”*  
18 *is available for travel of United States Secret Service em-*  
19 *ployees on protective missions without regard to the limita-*  
20 *tions on such expenditures in this or any other Act if the*  
21 *Director of the United States Secret Service or a designee*  
22 *notifies the Committees on Appropriations of the Senate*  
23 *and the House of Representatives 10 or more days in ad-*  
24 *vance, or as early as practicable, prior to such expenditures.*

1        *SEC. 230. (a) Of the amount made available in this*  
2 *Act under “U.S. Customs and Border Protection—Procure-*  
3 *ment, Construction, and Improvements”, \$1,571,000,000*  
4 *shall be available only as follows:*

5            (1) *\$251,000,000 for approximately 14 miles of*  
6 *secondary fencing, all of which provides for cross-bar-*  
7 *rier visual situational awareness, along the southwest*  
8 *border in the San Diego Sector;*

9            (2) *\$445,000,000 for 25 miles of primary pedes-*  
10 *trian levee fencing along the southwest border in the*  
11 *Rio Grande Valley Sector;*

12           (3) *\$196,000,000 for primary pedestrian fencing*  
13 *along the southwest border in the Rio Grande Valley*  
14 *Sector;*

15           (4) *\$445,000,000 for replacement of existing pri-*  
16 *mary pedestrian fencing along the southwest border;*

17           (5) *\$38,000,000 for border barrier planning and*  
18 *design; and*

19           (6) *\$196,000,000 for acquisition and deployment*  
20 *of border security technology.*

21        (b) *The amounts designated in subsection (a)(2)*  
22 *through (a)(4) shall only be available for operationally ef-*  
23 *fective designs deployed as of the date of the Consolidated*  
24 *Appropriations Act, 2017, (Public Law 115–31), such as*

1 *currently deployed steel bollard designs, that prioritize*  
2 *agent safety.*

3 *(c) None of the funds provided in this or any other*  
4 *Act shall be obligated for construction of a border barrier*  
5 *in the Santa Ana National Wildlife Refuge.*

6 *SEC. 231. (a) Not later than 180 days after the date*  
7 *of the enactment of this Act, the Secretary shall submit to*  
8 *the Committees on Appropriations of the Senate and the*  
9 *House of Representatives a risk-based plan for improving*  
10 *security along the borders of the United States, including*  
11 *the use of personnel, fencing, other forms of tactical infra-*  
12 *structure, and technology, to include—*

13 *(1) A statement of goals, objectives, activities,*  
14 *and milestones for the plan.*

15 *(2) A detailed implementation schedule for the*  
16 *plan with estimates for the planned obligation of*  
17 *funds for fiscal years 2019 through 2027 that are*  
18 *linked to the milestone-based delivery of specific—*

19 *(A) capabilities and services;*

20 *(B) mission benefits and outcomes;*

21 *(C) program management capabilities; and*

22 *(D) lifecycle cost estimates.*

23 *(3) A description of the manner in which specific*  
24 *projects under the plan will enhance border security*

1        *goals and objectives and address the highest priority*  
2        *border security needs.*

3            (4) *An identification of the planned locations,*  
4        *quantities, and types of resources, such as fencing,*  
5        *other physical barriers, or other tactical infrastruc-*  
6        *ture and technology, under the plan.*

7            (5) *A description of the methodology and anal-*  
8        *yses used to select specific resources for deployment to*  
9        *particular locations under the plan that includes—*

10            (A) *analyses of alternatives, including com-*  
11        *parative costs and benefits;*

12            (B) *an assessment of effects on communities*  
13        *and property owners near areas of infrastructure*  
14        *deployment; and*

15            (C) *a description of other factors critical to*  
16        *the decision-making process.*

17            (6) *An identification of staffing requirements*  
18        *under the plan, including full-time equivalents, con-*  
19        *tractors, and detailed personnel, by activity.*

20            (7) *A description of performance metrics for the*  
21        *plan for assessing and reporting on the contributions*  
22        *of border security capabilities realized from current*  
23        *and future investments.*

24            (8) *A description of the status of the actions of*  
25        *the Department of Homeland Security to address*

1 *open recommendations by the Office of Inspector Gen-*  
2 *eral and the Government Accountability Office relat-*  
3 *ing to border security, including plans, schedules, and*  
4 *associated milestones for fully addressing such rec-*  
5 *ommendations.*

6 (9) *A plan to consult State and local elected offi-*  
7 *cial on the eminent domain and construction process*  
8 *relating to physical barriers;*

9 (10) *An analysis, following consultation with the*  
10 *Secretary of the Interior and the Administrator of the*  
11 *Environmental Protection Agency, of the environ-*  
12 *mental impacts, including on wildlife, of the construc-*  
13 *tion and placement of physical barriers planned*  
14 *along the Southwest border, including in the Santa*  
15 *Ana National Wildlife Refuge; and*

16 (11) *Certifications by the Under Secretary of*  
17 *Homeland Security for Management, that—*

18 (A) *the plan has been reviewed and ap-*  
19 *proved in accordance with an acquisition review*  
20 *management process that complies with capital*  
21 *planning and investment control and review re-*  
22 *quirements established by the Office of Manage-*  
23 *ment and Budget, including as provided in Cir-*  
24 *cular A–11, part 7; and*

1            (B) all activities under the plan comply  
2            with Federal acquisition rules, requirements,  
3            guidelines, and practices.

4            (b) The Secretary shall concurrently submit the plan  
5            required in subsection (a) to the Comptroller General of the  
6            United States, who shall evaluate the plan and report to  
7            the Committees on Appropriations of the Senate and the  
8            House of Representatives on the strengths and weaknesses  
9            of such plan not later than 120 days after receiving such  
10           plan.

11    *TITLE III*

12            *PROTECTION, PREPAREDNESS, RESPONSE, AND*

13    *RECOVERY*

14            *NATIONAL PROTECTION AND PROGRAMS DIRECTORATE*

15    *OPERATIONS AND SUPPORT*

16            For necessary expenses of the National Protection and  
17            Programs Directorate for operations and support,  
18            \$1,482,165,000, of which \$8,912,000 shall remain available  
19            until September 30, 2019: Provided, That not to exceed  
20            \$3,825 shall be for official reception and representation ex-  
21            penses.

22    *FEDERAL PROTECTIVE SERVICE*

23            The revenues and collections of security fees credited  
24            to this account shall be available until expended for nec-  
25            essary expenses related to the protection of federally owned

1 *and leased buildings and for the operations of the Federal*  
2 *Protective Service.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the National Protection and*  
5 *Programs Directorate for procurement, construction, and*  
6 *improvements, \$414,111,000, to remain available until*  
7 *September 30, 2019.*

8 *RESEARCH AND DEVELOPMENT*

9 *For necessary expenses of the National Protection and*  
10 *Programs Directorate for research and development,*  
11 *\$15,126,000, to remain available until September 30, 2019.*

12 *OFFICE OF HEALTH AFFAIRS*

13 *OPERATIONS AND SUPPORT*

14 *For necessary expenses of the Office of Health Affairs*  
15 *for operations and support, \$121,569,000, of which*  
16 *\$14,020,000 shall remain available until September 30,*  
17 *2019.*

18 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

19 *OPERATIONS AND SUPPORT*

20 *For necessary expenses of the Federal Emergency Man-*  
21 *agement Agency for operations and support,*  
22 *\$1,030,135,000: Provided, That not to exceed \$2,250 shall*  
23 *be for official reception and representation expenses.*



1     *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

2     *For necessary expenses of the Federal Emergency Man-*  
3 *agement Agency for procurement, construction, and im-*  
4 *provements, \$85,276,000, to remain available until Sep-*  
5 *tember 30, 2019.*

6                           *FEDERAL ASSISTANCE*

7     *For activities of the Federal Emergency Management*  
8 *Agency for Federal assistance through grants, contracts, co-*  
9 *operative agreements, and other activities, \$3,293,932,000,*  
10 *which shall be allocated as follows:*

11           (1) *\$507,000,000 for the State Homeland Secu-*  
12 *rity Grant Program under section 2004 of the Home-*  
13 *land Security Act of 2002 (6 U.S.C. 605), of which*  
14 *\$85,000,000 shall be for Operation Stonegarden, and*  
15 *\$10,000,000 shall be for organizations (as described*  
16 *under section 501(c)(3) of the Internal Revenue Code*  
17 *of 1986 and exempt from tax under such 501(a) of*  
18 *such code) determined by the Secretary of Homeland*  
19 *Security to be at high risk of a terrorist attack: Pro-*  
20 *vided, That notwithstanding subsection (c)(4) of such*  
21 *section 2004, for fiscal year 2018, the Commonwealth*  
22 *of Puerto Rico shall make available to local and trib-*  
23 *al governments amounts provided to the Common-*  
24 *wealth of Puerto Rico under this paragraph in ac-*  
25 *cordance with subsection (c)(1) of such section 2004.*

1           (2) \$630,000,000 for the Urban Area Security  
2 Initiative under section 2003 of the Homeland Security  
3 Act of 2002 (6 U.S.C. 604), of which \$50,000,000  
4 shall be for organizations (as described under section  
5 501(c)(3) of the Internal Revenue Code of 1986 and  
6 exempt from tax under section 501(a) of such code)  
7 determined by the Secretary of Homeland Security to  
8 be at high risk of a terrorist attack.

9           (3) \$100,000,000 for Public Transportation Security  
10 Assistance, Railroad Security Assistance, and  
11 Over-the-Road Bus Security Assistance under sections  
12 1406, 1513, and 1532 of the Implementing Rec-  
13 ommendations of the 9/11 Commission Act of 2007 (6  
14 U.S.C. 1135, 1163, and 1182), of which \$10,000,000  
15 shall be for Amtrak security and \$2,000,000 shall be  
16 for Over-the-Road Bus Security: Provided, That such  
17 public transportation security assistance shall be pro-  
18 vided directly to public transportation agencies.

19           (4) \$100,000,000 for Port Security Grants in ac-  
20 cordance with section 70107 of title 46, United States  
21 Code.

22           (5) \$700,000,000, to remain available until Sep-  
23 tember 30, 2019, of which \$350,000,000 shall be for  
24 Assistance to Firefighter Grants and \$350,000,000  
25 shall be for Staffing for Adequate Fire and Emer-

1        *gency Response Grants under sections 33 and 34 re-*  
2        *spectively of the Federal Fire Prevention and Control*  
3        *Act of 1974 (15 U.S.C. 2229 and 2229a).*

4            (6) \$350,000,000 for emergency management  
5        *performance grants under the National Flood Insur-*  
6        *ance Act of 1968 (42 U.S.C. 4001), the Robert T.*  
7        *Stafford Disaster Relief and Emergency Assistance*  
8        *Act (42 U.S.C. 5121), the Earthquake Hazards Re-*  
9        *duction Act of 1977 (42 U.S.C. 7701), section 762 of*  
10       *title 6, United States Code, and Reorganization Plan*  
11       *No. 3 of 1978 (5 U.S.C. App.).*

12           (7) \$249,200,000 for the National Predisaster  
13        *Mitigation Fund under section 203 of the Robert T.*  
14        *Stafford Disaster Relief and Emergency Assistance*  
15        *Act (42 U.S.C. 5133), to remain available until ex-*  
16        *pended.*

17           (8) \$262,531,000 for necessary expenses for Flood  
18        *Hazard Mapping and Risk Analysis, in addition to*  
19        *and to supplement any other sums appropriated*  
20        *under the National Flood Insurance Fund, and such*  
21        *additional sums as may be provided by States or*  
22        *other political subdivisions for cost-shared mapping*  
23        *activities under section 1360(f)(2) of the National*  
24        *Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)),*  
25        *to remain available until expended.*

1           (9) \$120,000,000 for the emergency food and  
2           shelter program under title III of the McKinney-Vento  
3           Homeless Assistance Act (42 U.S.C. 11331), to re-  
4           main available until expended: Provided, That not to  
5           exceed 3.5 percent shall be for total administrative  
6           costs.

7           (10) \$275,201,000 to sustain current operations  
8           for training, exercises, technical assistance, and other  
9           programs.

10                                   DISASTER RELIEF FUND

11           For necessary expenses in carrying out the Robert T.  
12           Stafford Disaster Relief and Emergency Assistance Act (42  
13           U.S.C. 5121 et seq.), \$7,900,720,000, to remain available  
14           until expended, of which \$7,366,000,000 shall be for major  
15           disasters declared pursuant to the Robert T. Stafford Dis-  
16           aster Relief and Emergency Assistance Act (42 U.S.C. 5121  
17           et seq.) and is designated by the Congress as being for dis-  
18           aster relief pursuant to section 251(b)(2)(D) of the Balanced  
19           Budget and Emergency Deficit Control Act of 1985.

20                                   NATIONAL FLOOD INSURANCE FUND

21           For activities under the National Flood Insurance Act  
22           of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protec-  
23           tion Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-  
24           Waters Flood Insurance Reform Act of 2012 (Public Law  
25           112–141, 126 Stat. 916), and the Homeowner Flood Insur-

1 *ance Affordability Act of 2014 (Public Law 113–89; 128*  
2 *Stat. 1020), \$203,500,000, to remain available until Sep-*  
3 *tember 30, 2019, which shall be derived from offsetting*  
4 *amounts collected under section 1308(d) of the National*  
5 *Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which*  
6 *\$13,573,000 shall be available for mission support associ-*  
7 *ated with flood management; and of which \$189,927,000*  
8 *shall be available for flood plain management and flood*  
9 *mapping: Provided, That any additional fees collected pur-*  
10 *suant to section 1308(d) of the National Flood Insurance*  
11 *Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offset-*  
12 *ting collections to this account, to be available for flood*  
13 *plain management and flood mapping: Provided further,*  
14 *That in fiscal year 2018, no funds shall be available from*  
15 *the National Flood Insurance Fund under section 1310 of*  
16 *the National Flood Insurance Act of 1968 (42 U.S.C. 4017)*  
17 *in excess of—*

18           (1) *\$165,224,000 for operating expenses and sal-*  
19           *aries and expenses associated with flood insurance op-*  
20           *erations;*

21           (2) *\$1,123,000,000 for commissions and taxes of*  
22           *agents;*

23           (3) *such sums as are necessary for interest on*  
24           *Treasury borrowings; and*



1 *through (4) under “Federal Emergency Management Agen-*  
2 *cy—Federal Assistance”, may be used by the grantee for*  
3 *expenses directly related to administration of the grant.*

4       *SEC. 302. Applications for grants under the heading*  
5 *“Federal Emergency Management Agency—Federal Assist-*  
6 *ance”, for paragraphs (1) through (4), shall be made avail-*  
7 *able to eligible applicants not later than 60 days after the*  
8 *date of enactment of this Act, eligible applicants shall sub-*  
9 *mit applications not later than 80 days after the grant an-*  
10 *nouncement, and the Administrator of the Federal Emer-*  
11 *gency Management Agency shall act within 65 days after*  
12 *the receipt of an application.*

13       *SEC. 303. Under the heading “Federal Emergency*  
14 *Management Agency—Federal Assistance”, for grants*  
15 *under paragraphs (1) through (4), the Administrator of the*  
16 *Federal Emergency Management Agency shall brief the*  
17 *Committees on Appropriations of the Senate and the House*  
18 *of Representatives 5 full business days in advance of an-*  
19 *nouncing publicly the intention of making an award.*

20       *SEC. 304. Under the heading “Federal Emergency*  
21 *Management Agency—Federal Assistance”, for grants*  
22 *under paragraphs (1) and (2), the installation of commu-*  
23 *nications towers is not considered construction of a building*  
24 *or other physical facility.*

1        *SEC. 305. Notwithstanding any other provision of law,*  
2 *grants awarded to States along the Southwest Border of the*  
3 *United States under sections 2003 or 2004 of the Homeland*  
4 *Security Act of 2002 (6 U.S.C. 604 and 605) using funds*  
5 *provided under the heading “Federal Emergency Manage-*  
6 *ment Agency—Federal Assistance” for grants under para-*  
7 *graph (1) in this Act, or under the heading “Federal Emer-*  
8 *gency Management Agency—State and Local Programs” in*  
9 *Public Law 114–4, division F of Public Law 113–76, or*  
10 *division D of Public Law 113–6 may be used by recipients*  
11 *or sub-recipients for costs, or reimbursement of costs, related*  
12 *to providing humanitarian relief to unaccompanied alien*  
13 *children and alien adults accompanied by an alien minor*  
14 *where they are encountered after entering the United States,*  
15 *provided that such costs were incurred between January 1,*  
16 *2014, and December 31, 2014, or during the award period*  
17 *of performance.*

18        *SEC. 306. The reporting requirements in paragraphs*  
19 *(1) and (2) under the heading “Federal Emergency Man-*  
20 *agement Agency—Disaster Relief Fund” in the Department*  
21 *of Homeland Security Appropriations Act, 2015 (Public*  
22 *Law 114–4) shall be applied in fiscal year 2018 with re-*  
23 *spect to budget year 2019 and current fiscal year 2018, re-*  
24 *spectively—*



1           (1) in paragraph (1) by substituting “fiscal year  
2           2019” for “fiscal year 2016”; and

3           (2) in paragraph (2) by inserting “business”  
4           after “fifth”.

5           *SEC. 307. In making grants under the heading “Fire-*  
6 *fighter Assistance Grants”, the Secretary may grant waiv-*  
7 *ers from the requirements in subsections (a)(1)(A),*  
8 *(a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34*  
9 *of the Federal Fire Prevention and Control Act of 1974 (15*  
10 *U.S.C. 2229a).*

11          *SEC. 308. The aggregate charges assessed during fiscal*  
12 *year 2018, as authorized in title III of the Departments*  
13 *of Veterans Affairs and Housing and Urban Development,*  
14 *and Independent Agencies Appropriations Act, 1999 (42*  
15 *U.S.C. 5196e), shall not be less than 100 percent of the*  
16 *amounts anticipated by the Department of Homeland Secu-*  
17 *rity to be necessary for its Radiological Emergency Pre-*  
18 *paredness Program for the next fiscal year: Provided, That*  
19 *the methodology for assessment and collection of fees shall*  
20 *be fair and equitable and shall reflect costs of providing*  
21 *such services, including administrative costs of collecting*  
22 *such fees: Provided further, That such fees shall be deposited*  
23 *in a Radiological Emergency Preparedness Program ac-*  
24 *count as offsetting collections and will become available for*

1 *authorized purposes on October 1, 2018, and remain avail-*  
2 *able until expended.*

3 *TITLE IV*

4 *RESEARCH, DEVELOPMENT, TRAINING, AND*  
5 *SERVICES*

6 *U.S. CITIZENSHIP AND IMMIGRATION SERVICES*

7 *OPERATIONS AND SUPPORT*

8 *For necessary expenses of U.S. Citizenship and Immig-*  
9 *ration Services for operations and support of the E-Verify*  
10 *Program, \$108,856,000.*

11 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

12 *For necessary expenses of U.S. Citizenship and Immig-*  
13 *ration Services for procurement, construction, and im-*  
14 *provements of the E-Verify Program, \$22,657,000, to re-*  
15 *main available until September 30, 2020.*

16 *FEDERAL LAW ENFORCEMENT TRAINING CENTERS*

17 *OPERATIONS AND SUPPORT*

18 *For necessary expenses of the Federal Law Enforce-*  
19 *ment Training Centers for operations and support, includ-*  
20 *ing the purchase of not to exceed 117 vehicles for police-*  
21 *type use and hire of passenger motor vehicles, and services*  
22 *as authorized by section 3109 of title 5, United States Code,*  
23 *\$254,000,000, of which \$62,701,000 shall remain available*  
24 *until September 30, 2019: Provided, That not to exceed*

1 \$7,180 shall be for official reception and representation ex-  
2 penses.

3 *SCIENCE AND TECHNOLOGY DIRECTORATE*

4 *OPERATIONS AND SUPPORT*

5 *For necessary expenses of the Science and Technology*  
6 *Directorate for operations and support, including the pur-*  
7 *chase or lease of not to exceed 5 vehicles, \$331,113,000, of*  
8 *which \$196,361,000 shall remain available until September*  
9 *30, 2019: Provided, That not to exceed \$7,650 shall be for*  
10 *official reception and representation expenses.*

11 *RESEARCH AND DEVELOPMENT*

12 *For necessary expenses of the Science and Technology*  
13 *Directorate for research and development, \$509,830,000, to*  
14 *remain available until September 30, 2020.*

15 *DOMESTIC NUCLEAR DETECTION OFFICE*

16 *OPERATIONS AND SUPPORT*

17 *For necessary expenses of the Domestic Nuclear Detec-*  
18 *tion Office for operations and support, \$54,664,000: Pro-*  
19 *vided, That not to exceed \$2,250 shall be for official recep-*  
20 *tion and representation expenses.*

21 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

22 *For necessary expenses of the Domestic Nuclear Detec-*  
23 *tion Office for procurement, construction, and improve-*  
24 *ments, \$89,096,000, to remain available until September*  
25 *30, 2020.*

1                                    *RESEARCH AND DEVELOPMENT*

2            *For necessary expenses of the Domestic Nuclear Detec-*  
3 *tion Office for research and development, \$145,661,000, to*  
4 *remain available until September 30, 2020.*

5                                    *FEDERAL ASSISTANCE*

6            *For necessary expenses of the Domestic Nuclear Detec-*  
7 *tion Office for Federal assistance through grants, contracts,*  
8 *cooperative agreements, and other activities, \$46,019,000,*  
9 *to remain available until September 30, 2020.*

10                                   *ADMINISTRATIVE PROVISIONS*

11           *SEC. 401. Notwithstanding any other provision of law,*  
12 *funds otherwise made available to U.S. Citizenship and Im-*  
13 *migration Services may be used to acquire, operate, equip,*  
14 *and dispose of up to 5 vehicles, for replacement only, for*  
15 *areas where the Administrator of General Services does not*  
16 *provide vehicles for lease: Provided, That the Director of*  
17 *U.S. Citizenship and Immigration Services may authorize*  
18 *employees who are assigned to those areas to use such vehi-*  
19 *cles to travel between the employees' residences and places*  
20 *of employment.*

21           *SEC. 402. None of the funds made available in this*  
22 *Act may be used by U.S. Citizenship and Immigration*  
23 *Services to grant an immigration benefit unless the results*  
24 *of background checks required by law to be completed prior*  
25 *to the granting of the benefit have been received by U.S.*

1 *Citizenship and Immigration Services, and the results do*  
2 *not preclude the granting of the benefit.*

3       *SEC. 403. None of the funds appropriated by this Act*  
4 *may be used to process or approve a competition under Of-*  
5 *fice of Management and Budget Circular A-76 for services*  
6 *provided by employees (including employees serving on a*  
7 *temporary or term basis) of U.S. Citizenship and Immigra-*  
8 *tion Services of the Department of Homeland Security who*  
9 *are known as Immigration Information Officers, Immigra-*  
10 *tion Service Analysts, Contact Representatives, Investiga-*  
11 *tive Assistants, or Immigration Services Officers.*

12       *SEC. 404. (a) Notwithstanding section 1356(n) of title*  
13 *8, United States Code, of the funds deposited into the Immi-*  
14 *gration Examinations Fee Account, up to \$10,000,000 may*  
15 *be allocated by U.S. Citizenship and Immigration Services*  
16 *in fiscal year 2018 for the purpose of providing an Immi-*  
17 *grant Integration grants program.*

18       *(b) None of the funds made available to U.S. Citizen-*  
19 *ship and Immigration Services for grants for immigrant*  
20 *integration under subsection (a) may be used to provide*  
21 *services to aliens who have not been lawfully admitted for*  
22 *permanent residence.*

23       *SEC. 405. The Director of the Federal Law Enforce-*  
24 *ment Training Centers is authorized to distribute funds to*

1 *Federal law enforcement agencies for expenses incurred par-*  
2 *ticipating in training accreditation.*

3       *SEC. 406. The Federal Law Enforcement Training Ac-*  
4 *creditation Board, including representatives from the Fed-*  
5 *eral law enforcement community and non-Federal accredi-*  
6 *tation experts involved in law enforcement training, shall*  
7 *lead the Federal law enforcement training accreditation*  
8 *process to continue the implementation of measuring and*  
9 *assessing the quality and effectiveness of Federal law en-*  
10 *forcement training programs, facilities, and instructors.*

11       *SEC. 407. (a) There is to be established a “Federal Law*  
12 *Enforcement Training Centers—Procurement, Construc-*  
13 *tion, and Improvements” appropriations account for plan-*  
14 *ning, operational development, engineering, and purchases*  
15 *prior to sustainment and for information technology-related*  
16 *procurement, construction, and improvements, including*  
17 *non-tangible assets of the Federal Law Enforcement Train-*  
18 *ing Centers.*

19       *(b) The Director of the Federal Law Enforcement*  
20 *Training Centers may accept transfers to the account estab-*  
21 *lished by subsection (a) from Government agencies request-*  
22 *ing the construction of special use facilities, as authorized*  
23 *by the Economy Act (31 U.S.C. 1535(b)): Provided, That*  
24 *the Federal Law Enforcement Training Centers maintain*

1 *administrative control and ownership upon completion of*  
2 *such facilities.*

3 *SEC. 408. The functions of the Federal Law Enforce-*  
4 *ment Training Centers instructor staff shall be classified*  
5 *as inherently governmental for the purpose of the Federal*  
6 *Activities Inventory Reform Act of 1998 (31 U.S.C. 501*  
7 *note).*

## 8 *TITLE V*

### 9 *GENERAL PROVISIONS*

10 *(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)*

11 *SEC. 501. No part of any appropriation contained in*  
12 *this Act shall remain available for obligation beyond the*  
13 *current fiscal year unless expressly so provided herein.*

14 *SEC. 502. Subject to the requirements of section 503*  
15 *of this Act, the unexpended balances of prior appropriations*  
16 *provided for activities in this Act may be transferred to*  
17 *appropriation accounts for such activities established pur-*  
18 *suant to this Act, may be merged with funds in the applica-*  
19 *ble established accounts, and thereafter may be accounted*  
20 *for as one fund for the same time period as originally en-*  
21 *acted.*

22 *SEC. 503. (a) None of the funds provided by this Act,*  
23 *provided by previous appropriations Acts to the components*  
24 *in or transferred to the Department of Homeland Security*  
25 *that remain available for obligation or expenditure in fiscal*

1 *year 2018, or provided from any accounts in the Treasury*  
2 *of the United States derived by the collection of fees avail-*  
3 *able to the components funded by this Act, shall be available*  
4 *for obligation or expenditure through a reprogramming of*  
5 *funds that—*

6           (1) *creates or eliminates a program, project, or*  
7 *activity, or increases funds for any program, project,*  
8 *or activity for which funds have been denied or re-*  
9 *stricted by the Congress;*

10           (2) *contracts out any function or activity pres-*  
11 *ently performed by Federal employees or any new*  
12 *function or activity proposed to be performed by Fed-*  
13 *eral employees in the President’s budget proposal for*  
14 *fiscal year 2018 for the Department of Homeland Se-*  
15 *curity;*

16           (3) *augments funding for existing programs,*  
17 *projects, or activities in excess of \$5,000,000 or 10*  
18 *percent, whichever is less;*

19           (4) *reduces funding for any program, project, or*  
20 *activity, or numbers of personnel, by 10 percent or*  
21 *more; or*

22           (5) *results from any general savings from a re-*  
23 *duction in personnel that would result in a change in*  
24 *funding levels for programs, projects, or activities as*  
25 *approved by the Congress.*



1       (b) Subsection (a) shall not apply if the Committees  
2 on Appropriations of the Senate and the House of Rep-  
3 resentatives are notified at least 15 days in advance of such  
4 reprogramming.

5       (c) Up to 5 percent of any appropriation made avail-  
6 able for the current fiscal year for the Department of Home-  
7 land Security by this Act or provided by previous appro-  
8 priations Acts may be transferred between such appropria-  
9 tions if the Committees on Appropriations of the Senate  
10 and the House of Representatives are notified at least 30  
11 days in advance of such transfer, but no such appropria-  
12 tion, except as otherwise specifically provided, shall be in-  
13 creased by more than 10 percent by such transfer.

14       (d) Notwithstanding subsections (a), (b), and (c), no  
15 funds shall be reprogrammed within or transferred between  
16 appropriations based upon an initial notification provided  
17 after June 30, except in extraordinary circumstances that  
18 imminently threaten the safety of human life or the protec-  
19 tion of property.

20       (e) The notification thresholds and procedures set forth  
21 in subsections (a), (b), (c), and (d) shall apply to any use  
22 of deobligated balances of funds provided in previous De-  
23 partment of Homeland Security Appropriations Acts.

24       (f) Notwithstanding subsection (c), the Secretary of  
25 Homeland Security may transfer to the fund established by

1 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations  
2 available to the Department of Homeland Security: Pro-  
3 vided, That the Secretary shall notify the Committees on  
4 Appropriations of the Senate and the House of Representa-  
5 tives at least 5 days in advance of such transfer.

6 SEC. 504. Section 504 of the Department of Homeland  
7 Security Appropriations Act, 2017 (division F of Public  
8 Law 115–31), related to the operations of a working capital  
9 fund, shall apply with respect to funds made available in  
10 this Act in the same manner as such section applied to  
11 funds made available in that Act.

12 SEC. 505. Except as otherwise specifically provided by  
13 law, not to exceed 50 percent of unobligated balances re-  
14 maining available at the end of fiscal year 2018, as re-  
15 corded in the financial records at the time of a reprogram-  
16 ming notification, but not later than June 30, 2019, from  
17 appropriations for “Operations and Support” and for  
18 “Coast Guard—Operating Expenses”, and salaries and ex-  
19 penses for “Coast Guard—Acquisition, Construction, and  
20 Improvements” and “Coast Guard—Reserve Training” for  
21 fiscal year 2018 in this Act shall remain available through  
22 September 30, 2019, in the account and for the purposes  
23 for which the appropriations were provided: Provided, That  
24 prior to the obligation of such funds, a notification shall  
25 be submitted to the Committees on Appropriations of the

1 *Senate and the House of Representatives in accordance with*  
2 *section 503 of this Act.*

3 *SEC. 506. Funds made available by this Act for intel-*  
4 *ligence activities are deemed to be specifically authorized*  
5 *by the Congress for purposes of section 504 of the National*  
6 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*  
7 *2018 until the enactment of an Act authorizing intelligence*  
8 *activities for fiscal year 2018.*

9 *SEC. 507. (a) The Secretary of Homeland Security, or*  
10 *the designee of the Secretary, shall notify the Committees*  
11 *on Appropriations of the Senate and the House of Rep-*  
12 *resentatives at least 3 full business days in advance of—*

13 *(1) making or awarding a grant allocation,*  
14 *grant, contract, other transaction agreement, or task*  
15 *or delivery order on a Department of Homeland Secu-*  
16 *rity multiple award contract, or to issue a letter of*  
17 *intent totaling in excess of \$1,000,000;*

18 *(2) awarding a task or delivery order requiring*  
19 *an obligation of funds in an amount greater than*  
20 *\$10,000,000 from multi-year Department of Home-*  
21 *land Security funds;*

22 *(3) making a sole-source grant award; or*

23 *(4) announcing publicly the intention to make or*  
24 *award items under paragraph (1), (2), or (3), includ-*

1        *ing a contract covered by the Federal Acquisition*  
2        *Regulation.*

3        *(b) If the Secretary of Homeland Security determines*  
4        *that compliance with this section would pose a substantial*  
5        *risk to human life, health, or safety, an award may be made*  
6        *without notification, and the Secretary shall notify the*  
7        *Committees on Appropriations of the Senate and the House*  
8        *of Representatives not later than 5 full business days after*  
9        *such an award is made or letter issued.*

10       *(c) A notification under this section—*

11            *(1) may not involve funds that are not available*  
12            *for obligation; and*

13            *(2) shall include the amount of the award; the*  
14            *fiscal year for which the funds for the award were ap-*  
15            *propriated; the type of contract; and the account from*  
16            *which the funds are being drawn.*

17        *SEC. 508. Notwithstanding any other provision of law,*  
18        *no agency shall purchase, construct, or lease any additional*  
19        *facilities, except within or contiguous to existing locations,*  
20        *to be used for the purpose of conducting Federal law enforce-*  
21        *ment training without advance notification to the Commit-*  
22        *tees on Appropriations of the Senate and the House of Rep-*  
23        *resentatives, except that the Federal Law Enforcement*  
24        *Training Centers is authorized to obtain the temporary use*  
25        *of additional facilities by lease, contract, or other agreement*

1 *for training that cannot be accommodated in existing Cen-*  
2 *ters facilities.*

3       *SEC. 509. None of the funds appropriated or otherwise*  
4 *made available by this Act may be used for expenses for*  
5 *any construction, repair, alteration, or acquisition project*  
6 *for which a prospectus otherwise required under chapter 33*  
7 *of title 40, United States Code, has not been approved, ex-*  
8 *cept that necessary funds may be expended for each project*  
9 *for required expenses for the development of a proposed pro-*  
10 *spectus.*

11       *SEC. 510. Sections 520, 522, and 530 of the Depart-*  
12 *ment of Homeland Security Appropriations Act, 2008 (di-*  
13 *vision E of Public Law 110–161; 121 Stat. 2073 and 2074)*  
14 *shall apply with respect to funds made available in this*  
15 *Act in the same manner as such sections applied to funds*  
16 *made available in that Act.*

17       *SEC. 511. None of the funds made available in this*  
18 *Act may be used in contravention of the applicable provi-*  
19 *sions of the Buy American Act: Provided, That for purposes*  
20 *of the preceding sentence, the term “Buy American Act”*  
21 *means chapter 83 of title 41, United States Code.*

22       *SEC. 512. None of the funds made available in this*  
23 *Act may be used to amend the oath of allegiance required*  
24 *by section 337 of the Immigration and Nationality Act (8*  
25 *U.S.C. 1448).*

1        *SEC. 513. Section 519 of division F of Public Law*  
2 *114–113, regarding a prohibition on funding for any posi-*  
3 *tion designated as a Principal Federal Official, shall apply*  
4 *with respect to funds made available in this Act in the same*  
5 *manner as such section applied to funds made available in*  
6 *that Act.*

7        *SEC. 514. None of the funds provided or otherwise*  
8 *made available in this Act shall be available to carry out*  
9 *section 872 of the Homeland Security Act of 2002 (6 U.S.C.*  
10 *452) unless explicitly authorized by the Congress.*

11        *SEC. 515. None of the funds made available in this*  
12 *Act may be used for planning, testing, piloting, or devel-*  
13 *oping a national identification card.*

14        *SEC. 516. Any official that is required by this Act to*  
15 *report or to certify to the Committees on Appropriations*  
16 *of the Senate and the House of Representatives may not*  
17 *delegate such authority to perform that act unless specifi-*  
18 *cally authorized herein.*

19        *SEC. 517. None of the funds appropriated or otherwise*  
20 *made available in this or any other Act may be used to*  
21 *transfer, release, or assist in the transfer or release to or*  
22 *within the United States, its territories, or possessions*  
23 *Khalid Sheikh Mohammed or any other detainee who—*

24            *(1) is not a United States citizen or a member*  
25            *of the Armed Forces of the United States; and*

1           (2) *is or was held on or after June 24, 2009, at*  
2           *the United States Naval Station, Guantanamo Bay,*  
3           *Cuba, by the Department of Defense.*

4           *SEC. 518. None of the funds made available in this*  
5           *Act may be used for first-class travel by the employees of*  
6           *agencies funded by this Act in contravention of sections*  
7           *301–10.122 through 301–10.124 of title 41, Code of Federal*  
8           *Regulations.*

9           *SEC. 519. None of the funds made available in this*  
10          *Act may be used to employ workers described in section*  
11          *274A(h)(3) of the Immigration and Nationality Act (8*  
12          *U.S.C. 1324a(h)(3)).*

13          *SEC. 520. Notwithstanding any other provision of this*  
14          *Act, none of the funds appropriated or otherwise made*  
15          *available by this Act may be used to pay award or incentive*  
16          *fees for contractor performance that has been judged to be*  
17          *below satisfactory performance or performance that does not*  
18          *meet the basic requirements of a contract.*

19          *SEC. 521. Hereafter, in developing any process to*  
20          *screen aviation passengers and crews for transportation or*  
21          *national security purposes, the Secretary of Homeland Se-*  
22          *curity shall ensure that all such processes take into consid-*  
23          *eration such passengers' and crews' privacy and civil lib-*  
24          *erties consistent with applicable laws, regulations, and*  
25          *guidance.*

1        *SEC. 522. None of the funds appropriated or otherwise*  
2 *made available by this Act may be used by the Department*  
3 *of Homeland Security to enter into any Federal contract*  
4 *unless such contract is entered into in accordance with the*  
5 *requirements of subtitle I of title 41, United States Code,*  
6 *or chapter 137 of title 10, United States Code, and the Fed-*  
7 *eral Acquisition Regulation, unless such contract is other-*  
8 *wise authorized by statute to be entered into without regard*  
9 *to the above referenced statutes.*

10        *SEC. 523. (a) For an additional amount for financial*  
11 *systems modernization, \$41,800,000, to remain available*  
12 *until September 30, 2019.*

13        *(b) Funds made available in subsection (a) for finan-*  
14 *cial systems modernization may be transferred by the Sec-*  
15 *retary of Homeland Security between appropriations for*  
16 *the same purpose, notwithstanding section 503 of this Act.*

17        *(c) No transfer described in subsection (b) shall occur*  
18 *until 15 days after the Committees on Appropriations of*  
19 *the Senate and the House of Representatives are notified*  
20 *of such transfer.*

21        *SEC. 524. (a) None of the funds made available in this*  
22 *Act may be used to maintain or establish a computer net-*  
23 *work unless such network blocks the viewing, downloading,*  
24 *and exchanging of pornography.*



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

5       *SEC. 525. None of the funds made available in this*  
6 *Act may be used by a Federal law enforcement officer to*  
7 *facilitate the transfer of an operable firearm to an indi-*  
8 *vidual if the Federal law enforcement officer knows or sus-*  
9 *pects that the individual is an agent of a drug cartel unless*  
10 *law enforcement personnel of the United States continu-*  
11 *ously monitor or control the firearm at all times.*

12       *SEC. 526. None of the funds made available in this*  
13 *Act may be used to pay for the travel to or attendance of*  
14 *more than 50 employees of a single component of the De-*  
15 *partment of Homeland Security, who are stationed in the*  
16 *United States, at a single international conference unless*  
17 *the Secretary of Homeland Security, or a designee, deter-*  
18 *mines that such attendance is in the national interest and*  
19 *notifies the Committees on Appropriations of the Senate*  
20 *and the House of Representatives within at least 10 days*  
21 *of that determination and the basis for that determination:*  
22 *Provided, That for purposes of this section the term “inter-*  
23 *national conference” shall mean a conference occurring out-*  
24 *side of the United States attended by representatives of the*  
25 *United States Government and of foreign governments,*

1 *international organizations, or nongovernmental organiza-*  
2 *tions: Provided further, That the total cost to the Depart-*  
3 *ment of Homeland Security of any such conference shall*  
4 *not exceed \$500,000.*

5 *SEC. 527. None of the funds made available in this*  
6 *Act may be used to reimburse any Federal department or*  
7 *agency for its participation in a National Special Security*  
8 *Event.*

9 *SEC. 528. None of the funds made available to the De-*  
10 *partment of Homeland Security by this or any other Act*  
11 *may be obligated for any structural pay reform that affects*  
12 *more than 100 full-time positions or costs more than*  
13 *\$5,000,000 in a single year before the end of the 30-day*  
14 *period beginning on the date on which the Secretary of*  
15 *Homeland Security submits to Congress a notification that*  
16 *includes—*

17 *(1) the number of full-time positions affected by*  
18 *such change;*

19 *(2) funding required for such change for the cur-*  
20 *rent year and through the Future Years Homeland*  
21 *Security Program;*

22 *(3) justification for such change; and*

23 *(4) an analysis of compensation alternatives to*  
24 *such change that were considered by the Department.*

1        *SEC. 529. (a) Any agency receiving funds made avail-*  
2 *able in this Act shall, subject to subsections (b) and (c),*  
3 *post on the public website of that agency any report re-*  
4 *quired to be submitted by the Committees on Appropria-*  
5 *tions of the Senate and the House of Representatives in this*  
6 *Act, upon the determination by the head of the agency that*  
7 *it shall serve the national interest.*

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

9            *(1) the public posting of the report compromises*  
10 *homeland or national security; or*

11           *(2) the report contains proprietary information.*

12        *(c) The head of the agency posting such report shall*  
13 *do so only after such report has been made available to the*  
14 *Committees on Appropriations of the Senate and the House*  
15 *of Representatives for not less than 45 days except as other-*  
16 *wise specified in law.*

17        *SEC. 530. (a) Funding provided in this Act for “Oper-*  
18 *ations and Support” and funding provided in this Act for*  
19 *“Coast Guard—Operating Expenses” may be used for*  
20 *minor procurement, construction, and improvements.*

21        *(b) For purposes of subsection (a), “minor” refers to*  
22 *end items with a unit cost of \$250,000 or less for personal*  
23 *property, and \$2,000,000 or less for real property.*

24        *SEC. 531. None of the funds made available by this*  
25 *Act may be obligated or expended to implement the Arms*

1 *Trade Treaty until the Senate approves a resolution of rati-*  
2 *fication for the Treaty.*

3       *SEC. 532. For fiscal year 2018, the Secretary of Home-*  
4 *land Security may provide, out of discretionary funds*  
5 *available to the Department of Homeland Security, for the*  
6 *primary and secondary schooling of dependents of Depart-*  
7 *ment of Homeland Security personnel who are stationed*  
8 *outside the continental United States and for the transpor-*  
9 *tation of such dependents in the same manner and to the*  
10 *same extent that, pursuant to section 544 of title 14, United*  
11 *States Code, the Secretary may provide, out of funds appro-*  
12 *priated to or for the use of the Coast Guard, for the primary*  
13 *and secondary schooling of, and the transportation of, de-*  
14 *pendents of Coast Guard personnel stationed outside the*  
15 *continental United States: Provided, That no amounts may*  
16 *be provided from amounts that were designated by the Con-*  
17 *gress for Overseas Contingency Operations/Global War on*  
18 *Terrorism or as an emergency requirement pursuant to a*  
19 *concurrent resolution on the budget or section 251(b)(2)(A)*  
20 *of the Balanced Budget and Emergency Deficit Control Act*  
21 *of 1985: Provided further, That no amounts may be pro-*  
22 *vided from amounts that were designated by the Congress*  
23 *as being for disaster relief pursuant to section 251(b)(2)(D)*  
24 *of the Balanced Budget and Emergency Deficit Control Act*  
25 *of 1985.*

1        *SEC. 533. Within 60 days of any budget submission*  
2 *for the Department of Homeland Security for fiscal year*  
3 *2019 that assumes revenues or proposes a reduction from*  
4 *the previous year based on user fees proposals that have not*  
5 *been enacted into law prior to the submission of the budget,*  
6 *the Secretary of Homeland Security shall provide the Com-*  
7 *mittees on Appropriations of the Senate and the House of*  
8 *Representatives specific reductions in proposed discre-*  
9 *tionary budget authority commensurate with the revenues*  
10 *assumed in such proposals in the event that they are not*  
11 *enacted prior to October 1, 2018.*

12        *SEC. 534. (a) For an additional amount for “Federal*  
13 *Emergency Management Agency—Federal Assistance”,*  
14 *\$41,000,000, to remain available until September 30, 2019,*  
15 *exclusively for providing reimbursement of extraordinary*  
16 *law enforcement personnel costs for protection activities di-*  
17 *rectly and demonstrably associated with any residence of*  
18 *the President that is designated or identified to be secured*  
19 *by the United States Secret Service.*

20        *(b) Funds under subsection (a) shall be available only*  
21 *for costs that a State or local agency—*

22                *(1) incurs on or after October 1, 2017, and before*  
23        *October 1, 2018;*

24                *(2) can demonstrate to the Administrator as*  
25        *being—*

1           (A) *in excess of the costs of normal and typ-*  
2           *ical law enforcement operations;*

3           (B) *directly attributable to the provision of*  
4           *protection described herein; and*

5           (C) *associated with a non-governmental*  
6           *property designated or identified to be secured by*  
7           *the United States Secret Service pursuant to sec-*  
8           *tion 3 or section 4 of the Presidential Protection*  
9           *Assistance Act of 1976 (Public Law 94-524);*  
10          *and*

11          (3) *certifies to the Administrator as being for*  
12          *protection activities requested by the Director of the*  
13          *United States Secret Service.*

14          (c) *For purposes of subsection (a), a designation or*  
15          *identification of a property to be secured under subsection*  
16          *(b)(2)(C) made after incurring otherwise eligible costs shall*  
17          *apply retroactively to October 1, 2017.*

18          (d) *The Administrator may establish written criteria*  
19          *consistent with subsections (a) and (b).*

20          (e) *None of the funds provided shall be for hiring new*  
21          *or additional personnel.*

22          (f) *The Inspector General of the Department of Home-*  
23          *land Security shall audit reimbursements made under this*  
24          *section.*

1        *SEC. 535. (a) The Secretary of Homeland Security*  
2 *may include in the President's budget proposal for Coast*  
3 *Guard for fiscal year 2019, submitted pursuant to section*  
4 *1105(a) of title 31, United States Code, and accompanying*  
5 *justification materials, an account structure established by*  
6 *section 563 of Division F of the Consolidated Appropria-*  
7 *tions Act, 2016 (Public Law 114–113).*

8        *(b) Not earlier than October 1, 2018, the accounts des-*  
9 *ignated under subsection (a) may be established, and the*  
10 *Secretary of Homeland Security may execute appropria-*  
11 *tions of the Department as provided pursuant to such sub-*  
12 *section, including any continuing appropriations made*  
13 *available for fiscal year 2019 before enactment of a regular*  
14 *appropriations Act.*

15        *(c) Notwithstanding any other provision of law, the*  
16 *Secretary of Homeland Security may transfer any appro-*  
17 *priation made available to the Department of Homeland*  
18 *Security by any appropriations Acts to the accounts created*  
19 *pursuant to subsection (b) to carry out the requirements*  
20 *of such subsection, and shall notify the Committees on Ap-*  
21 *propriations of the Senate and the House of Representatives*  
22 *within 5 days of each transfer.*

23        *(d)(1) Not later than November 1, 2018, the Secretary*  
24 *of Homeland Security shall establish the preliminary base-*  
25 *line for application of reprogramming and transfer au-*

1 *thorities and submit the report specified in paragraph (2)*  
2 *to the Committees on Appropriations of the Senate and the*  
3 *House of Representatives.*

4           (2) *The report required in this subsection shall*  
5 *include—*

6                   (A) *a delineation of the amount and ac-*  
7 *count of each transfer made pursuant to sub-*  
8 *section (b) or (c);*

9                   (B) *a table for each appropriation with a*  
10 *separate column to display the President’s budg-*  
11 *et proposal, adjustments made by Congress, ad-*  
12 *justments due to enacted rescissions, if appro-*  
13 *priate, adjustments made pursuant to the trans-*  
14 *fer authority in subsection (b) or (c), and the fis-*  
15 *cal year level;*

16                   (C) *a delineation in the table for each ap-*  
17 *propriation, adjusted as described in paragraph*  
18 *(2), both by budget activity and program,*  
19 *project, and activity as detailed in the Budget*  
20 *Appendix; and*

21                   (D) *an identification of funds directed for a*  
22 *specific activity.*

23           (e) *The Secretary shall not exercise the authority pro-*  
24 *vided in subsections (b), (c), and (d) unless, not later than*  
25 *June 1, 2018, the Chief Financial Officer has submitted to*



1 *the Committees on Appropriations of the Senate and the*  
2 *House of Representatives—*

3           (1) *technical assistance on new legislative lan-*  
4 *guage in the account structure under subsection (a);*  
5 *and*

6           (2) *comparison tables of fiscal years 2017, 2018,*  
7 *and 2019 in the account structure under subsection*  
8 *(a).*

9       SEC. 536. (a) *None of the funds appropriated by this*  
10 *or previous appropriations Acts or otherwise made avail-*  
11 *able to the Department of Homeland Security may be used*  
12 *to establish accounts in the Treasury of the United States*  
13 *for the Countering Weapons of Mass Destruction Office or*  
14 *the Cybersecurity and Infrastructure Security Agency until*  
15 *Congress has enacted a law that specifically authorizes such*  
16 *Office or Agency and such authorization identifies the func-*  
17 *tions that are authorized to be transferred to such Office*  
18 *or Agency.*

19       (b) *Subject to the limitation in subsection (a), if Con-*  
20 *gress enacts a law on or after the date of enactment of this*  
21 *Act that specifically authorizes the Countering Weapons of*  
22 *Mass Destruction Office or the Cybersecurity and Infra-*  
23 *structure Security Agency and such authorization identifies*  
24 *the functions that are authorized to be transferred to such*

1 *Office or Agency, the Secretary of Homeland Security*  
2 *may—*

3           (1) *not earlier than October 1, 2018, establish*  
4 *accounts in the Treasury of the United States nec-*  
5 *essary to carry out the functions of the Office or*  
6 *Agency as authorized;*

7           (2) *execute appropriations of the Department of*  
8 *Homeland Security as provided in subparagraph (1),*  
9 *including any continuing appropriations made avail-*  
10 *able for fiscal year 2019, before enactment of a reg-*  
11 *ular appropriations Act; and*

12           (3) *transfer any funds made available to the De-*  
13 *partment of Homeland Security by any appropri-*  
14 *ations Acts to the accounts created in subparagraph*  
15 *(1) for functions that are authorized to be transferred*  
16 *to such Office or Agency and to be used for the pur-*  
17 *pose of executing authorization of such Office or Agen-*  
18 *cy.*

19           (c) *The authority provided in subsection (b)(3) shall*  
20 *only be available if the Secretary has notified the Commit-*  
21 *tees on Appropriations of the Senate and the House of Rep-*  
22 *resentatives at least 15 days in advance of each such trans-*  
23 *fer.*

24           *SEC. 537. Section 404 of the Coast Guard Authoriza-*  
25 *tion Act of 2010 (Public Law 111–281; 124 Stat. 2950),*

1 *as amended, shall be applied in subsection (b) by sub-*  
2 *stituting “September 30, 2018” for “September 30, 2017”.*

3 *SEC. 538. (a) Section 831 of the Homeland Security*  
4 *Act of 2002 (6 U.S.C. 391) shall be applied—*

5 *(1) In subsection (a), by substituting “September*  
6 *30, 2018,” for “September 30, 2017,”; and*

7 *(2) In subsection (c)(1), by substituting “Sep-*  
8 *tember 30, 2018,” for “September 30, 2017”.*

9 *(b) The Secretary of Homeland Security, under the au-*  
10 *thority of section 831 of the Homeland Security Act of 2002*  
11 *(6 U.S.C. 391(a)), may carry out prototype projects under*  
12 *section 2371b of title 10, United States Code, and the Sec-*  
13 *retary shall perform the functions of the Secretary of De-*  
14 *fense as prescribed.*

15 *(c) The Secretary of Homeland Security under section*  
16 *831 of the Homeland Security Act of 2002 (6 U.S.C.*  
17 *391(d)) may use the definition of nontraditional govern-*  
18 *ment contractor as defined in section 2371b(e) of title 10,*  
19 *United States Code.*

20 *(RESCISSIONS)*

21 *SEC. 539. Of the funds appropriated to the Depart-*  
22 *ment of Homeland Security, the following funds are hereby*  
23 *rescinded from the following accounts and programs in the*  
24 *specified amounts: Provided, That no amounts may be re-*  
25 *scinded from amounts that were designated by the Congress*

1 *as an emergency requirement pursuant to a concurrent res-*  
2 *olution on the budget or the Balanced Budget and Emer-*  
3 *gency Deficit Control Act of 1985 (Public Law 99–177):*

4           (1) \$44,557,000 from Public Law 115–31 under  
5           the heading “Transportation Security Administra-  
6           tion—Operations and Support”;

7           (2) \$1,785,697 from Public Law 108–334 under  
8           the heading “Coast Guard—Alteration of Bridges”;

9           (3) \$1,920,100 from Public Law 109–90 under  
10          the heading “Coast Guard—Alteration of Bridges”;

11          (4) \$1,791,454 from Public Law 109–295 under  
12          the heading “Coast Guard—Alteration of Bridges”;

13          (5) \$3,221,594 from Public Law 110–161 under  
14          the heading “Coast Guard—Alteration of Bridges”;

15          (6) \$3,680,885 from Public Law 111–83 under  
16          the heading “Coast Guard—Alteration of Bridges”;

17          (7) \$25,000,000 from Public Law 114–113 under  
18          the heading “Coast Guard—Acquisition, Construc-  
19          tion, and Improvements”;

20          (8) \$2,000,000 from Public Law 114–113 under  
21          the heading “Science and Technology—Research, De-  
22          velopment, Acquisition, and Operations”;

23          (9) \$2,000,000 from Public Law 115–31 under  
24          the heading “Science and Technology Directorate—  
25          Operations and Support” account 70 17/18 0800;

1           (10) \$6,000,000 from Public Law 115–31 under  
2       the heading “Science and Technology Directorate—  
3       Research and Development”; and

4           (11) \$4,307,000 from Public Law 115–31 under  
5       the heading “Intelligence, Analysis, and Operations  
6       Coordination—Operations and Support”.

7   (RESCISSIONS)

8       SEC. 540. Of the funds transferred to the Department  
9       of Homeland Security when it was created in 2003, the fol-  
10       lowing funds are hereby rescinded from the following ac-  
11       counts and programs in the specified amounts:

12           (1) \$66,024 from “Coast Guard—Acquisition,  
13       Construction, and Improvements” account 70x0613;

14           (2) \$2,400 from “Transportation Security Ad-  
15       ministration—Salaries and Expenses” account  
16       70x0508; and

17           (3) \$31,948 from “U.S. Customs and Border  
18       Protection” account 70x0503.

19   (RESCISSIONS)

20       SEC. 541. The following unobligated balances made  
21       available to the Department of Homeland Security pursu-  
22       ant to section 505 of the Department of Homeland Security  
23       Appropriations Act, 2017 (Public Law 115–31) are re-  
24       scinded:

1           (1) \$2,941,804 from “U.S. Customs and Border  
2     *Protection—Operations and Support*”;

3           (2) \$24,337,865 from “Coast Guard—Operating  
4     *Expenses*”;

5           (3) \$260,584 from “Coast Guard—Reserve  
6     *Training*”;

7           (4) \$308,974 from “Coast Guard—Acquisition,  
8     *Construction, and Improvements*”;

9           (5) \$106,894 from “Federal Emergency Manage-  
10    *ment Agency—Operations and Support*”; and

11          (6) \$23,938 from “Office of Health Affairs—Op-  
12    *erations and Support*”.

13    (RESCISSION)

14        *SEC. 542. From the unobligated balances available in*  
15 *the Department of the Treasury Forfeiture Fund established*  
16 *by section 9703 of title 31, United States Code (added by*  
17 *section 638 of Public Law 102–393), \$364,162,000 shall be*  
18 *permanently rescinded not later than September 30, 2018.*

19        *SEC. 543. Notwithstanding section 5170c(b)(2)(B)(ii)*  
20 *of title 42, United States Code, the Administrator of the*  
21 *Federal Emergency Management Agency shall allow flood*  
22 *protection systems constructed in 2016 on property ac-*  
23 *quired with hazard mitigation assistance provided under*  
24 *section 5170c of title 42, United States Code, in an inad-*  
25 *vertent violation of the terms and conditions of such assist-*

1 *ance to remain in place on such property: Provided, That*  
2 *no new or additional structure may be erected on the prop-*  
3 *erty unless the new or additional structure complies with*  
4 *section 5170c(b)(2)(B)(ii) of title 42, United States Code:*  
5 *Provided further, That this provision does not otherwise ex-*  
6 *cuse compliance with all other applicable laws including*  
7 *statutes, executive orders, regulations, and program and*  
8 *grant legal requirements pertaining to the floodwall struc-*  
9 *ture or the acquired property.*

10 *SEC. 544. Section 545 of title V of division F of the*  
11 *Consolidated Appropriations Act, 2017, as added by section*  
12 *20607 of title VI of subdivision 1 of division B of the Bipar-*  
13 *tisan Budget Act of 2018, is amended to read as follows:*

14 *“SEC. 545. (a) PREMIUM PAY AUTHORITY.—During*  
15 *calendar year 2017, any premium pay that is funded, ei-*  
16 *ther directly or through reimbursement, by the ‘Federal*  
17 *Emergency Management Agency—Disaster Relief Fund’*  
18 *shall be exempted from the aggregate of basic pay and pre-*  
19 *mium pay calculated under section 5547(a) of title 5,*  
20 *United States Code, and any other provision of law lim-*  
21 *iting the aggregate amount of premium pay payable on a*  
22 *biweekly or calendar year basis.*

23 *“(b) OVERTIME AUTHORITY.—During calendar year*  
24 *2017, any overtime pay that is funded, either directly or*  
25 *through reimbursement, by the ‘Federal Emergency Man-*

1 *agement Agency—Disaster Relief Fund’ and that is payable*  
2 *under an authority outside of title 5, United States Code,*  
3 *shall be exempted from any annual limit on the amount*  
4 *of overtime pay payable in a calendar or fiscal year.*

5       “(c) *APPLICABILITY OF AGGREGATE LIMITATION ON*  
6 *PAY.—In determining whether an employee’s aggregate pay*  
7 *exceeds the applicable annual rate of basic pay payable*  
8 *under section 5307 of title 5, United States Code, the head*  
9 *of an Executive agency shall not include pay exempted*  
10 *under this section.*

11       “(d) *LIMITATION OF PAY AUTHORITY.—*

12               “(1) *Pay exempted from otherwise applicable*  
13 *limits under subsection (a) or (b) shall not cause the*  
14 *aggregate of basic pay and premium pay for the ap-*  
15 *licable calendar year to exceed the rate of basic pay*  
16 *payable for a position at level II of the Executive*  
17 *Schedule under section 5313 of title 5, United States*  
18 *Code, as in effect at the end of such calendar year.*

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



1           “(3) *For purposes of applying this subsection to*  
2           *an employee under a premium pay limit established*  
3           *under an authority other than section 5547 of title 5,*  
4           *United States Code, the agency responsible for admin-*  
5           *istering such limit shall determine what payments*  
6           *are considered premium pay.*

7           “(e) *EFFECTIVE DATE.—This section shall take effect*  
8           *as if enacted on December 31, 2016.*

9           “(f) *TREATMENT OF ADDITIONAL PAY.—If application*  
10          *of this section results in the payment of additional pre-*  
11          *mium pay to a covered employee of a type that is normally*  
12          *creditable as basic pay for retirement or any other purpose,*  
13          *that additional pay shall not—*

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

16                 “(2) *be used in computing a lump-sum payment*  
17                 *to the covered employee for accumulated and accrued*  
18                 *annual leave under section 5551 or section 5552 of*  
19                 *title 5, United States Code.”.*

20           *This division may be cited as the “Department of*  
21           *Homeland Security Appropriations Act, 2018”.*

1 ***DIVISION G—DEPARTMENT OF THE INTE-***  
2 ***RIOR, ENVIRONMENT, AND RELATED***  
3 ***AGENCIES APPROPRIATIONS ACT, 2018***

4 ***TITLE I***

5 ***DEPARTMENT OF THE INTERIOR***

6 ***BUREAU OF LAND MANAGEMENT***

7 ***MANAGEMENT OF LANDS AND RESOURCES***

8 *For necessary expenses for protection, use, improve-*  
9 *ment, development, disposal, cadastral surveying, classifica-*  
10 *tion, acquisition of easements and other interests in lands,*  
11 *and performance of other functions, including maintenance*  
12 *of facilities, as authorized by law, in the management of*  
13 *lands and their resources under the jurisdiction of the Bu-*  
14 *reau of Land Management, including the general adminis-*  
15 *tration of the Bureau, and assessment of mineral potential*  
16 *of public lands pursuant to section 1010(a) of Public Law*  
17 *96–487 (16 U.S.C. 3150(a)), \$1,183,043,000, to remain*  
18 *available until expended, including all such amounts as are*  
19 *collected from permit processing fees, as authorized but*  
20 *made subject to future appropriation by section*  
21 *35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191),*  
22 *except that amounts from permit processing fees may be*  
23 *used for any bureau-related expenses associated with the*  
24 *processing of oil and gas applications for permits to drill*  
25 *and related use of authorizations.*

1        *In addition, \$39,696,000 is for Mining Law Adminis-*  
 2 *tration program operations, including the cost of admin-*  
 3 *istering the mining claim fee program, to remain available*  
 4 *until expended, to be reduced by amounts collected by the*  
 5 *Bureau and credited to this appropriation from mining*  
 6 *claim maintenance fees and location fees that are hereby*  
 7 *authorized for fiscal year 2018, so as to result in a final*  
 8 *appropriation estimated at not more than \$1,183,043,000,*  
 9 *and \$2,000,000, to remain available until expended, from*  
 10 *communication site rental fees established by the Bureau*  
 11 *for the cost of administering communication site activities.*

12                                      *LAND ACQUISITION*

13        *For expenses necessary to carry out sections 205, 206,*  
 14 *and 318(d) of Public Law 94-579, including administra-*  
 15 *tive expenses and acquisition of lands or waters, or interests*  
 16 *therein, \$24,916,000, to be derived from the Land and*  
 17 *Water Conservation Fund and to remain available until*  
 18 *expended.*

19                                      *OREGON AND CALIFORNIA GRANT LANDS*

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

1 *cent rights-of-way; and acquisition of lands or interests*  
2 *therein, including existing connecting roads on or adjacent*  
3 *to such grant lands; \$106,985,000, to remain available until*  
4 *expended: Provided, That 25 percent of the aggregate of all*  
5 *receipts during the current fiscal year from the revested Or-*  
6 *egon and California Railroad grant lands is hereby made*  
7 *a charge against the Oregon and California land-grant*  
8 *fund and shall be transferred to the General Fund in the*  
9 *Treasury in accordance with the second paragraph of sub-*  
10 *section (b) of title II of the Act of August 28, 1937 (43*  
11 *U.S.C. 2605).*

12 *RANGE IMPROVEMENTS*

13 *For rehabilitation, protection, and acquisition of lands*  
14 *and interests therein, and improvement of Federal range-*  
15 *lands pursuant to section 401 of the Federal Land Policy*  
16 *and Management Act of 1976 (43 U.S.C. 1751), notwith-*  
17 *standing any other Act, sums equal to 50 percent of all*  
18 *moneys received during the prior fiscal year under sections*  
19 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m)*  
20 *and the amount designated for range improvements from*  
21 *grazing fees and mineral leasing receipts from Bankhead-*  
22 *Jones lands transferred to the Department of the Interior*  
23 *pursuant to law, but not less than \$10,000,000, to remain*  
24 *available until expended: Provided, That not to exceed*  
25 *\$600,000 shall be available for administrative expenses.*

1        *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

2        *For administrative expenses and other costs related to*  
3 *processing application documents and other authorizations*  
4 *for use and disposal of public lands and resources, for costs*  
5 *of providing copies of official public land documents, for*  
6 *monitoring construction, operation, and termination of fa-*  
7 *cilities in conjunction with use authorizations, and for re-*  
8 *habilitation of damaged property, such amounts as may be*  
9 *collected under Public Law 94-579 (43 U.S.C. 1701 et seq.),*  
10 *and under section 28 of the Mineral Leasing Act (30 U.S.C.*  
11 *185), to remain available until expended: Provided, That*  
12 *notwithstanding any provision to the contrary of section*  
13 *305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any*  
14 *moneys that have been or will be received pursuant to that*  
15 *section, whether as a result of forfeiture, compromise, or set-*  
16 *tlement, if not appropriate for refund pursuant to section*  
17 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*  
18 *and may be expended under the authority of this Act by*  
19 *the Secretary to improve, protect, or rehabilitate any public*  
20 *lands administered through the Bureau of Land Manage-*  
21 *ment which have been damaged by the action of a resource*  
22 *developer, purchaser, permittee, or any unauthorized per-*  
23 *son, without regard to whether all moneys collected from*  
24 *each such action are used on the exact lands damaged which*  
25 *led to the action: Provided further, That any such moneys*

1 *that are in excess of amounts needed to repair damage to*  
2 *the exact land for which funds were collected may be used*  
3 *to repair other damaged public lands.*

4 *MISCELLANEOUS TRUST FUNDS*

5 *In addition to amounts authorized to be expended*  
6 *under existing laws, there is hereby appropriated such*  
7 *amounts as may be contributed under section 307 of Public*  
8 *Law 94–579 (43 U.S.C. 1737), and such amounts as may*  
9 *be advanced for administrative costs, surveys, appraisals,*  
10 *and costs of making conveyances of omitted lands under sec-*  
11 *tion 211(b) of that Act (43 U.S.C. 1721(b)), to remain*  
12 *available until expended.*

13 *ADMINISTRATIVE PROVISIONS*

14 *The Bureau of Land Management may carry out the*  
15 *operations funded under this Act by direct expenditure, con-*  
16 *tracts, grants, cooperative agreements and reimbursable*  
17 *agreements with public and private entities, including with*  
18 *States. Appropriations for the Bureau shall be available for*  
19 *purchase, erection, and dismantlement of temporary struc-*  
20 *tures, and alteration and maintenance of necessary build-*  
21 *ings and appurtenant facilities to which the United States*  
22 *has title; up to \$100,000 for payments, at the discretion*  
23 *of the Secretary, for information or evidence concerning vio-*  
24 *lations of laws administered by the Bureau; miscellaneous*  
25 *and emergency expenses of enforcement activities authorized*

1 *or approved by the Secretary and to be accounted for solely*  
2 *on the Secretary's certificate, not to exceed \$10,000: Pro-*  
3 *vided, That notwithstanding Public Law 90-620 (44 U.S.C.*  
4 *501), the Bureau may, under cooperative cost-sharing and*  
5 *partnership arrangements authorized by law, procure*  
6 *printing services from cooperators in connection with joint-*  
7 *ly produced publications for which the cooperators share the*  
8 *cost of printing either in cash or in services, and the Bureau*  
9 *determines the cooperator is capable of meeting accepted*  
10 *quality standards: Provided further, That projects to be*  
11 *funded pursuant to a written commitment by a State gov-*  
12 *ernment to provide an identified amount of money in sup-*  
13 *port of the project may be carried out by the Bureau on*  
14 *a reimbursable basis. Appropriations herein made shall not*  
15 *be available for the destruction of healthy, unadopted, wild*  
16 *horses and burros in the care of the Bureau or its contrac-*  
17 *tors or for the sale of wild horses and burros that results*  
18 *in their destruction for processing into commercial prod-*  
19 *ucts.*

20 *UNITED STATES FISH AND WILDLIFE SERVICE*

21 *RESOURCE MANAGEMENT*

22 *For necessary expenses of the United States Fish and*  
23 *Wildlife Service, as authorized by law, and for scientific*  
24 *and economic studies, general administration, and for the*  
25 *performance of other authorized functions related to such*

1 resources, \$1,279,002,000, to remain available until Sep-  
2 tember 30, 2019: Provided, That not to exceed \$18,818,000  
3 shall be used for implementing subsections (a), (b), (c), and  
4 (e) of section 4 of the Endangered Species Act of 1973 (16  
5 U.S.C. 1533) (except for processing petitions, developing  
6 and issuing proposed and final regulations, and taking any  
7 other steps to implement actions described in subsection  
8 (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

9 *CONSTRUCTION*

10 *For construction, improvement, acquisition, or re-*  
11 *moval of buildings and other facilities required in the con-*  
12 *servation, management, investigation, protection, and utili-*  
13 *zation of fish and wildlife resources, and the acquisition*  
14 *of lands and interests therein; \$66,540,000, to remain avail-*  
15 *able until expended.*

16 *LAND ACQUISITION*

17 *For expenses necessary to carry out chapter 2003 of*  
18 *title 54, United States Code, including administrative ex-*  
19 *penses, and for acquisition of land or waters, or interest*  
20 *therein, in accordance with statutory authority applicable*  
21 *to the United States Fish and Wildlife Service, \$63,839,000,*  
22 *to be derived from the Land and Water Conservation Fund*  
23 *and to remain available until expended, of which, notwith-*  
24 *standing section 200306 of title 54, United States Code, not*  
25 *more than \$10,000,000 shall be for land conservation part-*



1 *nerships authorized by the Highlands Conservation Act of*  
2 *2004, including not to exceed \$320,000 for administrative*  
3 *expenses: Provided, That none of the funds appropriated for*  
4 *specific land acquisition projects may be used to pay for*  
5 *any administrative overhead, planning or other manage-*  
6 *ment costs.*

7 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

8 *For expenses necessary to carry out section 6 of the*  
9 *Endangered Species Act of 1973 (16 U.S.C. 1535),*  
10 *\$53,495,000, to remain available until expended, of which*  
11 *\$33,857,000 is to be derived from the Cooperative Endan-*  
12 *gered Species Conservation Fund; and of which \$19,638,000*  
13 *is to be derived from the Land and Water Conservation*  
14 *Fund.*

15 *NATIONAL WILDLIFE REFUGE FUND*

16 *For expenses necessary to implement the Act of October*  
17 *17, 1978 (16 U.S.C. 715s), \$13,228,000.*

18 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

19 *For expenses necessary to carry out the provisions of*  
20 *the North American Wetlands Conservation Act (16 U.S.C.*  
21 *4401 et seq.), \$40,000,000, to remain available until ex-*  
22 *pended.*

1            *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

2            *For expenses necessary to carry out the Neotropical*  
3 *Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.),*  
4 *\$3,910,000, to remain available until expended.*

5            *MULTINATIONAL SPECIES CONSERVATION FUND*

6            *For expenses necessary to carry out the African Ele-*  
7 *phant Conservation Act (16 U.S.C. 4201 et seq.), the Asian*  
8 *Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.),*  
9 *the Rhinoceros and Tiger Conservation Act of 1994 (16*  
10 *U.S.C. 5301 et seq.), the Great Ape Conservation Act of*  
11 *2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Con-*  
12 *servaion Act of 2004 (16 U.S.C. 6601 et seq.), \$11,061,000,*  
13 *to remain available until expended.*

14            *STATE AND TRIBAL WILDLIFE GRANTS*

15            *For wildlife conservation grants to States and to the*  
16 *District of Columbia, Puerto Rico, Guam, the United States*  
17 *Virgin Islands, the Northern Mariana Islands, American*  
18 *Samoa, and Indian tribes under the provisions of the Fish*  
19 *and Wildlife Act of 1956 and the Fish and Wildlife Coordi-*  
20 *nation Act, for the development and implementation of pro-*  
21 *grams for the benefit of wildlife and their habitat, including*  
22 *species that are not hunted or fished, \$63,571,000, to re-*  
23 *main available until expended: Provided, That of the*  
24 *amount provided herein, \$4,209,000 is for a competitive*  
25 *grant program for Indian tribes not subject to the remain-*

1 *ing provisions of this appropriation: Provided further, That*  
2 *\$6,362,000 is for a competitive grant program to implement*  
3 *approved plans for States, territories, and other jurisdic-*  
4 *tions and at the discretion of affected States, the regional*  
5 *Associations of fish and wildlife agencies, not subject to the*  
6 *remaining provisions of this appropriation: Provided fur-*  
7 *ther, That the Secretary shall, after deducting \$10,571,000*  
8 *and administrative expenses, apportion the amount pro-*  
9 *vided herein in the following manner: (1) to the District*  
10 *of Columbia and to the Commonwealth of Puerto Rico, each*  
11 *a sum equal to not more than one-half of 1 percent thereof;*  
12 *and (2) to Guam, American Samoa, the United States Vir-*  
13 *gin Islands, and the Commonwealth of the Northern Mar-*  
14 *iana Islands, each a sum equal to not more than one-fourth*  
15 *of 1 percent thereof: Provided further, That the Secretary*  
16 *shall apportion the remaining amount in the following*  
17 *manner: (1) one-third of which is based on the ratio to*  
18 *which the land area of such State bears to the total land*  
19 *area of all such States; and (2) two-thirds of which is based*  
20 *on the ratio to which the population of such State bears*  
21 *to the total population of all such States: Provided further,*  
22 *That the amounts apportioned under this paragraph shall*  
23 *be adjusted equitably so that no State shall be apportioned*  
24 *a sum which is less than 1 percent of the amount available*  
25 *for apportionment under this paragraph for any fiscal year*

1 *or more than 5 percent of such amount: Provided further,*  
2 *That the Federal share of planning grants shall not exceed*  
3 *75 percent of the total costs of such projects and the Federal*  
4 *share of implementation grants shall not exceed 65 percent*  
5 *of the total costs of such projects: Provided further, That*  
6 *the non-Federal share of such projects may not be derived*  
7 *from Federal grant programs: Provided further, That any*  
8 *amount apportioned in 2018 to any State, territory, or*  
9 *other jurisdiction that remains unobligated as of September*  
10 *30, 2019, shall be reapportioned, together with funds appro-*  
11 *riated in 2020, in the manner provided herein.*

12 *ADMINISTRATIVE PROVISIONS*

13 *The United States Fish and Wildlife Service may*  
14 *carry out the operations of Service programs by direct ex-*  
15 *penditure, contracts, grants, cooperative agreements and re-*  
16 *imbursable agreements with public and private entities. Ap-*  
17 *propriations and funds available to the United States Fish*  
18 *and Wildlife Service shall be available for repair of damage*  
19 *to public roads within and adjacent to reservation areas*  
20 *caused by operations of the Service; options for the purchase*  
21 *of land at not to exceed \$1 for each option; facilities inci-*  
22 *dent to such public recreational uses on conservation areas*  
23 *as are consistent with their primary purpose; and the*  
24 *maintenance and improvement of aquaria, buildings, and*  
25 *other facilities under the jurisdiction of the Service and to*

1 *which the United States has title, and which are used pur-*  
2 *suant to law in connection with management, and inves-*  
3 *tigation of fish and wildlife resources: Provided, That not-*  
4 *withstanding 44 U.S.C. 501, the Service may, under cooper-*  
5 *ative cost sharing and partnership arrangements author-*  
6 *ized by law, procure printing services from cooperators in*  
7 *connection with jointly produced publications for which the*  
8 *cooperators share at least one-half the cost of printing either*  
9 *in cash or services and the Service determines the coop-*  
10 *erator is capable of meeting accepted quality standards:*  
11 *Provided further, That the Service may accept donated air-*  
12 *craft as replacements for existing aircraft: Provided further,*  
13 *That notwithstanding 31 U.S.C. 3302, all fees collected for*  
14 *non-toxic shot review and approval shall be deposited under*  
15 *the heading "United States Fish and Wildlife Service—Re-*  
16 *source Management" and shall be available to the Sec-*  
17 *retary, without further appropriation, to be used for ex-*  
18 *penses of processing of such non-toxic shot type or coating*  
19 *applications and revising regulations as necessary, and*  
20 *shall remain available until expended.*

21 *NATIONAL PARK SERVICE*

22 *OPERATION OF THE NATIONAL PARK SYSTEM*

23 *For expenses necessary for the management, operation,*  
24 *and maintenance of areas and facilities administered by*  
25 *the National Park Service and for the general administra-*

1 *tion of the National Park Service, \$2,477,969,000, of which*  
2 *\$10,032,000 for planning and interagency coordination in*  
3 *support of Everglades restoration and \$134,461,000 for*  
4 *maintenance, repair, or rehabilitation projects for con-*  
5 *structed assets shall remain available until September 30,*  
6 *2019: Provided, That funds appropriated under this head-*  
7 *ing in this Act are available for the purposes of section 5*  
8 *of Public Law 95–348.*

9 *NATIONAL RECREATION AND PRESERVATION*

10 *For expenses necessary to carry out recreation pro-*  
11 *grams, natural programs, cultural programs, heritage part-*  
12 *nership programs, environmental compliance and review,*  
13 *international park affairs, and grant administration, not*  
14 *otherwise provided for, \$63,638,000.*

15 *HISTORIC PRESERVATION FUND*

16 *For expenses necessary in carrying out the National*  
17 *Historic Preservation Act (division A of subtitle III of title*  
18 *54, United States Code), \$96,910,000, to be derived from*  
19 *the Historic Preservation Fund and to remain available*  
20 *until September 30, 2019, of which \$13,000,000 shall be for*  
21 *Save America’s Treasures grants for preservation of na-*  
22 *tional significant sites, structures and artifacts as author-*  
23 *ized by section 7303 of the Omnibus Public Land Manage-*  
24 *ment Act of 2009 (54 U.S.C. 3089): Provided, That an indi-*  
25 *vidual Save America’s Treasures grant shall be matched by*

1 *non-Federal funds: Provided further, That individual*  
2 *projects shall only be eligible for one grant: Provided fur-*  
3 *ther, That all projects to be funded shall be approved by*  
4 *the Secretary of the Interior in consultation with the House*  
5 *and Senate Committees on Appropriations: Provided fur-*  
6 *ther, That of the funds provided for the Historic Preserva-*  
7 *tion Fund, \$500,000 is for competitive grants for the survey*  
8 *and nomination of properties to the National Register of*  
9 *Historic Places and as National Historic Landmarks asso-*  
10 *ciated with communities currently under-represented, as de-*  
11 *termined by the Secretary, \$13,000,000 is for competitive*  
12 *grants to preserve the sites and stories of the Civil Rights*  
13 *movement, \$5,000,000 is for grants to Historically Black*  
14 *Colleges and Universities, and \$5,000,000 is for competitive*  
15 *grants for the restoration of historic properties of national,*  
16 *State and local significance listed on or eligible for inclu-*  
17 *sion on the National Register of Historic Places, to be made*  
18 *without imposing the usage or direct grant restrictions of*  
19 *section 101(e)(3) (54 U.S.C. 302904) of the National His-*  
20 *torical Preservation Act: Provided further, That such com-*  
21 *petitive grants shall be made without imposing the match-*  
22 *ing requirements in section 302902(b)(3) of title 54, United*  
23 *States Code, to States and Indian tribes as defined in chap-*  
24 *ter 3003 of such title, Native Hawaiian organizations, local*

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

3 *CONSTRUCTION*

4 *For construction, improvements, repair, or replace-*  
5 *ment of physical facilities, and compliance and planning*  
6 *for programs and areas administered by the National Park*  
7 *Service, \$359,704,000, to remain available until expended:*  
8 *Provided, That notwithstanding any other provision of law,*  
9 *for any project initially funded in fiscal year 2018 with*  
10 *a future phase indicated in the National Park Service 5-*  
11 *Year Line Item Construction Plan, a single procurement*  
12 *may be issued which includes the full scope of the project:*  
13 *Provided further, That the solicitation and contract shall*  
14 *contain the clause availability of funds found at 48 CFR*  
15 *52.232–18: Provided further, That National Park Service*  
16 *Donations, Park Concessions Franchise Fees, and Recre-*  
17 *ation Fees may be made available for the cost of adjust-*  
18 *ments and changes within the original scope of effort for*  
19 *projects funded by the National Park Service Construction*  
20 *appropriation: Provided further, That the Secretary of the*  
21 *Interior shall consult with the Committees on Appropria-*  
22 *tions, in accordance with current reprogramming thresh-*  
23 *olds, prior to making any charges authorized by this sec-*  
24 *tion.*



1            *LAND ACQUISITION AND STATE ASSISTANCE*

2            *For expenses necessary to carry out chapter 2003 of*  
3 *title 54, United States Code, including administrative ex-*  
4 *penses, and for acquisition of lands or waters, or interest*  
5 *therein, in accordance with the statutory authority applica-*  
6 *ble to the National Park Service, \$180,941,000, to be de-*  
7 *rived from the Land and Water Conservation Fund and*  
8 *to remain available until expended, of which \$124,006,000*  
9 *is for the State assistance program and of which*  
10 *\$10,000,000 shall be for the American Battlefield Protection*  
11 *Program grants as authorized by chapter 3081 of title 54,*  
12 *United States Code.*

13            *CENTENNIAL CHALLENGE*

14            *For expenses necessary to carry out the provisions of*  
15 *section 101701 of title 54, United States Code, relating to*  
16 *challenge cost share agreements, \$23,000,000, to remain*  
17 *available until expended, for Centennial Challenge projects*  
18 *and programs: Provided, That not less than 50 percent of*  
19 *the total cost of each project or program shall be derived*  
20 *from non-Federal sources in the form of donated cash, as-*  
21 *sets, or a pledge of donation guaranteed by an irrevocable*  
22 *letter of credit.*

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFER OF FUNDS)

1  
2  
3       *In addition to other uses set forth in section*  
4 *101917(c)(2) of title 54, United States Code, franchise fees*  
5 *credited to a sub-account shall be available for expenditure*  
6 *by the Secretary, without further appropriation, for use at*  
7 *any unit within the National Park System to extinguish*  
8 *or reduce liability for Possessory Interest or leasehold sur-*  
9 *render interest. Such funds may only be used for this pur-*  
10 *pose to the extent that the benefitting unit anticipated fran-*  
11 *chise fee receipts over the term of the contract at that unit*  
12 *exceed the amount of funds used to extinguish or reduce li-*  
13 *ability. Franchise fees at the benefitting unit shall be cred-*  
14 *ited to the sub-account of the originating unit over a period*  
15 *not to exceed the term of a single contract at the benefitting*  
16 *unit, in the amount of funds so expended to extinguish or*  
17 *reduce liability.*

18       *For the costs of administration of the Land and Water*  
19 *Conservation Fund grants authorized by section*  
20 *105(a)(2)(B) of the Gulf of Mexico Energy Security Act of*  
21 *2006 (Public Law 109-432), the National Park Service*  
22 *may retain up to 3 percent of the amounts which are au-*  
23 *thorized to be disbursed under such section, such retained*  
24 *amounts to remain available until expended.*

1        *National Park Service funds may be transferred to the*  
2 *Federal Highway Administration (FHWA), Department of*  
3 *Transportation, for purposes authorized under 23 U.S.C.*  
4 *204. Transfers may include a reasonable amount for*  
5 *FHWA administrative support costs.*

6                    *UNITED STATES GEOLOGICAL SURVEY*

7                    *SURVEYS, INVESTIGATIONS, AND RESEARCH*

8        *For expenses necessary for the United States Geological*  
9 *Survey to perform surveys, investigations, and research cov-*  
10 *ering topography, geology, hydrology, biology, and the min-*  
11 *eral and water resources of the United States, its territories*  
12 *and possessions, and other areas as authorized by 43 U.S.C.*  
13 *31, 1332, and 1340; classify lands as to their mineral and*  
14 *water resources; give engineering supervision to power per-*  
15 *mittees and Federal Energy Regulatory Commission licens-*  
16 *ees; administer the minerals exploration program (30*  
17 *U.S.C. 641); conduct inquiries into the economic conditions*  
18 *affecting mining and materials processing industries (30*  
19 *U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related*  
20 *purposes as authorized by law; and to publish and dissemi-*  
21 *nate data relative to the foregoing activities;*  
22 *\$1,148,457,000, to remain available until September 30,*  
23 *2019; of which \$78,537,000 shall remain available until ex-*  
24 *pended for satellite operations; and of which \$15,164,000*  
25 *shall be available until expended for deferred maintenance*

1 *and capital improvement projects that exceed \$100,000 in*  
2 *cost: Provided, That none of the funds provided for the eco-*  
3 *system research activity shall be used to conduct new sur-*  
4 *veys on private property, unless specifically authorized in*  
5 *writing by the property owner: Provided further, That no*  
6 *part of this appropriation shall be used to pay more than*  
7 *one-half the cost of topographic mapping or water resources*  
8 *data collection and investigations carried on in cooperation*  
9 *with States and municipalities.*

10 *ADMINISTRATIVE PROVISIONS*

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

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

14 *BUREAU OF OCEAN ENERGY MANAGEMENT*

15 *OCEAN ENERGY MANAGEMENT*

16 *For expenses necessary for granting leases, easements,*  
17 *rights-of-way and agreements for use for oil and gas, other*  
18 *minerals, energy, and marine-related purposes on the Outer*  
19 *Continental Shelf and approving operations related thereto,*  
20 *as authorized by law; for environmental studies, as author-*  
21 *ized by law; for implementing other laws and to the extent*  
22 *provided by Presidential or Secretarial delegation; and for*  
23 *matching grants or cooperative agreements, \$171,000,000,*  
24 *of which \$114,166,000 is to remain available until Sep-*  
25 *tember 30, 2019, and of which \$56,834,000 is to remain*

1 *available until expended: Provided, That this total appro-*  
2 *priation shall be reduced by amounts collected by the Sec-*  
3 *retary and credited to this appropriation from additions*  
4 *to receipts resulting from increases to lease rental rates in*  
5 *effect on August 5, 1993, and from cost recovery fees from*  
6 *activities conducted by the Bureau of Ocean Energy Man-*  
7 *agement pursuant to the Outer Continental Shelf Lands*  
8 *Act, including studies, assessments, analysis, and miscella-*  
9 *neous administrative activities: Provided further, That the*  
10 *sum herein appropriated shall be reduced as such collections*  
11 *are received during the fiscal year, so as to result in a final*  
12 *fiscal year 2018 appropriation estimated at not more than*  
13 *\$114,166,000: Provided further, That not to exceed \$3,000*  
14 *shall be available for reasonable expenses related to pro-*  
15 *moting volunteer beach and marine cleanup activities.*

16 *BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT*  
17 *OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT*

18 *For expenses necessary for the regulation of operations*  
19 *related to leases, easements, rights-of-way and agreements*  
20 *for use for oil and gas, other minerals, energy, and marine-*  
21 *related purposes on the Outer Continental Shelf, as author-*  
22 *ized by law; for enforcing and implementing laws and regu-*  
23 *lations as authorized by law and to the extent provided by*  
24 *Presidential or Secretarial delegation; and for matching*  
25 *grants or cooperative agreements, \$136,411,000, of which*

1 \$108,540,000 is to remain available until September 30,  
2 2019, and of which \$27,871,000 is to remain available until  
3 expended: Provided, That this total appropriation shall be  
4 reduced by amounts collected by the Secretary and credited  
5 to this appropriation from additions to receipts resulting  
6 from increases to lease rental rates in effect on August 5,  
7 1993, and from cost recovery fees from activities conducted  
8 by the Bureau of Safety and Environmental Enforcement  
9 pursuant to the Outer Continental Shelf Lands Act, includ-  
10 ing studies, assessments, analysis, and miscellaneous ad-  
11 ministrative activities: Provided further, That the sum  
12 herein appropriated shall be reduced as such collections are  
13 received during the fiscal year, so as to result in a final  
14 fiscal year 2018 appropriation estimated at not more than  
15 \$108,540,000.

16 For an additional amount, \$50,000,000, to remain  
17 available until expended, to be reduced by amounts collected  
18 by the Secretary and credited to this appropriation, which  
19 shall be derived from non-refundable inspection fees col-  
20 lected in fiscal year 2018, as provided in this Act: Provided,  
21 That to the extent that amounts realized from such inspec-  
22 tion fees exceed \$50,000,000, the amounts realized in excess  
23 of \$50,000,000 shall be credited to this appropriation and  
24 remain available until expended: Provided further, That for  
25 fiscal year 2018, not less than 50 percent of the inspection

1 *fees expended by the Bureau of Safety and Environmental*  
2 *Enforcement will be used to fund personnel and mission-*  
3 *related costs to expand capacity and expedite the orderly*  
4 *development, subject to environmental safeguards, of the*  
5 *Outer Continental Shelf pursuant to the Outer Continental*  
6 *Shelf Lands Act (43 U.S.C. 1331 et seq.), including the re-*  
7 *view of applications for permits to drill.*

8 *OIL SPILL RESEARCH*

9 *For necessary expenses to carry out title I, section*  
10 *1016, title IV, sections 4202 and 4303, title VII, and title*  
11 *VIII, section 8201 of the Oil Pollution Act of 1990,*  
12 *\$14,899,000, which shall be derived from the Oil Spill Li-*  
13 *ability Trust Fund, to remain available until expended.*

14 *OFFICE OF SURFACE MINING RECLAMATION AND*

15 *ENFORCEMENT*

16 *REGULATION AND TECHNOLOGY*

17 *For necessary expenses to carry out the provisions of*  
18 *the Surface Mining Control and Reclamation Act of 1977,*  
19 *Public Law 95–87, \$115,804,000, to remain available until*  
20 *September 30, 2019: Provided, That appropriations for the*  
21 *Office of Surface Mining Reclamation and Enforcement*  
22 *may provide for the travel and per diem expenses of State*  
23 *and tribal personnel attending Office of Surface Mining*  
24 *Reclamation and Enforcement sponsored training.*



1        *In addition, for costs to review, administer, and en-*  
2 *force permits issued by the Office pursuant to section 507*  
3 *of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain*  
4 *available until expended: Provided, That fees assessed and*  
5 *collected by the Office pursuant to such section 507 shall*  
6 *be credited to this account as discretionary offsetting collec-*  
7 *tions, to remain available until expended: Provided further,*  
8 *That the sum herein appropriated from the general fund*  
9 *shall be reduced as collections are received during the fiscal*  
10 *year, so as to result in a fiscal year 2018 appropriation*  
11 *estimated at not more than \$115,804,000.*

12                                    *ABANDONED MINE RECLAMATION FUND*

13        *For necessary expenses to carry out title IV of the Sur-*  
14 *face Mining Control and Reclamation Act of 1977, Public*  
15 *Law 95–87, \$24,672,000, to be derived from receipts of the*  
16 *Abandoned Mine Reclamation Fund and to remain avail-*  
17 *able until expended: Provided, That pursuant to Public*  
18 *Law 97–365, the Department of the Interior is authorized*  
19 *to use up to 20 percent from the recovery of the delinquent*  
20 *debt owed to the United States Government to pay for con-*  
21 *tracts to collect these debts: Provided further, That funds*  
22 *made available under title IV of Public Law 95–87 may*  
23 *be used for any required non-Federal share of the cost of*  
24 *projects funded by the Federal Government for the purpose*  
25 *of environmental restoration related to treatment or abate-*

1 *ment of acid mine drainage from abandoned mines: Pro-*  
2 *vided further, That such projects must be consistent with*  
3 *the purposes and priorities of the Surface Mining Control*  
4 *and Reclamation Act: Provided further, That amounts pro-*  
5 *vided under this heading may be used for the travel and*  
6 *per diem expenses of State and tribal personnel attending*  
7 *Office of Surface Mining Reclamation and Enforcement*  
8 *sponsored training.*

9 *In addition, \$115,000,000, to remain available until*  
10 *expended, for grants to States and federally recognized In-*  
11 *dian Tribes for reclamation of abandoned mine lands and*  
12 *other related activities in accordance with the terms and*  
13 *conditions in the explanatory statement described in section*  
14 *4 (in the matter preceding division A of this consolidated*  
15 *Act): Provided, That such additional amount shall be used*  
16 *for economic and community development in conjunction*  
17 *with the priorities in section 403(a) of the Surface Mining*  
18 *Control and Reclamation Act of 1977 (30 U.S.C. 1233(a):*  
19 *Provided further, That of such additional amount,*  
20 *\$75,000,000 shall be distributed in equal amounts to the*  
21 *3 Appalachian States with the greatest amount of unfunded*  
22 *needs to meet the priorities described in paragraphs (1) and*  
23 *(2) of such section, \$30,000,000 shall be distributed in equal*  
24 *amounts to the 3 Appalachian States with the subsequent*  
25 *greatest amount of unfunded needs to meet such priorities,*

1 *and \$10,000,000 shall be for grants to federally recognized*  
2 *Indian Tribes without regard to their status as certified or*  
3 *uncertified under the Surface Mining Control and Reclama-*  
4 *tion Act of 1977 (30 U.S.C. 1233(a)), for reclamation of*  
5 *abandoned mine lands and other related activities in ac-*  
6 *cordance with the terms and conditions in the explanatory*  
7 *statement described in section 4 (in the matter preceding*  
8 *division A of this consolidated Act) and shall be used for*  
9 *economic and community development in conjunction with*  
10 *the priorities in section 403(a) of the Surface Mining Con-*  
11 *trol and Reclamation Act of 1977: Provided further, That*  
12 *such additional amount shall be allocated to States and In-*  
13 *dian Tribes within 60 days after the date of enactment of*  
14 *this Act.*

15 *BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN*  
16 *EDUCATION*

17 *OPERATION OF INDIAN PROGRAMS*  
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For expenses necessary for the operation of Indian pro-*  
20 *grams, as authorized by law, including the Snyder Act of*  
21 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*  
22 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
23 *5301 et seq.), the Education Amendments of 1978 (25*  
24 *U.S.C. 2001–2019), and the Tribally Controlled Schools Act*  
25 *of 1988 (25 U.S.C. 2501 et seq.), \$2,411,200,000, to remain*

1 available until September 30, 2019, except as otherwise pro-  
2 vided herein; of which not to exceed \$8,500 may be for offi-  
3 cial reception and representation expenses; of which not to  
4 exceed \$76,000,000 shall be for welfare assistance payments:  
5 Provided, That in cases of designated Federal disasters, the  
6 Secretary may exceed such cap, from the amounts provided  
7 herein, to provide for disaster relief to Indian communities  
8 affected by the disaster: Provided further, That federally rec-  
9 ognized Indian tribes and tribal organizations of federally  
10 recognized Indian tribes may use their tribal priority allo-  
11 cations for unmet welfare assistance costs: Provided further,  
12 That not to exceed \$673,425,000 for school operations costs  
13 of Bureau-funded schools and other education programs  
14 shall become available on July 1, 2018, and shall remain  
15 available until September 30, 2019: Provided further, That  
16 not to exceed \$53,991,000 shall remain available until ex-  
17 pended for housing improvement, road maintenance, attor-  
18 ney fees, litigation support, land records improvement, and  
19 the Navajo-Hopi Settlement Program: Provided further,  
20 That notwithstanding any other provision of law, including  
21 but not limited to the Indian Self-Determination Act of  
22 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Edu-  
23 cation Amendments of 1978 (25 U.S.C. 2008), not to exceed  
24 \$81,036,000 within and only from such amounts made  
25 available for school operations shall be available for admin-

1 *istrative cost grants associated with grants approved prior*  
2 *to July 1, 2018: Provided further, That any forestry funds*  
3 *allocated to a federally recognized tribe which remain unob-*  
4 *ligated as of September 30, 2019, may be transferred during*  
5 *fiscal year 2020 to an Indian forest land assistance account*  
6 *established for the benefit of the holder of the funds within*  
7 *the holder's trust fund account: Provided further, That any*  
8 *such unobligated balances not so transferred shall expire on*  
9 *September 30, 2020: Provided further, That in order to en-*  
10 *hance the safety of Bureau field employees, the Bureau may*  
11 *use funds to purchase uniforms or other identifying articles*  
12 *of clothing for personnel: Provided further, That the Bureau*  
13 *of Indian Affairs may accept transfers of funds from U.S.*  
14 *Customs and Border Protection to supplement any other*  
15 *funding available for reconstruction or repair of roads*  
16 *owned by the Bureau of Indian Affairs as identified on the*  
17 *National Tribal Transportation Facility Inventory, 23*  
18 *U.S.C. 202(b)(1).*

19 *CONTRACT SUPPORT COSTS*

20 *For payments to tribes and tribal organizations for*  
21 *contract support costs associated with Indian Self-Deter-*  
22 *mination and Education Assistance Act agreements with*  
23 *the Bureau of Indian Affairs for fiscal year 2018, such sums*  
24 *as may be necessary, which shall be available for obligation*  
25 *through September 30, 2019: Provided, That notwith-*

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

4 *CONSTRUCTION*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For construction, repair, improvement, and mainte-*  
7 *nance of irrigation and power systems, buildings, utilities,*  
8 *and other facilities, including architectural and engineering*  
9 *services by contract; acquisition of lands, and interests in*  
10 *lands; and preparation of lands for farming, and for con-*  
11 *struction of the Navajo Indian Irrigation Project pursuant*  
12 *to Public Law 87-483; \$354,113,000, to remain available*  
13 *until expended: Provided, That such amounts as may be*  
14 *available for the construction of the Navajo Indian Irriga-*  
15 *tion Project may be transferred to the Bureau of Reclama-*  
16 *tion: Provided further, That not to exceed 6 percent of con-*  
17 *tract authority available to the Bureau of Indian Affairs*  
18 *from the Federal Highway Trust Fund may be used to cover*  
19 *the road program management costs of the Bureau: Pro-*  
20 *vided further, That any funds provided for the Safety of*  
21 *Dams program pursuant to the Act of November 2, 1921*  
22 *(25 U.S.C. 13), shall be made available on a nonreimburs-*  
23 *able basis: Provided further, That for fiscal year 2018, in*  
24 *implementing new construction, replacement facilities con-*  
25 *struction, or facilities improvement and repair project*

1 grants in excess of \$100,000 that are provided to grant  
2 schools under Public Law 100–297, the Secretary of the In-  
3 terior shall use the Administrative and Audit Requirements  
4 and Cost Principles for Assistance Programs contained in  
5 part 12 of title 43, Code of Federal Regulations, as the regu-  
6 latory requirements: Provided further, That such grants  
7 shall not be subject to section 12.61 of title 43, Code of Fed-  
8 eral Regulations; the Secretary and the grantee shall nego-  
9 tiate and determine a schedule of payments for the work  
10 to be performed: Provided further, That in considering  
11 grant applications, the Secretary shall consider whether  
12 such grantee would be deficient in assuring that the con-  
13 struction projects conform to applicable building standards  
14 and codes and Federal, tribal, or State health and safety  
15 standards as required by section 1125(b) of title XI of Pub-  
16 lic Law 95–561 (25 U.S.C. 2005(b)), with respect to organi-  
17 zational and financial management capabilities: Provided  
18 further, That if the Secretary declines a grant application,  
19 the Secretary shall follow the requirements contained in sec-  
20 tion 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)):  
21 Provided further, That any disputes between the Secretary  
22 and any grantee concerning a grant shall be subject to the  
23 disputes provision in section 5208(e) of Public Law 107–  
24 110 (25 U.S.C. 2507(e)): Provided further, That in order  
25 to ensure timely completion of construction projects, the

1 *Secretary may assume control of a project and all funds*  
2 *related to the project, if, within 18 months of the date of*  
3 *enactment of this Act, any grantee receiving funds appro-*  
4 *priated in this Act or in any prior Act, has not completed*  
5 *the planning and design phase of the project and com-*  
6 *menced construction: Provided further, That this appro-*  
7 *priation may be reimbursed from the Office of the Special*  
8 *Trustee for American Indians appropriation for the appro-*  
9 *priate share of construction costs for space expansion need-*  
10 *ed in agency offices to meet trust reform implementation.*

11 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*

12 *MISCELLANEOUS PAYMENTS TO INDIANS*

13 *For payments and necessary administrative expenses*  
14 *for implementation of Indian land and water claim settle-*  
15 *ments pursuant to Public Laws 99-264, 100-580, 101-618,*  
16 *111-11, 111-291, and 114-322, and for implementation of*  
17 *other land and water rights settlements, \$55,457,000, to re-*  
18 *main available until expended.*

19 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

20 *For the cost of guaranteed loans and insured loans,*  
21 *\$9,272,000, of which \$1,252,000 is for administrative ex-*  
22 *penses, as authorized by the Indian Financing Act of 1974:*  
23 *Provided, That such costs, including the cost of modifying*  
24 *such loans, shall be as defined in section 502 of the Congres-*  
25 *sional Budget Act of 1974: Provided further, That these*



1 *funds are available to subsidize total loan principal, any*  
2 *part of which is to be guaranteed or insured, not to exceed*  
3 *\$123,565,389.*

4 *ADMINISTRATIVE PROVISIONS*

5 *(INCLUDING RESCISSION OF FUNDS)*

6 *The Bureau of Indian Affairs may carry out the oper-*  
7 *ation of Indian programs by direct expenditure, contracts,*  
8 *cooperative agreements, compacts, and grants, either di-*  
9 *rectly or in cooperation with States and other organiza-*  
10 *tions.*

11 *Notwithstanding Public Law 87-279 (25 U.S.C. 15),*  
12 *the Bureau of Indian Affairs may contract for services in*  
13 *support of the management, operation, and maintenance of*  
14 *the Power Division of the San Carlos Irrigation Project.*

15 *Notwithstanding any other provision of law, no funds*  
16 *available to the Bureau of Indian Affairs for central office*  
17 *oversight and Executive Direction and Administrative*  
18 *Services (except executive direction and administrative*  
19 *services funding for Tribal Priority Allocations, regional of-*  
20 *fices, and facilities operations and maintenance) shall be*  
21 *available for contracts, grants, compacts, or cooperative*  
22 *agreements with the Bureau of Indian Affairs under the*  
23 *provisions of the Indian Self-Determination Act or the*  
24 *Tribal Self-Governance Act of 1994 (Public Law 103-413).*

1        *In the event any tribe returns appropriations made*  
2 *available by this Act to the Bureau of Indian Affairs, this*  
3 *action shall not diminish the Federal Government's trust*  
4 *responsibility to that tribe, or the government-to-govern-*  
5 *ment relationship between the United States and that tribe,*  
6 *or that tribe's ability to access future appropriations.*

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

13        *No funds available to the Bureau of Indian Education*  
14 *shall be used to support expanded grades for any school or*  
15 *dormitory beyond the grade structure in place or approved*  
16 *by the Secretary of the Interior at each school in the Bureau*  
17 *of Indian Education school system as of October 1, 1995,*  
18 *except that the Secretary of the Interior may waive this*  
19 *prohibition to support expansion of up to one additional*  
20 *grade when the Secretary determines such waiver is needed*  
21 *to support accomplishment of the mission of the Bureau of*  
22 *Indian Education, or more than one grade to expand the*  
23 *elementary grade structure for Bureau-funded schools with*  
24 *a K-2 grade structure on October 1, 1996. Appropriations*  
25 *made available in this or any prior Act for schools funded*

1 *by the Bureau shall be available, in accordance with the*  
2 *Bureau's funding formula, only to the schools in the Bureau*  
3 *school system as of September 1, 1996, and to any school*  
4 *or school program that was reinstated in fiscal year 2012.*  
5 *Funds made available under this Act may not be used to*  
6 *establish a charter school at a Bureau-funded school (as that*  
7 *term is defined in section 1141 of the Education Amend-*  
8 *ments of 1978 (25 U.S.C. 2021)), except that a charter*  
9 *school that is in existence on the date of the enactment of*  
10 *this Act and that has operated at a Bureau-funded school*  
11 *before September 1, 1999, may continue to operate during*  
12 *that period, but only if the charter school pays to the Bu-*  
13 *reau a pro rata share of funds to reimburse the Bureau*  
14 *for the use of the real and personal property (including*  
15 *buses and vans), the funds of the charter school are kept*  
16 *separate and apart from Bureau funds, and the Bureau*  
17 *does not assume any obligation for charter school programs*  
18 *of the State in which the school is located if the charter*  
19 *school loses such funding. Employees of Bureau-funded*  
20 *schools sharing a campus with a charter school and per-*  
21 *forming functions related to the charter school's operation*  
22 *and employees of a charter school shall not be treated as*  
23 *Federal employees for purposes of chapter 171 of title 28,*  
24 *United States Code.*

1        *Notwithstanding any other provision of law, including*  
2 *section 113 of title I of appendix C of Public Law 106–*  
3 *113, if in fiscal year 2003 or 2004 a grantee received indi-*  
4 *rect and administrative costs pursuant to a distribution*  
5 *formula based on section 5(f) of Public Law 101–301, the*  
6 *Secretary shall continue to distribute indirect and adminis-*  
7 *trative cost funds to such grantee using the section 5(f) dis-*  
8 *tribution formula.*

9        *Funds available under this Act may not be used to*  
10 *establish satellite locations of schools in the Bureau school*  
11 *system as of September 1, 1996, except that the Secretary*  
12 *may waive this prohibition in order for an Indian tribe*  
13 *to provide language and cultural immersion educational*  
14 *programs for non-public schools located within the jurisdic-*  
15 *tional area of the tribal government which exclusively serve*  
16 *tribal members, do not include grades beyond those cur-*  
17 *rently served at the existing Bureau-funded school, provide*  
18 *an educational environment with educator presence and*  
19 *academic facilities comparable to the Bureau-funded school,*  
20 *comply with all applicable Tribal, Federal, or State health*  
21 *and safety standards, and the Americans with Disabilities*  
22 *Act, and demonstrate the benefits of establishing operations*  
23 *at a satellite location in lieu of incurring extraordinary*  
24 *costs, such as for transportation or other impacts to stu-*  
25 *dents such as those caused by busing students extended dis-*

1 *tances: Provided, That no funds available under this Act*  
2 *may be used to fund operations, maintenance, rehabilita-*  
3 *tion, construction or other facilities-related costs for such*  
4 *assets that are not owned by the Bureau: Provided further,*  
5 *That the term “satellite school” means a school location*  
6 *physically separated from the existing Bureau school by*  
7 *more than 50 miles but that forms part of the existing*  
8 *school in all other respects.*

9 *Of the prior year unobligated balances available for*  
10 *the “Operation of Indian Programs” account, \$8,000,000*  
11 *are permanently rescinded.*

12 *DEPARTMENTAL OFFICES*

13 *OFFICE OF THE SECRETARY*

14 *DEPARTMENTAL OPERATIONS*

15 *For necessary expenses for management of the Depart-*  
16 *ment of the Interior and for grants and cooperative agree-*  
17 *ments, as authorized by law, \$124,182,000, to remain avail-*  
18 *able until September 30, 2019; of which not to exceed*  
19 *\$15,000 may be for official reception and representation ex-*  
20 *penses; and of which up to \$1,000,000 shall be available*  
21 *for workers compensation payments and unemployment*  
22 *compensation payments associated with the orderly closure*  
23 *of the United States Bureau of Mines; and of which*  
24 *\$10,242,000 for the Office of Valuation Services is to be de-*

1 rived from the Land and Water Conservation Fund and  
2 shall remain available until expended.

3 ADMINISTRATIVE PROVISIONS

4 For fiscal year 2018, up to \$400,000 of the payments  
5 authorized by chapter 69 of title 31, United States Code,  
6 may be retained for administrative expenses of the Pay-  
7 ments in Lieu of Taxes Program: Provided, That the  
8 amounts provided under this Act specifically for the Pay-  
9 ments in Lieu of Taxes program are the only amounts  
10 available for payments authorized under chapter 69 of title  
11 31, United States Code: Provided further, That in the event  
12 the sums appropriated for any fiscal year for payments  
13 pursuant to this chapter are insufficient to make the full  
14 payments authorized by that chapter to all units of local  
15 government, then the payment to each local government  
16 shall be made proportionally: Provided further, That the  
17 Secretary may make adjustments to payment to individual  
18 units of local government to correct for prior overpayments  
19 or underpayments: Provided further, That no payment shall  
20 be made pursuant to that chapter to otherwise eligible units  
21 of local government if the computed amount of the payment  
22 is less than \$100.

*INSULAR AFFAIRS**ASSISTANCE TO TERRITORIES*

*For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, \$96,870,000, of which: (1) \$87,422,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands, as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) \$9,448,000 shall be available until September 30, 2019, for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Account-*

1 ability Office, at its discretion, in accordance with chapter  
2 35 of title 31, United States Code: Provided further, That  
3 Northern Mariana Islands Covenant grant funding shall be  
4 provided according to those terms of the Agreement of the  
5 Special Representatives on Future United States Financial  
6 Assistance for the Northern Mariana Islands approved by  
7 Public Law 104–134: Provided further, That the funds for  
8 the program of operations and maintenance improvement  
9 are appropriated to institutionalize routine operations and  
10 maintenance improvement of capital infrastructure with  
11 territorial participation and cost sharing to be determined  
12 by the Secretary based on the grantee’s commitment to time-  
13 ly maintenance of its capital assets: Provided further, That  
14 any appropriation for disaster assistance under this head-  
15 ing in this Act or previous appropriations Acts may be used  
16 as non–Federal matching funds for the purpose of hazard  
17 mitigation grants provided pursuant to section 404 of the  
18 Robert T. Stafford Disaster Relief and Emergency Assist-  
19 ance Act (42 U.S.C. 5170c).

20 *COMPACT OF FREE ASSOCIATION*

21 *For grants and necessary expenses, \$3,363,000, to re-*  
22 *main available until expended, as provided for in sections*  
23 *221(a)(2) and 233 of the Compact of Free Association for*  
24 *the Republic of Palau; and section 221(a)(2) of the Com-*  
25 *pacts of Free Association for the Government of the Repub-*



1 *lic of the Marshall Islands and the Federated States of Mi-*  
2 *cronesia, as authorized by Public Law 99–658 and Public*  
3 *Law 108–188.*

4 *ADMINISTRATIVE PROVISIONS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *At the request of the Governor of Guam, the Secretary*  
7 *may transfer discretionary funds or mandatory funds pro-*  
8 *vided under section 104(e) of Public Law 108–188 and Pub-*  
9 *lic Law 104–134, that are allocated for Guam, to the Sec-*  
10 *retary of Agriculture for the subsidy cost of direct or guar-*  
11 *anteed loans, plus not to exceed three percent of the amount*  
12 *of the subsidy transferred for the cost of loan administra-*  
13 *tion, for the purposes authorized by the Rural Electrifica-*  
14 *tion Act of 1936 and section 306(a)(1) of the Consolidated*  
15 *Farm and Rural Development Act for construction and re-*  
16 *pair projects in Guam, and such funds shall remain avail-*  
17 *able until expended: Provided, That such costs, including*  
18 *the cost of modifying such loans, shall be as defined in sec-*  
19 *tion 502 of the Congressional Budget Act of 1974: Provided*  
20 *further, That such loans or loan guarantees may be made*  
21 *without regard to the population of the area, credit else-*  
22 *where requirements, and restrictions on the types of eligible*  
23 *entities under the Rural Electrification Act of 1936 and*  
24 *section 306(a)(1) of the Consolidated Farm and Rural De-*  
25 *velopment Act: Provided further, That any funds trans-*

1 *ferred to the Secretary of Agriculture shall be in addition*  
2 *to funds otherwise made available to make or guarantee*  
3 *loans under such authorities.*

4 *OFFICE OF THE SOLICITOR*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Office of the Solicitor,*  
7 *\$66,675,000.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Office of Inspector Gen-*  
11 *eral, \$51,023,000.*

12 *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*

13 *INDIANS*

14 *FEDERAL TRUST PROGRAMS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the operation of trust programs for Indians by di-*  
17 *rect expenditure, contracts, cooperative agreements, com-*  
18 *pacts, and grants, \$119,400,000, to remain available until*  
19 *expended, of which not to exceed \$18,990,000 from this or*  
20 *any other Act, may be available for historical accounting:*  
21 *Provided, That funds for trust management improvements*  
22 *and litigation support may, as needed, be transferred to or*  
23 *merged with the Bureau of Indian Affairs and Bureau of*  
24 *Indian Education, "Operation of Indian Programs" ac-*  
25 *count; the Office of the Solicitor, "Salaries and Expenses"*

1 account; and the Office of the Secretary, “Departmental Op-  
2 erations” account: Provided further, That funds made  
3 available through contracts or grants obligated during fiscal  
4 year 2018, as authorized by the Indian Self-Determination  
5 Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available  
6 until expended by the contractor or grantee: Provided fur-  
7 ther, That notwithstanding any other provision of law, the  
8 Secretary shall not be required to provide a quarterly state-  
9 ment of performance for any Indian trust account that has  
10 not had activity for at least 15 months and has a balance  
11 of \$15 or less: Provided further, That the Secretary shall  
12 issue an annual account statement and maintain a record  
13 of any such accounts and shall permit the balance in each  
14 such account to be withdrawn upon the express written re-  
15 quest of the account holder: Provided further, That not to  
16 exceed \$50,000 is available for the Secretary to make pay-  
17 ments to correct administrative errors of either disburse-  
18 ments from or deposits to Individual Indian Money or  
19 Tribal accounts after September 30, 2002: Provided further,  
20 That erroneous payments that are recovered shall be cred-  
21 ited to and remain available in this account for this pur-  
22 pose: Provided further, That the Secretary shall not be re-  
23 quired to reconcile Special Deposit Accounts with a balance  
24 of less than \$500 unless the Office of the Special Trustee  
25 receives proof of ownership from a Special Deposit Accounts

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

14 *DEPARTMENT-WIDE PROGRAMS*

15 *WILDLAND FIRE MANAGEMENT*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *For necessary expenses for fire preparedness, fire sup-*  
18 *pression operations, fire science and research, emergency re-*  
19 *habilitation, fuels management activities, and rural fire as-*  
20 *sistance by the Department of the Interior, \$948,087,000,*  
21 *to remain available until expended, of which not to exceed*  
22 *\$18,427,000 shall be for the renovation or construction of*  
23 *fire facilities: Provided, That such funds are also available*  
24 *for repayment of advances to other appropriation accounts*  
25 *from which funds were previously transferred for such pur-*

1 poses: *Provided further, That of the funds provided*  
2 *\$184,000,000 is for fuels management activities: Provided*  
3 *further, That of the funds provided \$20,470,000 is for*  
4 *burned area rehabilitation: Provided further, That persons*  
5 *hired pursuant to 43 U.S.C. 1469 may be furnished subsist-*  
6 *ence and lodging without cost from funds available from*  
7 *this appropriation: Provided further, That notwithstanding*  
8 *42 U.S.C. 1856d, sums received by a bureau or office of*  
9 *the Department of the Interior for fire protection rendered*  
10 *pursuant to 42 U.S.C. 1856 et seq., protection of United*  
11 *States property, may be credited to the appropriation from*  
12 *which funds were expended to provide that protection, and*  
13 *are available without fiscal year limitation: Provided fur-*  
14 *ther, That using the amounts designated under this title*  
15 *of this Act, the Secretary of the Interior may enter into*  
16 *procurement contracts, grants, or cooperative agreements,*  
17 *for fuels management activities, and for training and moni-*  
18 *toring associated with such fuels management activities on*  
19 *Federal land, or on adjacent non-Federal land for activities*  
20 *that benefit resources on Federal land: Provided further,*  
21 *That the costs of implementing any cooperative agreement*  
22 *between the Federal Government and any non-Federal enti-*  
23 *ty may be shared, as mutually agreed on by the affected*  
24 *parties: Provided further, That notwithstanding require-*  
25 *ments of the Competition in Contracting Act, the Secretary,*

1 *for purposes of fuels management activities, may obtain*  
2 *maximum practicable competition among: (1) local private,*  
3 *nonprofit, or cooperative entities; (2) Youth Conservation*  
4 *Corps crews, Public Lands Corps (Public Law 109–154),*  
5 *or related partnerships with State, local, or nonprofit youth*  
6 *groups; (3) small or micro-businesses; or (4) other entities*  
7 *that will hire or train locally a significant percentage, de-*  
8 *finied as 50 percent or more, of the project workforce to com-*  
9 *plete such contracts: Provided further, That in imple-*  
10 *menting this section, the Secretary shall develop written*  
11 *guidance to field units to ensure accountability and con-*  
12 *sistent application of the authorities provided herein: Pro-*  
13 *vided further, That funds appropriated under this heading*  
14 *may be used to reimburse the United States Fish and Wild-*  
15 *life Service and the National Marine Fisheries Service for*  
16 *the costs of carrying out their responsibilities under the En-*  
17 *dangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to*  
18 *consult and conference, as required by section 7 of such Act,*  
19 *in connection with wildland fire management activities:*  
20 *Provided further, That the Secretary of the Interior may*  
21 *use wildland fire appropriations to enter into leases of real*  
22 *property with local governments, at or below fair market*  
23 *value, to construct capitalized improvements for fire facili-*  
24 *ties on such leased properties, including but not limited to*  
25 *fire guard stations, retardant stations, and other initial at-*

1 *tack and fire support facilities, and to make advance pay-*  
2 *ments for any such lease or for construction activity associ-*  
3 *ated with the lease: Provided further, That the Secretary*  
4 *of the Interior and the Secretary of Agriculture may author-*  
5 *ize the transfer of funds appropriated for wildland fire*  
6 *management, in an aggregate amount not to exceed*  
7 *\$50,000,000, between the Departments when such transfers*  
8 *would facilitate and expedite wildland fire management*  
9 *programs and projects: Provided further, That funds pro-*  
10 *vided for wildfire suppression shall be available for support*  
11 *of Federal emergency response actions: Provided further,*  
12 *That funds appropriated under this heading shall be avail-*  
13 *able for assistance to or through the Department of State*  
14 *in connection with forest and rangeland research, technical*  
15 *information, and assistance in foreign countries, and, with*  
16 *the concurrence of the Secretary of State, shall be available*  
17 *to support forestry, wildland fire management, and related*  
18 *natural resource activities outside the United States and*  
19 *its territories and possessions, including technical assist-*  
20 *ance, education and training, and cooperation with United*  
21 *States and international organizations.*

22 *CENTRAL HAZARDOUS MATERIALS FUND*

23 *For necessary expenses of the Department of the Inte-*  
24 *rior and any of its component offices and bureaus for the*  
25 *response action, including associated activities, performed*

1 *pursuant to the Comprehensive Environmental Response,*  
2 *Compensation, and Liability Act (42 U.S.C. 9601 et seq.),*  
3 *\$10,010,000, to remain available until expended.*

4       *NATURAL RESOURCE DAMAGE ASSESSMENT AND*  
5   *RESTORATION*

6       *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

7       *To conduct natural resource damage assessment, res-*  
8 *toration activities, and onshore oil spill preparedness by the*  
9 *Department of the Interior necessary to carry out the provi-*  
10 *sions of the Comprehensive Environmental Response, Com-*  
11 *ensation, and Liability Act (42 U.S.C. 9601 et seq.), the*  
12 *Federal Water Pollution Control Act (33 U.S.C. 1251 et*  
13 *seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.),*  
14 *and 54 U.S.C. 100721 et seq., \$7,767,000, to remain avail-*  
15 *able until expended.*

16   *WORKING CAPITAL FUND*

17       *For the operation and maintenance of a departmental*  
18 *financial and business management system, information*  
19 *technology improvements of general benefit to the Depart-*  
20 *ment, cybersecurity, and the consolidation of facilities and*  
21 *operations throughout the Department, \$62,370,000, to re-*  
22 *main available until expended: Provided, That none of the*  
23 *funds appropriated in this Act or any other Act may be*  
24 *used to establish reserves in the Working Capital Fund ac-*  
25 *count other than for accrued annual leave and depreciation*



1 of equipment without prior approval of the Committees on  
2 Appropriations of the House of Representatives and the  
3 Senate: Provided further, That the Secretary may assess  
4 reasonable charges to State, local and tribal government em-  
5 ployees for training services provided by the National In-  
6 dian Program Training Center, other than training related  
7 to Public Law 93-638: Provided further, That the Secretary  
8 may lease or otherwise provide space and related facilities,  
9 equipment or professional services of the National Indian  
10 Program Training Center to State, local and tribal govern-  
11 ment employees or persons or organizations engaged in cul-  
12 tural, educational, or recreational activities (as defined in  
13 section 3306(a) of title 40, United States Code) at the pre-  
14 vailing rate for similar space, facilities, equipment, or serv-  
15 ices in the vicinity of the National Indian Program Train-  
16 ing Center: Provided further, That all funds received pursu-  
17 ant to the two preceding provisos shall be credited to this  
18 account, shall be available until expended, and shall be used  
19 by the Secretary for necessary expenses of the National In-  
20 dian Program Training Center: Provided further, That the  
21 Secretary may enter into grants and cooperative agree-  
22 ments to support the Office of Natural Resource Revenue's  
23 collection and disbursement of royalties, fees, and other  
24 mineral revenue proceeds, as authorized by law.

1                                 *ADMINISTRATIVE PROVISION*

2             *There is hereby authorized for acquisition from avail-*  
3 *able resources within the Working Capital Fund, aircraft*  
4 *which may be obtained by donation, purchase or through*  
5 *available excess surplus property: Provided, That existing*  
6 *aircraft being replaced may be sold, with proceeds derived*  
7 *or trade-in value used to offset the purchase price for the*  
8 *replacement aircraft.*

9                                 *OFFICE OF NATURAL RESOURCES REVENUE*

10            *For necessary expenses for management of the collec-*  
11 *tion and disbursement of royalties, fees, and other mineral*  
12 *revenue proceeds, and for grants and cooperative agree-*  
13 *ments, as authorized by law, \$137,757,000, to remain avail-*  
14 *able until September 30, 2019; of which \$41,727,000 shall*  
15 *remain available until expended for the purpose of mineral*  
16 *revenue management activities: Provided, That notwith-*  
17 *standing any other provision of law, \$15,000 shall be avail-*  
18 *able for refunds of overpayments in connection with certain*  
19 *Indian leases in which the Secretary concurred with the*  
20 *claimed refund due, to pay amounts owed to Indian*  
21 *allottees or tribes, or to correct prior unrecoverable erro-*  
22 *neous payments.*

1    *GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR*  
2                                    *(INCLUDING TRANSFERS OF FUNDS)*

3            *EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU*

4            *SEC. 101. Appropriations made in this title shall be*  
5 *available for expenditure or transfer (within each bureau*  
6 *or office), with the approval of the Secretary, for the emer-*  
7 *gency reconstruction, replacement, or repair of aircraft,*  
8 *buildings, utilities, or other facilities or equipment dam-*  
9 *aged or destroyed by fire, flood, storm, or other unavoidable*  
10 *causes: Provided, That no funds shall be made available*  
11 *under this authority until funds specifically made available*  
12 *to the Department of the Interior for emergencies shall have*  
13 *been exhausted: Provided further, That all funds used pur-*  
14 *suant to this section must be replenished by a supplemental*  
15 *appropriation, which must be requested as promptly as pos-*  
16 *sible.*

17            *EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE*

18            *SEC. 102. The Secretary may authorize the expendi-*  
19 *ture or transfer of any no year appropriation in this title,*  
20 *in addition to the amounts included in the budget programs*  
21 *of the several agencies, for the suppression or emergency*  
22 *prevention of wildland fires on or threatening lands under*  
23 *the jurisdiction of the Department of the Interior; for the*  
24 *emergency rehabilitation of burned-over lands under its ju-*  
25 *risdiction; for emergency actions related to potential or ac-*

1 tual earthquakes, floods, volcanoes, storms, or other un-  
2 avoidable causes; for contingency planning subsequent to  
3 actual oil spills; for response and natural resource damage  
4 assessment activities related to actual oil spills or releases  
5 of hazardous substances into the environment; for the pre-  
6 vention, suppression, and control of actual or potential  
7 grasshopper and Mormon cricket outbreaks on lands under  
8 the jurisdiction of the Secretary, pursuant to the authority  
9 in section 417(b) of Public Law 106–224 (7 U.S.C.  
10 7717(b)); for emergency reclamation projects under section  
11 410 of Public Law 95–87; and shall transfer, from any no-  
12 year funds available to the Office of Surface Mining Rec-  
13 lamation and Enforcement, such funds as may be necessary  
14 to permit assumption of regulatory authority in the event  
15 a primacy State is not carrying out the regulatory provi-  
16 sions of the Surface Mining Act: Provided, That appropria-  
17 tions made in this title for wildland fire operations shall  
18 be available for the payment of obligations incurred during  
19 the preceding fiscal year, and for reimbursement to other  
20 Federal agencies for destruction of vehicles, aircraft, or  
21 other equipment in connection with their use for wildland  
22 fire operations, with such reimbursement to be credited to  
23 appropriations currently available at the time of receipt  
24 thereof: Provided further, That for wildland fire operations,  
25 no funds shall be made available under this authority until

1 *the Secretary determines that funds appropriated for*  
2 *“wildland fire suppression” shall be exhausted within 30*  
3 *days: Provided further, That all funds used pursuant to this*  
4 *section must be replenished by a supplemental appropria-*  
5 *tion, which must be requested as promptly as possible: Pro-*  
6 *vided further, That such replenishment funds shall be used*  
7 *to reimburse, on a pro rata basis, accounts from which*  
8 *emergency funds were transferred.*

9 *AUTHORIZED USE OF FUNDS*

10 *SEC. 103. Appropriations made to the Department of*  
11 *the Interior in this title shall be available for services as*  
12 *authorized by section 3109 of title 5, United States Code,*  
13 *when authorized by the Secretary, in total amount not to*  
14 *exceed \$500,000; purchase and replacement of motor vehi-*  
15 *cles, including specially equipped law enforcement vehicles;*  
16 *hire, maintenance, and operation of aircraft; hire of pas-*  
17 *senger motor vehicles; purchase of reprints; payment for*  
18 *telephone service in private residences in the field, when au-*  
19 *thorized under regulations approved by the Secretary; and*  
20 *the payment of dues, when authorized by the Secretary, for*  
21 *library membership in societies or associations which issue*  
22 *publications to members only or at a price to members*  
23 *lower than to subscribers who are not members.*

1 *AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT*

2       *SEC. 104. Appropriations made in this Act under the*  
3 *headings Bureau of Indian Affairs and Bureau of Indian*  
4 *Education, and Office of the Special Trustee for American*  
5 *Indians and any unobligated balances from prior appro-*  
6 *priations Acts made under the same headings shall be avail-*  
7 *able for expenditure or transfer for Indian trust manage-*  
8 *ment and reform activities. Total funding for historical ac-*  
9 *counting activities shall not exceed amounts specifically*  
10 *designated in this Act for such purpose.*

11 *REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS*

12       *SEC. 105. Notwithstanding any other provision of law,*  
13 *the Secretary of the Interior is authorized to redistribute*  
14 *any Tribal Priority Allocation funds, including tribal base*  
15 *funds, to alleviate tribal funding inequities by transferring*  
16 *funds to address identified, unmet needs, dual enrollment,*  
17 *overlapping service areas or inaccurate distribution meth-*  
18 *odologies. No tribe shall receive a reduction in Tribal Pri-*  
19 *ority Allocation funds of more than 10 percent in fiscal*  
20 *year 2018. Under circumstances of dual enrollment, over-*  
21 *lapping service areas or inaccurate distribution methodolo-*  
22 *gies, the 10 percent limitation does not apply.*

23               *ELLIS, GOVERNORS, AND LIBERTY ISLANDS*

24       *SEC. 106. Notwithstanding any other provision of law,*  
25 *the Secretary of the Interior is authorized to acquire lands,*

1 *waters, or interests therein including the use of all or part*  
2 *of any pier, dock, or landing within the State of New York*  
3 *and the State of New Jersey, for the purpose of operating*  
4 *and maintaining facilities in the support of transportation*  
5 *and accommodation of visitors to Ellis, Governors, and Lib-*  
6 *erty Islands, and of other program and administrative ac-*  
7 *tivities, by donation or with appropriated funds, including*  
8 *franchise fees (and other monetary consideration), or by ex-*  
9 *change; and the Secretary is authorized to negotiate and*  
10 *enter into leases, subleases, concession contracts or other*  
11 *agreements for the use of such facilities on such terms and*  
12 *conditions as the Secretary may determine reasonable.*

13 *OUTER CONTINENTAL SHELF INSPECTION FEES*

14 *SEC. 107. (a) In fiscal year 2018, the Secretary shall*  
15 *collect a nonrefundable inspection fee, which shall be depos-*  
16 *ited in the “Offshore Safety and Environmental Enforce-*  
17 *ment” account, from the designated operator for facilities*  
18 *subject to inspection under 43 U.S.C. 1348(c).*

19 *(b) Annual fees shall be collected for facilities that are*  
20 *above the waterline, excluding drilling rigs, and are in*  
21 *place at the start of the fiscal year. Fees for fiscal year 2018*  
22 *shall be:*

23 *(1) \$10,500 for facilities with no wells, but with*  
24 *processing equipment or gathering lines;*

1           (2) \$17,000 for facilities with 1 to 10 wells, with  
2           any combination of active or inactive wells; and

3           (3) \$31,500 for facilities with more than 10  
4           wells, with any combination of active or inactive  
5           wells.

6           (c) Fees for drilling rigs shall be assessed for all inspec-  
7           tions completed in fiscal year 2018. Fees for fiscal year  
8           2018 shall be:

9           (1) \$30,500 per inspection for rigs operating in  
10           water depths of 500 feet or more; and

11           (2) \$16,700 per inspection for rigs operating in  
12           water depths of less than 500 feet.

13           (d) The Secretary shall bill designated operators under  
14           subsection (b) within 60 days, with payment required with-  
15           in 30 days of billing. The Secretary shall bill designated  
16           operators under subsection (c) within 30 days of the end  
17           of the month in which the inspection occurred, with pay-  
18           ment required within 30 days of billing.

19           BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION  
20           AND ENFORCEMENT REORGANIZATION

21           SEC. 108. The Secretary of the Interior, in order to  
22           implement a reorganization of the Bureau of Ocean Energy  
23           Management, Regulation and Enforcement, may transfer  
24           funds among and between the successor offices and bureaus  
25           affected by the reorganization only in conformance with the



1 *reprogramming guidelines described in the explanatory*  
2 *statement described in section 4 (in the matter preceding*  
3 *division A of this consolidated Act).*

4       *CONTRACTS AND AGREEMENTS FOR WILD HORSE AND*  
5                       *BURRO HOLDING FACILITIES*

6       *SEC. 109. Notwithstanding any other provision of this*  
7 *Act, the Secretary of the Interior may enter into multiyear*  
8 *cooperative agreements with nonprofit organizations and*  
9 *other appropriate entities, and may enter into multiyear*  
10 *contracts in accordance with the provisions of section 3903*  
11 *of title 41, United States Code (except that the 5-year term*  
12 *restriction in subsection (a) shall not apply), for the long-*  
13 *term care and maintenance of excess wild free roaming*  
14 *horses and burros by such organizations or entities on pri-*  
15 *vate land. Such cooperative agreements and contracts may*  
16 *not exceed 10 years, subject to renewal at the discretion of*  
17 *the Secretary.*

18                       *MASS MARKING OF SALMONIDS*

19       *SEC. 110. The United States Fish and Wildlife Service*  
20 *shall, in carrying out its responsibilities to protect threat-*  
21 *ened and endangered species of salmon, implement a system*  
22 *of mass marking of salmonid stocks, intended for harvest,*  
23 *that are released from federally operated or federally fi-*  
24 *nanced hatcheries including but not limited to fish releases*  
25 *of coho, chinook, and steelhead species. Marked fish must*

1 *have a visible mark that can be readily identified by com-*  
2 *mercial and recreational fishers.*

3 *EXHAUSTION OF ADMINISTRATIVE REVIEW*

4 *SEC. 111. Paragraph (1) of section 122(a) of division*  
5 *E of Public Law 112–74 (125 Stat. 1013) is amended by*  
6 *striking “through 2020,” in the first sentence and inserting*  
7 *“through 2022,”.*

8 *CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS*

9 *SEC. 112. Notwithstanding any other provision of law,*  
10 *during fiscal year 2018, in carrying out work involving co-*  
11 *operation with State, local, and tribal governments or any*  
12 *political subdivision thereof, Indian Affairs may record ob-*  
13 *ligations against accounts receivable from any such entities,*  
14 *except that total obligations at the end of the fiscal year*  
15 *shall not exceed total budgetary resources available at the*  
16 *end of the fiscal year.*

17 *HUMANE TRANSFER OF EXCESS ANIMALS*

18 *SEC. 113. Notwithstanding any other provision of law,*  
19 *the Secretary of the Interior may transfer excess wild horses*  
20 *or burros that have been removed from the public lands to*  
21 *other Federal, State, and local government agencies for use*  
22 *as work animals: Provided, That the Secretary may make*  
23 *any such transfer immediately upon request of such Fed-*  
24 *eral, State, or local government agency: Provided further,*  
25 *That any excess animal transferred under this provision*

1 *shall lose its status as a wild free-roaming horse or burro*  
2 *as defined in the Wild Free-Roaming Horses and Burros*  
3 *Act: Provided further, That any Federal, State, or local gov-*  
4 *ernment agency receiving excess wild horses or burros as*  
5 *authorized in this section shall not: destroy the horses or*  
6 *burros in a way that results in their destruction into com-*  
7 *mercial products; sell or otherwise transfer the horses or*  
8 *burros in a way that results in their destruction for proc-*  
9 *essing into commercial products; or euthanize the horses or*  
10 *burros except upon the recommendation of a licensed veteri-*  
11 *narian, in cases of severe injury, illness, or advanced age.*

12 *REPUBLIC OF PALAU*

13 *SEC. 114. There is appropriated \$123,824,000 for an*  
14 *additional amount for “Compact of Free Association”,*  
15 *which shall remain available until expended for use in*  
16 *meeting the financial obligations of the Government of the*  
17 *United States under the Agreement between the Government*  
18 *of the United States of America and the Government of the*  
19 *Republic of Palau Following the Compact of Free Associa-*  
20 *tion Section 432 Review, signed on September 3, 2010, with*  
21 *the funding schedule therein modified by the Parties as nec-*  
22 *essary and appropriate (“Compact Review Agreement”):*  
23 *Provided, That funds may not be made available under this*  
24 *section prior to the Compact Review Agreement and its ap-*  
25 *pendices entering into force.*

1     *DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES*  
2   *PROGRAM*

3           *SEC. 115. (a) Notwithstanding any other provision of*  
4 *law relating to Federal grants and cooperative agreements,*  
5 *the Secretary of the Interior is authorized to make grants*  
6 *to, or enter into cooperative agreements with, private non-*  
7 *profit organizations designated by the Secretary of Labor*  
8 *under title V of the Older Americans Act of 1965 to utilize*  
9 *the talents of older Americans in programs authorized by*  
10 *other provisions of law administered by the Secretary and*  
11 *consistent with such provisions of law.*

12           *(b) Prior to awarding any grant or agreement under*  
13 *subsection (a), the Secretary shall ensure that the agreement*  
14 *would not—*

15                     *(1) result in the displacement of individuals cur-*  
16 *rently employed by the Department, including partial*  
17 *displacement through reduction of non-overtime*  
18 *hours, wages, or employment benefits;*

19                     *(2) result in the use of an individual under the*  
20 *Department of the Interior Experienced Services Pro-*  
21 *gram for a job or function in a case in which a Fed-*  
22 *eral employee is in a layoff status from the same or*  
23 *substantially equivalent job within the Department;*

24                     *or*

25                     *(3) affect existing contracts for services.*

## JAY S. HAMMOND WILDERNESS

1  
2       *SEC. 116. (a) DESIGNATION.—The approximately*  
3 *2,600,000 acres of National Wilderness Preservation System*  
4 *land located within the Lake Clark National Park and Pre-*  
5 *serve designated by section 701(6) of the Alaska National*  
6 *Interest Lands Conservation Act (16 U.S.C. 1132 note; Pub-*  
7 *lic Law 96–487) shall be known and designated as the “Jay*  
8 *S. Hammond Wilderness”.*

9       *(b) REFERENCES.—Any reference in a law, map, regu-*  
10 *lation, document, paper, or other record of the United*  
11 *States to the wilderness area referred to in subsection (a)*  
12 *shall be deemed to be a reference to the “Jay S. Hammond*  
13 *Wilderness”.*

## EXTENSION OF AUTHORITIES

14  
15       *SEC. 117. (a) Division II of Public Law 104–333 (54*  
16 *U.S.C. 320101 note), as amended by section 116(b)(2) of*  
17 *Public Law 114–113, is amended in each of sections 203,*  
18 *310, and 607, by striking “2017” and inserting “2019”.*

19       *(b) Section 140(j) of the Department of the Interior*  
20 *and Related Agencies Appropriations Act, 2004 (54 U.S.C.*  
21 *320101 note; Public Law 108–108; 117 Stat. 1280) is*  
22 *amended by striking “15 years” and inserting “17 years”.*

1                    *PAYMENTS IN LIEU OF TAXES (PILT)*

2            *SEC. 118. Section 6906 of title 31, United States Code,*  
3 *is amended by striking “each of fiscal years 2008 through*  
4 *2014” and inserting “fiscal year 2018”.*

5                    *MORRISTOWN NATIONAL HISTORICAL PARK*

6            *SEC. 119. The first section of the Act entitled “An Act*  
7 *to authorize the addition of lands to Morristown National*  
8 *Historical Park in the State of New Jersey, and for other*  
9 *purposes”, approved September 18, 1964 (16 U.S.C. 409g),*  
10 *is amended—*

11                    *(1) by inserting “, from a willing owner only,”*  
12                    *after “the Secretary of the Interior is authorized to*  
13                    *procure”; and*

14                    *(2) by striking “615” each place it appears and*  
15                    *inserting “715”.*

16                    *SAGE-GROUSE*

17            *SEC. 120. None of the funds made available by this*  
18 *or any other Act may be used by the Secretary of the Inte-*  
19 *rior to write or issue pursuant to section 4 of the Endan-*  
20 *gered Species Act of 1973 (16 U.S.C. 1533)—*

21                    *(1) a proposed rule for greater sage-grouse*  
22                    *(Centrocercus urophasianus);*

23                    *(2) a proposed rule for the Columbia basin dis-*  
24                    *tinct population segment of greater sage-grouse.*

## INCORPORATION BY REFERENCE

1  
2       *SEC. 121. (a) The following provisions of S. 1460 (En-*  
3 *ergy and Natural Resources Act of 2017) of the 115th Con-*  
4 *gress, as placed on the calendar of the Senate on June 29,*  
5 *2017, are hereby enacted into law:*

6           *(1) Section 7130 (Modification of the Second Di-*  
7 *vision Memorial).*

8           *(2) Section 7134 (Ste. Genevieve National His-*  
9 *torical Park).*

10       *(b) H.R. 1281 as introduced in the 115th Congress (A*  
11 *bill to extend the authorization of the Highlands Conserva-*  
12 *tion Act) and H.R. 4134 as introduced in the 115th Con-*  
13 *gress (Cecil D. Andrus-White Clouds Wilderness Redesigna-*  
14 *tion Act) are hereby enacted into law.*

15       *(c) In publishing this Act in slip form and in the*  
16 *United States Statutes at large pursuant to section 112 of*  
17 *title 1, United States Code, the Archivist of the United*  
18 *States shall include after the date of approval at the end*  
19 *an appendix setting forth the text of the sections of the bill*  
20 *and the bills referred to in subsections (a) and (b), respec-*  
21 *tively.*

## MINERAL WITHDRAWAL SUBJECT TO VALID EXISTING

## RIGHTS

22  
23  
24       *SEC. 122. (a) The mineral estate identified in Bureau*  
25 *of Land Management contracts number CA 20139 and CA*

1 22901 is hereby withdrawn from all forms of mineral entry  
2 authority of the Secretary, subject to valid existing rights.

3 **TITLE II**

4 **ENVIRONMENTAL PROTECTION AGENCY**

5 **SCIENCE AND TECHNOLOGY**

6 **(INCLUDING RESCISSION OF FUNDS)**

7 *For science and technology, including research and de-*  
8 *velopment activities, which shall include research and devel-*  
9 *opment activities under the Comprehensive Environmental*  
10 *Response, Compensation, and Liability Act of 1980; nec-*  
11 *essary expenses for personnel and related costs and travel*  
12 *expenses; procurement of laboratory equipment and sup-*  
13 *plies; and other operating expenses in support of research*  
14 *and development, \$713,823,000, to remain available until*  
15 *September 30, 2019: Provided, That of the funds included*  
16 *under this heading, \$4,100,000 shall be for Research: Na-*  
17 *tional Priorities as specified in the explanatory statement*  
18 *described in section 4 (in the matter preceding division A*  
19 *of this consolidated Act): Provided further, That of unobli-*  
20 *gated balances from appropriations made available under*  
21 *this heading, \$7,350,000 are permanently rescinded: Pro-*  
22 *vided further, That no amounts may be rescinded pursuant*  
23 *to the preceding proviso from amounts made available in*  
24 *the first proviso for Research: National Priorities.*



1            *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*2                            *(INCLUDING RESCISSION OF FUNDS)*

3            *For environmental programs and management, in-*  
4 *cluding necessary expenses, not otherwise provided for, for*  
5 *personnel and related costs and travel expenses; hire of pas-*  
6 *senger motor vehicles; hire, maintenance, and operation of*  
7 *aircraft; purchase of reprints; library memberships in soci-*  
8 *eties or associations which issue publications to members*  
9 *only or at a price to members lower than to subscribers*  
10 *who are not members; administrative costs of the*  
11 *brownfields program under the Small Business Liability*  
12 *Relief and Brownfields Revitalization Act of 2002; imple-*  
13 *mentation of a coal combustion residual permit program*  
14 *under section 2301 of the Water and Waste Act of 2016;*  
15 *and not to exceed \$19,000 for official reception and rep-*  
16 *resentation expenses, \$2,643,299,000, to remain available*  
17 *until September 30, 2019: Provided, That of the funds in-*  
18 *cluded under this heading, \$12,700,000 shall be for Envi-*  
19 *ronmental Protection: National Priorities as specified in*  
20 *the explanatory statement described in section 4 (in the*  
21 *matter preceding division A of this consolidated Act): Pro-*  
22 *vided further, That of the funds included under this head-*  
23 *ing, \$447,857,000 shall be for Geographic Programs speci-*  
24 *fied in the explanatory statement described in section 4 (in*  
25 *the matter preceding division A of this consolidated Act):*

1 *Provided further, That of the unobligated balances from ap-*  
2 *propriations made available under this heading,*  
3 *\$45,300,000 are permanently rescinded: Provided further,*  
4 *That no amounts may be rescinded pursuant to the pre-*  
5 *ceding proviso from amounts made available in the first*  
6 *proviso for Environmental Protection: National Priorities,*  
7 *from amounts made available in the second proviso for Geo-*  
8 *graphic Programs, or from the National Estuary Program*  
9 *(33 U.S.C. 1330).*

10 *In addition, \$10,000,000 to remain available until ex-*  
11 *pended, for necessary expenses of activities described in sec-*  
12 *tion 26(b)(1) of the Toxic Substances Control Act (15*  
13 *U.S.C. 2625(b)(1)): Provided, That fees collected pursuant*  
14 *to that section of that Act and deposited in the “TSCA Serv-*  
15 *ice Fee Fund” as discretionary offsetting receipts in fiscal*  
16 *year 2018 shall be retained and used for necessary salaries*  
17 *and expenses in this appropriation and shall remain avail-*  
18 *able until expended: Provided further, That the sum herein*  
19 *appropriated in this paragraph from the general fund for*  
20 *fiscal year 2018 shall be reduced by the amount of discre-*  
21 *tionary offsetting receipts received during fiscal year 2018,*  
22 *so as to result in a final fiscal year 2018 appropriation*  
23 *from the general fund estimated at not more than \$0: Pro-*  
24 *vided further, That to the extent that amounts realized from*  
25 *such receipts exceed \$10,000,000, those amount in excess of*

1 \$10,000,000 shall be deposited in the “TSCA Service Fee  
2 Fund” as discretionary offsetting receipts in fiscal year  
3 2018, shall be retained and used for necessary salaries and  
4 expenses in this account, and shall remain available until  
5 expended: Provided further, That of the funds included in  
6 the first paragraph under this heading, the Chemical Risk  
7 Review and Reduction program project shall be allocated  
8 for this fiscal year, excluding the amount of any fees appro-  
9 priated, not less than the amount of appropriations for that  
10 program project for fiscal year 2014.

11 *HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM*

12 *FUND*

13 *For necessary expenses to carry out section 3024 of the*  
14 *Solid Waste Disposal Act (42 U.S.C. 6939g), including the*  
15 *development, operation, maintenance, and upgrading of the*  
16 *hazardous waste electronic manifest system established by*  
17 *such section, \$3,674,000, to remain available until ex-*  
18 *pended: Provided, That the sum herein appropriated from*  
19 *the general fund shall be reduced as offsetting collections*  
20 *under such section 3024 are received during fiscal year*  
21 *2018, which shall remain available until expended and be*  
22 *used for necessary expenses in this appropriation, so as to*  
23 *result in a final fiscal year 2018 appropriation from the*  
24 *general fund estimated at not more than \$0: Provided fur-*  
25 *ther, That to the extent such offsetting collections received*

1 *in fiscal year 2018 exceed \$3,674,000, those excess amounts*  
2 *shall remain available until expended and be used for nec-*  
3 *essary expenses in this appropriation.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*  
6 *eral in carrying out the provisions of the Inspector General*  
7 *Act of 1978, \$41,489,000, to remain available until Sep-*  
8 *tember 30, 2019.*

9 *BUILDINGS AND FACILITIES*

10 *For construction, repair, improvement, extension, al-*  
11 *teration, and purchase of fixed equipment or facilities of,*  
12 *or for use by, the Environmental Protection Agency,*  
13 *\$34,467,000, to remain available until expended.*

14 *HAZARDOUS SUBSTANCE SUPERFUND*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses to carry out the Comprehensive*  
17 *Environmental Response, Compensation, and Liability Act*  
18 *of 1980 (CERCLA), including sections 111(c)(3), (c)(5),*  
19 *(c)(6), and (e)(4) (42 U.S.C. 9611) \$1,091,947,000, to re-*  
20 *main available until expended, consisting of such sums as*  
21 *are available in the Trust Fund on September 30, 2017,*  
22 *as authorized by section 517(a) of the Superfund Amend-*  
23 *ments and Reauthorization Act of 1986 (SARA) and up*  
24 *to \$1,091,947,000 as a payment from general revenues to*  
25 *the Hazardous Substance Superfund for purposes as au-*

1 *thorized by section 517(b) of SARA: Provided, That funds*  
2 *appropriated under this heading may be allocated to other*  
3 *Federal agencies in accordance with section 111(a) of*  
4 *CERCLA: Provided further, That of the funds appropriated*  
5 *under this heading, \$8,778,000 shall be paid to the “Office*  
6 *of Inspector General” appropriation to remain available*  
7 *until September 30, 2019, and \$15,496,000 shall be paid*  
8 *to the “Science and Technology” appropriation to remain*  
9 *available until September 30, 2019.*

10 *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*

11 *PROGRAM*

12 *For necessary expenses to carry out leaking under-*  
13 *ground storage tank cleanup activities authorized by sub-*  
14 *title I of the Solid Waste Disposal Act, \$91,941,000, to re-*  
15 *main available until expended, of which \$66,572,000 shall*  
16 *be for carrying out leaking underground storage tank clean-*  
17 *up activities authorized by section 9003(h) of the Solid*  
18 *Waste Disposal Act; \$25,369,000 shall be for carrying out*  
19 *the other provisions of the Solid Waste Disposal Act speci-*  
20 *fied in section 9508(c) of the Internal Revenue Code: Pro-*  
21 *vided, That the Administrator is authorized to use appro-*  
22 *priations made available under this heading to implement*  
23 *section 9013 of the Solid Waste Disposal Act to provide fi-*  
24 *nancial assistance to federally recognized Indian tribes for*

1 *the development and implementation of programs to man-*  
2 *age underground storage tanks.*

3 *INLAND OIL SPILL PROGRAMS*

4 *For expenses necessary to carry out the Environmental*  
5 *Protection Agency's responsibilities under the Oil Pollution*  
6 *Act of 1990, \$18,209,000, to be derived from the Oil Spill*  
7 *Liability trust fund, to remain available until expended.*

8 *STATE AND TRIBAL ASSISTANCE GRANTS*

9 *For environmental programs and infrastructure as-*  
10 *sistance, including capitalization grants for State revolving*  
11 *funds and performance partnership grants, \$3,562,161,000,*  
12 *to remain available until expended, of which—*

13 *(1) \$1,393,887,000 shall be for making capital-*  
14 *ization grants for the Clean Water State Revolving*  
15 *Funds under title VI of the Federal Water Pollution*  
16 *Control Act; and of which \$863,233,000 shall be for*  
17 *making capitalization grants for the Drinking Water*  
18 *State Revolving Funds under section 1452 of the Safe*  
19 *Drinking Water Act: Provided, That for fiscal year*  
20 *2018, to the extent there are sufficient eligible project*  
21 *applications and projects are consistent with State*  
22 *Intended Use Plans, not less than 10 percent of the*  
23 *funds made available under this title to each State for*  
24 *Clean Water State Revolving Fund capitalization*  
25 *grants shall be used by the State for projects to ad-*

1 *dress green infrastructure, water or energy efficiency*  
2 *improvements, or other environmentally innovative*  
3 *activities: Provided further, That for fiscal year 2018,*  
4 *funds made available under this title to each State for*  
5 *Drinking Water State Revolving Fund capitalization*  
6 *grants may, at the discretion of each State, be used*  
7 *for projects to address green infrastructure, water or*  
8 *energy efficiency improvements, or other environ-*  
9 *mentally innovative activities: Provided further, That*  
10 *notwithstanding section 603(d)(7) of the Federal*  
11 *Water Pollution Control Act, the limitation on the*  
12 *amounts in a State water pollution control revolving*  
13 *fund that may be used by a State to administer the*  
14 *fund shall not apply to amounts included as prin-*  
15 *icipal in loans made by such fund in fiscal year 2018*  
16 *and prior years where such amounts represent costs*  
17 *of administering the fund to the extent that such*  
18 *amounts are or were deemed reasonable by the Ad-*  
19 *ministrator, accounted for separately from other as-*  
20 *sets in the fund, and used for eligible purposes of the*  
21 *fund, including administration: Provided further,*  
22 *That for fiscal year 2018, notwithstanding the provi-*  
23 *sions of subsections (g)(1), (h), and (l) of section 201*  
24 *of the Federal Water Pollution Control Act, grants*  
25 *made under title II of such Act for American Samoa,*

1 *Guam, the commonwealth of the Northern Marianas,*  
2 *the United States Virgin Islands, and the District of*  
3 *Columbia may also be made for the purpose of pro-*  
4 *viding assistance: (1) solely for facility plans, design*  
5 *activities, or plans, specifications, and estimates for*  
6 *any proposed project for the construction of treatment*  
7 *works; and (2) for the construction, repair, or replace-*  
8 *ment of privately owned treatment works serving one*  
9 *or more principal residences or small commercial es-*  
10 *tablishments: Provided further, That for fiscal year*  
11 *2018, notwithstanding the provisions of such sub-*  
12 *sections (g)(1), (h), and (l) of section 201 and section*  
13 *518(c) of the Federal Water Pollution Control Act,*  
14 *funds reserved by the Administrator for grants under*  
15 *section 518(c) of the Federal Water Pollution Control*  
16 *Act may also be used to provide assistance: (1) solely*  
17 *for facility plans, design activities, or plans, speci-*  
18 *fications, and estimates for any proposed project for*  
19 *the construction of treatment works; and (2) for the*  
20 *construction, repair, or replacement of privately*  
21 *owned treatment works serving one or more principal*  
22 *residences or small commercial establishments: Pro-*  
23 *vided further, That for fiscal year 2018, notwith-*  
24 *standing any provision of the Federal Water Pollu-*  
25 *tion Control Act and regulations issued pursuant*



1        *thereof, up to a total of \$2,000,000 of the funds re-*  
2        *reserved by the Administrator for grants under section*  
3        *518(c) of such Act may also be used for grants for*  
4        *training, technical assistance, and educational pro-*  
5        *grams relating to the operation and management of*  
6        *the treatment works specified in section 518(c) of such*  
7        *Act: Provided further, That for fiscal year 2018, funds*  
8        *reserved under section 518(c) of such Act shall be*  
9        *available for grants only to Indian tribes, as defined*  
10       *in section 518(h) of such Act and former Indian res-*  
11       *ervations in Oklahoma (as determined by the Sec-*  
12       *retary of the Interior) and Native Villages as defined*  
13       *in Public Law 92–203: Provided further, That for fis-*  
14       *cal year 2018, notwithstanding the limitation on*  
15       *amounts in section 518(c) of the Federal Water Pollu-*  
16       *tion Control Act, up to a total of 2 percent of the*  
17       *funds appropriated, or \$30,000,000, whichever is*  
18       *greater, and notwithstanding the limitation on*  
19       *amounts in section 1452(i) of the Safe Drinking*  
20       *Water Act, up to a total of 2 percent of the funds ap-*  
21       *propriated, or \$20,000,000, whichever is greater, for*  
22       *State Revolving Funds under such Acts may be re-*  
23       *served by the Administrator for grants under section*  
24       *518(c) and section 1452(i) of such Acts: Provided fur-*  
25       *ther, That for fiscal year 2018, notwithstanding the*

1        *amounts specified in section 205(c) of the Federal*  
2        *Water Pollution Control Act, up to 1.5 percent of the*  
3        *aggregate funds appropriated for the Clean Water*  
4        *State Revolving Fund program under the Act less any*  
5        *sums reserved under section 518(c) of the Act, may be*  
6        *reserved by the Administrator for grants made under*  
7        *title II of the Federal Water Pollution Control Act for*  
8        *American Samoa, Guam, the Commonwealth of the*  
9        *Northern Marianas, and United States Virgin Is-*  
10       *lands: Provided further, That for fiscal year 2018,*  
11       *notwithstanding the limitations on amounts specified*  
12       *in section 1452(j) of the Safe Drinking Water Act, up*  
13       *to 1.5 percent of the funds appropriated for the*  
14       *Drinking Water State Revolving Fund programs*  
15       *under the Safe Drinking Water Act may be reserved*  
16       *by the Administrator for grants made under section*  
17       *1452(j) of the Safe Drinking Water Act: Provided fur-*  
18       *ther, That 10 percent of the funds made available*  
19       *under this title to each State for Clean Water State*  
20       *Revolving Fund capitalization grants and 20 percent*  
21       *of the funds made available under this title to each*  
22       *State for Drinking Water State Revolving Fund cap-*  
23       *italization grants shall be used by the State to pro-*  
24       *vide additional subsidy to eligible recipients in the*  
25       *form of forgiveness of principal, negative interest*

1        *loans, or grants (or any combination of these), and*  
2        *shall be so used by the State only where such funds*  
3        *are provided as initial financing for an eligible re-*  
4        *recipient or to buy, refinance, or restructure the debt*  
5        *obligations of eligible recipients only where such debt*  
6        *was incurred on or after the date of enactment of this*  
7        *Act, or where such debt was incurred prior to the date*  
8        *of enactment of this Act if the State, with concurrence*  
9        *from the Administrator, determines that such funds*  
10       *could be used to help address a threat to public health*  
11       *from heightened exposure to lead in drinking water or*  
12       *if a Federal or State emergency declaration has been*  
13       *issued due to a threat to public health from height-*  
14       *ened exposure to lead in a municipal drinking water*  
15       *supply before the date of enactment of this Act: Pro-*  
16       *vided further, That in a State in which such an emer-*  
17       *gency declaration has been issued, the State may use*  
18       *more than 20 percent of the funds made available*  
19       *under this title to the State for Drinking Water State*  
20       *Revolving Fund capitalization grants to provide ad-*  
21       *ditional subsidy to eligible recipients;*

22                *(2) \$10,000,000 shall be for architectural, engi-*  
23        *neering, planning, design, construction and related*  
24        *activities in connection with the construction of high*  
25        *priority water and wastewater facilities in the area*

1        *of the United States-Mexico Border, after consultation*  
2        *with the appropriate border commission: Provided,*  
3        *That no funds provided by this appropriations Act to*  
4        *address the water, wastewater and other critical in-*  
5        *frastructure needs of the colonias in the United States*  
6        *along the United States-Mexico border shall be made*  
7        *available to a county or municipal government unless*  
8        *that government has established an enforceable local*  
9        *ordinance, or other zoning rule, which prevents in*  
10       *that jurisdiction the development or construction of*  
11       *any additional colonia areas, or the development*  
12       *within an existing colonia the construction of any*  
13       *new home, business, or other structure which lacks*  
14       *water, wastewater, or other necessary infrastructure;*  
15              *(3) \$20,000,000 shall be for grants to the State*  
16       *of Alaska to address drinking water and wastewater*  
17       *infrastructure needs of rural and Alaska Native Vil-*  
18       *lages: Provided, That of these funds: (A) the State of*  
19       *Alaska shall provide a match of 25 percent; (B) no*  
20       *more than 5 percent of the funds may be used for ad-*  
21       *ministrative and overhead expenses; and (C) the State*  
22       *of Alaska shall make awards consistent with the*  
23       *Statewide priority list established in conjunction with*  
24       *the Agency and the U.S. Department of Agriculture*  
25       *for all water, sewer, waste disposal, and similar*

1 *projects carried out by the State of Alaska that are*  
2 *funded under section 221 of the Federal Water Pollu-*  
3 *tion Control Act (33 U.S.C. 1301) or the Consolidated*  
4 *Farm and Rural Development Act (7 U.S.C. 1921 et*  
5 *seq.) which shall allocate not less than 25 percent of*  
6 *the funds provided for projects in regional hub com-*  
7 *munities;*

8 *(4) \$80,000,000 shall be to carry out section*  
9 *104(k) of the Comprehensive Environmental Re-*  
10 *sponse, Compensation, and Liability Act of 1980*  
11 *(CERCLA), including grants, interagency agree-*  
12 *ments, and associated program support costs: Pro-*  
13 *vided, That not more than 25 percent of the amount*  
14 *appropriated to carry out section 104(k) of CERCLA*  
15 *shall be used for site characterization, assessment, and*  
16 *remediation of facilities described in section*  
17 *101(39)(D)(i)(II) of CERCLA: Provided further,*  
18 *That at least 10 percent shall be allocated for assist-*  
19 *ance in persistent poverty counties: Provided further,*  
20 *That for purposes of this section, the term “persistent*  
21 *poverty counties” means any county that has had 20*  
22 *percent or more of its population living in poverty*  
23 *over the past 30 years, as measured by the 1990 and*  
24 *2000 decennial censuses and the most recent Small*  
25 *Area Income and Poverty Estimates;*

1           (5) \$75,000,000 shall be for grants under title  
2       VII, subtitle G of the Energy Policy Act of 2005;

3           (6) \$40,000,000 shall be for targeted airshed  
4       grants in accordance with the terms and conditions  
5       in the explanatory statement described in section 4  
6       (in the matter preceding division A of this consoli-  
7       dated Act);

8           (7) \$4,000,000 shall be to carry out the water  
9       quality program authorized in section 5004(d) of the  
10      Water Infrastructure Improvements for the Nation  
11      Act (Public Law 114–322); and

12          (8) \$1,076,041,000 shall be for grants, including  
13      associated program support costs, to States, federally  
14      recognized tribes, interstate agencies, tribal consortia,  
15      and air pollution control agencies for multi-media or  
16      single media pollution prevention, control and abate-  
17      ment and related activities, including activities pur-  
18      suant to the provisions set forth under this heading  
19      in Public Law 104–134, and for making grants under  
20      section 103 of the Clean Air Act for particulate mat-  
21      ter monitoring and data collection activities subject to  
22      terms and conditions specified by the Administrator,  
23      of which: \$47,745,000 shall be for carrying out section  
24      128 of CERCLA; \$9,646,000 shall be for Environ-  
25      mental Information Exchange Network grants, in-

1 *cluding associated program support costs; \$1,498,000*  
2 *shall be for grants to States under section 2007(f)(2)*  
3 *of the Solid Waste Disposal Act, which shall be in ad-*  
4 *dition to funds appropriated under the heading*  
5 *“Leaking Underground Storage Tank Trust Fund*  
6 *Program” to carry out the provisions of the Solid*  
7 *Waste Disposal Act specified in section 9508(c) of the*  
8 *Internal Revenue Code other than section 9003(h) of*  
9 *the Solid Waste Disposal Act; \$17,848,000 of the*  
10 *funds available for grants under section 106 of the*  
11 *Federal Water Pollution Control Act shall be for State*  
12 *participation in national- and State-level statistical*  
13 *surveys of water resources and enhancements to State*  
14 *monitoring programs; \$10,000,000 shall be for multi-*  
15 *purpose grants, including interagency agreements:*  
16 *Provided, That hereafter, notwithstanding other ap-*  
17 *licable provisions of law, the funds appropriated for*  
18 *the Indian Environmental General Assistance Pro-*  
19 *gram shall be available to federally recognized tribes*  
20 *for solid waste and recovered materials collection,*  
21 *transportation, backhaul, and disposal services.*

22 *WATER INFRASTRUCTURE FINANCE AND INNOVATION*  
23 *PROGRAM ACCOUNT*

24 *For the cost of direct loans and for the cost of guaran-*  
25 *teed loans, as authorized by the Water Infrastructure Fi-*

1 nance and Innovation Act of 2014, \$5,000,000, to remain  
2 available until expended: Provided, That such costs, includ-  
3 ing the cost of modifying such loans, shall be as defined  
4 in section 502 of the Congressional Budget Act of 1974: Pro-  
5 vided further, That these funds are available to subsidize  
6 gross obligations for the principal amount of direct loans,  
7 including capitalized interest, and total loan principal, in-  
8 cluding capitalized interest, any part of which is to be  
9 guaranteed, not to exceed \$610,000,000.

10 In addition, fees authorized to be collected pursuant  
11 to sections 5029 and 5030 of the Water Infrastructure Fi-  
12 nance and Innovation Act of 2014 shall be deposited in this  
13 account, to remain available until expended.

14 In addition, for administrative expenses to carry out  
15 the direct and guaranteed loan programs, notwithstanding  
16 section 5033 of the Water Infrastructure Finance and Inno-  
17 vation Act of 2014, \$5,000,000, to remain available until  
18 September 30, 2019.

19 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL  
20 PROTECTION AGENCY

21 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

22 For fiscal year 2018, notwithstanding 31 U.S.C.  
23 6303(1) and 6305(1), the Administrator of the Environ-  
24 mental Protection Agency, in carrying out the Agency's  
25 function to implement directly Federal environmental pro-



1 *grams required or authorized by law in the absence of an*  
2 *acceptable tribal program, may award cooperative agree-*  
3 *ments to federally recognized Indian tribes or Intertribal*  
4 *consortia, if authorized by their member tribes, to assist the*  
5 *Administrator in implementing Federal environmental*  
6 *programs for Indian tribes required or authorized by law,*  
7 *except that no such cooperative agreements may be awarded*  
8 *from funds designated for State financial assistance agree-*  
9 *ments.*

10 *The Administrator of the Environmental Protection*  
11 *Agency is authorized to collect and obligate pesticide reg-*  
12 *istration service fees in accordance with section 33 of the*  
13 *Federal Insecticide, Fungicide, and Rodenticide Act, as*  
14 *amended by Public Law 112–177, the Pesticide Registra-*  
15 *tion Improvement Extension Act of 2012.*

16 *Notwithstanding section 33(d)(2) of the Federal Insec-*  
17 *ticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C.*  
18 *136w–8(d)(2)), the Administrator of the Environmental*  
19 *Protection Agency may assess fees under section 33 of*  
20 *FIFRA (7 U.S.C. 136w–8) for fiscal year 2018.*

21 *The Administrator is authorized to transfer up to*  
22 *\$300,000,000 of the funds appropriated for the Great Lakes*  
23 *Restoration Initiative under the heading “Environmental*  
24 *Programs and Management” to the head of any Federal de-*  
25 *partment or agency, with the concurrence of such head, to*

1 *carry out activities that would support the Great Lakes*  
2 *Restoration Initiative and Great Lakes Water Quality*  
3 *Agreement programs, projects, or activities; to enter into*  
4 *an interagency agreement with the head of such Federal de-*  
5 *partment or agency to carry out these activities; and to*  
6 *make grants to governmental entities, nonprofit organiza-*  
7 *tions, institutions, and individuals for planning, research,*  
8 *monitoring, outreach, and implementation in furtherance*  
9 *of the Great Lakes Restoration Initiative and the Great*  
10 *Lakes Water Quality Agreement.*

11 *The Science and Technology, Environmental Programs*  
12 *and Management, Office of Inspector General, Hazardous*  
13 *Substance Superfund, and Leaking Underground Storage*  
14 *Tank Trust Fund Program Accounts, are available for the*  
15 *construction, alteration, repair, rehabilitation, and renova-*  
16 *tion of facilities, provided that the cost does not exceed*  
17 *\$150,000 per project.*

18 *For fiscal year 2018, and notwithstanding section*  
19 *518(f) of the Federal Water Pollution Control Act (33*  
20 *U.S.C. 1377(f)), the Administrator is authorized to use the*  
21 *amounts appropriated for any fiscal year under section 319*  
22 *of the Act to make grants to Indian tribes pursuant to sec-*  
23 *tions 319(h) and 518(e) of that Act.*

24 *The Administrator is authorized to use the amounts*  
25 *appropriated under the heading “Environmental Programs*

1 *and Management” for fiscal year 2018 to provide grants*  
2 *to implement the Southeastern New England Watershed*  
3 *Restoration Program.*

4 *Of the unobligated balances available for the “State*  
5 *and Tribal Assistance Grants” account, \$96,198,000 are*  
6 *hereby permanently rescinded: Provided, That no amounts*  
7 *may be rescinded from amounts that were designated by*  
8 *the Congress as an emergency requirement pursuant to the*  
9 *Concurrent Resolution on the Budget or the Balanced Budg-*  
10 *et and Emergency Deficit Control Act of 1985 or from*  
11 *amounts that were made available by subsection (a) of sec-*  
12 *tion 196 of the Continuing Appropriations Act, 2017 (divi-*  
13 *sion C of Public Law 114–223), as amended by the Further*  
14 *Continuing and Security Assistance Appropriations Act,*  
15 *2017 (Public Law 114–254).*

16 *Notwithstanding the limitations on amounts in section*  
17 *320(i)(2)(B) of the Federal Water Pollution Control Act,*  
18 *not less than \$1,000,000 of the funds made available under*  
19 *this title for the National Estuary Program shall be for*  
20 *making competitive awards described in section 320(g)(4).*

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*TITLE III*

*RELATED AGENCIES*

*DEPARTMENT OF AGRICULTURE*

*FOREST SERVICE*

*OFFICE OF THE UNDER SECRETARY FOR NATURAL  
RESOURCES AND ENVIRONMENT*

*For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$875,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.*

*FOREST AND RANGELAND RESEARCH*

*For necessary expenses of forest and rangeland research as authorized by law, \$297,000,000, to remain available through September 30, 2021: Provided, That of the funds provided, \$77,000,000 is for the forest inventory and analysis program.*

*STATE AND PRIVATE FORESTRY*

*(INCLUDING RESCISSION OF FUNDS)*

*For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, \$335,525,000, to remain available through September*

1 30, 2021, as authorized by law; of which \$67,025,000 is to  
2 be derived from the Land and Water Conservation Fund  
3 to be used for the Forest Legacy Program, to remain avail-  
4 able until expended.

5       Of the unobligated balances from amounts made avail-  
6 able for the Forest Legacy Program and derived from the  
7 Land and Water Conservation Fund, \$5,938,000 is hereby  
8 permanently rescinded from projects with cost savings or  
9 failed or partially failed projects that had funds returned:  
10 Provided, That no amounts may be rescinded from amounts  
11 that were designated by the Congress as an emergency re-  
12 quirement pursuant to the Concurrent Resolution on the  
13 Budget or the Balanced Budget and Emergency Deficit  
14 Control Act of 1985.

15                                   NATIONAL FOREST SYSTEM

16       For necessary expenses of the Forest Service, not other-  
17 wise provided for, for management, protection, improve-  
18 ment, and utilization of the National Forest System, and  
19 for hazardous fuels management on or adjacent to such  
20 lands, \$1,923,750,000, to remain available through Sep-  
21 tember 30, 2021: Provided, That of the funds provided,  
22 \$40,000,000 shall be deposited in the Collaborative Forest  
23 Landscape Restoration Fund for ecological restoration  
24 treatments as authorized by 16 U.S.C. 7303(f): Provided  
25 further, That of the funds provided, \$366,000,000 shall be

1 *for forest products: Provided further, That of the funds pro-*  
2 *vided, \$430,000,000 shall be for hazardous fuels manage-*  
3 *ment activities, of which not to exceed \$15,000,000 may be*  
4 *used to make grants, using any authorities available to the*  
5 *Forest Service under the “State and Private Forestry” ap-*  
6 *propriation, for the purpose of creating incentives for in-*  
7 *creased use of biomass from National Forest System lands:*  
8 *Provided further, That \$15,000,000 may be used by the Sec-*  
9 *retary of Agriculture to enter into procurement contracts*  
10 *or cooperative agreements or to issue grants for hazardous*  
11 *fuels management activities, and for training or moni-*  
12 *toring associated with such hazardous fuels management*  
13 *activities on Federal land, or on non-Federal land if the*  
14 *Secretary determines such activities benefit resources on*  
15 *Federal land: Provided further, That funds made available*  
16 *to implement the Community Forestry Restoration Act,*  
17 *Public Law 106–393, title VI, shall be available for use on*  
18 *non-Federal lands in accordance with authorities made*  
19 *available to the Forest Service under the “State and Private*  
20 *Forestry” appropriations: Provided further, That notwith-*  
21 *standing section 33 of the Bankhead Jones Farm Tenant*  
22 *Act (7 U.S.C. 1012), the Secretary of Agriculture, in calcu-*  
23 *lating a fee for grazing on a National Grassland, may pro-*  
24 *vide a credit of up to 50 percent of the calculated fee to*  
25 *a Grazing Association or direct permittee for a conservation*

1 *practice approved by the Secretary in advance of the fiscal*  
2 *year in which the cost of the conservation practice is in-*  
3 *curred. And, that the amount credited shall remain avail-*  
4 *able to the Grazing Association or the direct permittee, as*  
5 *appropriate, in the fiscal year in which the credit is made*  
6 *and each fiscal year thereafter for use on the project for*  
7 *conservation practices approved by the Secretary.*

8 *CAPITAL IMPROVEMENT AND MAINTENANCE*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary expenses of the Forest Service, not other-*  
11 *wise provided for, \$449,000,000, to remain available*  
12 *through September 30, 2021, for construction, capital im-*  
13 *provement, maintenance and acquisition of buildings and*  
14 *other facilities and infrastructure; and for construction, re-*  
15 *construction, decommissioning of roads that are no longer*  
16 *needed, including unauthorized roads that are not part of*  
17 *the transportation system, and maintenance of forest roads*  
18 *and trails by the Forest Service as authorized by 16 U.S.C.*  
19 *532–538 and 23 U.S.C. 101 and 205: Provided, That funds*  
20 *becoming available in fiscal year 2018 under the Act of*  
21 *March 4, 1913 (16 U.S.C. 501) shall be transferred to the*  
22 *General Fund of the Treasury and shall not be available*  
23 *for transfer or obligation for any other purpose unless the*  
24 *funds are appropriated.*

1 *LAND ACQUISITION*

2 *For expenses necessary to carry out the provisions of*  
 3 *chapter 2003 of title 54, United States Code, including ad-*  
 4 *ministrative expenses, and for acquisition of land or waters,*  
 5 *or interest therein, in accordance with statutory authority*  
 6 *applicable to the Forest Service, \$64,337,000, to be derived*  
 7 *from the Land and Water Conservation Fund and to re-*  
 8 *main available until expended.*

9 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*  
10 *ACTS*

11 *For acquisition of lands within the exterior boundaries*  
 12 *of the Cache, Uinta, and Wasatch National Forests, Utah;*  
 13 *the Toiyabe National Forest, Nevada; and the Angeles, San*  
 14 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*  
 15 *ornia; and the Ozark-St. Francis and Ouachita National*  
 16 *Forests, Arkansas; as authorized by law, \$850,000, to be*  
 17 *derived from forest receipts.*

18 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

19 *For acquisition of lands, such sums, to be derived from*  
 20 *funds deposited by State, county, or municipal govern-*  
 21 *ments, public school districts, or other public school authori-*  
 22 *ties, and for authorized expenditures from funds deposited*  
 23 *by non-Federal parties pursuant to Land Sale and Ex-*  
 24 *change Acts, pursuant to the Act of December 4, 1967 (16*  
 25 *U.S.C. 484a), to remain available through September 30,*



1 2021, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Pub-  
2 lic Law 76–589, 76–591; and Public Law 78–310).

3 *RANGE BETTERMENT FUND*

4 *For necessary expenses of range rehabilitation, protec-*  
5 *tion, and improvement, 50 percent of all moneys received*  
6 *during the prior fiscal year, as fees for grazing domestic*  
7 *livestock on lands in National Forests in the 16 Western*  
8 *States, pursuant to section 401(b)(1) of Public Law 94–*  
9 *579, to remain available through September 30, 2021, of*  
10 *which not to exceed 6 percent shall be available for adminis-*  
11 *trative expenses associated with on-the-ground range reha-*  
12 *bilitation, protection, and improvements.*

13 *GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND*

14 *RANGELAND RESEARCH*

15 *For expenses authorized by 16 U.S.C. 1643(b),*  
16 *\$45,000, to remain available through September 30, 2021,*  
17 *to be derived from the fund established pursuant to the*  
18 *above Act.*

19 *MANAGEMENT OF NATIONAL FOREST LANDS FOR*

20 *SUBSISTENCE USES*

21 *For necessary expenses of the Forest Service to manage*  
22 *Federal lands in Alaska for subsistence uses under title VIII*  
23 *of the Alaska National Interest Lands Conservation Act (16*  
24 *U.S.C. 3111 et seq.), \$2,500,000, to remain available*  
25 *through September 30, 2021.*

## 1 WILDLAND FIRE MANAGEMENT

2 (INCLUDING TRANSFERS OF FUNDS)

3 *For necessary expenses for forest fire presuppression*  
4 *activities on National Forest System lands, for emergency*  
5 *wildland fire suppression on or adjacent to such lands or*  
6 *other lands under fire protection agreement, and for emer-*  
7 *gency rehabilitation of burned-over National Forest System*  
8 *lands and water, \$2,880,338,000, to remain available*  
9 *through September 30, 2021: Provided, That such funds in-*  
10 *cluding unobligated balances under this heading, are avail-*  
11 *able for repayment of advances from other appropriations*  
12 *accounts previously transferred for such purposes: Provided*  
13 *further, That any unobligated funds appropriated in a pre-*  
14 *vious fiscal year for hazardous fuels management may be*  
15 *transferred to the “National Forest System” account: Pro-*  
16 *vided further, That such funds shall be available to reim-*  
17 *burse State and other cooperating entities for services pro-*  
18 *vided in response to wildfire and other emergencies or disas-*  
19 *ters to the extent such reimbursements by the Forest Service*  
20 *for non-fire emergencies are fully repaid by the responsible*  
21 *emergency management agency: Provided further, That*  
22 *funds provided shall be available for support to Federal*  
23 *emergency response: Provided further, That the costs of im-*  
24 *plementing any cooperative agreement between the Federal*  
25 *Government and any non-Federal entity may be shared, as*

1 *mutually agreed on by the affected parties: Provided fur-*  
2 *ther, That funds designated for wildfire suppression, shall*  
3 *be assessed for cost pools on the same basis as such assess-*  
4 *ments are calculated against other agency programs: Pro-*  
5 *vided further, That the \$65,000,000 made available under*  
6 *this heading in the Consolidated and Further Continuing*  
7 *Appropriations Act, 2015 (Public Law 113–235) for the*  
8 *purpose of acquiring aircraft for the next-generation*  
9 *airtanker fleet shall instead be available until expended for*  
10 *the purpose of enhancing firefighting mobility, effectiveness,*  
11 *efficiency, and safety.*

12 *ADMINISTRATIVE PROVISIONS—FOREST SERVICE*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *Appropriations to the Forest Service for the current*  
15 *fiscal year shall be available for: (1) purchase of passenger*  
16 *motor vehicles; acquisition of passenger motor vehicles from*  
17 *excess sources, and hire of such vehicles; purchase, lease, op-*  
18 *eration, maintenance, and acquisition of aircraft to main-*  
19 *tain the operable fleet for use in Forest Service wildland*  
20 *fire programs and other Forest Service programs; notwith-*  
21 *standing other provisions of law, existing aircraft being re-*  
22 *placed may be sold, with proceeds derived or trade-in value*  
23 *used to offset the purchase price for the replacement air-*  
24 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*  
25 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*

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

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

21       Not more than \$50,000,000 of funds appropriated to  
22 the Forest Service shall be available for expenditure or  
23 transfer to the Department of the Interior for wildland fire  
24 management, hazardous fuels management, and State fire

1 *assistance when such transfers would facilitate and expedite*  
2 *wildland fire management programs and projects.*

3 *Notwithstanding any other provision of this Act, the*  
4 *Forest Service may transfer unobligated balances of discre-*  
5 *tionary funds appropriated to the Forest Service by this*  
6 *Act to or within the National Forest System Account, or*  
7 *reprogram funds to be used for the purposes of hazardous*  
8 *fuels management and urgent rehabilitation of burned-over*  
9 *National Forest System lands and water, such transferred*  
10 *funds shall remain available through September 30, 2021:*  
11 *Provided, That none of the funds transferred pursuant to*  
12 *this section shall be available for obligation without written*  
13 *notification to and the prior approval of the Committees*  
14 *on Appropriations of both Houses of Congress: Provided*  
15 *further, That this section does not apply to funds appro-*  
16 *priated to the FLAME Wildfire Suppression Reserve Fund*  
17 *or funds derived from the Land and Water Conservation*  
18 *Fund.*

19 *Funds appropriated to the Forest Service shall be*  
20 *available for assistance to or through the Agency for Inter-*  
21 *national Development in connection with forest and range-*  
22 *land research, technical information, and assistance in for-*  
23 *ign countries, and shall be available to support forestry*  
24 *and related natural resource activities outside the United*  
25 *States and its territories and possessions, including tech-*

1 *nical assistance, education and training, and cooperation*  
2 *with U.S., private, and international organizations. The*  
3 *Forest Service, acting for the International Program, may*  
4 *sign direct funding agreements with foreign governments*  
5 *and institutions as well as other domestic agencies (includ-*  
6 *ing the U.S. Agency for International Development, the De-*  
7 *partment of State, and the Millennium Challenge Corpora-*  
8 *tion), U.S. private sector firms, institutions and organiza-*  
9 *tions to provide technical assistance and training programs*  
10 *overseas on forestry and rangeland management.*

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

18 *None of the funds made available to the Forest Service*  
19 *in this Act or any other Act with respect to any fiscal year*  
20 *shall be subject to transfer under the provisions of section*  
21 *702(b) of the Department of Agriculture Organic Act of*  
22 *1944 (7 U.S.C. 2257), section 442 of Public Law 106–224*  
23 *(7 U.S.C. 7772), or section 10417(b) of Public Law 107–*  
24 *171 (7 U.S.C. 8316(b)).*

1        *None of the funds available to the Forest Service may*  
2 *be reprogrammed without the advance approval of the*  
3 *House and Senate Committees on Appropriations in ac-*  
4 *cordance with the reprogramming procedures contained in*  
5 *the explanatory statement described in section 4 (in the*  
6 *matter preceding division A of this consolidated Act).*

7        *Not more than \$82,000,000 of funds available to the*  
8 *Forest Service shall be transferred to the Working Capital*  
9 *Fund of the Department of Agriculture and not more than*  
10 *\$14,500,000 of funds available to the Forest Service shall*  
11 *be transferred to the Department of Agriculture for Depart-*  
12 *ment Reimbursable Programs, commonly referred to as*  
13 *Greenbook charges. Nothing in this paragraph shall pro-*  
14 *hibit or limit the use of reimbursable agreements requested*  
15 *by the Forest Service in order to obtain services from the*  
16 *Department of Agriculture's National Information Tech-*  
17 *nology Center and the Department of Agriculture's Inter-*  
18 *national Technology Service.*

19        *Of the funds available to the Forest Service, up to*  
20 *\$5,000,000 shall be available for priority projects within*  
21 *the scope of the approved budget, which shall be carried out*  
22 *by the Youth Conservation Corps and shall be carried out*  
23 *under the authority of the Public Lands Corps Act of 1993*  
24 *(16 U.S.C. 1721 et seq.).*

1        *Of the funds available to the Forest Service, \$4,000 is*  
2 *available to the Chief of the Forest Service for official recep-*  
3 *tion and representation expenses.*

4        *Pursuant to sections 405(b) and 410(b) of Public Law*  
5 *101–593, of the funds available to the Forest Service, up*  
6 *to \$3,000,000 may be advanced in a lump sum to the Na-*  
7 *tional Forest Foundation to aid conservation partnership*  
8 *projects in support of the Forest Service mission, without*  
9 *regard to when the Foundation incurs expenses, for projects*  
10 *on or benefitting National Forest System lands or related*  
11 *to Forest Service programs: Provided, That of the Federal*  
12 *funds made available to the Foundation, no more than*  
13 *\$300,000 shall be available for administrative expenses:*  
14 *Provided further, That the Foundation shall obtain, by the*  
15 *end of the period of Federal financial assistance, private*  
16 *contributions to match funds made available by the Forest*  
17 *Service on at least a one-for-one basis: Provided further,*  
18 *That the Foundation may transfer Federal funds to a Fed-*  
19 *eral or a non-Federal recipient for a project at the same*  
20 *rate that the recipient has obtained the non-Federal match-*  
21 *ing funds.*

22        *Pursuant to section 2(b)(2) of Public Law 98–244, up*  
23 *to \$3,000,000 of the funds available to the Forest Service*  
24 *may be advanced to the National Fish and Wildlife Foun-*  
25 *dation in a lump sum to aid cost-share conservation*



1 *projects, without regard to when expenses are incurred, on*  
2 *or benefitting National Forest System lands or related to*  
3 *Forest Service programs: Provided, That such funds shall*  
4 *be matched on at least a one-for-one basis by the Founda-*  
5 *tion or its sub-recipients: Provided further, That the Foun-*  
6 *dation may transfer Federal funds to a Federal or non-*  
7 *Federal recipient for a project at the same rate that the*  
8 *recipient has obtained the non-Federal matching funds.*

9 *Funds appropriated to the Forest Service shall be*  
10 *available for interactions with and providing technical as-*  
11 *sistance to rural communities and natural resource-based*  
12 *businesses for sustainable rural development purposes.*

13 *Funds appropriated to the Forest Service shall be*  
14 *available for payments to counties within the Columbia*  
15 *River Gorge National Scenic Area, pursuant to section*  
16 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99-*  
17 *663.*

18 *Any funds appropriated to the Forest Service may be*  
19 *used to meet the non-Federal share requirement in section*  
20 *502(c) of the Older Americans Act of 1965 (42 U.S.C.*  
21 *3056(c)(2)).*

22 *The Forest Service shall not assess funds for the pur-*  
23 *pose of performing fire, administrative, and other facilities*  
24 *maintenance and decommissioning.*

1        *Notwithstanding any other provision of law, of any*  
2 *appropriations or funds available to the Forest Service, not*  
3 *to exceed \$500,000 may be used to reimburse the Office of*  
4 *the General Counsel (OGC), Department of Agriculture, for*  
5 *travel and related expenses incurred as a result of OGC as-*  
6 *sistance or participation requested by the Forest Service at*  
7 *meetings, training sessions, management reviews, land pur-*  
8 *chase negotiations and similar matters unrelated to civil*  
9 *litigation. Future budget justifications for both the Forest*  
10 *Service and the Department of Agriculture should clearly*  
11 *display the sums previously transferred and the sums re-*  
12 *quested for transfer.*

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

18        *Notwithstanding any other provision of this Act,*  
19 *through the Office of Budget and Program Analysis, the*  
20 *Forest Service shall report no later than 30 business days*  
21 *following the close of each fiscal quarter all current and*  
22 *prior year unobligated balances, by fiscal year, budget line*  
23 *item and account, to the House and Senate Committees on*  
24 *Appropriations.*

1        *The Forest Service shall submit, through the Office of*  
2 *Budget and Program Analysis, to the Office of Management*  
3 *and Budget a proposed system of administrative control of*  
4 *funds for its accounts, as described in 31 U.S.C. 1514, not*  
5 *later than June 21, 2018.*

6            *DEPARTMENT OF HEALTH AND HUMAN*  
7                            *SERVICES*

8                            *INDIAN HEALTH SERVICE*

9                            *INDIAN HEALTH SERVICES*

10        *For expenses necessary to carry out the Act of August*  
11 *5, 1954 (68 Stat. 674), the Indian Self-Determination and*  
12 *Education Assistance Act, the Indian Health Care Improve-*  
13 *ment Act, and titles II and III of the Public Health Service*  
14 *Act with respect to the Indian Health Service,*  
15 *\$3,952,290,000, together with payments received during the*  
16 *fiscal year pursuant to sections 231(b) and 233 of the Pub-*  
17 *lic Health Service Act (42 U.S.C. 238(b), 238b), for services*  
18 *furnished by the Indian Health Service: Provided, That*  
19 *funds made available to tribes and tribal organizations*  
20 *through contracts, grant agreements, or any other agree-*  
21 *ments or compacts authorized by the Indian Self-Deter-*  
22 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
23 *450), shall be deemed to be obligated at the time of the grant*  
24 *or contract award and thereafter shall remain available to*  
25 *the tribe or tribal organization without fiscal year limita-*

1 *tion: Provided further, That \$2,000,000 shall be available*  
2 *for grants or contracts with public or private institutions*  
3 *to provide alcohol or drug treatment services to Indians,*  
4 *including alcohol detoxification services: Provided further,*  
5 *That \$962,695,000 for Purchased/Referred Care, including*  
6 *\$53,000,000 for the Indian Catastrophic Health Emergency*  
7 *Fund, shall remain available until expended: Provided fur-*  
8 *ther, That of the funds provided, up to \$36,000,000 shall*  
9 *remain available until expended for implementation of the*  
10 *loan repayment program under section 108 of the Indian*  
11 *Health Care Improvement Act: Provided further, That of*  
12 *the funds provided, \$11,000,000 shall remain available*  
13 *until expended to supplement funds available for oper-*  
14 *ational costs at tribal clinics operated under an Indian*  
15 *Self-Determination and Education Assistance Act compact*  
16 *or contract where health care is delivered in space acquired*  
17 *through a full service lease, which is not eligible for mainte-*  
18 *nance and improvement and equipment funds from the In-*  
19 *dian Health Service, and \$58,000,000 shall be for costs re-*  
20 *lated to or resulting from accreditation emergencies, of*  
21 *which up to \$4,000,000 may be used to supplement amounts*  
22 *otherwise available for Purchased/Referred Care: Provided*  
23 *further, That the amounts collected by the Federal Govern-*  
24 *ment as authorized by sections 104 and 108 of the Indian*  
25 *Health Care Improvement Act (25 U.S.C. 1613a and*

1 1616a) during the preceding fiscal year for breach of con-  
2 tracts shall be deposited to the Fund authorized by section  
3 108A of that Act (25 U.S.C. 1616a-1) and shall remain  
4 available until expended and, notwithstanding section  
5 108A(c) of that Act (25 U.S.C. 1616a-1(c)), funds shall be  
6 available to make new awards under the loan repayment  
7 and scholarship programs under sections 104 and 108 of  
8 that Act (25 U.S.C. 1613a and 1616a): Provided further,  
9 That the amounts made available within this account for  
10 the Substance Abuse and Suicide Prevention Program, for  
11 the Domestic Violence Prevention Program, for the Zero  
12 Suicide Initiative, for the housing subsidy authority for ci-  
13 vilian employees, for aftercare pilot programs at Youth Re-  
14 gional Treatment Centers, to improve collections from pub-  
15 lic and private insurance at Indian Health Service and  
16 tribally operated facilities, and for accreditation emer-  
17 gencies shall be allocated at the discretion of the Director  
18 of the Indian Health Service and shall remain available  
19 until expended: Provided further, That funds provided in  
20 this Act may be used for annual contracts and grants for  
21 which the performance period falls within 2 fiscal years,  
22 provided the total obligation is recorded in the year the  
23 funds are appropriated: Provided further, That the amounts  
24 collected by the Secretary of Health and Human Services  
25 under the authority of title IV of the Indian Health Care

1 *Improvement Act shall remain available until expended for*  
2 *the purpose of achieving compliance with the applicable*  
3 *conditions and requirements of titles XVIII and XIX of the*  
4 *Social Security Act, except for those related to the planning,*  
5 *design, or construction of new facilities: Provided further,*  
6 *That funding contained herein for scholarship programs*  
7 *under the Indian Health Care Improvement Act shall re-*  
8 *main available until expended: Provided further, That*  
9 *amounts received by tribes and tribal organizations under*  
10 *title IV of the Indian Health Care Improvement Act shall*  
11 *be reported and accounted for and available to the receiving*  
12 *tribes and tribal organizations until expended: Provided*  
13 *further, That the Bureau of Indian Affairs may collect from*  
14 *the Indian Health Service, and from tribes and tribal orga-*  
15 *nizations operating health facilities pursuant to Public*  
16 *Law 93-638, such individually identifiable health informa-*  
17 *tion relating to disabled children as may be necessary for*  
18 *the purpose of carrying out its functions under the Individ-*  
19 *uals with Disabilities Education Act (20 U.S.C. 1400 et*  
20 *seq.): Provided further, That of the funds provided,*  
21 *\$72,280,000 is for the Indian Health Care Improvement*  
22 *Fund and may be used, as needed, to carry out activities*  
23 *typically funded under the Indian Health Facilities ac-*  
24 *count: Provided further, That the accreditation emergency*

1 *funds may be used, as needed, to carry out activities typi-*  
2 *cally funded under the Indian Health Facilities account.*

3 *CONTRACT SUPPORT COSTS*

4 *For payments to tribes and tribal organizations for*  
5 *contract support costs associated with Indian Self-Deter-*  
6 *mination and Education Assistance Act agreements with*  
7 *the Indian Health Service for fiscal year 2018, such sums*  
8 *as may be necessary: Provided, That notwithstanding any*  
9 *other provision of law, no amounts made available under*  
10 *this heading shall be available for transfer to another budget*  
11 *account.*

12 *INDIAN HEALTH FACILITIES*

13 *For construction, repair, maintenance, improvement,*  
14 *and equipment of health and related auxiliary facilities, in-*  
15 *cluding quarters for personnel; preparation of plans, speci-*  
16 *fications, and drawings; acquisition of sites, purchase and*  
17 *erection of modular buildings, and purchases of trailers;*  
18 *and for provision of domestic and community sanitation*  
19 *facilities for Indians, as authorized by section 7 of the Act*  
20 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*  
21 *mination Act, and the Indian Health Care Improvement*  
22 *Act, and for expenses necessary to carry out such Acts and*  
23 *titles II and III of the Public Health Service Act with re-*  
24 *spect to environmental health and facilities support activi-*  
25 *ties of the Indian Health Service, \$867,504,000, to remain*

1 *available until expended: Provided, That notwithstanding*  
2 *any other provision of law, funds appropriated for the plan-*  
3 *ning, design, construction, renovation or expansion of*  
4 *health facilities for the benefit of an Indian tribe or tribes*  
5 *may be used to purchase land on which such facilities will*  
6 *be located: Provided further, That not to exceed \$500,000*  
7 *may be used by the Indian Health Service to purchase*  
8 *TRANSAM equipment from the Department of Defense for*  
9 *distribution to the Indian Health Service and tribal facili-*  
10 *ties: Provided further, That none of the funds appropriated*  
11 *to the Indian Health Service may be used for sanitation*  
12 *facilities construction for new homes funded with grants by*  
13 *the housing programs of the United States Department of*  
14 *Housing and Urban Development: Provided further, That*  
15 *not to exceed \$2,700,000 from this account and the “Indian*  
16 *Health Services” account may be used by the Indian Health*  
17 *Service to obtain ambulances for the Indian Health Service*  
18 *and tribal facilities in conjunction with an existing inter-*  
19 *agency agreement between the Indian Health Service and*  
20 *the General Services Administration: Provided further,*  
21 *That not to exceed \$500,000 may be placed in a Demolition*  
22 *Fund, to remain available until expended, and be used by*  
23 *the Indian Health Service for the demolition of Federal*  
24 *buildings.*



1 *ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE*

2 *Appropriations provided in this Act to the Indian*  
3 *Health Service shall be available for services as authorized*  
4 *by 5 U.S.C. 3109 at rates not to exceed the per diem rate*  
5 *equivalent to the maximum rate payable for senior-level po-*  
6 *sitions under 5 U.S.C. 5376; hire of passenger motor vehi-*  
7 *cles and aircraft; purchase of medical equipment; purchase*  
8 *of reprints; purchase, renovation and erection of modular*  
9 *buildings and renovation of existing facilities; payments for*  
10 *telephone service in private residences in the field, when au-*  
11 *thorized under regulations approved by the Secretary of*  
12 *Health and Human Services; uniforms or allowances there-*  
13 *for as authorized by 5 U.S.C. 5901–5902; and for expenses*  
14 *of attendance at meetings that relate to the functions or ac-*  
15 *tivities of the Indian Health Service: Provided, That in ac-*  
16 *cordance with the provisions of the Indian Health Care Im-*  
17 *provement Act, non-Indian patients may be extended health*  
18 *care at all tribally administered or Indian Health Service*  
19 *facilities, subject to charges, and the proceeds along with*  
20 *funds recovered under the Federal Medical Care Recovery*  
21 *Act (42 U.S.C. 2651–2653) shall be credited to the account*  
22 *of the facility providing the service and shall be available*  
23 *without fiscal year limitation: Provided further, That not-*  
24 *withstanding any other law or regulation, funds transferred*  
25 *from the Department of Housing and Urban Development*

1 *to the Indian Health Service shall be administered under*  
2 *Public Law 86–121, the Indian Sanitation Facilities Act*  
3 *and Public Law 93–638: Provided further, That funds ap-*  
4 *propriated to the Indian Health Service in this Act, except*  
5 *those used for administrative and program direction pur-*  
6 *poses, shall not be subject to limitations directed at cur-*  
7 *tailing Federal travel and transportation: Provided further,*  
8 *That none of the funds made available to the Indian Health*  
9 *Service in this Act shall be used for any assessments or*  
10 *charges by the Department of Health and Human Services*  
11 *unless identified in the budget justification and provided*  
12 *in this Act, or approved by the House and Senate Commit-*  
13 *tees on Appropriations through the reprogramming process:*  
14 *Provided further, That notwithstanding any other provision*  
15 *of law, funds previously or herein made available to a tribe*  
16 *or tribal organization through a contract, grant, or agree-*  
17 *ment authorized by title I or title V of the Indian Self-*  
18 *Determination and Education Assistance Act of 1975 (25*  
19 *U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may*  
20 *be deobligated and reobligated to a self-determination con-*  
21 *tract under title I, or a self-governance agreement under*  
22 *title V of such Act and thereafter shall remain available*  
23 *to the tribe or tribal organization without fiscal year limi-*  
24 *tation: Provided further, That none of the funds made avail-*  
25 *able to the Indian Health Service in this Act shall be used*

1 to implement the final rule published in the Federal Reg-  
2 ister on September 16, 1987, by the Department of Health  
3 and Human Services, relating to the eligibility for the  
4 health care services of the Indian Health Service until the  
5 Indian Health Service has submitted a budget request re-  
6 flecting the increased costs associated with the proposed  
7 final rule, and such request has been included in an appro-  
8 priations Act and enacted into law: Provided further, That  
9 with respect to functions transferred by the Indian Health  
10 Service to tribes or tribal organizations, the Indian Health  
11 Service is authorized to provide goods and services to those  
12 entities on a reimbursable basis, including payments in ad-  
13 vance with subsequent adjustment, and the reimbursements  
14 received therefrom, along with the funds received from those  
15 entities pursuant to the Indian Self-Determination Act,  
16 may be credited to the same or subsequent appropriation  
17 account from which the funds were originally derived, with  
18 such amounts to remain available until expended: Provided  
19 further, That reimbursements for training, technical assist-  
20 ance, or services provided by the Indian Health Service will  
21 contain total costs, including direct, administrative, and  
22 overhead costs associated with the provision of goods, serv-  
23 ices, or technical assistance: Provided further, That the In-  
24 dian Health Service may provide to civilian medical per-  
25 sonnel serving in hospitals operated by the Indian Health

1 *Service housing allowances equivalent to those that would*  
2 *be provided to members of the Commissioned Corps of the*  
3 *United States Public Health Service serving in similar po-*  
4 *sitions at such hospitals: Provided further, That the appro-*  
5 *priation structure for the Indian Health Service may not*  
6 *be altered without advance notification to the House and*  
7 *Senate Committees on Appropriations.*

8 *NATIONAL INSTITUTES OF HEALTH*

9 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

10 *SCIENCES*

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

18 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

19 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

20 *For necessary expenses for the Agency for Toxic Sub-*  
21 *stances and Disease Registry (ATSDR) in carrying out ac-*  
22 *tivities set forth in sections 104(i) and 111(c)(4) of the*  
23 *Comprehensive Environmental Response, Compensation,*  
24 *and Liability Act of 1980 (CERCLA) and section 3019 of*  
25 *the Solid Waste Disposal Act, \$74,691,000: Provided, That*

1 *notwithstanding any other provision of law, in lieu of per-*  
2 *forming a health assessment under section 104(i)(6) of*  
3 *CERCLA, the Administrator of ATSDR may conduct other*  
4 *appropriate health studies, evaluations, or activities, in-*  
5 *cluding, without limitation, biomedical testing, clinical*  
6 *evaluations, medical monitoring, and referral to accredited*  
7 *healthcare providers: Provided further, That in performing*  
8 *any such health assessment or health study, evaluation, or*  
9 *activity, the Administrator of ATSDR shall not be bound*  
10 *by the deadlines in section 104(i)(6)(A) of CERCLA: Pro-*  
11 *vided further, That none of the funds appropriated under*  
12 *this heading shall be available for ATSDR to issue in excess*  
13 *of 40 toxicological profiles pursuant to section 104(i) of*  
14 *CERCLA during fiscal year 2018, and existing profiles*  
15 *may be updated as necessary.*

16 *OTHER RELATED AGENCIES*

17 *EXECUTIVE OFFICE OF THE PRESIDENT*

18 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*

19 *ENVIRONMENTAL QUALITY*

20 *For necessary expenses to continue functions assigned*  
21 *to the Council on Environmental Quality and Office of En-*  
22 *vironmental Quality pursuant to the National Environ-*  
23 *mental Policy Act of 1969, the Environmental Quality Im-*  
24 *provement Act of 1970, and Reorganization Plan No. 1 of*  
25 *1977, and not to exceed \$750 for official reception and rep-*

1 *resentation expenses, \$3,000,000: Provided, That notwith-*  
2 *standing section 202 of the National Environmental Policy*  
3 *Act of 1970, the Council shall consist of one member, ap-*  
4 *pointed by the President, by and with the advice and con-*  
5 *sent of the Senate, serving as chairman and exercising all*  
6 *powers, functions, and duties of the Council.*

7 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*

8 *SALARIES AND EXPENSES*

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

1 *spector General of EPA in performing the duties of the In-*  
2 *spector General of the Board, and shall not appoint any*  
3 *individuals to positions within the Board.*

4       *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*  
5                       *SALARIES AND EXPENSES*

6       *For necessary expenses of the Office of Navajo and*  
7 *Hopi Indian Relocation as authorized by Public Law 93-*  
8 *531, \$15,431,000, to remain available until expended: Pro-*  
9 *vided, That funds provided in this or any other appropria-*  
10 *tions Act are to be used to relocate eligible individuals and*  
11 *groups including evictees from District 6, Hopi-partitioned*  
12 *lands residents, those in significantly substandard housing,*  
13 *and all others certified as eligible and not included in the*  
14 *preceding categories: Provided further, That none of the*  
15 *funds contained in this or any other Act may be used by*  
16 *the Office of Navajo and Hopi Indian Relocation to evict*  
17 *any single Navajo or Navajo family who, as of November*  
18 *30, 1985, was physically domiciled on the lands partitioned*  
19 *to the Hopi Tribe unless a new or replacement home is pro-*  
20 *vided for such household: Provided further, That no*  
21 *relocatee will be provided with more than one new or re-*  
22 *placement home: Provided further, That the Office shall re-*  
23 *locate any certified eligible relocatees who have selected and*  
24 *received an approved homesite on the Navajo reservation*  
25 *or selected a replacement residence off the Navajo reserva-*

1 *tion or on the land acquired pursuant to section 11 of Pub-*  
2 *lic Law 93–531 (88 Stat. 1716).*

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

6 *For payment to the Institute of American Indian and*  
7 *Alaska Native Culture and Arts Development, as authorized*  
8 *by part A of title XV of Public Law 99–498 (20 U.S.C.*  
9 *4411 et seq.), \$9,835,000, which shall become available on*  
10 *July 1, 2018, and shall remain available until September*  
11 *30, 2019.*

12 *SMITHSONIAN INSTITUTION*  
13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Smithsonian Institution,*  
15 *as authorized by law, including research in the fields of art,*  
16 *science, and history; development, preservation, and docu-*  
17 *mentation of the National Collections; presentation of pub-*  
18 *lic exhibits and performances; collection, preparation, dis-*  
19 *semination, and exchange of information and publications;*  
20 *conduct of education, training, and museum assistance pro-*  
21 *grams; maintenance, alteration, operation, lease agreements*  
22 *of no more than 30 years, and protection of buildings, fa-*  
23 *cilities, and approaches; not to exceed \$100,000 for services*  
24 *as authorized by 5 U.S.C. 3109; and purchase, rental, re-*  
25 *pair, and cleaning of uniforms for employees, \$731,444,000,*



1 *to remain available until September 30, 2019, except as oth-*  
2 *erwise provided herein; of which not to exceed \$6,908,000*  
3 *for the instrumentation program, collections acquisition,*  
4 *exhibition reinstallation, and the repatriation of skeletal re-*  
5 *mains program shall remain available until expended; and*  
6 *including such funds as may be necessary to support Amer-*  
7 *ican overseas research centers: Provided, That funds appro-*  
8 *priated herein are available for advance payments to inde-*  
9 *pendent contractors performing research services or partici-*  
10 *pating in official Smithsonian presentations.*

11 *FACILITIES CAPITAL*

12 *For necessary expenses of repair, revitalization, and*  
13 *alteration of facilities owned or occupied by the Smithso-*  
14 *nian Institution, by contract or otherwise, as authorized by*  
15 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*  
16 *for construction, including necessary personnel,*  
17 *\$311,903,000, to remain available until expended, of which*  
18 *not to exceed \$10,000 shall be for services as authorized by*  
19 *5 U.S.C. 3109.*

20 *NATIONAL GALLERY OF ART*

21 *SALARIES AND EXPENSES*

22 *For the upkeep and operations of the National Gallery*  
23 *of Art, the protection and care of the works of art therein,*  
24 *and administrative expenses incident thereto, as authorized*  
25 *by the Act of March 24, 1937 (50 Stat. 51), as amended*

1 *by the public resolution of April 13, 1939 (Public Resolu-*  
2 *tion 9, Seventy-sixth Congress), including services as au-*  
3 *thorized by 5 U.S.C. 3109; payment in advance when au-*  
4 *thorized by the treasurer of the Gallery for membership in*  
5 *library, museum, and art associations or societies whose*  
6 *publications or services are available to members only, or*  
7 *to members at a price lower than to the general public; pur-*  
8 *chase, repair, and cleaning of uniforms for guards, and uni-*  
9 *forms, or allowances therefor, for other employees as author-*  
10 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*  
11 *devices and services for protecting buildings and contents*  
12 *thereof, and maintenance, alteration, improvement, and re-*  
13 *pair of buildings, approaches, and grounds; and purchase*  
14 *of services for restoration and repair of works of art for*  
15 *the National Gallery of Art by contracts made, without ad-*  
16 *vertising, with individuals, firms, or organizations at such*  
17 *rates or prices and under such terms and conditions as the*  
18 *Gallery may deem proper, \$141,790,000, to remain avail-*  
19 *able until September 30, 2019, of which not to exceed*  
20 *\$3,620,000 for the special exhibition program shall remain*  
21 *available until expended.*

22 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

23 *For necessary expenses of repair, restoration and ren-*  
24 *ovation of buildings, grounds and facilities owned or occu-*  
25 *ped by the National Gallery of Art, by contract or other-*

1 *wise, for operating lease agreements of no more than 10*  
2 *years, with no extensions or renewals beyond the 10 years,*  
3 *that address space needs created by the ongoing renovations*  
4 *in the Master Facilities Plan, as authorized, \$24,203,000,*  
5 *to remain available until expended: Provided, That con-*  
6 *tracts awarded for environmental systems, protection sys-*  
7 *tems, and exterior repair or renovation of buildings of the*  
8 *National Gallery of Art may be negotiated with selected*  
9 *contractors and awarded on the basis of contractor quali-*  
10 *fications as well as price.*

11 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*

12 *OPERATIONS AND MAINTENANCE*

13 *For necessary expenses for the operation, maintenance*  
14 *and security of the John F. Kennedy Center for the Per-*  
15 *forming Arts, \$23,740,000.*

16 *CAPITAL REPAIR AND RESTORATION*

17 *For necessary expenses for capital repair and restora-*  
18 *tion of the existing features of the building and site of the*  
19 *John F. Kennedy Center for the Performing Arts,*  
20 *\$16,775,000, to remain available until expended.*

21 *WOODROW WILSON INTERNATIONAL CENTER FOR*

22 *SCHOLARS*

23 *SALARIES AND EXPENSES*

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

1 1356) including hire of passenger vehicles and services as  
 2 authorized by 5 U.S.C. 3109, \$12,000,000, to remain avail-  
 3 able until September 30, 2019.

4 NATIONAL FOUNDATION ON THE ARTS AND THE  
 5 HUMANITIES

6 NATIONAL ENDOWMENT FOR THE ARTS  
 7 GRANTS AND ADMINISTRATION

8 For necessary expenses to carry out the National Foun-  
 9 dation on the Arts and the Humanities Act of 1965,  
 10 \$152,849,000 shall be available to the National Endowment  
 11 for the Arts for the support of projects and productions in  
 12 the arts, including arts education and public outreach ac-  
 13 tivities, through assistance to organizations and individuals  
 14 pursuant to section 5 of the Act, for program support, and  
 15 for administering the functions of the Act, to remain avail-  
 16 able until expended.

17 NATIONAL ENDOWMENT FOR THE HUMANITIES  
 18 GRANTS AND ADMINISTRATION

19 For necessary expenses to carry out the National Foun-  
 20 dation on the Arts and the Humanities Act of 1965,  
 21 \$152,848,000 to remain available until expended, of which  
 22 \$141,548,000 shall be available for support of activities in  
 23 the humanities, pursuant to section 7(c) of the Act and for  
 24 administering the functions of the Act; and \$11,300,000  
 25 shall be available to carry out the matching grants program

1 *pursuant to section 10(a)(2) of the Act, including*  
2 *\$9,100,000 for the purposes of section 7(h): Provided, That*  
3 *appropriations for carrying out section 10(a)(2) shall be*  
4 *available for obligation only in such amounts as may be*  
5 *equal to the total amounts of gifts, bequests, devises of*  
6 *money, and other property accepted by the chairman or by*  
7 *grantees of the National Endowment for the Humanities*  
8 *under the provisions of sections 11(a)(2)(B) and*  
9 *11(a)(3)(B) during the current and preceding fiscal years*  
10 *for which equal amounts have not previously been appro-*  
11 *priated.*

12 *ADMINISTRATIVE PROVISIONS*

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

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

5 *COMMISSION OF FINE ARTS*

6 *SALARIES AND EXPENSES*

7 *For expenses of the Commission of Fine Arts under*  
8 *chapter 91 of title 40, United States Code, \$2,762,000: Pro-*  
9 *vided, That the Commission is authorized to charge fees to*  
10 *cover the full costs of its publications, and such fees shall*  
11 *be credited to this account as an offsetting collection, to re-*  
12 *main available until expended without further appropri-*  
13 *ation: Provided further, That the Commission is authorized*  
14 *to accept gifts, including objects, papers, artwork, drawings*  
15 *and artifacts, that pertain to the history and design of the*  
16 *Nation's Capital or the history and activities of the Com-*  
17 *mission of Fine Arts, for the purpose of artistic display,*  
18 *study, or education: Provided further, That one-tenth of one*  
19 *percent of the funds provided under this heading may be*  
20 *used for official reception and representation expenses.*

21 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

22 *For necessary expenses as authorized by Public Law*  
23 *99–190 (20 U.S.C. 956a), \$2,750,000.*

1        *ADVISORY COUNCIL ON HISTORIC PRESERVATION*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the Advisory Council on His-*  
4 *toric Preservation (Public Law 89–665), \$6,400,000.*

5                                *NATIONAL CAPITAL PLANNING COMMISSION*6                                *SALARIES AND EXPENSES*

7        *For necessary expenses of the National Capital Plan-*  
8 *ning Commission under chapter 87 of title 40, United*  
9 *States Code, including services as authorized by 5 U.S.C.*  
10 *3109, \$8,099,000: Provided, That one-quarter of 1 percent*  
11 *of the funds provided under this heading may be used for*  
12 *official reception and representational expenses associated*  
13 *with hosting international visitors engaged in the planning*  
14 *and physical development of world capitals.*

15        *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*16                                *HOLOCAUST MEMORIAL MUSEUM*

17        *For expenses of the Holocaust Memorial Museum, as*  
18 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*  
19 *\$59,000,000, of which \$1,715,000 shall remain available*  
20 *until September 30, 2020, for the Museum’s equipment re-*  
21 *placement program; and of which \$4,000,000 for the Muse-*  
22 *um’s repair and rehabilitation program and \$1,264,000 for*  
23 *the Museum’s outreach initiatives program shall remain*  
24 *available until expended.*

1        *DWIGHT D. EISENHOWER MEMORIAL COMMISSION*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the Dwight D. Eisenhower*  
4 *Memorial Commission, \$1,800,000, to remain available*  
5 *until expended.*

6                                *CAPITAL CONSTRUCTION*

7        *For necessary expenses of the Dwight D. Eisenhower*  
8 *Memorial Commission for design and construction of a me-*  
9 *morial in honor of Dwight D. Eisenhower, as authorized*  
10 *by Public Law 106–79, \$45,000,000, to remain available*  
11 *until expended: Provided, That the contract with respect to*  
12 *the procurement shall contain the “availability of funds”*  
13 *clause described in section 52.232.18 of title 48, Code of*  
14 *Federal Regulations: Provided further, That the funds ap-*  
15 *propriated herein shall be deemed to satisfy the criteria for*  
16 *issuing a permit contained in 40 U.S.C. 8906(a)(4) and*  
17 *(b).*

18                                *WOMEN’S SUFFRAGE CENTENNIAL COMMISSION*19                                *SALARIES AND EXPENSES*

20        *For necessary expenses for the Women’s Suffrage Cen-*  
21 *tennial Commission, as authorized by the Women’s Suffrage*  
22 *Centennial Commission Act (section 431(a)(3) of division*  
23 *G of Public Law 115–31), \$1,000,000, to remain available*  
24 *until expended.*



1                    *WORLD WAR I CENTENNIAL COMMISSION*2                    *SALARIES AND EXPENSES*

3            *Notwithstanding section 9 of the World War I Centen-*  
4 *nial Commission Act, as authorized by the World War I*  
5 *Centennial Commission Act (Public Law 112–272) and the*  
6 *Carl Levin and Howard P. “Buck” McKeon National De-*  
7 *fense Authorization Act for Fiscal Year 2015 (Public Law*  
8 *113–291), for necessary expenses of the World War I Cen-*  
9 *tennial Commission, \$7,000,000, to remain available until*  
10 *expended: Provided, That in addition to the authority pro-*  
11 *vided by section 6(g) of such Act, the World War I Commis-*  
12 *sion may accept money, in-kind personnel services, contrac-*  
13 *tual support, or any appropriate support from any execu-*  
14 *tive branch agency for activities of the Commission.*

15                    *TITLE IV*16                    *GENERAL PROVISIONS*17                    *(INCLUDING TRANSFERS OF FUNDS)*18                    *RESTRICTION ON USE OF FUNDS*

19            *SEC. 401. No part of any appropriation contained in*  
20 *this Act shall be available for any activity or the publica-*  
21 *tion or distribution of literature that in any way tends to*  
22 *promote public support or opposition to any legislative pro-*  
23 *posal on which Congressional action is not complete other*  
24 *than to communicate to Members of Congress as described*  
25 *in 18 U.S.C. 1913.*

## 1 OBLIGATION OF APPROPRIATIONS

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

## 5 DISCLOSURE OF ADMINISTRATIVE EXPENSES

6 SEC. 403. *The amount and basis of estimated overhead*  
7 *charges, deductions, reserves or holdbacks, including work-*  
8 *ing capital fund and cost pool charges, from programs,*  
9 *projects, activities and subactivities to support government-*  
10 *wide, departmental, agency, or bureau administrative func-*  
11 *tions or headquarters, regional, or central operations shall*  
12 *be presented in annual budget justifications and subject to*  
13 *approval by the Committees on Appropriations of the House*  
14 *of Representatives and the Senate. Changes to such esti-*  
15 *mates shall be presented to the Committees on Appropria-*  
16 *tions for approval.*

## 17 MINING APPLICATIONS

18 SEC. 404. (a) *LIMITATION OF FUNDS.—None of the*  
19 *funds appropriated or otherwise made available pursuant*  
20 *to this Act shall be obligated or expended to accept or proc-*  
21 *ess applications for a patent for any mining or mill site*  
22 *claim located under the general mining laws.*

23 (b) *EXCEPTIONS.—Subsection (a) shall not apply if*  
24 *the Secretary of the Interior determines that, for the claim*  
25 *concerned (1) a patent application was filed with the Sec-*

1 *retary on or before September 30, 1994; and (2) all require-*  
2 *ments established under sections 2325 and 2326 of the Re-*  
3 *vised Statutes (30 U.S.C. 29 and 30) for vein or lode*  
4 *claims, sections 2329, 2330, 2331, and 2333 of the Revised*  
5 *Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and*  
6 *section 2337 of the Revised Statutes (30 U.S.C. 42) for mill*  
7 *site claims, as the case may be, were fully complied with*  
8 *by the applicant by that date.*

9 *(c) REPORT.—On September 30, 2019, the Secretary*  
10 *of the Interior shall file with the House and Senate Com-*  
11 *mittees on Appropriations and the Committee on Natural*  
12 *Resources of the House and the Committee on Energy and*  
13 *Natural Resources of the Senate a report on actions taken*  
14 *by the Department under the plan submitted pursuant to*  
15 *section 314(c) of the Department of the Interior and Related*  
16 *Agencies Appropriations Act, 1997 (Public Law 104–208).*

17 *(d) MINERAL EXAMINATIONS.—In order to process*  
18 *patent applications in a timely and responsible manner,*  
19 *upon the request of a patent applicant, the Secretary of the*  
20 *Interior shall allow the applicant to fund a qualified third-*  
21 *party contractor to be selected by the Director of the Bureau*  
22 *of Land Management to conduct a mineral examination of*  
23 *the mining claims or mill sites contained in a patent appli-*  
24 *cation as set forth in subsection (b). The Bureau of Land*  
25 *Management shall have the sole responsibility to choose and*

1 *pay the third-party contractor in accordance with the*  
2 *standard procedures employed by the Bureau of Land Man-*  
3 *agement in the retention of third-party contractors.*

4 *CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION*

5 *SEC. 405. Sections 405 and 406 of division F of the*  
6 *Consolidated and Further Continuing Appropriations Act,*  
7 *2015 (Public Law 113–235) shall continue in effect in fiscal*  
8 *year 2018.*

9 *CONTRACT SUPPORT COSTS, FISCAL YEAR 2018 LIMITATION*

10 *SEC. 406. Amounts provided by this Act for fiscal year*  
11 *2018 under the headings “Department of Health and*  
12 *Human Services, Indian Health Service, Contract Support*  
13 *Costs” and “Department of the Interior, Bureau of Indian*  
14 *Affairs and Bureau of Indian Education, Contract Support*  
15 *Costs” are the only amounts available for contract support*  
16 *costs arising out of self-determination or self-governance*  
17 *contracts, grants, compacts, or annual funding agreements*  
18 *for fiscal year 2018 with the Bureau of Indian Affairs or*  
19 *the Indian Health Service: Provided, That such amounts*  
20 *provided by this Act are not available for payment of claims*  
21 *for contract support costs for prior years, or for repayments*  
22 *of payments for settlements or judgments awarding contract*  
23 *support costs for prior years.*



## LIMITATION ON TAKINGS

1  
2       *SEC. 409. Unless otherwise provided herein, no funds*  
3 *appropriated in this Act for the acquisition of lands or in-*  
4 *terests in lands may be expended for the filing of declara-*  
5 *tions of taking or complaints in condemnation without the*  
6 *approval of the House and Senate Committees on Appro-*  
7 *priations: Provided, That this provision shall not apply to*  
8 *funds appropriated to implement the Everglades National*  
9 *Park Protection and Expansion Act of 1989, or to funds*  
10 *appropriated for Federal assistance to the State of Florida*  
11 *to acquire lands for Everglades restoration purposes.*

## TIMBER SALE REQUIREMENTS

12  
13       *SEC. 410. No timber sale in Alaska's Region 10 shall*  
14 *be advertised if the indicated rate is deficit (defined as the*  
15 *value of the timber is not sufficient to cover all logging and*  
16 *stumpage costs and provide a normal profit and risk allow-*  
17 *ance under the Forest Service's appraisal process) when ap-*  
18 *praised using a residual value appraisal. The western red*  
19 *cedar timber from those sales which is surplus to the needs*  
20 *of the domestic processors in Alaska, shall be made available*  
21 *to domestic processors in the contiguous 48 United States*  
22 *at prevailing domestic prices. All additional western red*  
23 *cedar volume not sold to Alaska or contiguous 48 United*  
24 *States domestic processors may be exported to foreign mar-*  
25 *kets at the election of the timber sale holder. All Alaska yel-*

1 *low cedar may be sold at prevailing export prices at the*  
2 *election of the timber sale holder.*

3 *PROHIBITION ON NO-BID CONTRACTS*

4 *SEC. 411. None of the funds appropriated or otherwise*  
5 *made available by this Act to executive branch agencies may*  
6 *be used to enter into any Federal contract unless such con-*  
7 *tract is entered into in accordance with the requirements*  
8 *of Chapter 33 of title 41, United States Code, or Chapter*  
9 *137 of title 10, United States Code, and the Federal Acqui-*  
10 *sition Regulation, unless—*

11 *(1) Federal law specifically authorizes a contract*  
12 *to be entered into without regard for these require-*  
13 *ments, including formula grants for States, or feder-*  
14 *ally recognized Indian tribes; or*

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

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

23 *POSTING OF REPORTS*

24 *SEC. 412. (a) Any agency receiving funds made avail-*  
25 *able in this Act, shall, subject to subsections (b) and (c),*

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

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

6 *(1) the public posting of the report compromises*  
7 *national security; or*

8 *(2) the report contains proprietary information.*

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

13 *NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES*

14 *SEC. 413. Of the funds provided to the National En-*  
15 *dowment for the Arts—*

16 *(1) The Chairperson shall only award a grant to*  
17 *an individual if such grant is awarded to such indi-*  
18 *vidual for a literature fellowship, National Heritage*  
19 *Fellowship, or American Jazz Masters Fellowship.*

20 *(2) The Chairperson shall establish procedures to*  
21 *ensure that no funding provided through a grant, ex-*  
22 *cept a grant made to a State or local arts agency, or*  
23 *regional group, may be used to make a grant to any*  
24 *other organization or individual to conduct activity*  
25 *independent of the direct grant recipient. Nothing in*





1       *Budget, and revised annually in accordance with sec-*  
2       *tion 673(2) of the Community Services Block Grant*  
3       *Act (42 U.S.C. 9902(2))) applicable to a family of the*  
4       *size involved.*

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

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

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

21              *(2) the Chairperson shall not make grants ex-*  
22              *ceeding 15 percent, in the aggregate, of such funds to*  
23              *any single State, excluding grants made under the*  
24              *authority of paragraph (1);*

1           (3) *the Chairperson shall report to the Congress*  
2           *annually and by State, on grants awarded by the*  
3           *Chairperson in each grant category under section 5 of*  
4           *such Act; and*

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

8                               *STATUS OF BALANCES OF APPROPRIATIONS*

9           *SEC. 415. The Department of the Interior, the Envi-*  
10          *ronmental Protection Agency, the Forest Service, and the*  
11          *Indian Health Service shall provide the Committees on Ap-*  
12          *propriations of the House of Representatives and Senate*  
13          *quarterly reports on the status of balances of appropriations*  
14          *including all uncommitted, committed, and unobligated*  
15          *funds in each program and activity.*

16                               *PROHIBITION ON USE OF FUNDS*

17          *SEC. 416. Notwithstanding any other provision of law,*  
18          *none of the funds made available in this Act or any other*  
19          *Act may be used to promulgate or implement any regula-*  
20          *tion requiring the issuance of permits under title V of the*  
21          *Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide,*  
22          *nitrous oxide, water vapor, or methane emissions resulting*  
23          *from biological processes associated with livestock produc-*  
24          *tion.*

1            *GREENHOUSE GAS REPORTING RESTRICTIONS*

2            *SEC. 417. Notwithstanding any other provision of law,*  
3 *none of the funds made available in this or any other Act*  
4 *may be used to implement any provision in a rule, if that*  
5 *provision requires mandatory reporting of greenhouse gas*  
6 *emissions from manure management systems.*

7            *FUNDING PROHIBITION*

8            *SEC. 418. None of the funds made available by this*  
9 *or any other Act may be used to regulate the lead content*  
10 *of ammunition, ammunition components, or fishing tackle*  
11 *under the Toxic Substances Control Act (15 U.S.C. 2601*  
12 *et seq.) or any other law.*

13            *CONTRACTING AUTHORITIES*

14            *SEC. 419. Section 412 of Division E of Public Law*  
15 *112–74 is amended by striking “fiscal year 2017” and in-*  
16 *serting “fiscal year 2019”.*

17            *CHESAPEAKE BAY INITIATIVE*

18            *SEC. 420. Section 502(c) of the Chesapeake Bay Initia-*  
19 *tive Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note)*  
20 *is amended by striking “2017” and inserting “2019”.*

21            *EXTENSION OF GRAZING PERMITS*

22            *SEC. 421. The terms and conditions of section 325 of*  
23 *Public Law 108–108 (117 Stat. 1307), regarding grazing*  
24 *permits issued by the Forest Service on any lands not sub-*  
25 *ject to administration under section 402 of the Federal*

1 *Lands Policy and Management Act (43 U.S.C. 1752), shall*  
2 *remain in effect for fiscal year 2018.*

3 *FUNDING PROHIBITION*

4 *SEC. 422. (a) None of the funds made available in this*  
5 *Act may be used to maintain or establish a computer net-*  
6 *work unless such network is designed to block access to por-*  
7 *nography websites.*

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

12 *FOREST SERVICE FACILITY REALIGNMENT AND*  
13 *ENHANCEMENT ACT*

14 *SEC. 423. Section 503(f) of the Forest Service Facility*  
15 *Realignment and Enhancement Act of 2005 (16 U.S.C.*  
16 *580d note; Public Law 109–54) is amended by striking*  
17 *“2016” and inserting “2018”.*

18 *USE OF AMERICAN IRON AND STEEL*

19 *SEC. 424. (a)(1) None of the funds made available by*  
20 *a State water pollution control revolving fund as authorized*  
21 *by section 1452 of the Safe Drinking Water Act (42 U.S.C.*  
22 *300j–12) shall be used for a project for the construction,*  
23 *alteration, maintenance, or repair of a public water system*  
24 *or treatment works unless all of the iron and steel products*  
25 *used in the project are produced in the United States.*

1           (2) *In this section, the term “iron and steel” products*  
2 *means the following products made primarily of iron or*  
3 *steel: lined or unlined pipes and fittings, manhole covers*  
4 *and other municipal castings, hydrants, tanks, flanges, pipe*  
5 *clamps and restraints, valves, structural steel, reinforced*  
6 *precast concrete, and construction materials.*

7           (b) *Subsection (a) shall not apply in any case or cat-*  
8 *egory of cases in which the Administrator of the Environ-*  
9 *mental Protection Agency (in this section referred to as the*  
10 *“Administrator”) finds that—*

11                 (1) *applying subsection (a) would be inconsistent*  
12 *with the public interest;*

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

16                 (3) *inclusion of iron and steel products produced*  
17 *in the United States will increase the cost of the over-*  
18 *all project by more than 25 percent.*

19           (c) *If the Administrator receives a request for a waiver*  
20 *under this section, the Administrator shall make available*  
21 *to the public on an informal basis a copy of the request*  
22 *and information available to the Administrator concerning*  
23 *the request, and shall allow for informal public input on*  
24 *the request for at least 15 days prior to making a finding*  
25 *based on the request. The Administrator shall make the re-*

1 *quest and accompanying information available by elec-*  
2 *tronic means, including on the official public Internet Web*  
3 *site of the Environmental Protection Agency.*

4 *(d) This section shall be applied in a manner con-*  
5 *sistent with United States obligations under international*  
6 *agreements.*

7 *(e) The Administrator may retain up to 0.25 percent*  
8 *of the funds appropriated in this Act for the Clean and*  
9 *Drinking Water State Revolving Funds for carrying out the*  
10 *provisions described in subsection (a)(1) for management*  
11 *and oversight of the requirements of this section.*

12 *MIDWAY ISLAND*

13 *SEC. 425. None of the funds made available by this*  
14 *Act may be used to destroy any buildings or structures on*  
15 *Midway Island that have been recommended by the United*  
16 *States Navy for inclusion in the National Register of His-*  
17 *toric Places (54 U.S.C. 302101).*

18 *JOHN F. KENNEDY CENTER REAUTHORIZATION*

19 *SEC. 426. Section 13 of the John F. Kennedy Center*  
20 *Act (20 U.S.C. 76r) is amended by striking subsections (a)*  
21 *and (b) and inserting the following:*

22 *“(a) MAINTENANCE, REPAIR, AND SECURITY.—There*  
23 *is authorized to be appropriated to the Board to carry out*  
24 *section 4(a)(1)(H), \$23,740,000 for fiscal year 2018.*

1       “(b) *CAPITAL PROJECTS.*—*There is authorized to be*  
2 *appropriated to the Board to carry out subparagraphs (F)*  
3 *and (G) of section 4(a)(1), \$16,775,000 for fiscal year*  
4 *2018.*”.

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

8       *SEC. 427. The Secretary of the Interior is authorized*  
9 *to enter into grants and cooperative agreements with volun-*  
10 *teer fire departments, rural fire departments, rangeland fire*  
11 *protection associations, and similar organizations to pro-*  
12 *vide for wildland fire training and equipment, including*  
13 *supplies and communication devices. Notwithstanding*  
14 *121(c) of title 40, United States Code, or section 521 of title*  
15 *40, United States Code, the Secretary is further authorized*  
16 *to transfer title to excess Department of the Interior fire-*  
17 *fighting equipment no longer needed to carry out the func-*  
18 *tions of the Department’s wildland fire management pro-*  
19 *gram to such organizations.*

20       *ALASKA NATIVE REGIONAL HEALTH ENTITIES*

21       *SEC. 428. Section 424 of the Consolidated Appropria-*  
22 *tions Act, 2014 (Public Law 113–76) is amended by strik-*  
23 *ing “2018” and inserting “2019”.*



1                    *TREATMENT OF CERTAIN HOSPITALS*

2            *SEC. 429. Section 1886(d)(12)(C) of the Social Secu-*  
3 *rity Act (42 U.S.C. 1395ww(d)(12)(C)) is amended by add-*  
4 *ing at the end the following new clause:*

5                    *“(iii) TREATMENT OF INDIAN HEALTH*  
6 *SERVICE AND NON-INDIAN HEALTH SERVICE FA-*  
7 *CILITIES.—For purposes of determining wheth-*  
8 *er—*

9                    *“(I) a subsection (d) hospital of the In-*  
10 *dian Health Service (whether operated by*  
11 *such Service or by an Indian tribe or tribal*  
12 *organization (as those terms are defined in*  
13 *section 4 of the Indian Health Care Im-*  
14 *provement Act)), or*

15                    *“(II) a subsection (d) hospital other*  
16 *than a hospital of the Indian Health Serv-*  
17 *ice meets the mileage criterion under clause*  
18 *(i) with respect to fiscal year 2011 or a suc-*  
19 *ceeding fiscal year, the Secretary shall*  
20 *apply the policy described in the regulation*  
21 *at part 412.101(e) of title 42, Code of Fed-*  
22 *eral Regulations (as in effect on the date of*  
23 *enactment of this clause).”.*

## INFRASTRUCTURE

1  
2       *SEC. 430. (a) For an additional amount for “Environmental Protection Agency—Hazardous Substance Super-*  
3 *fund”, \$63,000,000, of which \$54,389,000 shall be for the*  
4 *Superfund Remedial program and \$8,611,000 shall be for*  
5 *the Superfund Emergency Response and Removal program,*  
6 *to remain available until expended, consisting of such sums*  
7 *as are available in the Trust Fund on September 30, 2017,*  
8 *as authorized by section 517(a) of the Superfund Amend-*  
9 *ments and Reauthorization Act of 1986 (SARA) and up*  
10 *to \$63,000,000 as a payment from general revenues to the*  
11 *Hazardous Substance Superfund for purposes as authorized*  
12 *by section 517(b) of SARA.*

14       *(b) For an additional amount for “Environmental*  
15 *Protection Agency—State and Tribal Assistance Grants,”*  
16 *for environmental programs and infrastructure assistance,*  
17 *including capitalization grants for State revolving funds*  
18 *and performance partnership grants, \$650,000,000 to re-*  
19 *main available until expended, of which—*

20               *(1) \$300,000,000 shall be for making capitaliza-*  
21 *tion grants for the Clean Water State Revolving*  
22 *Funds under title VI of the Federal Water Pollution*  
23 *Control Act; and of which \$300,000,000 shall be for*  
24 *making capitalization grants for the Drinking Water*

1        *State Revolving Funds under section 1452 of the Safe*  
2        *Drinking Water Act;*

3            (2) *\$20,000,000 shall be for grants for small and*  
4        *disadvantaged communities authorized in section*  
5        *2104 of the Water Infrastructure Improvements for*  
6        *the Nation Act (Public Law 114–322);*

7            (3) *\$20,000,000 shall be for grants for lead test-*  
8        *ing in school and child care program drinking water*  
9        *authorized in section 2107 of the Water Infrastructure*  
10       *Improvements for the Nation Act (Public Law 114–*  
11       *322);*

12           (4) *\$10,000,000 shall be for grants for reducing*  
13       *lead in drinking water authorized in section 2105 of*  
14       *the Water Infrastructure Improvements for the Nation*  
15       *Act (Public Law 114–322).*

16        (c) *For an additional amount for “Environmental*  
17       *Protection Agency—Water Infrastructure Finance and In-*  
18       *novation Program Account”, \$53,000,000, to remain avail-*  
19       *able until expended, for the cost of direct loans, for the cost*  
20       *of guaranteed loans, and for administrative expenses to*  
21       *carry out the direct and guaranteed loan programs, of*  
22       *which \$3,000,000, to remain available until September 30,*  
23       *2019, may be used for such administrative expenses: Pro-*  
24       *vided, That these additional funds are available to subsidize*  
25       *gross obligations for the principal amount of direct loans,*

1 *including capitalized interest, and total loan principal, in-*  
2 *cluding capitalized interest, any part of which is to be*  
3 *guaranteed, not to exceed \$6,100,000,000.*

4 *POLICIES RELATING TO BIOMASS ENERGY*

5 *SEC. 431. To support the key role that forests in the*  
6 *United States can play in addressing the energy needs of*  
7 *the United States, the Secretary of Energy, the Secretary*  
8 *of Agriculture, and the Administrator of the Environmental*  
9 *Protection Agency shall, consistent with their missions,*  
10 *jointly—*

11 *(1) ensure that Federal policy relating to forest*  
12 *bioenergy—*

13 *(A) is consistent across all Federal depart-*  
14 *ments and agencies; and*

15 *(B) recognizes the full benefits of the use of*  
16 *forest biomass for energy, conservation, and re-*  
17 *sponsible forest management; and*

18 *(2) establish clear and simple policies for the use*  
19 *of forest biomass as an energy solution, including*  
20 *policies that—*

21 *(A) reflect the carbon-neutrality of forest*  
22 *bioenergy and recognize biomass as a renewable*  
23 *energy source, provided the use of forest biomass*  
24 *for energy production does not cause conversion*  
25 *of forests to non-forest use.*

1           (B) encourage private investment through-  
2           out the forest biomass supply chain, including  
3           in—

4                   (i) working forests;

5                   (ii) harvesting operations;

6                   (iii) forest improvement operations;

7                   (iv) forest bioenergy production;

8                   (v) wood products manufacturing; or

9                   (vi) paper manufacturing;

10           (C) encourage forest management to im-  
11           prove forest health; and

12           (D) recognize State initiatives to produce  
13           and use forest biomass.

14                   CLARIFICATION OF EXEMPTIONS

15           SEC. 432. None of the funds made available in this  
16           Act may be used to require a permit for the discharge of  
17           dredged or fill material under the Federal Water Pollution  
18           Control Act (33 U.S.C. 1251 et seq.) for the activities identi-  
19           fied in subparagraphs (A) and (C) of section 404(f)(1) of  
20           the Act (33 U.S.C. 1344(f)(1)(A), (C)).

21                   SMALL REMOTE INCINERATORS

22           SEC. 433. None of the funds made available in this  
23           Act may be used to implement or enforce the regulation  
24           issued on March 21, 2011 at 40 CFR part 60 subparts  
25           CCCC and DDDD with respect to units in the State of Alas-

1 *ka that are defined as “small, remote incinerator” units*  
 2 *in those regulations and, until a subsequent regulation is*  
 3 *issued, the Administrator shall implement the law and reg-*  
 4 *ulations in effect prior to such date.*

5 *This division may be cited as the “Department of the*  
 6 *Interior, Environment, and Related Agencies Appropria-*  
 7 *tions Act, 2018”.*

8 ***DIVISION H—DEPARTMENTS OF LABOR,***  
 9 ***HEALTH AND HUMAN SERVICES, AND***  
 10 ***EDUCATION, AND RELATED AGENCIES***  
 11 ***APPROPRIATIONS ACT, 2018***

12 ***TITLE I***

13 ***DEPARTMENT OF LABOR***

14 ***EMPLOYMENT AND TRAINING ADMINISTRATION***

15 ***TRAINING AND EMPLOYMENT SERVICES***

16 *For necessary expenses of the Workforce Innovation*  
 17 *and Opportunity Act (referred to in this Act as “WIOA”),*  
 18 *the Second Chance Act of 2007, and the National Appren-*  
 19 *ticeship Act, \$3,486,200,000, plus reimbursements, shall be*  
 20 *available. Of the amounts provided:*

21 *(1) for grants to States for adult employment*  
 22 *and training activities, youth activities, and dis-*  
 23 *located worker employment and training activities,*  
 24 *\$2,789,832,000 as follows:*

1           (A) \$845,556,000 for adult employment and  
2           training activities, of which \$133,556,000 shall  
3           be available for the period July 1, 2018 through  
4           June 30, 2019, and of which \$712,000,000 shall  
5           be available for the period October 1, 2018  
6           through June 30, 2019;

7           (B) \$903,416,000 for youth activities, which  
8           shall be available for the period April 1, 2018  
9           through June 30, 2019; and

10          (C) \$1,040,860,000 for dislocated worker  
11          employment and training activities, of which  
12          \$180,860,000 shall be available for the period  
13          July 1, 2018 through June 30, 2019, and of  
14          which \$860,000,000 shall be available for the pe-  
15          riod October 1, 2018 through June 30, 2019:

16          *Provided, That the funds available for allotment to*  
17          *outlying areas to carry out subtitle B of title I of the*  
18          *WIOA shall not be subject to the requirements of sec-*  
19          *tion 127(b)(1)(B)(ii) of such Act; and*

20          (2) for national programs, \$696,368,000 as fol-  
21          lows:

22                (A) \$220,859,000 for the dislocated workers  
23                assistance national reserve, of which \$20,859,000  
24                shall be available for the period July 1, 2018  
25                through September 30, 2019, and of which

1           \$200,000,000 shall be available for the period  
2           October 1, 2018 through September 30, 2019:  
3           *Provided, That funds provided to carry out sec-*  
4           *tion 132(a)(2)(A) of the WIOA may be used to*  
5           *provide assistance to a State for statewide or*  
6           *local use in order to address cases where there*  
7           *have been worker dislocations across multiple*  
8           *sectors or across multiple local areas and such*  
9           *workers remain dislocated; coordinate the State*  
10          *workforce development plan with emerging eco-*  
11          *nomical development needs; and train such eligible*  
12          *dislocated workers: Provided further, That funds*  
13          *provided to carry out sections 168(b) and 169(c)*  
14          *of the WIOA may be used for technical assistance*  
15          *and demonstration projects, respectively, that*  
16          *provide assistance to new entrants in the work-*  
17          *force and incumbent workers: Provided further,*  
18          *That notwithstanding section 168(b) of the*  
19          *WIOA, of the funds provided under this subpara-*  
20          *graph, the Secretary of Labor (referred to in this*  
21          *title as “Secretary”) may reserve not more than*  
22          *10 percent of such funds to provide technical as-*  
23          *sistance and carry out additional activities re-*  
24          *lated to the transition to the WIOA: Provided*  
25          *further, That of the funds provided under this*



1           *subparagraph, \$30,000,000 shall be for training*  
2           *and employment assistance under sections*  
3           *168(b), 169(c) (notwithstanding the 10 percent*  
4           *limitation in such section) and 170 of the WIOA*  
5           *for workers in the Appalachian region, as de-*  
6           *finied by 40 U.S.C. 14102(a)(1) and workers in*  
7           *the Lower Mississippi, as defined in section 4(2)*  
8           *of the Delta Development Act (Public Law 100–*  
9           *460, 102 Stat. 2246; 7 U.S.C. 2009aa(2));*

10           *(B) \$54,000,000 for Native American pro-*  
11           *grams under section 166 of the WIOA, which*  
12           *shall be available for the period July 1, 2018*  
13           *through June 30, 2019;*

14           *(C) \$87,896,000 for migrant and seasonal*  
15           *farmworker programs under section 167 of the*  
16           *WIOA, including \$81,447,000 for formula grants*  
17           *(of which not less than 70 percent shall be for*  
18           *employment and training services), \$5,922,000*  
19           *for migrant and seasonal housing (of which not*  
20           *less than 70 percent shall be for permanent hous-*  
21           *ing), and \$527,000 for other discretionary pur-*  
22           *poses, which shall be available for the period*  
23           *July 1, 2018 through June 30, 2019: Provided,*  
24           *That notwithstanding any other provision of law*  
25           *or related regulation, the Department of Labor*

1           *shall take no action limiting the number or pro-*  
2           *portion of eligible participants receiving related*  
3           *assistance services or discouraging grantees from*  
4           *providing such services;*

5           *(D) \$89,534,000 for YouthBuild activities*  
6           *as described in section 171 of the WIOA, which*  
7           *shall be available for the period April 1, 2018*  
8           *through June 30, 2019;*

9           *(E) \$93,079,000 for ex-offender activities,*  
10          *under the authority of section 169 of the WIOA*  
11          *and section 212 of the Second Chance Act of*  
12          *2007, which shall be available for the period*  
13          *April 1, 2018 through June 30, 2019: Provided,*  
14          *That of this amount, \$25,000,000 shall be for*  
15          *competitive grants to national and regional*  
16          *intermediaries for activities that prepare young*  
17          *ex-offenders and school dropouts for employment,*  
18          *with a priority for projects serving high-crime,*  
19          *high-poverty areas;*

20          *(F) \$6,000,000 for the Workforce Data*  
21          *Quality Initiative, under the authority of section*  
22          *169 of the WIOA, which shall be available for the*  
23          *period July 1, 2018 through June 30, 2019; and*

24          *(G) \$145,000,000 to expand opportunities*  
25          *relating to apprenticeship programs registered*



1        *ciencies: Provided further, That any funds transferred*  
2        *pursuant to the preceding provision shall not be*  
3        *available for obligation after June 30, 2019: Provided*  
4        *further, That the Committees on Appropriations of*  
5        *the House of Representatives and the Senate are noti-*  
6        *fied at least 15 days in advance of any transfer; and*  
7                *(3) \$32,330,000 for necessary expenses of Job*  
8        *Corps, which shall be available for obligation for the*  
9        *period October 1, 2017 through September 30, 2018:*  
10        *Provided, That no funds from any other appropriation*  
11        *shall be used to provide meal services at or for Job Corps*  
12        *centers.*

13        *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*

14                *To carry out title V of the Older Americans Act of 1965*  
15        *(referred to in this Act as “OAA”), \$400,000,000, which*  
16        *shall be available for the period April 1, 2018 through June*  
17        *30, 2019, and may be recaptured and reobligated in accord-*  
18        *ance with section 517(c) of the OAA.*

19        *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

20                *For payments during fiscal year 2018 of trade adjust-*  
21        *ment benefit payments and allowances under part I of sub-*  
22        *chapter B of chapter 2 of title II of the Trade Act of 1974,*  
23        *and section 246 of that Act; and for training, employment*  
24        *and case management services, allowances for job search*  
25        *and relocation, and related State administrative expenses*

1 *under part II of subchapter B of chapter 2 of title II of*  
2 *the Trade Act of 1974, and including benefit payments, al-*  
3 *lowances, training, employment and case management serv-*  
4 *ices, and related State administration provided pursuant*  
5 *to section 231(a) of the Trade Adjustment Assistance Exten-*  
6 *sion Act of 2011 and section 405(a) of the Trade Preferences*  
7 *Extension Act of 2015, \$790,000,000 together with such*  
8 *amounts as may be necessary to be charged to the subse-*  
9 *quent appropriation for payments for any period subse-*  
10 *quent to September 15, 2018: Provided, That notwith-*  
11 *standing section 502 of this Act, any part of the appropria-*  
12 *tion provided under this heading may remain available for*  
13 *obligation beyond the current fiscal year pursuant to the*  
14 *authorities of section 245(c) of the Trade Act of 1974 (19*  
15 *U.S.C. 2317(c)).*

16 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

17 *SERVICE OPERATIONS*

18 *For authorized administrative expenses, \$84,066,000,*  
19 *together with not to exceed \$3,380,625,000 which may be*  
20 *expended from the Employment Security Administration*  
21 *Account in the Unemployment Trust Fund (“the Trust*  
22 *Fund”), of which:*

23 *(1) \$2,639,600,000 from the Trust Fund is for*  
24 *grants to States for the administration of State un-*  
25 *employment insurance laws as authorized under title*

1 *III of the Social Security Act (including not less than*  
2 *\$120,000,000 to conduct in-person reemployment and*  
3 *eligibility assessments and unemployment insurance*  
4 *improper payment reviews, and to provide reemploy-*  
5 *ment services and referrals to training as appro-*  
6 *priate, for claimants of unemployment insurance for*  
7 *ex-service members under 5 U.S.C. 8521 et. seq. and*  
8 *for claimants of regular unemployment compensation,*  
9 *including those who are profiled as most likely to ex-*  
10 *haust their benefits in each State: Provided, That*  
11 *such activities shall not be subject to section 306 of*  
12 *the Social Security Act; and \$9,000,000 for continued*  
13 *support of the Unemployment Insurance Integrity*  
14 *Center of Excellence), the administration of unem-*  
15 *ployment insurance for Federal employees and for ex-*  
16 *service members as authorized under 5 U.S.C. 8501–*  
17 *8523, and the administration of trade readjustment*  
18 *allowances, reemployment trade adjustment assist-*  
19 *ance, and alternative trade adjustment assistance*  
20 *under the Trade Act of 1974 and under section 231(a)*  
21 *of the Trade Adjustment Assistance Extension Act of*  
22 *2011 and section 405(a) of the Trade Preferences Ex-*  
23 *tension Act of 2015, and shall be available for obliga-*  
24 *tion by the States through December 31, 2018, except*  
25 *that funds used for automation shall be available for*

1       *Federal obligation through December 31, 2018, and*  
2       *for State obligation through September 30, 2020, or,*  
3       *if the automation is being carried out through con-*  
4       *sortia of States, for State obligation through Sep-*  
5       *tember 30, 2023, and for expenditure through Sep-*  
6       *tember 30, 2024, and funds for competitive grants*  
7       *awarded to States for improved operations and to*  
8       *conduct in-person reemployment and eligibility as-*  
9       *sessments and unemployment insurance improper*  
10       *payment reviews and provide reemployment services*  
11       *and referrals to training, as appropriate, shall be*  
12       *available for Federal obligation through December 31,*  
13       *2018, and for obligation by the States through Sep-*  
14       *tember 30, 2020, and funds for the Unemployment In-*  
15       *surance Integrity Center of Excellence shall be avail-*  
16       *able for obligation by the State through September 30,*  
17       *2019, and funds used for unemployment insurance*  
18       *workloads experienced through September 30, 2018*  
19       *shall be available for Federal obligation through De-*  
20       *cember 31, 2018;*

21               (2) *\$13,897,000 from the Trust Fund is for na-*  
22       *tional activities necessary to support the administra-*  
23       *tion of the Federal-State unemployment insurance*  
24       *system;*

1           (3) \$645,000,000 from the Trust Fund, together  
2           with \$21,413,000 from the General Fund of the Treas-  
3           ury, is for grants to States in accordance with section  
4           6 of the Wagner-Peyser Act, and shall be available for  
5           Federal obligation for the period July 1, 2018 through  
6           June 30, 2019;

7           (4) \$19,818,000 from the Trust Fund is for na-  
8           tional activities of the Employment Service, including  
9           administration of the work opportunity tax credit  
10          under section 51 of the Internal Revenue Code of  
11          1986, and the provision of technical assistance and  
12          staff training under the Wagner-Peyser Act;

13          (5) \$62,310,000 from the Trust Fund is for the  
14          administration of foreign labor certifications and re-  
15          lated activities under the Immigration and Nation-  
16          ality Act and related laws, of which \$48,028,000 shall  
17          be available for the Federal administration of such  
18          activities, and \$14,282,000 shall be available for  
19          grants to States for the administration of such activi-  
20          ties; and

21          (6) \$62,653,000 from the General Fund is to  
22          provide workforce information, national electronic  
23          tools, and one-stop system building under the Wagner-  
24          Peyser Act and shall be available for Federal obliga-



1        *tion for the period July 1, 2018 through June 30,*  
2        *2019:*  
3        *Provided, That to the extent that the Average Weekly In-*  
4        *ured Unemployment (“AWIU”) for fiscal year 2018 is pro-*  
5        *jected by the Department of Labor to exceed 2,246,000, an*  
6        *additional \$28,600,000 from the Trust Fund shall be avail-*  
7        *able for obligation for every 100,000 increase in the AWIU*  
8        *level (including a pro rata amount for any increment less*  
9        *than 100,000) to carry out title III of the Social Security*  
10       *Act: Provided further, That funds appropriated in this Act*  
11       *that are allotted to a State to carry out activities under*  
12       *title III of the Social Security Act may be used by such*  
13       *State to assist other States in carrying out activities under*  
14       *such title III if the other States include areas that have*  
15       *suffered a major disaster declared by the President under*  
16       *the Robert T. Stafford Disaster Relief and Emergency As-*  
17       *sistance Act: Provided further, That the Secretary may use*  
18       *funds appropriated for grants to States under title III of*  
19       *the Social Security Act to make payments on behalf of*  
20       *States for the use of the National Directory of New Hires*  
21       *under section 453(j)(8) of such Act: Provided further, That*  
22       *the Secretary may use funds appropriated for grants to*  
23       *States under title III of the Social Security Act to make*  
24       *payments on behalf of States to the entity operating the*  
25       *State Information Data Exchange System: Provided fur-*

1 *ther, That funds appropriated in this Act which are used*  
2 *to establish a national one-stop career center system, or*  
3 *which are used to support the national activities of the Fed-*  
4 *eral-State unemployment insurance, employment service, or*  
5 *immigration programs, may be obligated in contracts,*  
6 *grants, or agreements with States and non-State entities:*  
7 *Provided further, That States awarded competitive grants*  
8 *for improved operations under title III of the Social Secu-*  
9 *rity Act, or awarded grants to support the national activi-*  
10 *ties of the Federal-State unemployment insurance system,*  
11 *may award subgrants to other States and non-State entities*  
12 *under such grants, subject to the conditions applicable to*  
13 *the grants: Provided further, That funds appropriated*  
14 *under this Act for activities authorized under title III of*  
15 *the Social Security Act and the Wagner-Peyser Act may*  
16 *be used by States to fund integrated Unemployment Insur-*  
17 *ance and Employment Service automation efforts, notwith-*  
18 *standing cost allocation principles prescribed under the*  
19 *final rule entitled “Uniform Administrative Requirements,*  
20 *Cost Principles, and Audit Requirements for Federal*  
21 *Awards” at part 200 of title 2, Code of Federal Regulations:*  
22 *Provided further, That the Secretary, at the request of a*  
23 *State participating in a consortium with other States, may*  
24 *reallot funds allotted to such State under title III of the*  
25 *Social Security Act to other States participating in the con-*

1 *sortium in order to carry out activities that benefit the ad-*  
2 *ministration of the unemployment compensation law of the*  
3 *State making the request: Provided further, That the Sec-*  
4 *retary may collect fees for the costs associated with addi-*  
5 *tional data collection, analyses, and reporting services re-*  
6 *lating to the National Agricultural Workers Survey re-*  
7 *quested by State and local governments, public and private*  
8 *institutions of higher education, and nonprofit organiza-*  
9 *tions and may utilize such sums, in accordance with the*  
10 *provisions of 29 U.S.C. 9a, for the National Agricultural*  
11 *Workers Survey infrastructure, methodology, and data to*  
12 *meet the information collection and reporting needs of such*  
13 *entities, which shall be credited to this appropriation and*  
14 *shall remain available until September 30, 2019, for such*  
15 *purposes.*

16 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*  
17 *OTHER FUNDS*

18 *For repayable advances to the Unemployment Trust*  
19 *Fund as authorized by sections 905(d) and 1203 of the So-*  
20 *cial Security Act, and to the Black Lung Disability Trust*  
21 *Fund as authorized by section 9501(c)(1) of the Internal*  
22 *Revenue Code of 1986; and for nonrepayable advances to*  
23 *the revolving fund established by section 901(e) of the Social*  
24 *Security Act, to the Unemployment Trust Fund as author-*  
25 *ized by 5 U.S.C. 8509, and to the “Federal Unemployment*

1 *Benefits and Allowances” account, such sums as may be*  
2 *necessary, which shall be available for obligation through*  
3 *September 30, 2019.*

4 *PROGRAM ADMINISTRATION*

5 *For expenses of administering employment and train-*  
6 *ing programs, \$108,674,000, together with not to exceed*  
7 *\$49,982,000 which may be expended from the Employment*  
8 *Security Administration Account in the Unemployment*  
9 *Trust Fund.*

10 *EMPLOYEE BENEFITS SECURITY ADMINISTRATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Employee Benefits Secu-*  
13 *rity Administration, \$181,000,000, of which up to*  
14 *\$3,000,000 shall be made available through September 30,*  
15 *2019, for the procurement of expert witnesses for enforce-*  
16 *ment litigation.*

17 *PENSION BENEFIT GUARANTY CORPORATION*

18 *PENSION BENEFIT GUARANTY CORPORATION FUND*

19 *The Pension Benefit Guaranty Corporation (“Cor-*  
20 *poration”) is authorized to make such expenditures, includ-*  
21 *ing financial assistance authorized by subtitle E of title IV*  
22 *of the Employee Retirement Income Security Act of 1974,*  
23 *within limits of funds and borrowing authority available*  
24 *to the Corporation, and in accord with law, and to make*  
25 *such contracts and commitments without regard to fiscal*

1 *year limitations, as provided by 31 U.S.C. 9104, as may*  
2 *be necessary in carrying out the program, including associ-*  
3 *ated administrative expenses, through September 30, 2018,*  
4 *for the Corporation: Provided, That none of the funds avail-*  
5 *able to the Corporation for fiscal year 2018 shall be avail-*  
6 *able for obligations for administrative expenses in excess of*  
7 *\$424,417,000: Provided further, That to the extent that the*  
8 *number of new plan participants in plans terminated by*  
9 *the Corporation exceeds 100,000 in fiscal year 2018, an*  
10 *amount not to exceed an additional \$9,200,000 shall be*  
11 *available through September 30, 2019, for obligation for ad-*  
12 *ministrative expenses for every 20,000 additional termi-*  
13 *nated participants: Provided further, That obligations in*  
14 *excess of the amounts provided in this paragraph may be*  
15 *incurred for unforeseen and extraordinary pretermination*  
16 *expenses or extraordinary multiemployer program related*  
17 *expenses after approval by the Office of Management and*  
18 *Budget and notification of the Committees on Appropria-*  
19 *tions of the House of Representatives and the Senate.*

20 *WAGE AND HOUR DIVISION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses for the Wage and Hour Divi-*  
23 *sion, including reimbursement to State, Federal, and local*  
24 *agencies and their employees for inspection services ren-*  
25 *dered, \$227,500,000.*

1            *OFFICE OF LABOR-MANAGEMENT STANDARDS*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses for the Office of Labor-Manage-*  
4 *ment Standards, \$40,187,000.*

5            *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*6                            *SALARIES AND EXPENSES*

7            *For necessary expenses for the Office of Federal Con-*  
8 *tract Compliance Programs, \$103,476,000.*

9            *OFFICE OF WORKERS' COMPENSATION PROGRAMS*10                           *SALARIES AND EXPENSES*

11           *For necessary expenses for the Office of Workers' Com-*  
12 *ensation Programs, \$115,424,000, together with*  
13 *\$2,177,000 which may be expended from the Special Fund*  
14 *in accordance with sections 39(c), 44(d), and 44(j) of the*  
15 *Longshore and Harbor Workers' Compensation Act.*

16                            *SPECIAL BENEFITS*17                            *(INCLUDING TRANSFER OF FUNDS)*

18           *For the payment of compensation, benefits, and ex-*  
19 *penses (except administrative expenses) accruing during the*  
20 *current or any prior fiscal year authorized by 5 U.S.C. 81;*  
21 *continuation of benefits as provided for under the heading*  
22 *"Civilian War Benefits" in the Federal Security Agency*  
23 *Appropriation Act, 1947; the Employees' Compensation*  
24 *Commission Appropriation Act, 1944; section 5(f) of the*  
25 *War Claims Act (50 U.S.C. App. 2012); obligations in-*

1 *curred under the War Hazards Compensation Act (42*  
2 *U.S.C. 1701 et seq.); and 50 percent of the additional com-*  
3 *ensation and benefits required by section 10(h) of the*  
4 *Longshore and Harbor Workers' Compensation Act,*  
5 *\$220,000,000, together with such amounts as may be nec-*  
6 *essary to be charged to the subsequent year appropriation*  
7 *for the payment of compensation and other benefits for any*  
8 *period subsequent to August 15 of the current year, for de-*  
9 *posit into and to assume the attributes of the Employees'*  
10 *Compensation Fund established under 5 U.S.C. 8147(a):*  
11 *Provided, That amounts appropriated may be used under*  
12 *5 U.S.C. 8104 by the Secretary to reimburse an employer,*  
13 *who is not the employer at the time of injury, for portions*  
14 *of the salary of a re-employed, disabled beneficiary: Pro-*  
15 *vided further, That balances of reimbursements unobligated*  
16 *on September 30, 2017, shall remain available until ex-*  
17 *pended for the payment of compensation, benefits, and ex-*  
18 *penses: Provided further, That in addition there shall be*  
19 *transferred to this appropriation from the Postal Service*  
20 *and from any other corporation or instrumentality required*  
21 *under 5 U.S.C. 8147(c) to pay an amount for its fair share*  
22 *of the cost of administration, such sums as the Secretary*  
23 *determines to be the cost of administration for employees*  
24 *of such fair share entities through September 30, 2018: Pro-*  
25 *vided further, That of those funds transferred to this ac-*

1 *count from the fair share entities to pay the cost of adminis-*  
2 *tration of the Federal Employees' Compensation Act,*  
3 *\$71,188,000 shall be made available to the Secretary as fol-*  
4 *lows:*

5           (1) *For enhancement and maintenance of auto-*  
6 *mated data processing systems operations and tele-*  
7 *communications systems, \$24,540,000;*

8           (2) *For automated workload processing oper-*  
9 *ations, including document imaging, centralized mail*  
10 *intake, and medical bill processing, \$22,968,000;*

11           (3) *For periodic roll disability management and*  
12 *medical review, \$21,946,000;*

13           (4) *For program integrity, \$1,734,000; and*

14           (5) *The remaining funds shall be paid into the*  
15 *Treasury as miscellaneous receipts:*

16 *Provided further, That the Secretary may require that any*  
17 *person filing a notice of injury or a claim for benefits under*  
18 *5 U.S.C. 81, or the Longshore and Harbor Workers' Com-*  
19 *pensation Act, provide as part of such notice and claim,*  
20 *such identifying information (including Social Security ac-*  
21 *count number) as such regulations may prescribe.*

22           *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

23           *For carrying out title IV of the Federal Mine Safety*  
24 *and Health Act of 1977, as amended by Public Law 107-*  
25 *275, \$54,319,000, to remain available until expended.*



1        *For making after July 31 of the current fiscal year,*  
2 *benefit payments to individuals under title IV of such Act,*  
3 *for costs incurred in the current fiscal year, such amounts*  
4 *as may be necessary.*

5        *For making benefit payments under title IV for the*  
6 *first quarter of fiscal year 2019, \$15,000,000, to remain*  
7 *available until expended.*

8            *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*

9            *OCCUPATIONAL ILLNESS COMPENSATION FUND*

10        *For necessary expenses to administer the Energy Em-*  
11 *ployees Occupational Illness Compensation Program Act,*  
12 *\$59,846,000, to remain available until expended: Provided,*  
13 *That the Secretary may require that any person filing a*  
14 *claim for benefits under the Act provide as part of such*  
15 *claim such identifying information (including Social Secu-*  
16 *rity account number) as may be prescribed.*

17            *BLACK LUNG DISABILITY TRUST FUND*

18            *(INCLUDING TRANSFER OF FUNDS)*

19        *Such sums as may be necessary from the Black Lung*  
20 *Disability Trust Fund (the “Fund”), to remain available*  
21 *until expended, for payment of all benefits authorized by*  
22 *section 9501(d)(1), (2), (6), and (7) of the Internal Revenue*  
23 *Code of 1986; and repayment of, and payment of interest*  
24 *on advances, as authorized by section 9501(d)(4) of that*  
25 *Act. In addition, the following amounts may be expended*

1 *from the Fund for fiscal year 2018 for expenses of operation*  
2 *and administration of the Black Lung Benefits program,*  
3 *as authorized by section 9501(d)(5): not to exceed*  
4 *\$38,246,000 for transfer to the Office of Workers' Compensa-*  
5 *tion Programs, "Salaries and Expenses"; not to exceed*  
6 *\$31,994,000 for transfer to Departmental Management,*  
7 *"Salaries and Expenses"; not to exceed \$330,000 for trans-*  
8 *fer to Departmental Management, "Office of Inspector Gen-*  
9 *eral"; and not to exceed \$356,000 for payments into mis-*  
10 *cellaneous receipts for the expenses of the Department of the*  
11 *Treasury.*

12 *OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses for the Occupational Safety*  
15 *and Health Administration, \$552,787,000, including not to*  
16 *exceed \$100,850,000 which shall be the maximum amount*  
17 *available for grants to States under section 23(g) of the Oc-*  
18 *cupational Safety and Health Act (the "Act"), which grants*  
19 *shall be no less than 50 percent of the costs of State occupa-*  
20 *tional safety and health programs required to be incurred*  
21 *under plans approved by the Secretary under section 18*  
22 *of the Act; and, in addition, notwithstanding 31 U.S.C.*  
23 *3302, the Occupational Safety and Health Administration*  
24 *may retain up to \$499,000 per fiscal year of training insti-*  
25 *tute course tuition and fees, otherwise authorized by law*

1 to be collected, and may utilize such sums for occupational  
2 safety and health training and education: Provided, That  
3 notwithstanding 31 U.S.C. 3302, the Secretary is author-  
4 ized, during the fiscal year ending September 30, 2018, to  
5 collect and retain fees for services provided to Nationally  
6 Recognized Testing Laboratories, and may utilize such  
7 sums, in accordance with the provisions of 29 U.S.C. 9a,  
8 to administer national and international laboratory rec-  
9 ognition programs that ensure the safety of equipment and  
10 products used by workers in the workplace: Provided fur-  
11 ther, That none of the funds appropriated under this para-  
12 graph shall be obligated or expended to prescribe, issue, ad-  
13 minister, or enforce any standard, rule, regulation, or order  
14 under the Act which is applicable to any person who is en-  
15 gaged in a farming operation which does not maintain a  
16 temporary labor camp and employs 10 or fewer employees:  
17 Provided further, That no funds appropriated under this  
18 paragraph shall be obligated or expended to administer or  
19 enforce any standard, rule, regulation, or order under the  
20 Act with respect to any employer of 10 or fewer employees  
21 who is included within a category having a Days Away,  
22 Restricted, or Transferred (“DART”) occupational injury  
23 and illness rate, at the most precise industrial classification  
24 code for which such data are published, less than the na-  
25 tional average rate as such rates are most recently published

1 *by the Secretary, acting through the Bureau of Labor Sta-*  
2 *tistics, in accordance with section 24 of the Act, except—*

3 *(1) to provide, as authorized by the Act, con-*  
4 *sultation, technical assistance, educational and train-*  
5 *ing services, and to conduct surveys and studies;*

6 *(2) to conduct an inspection or investigation in*  
7 *response to an employee complaint, to issue a citation*  
8 *for violations found during such inspection, and to*  
9 *assess a penalty for violations which are not corrected*  
10 *within a reasonable abatement period and for any*  
11 *willful violations found;*

12 *(3) to take any action authorized by the Act with*  
13 *respect to imminent dangers;*

14 *(4) to take any action authorized by the Act with*  
15 *respect to health hazards;*

16 *(5) to take any action authorized by the Act with*  
17 *respect to a report of an employment accident which*  
18 *is fatal to one or more employees or which results in*  
19 *hospitalization of two or more employees, and to take*  
20 *any action pursuant to such investigation authorized*  
21 *by the Act; and*

22 *(6) to take any action authorized by the Act with*  
23 *respect to complaints of discrimination against em-*  
24 *ployees for exercising rights under the Act:*

1 *Provided further, That the foregoing proviso shall not apply*  
2 *to any person who is engaged in a farming operation which*  
3 *does not maintain a temporary labor camp and employs*  
4 *10 or fewer employees: Provided further, That \$10,537,000*  
5 *shall be available for Susan Harwood training grants, of*  
6 *which the Secretary shall reserve not less than \$4,500,000*  
7 *for Susan Harwood Training Capacity Building Develop-*  
8 *mental grants, as described in Funding Opportunity Num-*  
9 *ber SHTG-GY-16-02 (referenced in the notice of avail-*  
10 *ability of funds published in the Federal Register on May*  
11 *3, 2016 (81 Fed. Reg. 30568)) for program activities start-*  
12 *ing not later than September 30, 2018 and lasting for a*  
13 *period of 12 months: Provided further, That not less than*  
14 *\$3,500,000 shall be for Voluntary Protection Programs.*

15 *MINE SAFETY AND HEALTH ADMINISTRATION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the Mine Safety and Health*  
18 *Administration, \$373,816,000, including purchase and be-*  
19 *stowal of certificates and trophies in connection with mine*  
20 *rescue and first-aid work, and the hire of passenger motor*  
21 *vehicles, including up to \$2,000,000 for mine rescue and*  
22 *recovery activities and not less than \$10,537,000 for State*  
23 *assistance grants: Provided, That amounts available for*  
24 *State assistance grants may be used for the purchase and*  
25 *maintenance of new equipment required by the final rule*

1 entitled “Lowering Miners’ Exposure to Respirable Coal  
2 Mine Dust, Including Continuous Personal Dust Monitors”  
3 published by the Department of Labor in the Federal Reg-  
4 ister on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for opera-  
5 tors that demonstrate financial need as determined by the  
6 Secretary: Provided further, That notwithstanding 31  
7 U.S.C. 3302, not to exceed \$750,000 may be collected by  
8 the National Mine Health and Safety Academy for room,  
9 board, tuition, and the sale of training materials, otherwise  
10 authorized by law to be collected, to be available for mine  
11 safety and health education and training activities: Pro-  
12 vided further, That notwithstanding 31 U.S.C. 3302, the  
13 Mine Safety and Health Administration is authorized to  
14 collect and retain up to \$2,499,000 from fees collected for  
15 the approval and certification of equipment, materials, and  
16 explosives for use in mines, and may utilize such sums for  
17 such activities: Provided further, That the Secretary is au-  
18 thorized to accept lands, buildings, equipment, and other  
19 contributions from public and private sources and to pros-  
20 ecute projects in cooperation with other agencies, Federal,  
21 State, or private: Provided further, That the Mine Safety  
22 and Health Administration is authorized to promote health  
23 and safety education and training in the mining commu-  
24 nity through cooperative programs with States, industry,  
25 and safety associations: Provided further, That the Sec-

1 *retary is authorized to recognize the Joseph A. Holmes Safe-*  
2 *ty Association as a principal safety association and, not-*  
3 *withstanding any other provision of law, may provide*  
4 *funds and, with or without reimbursement, personnel, in-*  
5 *cluding service of Mine Safety and Health Administration*  
6 *officials as officers in local chapters or in the national orga-*  
7 *nization: Provided further, That any funds available to the*  
8 *Department of Labor may be used, with the approval of*  
9 *the Secretary, to provide for the costs of mine rescue and*  
10 *survival operations in the event of a major disaster.*

11 *BUREAU OF LABOR STATISTICS*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses for the Bureau of Labor Statis-*  
14 *tics, including advances or reimbursements to State, Fed-*  
15 *eral, and local agencies and their employees for services ren-*  
16 *dered, \$547,000,000, together with not to exceed \$65,000,000*  
17 *which may be expended from the Employment Security Ad-*  
18 *ministration account in the Unemployment Trust Fund.*

19 *OFFICE OF DISABILITY EMPLOYMENT POLICY*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses for the Office of Disability Em-*  
22 *ployment Policy to provide leadership, develop policy and*  
23 *initiatives, and award grants furthering the objective of*  
24 *eliminating barriers to the training and employment of*  
25 *people with disabilities, \$38,203,000.*

*DEPARTMENTAL MANAGEMENT**SALARIES AND EXPENSES**(INCLUDING TRANSFER OF FUNDS)*

1                   *For necessary expenses for Departmental Management,*  
2                   *including the hire of three passenger motor vehicles,*  
3                   *\$337,536,000, together with not to exceed \$308,000, which*  
4                   *may be expended from the Employment Security Adminis-*  
5                   *tration account in the Unemployment Trust Fund: Pro-*  
6                   *vided, That \$59,825,000 for the Bureau of International*  
7                   *Labor Affairs shall be available for obligation through De-*  
8                   *cember 31, 2018: Provided further, That funds available to*  
9                   *the Bureau of International Labor Affairs may be used to*  
10                   *administer or operate international labor activities, bilat-*  
11                   *eral and multilateral technical assistance, and micro-*  
12                   *finance programs, by or through contracts, grants, sub-*  
13                   *grants and other arrangements: Provided further, That not*  
14                   *more than \$53,825,000 shall be for programs to combat ex-*  
15                   *ploitative child labor internationally and not less than*  
16                   *\$6,000,000 shall be used to implement model programs that*  
17                   *address worker rights issues through technical assistance in*  
18                   *countries with which the United States has free trade agree-*  
19                   *ments or trade preference programs: Provided further, That*  
20                   *\$8,040,000 shall be used for program evaluation and shall*  
21                   *be available for obligation through September 30, 2019:*  
22                   *Provided further, That funds available for program evalua-*  
23                   *tion shall be available for obligation through September 30, 2019:*  
24                   *Provided further, That funds available for program evalua-*  
25                   *tion shall be available for obligation through September 30, 2019:*



1 tion may be used to administer grants for the purpose of  
2 evaluation: Provided further, That grants made for the pur-  
3 pose of evaluation shall be awarded through fair and open  
4 competition: Provided further, That funds available for pro-  
5 gram evaluation may be transferred to any other appro-  
6 priate account in the Department for such purpose: Pro-  
7 vided further, That the Committees on Appropriations of  
8 the House of Representatives and the Senate are notified  
9 at least 15 days in advance of any transfer: Provided fur-  
10 ther, That the funds available to the Women's Bureau may  
11 be used for grants to serve and promote the interests of  
12 women in the workforce: Provided further, That of the  
13 amounts made available to the Women's Bureau, \$994,000  
14 shall be used for grants authorized by the Women in Ap-  
15 prenticeship and Nontraditional Occupations Act.

16 VETERANS EMPLOYMENT AND TRAINING

17 Not to exceed \$245,041,000 may be derived from the  
18 Employment Security Administration account in the Un-  
19 employment Trust Fund to carry out the provisions of  
20 chapters 41, 42, and 43 of title 38, United States Code, of  
21 which:

22 (1) \$180,000,000 is for Jobs for Veterans State  
23 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
24 abled veterans' outreach program specialists under  
25 section 4103A of such title and local veterans' employ-

1 *ment representatives under section 4104(b) of such*  
2 *title, and for the expenses described in section*  
3 *4102A(b)(5)(C), which shall be available for obliga-*  
4 *tion by the States through December 31, 2018, and*  
5 *not to exceed 3 percent for the necessary Federal ex-*  
6 *penditures for data systems and contract support to*  
7 *allow for the tracking of participant and performance*  
8 *information: Provided, That, in addition, such funds*  
9 *may be used to support such specialists and rep-*  
10 *resentatives in the provision of services to*  
11 *transitioning members of the Armed Forces who have*  
12 *participated in the Transition Assistance Program*  
13 *and have been identified as in need of intensive serv-*  
14 *ices, to members of the Armed Forces who are wound-*  
15 *ed, ill, or injured and receiving treatment in military*  
16 *treatment facilities or warrior transition units, and*  
17 *to the spouses or other family caregivers of such*  
18 *wounded, ill, or injured members;*

19 *(2) \$19,500,000 is for carrying out the Transi-*  
20 *tion Assistance Program under 38 U.S.C. 4113 and*  
21 *10 U.S.C. 1144;*

22 *(3) \$42,127,000 is for Federal administration of*  
23 *chapters 41, 42, and 43 of title 38, United States*  
24 *Code; and*

1           (4) \$3,414,000 is for the National Veterans' Em-  
2           ployment and Training Services Institute under 38  
3           U.S.C. 4109:

4           *Provided, That the Secretary may reallocate among the ap-*  
5           *propriations provided under paragraphs (1) through (4)*  
6           *above an amount not to exceed 3 percent of the appropria-*  
7           *tion from which such reallocation is made.*

8           *In addition, from the General Fund of the Treasury,*  
9           *\$50,000,000 is for carrying out programs to assist homeless*  
10          *veterans and veterans at risk of homelessness who are*  
11          *transitioning from certain institutions under sections 2021,*  
12          *2021A, and 2023 of title 38, United States Code: Provided,*  
13          *That notwithstanding subsections (c)(3) and (d) of section*  
14          *2023, the Secretary may award grants through September*  
15          *30, 2018, to provide services under such section: Provided*  
16          *further, That services provided under section 2023 may in-*  
17          *clude, in addition to services to the individuals described*  
18          *in subsection (e) of such section, services to veterans recently*  
19          *released from incarceration who are at risk of homelessness.*

20          *In addition, fees may be assessed and deposited in the*  
21          *HIRE Vets Medallion Award Fund pursuant to section 5(b)*  
22          *of the HIRE Vets Act, as amended herein, and such*  
23          *amounts shall be available to the Secretary to carry out*  
24          *the HIRE Vets Medallion Award Program, as authorized*  
25          *by such Act, and shall remain available until expended:*

1 *Provided, That such sums shall be in addition to any other*  
2 *funds available for such purposes, including funds available*  
3 *under paragraph (3) of this heading: Provided further, That*  
4 *section 2(d) of division O of the Consolidated Appropria-*  
5 *tions Act, 2017 (Public Law 115–31; 38 U.S.C. 4100 note)*  
6 *shall not apply.*

7 *IT MODERNIZATION*

8 *For necessary expenses for Department of Labor cen-*  
9 *tralized infrastructure technology investment activities re-*  
10 *lated to support systems and modernization, \$20,769,000,*  
11 *which shall be available through September 30, 2019.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *For salaries and expenses of the Office of Inspector*  
14 *General in carrying out the provisions of the Inspector Gen-*  
15 *eral Act of 1978, \$83,487,000, together with not to exceed*  
16 *\$5,660,000 which may be expended from the Employment*  
17 *Security Administration account in the Unemployment*  
18 *Trust Fund.*

19 *GENERAL PROVISIONS*

20 *SEC. 101. None of the funds appropriated by this Act*  
21 *for the Job Corps shall be used to pay the salary and bo-*  
22 *nuses of an individual, either as direct costs or any prora-*  
23 *tion as an indirect cost, at a rate in excess of Executive*  
24 *Level II.*

(TRANSFER OF FUNDS)

1  
2       *SEC. 102. Not to exceed 1 percent of any discretionary*  
3 *funds (pursuant to the Balanced Budget and Emergency*  
4 *Deficit Control Act of 1985) which are appropriated for the*  
5 *current fiscal year for the Department of Labor in this Act*  
6 *may be transferred between a program, project, or activity,*  
7 *but no such program, project, or activity shall be increased*  
8 *by more than 3 percent by any such transfer: Provided,*  
9 *That the transfer authority granted by this section shall not*  
10 *be used to create any new program or to fund any project*  
11 *or activity for which no funds are provided in this Act:*  
12 *Provided further, That the Committees on Appropriations*  
13 *of the House of Representatives and the Senate are notified*  
14 *at least 15 days in advance of any transfer.*

15       *SEC. 103. In accordance with Executive Order 13126,*  
16 *none of the funds appropriated or otherwise made available*  
17 *pursuant to this Act shall be obligated or expended for the*  
18 *procurement of goods mined, produced, manufactured, or*  
19 *harvested or services rendered, in whole or in part, by forced*  
20 *or indentured child labor in industries and host countries*  
21 *already identified by the United States Department of*  
22 *Labor prior to enactment of this Act.*

23       *SEC. 104. Except as otherwise provided in this section,*  
24 *none of the funds made available to the Department of*  
25 *Labor for grants under section 414(c) of the American Com-*

1 *petitiveness and Workforce Improvement Act of 1998 (29*  
2 *U.S.C. 2916a) may be used for any purpose other than com-*  
3 *petitive grants for training individuals who are older than*  
4 *16 years of age and are not currently enrolled in school*  
5 *within a local educational agency in the occupations and*  
6 *industries for which employers are using H-1B visas to*  
7 *hire foreign workers, and the related activities necessary to*  
8 *support such training.*

9       *SEC. 105. None of the funds made available by this*  
10 *Act under the heading “Employment and Training Admin-*  
11 *istration” shall be used by a recipient or subrecipient of*  
12 *such funds to pay the salary and bonuses of an individual,*  
13 *either as direct costs or indirect costs, at a rate in excess*  
14 *of Executive Level II. This limitation shall not apply to*  
15 *vendors providing goods and services as defined in Office*  
16 *of Management and Budget Circular A-133. Where States*  
17 *are recipients of such funds, States may establish a lower*  
18 *limit for salaries and bonuses of those receiving salaries and*  
19 *bonuses from subrecipients of such funds, taking into ac-*  
20 *count factors including the relative cost-of-living in the*  
21 *State, the compensation levels for comparable State or local*  
22 *government employees, and the size of the organizations*  
23 *that administer Federal programs involved including Em-*  
24 *ployment and Training Administration programs.*

*(TRANSFER OF FUNDS)*

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*SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to “Program Administration” when it is determined that those services will be more efficiently performed by Federal employees: Provided, That this section shall not apply to section 171 of the WIOA.*

*(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to “Program Administration” in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That notwithstanding section 102 and the preceding proviso, the Secretary may transfer not more than 0.5 percent of funds made available in paragraphs (1) and (2) of the “Office of Job Corps” account to paragraph (3) of such account to carry out program integrity activities related to the Job Corps program: Provided further, That funds transferred under the authority provided by this subsection shall be available for obligation through September 30, 2019.*

1 (TRANSFER OF FUNDS)

2 SEC. 107. (a) *The Secretary may reserve not more*  
3 *than 0.75 percent from each appropriation made available*  
4 *in this Act identified in subsection (b) in order to carry*  
5 *out evaluations of any of the programs or activities that*  
6 *are funded under such accounts. Any funds reserved under*  
7 *this section shall be transferred to “Departmental Manage-*  
8 *ment” for use by the Office of the Chief Evaluation Officer*  
9 *within the Department of Labor, and shall be available for*  
10 *obligation through September 30, 2019: Provided, That such*  
11 *funds shall only be available if the Chief Evaluation Officer*  
12 *of the Department of Labor submits a plan to the Commit-*  
13 *tees on Appropriations of the House of Representatives and*  
14 *the Senate describing the evaluations to be carried out 15*  
15 *days in advance of any transfer.*

16 (b) *The accounts referred to in subsection (a) are:*  
17 *“Training and Employment Services”, “Job Corps”, “Com-*  
18 *munity Service Employment for Older Americans”, “State*  
19 *Unemployment Insurance and Employment Service Oper-*  
20 *ations”, “Employee Benefits Security Administration”,*  
21 *“Office of Workers’ Compensation Programs”, “Wage and*  
22 *Hour Division”, “Office of Federal Contract Compliance*  
23 *Programs”, “Office of Labor Management Standards”, “Oc-*  
24 *cupational Safety and Health Administration”, “Mine*  
25 *Safety and Health Administration”, “Office of Disability*



1 *Employment Policy*”, funding made available to the “Bu-  
2 *reau of International Labor Affairs*” and “*Women’s Bu-*  
3 *reau*” within the “*Departmental Management, Salaries and*  
4 *Expenses*” account, and “*Veterans Employment and Train-*  
5 *ing*”.

6       *SEC. 108. Notwithstanding any other provision of law,*  
7 *beginning October 1, 2017, the Secretary of Labor, in con-*  
8 *sultation with the Secretary of Agriculture may select an*  
9 *entity to operate a Civilian Conservation Center on a com-*  
10 *petitive basis in accordance with section 147 of the WIOA,*  
11 *if the Secretary of Labor determines such Center has had*  
12 *consistently low performance under the performance ac-*  
13 *countability system in effect for the Job Corps program*  
14 *prior to July 1, 2016, or with respect to expected levels of*  
15 *performance established under section 159(c) of such Act be-*  
16 *ginning July 1, 2016.*

17       *SEC. 109. (a) Section 7 of the Fair Labor Standards*  
18 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*  
19 *lowing text is part of such section:*

20       “(s)(1) *The provisions of this section shall not apply*  
21 *for a period of 2 years after the occurrence of a major dis-*  
22 *aster to any employee—*

23               “(A) *employed to adjust or evaluate claims re-*  
24 *sulting from or relating to such major disaster, by an*  
25 *employer not engaged, directly or through an affiliate,*

1 *in underwriting, selling, or marketing property, cas-*  
2 *ualty, or liability insurance policies or contracts;*

3 *“(B) who receives from such employer on average*  
4 *weekly compensation of not less than \$591.00 per*  
5 *week or any minimum weekly amount established by*  
6 *the Secretary, whichever is greater, for the number of*  
7 *weeks such employee is engaged in any of the activi-*  
8 *ties described in subparagraph (C); and*

9 *“(C) whose duties include any of the following:*

10 *“(i) interviewing insured individuals, indi-*  
11 *viduals who suffered injuries or other damages or*  
12 *losses arising from or relating to a disaster, wit-*  
13 *nesses, or physicians;*

14 *“(ii) inspecting property damage or review-*  
15 *ing factual information to prepare damage esti-*  
16 *mates;*

17 *“(iii) evaluating and making recommenda-*  
18 *tions regarding coverage or compensability of*  
19 *claims or determining liability or value aspects*  
20 *of claims;*

21 *“(iv) negotiating settlements; or*

22 *“(v) making recommendations regarding*  
23 *litigation.*

24 *“(2) The exemption in this subsection shall not affect*  
25 *the exemption provided by section 13(a)(1).*

1       “(3) For purposes of this subsection—

2               “(A) the term ‘major disaster’ means any dis-  
3       aster or catastrophe declared or designated by any  
4       State or Federal agency or department;

5               “(B) the term ‘employee employed to adjust or  
6       evaluate claims resulting from or relating to such  
7       major disaster’ means an individual who timely se-  
8       cured or secures a license required by applicable law  
9       to engage in and perform the activities described in  
10      clauses (i) through (v) of paragraph (1)(C) relating to  
11      a major disaster, and is employed by an employer  
12      that maintains worker compensation insurance cov-  
13      erage or protection for its employees, if required by  
14      applicable law, and withholds applicable Federal,  
15      State, and local income and payroll taxes from the  
16      wages, salaries and any benefits of such employees;  
17      and

18              “(C) the term ‘affiliate’ means a company that,  
19      by reason of ownership or control of 25 percent or  
20      more of the outstanding shares of any class of voting  
21      securities of one or more companies, directly or indi-  
22      rectly, controls, is controlled by, or is under common  
23      control with, another company.”.

24      (b) This section shall be effective on the date of enact-  
25      ment of this Act.

(RESCISSION)

1  
2       *SEC. 110. Of the funds made available under the head-*  
3 *ing “Employment and Training Administration–Training*  
4 *and Employment Services” in division H of Public Law*  
5 *115–31, \$12,500,000 is rescinded, to be derived from the*  
6 *amount made available in paragraph (2)(A) under such*  
7 *heading for the period October 1, 2017, through September*  
8 *30, 2018.*

9       *SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE*  
10 *CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE*  
11 *SEAFOOD INDUSTRY.—*

12           (1) *IN GENERAL.—Subject to paragraph (2), if a*  
13 *petition for H–2B nonimmigrants filed by an em-*  
14 *ployer in the seafood industry is granted, the em-*  
15 *ployer may bring the nonimmigrants described in the*  
16 *petition into the United States at any time during*  
17 *the 120-day period beginning on the start date for*  
18 *which the employer is seeking the services of the non-*  
19 *immigrants without filing another petition.*

20           (2) *REQUIREMENTS FOR CROSSINGS AFTER 90TH*  
21 *DAY.—An employer in the seafood industry may not*  
22 *bring H–2B nonimmigrants into the United States*  
23 *after the date that is 90 days after the start date for*  
24 *which the employer is seeking the services of the non-*  
25 *immigrants unless the employer—*

1           (A) completes a new assessment of the local  
2 labor market by—

3           (i) listing job orders in local news-  
4 papers on 2 separate Sundays; and

5           (ii) posting the job opportunity on the  
6 appropriate Department of Labor Elec-  
7 tronic Job Registry and at the employer's  
8 place of employment; and

9           (B) offers the job to an equally or better  
10 qualified United States worker who—

11           (i) applies for the job; and

12           (ii) will be available at the time and  
13 place of need.

14           (3) *EXEMPTION FROM RULES WITH RESPECT TO*  
15 *STAGGERING.*—The Secretary of Labor shall not con-  
16 sider an employer in the seafood industry who brings  
17 H-2B nonimmigrants into the United States during  
18 the 120-day period specified in paragraph (1) to be  
19 staggering the date of need in violation of section  
20 655.20(d) of title 20, Code of Federal Regulations, or  
21 any other applicable provision of law.

22           (b) *H-2B NONIMMIGRANTS DEFINED.*—In this section,  
23 the term “H-2B nonimmigrants” means aliens admitted  
24 to the United States pursuant to section

1 *101(a)(15)(H)(ii)(B) of the Immigration and Nationality*  
2 *Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).*

3       *SEC. 112. The determination of prevailing wage for*  
4 *the purposes of the H-2B program shall be the greater of—*  
5 *(1) the actual wage level paid by the employer to other em-*  
6 *ployees with similar experience and qualifications for such*  
7 *position in the same location; or (2) the prevailing wage*  
8 *level for the occupational classification of the position in*  
9 *the geographic area in which the H-2B nonimmigrant will*  
10 *be employed, based on the best information available at the*  
11 *time of filing the petition. In the determination of pre-*  
12 *ailing wage for the purposes of the H-2B program, the*  
13 *Secretary shall accept private wage surveys even in in-*  
14 *stances where Occupational Employment Statistics survey*  
15 *data are available unless the Secretary determines that the*  
16 *methodology and data in the provided survey are not statis-*  
17 *tically supported.*

18       *SEC. 113. None of the funds in this Act shall be used*  
19 *to enforce the definition of corresponding employment found*  
20 *in 20 CFR 655.5 or the three-fourths guarantee rule defini-*  
21 *tion found in 20 CFR 655.20, or any references thereto.*  
22 *Further, for the purpose of regulating admission of tem-*  
23 *porary workers under the H-2B program, the definition of*  
24 *temporary need shall be that provided in 8 CFR*  
25 *214.2(h)(6)(ii)(B).*

1        *SEC. 114. Notwithstanding any other provision of law,*  
2 *the Secretary may furnish through grants, cooperative*  
3 *agreements, contracts, and other arrangements, up to*  
4 *\$2,000,000 of excess personal property to apprenticeship*  
5 *programs for the purpose of training apprentices in those*  
6 *programs.*

7        *SEC. 115. The proviso at the end of paragraph (1)*  
8 *under the heading “Department of Labor—Employment*  
9 *and Training Administration—State Unemployment In-*  
10 *surance and Employment Service Operations” in title I of*  
11 *division G of Public Law 113–235 shall be applied in fiscal*  
12 *year 2018 by substituting “seven” for “six”.*

13        *SEC. 116. Section 5(b) of the HIRE Vets Act (division*  
14 *O of Public Law 115–31) is amended to read as follows:*

15        *“(b) To the extent provided in advance in appropria-*  
16 *tions Acts, the Secretary may assess a reasonable fee on em-*  
17 *ployers that apply for receipt of a HIRE Vets Medallion*  
18 *Award and the Secretary shall deposit such fees into the*  
19 *HIRE Vets Medallion Award Fund. The Secretary shall es-*  
20 *tablish the amount of the fee such that the amounts collected*  
21 *as fees and deposited into the Fund are sufficient to cover*  
22 *the costs associated with carrying out this division.”.*

23        *SEC. 117. (a) The Act entitled “An Act to create a*  
24 *Department of Labor”, approved March 4, 1913 (37 Stat.*

1 736, chapter 141) shall be applied as if the following text  
2 is part of such Act:

3 **“SEC. 12. SECURITY DETAIL.**

4 “(a) *IN GENERAL.*—The Secretary of Labor is author-  
5 ized to employ law enforcement officers or special agents  
6 to—

7 “(1) provide protection for the Secretary of  
8 Labor during the workday of the Secretary and dur-  
9 ing any activity that is preliminary or postliminary  
10 to the performance of official duties by the Secretary;

11 “(2) provide protection, incidental to the protec-  
12 tion provided to the Secretary, to a member of the im-  
13 mediate family of the Secretary who is participating  
14 in an activity or event relating to the official duties  
15 of the Secretary;

16 “(3) provide continuous protection to the Sec-  
17 retary (including during periods not described in  
18 paragraph (1)) and to the members of the immediate  
19 family of the Secretary if there is a unique and  
20 articulable threat of physical harm, in accordance  
21 with guidelines established by the Secretary; and

22 “(4) provide protection to the Deputy Secretary  
23 of Labor or another senior officer representing the  
24 Secretary of Labor at a public event if there is a  
25 unique and articulable threat of physical harm, in



1       *accordance with guidelines established by the Sec-*  
2       *retary.*

3       “(b) *AUTHORITIES.*—*The Secretary of Labor may au-*  
4       *thorize a law enforcement officer or special agent employed*  
5       *under subsection (a), for the purpose of performing the du-*  
6       *ties authorized under subsection (a), to—*

7               “(1) *carry firearms;*

8               “(2) *make arrests without a warrant for any of-*  
9       *fense against the United States committed in the*  
10       *presence of such officer or special agent;*

11              “(3) *perform protective intelligence work, includ-*  
12       *ing identifying and mitigating potential threats and*  
13       *conducting advance work to review security matters*  
14       *relating to sites and events;*

15              “(4) *coordinate with local law enforcement agen-*  
16       *cies; and*

17              “(5) *initiate criminal and other investigations*  
18       *into potential threats to the security of the Secretary,*  
19       *in coordination with the Inspector General of the De-*  
20       *partment of Labor.*

21       “(c) *COMPLIANCE WITH GUIDELINES.*—*A law enforce-*  
22       *ment officer or special agent employed under subsection (a)*  
23       *shall exercise any authority provided under this section in*  
24       *accordance with any—*

1           “(1) guidelines issued by the Attorney General;  
2           and  
3           “(2) guidelines prescribed by the Secretary of  
4           Labor.”.

5           (b) This section shall be effective on the date of enact-  
6           ment of this Act.

7           SEC. 118. The Secretary is authorized to dispose of or  
8           divest, by any means the Secretary determines appropriate,  
9           including an agreement or partnership to construct a new  
10          Job Corps center, all or a portion of the real property on  
11          which the Treasure Island Job Corps Center is situated.  
12          Any sale or other disposition will not be subject to any re-  
13          quirement of any Federal law or regulation relating to the  
14          disposition of Federal real property, including but not lim-  
15          ited to Subchapter III of Chapter 5 of Title 40 of the United  
16          States Code and Subchapter V of Chapter 119 of Title 42  
17          of the United States Code. The net proceeds of such a sale  
18          shall be transferred to the Secretary, which shall be avail-  
19          able until expended to carry out the Job Corps Program.  
20          This title may be cited as the “Department of Labor  
21          Appropriations Act, 2018”.

1 *TITLE II*  
2 *DEPARTMENT OF HEALTH AND HUMAN*  
3 *SERVICES*  
4 *HEALTH RESOURCES AND SERVICES ADMINISTRATION*  
5 *PRIMARY HEALTH CARE*  
6 *For carrying out titles II and III of the Public Health*  
7 *Service Act (referred to in this Act as the “PHS Act”) with*  
8 *respect to primary health care and the Native Hawaiian*  
9 *Health Care Act of 1988, \$1,626,522,000: Provided, That*  
10 *no more than \$1,000,000 shall be available until expended*  
11 *for carrying out the provisions of section 224(o) of the PHS*  
12 *Act: Provided further, That no more than \$114,893,000*  
13 *shall be available until expended for carrying out sub-*  
14 *sections (g) through (n) and (q) of section 224 of the PHS*  
15 *Act, and for expenses incurred by the Department of Health*  
16 *and Human Services (referred to in this Act as “HHS”)*  
17 *pertaining to administrative claims made under such law:*  
18 *Provided further, That the ninth provisos under the heading*  
19 *“Department of Health and Human Services—Health Re-*  
20 *sources and Services Administration—Health Resources*  
21 *and Services” in Public Laws 104–208 and 105–78 are*  
22 *amended by striking “\$80,000,000” and inserting*  
23 *“\$152,700,000” in each such ninth proviso and by adding*  
24 *at the end of each such ninth proviso the following new pro-*  
25 *viso: “Provided further, That such costs, including the cost*

1 *of modifying such loans, shall be as defined in section 502*  
2 *of the Congressional Budget Act of 1974:”*: *Provided further,*  
3 *That of funds provided for the Health Centers program, as*  
4 *defined by section 330 of the PHS Act, by this Act or any*  
5 *other Act for fiscal year 2018, not less than \$200,000,000*  
6 *shall be obligated in fiscal year 2018 for improving quality*  
7 *of care or expanded service grants under section 330 of the*  
8 *PHS Act to support and enhance behavioral health, mental*  
9 *health, or substance use disorder services.*

10 *Of the funds made available under this heading,*  
11 *\$20,000,000 shall remain available until expended for the*  
12 *cost of guaranteed loans, as authorized under part A of title*  
13 *XVI of the PHS Act, for non-Federal lenders for the con-*  
14 *struction, renovation, and modernization of medical facili-*  
15 *ties that are operated by health centers: Provided, That such*  
16 *costs, including the cost of modifying such loans, shall be*  
17 *as defined in section 502 of the Congressional Budget Act*  
18 *of 1974: Provided further, That such funds are available*  
19 *to subsidize total loan principal, any part of which is to*  
20 *be guaranteed, not to exceed \$743,494,000.*

21 *HEALTH WORKFORCE*

22 *For carrying out titles III, VII, and VIII of the PHS*  
23 *Act with respect to the health workforce, sections 1128E and*  
24 *1921 of the Social Security Act, and the Health Care Qual-*  
25 *ity Improvement Act of 1986, \$1,060,695,000, of which*

1 \$111,916,000 shall remain available through September 30,  
2 2019 to carry out sections 755 and 756 of the PHS Act:  
3 Provided, That sections 747(c)(2), 751(j)(2), 762(k), and the  
4 proportional funding amounts in paragraphs (1) through  
5 (4) of section 756(f) of the PHS Act shall not apply to funds  
6 made available under this heading: Provided further, That  
7 for any program operating under section 751 of the PHS  
8 Act on or before January 1, 2009, the Secretary of Health  
9 and Human Services (referred to in this title as the “Sec-  
10 retary”) may hereafter waive any of the requirements con-  
11 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such  
12 Act for the full project period of a grant under such section:  
13 Provided further, That no funds shall be available for sec-  
14 tion 340G–1 of the PHS Act: Provided further, That fees  
15 collected for the disclosure of information under section  
16 427(b) of the Health Care Quality Improvement Act of 1986  
17 and sections 1128E(d)(2) and 1921 of the Social Security  
18 Act shall be sufficient to recover the full costs of operating  
19 the programs authorized by such sections and shall remain  
20 available until expended for the National Practitioner Data  
21 Bank: Provided further, That funds transferred to this ac-  
22 count to carry out section 846 and subpart 3 of part D  
23 of title III of the PHS Act may be used to make prior year  
24 adjustments to awards made under such sections: Provided  
25 further, That \$105,000,000 shall remain available until ex-

1 *pended, for the purposes of providing primary health serv-*  
2 *ices, be used to assign National Health Service Corps*  
3 *(“NHSC”) members to expand the delivery of substance use*  
4 *disorder treatment services, notwithstanding the assignment*  
5 *priorities and limitations in or under sections*  
6 *333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS*  
7 *Act, and to make NHSC Loan Repayment Program awards*  
8 *under section 338B of such Act: Provided further, That for*  
9 *purposes of the previous proviso, section 331(a)(3)(D) of the*  
10 *PHS Act shall be applied as if the term “primary health*  
11 *services” includes clinical substance use disorder treatment*  
12 *services, including those provided by masters level, licensed*  
13 *substance use disorder treatment counselors.*

14 *MATERNAL AND CHILD HEALTH*

15 *For carrying out titles III, XI, XII, and XIX of the*  
16 *PHS Act with respect to maternal and child health, title*  
17 *V of the Social Security Act, and section 712 of the Amer-*  
18 *ican Jobs Creation Act of 2004, \$886,789,000, of which*  
19 *\$10,000,000 shall remain available through September 30,*  
20 *2022 to carry out section 330M of the PHS Act: Provided,*  
21 *That notwithstanding sections 502(a)(1) and 502(b)(1) of*  
22 *the Social Security Act, not more than \$83,593,000 shall*  
23 *be available for carrying out special projects of regional and*  
24 *national significance pursuant to section 501(a)(2) of such*  
25 *Act and \$10,276,000 shall be available for projects described*

1 *in subparagraphs (A) through (F) of section 501(a)(3) of*  
2 *such Act.*

3 *RYAN WHITE HIV/AIDS PROGRAM*

4 *For carrying out title XXVI of the PHS Act with re-*  
5 *spect to the Ryan White HIV/AIDS program,*  
6 *\$2,318,781,000, of which \$1,970,881,000 shall remain*  
7 *available to the Secretary through September 30, 2020, for*  
8 *parts A and B of title XXVI of the PHS Act, and of which*  
9 *not less than \$900,313,000 shall be for State AIDS Drug*  
10 *Assistance Programs under the authority of section 2616*  
11 *or 311(c) of such Act.*

12 *HEALTH CARE SYSTEMS*

13 *For carrying out titles III and XII of the PHS Act*  
14 *with respect to health care systems, and the Stem Cell*  
15 *Therapeutic and Research Act of 2005, \$111,693,000, of*  
16 *which \$122,000 shall be available until expended for facili-*  
17 *ties renovations at the Gillis W. Long Hansen's Disease*  
18 *Center.*

19 *RURAL HEALTH*

20 *For carrying out titles III and IV of the PHS Act with*  
21 *respect to rural health, section 427(a) of the Federal Coal*  
22 *Mine Health and Safety Act of 1969, and sections 711 and*  
23 *1820 of the Social Security Act, \$290,794,000, of which*  
24 *\$49,609,000 from general revenues, notwithstanding section*  
25 *1820(j) of the Social Security Act, shall be available for*

1 *carrying out the Medicare rural hospital flexibility grants*  
2 *program: Provided, That of the funds made available under*  
3 *this heading for Medicare rural hospital flexibility grants,*  
4 *\$15,942,000 shall be available for the Small Rural Hospital*  
5 *Improvement Grant Program for quality improvement and*  
6 *adoption of health information technology and up to*  
7 *\$1,000,000 shall be to carry out section 1820(g)(6) of the*  
8 *Social Security Act, with funds provided for grants under*  
9 *section 1820(g)(6) available for the purchase and imple-*  
10 *mentation of telehealth services, including pilots and dem-*  
11 *onstrations on the use of electronic health records to coordi-*  
12 *nate rural veterans care between rural providers and the*  
13 *Department of Veterans Affairs electronic health record sys-*  
14 *tem: Provided further, That notwithstanding section*  
15 *338J(k) of the PHS Act, \$10,000,000 shall be available for*  
16 *State Offices of Rural Health: Provided further, That*  
17 *\$15,000,000 shall remain available through September 30,*  
18 *2020 to support the Rural Residency Development Pro-*  
19 *gram: Provided further, That \$100,000,000 shall remain*  
20 *available through September 30, 2022, for the Rural Com-*  
21 *munities Opioids Response Program.*

22

*FAMILY PLANNING*

23 *For carrying out the program under title X of the PHS*  
24 *Act to provide for voluntary family planning projects,*  
25 *\$286,479,000: Provided, That amounts provided to said*



1 *projects under such title shall not be expended for abortions,*  
2 *that all pregnancy counseling shall be nondirective, and*  
3 *that such amounts shall not be expended for any activity*  
4 *(including the publication or distribution of literature) that*  
5 *in any way tends to promote public support or opposition*  
6 *to any legislative proposal or candidate for public office.*

7 *PROGRAM MANAGEMENT*

8 *For program support in the Health Resources and*  
9 *Services Administration, \$155,000,000: Provided, That*  
10 *funds made available under this heading may be used to*  
11 *supplement program support funding provided under the*  
12 *headings “Primary Health Care”, “Health Workforce”,*  
13 *“Maternal and Child Health”, “Ryan White HIV/AIDS*  
14 *Program”, “Health Care Systems”, and “Rural Health”.*

15 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

16 *For payments from the Vaccine Injury Compensation*  
17 *Program Trust Fund (the “Trust Fund”), such sums as*  
18 *may be necessary for claims associated with vaccine-related*  
19 *injury or death with respect to vaccines administered after*  
20 *September 30, 1988, pursuant to subtitle 2 of title XXI of*  
21 *the PHS Act, to remain available until expended: Provided,*  
22 *That for necessary administrative expenses, not to exceed*  
23 *\$9,200,000 shall be available from the Trust Fund to the*  
24 *Secretary.*

1        *CENTERS FOR DISEASE CONTROL AND PREVENTION*

2                *IMMUNIZATION AND RESPIRATORY DISEASES*

3        *For carrying out titles II, III, XVII, and XXI, and*  
4 *section 2821 of the PHS Act, titles II and IV of the Immi-*  
5 *gration and Nationality Act, and section 501 of the Refugee*  
6 *Education Assistance Act, with respect to immunization*  
7 *and respiratory diseases, \$474,055,000.*

8        *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*

9                *DISEASES, AND TUBERCULOSIS PREVENTION*

10        *For carrying out titles II, III, XVII, and XXIII of the*  
11 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*  
12 *ally transmitted diseases, and tuberculosis prevention,*  
13 *\$1,127,278,000.*

14        *EMERGING AND ZOOONOTIC INFECTIOUS DISEASES*

15        *For carrying out titles II, III, and XVII, and section*  
16 *2821 of the PHS Act, titles II and IV of the Immigration*  
17 *and Nationality Act, and section 501 of the Refugee Edu-*  
18 *cation Assistance Act, with respect to emerging and zoonotic*  
19 *infectious diseases, \$562,572,000.*

20        *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*

21        *For carrying out titles II, III, XI, XV, XVII, and XIX*  
22 *of the PHS Act with respect to chronic disease prevention*  
23 *and health promotion, \$915,346,000: Provided, That funds*  
24 *appropriated under this account may be available for mak-*  
25 *ing grants under section 1509 of the PHS Act for not less*

1 *than 21 States, tribes, or tribal organizations: Provided fur-*  
2 *ther, That of the funds made available under this heading,*  
3 *\$15,000,000 shall be available to continue and expand com-*  
4 *munity specific extension and outreach programs to combat*  
5 *obesity in counties with the highest levels of obesity: Pro-*  
6 *vided further, That the proportional funding requirements*  
7 *under section 1503(a) of the PHS Act shall not apply to*  
8 *funds made available under this heading.*

9 *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*

10 *DISABILITIES AND HEALTH*

11 *For carrying out titles II, III, XI, and XVII of the*  
12 *PHS Act with respect to birth defects, developmental dis-*  
13 *abilities, disabilities and health, \$140,560,000.*

14 *PUBLIC HEALTH SCIENTIFIC SERVICES*

15 *For carrying out titles II, III, and XVII of the PHS*  
16 *Act with respect to health statistics, surveillance, health*  
17 *informatics, and workforce development, \$490,397,000.*

18 *ENVIRONMENTAL HEALTH*

19 *For carrying out titles II, III, and XVII of the PHS*  
20 *Act with respect to environmental health, \$188,750,000.*

21 *INJURY PREVENTION AND CONTROL*

22 *For carrying out titles II, III, and XVII of the PHS*  
23 *Act with respect to injury prevention and control,*  
24 *\$648,559,000, of which \$475,579,000 shall remain available*

1 *until September 30, 2019 for an evidence-based opioid drug*  
2 *overdose prevention program.*

3 *NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND*  
4 *HEALTH*

5 *For carrying out titles II, III, and XVII of the PHS*  
6 *Act, sections 101, 102, 103, 201, 202, 203, 301, and 501*  
7 *of the Federal Mine Safety and Health Act, section 13 of*  
8 *the Mine Improvement and New Emergency Response Act,*  
9 *and sections 20, 21, and 22 of the Occupational Safety and*  
10 *Health Act, with respect to occupational safety and health,*  
11 *\$335,200,000.*

12 *ENERGY EMPLOYEES OCCUPATIONAL ILLNESS*  
13 *COMPENSATION PROGRAM*

14 *For necessary expenses to administer the Energy Em-*  
15 *ployees Occupational Illness Compensation Program Act,*  
16 *\$55,358,000, to remain available until expended: Provided,*  
17 *That this amount shall be available consistent with the pro-*  
18 *vision regarding administrative expenses in section 151(b)*  
19 *of division B, title I of Public Law 106–554.*

20 *GLOBAL HEALTH*

21 *For carrying out titles II, III, and XVII of the PHS*  
22 *Act with respect to global health, \$488,621,000, of which*  
23 *(1) \$128,421,000 shall remain available through September*  
24 *30, 2019 for international HIV/AIDS and (2) \$50,000,000*  
25 *shall remain available through September 30, 2020 for*

1 *Global Disease Detection and Emergency Response: Pro-*  
2 *vided, That funds may be used for purchase and insurance*  
3 *of official motor vehicles in foreign countries.*

4 *PUBLIC HEALTH PREPAREDNESS AND RESPONSE*

5 *For carrying out titles II, III, and XVII of the PHS*  
6 *Act with respect to public health preparedness and response,*  
7 *and for expenses necessary to support activities related to*  
8 *countering potential biological, nuclear, radiological, and*  
9 *chemical threats to civilian populations, \$1,450,000,000, of*  
10 *which \$610,000,000 shall remain available until expended*  
11 *for the Strategic National Stockpile: Provided, That in the*  
12 *event the Director of the Centers for Disease Control and*  
13 *Prevention (referred to in this title as “CDC”) activates the*  
14 *Emergency Operations Center, the Director of the CDC may*  
15 *detail CDC staff without reimbursement for up to 90 days*  
16 *to support the work of the CDC Emergency Operations Cen-*  
17 *ter, so long as the Director provides a notice to the Commit-*  
18 *tees on Appropriations of the House of Representatives and*  
19 *the Senate within 15 days of the use of this authority and*  
20 *a full report within 30 days after use of this authority*  
21 *which includes the number of staff and funding level broken*  
22 *down by the originating center and number of days de-*  
23 *tailed: Provided further, That funds appropriated under*  
24 *this heading may be used to support a contract for the oper-*  
25 *ation and maintenance of an aircraft in direct support of*

1 *activities throughout CDC to ensure the agency is prepared*  
2 *to address public health preparedness emergencies.*

3 *BUILDINGS AND FACILITIES*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For acquisition of real property, equipment, construc-*  
6 *tion, demolition, and renovation of facilities, \$270,000,000,*  
7 *which shall remain available until September 30, 2022, of*  
8 *which \$240,000,000 shall be for a CDC biosafety level 4 lab-*  
9 *oratory: Provided, That in addition to the amount pro-*  
10 *vided, \$240,000,000 shall be for a CDC biosafety level 4 lab-*  
11 *oratory for the purposes described in the previous proviso*  
12 *and shall be derived by transfer from the Fund established*  
13 *by Public Law 110–161, division G, title II, section 223*  
14 *and shall remain available until September 30, 2022: Pro-*  
15 *vided further, That funds previously set-aside by CDC for*  
16 *repair and upgrade of the Lake Lynn Experimental Mine*  
17 *and Laboratory shall be used to acquire a replacement mine*  
18 *safety research facility: Provided further, That in addition,*  
19 *the prior year unobligated balance of any amounts assigned*  
20 *to former employees in accounts of CDC made available for*  
21 *Individual Learning Accounts shall be credited to and*  
22 *merged with the amounts made available under this head-*  
23 *ing to support the replacement of the mine safety research*  
24 *facility.*

1 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*

2 *For carrying out titles II, III, XVII and XIX, and*  
3 *section 2821 of the PHS Act and for cross-cutting activities*  
4 *and program support for activities funded in other appro-*  
5 *priations included in this Act for the Centers for Disease*  
6 *Control and Prevention, \$113,570,000: Provided, That*  
7 *paragraphs (1) through (3) of subsection (b) of section 2821*  
8 *of the PHS Act shall not apply to funds appropriated under*  
9 *this heading and in all other accounts of the CDC: Provided*  
10 *further, That employees of CDC or the Public Health Serv-*  
11 *ice, both civilian and commissioned officers, detailed to*  
12 *States, municipalities, or other organizations under author-*  
13 *ity of section 214 of the PHS Act, or in overseas assign-*  
14 *ments, shall be treated as non-Federal employees for report-*  
15 *ing purposes only and shall not be included within any*  
16 *personnel ceiling applicable to the Agency, Service, or HHS*  
17 *during the period of detail or assignment: Provided further,*  
18 *That CDC may use up to \$10,000 from amounts appro-*  
19 *priated to CDC in this Act for official reception and rep-*  
20 *resentation expenses when specifically approved by the Di-*  
21 *rector of CDC: Provided further, That in addition, such*  
22 *sums as may be derived from authorized user fees, which*  
23 *shall be credited to the appropriation charged with the cost*  
24 *thereof: Provided further, That with respect to the previous*  
25 *proviso, authorized user fees from the Vessel Sanitation Pro-*

1 *gram and the Respirator Certification Program shall be*  
2 *available through September 30, 2019.*

3 *NATIONAL INSTITUTES OF HEALTH*

4 *NATIONAL CANCER INSTITUTE*

5 *For carrying out section 301 and title IV of the PHS*  
6 *Act with respect to cancer, \$5,664,800,000, of which up to*  
7 *\$30,000,000 may be used for facilities repairs and improve-*  
8 *ments at the National Cancer Institute—Frederick Feder-*  
9 *ally Funded Research and Development Center in Fred-*  
10 *erick, Maryland.*

11 *NATIONAL HEART, LUNG, AND BLOOD INSTITUTE*

12 *For carrying out section 301 and title IV of the PHS*  
13 *Act with respect to cardiovascular, lung, and blood diseases,*  
14 *and blood and blood products, \$3,383,201,000.*

15 *NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL*

16 *RESEARCH*

17 *For carrying out section 301 and title IV of the PHS*  
18 *Act with respect to dental and craniofacial diseases,*  
19 *\$447,735,000.*

20 *NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND*

21 *KIDNEY DISEASES*

22 *For carrying out section 301 and title IV of the PHS*  
23 *Act with respect to diabetes and digestive and kidney dis-*  
24 *ease, \$1,970,797,000.*





1 *EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD*  
2 *HEALTH AND HUMAN DEVELOPMENT*

3 *For carrying out section 301 and title IV of the PHS*  
4 *Act with respect to child health and human development,*  
5 *\$1,452,006,000.*

6 *NATIONAL EYE INSTITUTE*

7 *For carrying out section 301 and title IV of the PHS*  
8 *Act with respect to eye diseases and visual disorders,*  
9 *\$772,317,000.*

10 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*  
11 *SCIENCES*

12 *For carrying out section 301 and title IV of the PHS*  
13 *Act with respect to environmental health sciences,*  
14 *\$751,143,000.*

15 *NATIONAL INSTITUTE ON AGING*

16 *For carrying out section 301 and title IV of the PHS*  
17 *Act with respect to aging, \$2,574,091,000.*

18 *NATIONAL INSTITUTE OF ARTHRITIS AND*  
19 *MUSCULOSKELETAL AND SKIN DISEASES*

20 *For carrying out section 301 and title IV of the PHS*  
21 *Act with respect to arthritis and musculoskeletal and skin*  
22 *diseases, \$586,661,000.*





1                    *NATIONAL LIBRARY OF MEDICINE*

2            *For carrying out section 301 and title IV of the PHS*  
3 *Act with respect to health information communications,*  
4 *\$428,553,000: Provided, That of the amounts available for*  
5 *improvement of information systems, \$4,000,000 shall be*  
6 *available until September 30, 2019: Provided further, That*  
7 *in fiscal year 2018, the National Library of Medicine may*  
8 *enter into personal services contracts for the provision of*  
9 *services in facilities owned, operated, or constructed under*  
10 *the jurisdiction of the National Institutes of Health (re-*  
11 *ferred to in this title as “NIH”).*

12                    *NATIONAL CENTER FOR ADVANCING TRANSLATIONAL*  
13    *SCIENCES*

14            *For carrying out section 301 and title IV of the PHS*  
15 *Act with respect to translational sciences, \$742,354,000:*  
16 *Provided, That up to \$25,835,000 shall be available to im-*  
17 *plement section 480 of the PHS Act, relating to the Cures*  
18 *Acceleration Network: Provided further, That at least*  
19 *\$542,771,000 is provided to the Clinical and Translational*  
20 *Sciences Awards program.*

21                    *OFFICE OF THE DIRECTOR*

22            *For carrying out the responsibilities of the Office of*  
23 *the Director, NIH, \$1,803,293,000: Provided, That funding*  
24 *shall be available for the purchase of not to exceed 29 pas-*  
25 *senger motor vehicles for replacement only: Provided fur-*

1 *ther, That all funds credited to the NIH Management Fund*  
2 *shall remain available for one fiscal year after the fiscal*  
3 *year in which they are deposited: Provided further, That*  
4 *\$165,000,000 shall be for the National Children's Study*  
5 *Follow-on: Provided further, That \$588,116,000 shall be*  
6 *available for the Common Fund established under section*  
7 *402A(c)(1) of the PHS Act: Provided further, That of the*  
8 *funds provided, \$10,000 shall be for official reception and*  
9 *representation expenses when specifically approved by the*  
10 *Director of the NIH: Provided further, That the Office of*  
11 *AIDS Research within the Office of the Director of the NIH*  
12 *may spend up to \$8,000,000 to make grants for construction*  
13 *or renovation of facilities as provided for in section*  
14 *2354(a)(5)(B) of the PHS Act.*

15 *In addition to other funds appropriated for the Com-*  
16 *mon Fund established under section 402A(c) of the PHS*  
17 *Act, \$12,600,000 is appropriated to the Common Fund for*  
18 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*  
19 *PHS Act (relating to pediatric research), as authorized in*  
20 *the Gabriella Miller Kids First Research Act.*

21 *BUILDINGS AND FACILITIES*

22 *For the study of, construction of, demolition of, renova-*  
23 *tion of, and acquisition of equipment for, facilities of or*  
24 *used by NIH, including the acquisition of real property,*

1 \$128,863,000, to remain available through September 30,  
2 2022.

3 *NIH INNOVATION ACCOUNT, CURES ACT*

4 *For necessary expenses to carry out the purposes de-*  
5 *scribed in section 1001(b)(4) of the 21st Century Cures Act,*  
6 *in addition to amounts available for such purposes in the*  
7 *appropriations provided to the NIH in this Act,*  
8 *\$496,000,000, to remain available until expended: Pro-*  
9 *vided, That such amounts are appropriated pursuant to*  
10 *section 1001(b)(3) of such Act, are to be derived from*  
11 *amounts transferred under section 1001(b)(2)(A) of such*  
12 *Act, and may be transferred by the Director of the National*  
13 *Institutes of Health to other accounts of the National Insti-*  
14 *tutes of Health solely for the purposes provided in such Act:*  
15 *Provided further, That upon a determination by the Direc-*  
16 *tor that funds transferred pursuant to the previous proviso*  
17 *are not necessary for the purposes provided, such amounts*  
18 *may be transferred back to the Account: Provided further,*  
19 *That the transfer authority provided under this heading is*  
20 *in addition to any other transfer authority provided by*  
21 *law.*

1       *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

2                               *ADMINISTRATION*

3                               *MENTAL HEALTH*

4       *For carrying out titles III, V, and XIX of the PHS*  
5 *Act with respect to mental health, and the Protection and*  
6 *Advocacy for Individuals with Mental Illness Act,*  
7 *\$1,453,972,000: Provided, That notwithstanding section*  
8 *520A(f)(2) of the PHS Act, no funds appropriated for car-*  
9 *rying out section 520A shall be available for carrying out*  
10 *section 1971 of the PHS Act: Provided further, That in ad-*  
11 *dition to amounts provided herein, \$21,039,000 shall be*  
12 *available under section 241 of the PHS Act to carry out*  
13 *subpart I of part B of title XIX of the PHS Act to fund*  
14 *section 1920(b) technical assistance, national data, data*  
15 *collection and evaluation activities, and further that the*  
16 *total available under this Act for section 1920(b) activities*  
17 *shall not exceed 5 percent of the amounts appropriated for*  
18 *subpart I of part B of title XIX: Provided further, That*  
19 *up to 10 percent of the amounts made available to carry*  
20 *out the Children's Mental Health Services program may be*  
21 *used to carry out demonstration grants or contracts for*  
22 *early interventions with persons not more than 25 years*  
23 *of age at clinical high risk of developing a first episode of*  
24 *psychosis: Provided further, That section 520E(b)(2) of the*  
25 *PHS Act shall not apply to funds appropriated in this Act*



1 *for fiscal year 2018: Provided further, That States shall ex-*  
2 *pend at least 10 percent of the amount each receives for*  
3 *carrying out section 1911 of the PHS Act to support evi-*  
4 *dence-based programs that address the needs of individuals*  
5 *with early serious mental illness, including psychotic dis-*  
6 *orders, regardless of the age of the individual at onset: Pro-*  
7 *vided further, That \$100,000,000 shall be available until*  
8 *September 30, 2020 for grants to communities and commu-*  
9 *nity organizations who meet criteria for Certified Commu-*  
10 *nity Behavioral Health Clinics pursuant to section 223(a)*  
11 *of Public Law 113-93: Provided further, That none of the*  
12 *funds provided for section 1911 of the PHS Act shall be*  
13 *subject to section 241 of such Act: Provided further, That*  
14 *of the funds made available under this heading, \$15,000,000*  
15 *shall be to carry out section 224 of the Protecting Access*  
16 *to Medicare Act of 2014 (Public Law 113-93; 42 U.S.C.*  
17 *290aa 22 note).*

18 *SUBSTANCE ABUSE TREATMENT*

19 *For carrying out titles III and V of the PHS Act with*  
20 *respect to substance abuse treatment and title XIX of such*  
21 *Act with respect to substance abuse treatment and preven-*  
22 *tion, \$3,182,306,000: Provided, That \$1,000,000,000 shall*  
23 *be for State Opioid Response Grants for carrying out ac-*  
24 *tivities pertaining to opioids undertaken by the State agen-*  
25 *cy responsible for administering the substance abuse preven-*

1 *tion and treatment block grant under subpart II of part*  
2 *B of title XIX of the PHS Act (42 U.S.C. 300x–21 et seq.):*  
3 *Provided further, That of such amount \$50,000,000 shall*  
4 *be made available to Indian Tribes or tribal organizations:*  
5 *Provided further, That 15 percent of the remaining amount*  
6 *shall be for the States with the highest mortality rate related*  
7 *to opioid use disorders: Provided further, That of the*  
8 *amounts provided for State Opioid Response Grants not*  
9 *more than 2 percent shall be available for Federal adminis-*  
10 *trative expenses, training, technical assistance, and evalua-*  
11 *tion: Provided further, That of the amount not reserved by*  
12 *the previous three provisos, the Secretary shall make alloca-*  
13 *tions to States, territories, and the District of Columbia ac-*  
14 *cording to a formula using national survey results that the*  
15 *Secretary determines are the most objective and reliable*  
16 *measure of drug use and drug-related deaths: Provided fur-*  
17 *ther, That the Secretary shall submit the formula method-*  
18 *ology to the Committees on Appropriations of the House*  
19 *of Representatives and the Senate not less than 30 days*  
20 *prior to publishing a Funding Opportunity Announcement:*  
21 *Provided further, That prevention and treatment activities*  
22 *funded through such grants may include education, treat-*  
23 *ment (including the provision of medication), behavioral*  
24 *health services for individuals in treatment programs, refer-*  
25 *ral to treatment services, recovery support, and medical*

1 *screening associated with such treatment: Provided further,*  
2 *That each State, as well as the District of Columbia, shall*  
3 *receive not less than \$4,000,000: Provided further, That in*  
4 *addition to amounts provided herein, the following amounts*  
5 *shall be available under section 241 of the PHS Act: (1)*  
6 *\$79,200,000 to carry out subpart II of part B of title XIX*  
7 *of the PHS Act to fund section 1935(b) technical assistance,*  
8 *national data, data collection and evaluation activities,*  
9 *and further that the total available under this Act for sec-*  
10 *tion 1935(b) activities shall not exceed 5 percent of the*  
11 *amounts appropriated for subpart II of part B of title XIX;*  
12 *and (2) \$2,000,000 to evaluate substance abuse treatment*  
13 *programs: Provided further, That none of the funds pro-*  
14 *vided for section 1921 of the PHS Act or State Opioid Re-*  
15 *sponse Grants shall be subject to section 241 of such Act.*

16 *SUBSTANCE ABUSE PREVENTION*

17 *For carrying out titles III and V of the PHS Act with*  
18 *respect to substance abuse prevention, \$248,219,000.*

19 *HEALTH SURVEILLANCE AND PROGRAM SUPPORT*

20 *For program support and cross-cutting activities that*  
21 *supplement activities funded under the headings “Mental*  
22 *Health”, “Substance Abuse Treatment”, and “Substance*  
23 *Abuse Prevention” in carrying out titles III, V, and XIX*  
24 *of the PHS Act and the Protection and Advocacy for Indi-*  
25 *viduals with Mental Illness Act in the Substance Abuse and*

1 *Mental Health Services Administration, \$128,830,000: Pro-*  
2 *vided, That in addition to amounts provided herein,*  
3 *\$31,428,000 shall be available under section 241 of the PHS*  
4 *Act to supplement funds available to carry out national*  
5 *surveys on drug abuse and mental health, to collect and*  
6 *analyze program data, and to conduct public awareness*  
7 *and technical assistance activities: Provided further, That,*  
8 *in addition, fees may be collected for the costs of publica-*  
9 *tions, data, data tabulations, and data analysis completed*  
10 *under title V of the PHS Act and provided to a public or*  
11 *private entity upon request, which shall be credited to this*  
12 *appropriation and shall remain available until expended*  
13 *for such purposes: Provided further, That amounts made*  
14 *available in this Act for carrying out section 501(m) of the*  
15 *PHS Act shall remain available through September 30,*  
16 *2019: Provided further, That funds made available under*  
17 *this heading may be used to supplement program support*  
18 *funding provided under the headings “Mental Health”,*  
19 *“Substance Abuse Treatment”, and “Substance Abuse Pre-*  
20 *vention”.*

21 *AGENCY FOR HEALTHCARE RESEARCH AND QUALITY*

22 *HEALTHCARE RESEARCH AND QUALITY*

23 *For carrying out titles III and IX of the PHS Act,*  
24 *part A of title XI of the Social Security Act, and section*  
25 *1013 of the Medicare Prescription Drug, Improvement, and*

1 *Modernization Act of 2003, \$334,000,000: Provided, That*  
2 *section 947(c) of the PHS Act shall not apply in fiscal year*  
3 *2018: Provided further, That in addition, amounts received*  
4 *from Freedom of Information Act fees, reimbursable and*  
5 *interagency agreements, and the sale of data shall be cred-*  
6 *ited to this appropriation and shall remain available until*  
7 *September 30, 2019.*

8 *CENTERS FOR MEDICARE AND MEDICAID SERVICES*  
9 *GRANTS TO STATES FOR MEDICAID*

10 *For carrying out, except as otherwise provided, titles*  
11 *XI and XIX of the Social Security Act, \$284,798,384,000,*  
12 *to remain available until expended.*

13 *For making, after May 31, 2018, payments to States*  
14 *under title XIX or in the case of section 1928 on behalf*  
15 *of States under title XIX of the Social Security Act for the*  
16 *last quarter of fiscal year 2018 for unanticipated costs in-*  
17 *curred for the current fiscal year, such sums as may be nec-*  
18 *essary.*

19 *For making payments to States or in the case of sec-*  
20 *tion 1928 on behalf of States under title XIX of the Social*  
21 *Security Act for the first quarter of fiscal year 2019,*  
22 *\$134,847,759,000, to remain available until expended.*

23 *Payment under such title XIX may be made for any*  
24 *quarter with respect to a State plan or plan amendment*  
25 *in effect during such quarter, if submitted in or prior to*

1 *such quarter and approved in that or any subsequent quar-*  
2 *ter.*

3 *PAYMENTS TO HEALTH CARE TRUST FUNDS*

4 *For payment to the Federal Hospital Insurance Trust*  
5 *Fund and the Federal Supplementary Medical Insurance*  
6 *Trust Fund, as provided under sections 217(g), 1844, and*  
7 *1860D–16 of the Social Security Act, sections 103(c) and*  
8 *111(d) of the Social Security Amendments of 1965, section*  
9 *278(d)(3) of Public Law 97–248, and for administrative*  
10 *expenses incurred pursuant to section 201(g) of the Social*  
11 *Security Act, \$323,497,300,000.*

12 *In addition, for making matching payments under sec-*  
13 *tion 1844 and benefit payments under section 1860D–16*  
14 *of the Social Security Act that were not anticipated in*  
15 *budget estimates, such sums as may be necessary.*

16 *PROGRAM MANAGEMENT*

17 *For carrying out, except as otherwise provided, titles*  
18 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*  
19 *XIII and XXVII of the PHS Act, the Clinical Laboratory*  
20 *Improvement Amendments of 1988, and other responsibil-*  
21 *ities of the Centers for Medicare and Medicaid Services, not*  
22 *to exceed \$3,669,744,000, to be transferred from the Federal*  
23 *Hospital Insurance Trust Fund and the Federal Supple-*  
24 *mentary Medical Insurance Trust Fund, as authorized by*  
25 *section 201(g) of the Social Security Act; together with all*

1 *funds collected in accordance with section 353 of the PHS*  
2 *Act and section 1857(e)(2) of the Social Security Act, funds*  
3 *retained by the Secretary pursuant to section 1893(h) of*  
4 *the Social Security Act, and such sums as may be collected*  
5 *from authorized user fees and the sale of data, which shall*  
6 *be credited to this account and remain available until ex-*  
7 *pended: Provided, That all funds derived in accordance*  
8 *with 31 U.S.C. 9701 from organizations established under*  
9 *title XIII of the PHS Act shall be credited to and available*  
10 *for carrying out the purposes of this appropriation: Pro-*  
11 *vided further, That the Secretary is directed to collect fees*  
12 *in fiscal year 2018 from Medicare Advantage organizations*  
13 *pursuant to section 1857(e)(2) of the Social Security Act*  
14 *and from eligible organizations with risk-sharing contracts*  
15 *under section 1876 of that Act pursuant to section*  
16 *1876(k)(4)(D) of that Act.*

17 *HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT*

18 *In addition to amounts otherwise available for pro-*  
19 *gram integrity and program management, \$745,000,000, to*  
20 *remain available through September 30, 2019, to be trans-*  
21 *ferred from the Federal Hospital Insurance Trust Fund and*  
22 *the Federal Supplementary Medical Insurance Trust Fund,*  
23 *as authorized by section 201(g) of the Social Security Act,*  
24 *of which \$500,368,000 shall be for the Medicare Integrity*  
25 *Program at the Centers for Medicare and Medicaid Serv-*

1 ices, including administrative costs, to conduct oversight ac-  
2 tivities for Medicare Advantage under Part C and the Medi-  
3 care Prescription Drug Program under Part D of the Social  
4 Security Act and for activities described in section 1893(b)  
5 of such Act, of which \$84,398,000 shall be for the Depart-  
6 ment of Health and Human Services Office of Inspector  
7 General to carry out fraud and abuse activities authorized  
8 by section 1817(k)(3) of such Act, of which \$84,398,000  
9 shall be for the Medicaid and Children’s Health Insurance  
10 Program (“CHIP”) program integrity activities, and of  
11 which \$75,836,000 shall be for the Department of Justice  
12 to carry out fraud and abuse activities authorized by sec-  
13 tion 1817(k)(3) of such Act: Provided, That the report re-  
14 quired by section 1817(k)(5) of the Social Security Act for  
15 fiscal year 2018 shall include measures of the operational  
16 efficiency and impact on fraud, waste, and abuse in the  
17 Medicare, Medicaid, and CHIP programs for the funds pro-  
18 vided by this appropriation: Provided further, That of the  
19 amount provided under this heading, \$311,000,000 is pro-  
20 vided to meet the terms of section 251(b)(2)(C)(ii) of the  
21 Balanced Budget and Emergency Deficit Control Act of  
22 1985, as amended, and \$434,000,000 is additional new  
23 budget authority specified for purposes of section  
24 251(b)(2)(C) of such Act: Provided further, That the Sec-  
25 retary shall provide not less than \$17,621,000 for the Senior



1 *Medicare Patrol program to combat health care fraud and*  
2 *abuse from the funds provided to this account.*

3 *ADMINISTRATION FOR CHILDREN AND FAMILIES*

4 *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*  
5 *AND FAMILY SUPPORT PROGRAMS*

6 *For carrying out, except as otherwise provided, titles*  
7 *I, IV–D, X, XI, XIV, and XVI of the Social Security Act*  
8 *and the Act of July 5, 1960, \$2,995,400,000, to remain*  
9 *available until expended; and for such purposes for the first*  
10 *quarter of fiscal year 2019, \$1,400,000,000, to remain*  
11 *available until expended.*

12 *For carrying out, after May 31 of the current fiscal*  
13 *year, except as otherwise provided, titles I, IV–D, X, XI,*  
14 *XIV, and XVI of the Social Security Act and the Act of*  
15 *July 5, 1960, for the last 3 months of the current fiscal*  
16 *year for unanticipated costs, incurred for the current fiscal*  
17 *year, such sums as may be necessary.*

18 *LOW INCOME HOME ENERGY ASSISTANCE*

19 *For making payments under subsections (b) and (d)*  
20 *of section 2602 of the Low Income Home Energy Assistance*  
21 *Act of 1981, \$3,640,304,000: Provided, That all but*  
22 *\$678,500,000 of this amount shall be allocated as though*  
23 *the total appropriation for such payments for fiscal year*  
24 *2018 was less than \$1,975,000,000: Provided further, That*  
25 *notwithstanding section 2609A(a), of the amounts appro-*

1 *priated under section 2602(b), not more than \$2,988,000*  
2 *of such amounts may be reserved by the Secretary for tech-*  
3 *nical assistance, training, and monitoring of program ac-*  
4 *tivities for compliance with internal controls, policies and*  
5 *procedures and may, in addition to the authorities provided*  
6 *in section 2609A(a)(1), use such funds through contracts*  
7 *with private entities that do not qualify as nonprofit orga-*  
8 *nizations.*

9 *REFUGEE AND ENTRANT ASSISTANCE*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses for refugee and entrant assist-*  
12 *ance activities authorized by section 414 of the Immigration*  
13 *and Nationality Act and section 501 of the Refugee Edu-*  
14 *cation Assistance Act of 1980, and for carrying out section*  
15 *462 of the Homeland Security Act of 2002, section 235 of*  
16 *the William Wilberforce Trafficking Victims Protection Re-*  
17 *authorization Act of 2008, the Trafficking Victims Protec-*  
18 *tion Act of 2000 (“TVPA”), and the Torture Victims Relief*  
19 *Act of 1998, \$1,864,936,000, of which \$1,830,446,000 shall*  
20 *remain available through September 30, 2020 for carrying*  
21 *out such sections 414, 501, 462, and 235: Provided, That*  
22 *amounts available under this heading to carry out the*  
23 *TVPA shall also be available for research and evaluation*  
24 *with respect to activities under such Act: Provided further,*  
25 *That the limitation in section 205 of this Act regarding*

1 *transfers increasing any appropriation shall apply to*  
2 *transfers to appropriations under this heading by sub-*  
3 *stituting “10 percent” for “3 percent”.*

4           *PAYMENTS TO STATES FOR THE CHILD CARE AND*  
5                           *DEVELOPMENT BLOCK GRANT*

6           *For carrying out the Child Care and Development*  
7 *Block Grant Act of 1990 (“CCDBG Act”), \$5,226,000,000*  
8 *shall be used to supplement, not supplant State general rev-*  
9 *enue funds for child care assistance for low-income families:*  
10 *Provided, That technical assistance under section*  
11 *658I(a)(3) of such Act may be provided directly, or through*  
12 *the use of contracts, grants, cooperative agreements, or*  
13 *interagency agreements: Provided further, That all funds*  
14 *made available to carry out section 418 of the Social Secu-*  
15 *rity Act (42 U.S.C. 618), including funds appropriated for*  
16 *that purpose in such section 418 or any other provision*  
17 *of law, shall be subject to the reservation of funds authority*  
18 *in paragraphs (4) and (5) of section 658O(a) of the CCDBG*  
19 *Act: Provided further, That in addition to the amounts re-*  
20 *quired to be reserved by the Secretary under section*  
21 *658O(a)(2)(A) of such Act, \$156,780,000 shall be for Indian*  
22 *tribes and tribal organizations.*

23                           *SOCIAL SERVICES BLOCK GRANT*

24           *For making grants to States pursuant to section 2002*  
25 *of the Social Security Act, \$1,700,000,000: Provided, That*

1 *notwithstanding subparagraph (B) of section 404(d)(2) of*  
2 *such Act, the applicable percent specified under such sub-*  
3 *paragraph for a State to carry out State programs pursu-*  
4 *ant to title XX–A of such Act shall be 10 percent.*

5 *CHILDREN AND FAMILIES SERVICES PROGRAMS*

6 *For carrying out, except as otherwise provided, the*  
7 *Runaway and Homeless Youth Act, the Head Start Act, the*  
8 *Every Student Succeeds Act, the Child Abuse Prevention*  
9 *and Treatment Act, sections 303 and 313 of the Family*  
10 *Violence Prevention and Services Act, the Native American*  
11 *Programs Act of 1974, title II of the Child Abuse Prevention*  
12 *and Treatment and Adoption Reform Act of 1978 (adoption*  
13 *opportunities), part B–1 of title IV and sections 429, 473A,*  
14 *477(i), 1110, 1114A, and 1115 of the Social Security Act,*  
15 *and the Community Services Block Grant Act (“CSBG*  
16 *Act”); and for necessary administrative expenses to carry*  
17 *out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social*  
18 *Security Act, the Act of July 5, 1960, the Low-Income*  
19 *Home Energy Assistance Act of 1981, the Child Care and*  
20 *Development Block Grant Act of 1990, the Assets for Inde-*  
21 *pendence Act, title IV of the Immigration and Nationality*  
22 *Act, and section 501 of the Refugee Education Assistance*  
23 *Act of 1980, \$12,022,225,000, of which \$75,000,000, to re-*  
24 *main available through September 30, 2019, shall be for*  
25 *grants to States for adoption and legal guardianship incen-*

1 *tive payments, as defined by section 473A of the Social Se-*  
2 *curity Act and may be made for adoptions and legal*  
3 *guardianships completed before September 30, 2018: Pro-*  
4 *vided, That \$9,863,095,000 shall be for making payments*  
5 *under the Head Start Act: Provided further, That of the*  
6 *amount in the previous proviso, \$8,823,095,000 shall be*  
7 *available for payments under section 640 of the Head Start*  
8 *Act, of which \$216,000,000 shall be available for a cost of*  
9 *living adjustment notwithstanding section 640(a)(3)(A) of*  
10 *such Act: Provided further, That notwithstanding such sec-*  
11 *tion 640, of the amount in the second preceding proviso,*  
12 *\$260,000,000 (of which up to one percent may be reserved*  
13 *for research and evaluation) shall be available through*  
14 *March 31, 2019 for award by the Secretary to grantees that*  
15 *apply for supplemental funding to increase their hours of*  
16 *program operations and for training and technical assist-*  
17 *ance for such activities: Provided further, That of the*  
18 *amount provided for making payments under the Head*  
19 *Start Act, \$25,000,000 shall be available for allocation by*  
20 *the Secretary to supplement activities described in para-*  
21 *graphs (7)(B) and (9) of section 641(c) of such Act under*  
22 *the Designation Renewal System, established under the au-*  
23 *thority of sections 641(c)(7), 645A(b)(12) and 645A(d) of*  
24 *such Act: Provided further, That notwithstanding such sec-*  
25 *tion 640, of the amount provided for making payments*

1 *under the Head Start Act, and in addition to funds other-*  
2 *wise available under such section 640 for such purposes,*  
3 *\$755,000,000 shall be available through March 31, 2019 for*  
4 *Early Head Start programs as described in section 645A*  
5 *of such Act, for conversion of Head Start services to Early*  
6 *Head Start services as described in section 645(a)(5)(A) of*  
7 *such Act, for discretionary grants for high quality infant*  
8 *and toddler care through Early Head Start-Child Care*  
9 *Partnerships, to entities defined as eligible under section*  
10 *645A(d) of such Act, for training and technical assistance*  
11 *for such activities, and for up to \$16,000,000 in Federal*  
12 *costs of administration and evaluation, and, notwith-*  
13 *standing section 645A(c)(2) of such Act, these funds are*  
14 *available to serve children under age 4: Provided further,*  
15 *That funds described in the preceding two provisos shall*  
16 *not be included in the calculation of “base grant” in subse-*  
17 *quent fiscal years, as such term is used in section*  
18 *640(a)(7)(A) of such Act: Provided further, That*  
19 *\$250,000,000 shall be available until December 31, 2018 for*  
20 *carrying out sections 9212 and 9213 of the Every Student*  
21 *Succeeds Act: Provided further, That up to 3 percent of the*  
22 *funds in the preceding proviso shall be available for tech-*  
23 *nical assistance and evaluation related to grants awarded*  
24 *under such section 9212: Provided further, That*  
25 *\$742,883,000 shall be for making payments under the*

1 *CSBG Act: Provided further, That \$28,233,000 shall be for*  
2 *sections 680 and 678E(b)(2) of the CSBG Act, of which not*  
3 *less than \$19,883,000 shall be for section 680(a)(2) and not*  
4 *less than \$8,000,000 shall be for section 680(a)(3)(B) of*  
5 *such Act: Provided further, That, notwithstanding section*  
6 *675C(a)(3) of such Act, to the extent Community Services*  
7 *Block Grant funds are distributed as grant funds by a State*  
8 *to an eligible entity as provided under such Act, and have*  
9 *not been expended by such entity, they shall remain with*  
10 *such entity for carryover into the next fiscal year for ex-*  
11 *penditure by such entity consistent with program purposes:*  
12 *Provided further, That the Secretary shall establish proce-*  
13 *dures regarding the disposition of intangible assets and pro-*  
14 *gram income that permit such assets acquired with, and*  
15 *program income derived from, grant funds authorized*  
16 *under section 680 of the CSBG Act to become the sole prop-*  
17 *erty of such grantees after a period of not more than 12*  
18 *years after the end of the grant period for any activity con-*  
19 *sistent with section 680(a)(2)(A) of the CSBG Act: Provided*  
20 *further, That intangible assets in the form of loans, equity*  
21 *investments and other debt instruments, and program in-*  
22 *come may be used by grantees for any eligible purpose con-*  
23 *sistent with section 680(a)(2)(A) of the CSBG Act: Provided*  
24 *further, That these procedures shall apply to such grant*  
25 *funds made available after November 29, 1999: Provided*

1 *further, That funds appropriated for section 680(a)(2) of*  
2 *the CSBG Act shall be available for financing construction*  
3 *and rehabilitation and loans or investments in private*  
4 *business enterprises owned by community development cor-*  
5 *porations: Provided further, That \$160,000,000 shall be for*  
6 *carrying out section 303(a) of the Family Violence Preven-*  
7 *tion and Services Act, of which \$5,000,000 shall be allocated*  
8 *notwithstanding section 303(a)(2) of such Act for carrying*  
9 *out section 309 of such Act: Provided further, That the per-*  
10 *centages specified in section 112(a)(2) of the Child Abuse*  
11 *Prevention and Treatment Act shall not apply to funds ap-*  
12 *propriated under this heading: Provided further That*  
13 *\$1,864,000 shall be for a human services case management*  
14 *system for federally declared disasters, to include a com-*  
15 *prehensive national case management contract and Federal*  
16 *costs of administering the system: Provided further, That*  
17 *up to \$2,000,000 shall be for improving the Public Assist-*  
18 *ance Reporting Information System, including grants to*  
19 *States to support data collection for a study of the system's*  
20 *effectiveness.*

21 *PROMOTING SAFE AND STABLE FAMILIES*

22 *For carrying out, except as otherwise provided, section*  
23 *436 of the Social Security Act, \$345,000,000 and, for car-*  
24 *rying out, except as otherwise provided, section 437 of such*  
25 *Act, \$99,765,000: Provided, That of the funds available to*



1 carry out section 437, \$59,765,000 shall be allocated con-  
2 sistent with subsections (b) through (d) of such section (as  
3 such section shall be so in effect on October 1, 2018): Pro-  
4 vided further, That of the funds available to carry out sec-  
5 tion 437, to assist in meeting the requirements described  
6 in section 471(e)(4)(C) (as such section shall be so in effect  
7 on October 1, 2018), \$20,000,000 shall be for grants to each  
8 State, territory, and Indian tribe operating title IV–E  
9 plans for developing, enhancing, or evaluating kinship nav-  
10 igator programs, as described in section 427(a)(1) of such  
11 Act, and \$20,000,000, in addition to funds otherwise appro-  
12 priated in section 436 for such purposes, shall be for com-  
13 petitive grants to regional partnerships as described in sec-  
14 tion 437(f): Provided further, That section 437(b)(1) shall  
15 be applied to amounts in the previous proviso by sub-  
16 stituting “5 percent” for “3.3 percent”, and notwith-  
17 standing section 436(b)(1), such reserved amounts may be  
18 used for identifying, establishing, and disseminating prac-  
19 tices to meet the criteria specified in section 471(e)(4)(C)  
20 (as such section shall be so in effect on October 1, 2018):  
21 Provided further, That the reservation in section 437(b)(2)  
22 and the limitations in section 437(d) shall not apply to  
23 funds specified in the second proviso: Provided further, That  
24 the minimum grant award for kinship navigator programs

1 *in the case of States and territories shall be \$200,000, and,*  
2 *in the case of tribes, shall be \$25,000.*

3 *PAYMENTS FOR FOSTER CARE AND PERMANENCY*

4 *For carrying out, except as otherwise provided, title*  
5 *IV–E of the Social Security Act, \$6,225,000,000.*

6 *For carrying out, except as otherwise provided, title*  
7 *IV–E of the Social Security Act, for the first quarter of fis-*  
8 *cal year 2019, \$2,700,000,000.*

9 *For carrying out, after May 31 of the current fiscal*  
10 *year, except as otherwise provided, section 474 of title IV–*  
11 *E of the Social Security Act, for the last 3 months of the*  
12 *current fiscal year for unanticipated costs, incurred for the*  
13 *current fiscal year, such sums as may be necessary.*

14 *ADMINISTRATION FOR COMMUNITY LIVING*

15 *AGING AND DISABILITY SERVICES PROGRAMS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For carrying out, to the extent not otherwise provided,*  
18 *the Older Americans Act of 1965 (“OAA”), titles III and*  
19 *XXIX of the PHS Act, sections 1252 and 1253 of the PHS*  
20 *Act, section 119 of the Medicare Improvements for Patients*  
21 *and Providers Act of 2008, title XX–B of the Social Secu-*  
22 *rity Act, the Developmental Disabilities Assistance and Bill*  
23 *of Rights Act, parts 2 and 5 of subtitle D of title II of the*  
24 *Help America Vote Act of 2002, the Assistive Technology*  
25 *Act of 1998, titles II and VII (and section 14 with respect*

1 to such titles) of the Rehabilitation Act of 1973, and for  
2 Department-wide coordination of policy and program ac-  
3 tivities that assist individuals with disabilities,  
4 \$2,095,100,000, together with \$49,115,000 to be transferred  
5 from the Federal Hospital Insurance Trust Fund and the  
6 Federal Supplementary Medical Insurance Trust Fund to  
7 carry out section 4360 of the Omnibus Budget Reconcili-  
8 ation Act of 1990: Provided, That amounts appropriated  
9 under this heading may be used for grants to States under  
10 section 361 of the OAA only for disease prevention and  
11 health promotion programs and activities which have been  
12 demonstrated through rigorous evaluation to be evidence-  
13 based and effective: Provided further, That of amounts made  
14 available under this heading to carry out sections 311, 331,  
15 and 336 of the OAA, up to one percent of such amounts  
16 shall be available for developing and implementing evi-  
17 dence-based practices for enhancing senior nutrition: Pro-  
18 vided further, That notwithstanding any other provision of  
19 this Act, funds made available under this heading to carry  
20 out section 311 of the OAA may be transferred to the Sec-  
21 retary of Agriculture in accordance with such section: Pro-  
22 vided further, That \$2,000,000 shall be for competitive  
23 grants to support alternative financing programs that pro-  
24 vide for the purchase of assistive technology devices, such  
25 as a low-interest loan fund; an interest buy-down program;

1 *a revolving loan fund; a loan guarantee; or an insurance*  
2 *program: Provided further, That applicants shall provide*  
3 *an assurance that, and information describing the manner*  
4 *in which, the alternative financing program will expand*  
5 *and emphasize consumer choice and control: Provided fur-*  
6 *ther, That State agencies and community-based disability*  
7 *organizations that are directed by and operated for individ-*  
8 *uals with disabilities shall be eligible to compete: Provided*  
9 *further, That none of the funds made available under this*  
10 *heading may be used by an eligible system (as defined in*  
11 *section 102 of the Protection and Advocacy for Individuals*  
12 *with Mental Illness Act (42 U.S.C. 10802)) to continue to*  
13 *pursue any legal action in a Federal or State court on be-*  
14 *half of an individual or group of individuals with a devel-*  
15 *opmental disability (as defined in section 102(8)(A) of the*  
16 *Developmental Disabilities and Assistance and Bill of*  
17 *Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attrib-*  
18 *utable to a mental impairment (or a combination of mental*  
19 *and physical impairments), that has as the requested rem-*  
20 *edy the closure of State operated intermediate care facilities*  
21 *for people with intellectual or developmental disabilities,*  
22 *unless reasonable public notice of the action has been pro-*  
23 *vided to such individuals (or, in the case of mental inca-*  
24 *pacitation, the legal guardians who have been specifically*  
25 *awarded authority by the courts to make healthcare and*

1 residential decisions on behalf of such individuals) who are  
2 affected by such action, within 90 days of instituting such  
3 legal action, which informs such individuals (or such legal  
4 guardians) of their legal rights and how to exercise such  
5 rights consistent with current Federal Rules of Civil Proce-  
6 dure: Provided further, That the limitations in the imme-  
7 diately preceding proviso shall not apply in the case of an  
8 individual who is neither competent to consent nor has a  
9 legal guardian, nor shall the proviso apply in the case of  
10 individuals who are a ward of the State or subject to public  
11 guardianship.

12 OFFICE OF THE SECRETARY

13 GENERAL DEPARTMENTAL MANAGEMENT

14 For necessary expenses, not otherwise provided, for  
15 general departmental management, including hire of six  
16 passenger motor vehicles, and for carrying out titles III,  
17 XVII, XXI, and section 229 of the PHS Act, the United  
18 States-Mexico Border Health Commission Act, and research  
19 studies under section 1110 of the Social Security Act,  
20 \$470,629,000, together with \$64,828,000 from the amounts  
21 available under section 241 of the PHS Act to carry out  
22 national health or human services research and evaluation  
23 activities: Provided, That of this amount, \$53,900,000 shall  
24 be for minority AIDS prevention and treatment activities:  
25 Provided further, That of the funds made available under

1 *this heading, \$101,000,000 shall be for making competitive*  
2 *contracts and grants to public and private entities to fund*  
3 *medically accurate and age appropriate programs that re-*  
4 *duce teen pregnancy and for the Federal costs associated*  
5 *with administering and evaluating such contracts and*  
6 *grants, of which not more than 10 percent of the available*  
7 *funds shall be for training and technical assistance, evalua-*  
8 *tion, outreach, and additional program support activities,*  
9 *and of the remaining amount 75 percent shall be for repli-*  
10 *cating programs that have been proven effective through rig-*  
11 *orous evaluation to reduce teenage pregnancy, behavioral*  
12 *risk factors underlying teenage pregnancy, or other associ-*  
13 *ated risk factors, and 25 percent shall be available for re-*  
14 *search and demonstration grants to develop, replicate, re-*  
15 *fine, and test additional models and innovative strategies*  
16 *for preventing teenage pregnancy: Provided further, That*  
17 *of the amounts provided under this heading from amounts*  
18 *available under section 241 of the PHS Act, \$6,800,000*  
19 *shall be available to carry out evaluations (including longi-*  
20 *tudinal evaluations) of teenage pregnancy prevention ap-*  
21 *proaches: Provided further, That of the funds made avail-*  
22 *able under this heading, \$25,000,000 shall be for making*  
23 *competitive grants which exclusively implement education*  
24 *in sexual risk avoidance (defined as voluntarily refraining*  
25 *from non-marital sexual activity): Provided further, That*

1 *funding for such competitive grants for sexual risk avoid-*  
2 *ance shall use medically accurate information referenced to*  
3 *peer-reviewed publications by educational, scientific, gov-*  
4 *ernmental, or health organizations; implement an evidence-*  
5 *based approach integrating research findings with practical*  
6 *implementation that aligns with the needs and desired out-*  
7 *comes for the intended audience; and teach the benefits asso-*  
8 *ciated with self-regulation, success sequencing for poverty*  
9 *prevention, healthy relationships, goal setting, and resisting*  
10 *sexual coercion, dating violence, and other youth risk behav-*  
11 *iors such as underage drinking or illicit drug use without*  
12 *normalizing teen sexual activity: Provided further, That no*  
13 *more than 10 percent of the funding for such competitive*  
14 *grants for sexual risk avoidance shall be available for tech-*  
15 *nical assistance and administrative costs of such programs:*  
16 *Provided further, That funds provided in this Act for em-*  
17 *bryo adoption activities may be used to provide to individ-*  
18 *uals adopting embryos, through grants and other mecha-*  
19 *nisms, medical and administrative services deemed nec-*  
20 *essary for such adoptions: Provided further, That such serv-*  
21 *ices shall be provided consistent with 42 CFR 59.5(a)(4).*





1 *opment and advancement of interoperable health informa-*  
2 *tion technology, \$60,367,000.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For expenses necessary for the Office of Inspector Gen-*  
5 *eral, including the hire of passenger motor vehicles for in-*  
6 *vestigations, in carrying out the provisions of the Inspector*  
7 *General Act of 1978, \$80,000,000: Provided, That of such*  
8 *amount, necessary sums shall be available for providing*  
9 *protective services to the Secretary and investigating non-*  
10 *payment of child support cases for which non-payment is*  
11 *a Federal offense under 18 U.S.C. 228.*

12 *OFFICE FOR CIVIL RIGHTS*

13 *For expenses necessary for the Office for Civil Rights,*  
14 *\$38,798,000.*

15 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*

16 *COMMISSIONED OFFICERS*

17 *For retirement pay and medical benefits of Public*  
18 *Health Service Commissioned Officers as authorized by law,*  
19 *for payments under the Retired Serviceman's Family Pro-*  
20 *tection Plan and Survivor Benefit Plan, and for medical*  
21 *care of dependents and retired personnel under the Depend-*  
22 *ents' Medical Care Act, such amounts as may be required*  
23 *during the current fiscal year.*

1 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

2 *For expenses necessary to support activities related to*  
3 *countering potential biological, nuclear, radiological, chem-*  
4 *ical, and cybersecurity threats to civilian populations, and*  
5 *for other public health emergencies, \$993,458,000, of which*  
6 *\$536,700,000 shall remain available through September 30,*  
7 *2019, for expenses necessary to support advanced research*  
8 *and development pursuant to section 319L of the PHS Act*  
9 *and other administrative expenses of the Biomedical Ad-*  
10 *vanced Research and Development Authority: Provided,*  
11 *That funds provided under this heading for the purpose of*  
12 *acquisition of security countermeasures shall be in addition*  
13 *to any other funds available for such purpose: Provided fur-*  
14 *ther, That products purchased with funds provided under*  
15 *this heading may, at the discretion of the Secretary, be de-*  
16 *posited in the Strategic National Stockpile pursuant to sec-*  
17 *tion 319F–2 of the PHS Act: Provided further, That*  
18 *\$5,000,000 of the amounts made available to support emer-*  
19 *gency operations shall remain available through September*  
20 *30, 2020.*

21 *For expenses necessary for procuring security counter-*  
22 *measures (as defined in section 319F–2(c)(1)(B) of the PHS*  
23 *Act), \$710,000,000, to remain available until expended.*

24 *For an additional amount for expenses necessary to*  
25 *prepare for or respond to an influenza pandemic,*

1 \$250,000,000; of which \$215,000,000 shall be available  
2 until expended, for activities including the development and  
3 purchase of vaccine, antivirals, necessary medical supplies,  
4 diagnostics, and other surveillance tools: Provided, That  
5 notwithstanding section 496(b) of the PHS Act, funds may  
6 be used for the construction or renovation of privately  
7 owned facilities for the production of pandemic influenza  
8 vaccines and other biologics, if the Secretary finds such con-  
9 struction or renovation necessary to secure sufficient sup-  
10 plies of such vaccines or biologics.

11 *GENERAL PROVISIONS*

12 *SEC. 201. Funds appropriated in this title shall be*  
13 *available for not to exceed \$50,000 for official reception and*  
14 *representation expenses when specifically approved by the*  
15 *Secretary.*

16 *SEC. 202. None of the funds appropriated in this title*  
17 *shall be used to pay the salary of an individual, through*  
18 *a grant or other extramural mechanism, at a rate in excess*  
19 *of Executive Level II.*

20 *SEC. 203. None of the funds appropriated in this Act*  
21 *may be expended pursuant to section 241 of the PHS Act,*  
22 *except for funds specifically provided for in this Act, or for*  
23 *other taps and assessments made by any office located in*  
24 *HHS, prior to the preparation and submission of a report*  
25 *by the Secretary to the Committees on Appropriations of*

1 *the House of Representatives and the Senate detailing the*  
2 *planned uses of such funds.*

3 *SEC. 204. Notwithstanding section 241(a) of the PHS*  
4 *Act, such portion as the Secretary shall determine, but not*  
5 *more than 2.5 percent, of any amounts appropriated for*  
6 *programs authorized under such Act shall be made available*  
7 *for the evaluation (directly, or by grants or contracts) and*  
8 *the implementation and effectiveness of programs funded in*  
9 *this title.*

10 *(TRANSFER OF FUNDS)*

11 *SEC. 205. Not to exceed 1 percent of any discretionary*  
12 *funds (pursuant to the Balanced Budget and Emergency*  
13 *Deficit Control Act of 1985) which are appropriated for the*  
14 *current fiscal year for HHS in this Act may be transferred*  
15 *between appropriations, but no such appropriation shall be*  
16 *increased by more than 3 percent by any such transfer: Pro-*  
17 *vided, That the transfer authority granted by this section*  
18 *shall not be used to create any new program or to fund*  
19 *any project or activity for which no funds are provided in*  
20 *this Act: Provided further, That the Committees on Appro-*  
21 *priations of the House of Representatives and the Senate*  
22 *are notified at least 15 days in advance of any transfer.*

23 *SEC. 206. In lieu of the timeframe specified in section*  
24 *338E(c)(2) of the PHS Act, terminations described in such*  
25 *section may occur up to 60 days after the execution of a*

1 *contract awarded in fiscal year 2018 under section 338B*  
2 *of such Act.*

3       *SEC. 207. None of the funds appropriated in this Act*  
4 *may be made available to any entity under title X of the*  
5 *PHS Act unless the applicant for the award certifies to the*  
6 *Secretary that it encourages family participation in the de-*  
7 *cision of minors to seek family planning services and that*  
8 *it provides counseling to minors on how to resist attempts*  
9 *to coerce minors into engaging in sexual activities.*

10       *SEC. 208. Notwithstanding any other provision of law,*  
11 *no provider of services under title X of the PHS Act shall*  
12 *be exempt from any State law requiring notification or the*  
13 *reporting of child abuse, child molestation, sexual abuse,*  
14 *rape, or incest.*

15       *SEC. 209. None of the funds appropriated by this Act*  
16 *(including funds appropriated to any trust fund) may be*  
17 *used to carry out the Medicare Advantage program if the*  
18 *Secretary denies participation in such program to an other-*  
19 *wise eligible entity (including a Provider Sponsored Orga-*  
20 *nization) because the entity informs the Secretary that it*  
21 *will not provide, pay for, provide coverage of, or provide*  
22 *referrals for abortions: Provided, That the Secretary shall*  
23 *make appropriate prospective adjustments to the capitation*  
24 *payment to such an entity (based on an actuarially sound*  
25 *estimate of the expected costs of providing the service to such*

1 *entity's enrollees): Provided further, That nothing in this*  
2 *section shall be construed to change the Medicare program's*  
3 *coverage for such services and a Medicare Advantage orga-*  
4 *nization described in this section shall be responsible for*  
5 *informing enrollees where to obtain information about all*  
6 *Medicare covered services.*

7       *SEC. 210. None of the funds made available in this*  
8 *title may be used, in whole or in part, to advocate or pro-*  
9 *mote gun control.*

10       *SEC. 211. The Secretary shall make available through*  
11 *assignment not more than 60 employees of the Public*  
12 *Health Service to assist in child survival activities and to*  
13 *work in AIDS programs through and with funds provided*  
14 *by the Agency for International Development, the United*  
15 *Nations International Children's Emergency Fund or the*  
16 *World Health Organization.*

17       *SEC. 212. In order for HHS to carry out international*  
18 *health activities, including HIV/AIDS and other infectious*  
19 *disease, chronic and environmental disease, and other*  
20 *health activities abroad during fiscal year 2018:*

21           *(1) The Secretary may exercise authority equiva-*  
22       *lent to that available to the Secretary of State in sec-*  
23       *tion 2(c) of the State Department Basic Authorities*  
24       *Act of 1956. The Secretary shall consult with the Sec-*  
25       *retary of State and relevant Chief of Mission to en-*

1        *sure that the authority provided in this section is ex-*  
2        *ercised in a manner consistent with section 207 of the*  
3        *Foreign Service Act of 1980 and other applicable stat-*  
4        *utes administered by the Department of State.*

5            *(2) The Secretary is authorized to provide such*  
6        *funds by advance or reimbursement to the Secretary*  
7        *of State as may be necessary to pay the costs of ac-*  
8        *quisition, lease, alteration, renovation, and manage-*  
9        *ment of facilities outside of the United States for the*  
10       *use of HHS. The Department of State shall cooperate*  
11       *fully with the Secretary to ensure that HHS has se-*  
12       *cure, safe, functional facilities that comply with ap-*  
13       *plicable regulation governing location, setback, and*  
14       *other facilities requirements and serve the purposes*  
15       *established by this Act. The Secretary is authorized,*  
16       *in consultation with the Secretary of State, through*  
17       *grant or cooperative agreement, to make available to*  
18       *public or nonprofit private institutions or agencies in*  
19       *participating foreign countries, funds to acquire,*  
20       *lease, alter, or renovate facilities in those countries as*  
21       *necessary to conduct programs of assistance for inter-*  
22       *national health activities, including activities relating*  
23       *to HIV/AIDS and other infectious diseases, chronic*  
24       *and environmental diseases, and other health activi-*  
25       *ties abroad.*





1 *House of Representatives and the Senate are notified at*  
2 *least 15 days in advance of any transfer.*

3 *(TRANSFER OF FUNDS)*

4 *SEC. 214. Of the amounts made available in this Act*  
5 *for NIH, the amount for research related to the human im-*  
6 *munodeficiency virus, as jointly determined by the Director*  
7 *of NIH and the Director of the Office of AIDS Research,*  
8 *shall be made available to the “Office of AIDS Research”*  
9 *account. The Director of the Office of AIDS Research shall*  
10 *transfer from such account amounts necessary to carry out*  
11 *section 2353(d)(3) of the PHS Act.*

12 *SEC. 215. (a) AUTHORITY.—Notwithstanding any*  
13 *other provision of law, the Director of NIH (“Director”)*  
14 *may use funds authorized under section 402(b)(12) of the*  
15 *PHS Act to enter into transactions (other than contracts,*  
16 *cooperative agreements, or grants) to carry out research*  
17 *identified pursuant to or research and activities described*  
18 *in such section 402(b)(12).*

19 *(b) PEER REVIEW.—In entering into transactions*  
20 *under subsection (a), the Director may utilize such peer re-*  
21 *view procedures (including consultation with appropriate*  
22 *scientific experts) as the Director determines to be appro-*  
23 *priate to obtain assessments of scientific and technical*  
24 *merit. Such procedures shall apply to such transactions in*  
25 *lieu of the peer review and advisory council review proce-*

1 *dures that would otherwise be required under sections*  
2 *301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and*  
3 *494 of the PHS Act.*

4 *SEC. 216. Not to exceed \$45,000,000 of funds appro-*  
5 *riated by this Act to the institutes and centers of the Na-*  
6 *tional Institutes of Health may be used for alteration, re-*  
7 *pair, or improvement of facilities, as necessary for the prop-*  
8 *er and efficient conduct of the activities authorized herein,*  
9 *at not to exceed \$3,500,000 per project.*

10 *(TRANSFER OF FUNDS)*

11 *SEC. 217. Of the amounts made available for NIH, 1*  
12 *percent of the amount made available for National Research*  
13 *Service Awards (“NRSA”) shall be made available to the*  
14 *Administrator of the Health Resources and Services Admin-*  
15 *istration to make NRSA awards for research in primary*  
16 *medical care to individuals affiliated with entities who have*  
17 *received grants or contracts under sections 736, 739, or 747*  
18 *of the PHS Act, and 1 percent of the amount made avail-*  
19 *able for NRSA shall be made available to the Director of*  
20 *the Agency for Healthcare Research and Quality to make*  
21 *NRSA awards for health service research.*

22 *SEC. 218. (a) The Biomedical Advanced Research and*  
23 *Development Authority (“BARDA”) may enter into a con-*  
24 *tract, for more than one but no more than 10 program*  
25 *years, for purchase of research services or of security coun-*

1 *term* measures, as that term is defined in section 319F–  
2 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),  
3 *if—*

4 (1) *funds are available and obligated—*

5 (A) *for the full period of the contract or for*  
6 *the first fiscal year in which the contract is in*  
7 *effect; and*

8 (B) *for the estimated costs associated with*  
9 *a necessary termination of the contract; and*

10 (2) *the Secretary determines that a multi-year*  
11 *contract will serve the best interests of the Federal*  
12 *Government by encouraging full and open competi-*  
13 *tion or promoting economy in administration, per-*  
14 *formance, and operation of BARDA’s programs.*

15 (b) *A contract entered into under this section—*

16 (1) *shall include a termination clause as de-*  
17 *scribed by subsection (c) of section 3903 of title 41,*  
18 *United States Code; and*

19 (2) *shall be subject to the congressional notice re-*  
20 *quirement stated in subsection (d) of such section.*

21 SEC. 219. (a) *The Secretary shall publish in the fiscal*  
22 *year 2020 budget justification and on Departmental Web*  
23 *sites information concerning the employment of full-time*  
24 *equivalent Federal employees or contractors for the purposes*  
25 *of implementing, administering, enforcing, or otherwise*

1 *carrying out the provisions of the ACA, and the amend-*  
2 *ments made by that Act, in the proposed fiscal year and*  
3 *each fiscal year since the enactment of the ACA.*

4 *(b) With respect to employees or contractors supported*  
5 *by all funds appropriated for purposes of carrying out the*  
6 *ACA (and the amendments made by that Act), the Secretary*  
7 *shall include, at a minimum, the following information:*

8 *(1) For each such fiscal year, the section of such*  
9 *Act under which such funds were appropriated, a*  
10 *statement indicating the program, project, or activity*  
11 *receiving such funds, the Federal operating division*  
12 *or office that administers such program, and the*  
13 *amount of funding received in discretionary or man-*  
14 *datory appropriations.*

15 *(2) For each such fiscal year, the number of full-*  
16 *time equivalent employees or contracted employees as-*  
17 *signed to each authorized and funded provision de-*  
18 *tailed in accordance with paragraph (1).*

19 *(c) In carrying out this section, the Secretary may ex-*  
20 *clude from the report employees or contractors who—*

21 *(1) are supported through appropriations en-*  
22 *acted in laws other than the ACA and work on pro-*  
23 *grams that existed prior to the passage of the ACA;*

1           (2) *spend less than 50 percent of their time on*  
2           *activities funded by or newly authorized in the ACA;*  
3           *or*

4           (3) *work on contracts for which FTE reporting*  
5           *is not a requirement of their contract, such as fixed-*  
6           *price contracts.*

7           *SEC. 220. The Secretary shall publish, as part of the*  
8           *fiscal year 2020 budget of the President submitted under*  
9           *section 1105(a) of title 31, United States Code, information*  
10          *that details the uses of all funds used by the Centers for*  
11          *Medicare and Medicaid Services specifically for Health In-*  
12          *surance Exchanges for each fiscal year since the enactment*  
13          *of the ACA and the proposed uses for such funds for fiscal*  
14          *year 2020. Such information shall include, for each such*  
15          *fiscal year, the amount of funds used for each activity speci-*  
16          *fied under the heading “Health Insurance Exchange Trans-*  
17          *parency” in the explanatory statement described in section*  
18          *4 (in the matter preceding division A of this consolidated*  
19          *Act).*

20          *SEC. 221. (a) The Secretary shall provide to the Com-*  
21          *mittees on Appropriations of the House of Representatives*  
22          *and the Senate:*

23                  (1) *Detailed monthly enrollment figures from the*  
24          *Exchanges established under the Patient Protection*



1 amounts specified, and for the activities specified under the  
2 heading “Prevention and Public Health Fund” in the ex-  
3 planatory statement described in section 4 (in the matter  
4 preceding division A of this consolidated Act).

5 (b) Notwithstanding section 4002(c) of the ACA, the  
6 Secretary may not further transfer these amounts.

7 (c) Funds transferred for activities authorized under  
8 section 2821 of the PHS Act shall be made available with-  
9 out reference to section 2821(b) of such Act.

10 SEC. 225. Effective during the period beginning on No-  
11 vember 1, 2015 and ending January 1, 2020, any provision  
12 of law that refers (including through cross-reference to an-  
13 other provision of law) to the current recommendations of  
14 the United States Preventive Services Task Force with re-  
15 spect to breast cancer screening, mammography, and pre-  
16 vention shall be administered by the Secretary involved as  
17 if—

18 (1) such reference to such current recommenda-  
19 tions were a reference to the recommendations of such  
20 Task Force with respect to breast cancer screening,  
21 mammography, and prevention last issued before  
22 2009; and

23 (2) such recommendations last issued before 2009  
24 applied to any screening mammography modality

1        *under section 1861(jj) of the Social Security Act (42*  
2        *U.S.C. 1395x(jj)).*

3        *SEC. 226. In making Federal financial assistance, the*  
4        *provisions relating to indirect costs in part 75 of title 45,*  
5        *Code of Federal Regulations, including with respect to the*  
6        *approval of deviations from negotiated rates, shall continue*  
7        *to apply to the National Institutes of Health to the same*  
8        *extent and in the same manner as such provisions were ap-*  
9        *plied in the third quarter of fiscal year 2017. None of the*  
10       *funds appropriated in this or prior Acts or otherwise made*  
11       *available to the Department of Health and Human Services*  
12       *or to any department or agency may be used to develop*  
13       *or implement a modified approach to such provisions, or*  
14       *to intentionally or substantially expand the fiscal effect of*  
15       *the approval of such deviations from negotiated rates be-*  
16       *yond the proportional effect of such approvals in such quar-*  
17       *ter.*

18       *SEC. 227. In addition to the amounts otherwise avail-*  
19       *able for “Centers for Medicare and Medicaid Services, Pro-*  
20       *gram Management”, the Secretary of Health and Human*  
21       *Services may transfer up to \$305,000,000 to such account*  
22       *from the Federal Hospital Insurance Trust Fund and the*  
23       *Federal Supplementary Medical Insurance Trust Fund to*  
24       *support program management activity related to the Medi-*  
25       *care Program: Provided, That except for the foregoing pur-*



1 *pose, such funds may not be used to support any provision*  
2 *of Public Law 111–148 or Public Law 111–152 (or any*  
3 *amendment made by either such Public Law) or to supplant*  
4 *any other amounts within such account.*

5 (TRANSFER OF FUNDS)

6 *SEC. 228. The NIH Director may transfer funds spe-*  
7 *cifically appropriated for opioid addiction, opioid alter-*  
8 *natives, pain management, and addiction treatment to*  
9 *other Institutes and Centers of the NIH to be used for the*  
10 *same purpose 15 days after notifying the Committees on*  
11 *Appropriations: Provided, That the transfer authority pro-*  
12 *vided in the previous proviso is in addition to any other*  
13 *transfer authority provided by law.*

14 *SEC. 229. None of the funds made available by this*  
15 *Act to carry out the Child Care and Development Block*  
16 *Grant Act of 1990 may be provided to any child care pro-*  
17 *vider if a list of providers (as mentioned in part 98 of title*  
18 *45 of the Code of Federal Regulations, applicable to the De-*  
19 *partment of Health and Human Services, Administration*  
20 *of Children and Families, and in the final rule published*  
21 *in the Federal Register, Vol. 81, No. 190, on Sept. 30, 2016)*  
22 *indicates that a serious injury or death occurred at the pro-*  
23 *vider due to a substantiated health or safety violation.*

24 *This title may be cited as the “Department of Health*  
25 *and Human Services Appropriations Act, 2018”.*

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*TITLE III*

*DEPARTMENT OF EDUCATION*

*EDUCATION FOR THE DISADVANTAGED*

*For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as “ESEA”) and section 418A of the Higher Education Act of 1965 (referred to in this Act as “HEA”), \$16,443,790,000, of which \$5,525,990,000 shall become available on July 1, 2018, and shall remain available through September 30, 2019, and of which \$10,841,177,000 shall become available on October 1, 2018, and shall remain available through September 30, 2019, for academic year 2018–2019: Provided, That \$6,459,401,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to \$5,000,000 of these funds shall be available to the Secretary of Education (referred to in this title as “Secretary”) on October 1, 2017, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That \$1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That \$3,969,050,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That \$3,969,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further,*

1 *That \$217,000,000 shall be for carrying out subpart 2 of*  
2 *part B of title II: Provided further, That \$44,623,000 shall*  
3 *be for carrying out section 418A of the HEA.*

4 *IMPACT AID*

5 *For carrying out programs of financial assistance to*  
6 *federally affected schools authorized by title VII of the*  
7 *ESEA, \$1,414,112,000, of which \$1,270,242,000 shall be for*  
8 *basic support payments under section 7003(b), \$48,316,000*  
9 *shall be for payments for children with disabilities under*  
10 *section 7003(d), \$17,406,000 shall be for construction under*  
11 *section 7007(a), \$73,313,000 shall be for Federal property*  
12 *payments under section 7002, and \$4,835,000, to remain*  
13 *available until expended, shall be for facilities maintenance*  
14 *under section 7008: Provided, That for purposes of com-*  
15 *puting the amount of a payment for an eligible local edu-*  
16 *cational agency under section 7003(a) for school year 2017–*  
17 *2018, children enrolled in a school of such agency that*  
18 *would otherwise be eligible for payment under section*  
19 *7003(a)(1)(B) of such Act, but due to the deployment of both*  
20 *parents or legal guardians, or a parent or legal guardian*  
21 *having sole custody of such children, or due to the death*  
22 *of a military parent or legal guardian while on active duty*  
23 *(so long as such children reside on Federal property as de-*  
24 *scribed in section 7003(a)(1)(B)), are no longer eligible*  
25 *under such section, shall be considered as eligible students*

1 *under such section, provided such students remain in aver-*  
 2 *age daily attendance at a school in the same local edu-*  
 3 *cational agency they attended prior to their change in eligi-*  
 4 *bility status.*

5 *SCHOOL IMPROVEMENT PROGRAMS*

6 *For carrying out school improvement activities author-*  
 7 *ized by part B of title I, part A of title II, subpart 1 of*  
 8 *part A of title IV, part B of title IV, part B of title V,*  
 9 *and parts B and C of title VI of the ESEA; the McKinney-*  
 10 *Vento Homeless Assistance Act; section 203 of the Edu-*  
 11 *cational Technical Assistance Act of 2002; the Compact of*  
 12 *Free Association Amendments Act of 2003; and the Civil*  
 13 *Rights Act of 1964, \$5,158,467,000, of which*  
 14 *\$3,329,902,000 shall become available on July 1, 2018, and*  
 15 *remain available through September 30, 2019, and of which*  
 16 *\$1,681,441,000 shall become available on October 1, 2018,*  
 17 *and shall remain available through September 30, 2019, for*  
 18 *academic year 2018–2019: Provided, That \$378,000,000*  
 19 *shall be for part B of title I: Provided further, That*  
 20 *\$1,211,673,000 shall be for part B of title IV: Provided fur-*  
 21 *ther, That \$36,397,000 shall be for part B of title VI and*  
 22 *may be used for construction, renovation, and moderniza-*  
 23 *tion of any elementary school, secondary school, or structure*  
 24 *related to an elementary school or secondary school, run by*  
 25 *the Department of Education of the State of Hawaii, that*

1 *serves a predominantly Native Hawaiian student body:*  
2 *Provided further, That \$35,453,000 shall be for part C of*  
3 *title VI and shall be awarded on a competitive basis, and*  
4 *also may be used for construction: Provided further, That*  
5 *\$52,000,000 shall be available to carry out section 203 of*  
6 *the Educational Technical Assistance Act of 2002 and the*  
7 *Secretary shall make such arrangements as determined to*  
8 *be necessary to ensure that the Bureau of Indian Education*  
9 *has access to services provided under this section: Provided*  
10 *further, That \$16,699,000 shall be available to carry out*  
11 *the Supplemental Education Grants program for the Fed-*  
12 *erated States of Micronesia and the Republic of the Mar-*  
13 *shall Islands: Provided further, That the Secretary may re-*  
14 *serve up to 5 percent of the amount referred to in the pre-*  
15 *vious proviso to provide technical assistance in the imple-*  
16 *mentation of these grants: Provided further, That*  
17 *\$180,840,000 shall be for part B of title V: Provided further,*  
18 *That \$1,100,000,000 shall be available for grants under sub-*  
19 *part 1 of part A of title IV.*

20 *INDIAN EDUCATION*

21 *For expenses necessary to carry out, to the extent not*  
22 *otherwise provided, title VI, part A of the ESEA,*  
23 *\$180,239,000, of which \$67,993,000 shall be for subpart 2*  
24 *of part A of title VI and \$6,865,000 shall be for subpart*  
25 *3 of part A of title VI.*



1 *vided, That \$90,000,000 shall be available for section 4631,*  
2 *of which up to \$5,000,000, to remain available until ex-*  
3 *pended, shall be for the Project School Emergency Response*  
4 *to Violence (“Project SERV”) program: Provided further,*  
5 *That \$17,500,000 shall be available for section 4625: Pro-*  
6 *vided further, That \$78,254,000 shall be available through*  
7 *December 31, 2018, for section 4624: Provided further, That*  
8 *section 4623(b) of the ESEA shall apply to funds appro-*  
9 *priated for Promise Neighborhoods under this heading in*  
10 *prior appropriations acts: Provided further, That, no later*  
11 *than June 1, 2018, the Secretary shall award extension*  
12 *grants under such section on a competitive basis to imple-*  
13 *mentation grantees that have demonstrated the ability to*  
14 *collect, track, and report longitudinal data on performance*  
15 *indicators established by the Department and required to*  
16 *be reported on annually as part of the initial implementa-*  
17 *tion grant; demonstrated the most positive and promising*  
18 *results during their initial implementation grant based on*  
19 *such indicators, emphasizing getting children ready to*  
20 *learn; demonstrated a commitment to operating in the most*  
21 *underserved and under-resourced, including rural, areas;*  
22 *and propose continuing to pursue ambitious goals during*  
23 *an extension of that grant.*

1                    *ENGLISH LANGUAGE ACQUISITION*

2            *For carrying out part A of title III of the ESEA,*  
3 *\$737,400,000, which shall become available on July 1, 2018,*  
4 *and shall remain available through September 30, 2019, ex-*  
5 *cept that 6.5 percent of such amount shall be available on*  
6 *October 1, 2017, and shall remain available through Sep-*  
7 *tember 30, 2019, to carry out activities under section*  
8 *3111(c)(1)(C).*

9                    *SPECIAL EDUCATION*

10          *For carrying out the Individuals with Disabilities*  
11 *Education Act (IDEA) and the Special Olympics Sport*  
12 *and Empowerment Act of 2004, \$13,366,184,000, of which*  
13 *\$3,845,585,000 shall become available on July 1, 2018, and*  
14 *shall remain available through September 30, 2019, and of*  
15 *which \$9,283,383,000 shall become available on October 1,*  
16 *2018, and shall remain available through September 30,*  
17 *2019, for academic year 2018–2019: Provided, That the*  
18 *amount for section 611(b)(2) of the IDEA shall be equal*  
19 *to the lesser of the amount available for that activity during*  
20 *fiscal year 2017, increased by the amount of inflation as*  
21 *specified in section 619(d)(2)(B) of the IDEA, or the per-*  
22 *cent change in the funds appropriated under section 611(i)*  
23 *of the IDEA, but not less than the amount for that activity*  
24 *during fiscal year 2017: Provided further, That the Sec-*  
25 *retary shall, without regard to section 611(d) of the IDEA,*



1 *distribute to all other States (as that term is defined in*  
2 *section 611(g)(2)), subject to the third proviso, any amount*  
3 *by which a State's allocation under section 611, from funds*  
4 *appropriated under this heading, is reduced under section*  
5 *612(a)(18)(B), according to the following: 85 percent on the*  
6 *basis of the States' relative populations of children aged 3*  
7 *through 21 who are of the same age as children with disabil-*  
8 *ities for whom the State ensures the availability of a free*  
9 *appropriate public education under this part, and 15 per-*  
10 *cent to States on the basis of the States' relative populations*  
11 *of those children who are living in poverty: Provided fur-*  
12 *ther, That the Secretary may not distribute any funds*  
13 *under the previous proviso to any State whose reduction*  
14 *in allocation from funds appropriated under this heading*  
15 *made funds available for such a distribution: Provided fur-*  
16 *ther, That the States shall allocate such funds distributed*  
17 *under the second proviso to local educational agencies in*  
18 *accordance with section 611(f): Provided further, That the*  
19 *amount by which a State's allocation under section 611(d)*  
20 *of the IDEA is reduced under section 612(a)(18)(B) and*  
21 *the amounts distributed to States under the previous pro-*  
22 *visos in fiscal year 2012 or any subsequent year shall not*  
23 *be considered in calculating the awards under section*  
24 *611(d) for fiscal year 2013 or for any subsequent fiscal*  
25 *years: Provided further, That, notwithstanding the provi-*

1 sion in section 612(a)(18)(B) regarding the fiscal year in  
2 which a State's allocation under section 611(d) is reduced  
3 for failure to comply with the requirement of section  
4 612(a)(18)(A), the Secretary may apply the reduction spec-  
5 ified in section 612(a)(18)(B) over a period of consecutive  
6 fiscal years, not to exceed five, until the entire reduction  
7 is applied: Provided further, That the Secretary may, in  
8 any fiscal year in which a State's allocation under section  
9 611 is reduced in accordance with section 612(a)(18)(B),  
10 reduce the amount a State may reserve under section  
11 611(e)(1) by an amount that bears the same relation to the  
12 maximum amount described in that paragraph as the re-  
13 duction under section 612(a)(18)(B) bears to the total allo-  
14 cation the State would have received in that fiscal year  
15 under section 611(d) in the absence of the reduction: Pro-  
16 vided further, That the Secretary shall either reduce the al-  
17 location of funds under section 611 for any fiscal year fol-  
18 lowing the fiscal year for which the State fails to comply  
19 with the requirement of section 612(a)(18)(A) as authorized  
20 by section 612(a)(18)(B), or seek to recover funds under sec-  
21 tion 452 of the General Education Provisions Act (20  
22 U.S.C. 1234a): Provided further, That the funds reserved  
23 under 611(e) of the IDEA may be used to provide technical  
24 assistance to States to improve the capacity of the States  
25 to meet the data collection requirements of sections 616 and

1 618 and to administer and carry out other services and ac-  
2 tivities to improve data collection, coordination, quality,  
3 and use under parts B and C of the IDEA: Provided fur-  
4 ther, That the Secretary may use funds made available for  
5 the State Personnel Development Grants program under  
6 part D, subpart 1 of IDEA to evaluate program perform-  
7 ance under such subpart.

8 *REHABILITATION SERVICES*

9 *For carrying out, to the extent not otherwise provided,*  
10 *the Rehabilitation Act of 1973 and the Helen Keller Na-*  
11 *tional Center Act, \$3,587,130,000, of which \$3,452,931,000*  
12 *shall be for grants for vocational rehabilitation services*  
13 *under title I of the Rehabilitation Act: Provided, That the*  
14 *Secretary may use amounts provided in this Act that re-*  
15 *main available subsequent to the reallocation of funds to*  
16 *States pursuant to section 110(b) of the Rehabilitation Act*  
17 *for innovative activities aimed at improving the outcomes*  
18 *of individuals with disabilities as defined in section*  
19 *7(20)(B) of the Rehabilitation Act, including activities*  
20 *aimed at improving the education and post-school outcomes*  
21 *of children receiving Supplemental Security Income*  
22 *(“SSI”) and their families that may result in long-term*  
23 *improvement in the SSI child recipient’s economic status*  
24 *and self-sufficiency: Provided further, That States may*  
25 *award subgrants for a portion of the funds to other public*

1 *and private, nonprofit entities: Provided further, That any*  
2 *funds made available subsequent to reallocation for innova-*  
3 *tive activities aimed at improving the outcomes of individ-*  
4 *uals with disabilities shall remain available until Sep-*  
5 *tember 30, 2019.*

6 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*

7 *AMERICAN PRINTING HOUSE FOR THE BLIND*

8 *For carrying out the Act to promote the Education of*  
9 *the Blind of March 3, 1879, \$27,431,000.*

10 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

11 *For the National Technical Institute for the Deaf*  
12 *under titles I and II of the Education of the Deaf Act of*  
13 *1986, \$73,000,000: Provided, That from the total amount*  
14 *available, the Institute may at its discretion use funds for*  
15 *the endowment program as authorized under section 207*  
16 *of such Act.*

17 *GALLAUDET UNIVERSITY*

18 *For the Kendall Demonstration Elementary School,*  
19 *the Model Secondary School for the Deaf, and the partial*  
20 *support of Gallaudet University under titles I and II of*  
21 *the Education of the Deaf Act of 1986, \$128,000,000: Pro-*  
22 *vided, That from the total amount available, the University*  
23 *may at its discretion use funds for the endowment program*  
24 *as authorized under section 207 of such Act.*

1            *CAREER, TECHNICAL, AND ADULT EDUCATION*

2            *For carrying out, to the extent not otherwise provided,*  
3 *the Carl D. Perkins Career and Technical Education Act*  
4 *of 2006 and the Adult Education and Family Literacy Act*  
5 *(“AEFLA”), \$1,830,686,000, of which \$1,039,686,000 shall*  
6 *become available on July 1, 2018, and shall remain avail-*  
7 *able through September 30, 2019, and of which*  
8 *\$791,000,000 shall become available on October 1, 2018,*  
9 *and shall remain available through September 30, 2019:*  
10 *Provided, That of the amounts made available for AEFLA,*  
11 *\$13,712,000 shall be for national leadership activities under*  
12 *section 242.*

13            *STUDENT FINANCIAL ASSISTANCE*

14            *For carrying out subparts 1, 3, and 10 of part A, and*  
15 *part C of title IV of the HEA, \$24,445,352,000, which shall*  
16 *remain available through September 30, 2019.*

17            *The maximum Pell Grant for which a student shall*  
18 *be eligible during award year 2018–2019 shall be \$5,035.*

19            *STUDENT AID ADMINISTRATION*

20            *For Federal administrative expenses to carry out part*  
21 *D of title I, and subparts 1, 3, 9, and 10 of part A, and*  
22 *parts B, C, D, and E of title IV of the HEA, and subpart*  
23 *1 of part A of title VII of the Public Health Service Act,*  
24 *\$1,678,943,000, to remain available through September 30,*  
25 *2019: Provided, That the Secretary shall allocate new stu-*

1 *dent loan borrower accounts to eligible student loan*  
2 *servicers on the basis of their performance compared to all*  
3 *loan servicers utilizing established common metrics, and on*  
4 *the basis of the capacity of each servicer to process new and*  
5 *existing accounts: Provided further, That the Secretary*  
6 *shall, no later than September 30, 2017, allow student loan*  
7 *borrowers who are consolidating Federal student loans to*  
8 *select from any student loan servicer to service their new*  
9 *consolidated student loan under the current student loan*  
10 *servicing contracts: Provided further, That in order to pro-*  
11 *mote accountability and high-quality service to borrowers,*  
12 *the Secretary shall not award funding for any contract so-*  
13 *licitation for a new Federal student loan servicing environ-*  
14 *ment, including the solicitation for the FSA Next Genera-*  
15 *tion Processing and Servicing Environment as amended by*  
16 *the Department of Education on February 20, 2018, unless*  
17 *such an environment provides for the participation of mul-*  
18 *tiple student loan servicers that contract directly with the*  
19 *Department of Education to manage a unique portfolio of*  
20 *borrower accounts and the full life-cycle of loans from dis-*  
21 *bursement to pay-off with certain limited exceptions, and*  
22 *allocates student loan borrower accounts to eligible student*  
23 *loan servicers based on performance: Provided further, That*  
24 *such servicers described in the previous proviso shall be*  
25 *evaluated based on their ability to meet contract require-*

1 ments, future performance on the contracts, and history of  
2 compliance with applicable consumer protections laws: Pro-  
3 vided further, That to the extent Federal Student Aid (FSA)  
4 permits student loan servicing subcontracting, FSA shall  
5 hold such subcontractors accountable for meeting the re-  
6 quirements of the contract: Provided further, That FSA  
7 shall create a fee structure with contractors that provides  
8 more support to borrowers at risk of being distressed.

#### 9 HIGHER EDUCATION

10 For carrying out, to the extent not otherwise provided,  
11 titles II, III, IV, V, VI, and VII of the HEA, the Mutual  
12 Educational and Cultural Exchange Act of 1961, and sec-  
13 tion 117 of the Carl D. Perkins Career and Technical Edu-  
14 cation Act of 2006, \$2,246,551,000: Provided, That notwith-  
15 standing any other provision of law, funds made available  
16 in this Act to carry out title VI of the HEA and section  
17 102(b)(6) of the Mutual Educational and Cultural Ex-  
18 change Act of 1961 may be used to support visits and study  
19 in foreign countries by individuals who are participating  
20 in advanced foreign language training and international  
21 studies in areas that are vital to United States national  
22 security and who plan to apply their language skills and  
23 knowledge of these countries in the fields of government, the  
24 professions, or international development: Provided further,  
25 That of the funds referred to in the preceding proviso up

1 *to 1 percent may be used for program evaluation, national*  
2 *outreach, and information dissemination activities: Pro-*  
3 *vided further, That up to 1.5 percent of the funds made*  
4 *available under chapter 2 of subpart 2 of part A of title*  
5 *IV of the HEA may be used for evaluation.*

6 *HOWARD UNIVERSITY*

7 *For partial support of Howard University,*  
8 *\$232,518,000, of which not less than \$3,405,000 shall be for*  
9 *a matching endowment grant pursuant to the Howard Uni-*  
10 *versity Endowment Act and shall remain available until*  
11 *expended.*

12 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*

13 *PROGRAM*

14 *For Federal administrative expenses to carry out ac-*  
15 *tivities related to existing facility loans pursuant to section*  
16 *121 of the HEA, \$435,000.*

17 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*

18 *FINANCING PROGRAM ACCOUNT*

19 *For the cost of guaranteed loans, \$20,150,000, as au-*  
20 *thorized pursuant to part D of title III of the HEA, which*  
21 *shall remain available through September 30, 2019: Pro-*  
22 *vided, That such costs, including the cost of modifying such*  
23 *loans, shall be as defined in section 502 of the Congressional*  
24 *Budget Act of 1974: Provided further, That these funds are*  
25 *available to subsidize total loan principal, any part of*



1 *which is to be guaranteed, not to exceed \$313,863,000: Pro-*  
2 *vided further, That these funds may be used to support*  
3 *loans to public and private Historically Black Colleges and*  
4 *Universities without regard to the limitations within sec-*  
5 *tion 344(a) of the HEA.*

6 *In addition, \$10,000,000 shall be made available to*  
7 *provide for the deferment of loans made under part D of*  
8 *title III of the HEA to eligible institutions that are private*  
9 *Historically Black Colleges and Universities, which apply*  
10 *for the deferment of such a loan and demonstrate financial*  
11 *need for such deferment by having a score of 2.6 or less*  
12 *on the Department of Education's financial responsibility*  
13 *test: Provided, That during the period of deferment of such*  
14 *a loan, interest on the loan will not accrue or be capitalized,*  
15 *and the period of deferment shall be for at least a period*  
16 *of 3-fiscal years and not more than 6-fiscal years: Provided*  
17 *further, That when determining priority for such institu-*  
18 *tions to receive such a deferment, the Secretary shall give*  
19 *priority to institutions that operated in a financial deficit*  
20 *for at least one of the previous 5 years according to audits*  
21 *provided to the Department, or were sanctioned for finan-*  
22 *cial related reasons by the agency or association that ac-*  
23 *credited such institutions: Provided further, That the Sec-*  
24 *retary shall create and execute an outreach plan to work*  
25 *with States and the Capital Financing Advisory Board to*

1 *improve outreach to States and help additional public His-*  
2 *torically Black Colleges and Universities participate in the*  
3 *program.*

4 *In addition, for administrative expenses to carry out*  
5 *the Historically Black College and University Capital Fi-*  
6 *ancing Program entered into pursuant to part D of title*  
7 *III of the HEA, \$334,000.*

8 *INSTITUTE OF EDUCATION SCIENCES*

9 *For carrying out activities authorized by the Edu-*  
10 *cation Sciences Reform Act of 2002, the National Assess-*  
11 *ment of Educational Progress Authorization Act, section*  
12 *208 of the Educational Technical Assistance Act of 2002,*  
13 *and section 664 of the Individuals with Disabilities Edu-*  
14 *cation Act, \$613,462,000, which shall remain available*  
15 *through September 30, 2019: Provided, That funds available*  
16 *to carry out section 208 of the Educational Technical As-*  
17 *sistance Act may be used to link Statewide elementary and*  
18 *secondary data systems with early childhood, postsec-*  
19 *ondary, and workforce data systems, or to further develop*  
20 *such systems: Provided further, That up to \$6,000,000 of*  
21 *the funds available to carry out section 208 of the Edu-*  
22 *cational Technical Assistance Act may be used for awards*  
23 *to public or private organizations or agencies to support*  
24 *activities to improve data coordination, quality, and use*  
25 *at the local, State, and national levels.*

1                    *DEPARTMENTAL MANAGEMENT*2                    *PROGRAM ADMINISTRATION*

3            *For carrying out, to the extent not otherwise provided,*  
4 *the Department of Education Organization Act, including*  
5 *rental of conference rooms in the District of Columbia and*  
6 *hire of three passenger motor vehicles, \$430,000,000: Pro-*  
7 *vided, That, notwithstanding any other provision of law,*  
8 *none of the funds provided by this Act or provided by pre-*  
9 *vious Appropriations Acts to the Department of Education*  
10 *available for obligation or expenditure in the current fiscal*  
11 *year may be used for any activity relating to implementing*  
12 *a reorganization that decentralizes, reduces the staffing*  
13 *level, or alters the responsibilities, structure, authority, or*  
14 *functionality of the Budget Service of the Department of*  
15 *Education, relative to the organization and operation of the*  
16 *Budget Service as in effect on January 1, 2018.*

17                    *OFFICE FOR CIVIL RIGHTS*

18            *For expenses necessary for the Office for Civil Rights,*  
19 *as authorized by section 203 of the Department of Edu-*  
20 *cation Organization Act, \$117,000,000.*

21                    *OFFICE OF INSPECTOR GENERAL*

22            *For expenses necessary for the Office of Inspector Gen-*  
23 *eral, as authorized by section 212 of the Department of*  
24 *Education Organization Act, \$61,143,000.*

1 *GENERAL PROVISIONS*

2 *SEC. 301. No funds appropriated in this Act may be*  
3 *used for the transportation of students or teachers (or for*  
4 *the purchase of equipment for such transportation) in order*  
5 *to overcome racial imbalance in any school or school system,*  
6 *or for the transportation of students or teachers (or for the*  
7 *purchase of equipment for such transportation) in order to*  
8 *carry out a plan of racial desegregation of any school or*  
9 *school system.*

10 *SEC. 302. None of the funds contained in this Act shall*  
11 *be used to require, directly or indirectly, the transportation*  
12 *of any student to a school other than the school which is*  
13 *nearest the student's home, except for a student requiring*  
14 *special education, to the school offering such special edu-*  
15 *cation, in order to comply with title VI of the Civil Rights*  
16 *Act of 1964. For the purpose of this section an indirect re-*  
17 *quirement of transportation of students includes the trans-*  
18 *portation of students to carry out a plan involving the reor-*  
19 *ganization of the grade structure of schools, the pairing of*  
20 *schools, or the clustering of schools, or any combination of*  
21 *grade restructuring, pairing, or clustering. The prohibition*  
22 *described in this section does not include the establishment*  
23 *of magnet schools.*

1        *SEC. 303. No funds appropriated in this Act may be*  
2        *used to prevent the implementation of programs of vol-*  
3        *untary prayer and meditation in the public schools.*

4                                       *(TRANSFER OF FUNDS)*

5        *SEC. 304. Not to exceed 1 percent of any discretionary*  
6        *funds (pursuant to the Balanced Budget and Emergency*  
7        *Deficit Control Act of 1985) which are appropriated for the*  
8        *Department of Education in this Act may be transferred*  
9        *between appropriations, but no such appropriation shall be*  
10       *increased by more than 3 percent by any such transfer: Pro-*  
11       *vided, That the transfer authority granted by this section*  
12       *shall not be used to create any new program or to fund*  
13       *any project or activity for which no funds are provided in*  
14       *this Act: Provided further, That the Committees on Appro-*  
15       *priations of the House of Representatives and the Senate*  
16       *are notified at least 15 days in advance of any transfer.*

17        *SEC. 305. Section 105(f)(1)(B)(ix) of the Compact of*  
18        *Free Association Amendments Act of 2003 (48 U.S.C.*  
19        *1921d(f)(1)(B)(ix)) shall be applied by substituting “2018”*  
20        *for “2017”.*

21        *SEC. 306. Funds appropriated in this Act and consoli-*  
22        *dated for evaluation purposes under section 8601(c) of the*  
23        *ESEA shall be available from July 1, 2018, through Sep-*  
24        *tember 30, 2019.*

1        *SEC. 307. (a) An institution of higher education that*  
2 *maintains an endowment fund supported with funds appro-*  
3 *priated for title III or V of the HEA for fiscal year 2018*  
4 *may use the income from that fund to award scholarships*  
5 *to students, subject to the limitation in section*  
6 *331(c)(3)(B)(i) of the HEA. The use of such income for such*  
7 *purposes, prior to the enactment of this Act, shall be consid-*  
8 *ered to have been an allowable use of that income, subject*  
9 *to that limitation.*

10        *(b) Subsection (a) shall be in effect until titles III and*  
11 *V of the HEA are reauthorized.*

12        *SEC. 308. Section 114(f) of the HEA (20 U.S.C.*  
13 *1011c(f)) is amended by striking “2017” and inserting*  
14 *“2018”.*

15        *SEC. 309. Section 458(a) of the HEA (20 U.S.C.*  
16 *1087h(a)) is amended in paragraph (4) by striking “2017”*  
17 *and inserting “2018”.*

18    *(RESCISSIION)*

19        *SEC. 310. Section 401(b)(7)(A)(iv)(VIII) of the Higher*  
20 *Education Act of 1965 (20 U.S.C.*  
21 *1070a(b)(7)(A)(iv)(VIII)) is amended by striking*  
22 *“\$1,382,000,000” and inserting “\$1,334,000,000”.*

23        *SEC. 311. (a) Notwithstanding any other provision of*  
24 *law except as provided under subsection (c), with respect*  
25 *to a local educational agency that was notified by the Sec-*

1 *retary in fiscal year 2017 of the agency's eligibility to re-*  
2 *ceive a basic support payment pursuant to section*  
3 *7003(b)(2)(B)(i)(III) of the Elementary and Secondary*  
4 *Education Act of 1965 (20 U.S.C. 7703(b)(2)(B)(i)(III)) for*  
5 *fiscal year 2017 but did not receive a payment under sec-*  
6 *tion 7003(b)(2) of such Act for fiscal year 2017, in addition*  
7 *to payments received by the local educational agency under*  
8 *section 7003(b)(1) of such Act, the Secretary shall reserve*  
9 *from funds appropriated to carry out section 7003(b) of*  
10 *such Act and make payments from such funds to such local*  
11 *educational agency for fiscal years 2017, 2018, 2019, and*  
12 *2020 in the following amounts:*

13           (1) \$3,000,000 for fiscal year 2017.

14           (2) \$5,000,000 for fiscal year 2018.

15           (3) \$4,000,000 for fiscal year 2019.

16           (4) \$4,000,000 for fiscal year 2020.

17           (b) *For fiscal year 2017, a local educational agency*  
18 *described in subsection (a) shall not be eligible for a basic*  
19 *support payment pursuant to section 7003(b)(2) of the Ele-*  
20 *mentary and Secondary Education Act of 1965 (20 U.S.C.*  
21 *7703(b)(2)).*

22           (c) *For fiscal year 2018 and succeeding fiscal years,*  
23 *if a local educational agency described in subsection (a) is*  
24 *eligible to receive a basic support payment pursuant to sec-*  
25 *tion 7003(b)(2) of the Elementary and Secondary Edu-*

1 *tion Act of 1965 (20 U.S.C. 7703(b)(2)), the payment re-*  
2 *ceived by the local educational agency shall be calculated*  
3 *under section 7003(b)(2) of such Act and not under sub-*  
4 *section (a).*

5 *(d) Section 7003(b)(2)(B) of the Elementary and Sec-*  
6 *ondary Education Act (20 U.S.C. 7703(b)(2)(B)) is amend-*  
7 *ed—*

8 *(1) in clause (i)(III)—*

9 *(A) in item (aa), by striking “and” after*  
10 *the semicolon;*

11 *(B) in item (bb)(BB)—*

12 *(i) by inserting “and received assist-*  
13 *ance for fiscal year 2017 pursuant to sub-*  
14 *paragraph (G)” after “not less than 65 per-*  
15 *cent”; and*

16 *(ii) by inserting “and” after the semi-*  
17 *colon; and*

18 *(C) by adding at the end the following:*

19 *“(cc) received assistance*  
20 *under subparagraph (A) of section*  
21 *8003(b)(2), as such section was in*  
22 *effect on the day before the date of*  
23 *enactment of the Every Student*  
24 *Succeeds Act (Public Law 114–95;*



1                   129 Stat. 1802), for a fiscal year  
2                   prior to fiscal year 2017;” and

3                   (2) by striking clause (iii) and inserting the fol-  
4                   lowing:

5                   “(iii) *ELIGIBILITY.*—

6                   “*(I) FIRST TIME.*—A local edu-  
7                   cational agency seeking a payment  
8                   under this paragraph for the first time  
9                   shall apply for and be determined eli-  
10                  gible under clause (i) for 2 consecutive  
11                  years before receiving such a payment,  
12                  and shall not receive such a payment  
13                  for the first year of eligibility.

14                  “*(II) RESUMPTION OF ELIGI-*  
15                  *BILITY.*—A heavily impacted local edu-  
16                  cational agency described in clause (i)  
17                  that becomes ineligible under such  
18                  clause for 1 or more fiscal years may  
19                  resume eligibility for a basic support  
20                  payment under this paragraph for a  
21                  subsequent fiscal year only if the agen-  
22                  cy meets the requirements of clause (i)  
23                  for that subsequent fiscal year, except  
24                  that such agency shall not receive a  
25                  basic support payment under this

1 paragraph until the fiscal year suc-  
2 ceeding the fiscal year for which the  
3 eligibility determination is made.”.

4 (e) Section 579(c)(2) of the National Defense Author-  
5 ization Act for Fiscal Year 2017 (Public Law 114–328; 130  
6 Stat. 2145) is amended, in the matter preceding subpara-  
7 graph (A), by striking “for fiscal year 2017, 2018, or 2019,”  
8 and inserting “for fiscal year 2017 and any succeeding fis-  
9 cal year,”.

10 SEC. 312. For the purpose of providing temporary  
11 emergency impact aid for displaced students under the  
12 Hurricane Education Recovery heading in title VIII of sub-  
13 division 1 of division B of the Bipartisan Budget Act of  
14 2018 (Public Law 115–123), paragraph (2)(E) under such  
15 heading is amended by inserting before the semicolon at the  
16 end the following: “and each reference to the end of the  
17 2005–2006 school year in section 107(f) of title IV of divi-  
18 sion B of Public Law 109–148, shall be to December 31,  
19 2018”.

20 SEC. 313. (a) Notwithstanding the limitations on shar-  
21 ing data described in paragraph (3)(E) of section 483(a)  
22 of the HEA, an institution of higher education may, with  
23 explicit written consent of an applicant who has completed  
24 a FAFSA under such section 483(a), provide such informa-  
25 tion collected from the applicant’s FAFSA as is necessary

1 to a scholarship granting organization, including a tribal  
2 organization (defined in section 4 of the Indian Self-Deter-  
3 mination and Education Assistance Act (25 U.S.C. 5304)),  
4 designated by the applicant to assist the applicant in ap-  
5 plying for and receiving financial assistance for the appli-  
6 cant's cost of attendance (defined in section 472 of the  
7 HEA) at that institution.

8 (b) An organization that receives information pursu-  
9 ant to subsection (a) shall not sell or otherwise share such  
10 information.

11 (c) This section shall be in effect until title IV of the  
12 HEA is reauthorized.

13 SEC. 314. (a) IN GENERAL.—For the purpose of car-  
14 rying out section 435(a)(2) of the Higher Education Act  
15 of 1965 (20 U.S.C. 1085(a)(2)), the Secretary of Education  
16 may waive the requirements under sections 435(a)(5)(A)(i)  
17 and 435(a)(5)(A)(ii) of such Act (20 U.S.C.  
18 1085(a)(5)(A)(i) and 20 U.S.C. 1085(a)(5)(A)(ii))—

19 (1) for an institution of higher education that of-  
20 fers an associate degree, is a public institution, and  
21 is located in an economically distressed county, de-  
22 fined as a county that ranks in the lowest 5 percent  
23 of all counties in the United States based on a na-  
24 tional index of county economic status; and

25 (2) for an institution—

1           (A) that is a public institution of higher  
2           education or a Tribal College or University (as  
3           defined in section 316(b) of such Act (20 U.S.C.  
4           1059c)); and

5           (B) whose fall enrollment for the most re-  
6           cently completed academic year was comprised of  
7           a majority of students who are Indian (as de-  
8           fined in such section) or Alaska Natives (as de-  
9           fined in section 317(b) of such Act (20 U.S.C.  
10          1059d(b)).

11          (b) *APPLICABILITY.*—Subsection (a) shall apply to an  
12          institution of higher education that otherwise would be in-  
13          eligible to participate in a program under part A of title  
14          IV of the Higher Education Act of 1965 on or after the  
15          date of enactment of this Act due to the application of sec-  
16          tion 435(a)(2) of the Higher Education Act of 1965 (20  
17          U.S.C. 1085(a)(2)).

18          (c) *COVERAGE.*—This section shall be in effect for the  
19          period covered by this Act and for the succeeding fiscal year.

20          SEC. 315. For an additional amount for “Department  
21          of Education—Federal Direct Student Loan Program Ac-  
22          count”, \$350,000,000, to remain available until expended,  
23          shall be for the cost, as defined under section 502 of the  
24          Congressional Budget Act of 1974, of the Secretary of Edu-  
25          cation providing loan cancellation in the same manner as

1 *under section 455(m) of the Higher Education Act of 1965*  
2 *(20 U.S.C. 1087e(m)), for borrowers of loans made under*  
3 *part D of title IV of such Act who would qualify for loan*  
4 *cancellation under section 455(m) except some, or all, of*  
5 *the 120 required payments under section 455(m)(1)(A) do*  
6 *not qualify for purposes of the program because they were*  
7 *monthly payments made in accordance with graduated or*  
8 *extended repayment plans as described under subparagraph*  
9 *(B) or (C) of section 455(d)(1) or the corresponding repay-*  
10 *ment plan for a consolidation loan made under section*  
11 *455(g) and that were less than the amount calculated under*  
12 *section 455(d)(1)(A), based on a 10-year repayment period:*  
13 *Provided, That the monthly payment made 12 months be-*  
14 *fore the borrower applied for loan cancellation as described*  
15 *in the matter preceding this proviso and the most recent*  
16 *monthly payment made by the borrower at the time of such*  
17 *application were each not less than the monthly amount*  
18 *that would be calculated under, and for which the borrower*  
19 *would otherwise qualify for, clause (i) or (iv) of section*  
20 *455(m)(1)(A) regarding income-based or income-contingent*  
21 *repayment plans, with exception for a borrower who would*  
22 *have otherwise been eligible under this section but dem-*  
23 *onstrates an unusual fluctuation of income over the past*  
24 *5 years: Provided further, That the total loan volume, in-*  
25 *cluding outstanding principal, fees, capitalized interest, or*

1 accrued interest, at application that is eligible for such loan  
2 cancellation by such borrowers shall not exceed  
3 \$500,000,000: Provided further, That the Secretary shall de-  
4 velop and make available a simple method for borrowers  
5 to apply for loan cancellation under this section within 60  
6 days of enactment of this Act: Provided further, That the  
7 Secretary shall provide loan cancellation under this section  
8 to eligible borrowers on a first-come, first-serve basis, based  
9 on the date of application and subject to both the limitation  
10 on total loan volume at application for such loan cancella-  
11 tion specified in the second proviso and the availability of  
12 appropriations under this section: Provided further, That  
13 no borrower may, for the same service, receive a reduction  
14 of loan obligations under both this section and section 428J,  
15 428K, 428L, or 460 of such Act.

16       SEC. 316. Of the amounts made available under this  
17 title under the heading “Student Aid Administration”,  
18 \$2,300,000 shall be used by the Secretary of Education to  
19 conduct outreach to borrowers of loans made under part D  
20 of title IV of the Higher Education Act of 1965 who may  
21 intend to qualify for loan cancellation under 455(m) of such  
22 Act (20 U.S.C. 1087e(m)), to ensure that borrowers are  
23 meeting the terms and conditions of such loan cancellation:  
24 Provided, That the Secretary shall specifically conduct out-  
25 reach to assist borrowers who would qualify for loan can-

1 cellation under 455(m) of such Act except that the borrower  
2 has made some, or all, of the 120 required payments under  
3 a repayment plan that is not described under section  
4 455(m)(A) of such Act, to encourage borrowers to enroll in  
5 a qualifying repayment plan: Provided further, That the  
6 Secretary shall also communicate to all Direct Loan bor-  
7 rowers the full requirements of 455(m) of such Act and im-  
8 prove the filing of employment certification by providing  
9 improved outreach and information such as outbound calls,  
10 electronic communications, ensuring prominent access to  
11 program requirements and benefits on each servicer's  
12 website, and creating an option for all borrowers to com-  
13 plete the entire payment certification process electronically  
14 and on a centralized website.

15 *CHILDREN OF FALLEN HEROES SCHOLARSHIP ACT*

16 *SEC. 317. Section 473(b) of the Higher Education Act*  
17 *of 1965 (20 U.S.C. 1087mm(b)) is amended—*

18 *(1) in paragraph (2)—*

19 *(A) in the matter preceding subparagraph*  
20 *(A), by inserting “(in the case of a student who*  
21 *meets the requirement of subparagraph (B)(i),*  
22 *or academic year 2018–2019 (in the case of a*  
23 *student who meets the requirement of subpara-*  
24 *graph (B)(ii)),” after “academic year 2009–*  
25 *2010”; and*

1           (B) by amending subparagraph (B) to read  
2 as follows:

3           “(B) whose parent or guardian was—

4                   “(i) a member of the Armed Forces of  
5 the United States and died as a result of  
6 performing military service in Iraq or Af-  
7 ghanistan after September 11, 2001; or

8                   “(ii) actively serving as a public safety  
9 officer and died in the line of duty while  
10 performing as a public safety officer; and”;

11           (2) in paragraph (3)—

12                   (A) by striking “Notwithstanding” and in-  
13 serting the following:

14                           “(A) ARMED FORCES.—Notwithstanding”;

15                           (B) by striking “paragraph (2)” and insert-  
16 ing “subparagraphs (A), (B)(i), and (C) of para-  
17 graph (2)”;

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

19                           “(B) PUBLIC SAFETY OFFICERS.—Notwith-  
20 standing any other provision of law, unless the  
21 Secretary establishes an alternate method to ad-  
22 just the expected family contribution, for each  
23 student who meets the requirements of subpara-  
24 graphs (A), (B)(ii), and (C) of paragraph (2), a  
25 financial aid administrator shall—



1                   “(i) verify with the student that the  
2                   student is eligible for the adjustment;

3                   “(ii) adjust the expected family con-  
4                   tribution in accordance with this subsection;  
5                   and

6                   “(iii) notify the Secretary of the ad-  
7                   justment and the student’s eligibility for the  
8                   adjustment.”; and

9                   (3) by adding at the end the following:

10                   “(4) *TREATMENT OF PELL AMOUNT.*—Notwith-  
11                   standing section 1212 of the Omnibus Crime Control  
12                   and Safe Streets Act of 1968 (42 U.S.C. 3796d–1), in  
13                   the case of a student who receives an increased Fed-  
14                   eral Pell Grant amount under this section, the total  
15                   amount of such Federal Pell Grant, including the in-  
16                   crease under this subsection, shall not be considered  
17                   in calculating that student’s educational assistance  
18                   benefits under the Public Safety Officers’ Benefits  
19                   program under subpart 2 of part L of title I of such  
20                   Act.

21                   “(5) *DEFINITION OF PUBLIC SAFETY OFFICER.*—  
22                   For purposes of this subsection, the term ‘public safe-  
23                   ty officer’ means—

24                   “(A) a public safety officer, as defined in  
25                   section 1204 of title I of the Omnibus Crime

1           *Control and Safe Streets Act of 1968 (42 U.S.C.*  
2           *3796b); or*

3                   *“(B) a fire police officer, defined as an in-*  
4           *dividual who—*

5                           *“(i) is serving in accordance with*  
6                           *State or local law as an officially recog-*  
7                           *nized or designated member of a legally or-*  
8                           *ganized public safety agency;*

9                           *“(ii) is not a law enforcement officer,*  
10                          *a firefighter, a chaplain, or a member of a*  
11                          *rescue squad or ambulance crew; and*

12                           *“(iii) provides scene security or directs*  
13                          *traffic—*

14                                   *“(I) in response to any fire drill,*  
15                                   *fire call, or other fire, rescue, or police*  
16                                   *emergency; or*

17                                   *“(II) at a planned special event.”.*

18           *SEC. 318. Notwithstanding any other provision of law*  
19           *funds awarded under part D of title IV of the Elementary*  
20           *and Secondary Education Act of 1965 for fiscal years 2017*  
21           *and 2018 may be used for the purposes in section*  
22           *4407(a)(9) of such Act.*

23                   *This title may be cited as the “Department of Edu-*  
24           *cation Appropriations Act, 2018”.*

1 TITLE IV  
2 RELATED AGENCIES  
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE  
4 BLIND OR SEVERELY DISABLED  
5 SALARIES AND EXPENSES  
6 For expenses necessary for the Committee for Purchase  
7 From People Who Are Blind or Severely Disabled estab-  
8 lished under section 8502 of title 41, United States Code,  
9 \$8,250,000: Provided, That in order to authorize any cen-  
10 tral nonprofit agency designated pursuant to section  
11 8503(c) of title 41, United States Code, to perform contract  
12 requirements of the Committee as prescribed under section  
13 51–3.2 of title 41, Code of Federal Regulations, the Com-  
14 mittee shall enter into a written agreement with any such  
15 central nonprofit agency: Provided further, That such  
16 agreement entered into under the preceding proviso shall  
17 contain such auditing, oversight, and reporting provisions  
18 as necessary to implement chapter 85 of title 41, United  
19 States Code: Provided further, That such agreement shall  
20 include the elements listed under this heading in the explan-  
21 atory statement accompanying Public Law 114–113: Pro-  
22 vided further, That a fee may not be charged under section  
23 51–3.5 of title 41, Code of Federal Regulations, unless such  
24 fee is under the terms of the written agreement between the  
25 Committee and any such central nonprofit agency: Pro-

1 *vided further, That no less than \$1,250,000 shall be avail-*  
2 *able for the Office of Inspector General.*

3 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

4 *OPERATING EXPENSES*

5 *For necessary expenses for the Corporation for Na-*  
6 *tional and Community Service (referred to in this title as*  
7 *“CNCS”) to carry out the Domestic Volunteer Service Act*  
8 *of 1973 (referred to in this title as “1973 Act”) and the*  
9 *National and Community Service Act of 1990 (referred to*  
10 *in this title as “1990 Act”), \$767,629,000, notwithstanding*  
11 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*  
12 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*  
13 *provided under this heading: (1) up to 1 percent of program*  
14 *grant funds may be used to defray the costs of conducting*  
15 *grant application reviews, including the use of outside peer*  
16 *reviewers and electronic management of the grants cycle;*  
17 *(2) \$17,538,000 shall be available to provide assistance to*  
18 *State commissions on national and community service,*  
19 *under section 126(a) of the 1990 Act and notwithstanding*  
20 *section 501(a)(5)(B) of the 1990 Act; (3) \$32,000,000 shall*  
21 *be available to carry out subtitle E of the 1990 Act; and*  
22 *(4) \$5,400,000 shall be available for expenses authorized*  
23 *under section 501(a)(4)(F) of the 1990 Act, which, notwith-*  
24 *standing the provisions of section 198P shall be awarded*  
25 *by CNCS on a competitive basis: Provided further, That*

1 *for the purposes of carrying out the 1990 Act, satisfying*  
2 *the requirements in section 122(c)(1)(D) may include a de-*  
3 *termination of need by the local community.*

4 *PAYMENT TO THE NATIONAL SERVICE TRUST*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For payment to the National Service Trust established*  
7 *under subtitle D of title I of the 1990 Act, \$206,842,000,*  
8 *to remain available until expended: Provided, That CNCS*  
9 *may transfer additional funds from the amount provided*  
10 *within “Operating Expenses” allocated to grants under sub-*  
11 *title C of title I of the 1990 Act to the National Service*  
12 *Trust upon determination that such transfer is necessary*  
13 *to support the activities of national service participants*  
14 *and after notice is transmitted to the Committees on Appro-*  
15 *priations of the House of Representatives and the Senate:*  
16 *Provided further, That amounts appropriated for or trans-*  
17 *ferred to the National Service Trust may be invested under*  
18 *section 145(b) of the 1990 Act without regard to the require-*  
19 *ment to apportion funds under 31 U.S.C. 1513(b).*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses of administration as provided*  
22 *under section 501(a)(5) of the 1990 Act and under section*  
23 *504(a) of the 1973 Act, including payment of salaries, au-*  
24 *thorized travel, hire of passenger motor vehicles, the rental*  
25 *of conference rooms in the District of Columbia, the employ-*

1 *ment of experts and consultants authorized under 5 U.S.C.*  
2 *3109, and not to exceed \$2,500 for official reception and*  
3 *representation expenses, \$83,737,000.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*  
6 *eral in carrying out the Inspector General Act of 1978,*  
7 *\$5,750,000.*

8 *ADMINISTRATIVE PROVISIONS*

9 *SEC. 401. CNCS shall make any significant changes*  
10 *to program requirements, service delivery or policy only*  
11 *through public notice and comment rulemaking. For fiscal*  
12 *year 2018, during any grant selection process, an officer*  
13 *or employee of CNCS shall not knowingly disclose any cov-*  
14 *ered grant selection information regarding such selection,*  
15 *directly or indirectly, to any person other than an officer*  
16 *or employee of CNCS that is authorized by CNCS to receive*  
17 *such information.*

18 *SEC. 402. AmeriCorps programs receiving grants*  
19 *under the National Service Trust program shall meet an*  
20 *overall minimum share requirement of 24 percent for the*  
21 *first 3 years that they receive AmeriCorps funding, and*  
22 *thereafter shall meet the overall minimum share require-*  
23 *ment as provided in section 2521.60 of title 45, Code of*  
24 *Federal Regulations, without regard to the operating costs*  
25 *match requirement in section 121(e) or the member support*

1 *Federal share limitations in section 140 of the 1990 Act,*  
2 *and subject to partial waiver consistent with section*  
3 *2521.70 of title 45, Code of Federal Regulations.*

4 *SEC. 403. Donations made to CNCS under section 196*  
5 *of the 1990 Act for the purposes of financing programs and*  
6 *operations under titles I and II of the 1973 Act or subtitle*  
7 *B, C, D, or E of title I of the 1990 Act shall be used to*  
8 *supplement and not supplant current programs and oper-*  
9 *ations.*

10 *SEC. 404. In addition to the requirements in section*  
11 *146(a) of the 1990 Act, use of an educational award for*  
12 *the purpose described in section 148(a)(4) shall be limited*  
13 *to individuals who are veterans as defined under section*  
14 *101 of the Act.*

15 *SEC. 405. For the purpose of carrying out section*  
16 *189D of the 1990 Act—*

17 *(1) entities described in paragraph (a) of such*  
18 *section shall be considered “qualified entities” under*  
19 *section 3 of the National Child Protection Act of 1993*  
20  *(“NCPA”);*

21 *(2) individuals described in such section shall be*  
22 *considered “volunteers” under section 3 of NCPA; and*

23 *(3) State Commissions on National and Commu-*  
24 *nity Service established pursuant to section 178 of the*  
25 *1990 Act, are authorized to receive criminal history*

1        *record information, consistent with Public Law 92–*  
2        *544.*

3        *SEC. 406. Notwithstanding sections 139(b), 146 and*  
4        *147 of the 1990 Act, an individual who successfully com-*  
5        *pletes a term of service of not less than 1,200 hours during*  
6        *a period of not more than one year may receive a national*  
7        *service education award having a value of 70 percent of*  
8        *the value of a national service education award determined*  
9        *under section 147(a) of the Act.*

10                    *CORPORATION FOR PUBLIC BROADCASTING*

11        *For payment to the Corporation for Public Broad-*  
12        *casting (“CPB”), as authorized by the Communications Act*  
13        *of 1934, an amount which shall be available within limita-*  
14        *tions specified by that Act, for the fiscal year 2020,*  
15        *\$445,000,000: Provided, That none of the funds made avail-*  
16        *able to CPB by this Act shall be used to pay for receptions,*  
17        *parties, or similar forms of entertainment for Government*  
18        *officials or employees: Provided further, That none of the*  
19        *funds made available to CPB by this Act shall be available*  
20        *or used to aid or support any program or activity from*  
21        *which any person is excluded, or is denied benefits, or is*  
22        *discriminated against, on the basis of race, color, national*  
23        *origin, religion, or sex: Provided further, That none of the*  
24        *funds made available to CPB by this Act shall be used to*  
25        *apply any political test or qualification in selecting, ap-*



1 *pointing, promoting, or taking any other personnel action*  
2 *with respect to officers, agents, and employees of CPB: Pro-*  
3 *vided further, That none of the funds made available to*  
4 *CPB by this Act shall be used to support the Television Fu-*  
5 *ture Fund or any similar purpose.*

6 *In addition, for the costs associated with replacing and*  
7 *upgrading the public broadcasting interconnection system*  
8 *and other technologies and services that create infrastruc-*  
9 *ture and efficiencies within the public media system,*  
10 *\$20,000,000.*

11 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

12 *SALARIES AND EXPENSES*

13 *For expenses necessary for the Federal Mediation and*  
14 *Conciliation Service (“Service”) to carry out the functions*  
15 *vested in it by the Labor-Management Relations Act, 1947,*  
16 *including hire of passenger motor vehicles; for expenses nec-*  
17 *essary for the Labor-Management Cooperation Act of 1978;*  
18 *and for expenses necessary for the Service to carry out the*  
19 *functions vested in it by the Civil Service Reform Act,*  
20 *\$46,650,000, including up to \$900,000 to remain available*  
21 *through September 30, 2019, for activities authorized by the*  
22 *Labor-Management Cooperation Act of 1978: Provided,*  
23 *That notwithstanding 31 U.S.C. 3302, fees charged, up to*  
24 *full-cost recovery, for special training activities and other*  
25 *conflict resolution services and technical assistance, includ-*

1 *ing those provided to foreign governments and international*  
 2 *organizations, and for arbitration services shall be credited*  
 3 *to and merged with this account, and shall remain avail-*  
 4 *able until expended: Provided further, That fees for arbitra-*  
 5 *tion services shall be available only for education, training,*  
 6 *and professional development of the agency workforce: Pro-*  
 7 *vided further, That the Director of the Service is authorized*  
 8 *to accept and use on behalf of the United States gifts of*  
 9 *services and real, personal, or other property in the aid of*  
 10 *any projects or functions within the Director's jurisdiction.*

11 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

12 *COMMISSION*

13 *SALARIES AND EXPENSES*

14 *For expenses necessary for the Federal Mine Safety*  
 15 *and Health Review Commission, \$17,184,000.*

16 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

17 *OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND*

18 *ADMINISTRATION*

19 *For carrying out the Museum and Library Services*  
 20 *Act of 1996 and the National Museum of African American*  
 21 *History and Culture Act, \$240,000,000.*

22 *MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION*

23 *SALARIES AND EXPENSES*

24 *For expenses necessary to carry out section 1900 of the*  
 25 *Social Security Act, \$8,480,000.*

1            *MEDICARE PAYMENT ADVISORY COMMISSION*2                            *SALARIES AND EXPENSES*

3            *For expenses necessary to carry out section 1805 of the*  
4 *Social Security Act, \$12,545,000, to be transferred to this*  
5 *appropriation from the Federal Hospital Insurance Trust*  
6 *Fund and the Federal Supplementary Medical Insurance*  
7 *Trust Fund.*

8                            *NATIONAL COUNCIL ON DISABILITY*9                            *SALARIES AND EXPENSES*

10          *For expenses necessary for the National Council on*  
11 *Disability as authorized by title IV of the Rehabilitation*  
12 *Act of 1973, \$3,250,000.*

13                          *NATIONAL LABOR RELATIONS BOARD*14                            *SALARIES AND EXPENSES*

15          *For expenses necessary for the National Labor Rela-*  
16 *tions Board to carry out the functions vested in it by the*  
17 *Labor-Management Relations Act, 1947, and other laws,*  
18 *\$274,224,000: Provided, That no part of this appropriation*  
19 *shall be available to organize or assist in organizing agri-*  
20 *cultural laborers or used in connection with investigations,*  
21 *hearings, directives, or orders concerning bargaining units*  
22 *composed of agricultural laborers as referred to in section*  
23 *2(3) of the Act of July 5, 1935, and as amended by the*  
24 *Labor-Management Relations Act, 1947, and as defined in*  
25 *section 3(f) of the Act of June 25, 1938, and including in*

1 *said definition employees engaged in the maintenance and*  
2 *operation of ditches, canals, reservoirs, and waterways*  
3 *when maintained or operated on a mutual, nonprofit basis*  
4 *and at least 95 percent of the water stored or supplied there-*  
5 *by is used for farming purposes.*

6 *ADMINISTRATIVE PROVISIONS*

7 *SEC. 407. None of the funds provided by this Act or*  
8 *previous Acts making appropriations for the National*  
9 *Labor Relations Board may be used to issue any new ad-*  
10 *ministrative directive or regulation that would provide em-*  
11 *ployees any means of voting through any electronic means*  
12 *in an election to determine a representative for the purposes*  
13 *of collective bargaining.*

14 *NATIONAL MEDIATION BOARD*

15 *SALARIES AND EXPENSES*

16 *For expenses necessary to carry out the provisions of*  
17 *the Railway Labor Act, including emergency boards ap-*  
18 *pointed by the President, \$13,800,000.*

19 *OCCUPATIONAL SAFETY AND HEALTH REVIEW*

20 *COMMISSION*

21 *SALARIES AND EXPENSES*

22 *For expenses necessary for the Occupational Safety*  
23 *and Health Review Commission, \$13,225,000.*

1 *RAILROAD RETIREMENT BOARD*2 *DUAL BENEFITS PAYMENTS ACCOUNT*

3 *For payment to the Dual Benefits Payments Account,*  
4 *authorized under section 15(d) of the Railroad Retirement*  
5 *Act of 1974, \$22,000,000, which shall include amounts be-*  
6 *coming available in fiscal year 2018 pursuant to section*  
7 *224(c)(1)(B) of Public Law 98-76; and in addition, an*  
8 *amount, not to exceed 2 percent of the amount provided*  
9 *herein, shall be available proportional to the amount by*  
10 *which the product of recipients and the average benefit re-*  
11 *ceived exceeds the amount available for payment of vested*  
12 *dual benefits: Provided, That the total amount provided*  
13 *herein shall be credited in 12 approximately equal amounts*  
14 *on the first day of each month in the fiscal year.*

15 *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*16 *ACCOUNTS*

17 *For payment to the accounts established in the Treas-*  
18 *ury for the payment of benefits under the Railroad Retire-*  
19 *ment Act for interest earned on unnegotiated checks,*  
20 *\$150,000, to remain available through September 30, 2019,*  
21 *which shall be the maximum amount available for payment*  
22 *pursuant to section 417 of Public Law 98-76.*

23 *LIMITATION ON ADMINISTRATION*

24 *For necessary expenses for the Railroad Retirement*  
25 *Board (“Board”) for administration of the Railroad Retire-*

1 *ment Act and the Railroad Unemployment Insurance Act,*  
2 *\$123,500,000, to be derived in such amounts as determined*  
3 *by the Board from the railroad retirement accounts and*  
4 *from moneys credited to the railroad unemployment insur-*  
5 *ance administration fund: Provided, That notwithstanding*  
6 *section 7(b)(9) of the Railroad Retirement Act this limita-*  
7 *tion may be used to hire attorneys only through the excepted*  
8 *service: Provided further, That the previous proviso shall*  
9 *not change the status under Federal employment laws of*  
10 *any attorney hired by the Railroad Retirement Board prior*  
11 *to January 1, 2013: Provided further, That \$10,000,000,*  
12 *to remain available until expended, shall be used to supple-*  
13 *ment, not supplant, existing resources devoted to operations*  
14 *and improvements for the Board's Information Technology*  
15 *Investment Initiatives.*

16 *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

17 *For expenses necessary for the Office of Inspector Gen-*  
18 *eral for audit, investigatory and review activities, as au-*  
19 *thorized by the Inspector General Act of 1978, not more*  
20 *than \$11,000,000, to be derived from the railroad retire-*  
21 *ment accounts and railroad unemployment insurance ac-*  
22 *count.*

1                    *SOCIAL SECURITY ADMINISTRATION*2                    *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

3                    *For payment to the Federal Old-Age and Survivors In-*  
4 *urance Trust Fund and the Federal Disability Insurance*  
5 *Trust Fund, as provided under sections 201(m) and*  
6 *1131(b)(2) of the Social Security Act, \$11,400,000.*

7                    *SUPPLEMENTAL SECURITY INCOME PROGRAM*

8                    *For carrying out titles XI and XVI of the Social Secu-*  
9 *rity Act, section 401 of Public Law 92-603, section 212*  
10 *of Public Law 93-66, as amended, and section 405 of Public*  
11 *Law 95-216, including payment to the Social Security*  
12 *trust funds for administrative expenses incurred pursuant*  
13 *to section 201(g)(1) of the Social Security Act,*  
14 *\$38,487,277,000, to remain available until expended: Pro-*  
15 *vided, That any portion of the funds provided to a State*  
16 *in the current fiscal year and not obligated by the State*  
17 *during that year shall be returned to the Treasury: Pro-*  
18 *vided further, That not more than \$101,000,000 shall be*  
19 *available for research and demonstrations under sections*  
20 *1110, 1115, and 1144 of the Social Security Act, and re-*  
21 *main available through September 30, 2020.*

22                    *For making, after June 15 of the current fiscal year,*  
23 *benefit payments to individuals under title XVI of the So-*  
24 *cial Security Act, for unanticipated costs incurred for the*  
25 *current fiscal year, such sums as may be necessary.*

1        *For making benefit payments under title XVI of the*  
2 *Social Security Act for the first quarter of fiscal year 2019,*  
3 *\$19,500,000,000, to remain available until expended.*

4                    *LIMITATION ON ADMINISTRATIVE EXPENSES*

5        *For necessary expenses, including the hire of two pas-*  
6 *senger motor vehicles, and not to exceed \$20,000 for official*  
7 *reception and representation expenses, not more than*  
8 *\$12,753,945,000 may be expended, as authorized by section*  
9 *201(g)(1) of the Social Security Act, from any one or all*  
10 *of the trust funds referred to in such section: Provided, That*  
11 *not less than \$2,300,000 shall be for the Social Security*  
12 *Advisory Board: Provided further, That \$280,000,000 shall*  
13 *remain available until expended for information technology*  
14 *modernization, including related hardware and software*  
15 *infrastructure and equipment, and for administrative ex-*  
16 *penses directly associated with information technology mod-*  
17 *ernization: Provided further, That \$100,000,000 shall re-*  
18 *main available through September 30, 2019, for activities*  
19 *to address the disability hearings backlog within the Office*  
20 *of Hearings Operations: Provided further, That unobligated*  
21 *balances of funds provided under this paragraph at the end*  
22 *of fiscal year 2018 not needed for fiscal year 2018 shall*  
23 *remain available until expended to invest in the Social Se-*  
24 *curity Administration information technology and tele-*  
25 *communications hardware and software infrastructure, in-*



1 *cluding related equipment and non-payroll administrative*  
2 *expenses associated solely with this information technology*  
3 *and telecommunications infrastructure: Provided further,*  
4 *That the Commissioner of Social Security shall notify the*  
5 *Committees on Appropriations of the House of Representa-*  
6 *tives and the Senate prior to making unobligated balances*  
7 *available under the authority in the previous proviso: Pro-*  
8 *vided further, That reimbursement to the trust funds under*  
9 *this heading for expenditures for official time for employees*  
10 *of the Social Security Administration pursuant to 5 U.S.C.*  
11 *7131, and for facilities or support services for labor organi-*  
12 *zations pursuant to policies, regulations, or procedures re-*  
13 *ferred to in section 7135(b) of such title shall be made by*  
14 *the Secretary of the Treasury, with interest, from amounts*  
15 *in the general fund not otherwise appropriated, as soon as*  
16 *possible after such expenditures are made.*

17 *Of the total amount made available under this head-*  
18 *ing, not more than \$1,735,000,000, to remain available*  
19 *through March 31, 2019, is for the costs associated with con-*  
20 *tinuing disability reviews under titles II and XVI of the*  
21 *Social Security Act, including work-related continuing dis-*  
22 *ability reviews to determine whether earnings derived from*  
23 *services demonstrate an individual's ability to engage in*  
24 *substantial gainful activity, for the cost associated with*  
25 *conducting redeterminations of eligibility under title XVI*

1 *of the Social Security Act, for the cost of co-operative dis-*  
2 *ability investigation units, and for the cost associated with*  
3 *the prosecution of fraud in the programs and operations*  
4 *of the Social Security Administration by Special Assistant*  
5 *United States Attorneys: Provided, That, of such amount,*  
6 *\$273,000,000 is provided to meet the terms of section*  
7 *251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-*  
8 *gency Deficit Control Act of 1985, as amended, and*  
9 *\$1,462,000,000 is additional new budget authority specified*  
10 *for purposes of section 251(b)(2)(B) of such Act: Provided*  
11 *further, That the Commissioner shall provide to the Con-*  
12 *gress (at the conclusion of the fiscal year) a report on the*  
13 *obligation and expenditure of these funds, similar to the*  
14 *reports that were required by section 103(d)(2) of Public*  
15 *Law 104–121 for fiscal years 1996 through 2002.*

16 *In addition, \$118,000,000 to be derived from adminis-*  
17 *tration fees in excess of \$5.00 per supplementary payment*  
18 *collected pursuant to section 1616(d) of the Social Security*  
19 *Act or section 212(b)(3) of Public Law 93–66, which shall*  
20 *remain available until expended. To the extent that the*  
21 *amounts collected pursuant to such sections in fiscal year*  
22 *2018 exceed \$118,000,000, the amounts shall be available*  
23 *in fiscal year 2019 only to the extent provided in advance*  
24 *in appropriations Acts.*

1        *In addition, up to \$1,000,000 to be derived from fees*  
2 *collected pursuant to section 303(c) of the Social Security*  
3 *Protection Act, which shall remain available until ex-*  
4 *pended.*

5                                *OFFICE OF INSPECTOR GENERAL*  
6                                *(INCLUDING TRANSFER OF FUNDS)*

7        *For expenses necessary for the Office of Inspector Gen-*  
8 *eral in carrying out the provisions of the Inspector General*  
9 *Act of 1978, \$30,000,000, together with not to exceed*  
10 *\$75,500,000, to be transferred and expended as authorized*  
11 *by section 201(g)(1) of the Social Security Act from the*  
12 *Federal Old-Age and Survivors Insurance Trust Fund and*  
13 *the Federal Disability Insurance Trust Fund.*

14        *In addition, an amount not to exceed 3 percent of the*  
15 *total provided in this appropriation may be transferred*  
16 *from the "Limitation on Administrative Expenses", Social*  
17 *Security Administration, to be merged with this account,*  
18 *to be available for the time and purposes for which this*  
19 *account is available: Provided, That notice of such transfers*  
20 *shall be transmitted promptly to the Committees on Appro-*  
21 *priations of the House of Representatives and the Senate*  
22 *at least 15 days in advance of any transfer.*

## TITLE V

## GENERAL PROVISIONS

## (TRANSFER OF FUNDS)

1  
2  
3  
4       *SEC. 501. The Secretaries of Labor, Health and*  
5 *Human Services, and Education are authorized to transfer*  
6 *unexpended balances of prior appropriations to accounts*  
7 *corresponding to current appropriations provided in this*  
8 *Act. Such transferred balances shall be used for the same*  
9 *purpose, and for the same periods of time, for which they*  
10 *were originally appropriated.*

11       *SEC. 502. No part of any appropriation contained in*  
12 *this Act shall remain available for obligation beyond the*  
13 *current fiscal year unless expressly so provided herein.*

14       *SEC. 503. (a) No part of any appropriation contained*  
15 *in this Act or transferred pursuant to section 4002 of Public*  
16 *Law 111–148 shall be used, other than for normal and rec-*  
17 *ognized executive-legislative relationships, for publicity or*  
18 *propaganda purposes, for the preparation, distribution, or*  
19 *use of any kit, pamphlet, booklet, publication, electronic*  
20 *communication, radio, television, or video presentation de-*  
21 *signed to support or defeat the enactment of legislation be-*  
22 *fore the Congress or any State or local legislature or legisla-*  
23 *tive body, except in presentation to the Congress or any*  
24 *State or local legislature itself, or designed to support or*  
25 *defeat any proposed or pending regulation, administrative*

1 *action, or order issued by the executive branch of any State*  
2 *or local government, except in presentation to the executive*  
3 *branch of any State or local government itself.*

4       **(b)** *No part of any appropriation contained in this*  
5 *Act or transferred pursuant to section 4002 of Public Law*  
6 *111–148 shall be used to pay the salary or expenses of any*  
7 *grant or contract recipient, or agent acting for such recipi-*  
8 *ent, related to any activity designed to influence the enact-*  
9 *ment of legislation, appropriations, regulation, administra-*  
10 *tive action, or Executive order proposed or pending before*  
11 *the Congress or any State government, State legislature or*  
12 *local legislature or legislative body, other than for normal*  
13 *and recognized executive-legislative relationships or partici-*  
14 *pation by an agency or officer of a State, local or tribal*  
15 *government in policymaking and administrative processes*  
16 *within the executive branch of that government.*

17       **(c)** *The prohibitions in subsections (a) and (b) shall*  
18 *include any activity to advocate or promote any proposed,*  
19 *pending or future Federal, State or local tax increase, or*  
20 *any proposed, pending, or future requirement or restriction*  
21 *on any legal consumer product, including its sale or mar-*  
22 *keting, including but not limited to the advocacy or pro-*  
23 *motion of gun control.*

24       **SEC. 504.** *The Secretaries of Labor and Education are*  
25 *authorized to make available not to exceed \$28,000 and*

1 \$20,000, respectively, from funds available for salaries and  
2 expenses under titles I and III, respectively, for official re-  
3 ception and representation expenses; the Director of the  
4 Federal Mediation and Conciliation Service is authorized  
5 to make available for official reception and representation  
6 expenses not to exceed \$5,000 from the funds available for  
7 “Federal Mediation and Conciliation Service, Salaries and  
8 Expenses”; and the Chairman of the National Mediation  
9 Board is authorized to make available for official reception  
10 and representation expenses not to exceed \$5,000 from funds  
11 available for “National Mediation Board, Salaries and Ex-  
12 penses”.

13       *SEC. 505. When issuing statements, press releases, re-*  
14 *quests for proposals, bid solicitations and other documents*  
15 *describing projects or programs funded in whole or in part*  
16 *with Federal money, all grantees receiving Federal funds*  
17 *included in this Act, including but not limited to State and*  
18 *local governments and recipients of Federal research grants,*  
19 *shall clearly state—*

20           (1) *the percentage of the total costs of the pro-*  
21 *gram or project which will be financed with Federal*  
22 *money;*

23           (2) *the dollar amount of Federal funds for the*  
24 *project or program; and*

1           (3) percentage and dollar amount of the total  
2           costs of the project or program that will be financed  
3           by non-governmental sources.

4           SEC. 506. (a) None of the funds appropriated in this  
5           Act, and none of the funds in any trust fund to which funds  
6           are appropriated in this Act, shall be expended for any  
7           abortion.

8           (b) None of the funds appropriated in this Act, and  
9           none of the funds in any trust fund to which funds are  
10          appropriated in this Act, shall be expended for health bene-  
11          fits coverage that includes coverage of abortion.

12          (c) The term “health benefits coverage” means the  
13          package of services covered by a managed care provider or  
14          organization pursuant to a contract or other arrangement.

15          SEC. 507. (a) The limitations established in the pre-  
16          ceding section shall not apply to an abortion—

17                  (1) if the pregnancy is the result of an act of  
18                  rape or incest; or

19                  (2) in the case where a woman suffers from a  
20                  physical disorder, physical injury, or physical illness,  
21                  including a life-endangering physical condition  
22                  caused by or arising from the pregnancy itself, that  
23                  would, as certified by a physician, place the woman  
24                  in danger of death unless an abortion is performed.

1       (b) *Nothing in the preceding section shall be construed*  
2 *as prohibiting the expenditure by a State, locality, entity,*  
3 *or private person of State, local, or private funds (other*  
4 *than a State’s or locality’s contribution of Medicaid match-*  
5 *ing funds).*

6       (c) *Nothing in the preceding section shall be construed*  
7 *as restricting the ability of any managed care provider*  
8 *from offering abortion coverage or the ability of a State or*  
9 *locality to contract separately with such a provider for such*  
10 *coverage with State funds (other than a State’s or locality’s*  
11 *contribution of Medicaid matching funds).*

12       (d)(1) *None of the funds made available in this Act*  
13 *may be made available to a Federal agency or program,*  
14 *or to a State or local government, if such agency, program,*  
15 *or government subjects any institutional or individual*  
16 *health care entity to discrimination on the basis that the*  
17 *health care entity does not provide, pay for, provide cov-*  
18 *erage of, or refer for abortions.*

19       (2) *In this subsection, the term “health care entity”*  
20 *includes an individual physician or other health care pro-*  
21 *fessional, a hospital, a provider-sponsored organization, a*  
22 *health maintenance organization, a health insurance plan,*  
23 *or any other kind of health care facility, organization, or*  
24 *plan.*



1        *SEC. 508. (a) None of the funds made available in this*  
2 *Act may be used for—*

3            *(1) the creation of a human embryo or embryos*  
4 *for research purposes; or*

5            *(2) research in which a human embryo or em-*  
6 *bryos are destroyed, discarded, or knowingly subjected*  
7 *to risk of injury or death greater than that allowed*  
8 *for research on fetuses in utero under 45 CFR*  
9 *46.204(b) and section 498(b) of the Public Health*  
10 *Service Act (42 U.S.C. 289g(b)).*

11        *(b) For purposes of this section, the term “human em-*  
12 *bryo or embryos” includes any organism, not protected as*  
13 *a human subject under 45 CFR 46 as of the date of the*  
14 *enactment of this Act, that is derived by fertilization, par-*  
15 *thenogenesis, cloning, or any other means from one or more*  
16 *human gametes or human diploid cells.*

17        *SEC. 509. (a) None of the funds made available in this*  
18 *Act may be used for any activity that promotes the legaliza-*  
19 *tion of any drug or other substance included in schedule*  
20 *I of the schedules of controlled substances established under*  
21 *section 202 of the Controlled Substances Act except for nor-*  
22 *mal and recognized executive-congressional communica-*  
23 *tions.*

24        *(b) The limitation in subsection (a) shall not apply*  
25 *when there is significant medical evidence of a therapeutic*

1 *advantage to the use of such drug or other substance or that*  
2 *federally sponsored clinical trials are being conducted to de-*  
3 *termine therapeutic advantage.*

4 *SEC. 510. None of the funds made available in this*  
5 *Act may be used to promulgate or adopt any final standard*  
6 *under section 1173(b) of the Social Security Act providing*  
7 *for, or providing for the assignment of, a unique health*  
8 *identifier for an individual (except in an individual's ca-*  
9 *capacity as an employer or a health care provider), until leg-*  
10 *islation is enacted specifically approving the standard.*

11 *SEC. 511. None of the funds made available in this*  
12 *Act may be obligated or expended to enter into or renew*  
13 *a contract with an entity if—*

14 *(1) such entity is otherwise a contractor with the*  
15 *United States and is subject to the requirement in 38*  
16 *U.S.C. 4212(d) regarding submission of an annual*  
17 *report to the Secretary of Labor concerning employ-*  
18 *ment of certain veterans; and*

19 *(2) such entity has not submitted a report as re-*  
20 *quired by that section for the most recent year for*  
21 *which such requirement was applicable to such entity.*

22 *SEC. 512. None of the funds made available in this*  
23 *Act may be transferred to any department, agency, or in-*  
24 *strumentality of the United States Government, except pur-*

1 *suant to a transfer made by, or transfer authority provided*  
2 *in, this Act or any other appropriation Act.*

3 *SEC. 513. None of the funds made available by this*  
4 *Act to carry out the Library Services and Technology Act*  
5 *may be made available to any library covered by paragraph*  
6 *(1) of section 224(f) of such Act, as amended by the Chil-*  
7 *dren’s Internet Protection Act, unless such library has made*  
8 *the certifications required by paragraph (4) of such section.*

9 *SEC. 514. (a) None of the funds provided under this*  
10 *Act, or provided under previous appropriations Acts to the*  
11 *agencies funded by this Act that remain available for obli-*  
12 *gation or expenditure in fiscal year 2018, or provided from*  
13 *any accounts in the Treasury of the United States derived*  
14 *by the collection of fees available to the agencies funded by*  
15 *this Act, shall be available for obligation or expenditure*  
16 *through a reprogramming of funds that—*

17 *(1) creates new programs;*

18 *(2) eliminates a program, project, or activity;*

19 *(3) increases funds or personnel by any means*  
20 *for any project or activity for which funds have been*  
21 *denied or restricted;*

22 *(4) relocates an office or employees;*

23 *(5) reorganizes or renames offices;*

24 *(6) reorganizes programs or activities; or*

1           (7) contracts out or privatizes any functions or  
2           activities presently performed by Federal employees;  
3 unless the Committees on Appropriations of the House of  
4 Representatives and the Senate are consulted 15 days in  
5 advance of such reprogramming or of an announcement of  
6 intent relating to such reprogramming, whichever occurs  
7 earlier, and are notified in writing 10 days in advance of  
8 such reprogramming.

9           (b) None of the funds provided under this Act, or pro-  
10 vided under previous appropriations Acts to the agencies  
11 funded by this Act that remain available for obligation or  
12 expenditure in fiscal year 2018, or provided from any ac-  
13 counts in the Treasury of the United States derived by the  
14 collection of fees available to the agencies funded by this  
15 Act, shall be available for obligation or expenditure through  
16 a reprogramming of funds in excess of \$500,000 or 10 per-  
17 cent, whichever is less, that—

18           (1) augments existing programs, projects (in-  
19 cluding construction projects), or activities;

20           (2) reduces by 10 percent funding for any exist-  
21 ing program, project, or activity, or numbers of per-  
22 sonnel by 10 percent as approved by Congress; or

23           (3) results from any general savings from a re-  
24 duction in personnel which would result in a change

1        *in existing programs, activities, or projects as ap-*  
2        *proved by Congress;*  
3        *unless the Committees on Appropriations of the House of*  
4        *Representatives and the Senate are consulted 15 days in*  
5        *advance of such reprogramming or of an announcement of*  
6        *intent relating to such reprogramming, whichever occurs*  
7        *earlier, and are notified in writing 10 days in advance of*  
8        *such reprogramming.*

9        *SEC. 515. (a) None of the funds made available in this*  
10       *Act may be used to request that a candidate for appoint-*  
11       *ment to a Federal scientific advisory committee disclose the*  
12       *political affiliation or voting history of the candidate or*  
13       *the position that the candidate holds with respect to polit-*  
14       *ical issues not directly related to and necessary for the work*  
15       *of the committee involved.*

16       *(b) None of the funds made available in this Act may*  
17       *be used to disseminate information that is deliberately false*  
18       *or misleading.*

19       *SEC. 516. Within 45 days of enactment of this Act,*  
20       *each department and related agency funded through this*  
21       *Act shall submit an operating plan that details at the pro-*  
22       *gram, project, and activity level any funding allocations*  
23       *for fiscal year 2018 that are different than those specified*  
24       *in this Act, the accompanying detailed table in the explana-*  
25       *tory statement described in section 4 (in the matter pre-*

1 *ceding division A of this consolidated Act) or the fiscal year*  
2 *2018 budget request.*

3       *SEC. 517. The Secretaries of Labor, Health and*  
4 *Human Services, and Education shall each prepare and*  
5 *submit to the Committees on Appropriations of the House*  
6 *of Representatives and the Senate a report on the number*  
7 *and amount of contracts, grants, and cooperative agree-*  
8 *ments exceeding \$500,000 in value and awarded by the De-*  
9 *partment on a non-competitive basis during each quarter*  
10 *of fiscal year 2018, but not to include grants awarded on*  
11 *a formula basis or directed by law. Such report shall in-*  
12 *clude the name of the contractor or grantee, the amount of*  
13 *funding, the governmental purpose, including a justifica-*  
14 *tion for issuing the award on a non-competitive basis. Such*  
15 *report shall be transmitted to the Committees within 30*  
16 *days after the end of the quarter for which the report is*  
17 *submitted.*

18       *SEC. 518. None of the funds appropriated in this Act*  
19 *shall be expended or obligated by the Commissioner of So-*  
20 *cial Security, for purposes of administering Social Security*  
21 *benefit payments under title II of the Social Security Act,*  
22 *to process any claim for credit for a quarter of coverage*  
23 *based on work performed under a social security account*  
24 *number that is not the claimant's number and the perform-*  
25 *ance of such work under such number has formed the basis*

1 *for a conviction of the claimant of a violation of section*  
2 *208(a)(6) or (7) of the Social Security Act.*

3       *SEC. 519. None of the funds appropriated by this Act*  
4 *may be used by the Commissioner of Social Security or the*  
5 *Social Security Administration to pay the compensation of*  
6 *employees of the Social Security Administration to admin-*  
7 *ister Social Security benefit payments, under any agree-*  
8 *ment between the United States and Mexico establishing to-*  
9 *talization arrangements between the social security system*  
10 *established by title II of the Social Security Act and the*  
11 *social security system of Mexico, which would not otherwise*  
12 *be payable but for such agreement.*

13       *SEC. 520. Notwithstanding any other provision of this*  
14 *Act, no funds appropriated in this Act shall be used to pur-*  
15 *chase sterile needles or syringes for the hypodermic injection*  
16 *of any illegal drug: Provided, That such limitation does not*  
17 *apply to the use of funds for elements of a program other*  
18 *than making such purchases if the relevant State or local*  
19 *health department, in consultation with the Centers for Dis-*  
20 *ease Control and Prevention, determines that the State or*  
21 *local jurisdiction, as applicable, is experiencing, or is at*  
22 *risk for, a significant increase in hepatitis infections or an*  
23 *HIV outbreak due to injection drug use, and such program*  
24 *is operating in accordance with State and local law.*

1        *SEC. 521. (a) None of the funds made available in this*  
2 *Act may be used to maintain or establish a computer net-*  
3 *work unless such network blocks the viewing, downloading,*  
4 *and exchanging of pornography.*

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

9        *SEC. 522. None of the funds made available under this*  
10 *or any other Act, or any prior Appropriations Act, may*  
11 *be provided to the Association of Community Organizations*  
12 *for Reform Now (ACORN), or any of its affiliates, subsidi-*  
13 *aries, allied organizations, or successors.*

14        *SEC. 523. For purposes of carrying out Executive*  
15 *Order 13589, Office of Management and Budget Memo-*  
16 *randum M-12-12 dated May 11, 2012, and requirements*  
17 *contained in the annual appropriations bills relating to*  
18 *conference attendance and expenditures:*

19            *(1) the operating divisions of HHS shall be con-*  
20 *sidered independent agencies; and*

21            *(2) attendance at and support for scientific con-*  
22 *ferences shall be tabulated separately from and not*  
23 *included in agency totals.*

24        *SEC. 524. Federal agencies funded under this Act shall*  
25 *clearly state within the text, audio, or video used for adver-*



1 *tising or educational purposes, including emails or Internet*  
2 *postings, that the communication is printed, published, or*  
3 *produced and disseminated at U.S. taxpayer expense. The*  
4 *funds used by a Federal agency to carry out this require-*  
5 *ment shall be derived from amounts made available to the*  
6 *agency for advertising or other communications regarding*  
7 *the programs and activities of the agency.*

8       *SEC. 525. (a) Federal agencies may use Federal discre-*  
9 *tionary funds that are made available in this Act to carry*  
10 *out up to 10 Performance Partnership Pilots. Such Pilots*  
11 *shall be governed by the provisions of section 526 of division*  
12 *H of Public Law 113–76, except that in carrying out such*  
13 *Pilots section 526 shall be applied by substituting “FISCAL*  
14 *YEAR 2018” for “FISCAL YEAR 2014” in the title of sub-*  
15 *section (b) and by substituting “September 30, 2022” for*  
16 *“September 30, 2018” each place it appears: Provided, That*  
17 *such pilots shall include communities that have experienced*  
18 *civil unrest.*

19       *(b) In addition, Federal agencies may use Federal dis-*  
20 *cretionary funds that are made available in this Act to par-*  
21 *ticipate in Performance Partnership Pilots that are being*  
22 *carried out pursuant to the authority provided by section*  
23 *526 of division H of Public Law 113–76, section 524 of*  
24 *division G of Public Law 113–235, section 525 of division*

1 *H of Public Law 114–113, and section 525 of division H*  
2 *of Public Law 115–31.*

3 *(c) Pilot sites selected under authorities in this Act and*  
4 *prior appropriations Acts may be granted by relevant agen-*  
5 *cies up to an additional 5 years to operate under such au-*  
6 *thorities.*

7 *SEC. 526. Not later than 30 days after the end of each*  
8 *calendar quarter, beginning with the first quarter of fiscal*  
9 *year 2013, the Departments of Labor, Health and Human*  
10 *Services and Education and the Social Security Adminis-*  
11 *tration shall provide the Committees on Appropriations of*  
12 *the House of Representatives and Senate a quarterly report*  
13 *on the status of balances of appropriations: Provided, That*  
14 *for balances that are unobligated and uncommitted, com-*  
15 *mited, and obligated but unexpended, the quarterly reports*  
16 *shall separately identify the amounts attributable to each*  
17 *source year of appropriation (beginning with fiscal year*  
18 *2012, or, to the extent feasible, earlier fiscal years) from*  
19 *which balances were derived.*

20 *(RESCISSION)*

21 *SEC. 527. Of any available amounts appropriated*  
22 *under section 2104(a)(21) of the Social Security Act (42*  
23 *U.S.C. 1397dd) that are unobligated as of September 25,*  
24 *2018, \$3,572,000,000 are hereby rescinded as of such date.*

1        *SEC. 528. Amounts deposited in the Child Enrollment*  
2 *Contingency Fund prior to the beginning of fiscal year*  
3 *2018 under section 2104(n)(2) of the Social Security Act*  
4 *and the income derived from investment of those funds pur-*  
5 *suant to section 2104(n)(2)(C) of that Act, shall not be*  
6 *available for obligation in this fiscal year.*

7        *SEC. 529. Of the amounts deposited in the Child En-*  
8 *rollment Contingency Fund for fiscal year 2018 under sec-*  
9 *tion 2104(n)(2) of the Social Security Act and the income*  
10 *derived from investment of those funds pursuant to section*  
11 *2104(n)(2)(C) of that Act, \$1,967,678,000 shall not be*  
12 *available for obligation in this fiscal year.*

13   *(RESCISSION)*

14        *SEC. 530. Of the funds made available for purposes*  
15 *of carrying out section 2105(a)(3) of the Social Security*  
16 *Act, \$88,613,000 are hereby rescinded.*

17   *(RESCISSION)*

18        *SEC. 531. Any unobligated balances of available*  
19 *amounts appropriated under section 108 of Public Law*  
20 *111–3, as amended, other than amounts subject to section*  
21 *210(f) of the Social Security Act, are hereby rescinded.*

22        *This division may be cited as the “Departments of*  
23 *Labor, Health and Human Services, and Education, and*  
24 *Related Agencies Appropriations Act, 2018”.*

1           ***DIVISION I—LEGISLATIVE BRANCH***  
2                   ***APPROPRIATIONS ACT, 2018***

3                           ***TITLE I***

4                                   ***LEGISLATIVE BRANCH***

5   ***SENATE***

6   ***EXPENSE ALLOWANCES***

7           *For expense allowances of the Vice President, \$18,760;*  
8 *the President Pro Tempore of the Senate, \$37,520; Majority*  
9 *Leader of the Senate, \$39,920; Minority Leader of the Sen-*  
10 *ate, \$39,920; Majority Whip of the Senate, \$9,980; Minority*  
11 *Whip of the Senate, \$9,980; President Pro Tempore Emer-*  
12 *itus, \$15,000; Chairmen of the Majority and Minority Con-*  
13 *ference Committees, \$4,690 for each Chairman; and Chair-*  
14 *men of the Majority and Minority Policy Committees,*  
15 *\$4,690 for each Chairman; in all, \$189,840.*

16           *For representation allowances of the Majority and Mi-*  
17 *nority Leaders of the Senate, \$14,070 for each such Leader;*  
18 *in all, \$28,140.*

19   ***SALARIES, OFFICERS AND EMPLOYEES***

20           *For compensation of officers, employees, and others as*  
21 *authorized by law, including agency contributions,*  
22 *\$194,867,812, which shall be paid from this appropriation*  
23 *as follows:*

24   ***OFFICE OF THE VICE PRESIDENT***

25           *For the Office of the Vice President, \$2,417,248.*

1            *OFFICE OF THE PRESIDENT PRO TEMPORE*2            *For the Office of the President Pro Tempore, \$723,466.*3            *OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS*4            *For the Office of the President Pro Tempore Emeritus,*  
5            *\$309,000.*6            *OFFICES OF THE MAJORITY AND MINORITY LEADERS*7            *For Offices of the Majority and Minority Leaders,*  
8            *\$5,255,576.*9            *OFFICES OF THE MAJORITY AND MINORITY WHIPS*10           *For Offices of the Majority and Minority Whips,*  
11           *\$3,359,424.*12           *COMMITTEE ON APPROPRIATIONS*13           *For salaries of the Committee on Appropriations,*  
14           *\$15,142,000.*15           *CONFERENCE COMMITTEES*16           *For the Conference of the Majority and the Conference*  
17           *of the Minority, at rates of compensation to be fixed by the*  
18           *Chairman of each such committee, \$1,658,000 for each such*  
19           *committee; in all, \$3,316,000.*20           *OFFICES OF THE SECRETARIES OF THE CONFERENCE OF*  
21           *THE MAJORITY AND THE CONFERENCE OF THE MINORITY*22           *For Offices of the Secretaries of the Conference of the*  
23           *Majority and the Conference of the Minority, \$817,402.*

1 *POLICY COMMITTEES*

2 *For salaries of the Majority Policy Committee and the*  
3 *Minority Policy Committee, \$1,692,905 for each such com-*  
4 *mittee; in all, \$3,385,810.*

5 *OFFICE OF THE CHAPLAIN*

6 *For Office of the Chaplain, \$436,886.*

7 *OFFICE OF THE SECRETARY*

8 *For Office of the Secretary, \$25,132,000.*

9 *OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER*

10 *For Office of the Sergeant at Arms and Doorkeeper,*  
11 *\$78,565,000.*

12 *OFFICES OF THE SECRETARIES FOR THE MAJORITY AND*13 *MINORITY*

14 *For Offices of the Secretary for the Majority and the*  
15 *Secretary for the Minority, \$1,810,000.*

16 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

17 *For agency contributions for employee benefits, as au-*  
18 *thorized by law, and related expenses, \$54,198,000.*

19 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

20 *For salaries and expenses of the Office of the Legisla-*  
21 *tive Counsel of the Senate, \$6,115,000.*

22 *OFFICE OF SENATE LEGAL COUNSEL*

23 *For salaries and expenses of the Office of Senate Legal*  
24 *Counsel, \$1,147,000.*

1 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*  
2 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*  
3 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*  
4 *MINORITY OF THE SENATE*

5 *For expense allowances of the Secretary of the Senate,*  
6 *\$7,110; Sergeant at Arms and Doorkeeper of the Senate,*  
7 *\$7,110; Secretary for the Majority of the Senate, \$7,110;*  
8 *Secretary for the Minority of the Senate, \$7,110; in all,*  
9 *\$28,440.*

10 *CONTINGENT EXPENSES OF THE SENATE*

11 *INQUIRIES AND INVESTIGATIONS*

12 *For expenses of inquiries and investigations ordered*  
13 *by the Senate, or conducted under paragraph 1 of rule*  
14 *XXVI of the Standing Rules of the Senate, section 112 of*  
15 *the Supplemental Appropriations and Rescission Act, 1980*  
16 *(Public Law 96-304), and Senate Resolution 281, 96th*  
17 *Congress, agreed to March 11, 1980, \$133,265,000, of which*  
18 *\$26,650,000 shall remain available until September 30,*  
19 *2020.*

20 *U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS*

21 *CONTROL*

22 *For expenses of the United States Senate Caucus on*  
23 *International Narcotics Control, \$508,000.*

1                               *SECRETARY OF THE SENATE*

2               *For expenses of the Office of the Secretary of the Sen-*  
 3 *ate, \$10,536,000 of which \$7,036,000 shall remain available*  
 4 *until September 30, 2022 and of which \$4,100,000 shall re-*  
 5 *main available until expended.*

6                               *SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE*

7               *For expenses of the Office of the Sergeant at Arms and*  
 8 *Doorkeeper of the Senate, \$130,076,000, which shall remain*  
 9 *available until September 30, 2022.*

10                              *MISCELLANEOUS ITEMS*

11              *For miscellaneous items, \$18,870,349 which shall re-*  
 12 *main available until September 30, 2020.*

13                              *SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE*14    *ACCOUNT*

15              *For Senators' Official Personnel and Office Expense*  
 16 *Account, \$424,000,000 of which \$20,128,950 shall remain*  
 17 *available until September 30, 2020.*

18                              *OFFICIAL MAIL COSTS*

19              *For expenses necessary for official mail costs of the*  
 20 *Senate, \$300,000.*



1                                    *ADMINISTRATIVE PROVISIONS*  
2 *REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL*  
3 *PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE*  
4 *USED FOR DEFICIT REDUCTION OR TO REDUCE THE*  
5 *FEDERAL DEBT*

6        *SEC. 101. Notwithstanding any other provision of law,*  
7 *any amounts appropriated under this Act under the head-*  
8 *ing "SENATE" under the heading "CONTINGENT EX-*  
9 *PENSES OF THE SENATE" under the heading "SENATORS'*  
10 *OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"*  
11 *shall be available for obligation only during the fiscal year*  
12 *or fiscal years for which such amounts are made available.*  
13 *Any unexpended balances under such allowances remaining*  
14 *after the end of the period of availability shall be returned*  
15 *to the Treasury in accordance with the undesignated para-*  
16 *graph under the center heading "GENERAL PROVISION"*  
17 *under chapter XI of the Third Supplemental Appropriation*  
18 *Act, 1957 (2 U.S.C. 4107) and used for deficit reduction*  
19 *(or, if there is no Federal budget deficit after all such pay-*  
20 *ments have been made, for reducing the Federal debt, in*  
21 *such manner as the Secretary of the Treasury considers ap-*  
22 *propriate).*

23                                    *SENATE PROCUREMENTS*

24        *SEC. 102. Section 6102 of title 41, United States Code,*  
25 *is amended by adding at the end the following:*

1       “(i) *SENATE*.—Section 6101 of this title does not  
2 apply to agreements, contracts or purchases by any office  
3 of the Senate.”.

4           *STUDENT LOAN REPAYMENT FOR EMPLOYEES OF*  
5           *DEPARTING SENATORS AND VICE PRESIDENTS*

6       *SEC. 103. (a) Section 102 of the Legislative Branch*  
7 *Appropriations Act, 2002 (2 U.S.C. 4579) is amended—*

8           *(1) in subsection (a)—*

9                   *(A) by redesignating paragraphs (1)*  
10 *through (5) as paragraphs (3) through (7), re-*  
11 *spectively;*

12                   *(B) by inserting before paragraph (3), as so*  
13 *redesignated, the following:*

14                   “(1) *DEPARTURE DATE*.—The term ‘*departure*  
15 *date*’ means the earlier of—

16                           “(A) the date on which the term of a de-  
17 *parting Senator or Vice President ends; or*

18                           “(B) the date on which the departing Sen-  
19 *ator or Vice President will retire or resign.*

20                   “(2) *DEPARTING SENATOR OR VICE PRESI-*  
21 *DENT*.—The term ‘*departing Senator or Vice Presi-*  
22 *dent*’ means a Senator or Vice President who will not  
23 *serve in the next term due to retirement, resignation,*  
24 *a decision to not seek reelection, or a failure to secure*  
25 *reelection.*”; and

1           (C) in paragraph (3)(B), as so redesignated,  
2           by striking “rate of basic pay for an employee  
3           for a position at ES-1” and all that follows and  
4           inserting “rate of basic pay payable for a posi-  
5           tion at level IV of the Executive Schedule under  
6           section 5315 of title 5, United States Code.”;

7           (2) in subsection (b)(1)(A)(ii), by striking “1-  
8           year”;

9           (3) in subsection (c)(1)—

10           (A) by striking “The term” and inserting  
11           the following:

12           “(A) *IN GENERAL.*—Except as provided in  
13           subparagraph (B), the term”; and

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

15           “(B) *DEPARTING SENATORS AND VICE*  
16           *PRESIDENTS.*—After the date that is 1 year be-  
17           fore the departure date of a departing Senator or  
18           Vice President, the departing Senator or Vice  
19           President may enter into a service agreement  
20           under this section with an eligible employee of  
21           the office of the Senator or Vice President (in-  
22           cluding an eligible employee who has completed  
23           a required period of employment under a pre-  
24           vious service agreement) that includes a required  
25           period of employment that—

1           “(i) is less than 1 year; and

2           “(ii) shall end on the last day of the  
3           last full pay period ending on or before the  
4           departure date of the departing Senator or  
5           Vice President.”;

6           (4) in subsection (d)—

7           (A) in paragraph (2)—

8           (i) in subparagraph (A), by striking  
9           “or” at the end;

10          (ii) in subparagraph (B), by striking  
11          “under subsection (f)(7).” and inserting a  
12          semicolon; and

13          (iii) by adding at the end the fol-  
14          lowing:

15          “(C) the agreement is terminated as pro-  
16          vided under subsection (f)(7)(A); or

17          “(D) the employee separates from service  
18          with the office of a departing Senator or Vice  
19          President.”; and

20          (B) in paragraph (3), by inserting “(in-  
21          cluding a required period of employment de-  
22          scribed in subsection (c)(1)(B))” after “required  
23          period of employment”; and

24          (5) in subsection (f), by striking paragraph (7)  
25          and inserting the following:

1           “(7) *CHANGE IN PAYMENTS.*—

2                 “(A) *REDUCTION.*—

3                     “(i) *IN GENERAL.*—*Notwithstanding*  
4                     *the terms of a service agreement under this*  
5                     *section, the head of an employing office may*  
6                     *reduce the amount of student loan payments*  
7                     *made under the agreement if adequate funds*  
8                     *are not available to such office.*

9                     “(ii) *NOTICE.*—*If the head of an em-*  
10                    *ploying office decides to reduce the amount*  
11                    *of student loan payments to an eligible em-*  
12                    *ployee under clause (i)—*

13                         “(I) *the employing office shall*  
14                         *concurrently notify the eligible em-*  
15                         *ployee and the Secretary of the Senate*  
16                         *of the reduction; and*

17                         “(II) *not later than 30 days after*  
18                         *the date of the concurrent notice, the el-*  
19                         *igible employee may terminate the*  
20                         *service agreement.*

21                         “(B) *INCREASE.*—*Notwithstanding the*  
22                         *terms of a service agreement under this section,*  
23                         *the head of an employing office, with the consent*  
24                         *of an eligible employee, may increase the amount*

1           *of student loan payments made under the agree-*  
2           *ment with the eligible employee, if—*

3                   “(i) *the office has adequate funds*  
4                   *available for the purpose of agreements*  
5                   *under this section;*

6                   “(ii) *the amount of the increased pay-*  
7                   *ment does not exceed the limitations under*  
8                   *this section; and*

9                   “(iii) *the total amount of the loan pay-*  
10                  *ments to be made (including such increase)*  
11                  *during the remainder of the required period*  
12                  *of employment does not exceed the amount*  
13                  *of student loan indebtedness of the eligible*  
14                  *employee as of the date of the increase.”.*

15       *(b) The amendments made by this section shall—*

16               (1) *take effect on the date of enactment of this*  
17       *Act; and*

18               (2) *apply to a service agreement under section*  
19       *102 of the Legislative Branch Appropriations Act,*  
20       *2002 (2 U.S.C. 4579) that is in effect on the date of*  
21       *enactment of this Act or entered into on or after the*  
22       *date of enactment of this Act.*

1                    *HOUSE OF REPRESENTATIVES*2                    *SALARIES AND EXPENSES*

3            *For salaries and expenses of the House of Representa-*  
4 *tives, \$1,200,000,766, as follows:*

5                    *HOUSE LEADERSHIP OFFICES*

6            *For salaries and expenses, as authorized by law,*  
7 *\$22,278,891, including: Office of the Speaker, \$6,645,417,*  
8 *including \$25,000 for official expenses of the Speaker; Office*  
9 *of the Majority Floor Leader, \$2,180,048, including \$10,000*  
10 *for official expenses of the Majority Leader; Office of the*  
11 *Minority Floor Leader, \$7,114,471, including \$10,000 for*  
12 *official expenses of the Minority Leader; Office of the Major-*  
13 *ity Whip, including the Chief Deputy Majority Whip,*  
14 *\$1,886,632, including \$5,000 for official expenses of the Ma-*  
15 *jority Whip; Office of the Minority Whip, including the*  
16 *Chief Deputy Minority Whip, \$1,459,639, including \$5,000*  
17 *for official expenses of the Minority Whip; Republican Con-*  
18 *ference, \$1,505,426; Democratic Caucus, \$1,487,258: Pro-*  
19 *vided, That such amount for salaries and expenses shall re-*  
20 *main available from January 3, 2018 until January 2,*  
21 *2019.*

1            *MEMBERS' REPRESENTATIONAL ALLOWANCES*  
2   *INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES*  
3            *OF MEMBERS, AND OFFICIAL MAIL*

4            *For Members' representational allowances, including*  
5   *Members' clerk hire, official expenses, and official mail,*  
6   *\$562,632,498.*

7            *COMMITTEE EMPLOYEES*  
8            *STANDING COMMITTEES, SPECIAL AND SELECT*

9            *For salaries and expenses of standing committees, spe-*  
10 *cial and select, authorized by House resolutions,*  
11 *\$127,053,373: Provided, That such amount shall remain*  
12 *available for such salaries and expenses until December 31,*  
13 *2018, except that \$3,150,200 of such amount shall remain*  
14 *available until expended for committee room upgrading.*

15            *COMMITTEE ON APPROPRIATIONS*

16            *For salaries and expenses of the Committee on Appro-*  
17 *priations, \$23,226,000, including studies and examinations*  
18 *of executive agencies and temporary personal services for*  
19 *such committee, to be expended in accordance with section*  
20 *202(b) of the Legislative Reorganization Act of 1946 and*  
21 *to be available for reimbursement to agencies for services*  
22 *performed: Provided, That such amount shall remain avail-*  
23 *able for such salaries and expenses until December 31, 2018.*



1                    *SALARIES, OFFICERS AND EMPLOYEES*

2            *For compensation and expenses of officers and employ-*  
3 *ees, as authorized by law, \$204,356,000, including: for sala-*  
4 *ries and expenses of the Office of the Clerk, including the*  
5 *positions of the Chaplain and the Historian, and including*  
6 *not more than \$25,000 for official representation and recep-*  
7 *tion expenses, of which not more than \$20,000 is for the*  
8 *Family Room and not more than \$2,000 is for the Office*  
9 *of the Chaplain, \$27,945,000; for salaries and expenses of*  
10 *the Office of the Sergeant at Arms, including the position*  
11 *of Superintendent of Garages and the Office of Emergency*  
12 *Management, and including not more than \$3,000 for offi-*  
13 *cial representation and reception expenses, \$20,505,000 of*  
14 *which \$6,696,000 shall remain available until expended; for*  
15 *salaries and expenses of the Office of the Chief Administra-*  
16 *tive Officer including not more than \$3,000 for official rep-*  
17 *resentation and reception expenses, \$132,865,000, of which*  
18 *\$2,108,000 shall remain available until expended; for sala-*  
19 *ries and expenses of the Office of the Inspector General,*  
20 *\$4,968,000; for salaries and expenses of the Office of General*  
21 *Counsel, \$1,492,000; for salaries and expenses of the Office*  
22 *of the Parliamentarian, including the Parliamentarian,*  
23 *\$2,000 for preparing the Digest of Rules, and not more than*  
24 *\$1,000 for official representation and reception expenses,*  
25 *\$2,037,000; for salaries and expenses of the Office of the*

1 *Law Revision Counsel of the House, \$3,209,000; for salaries*  
2 *and expenses of the Office of the Legislative Counsel of the*  
3 *House, \$9,937,000; for salaries and expenses of the Office*  
4 *of Interparliamentary Affairs, \$814,000; for other author-*  
5 *ized employees, \$584,000.*

6 *ALLOWANCES AND EXPENSES*

7 *For allowances and expenses as authorized by House*  
8 *resolution or law, \$260,454,004, including: supplies, mate-*  
9 *rials, administrative costs and Federal tort claims,*  
10 *\$3,625,000; official mail for committees, leadership offices,*  
11 *and administrative offices of the House, \$190,000; Govern-*  
12 *ment contributions for health, retirement, Social Security,*  
13 *and other applicable employee benefits, \$233,040,004, to re-*  
14 *main available until March 31, 2019; Business Continuity*  
15 *and Disaster Recovery, \$16,186,000 of which \$5,000,000*  
16 *shall remain available until expended; transition activities*  
17 *for new members and staff, \$2,273,000, to remain available*  
18 *until expended; Wounded Warrior Program \$2,750,000, to*  
19 *remain available until expended; Office of Congressional*  
20 *Ethics, \$1,670,000; and miscellaneous items including pur-*  
21 *chase, exchange, maintenance, repair and operation of*  
22 *House motor vehicles, interparliamentary receptions, and*  
23 *gratuities to heirs of deceased employees of the House,*  
24 *\$720,000.*

## ADMINISTRATIVE PROVISIONS

1  
2 *REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT*

3  
4  
5 *SEC. 110. (a) Notwithstanding any other provision of*  
6 *law, any amounts appropriated under this Act for*  
7 *“HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS’ REPRESENTATIONAL ALLOWANCES”*  
8 *shall be available only for fiscal year 2018. Any amount*  
9 *remaining after all payments are made under such allow-*  
10 *ances for fiscal year 2018 shall be deposited in the Treasury*  
11 *and used for deficit reduction (or, if there is no Federal*  
12 *budget deficit after all such payments have been made, for*  
13 *reducing the Federal debt, in such manner as the Secretary*  
14 *of the Treasury considers appropriate).*

15  
16 *(b) REGULATIONS.—The Committee on House Admin-*  
17 *istration of the House of Representatives shall have author-*  
18 *ity to prescribe regulations to carry out this section.*

19 *(c) DEFINITION.—As used in this section, the term*  
20 *“Member of the House of Representatives” means a Rep-*  
21 *resentative in, or a Delegate or Resident Commissioner to,*  
22 *the Congress.*

## DELIVERY OF BILLS AND RESOLUTIONS

23  
24 *SEC. 111. None of the funds made available in this*  
25 *Act may be used to deliver a printed copy of a bill, joint*

1 *resolution, or resolution to the office of a Member of the*  
2 *House of Representatives (including a Delegate or Resident*  
3 *Commissioner to the Congress) unless the Member requests*  
4 *a copy.*

5 *DELIVERY OF CONGRESSIONAL RECORD*

6 *SEC. 112. None of the funds made available by this*  
7 *Act may be used to deliver a printed copy of any version*  
8 *of the Congressional Record to the office of a Member of*  
9 *the House of Representatives (including a Delegate or Resi-*  
10 *dent Commissioner to the Congress).*

11 *LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES*

12 *SEC. 113. None of the funds made available in this*  
13 *Act may be used by the Chief Administrative Officer of the*  
14 *House of Representatives to make any payments from any*  
15 *Members' Representational Allowance for the leasing of a*  
16 *vehicle, excluding mobile district offices, in an aggregate*  
17 *amount that exceeds \$1,000 for the vehicle in any month.*

18 *LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE*

19 *SEC. 114. None of the funds made available by this*  
20 *Act may be used to provide an aggregate number of more*  
21 *than 50 printed copies of any edition of the United States*  
22 *Code to all offices of the House of Representatives.*

23 *DELIVERY OF REPORTS OF DISBURSEMENTS*

24 *SEC. 115. None of the funds made available by this*  
25 *Act may be used to deliver a printed copy of the report*

1 *of disbursements for the operations of the House of Rep-*  
2 *resentatives under section 106 of the House of Representa-*  
3 *tives Administrative Reform Technical Corrections Act (2*  
4 *U.S.C. 5535) to the office of a Member of the House of Rep-*  
5 *resentatives (including a Delegate or Resident Commis-*  
6 *sioner to the Congress).*

7 *DELIVERY OF DAILY CALENDAR*

8 *SEC. 116. None of the funds made available by this*  
9 *Act may be used to deliver to the office of a Member of the*  
10 *House of Representatives (including a Delegate or Resident*  
11 *Commissioner to the Congress) a printed copy of the Daily*  
12 *Calendar of the House of Representatives which is prepared*  
13 *by the Clerk of the House of Representatives.*

14 *DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY*

15 *SEC. 117. None of the funds made available by this*  
16 *Act may be used to deliver a printed copy of the Congres-*  
17 *sional Pictorial Directory to the office of a Member of the*  
18 *House of Representatives (including a Delegate or Resident*  
19 *Commissioner to the Congress).*

20 *AMENDING THE HOUSE SERVICES REVOLVING FUND*

21 *SEC. 118. (a) COLLECTION OF CERTAIN SERVICE*  
22 *FEES.—Section 105(a) of the Legislative Branch Appro-*  
23 *priations Act, 2005 (2 U.S.C. 5545(a)) is amended by add-*  
24 *ing at the end the following new paragraph:*



1 *or expenditure of any amounts transferred under subsection*  
2 *(a).*

3 *(d) This section shall apply with respect to amounts*  
4 *appropriated for fiscal year 2018 or any succeeding fiscal*  
5 *year.*

6 *JOINT ITEMS*

7 *For Joint Committees, as follows:*

8 *JOINT ECONOMIC COMMITTEE*

9 *For salaries and expenses of the Joint Economic Com-*  
10 *mittee, \$4,203,000, to be disbursed by the Secretary of the*  
11 *Senate.*

12 *JOINT COMMITTEE ON TAXATION*

13 *For salaries and expenses of the Joint Committee on*  
14 *Taxation, \$11,169,000, to be disbursed by the Chief Admin-*  
15 *istrative Officer of the House of Representatives.*

16 *For other joint items, as follows:*

17 *OFFICE OF THE ATTENDING PHYSICIAN*

18 *For medical supplies, equipment, and contingent ex-*  
19 *penses of the emergency rooms, and for the Attending Physi-*  
20 *cian and his assistants, including:*

21 *(1) an allowance of \$2,175 per month to the At-*  
22 *tending Physician;*

23 *(2) an allowance of \$1,300 per month to the Sen-*  
24 *ior Medical Officer;*

1           (3) *an allowance of \$725 per month each to three*  
2           *medical officers while on duty in the Office of the At-*  
3           *tending Physician;*

4           (4) *an allowance of \$725 per month to 2 assist-*  
5           *ants and \$580 per month each not to exceed 11 assist-*  
6           *ants on the basis heretofore provided for such assist-*  
7           *ants; and*

8           (5) *\$2,780,000 for reimbursement to the Depart-*  
9           *ment of the Navy for expenses incurred for staff and*  
10          *equipment assigned to the Office of the Attending*  
11          *Physician, which shall be advanced and credited to*  
12          *the applicable appropriation or appropriations from*  
13          *which such salaries, allowances, and other expenses*  
14          *are payable and shall be available for all the purposes*  
15          *thereof, \$3,838,000, to be disbursed by the Chief Ad-*  
16          *ministrative Officer of the House of Representatives.*

17          OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

18                                  SALARIES AND EXPENSES

19          *For salaries and expenses of the Office of Congressional*  
20          *Accessibility Services, \$1,444,000, to be disbursed by the*  
21          *Secretary of the Senate.*

22                                  CAPITOL POLICE

23    SALARIES

24          *For salaries of employees of the Capitol Police, includ-*  
25          *ing overtime, hazardous duty pay, and Government con-*



1 *tributions for health, retirement, social security, profes-*  
2 *sional liability insurance, and other applicable employee*  
3 *benefits, \$351,700,000 of which overtime shall not exceed*  
4 *\$45,000,000 unless the Committee on Appropriations of the*  
5 *House and Senate are notified, to be disbursed by the Chief*  
6 *of the Capitol Police or his designee.*

7 *GENERAL EXPENSES*

8 *For necessary expenses of the Capitol Police, including*  
9 *motor vehicles, communications and other equipment, secu-*  
10 *rity equipment and installation, uniforms, weapons, sup-*  
11 *plies, materials, training, medical services, forensic services,*  
12 *stenographic services, personal and professional services, the*  
13 *employee assistance program, the awards program, postage,*  
14 *communication services, travel advances, relocation of in-*  
15 *structor and liaison personnel for the Federal Law Enforce-*  
16 *ment Training Center, and not more than \$5,000 to be ex-*  
17 *pende on the certification of the Chief of the Capitol Police*  
18 *in connection with official representation and reception ex-*  
19 *penses, \$74,800,000, to be disbursed by the Chief of the Cap-*  
20 *itol Police or his designee: Provided, That, notwithstanding*  
21 *any other provision of law, the cost of basic training for*  
22 *the Capitol Police at the Federal Law Enforcement Train-*  
23 *ing Center for fiscal year 2018 shall be paid by the Sec-*  
24 *retary of Homeland Security from funds available to the*  
25 *Department of Homeland Security.*

1 *OFFICE OF COMPLIANCE*2 *SALARIES AND EXPENSES*

3 *For salaries and expenses of the Office of Compliance,*  
4 *as authorized by section 305 of the Congressional Account-*  
5 *ability Act of 1995 (2 U.S.C. 1385), \$4,959,000, of which*  
6 *\$450,000 shall remain available until September 30, 2019:*  
7 *Provided, That not more than \$500 may be expended on*  
8 *the certification of the Executive Director of the Office of*  
9 *Compliance in connection with official representation and*  
10 *reception expenses.*

11 *CONGRESSIONAL BUDGET OFFICE*12 *SALARIES AND EXPENSES*

13 *For salaries and expenses necessary for operation of*  
14 *the Congressional Budget Office, including not more than*  
15 *\$6,000 to be expended on the certification of the Director*  
16 *of the Congressional Budget Office in connection with offi-*  
17 *cial representation and reception expenses, \$49,945,000.*

18 *ADMINISTRATIVE PROVISION*19 *CONTRACTING PARITY*

20 *SEC. 130. In fiscal year 2018 and thereafter, for all*  
21 *contracts for goods and services to which the Congressional*  
22 *Budget Office is a party, the following Federal Acquisition*  
23 *Regulation (FAR) clauses will apply: FAR 52.232–39 and*  
24 *FAR 52.233–4.*

1                    *ARCHITECT OF THE CAPITOL*2                    *CAPITAL CONSTRUCTION AND OPERATIONS*

3            *For salaries for the Architect of the Capitol, and other*  
4 *personal services, at rates of pay provided by law; for all*  
5 *necessary expenses for surveys and studies, construction, op-*  
6 *eration, and general and administrative support in connec-*  
7 *tion with facilities and activities under the care of the Ar-*  
8 *chitect of the Capitol including the Botanic Garden; elec-*  
9 *trical substations of the Capitol, Senate and House office*  
10 *buildings, and other facilities under the jurisdiction of the*  
11 *Architect of the Capitol; including furnishings and office*  
12 *equipment; including not more than \$5,000 for official re-*  
13 *ception and representation expenses, to be expended as the*  
14 *Architect of the Capitol may approve; for purchase or ex-*  
15 *change, maintenance, and operation of a passenger motor*  
16 *vehicle, \$93,478,000.*

17                    *CAPITOL BUILDING*

18            *For all necessary expenses for the maintenance, care*  
19 *and operation of the Capitol, \$45,300,000, of which*  
20 *\$19,458,000 shall remain available until September 30,*  
21 *2022.*

22                    *CAPITOL GROUNDS*

23            *For all necessary expenses for care and improvement*  
24 *of grounds surrounding the Capitol, the Senate and House*  
25 *office buildings, and the Capitol Power Plant, \$13,333,000,*

1 *of which \$3,195,000 shall remain available until September*  
2 *30, 2022.*

3 *SENATE OFFICE BUILDINGS*

4 *For all necessary expenses for the maintenance, care*  
5 *and operation of Senate office buildings; and furniture and*  
6 *furnishings to be expended under the control and super-*  
7 *vision of the Architect of the Capitol, \$101,614,000, of which*  
8 *\$38,937,000 shall remain available until September 30,*  
9 *2022.*

10 *HOUSE OFFICE BUILDINGS*

11 *For all necessary expenses for the maintenance, care*  
12 *and operation of the House office buildings, \$197,294,000,*  
13 *of which \$73,130,000 shall remain available until Sep-*  
14 *tember 30, 2022, and of which \$62,000,000 shall remain*  
15 *available until expended for the restoration and renovation*  
16 *of the Cannon House Office Building.*

17 *In addition, for a payment to the House Historic*  
18 *Buildings Revitalization Trust Fund, \$10,000,000, to re-*  
19 *main available until expended.*

20 *CAPITOL POWER PLANT*

21 *For all necessary expenses for the maintenance, care*  
22 *and operation of the Capitol Power Plant; lighting, heating,*  
23 *power (including the purchase of electrical energy) and*  
24 *water and sewer services for the Capitol, Senate and House*  
25 *office buildings, Library of Congress buildings, and the*

1 grounds about the same, Botanic Garden, Senate garage,  
2 and air conditioning refrigeration not supplied from plants  
3 in any of such buildings; heating the Government Pub-  
4 lishing Office and Washington City Post Office, and heating  
5 and chilled water for air conditioning for the Supreme  
6 Court Building, the Union Station complex, the Thurgood  
7 Marshall Federal Judiciary Building and the Folger Shake-  
8 speare Library, expenses for which shall be advanced or re-  
9 imburSED upon request of the Architect of the Capitol and  
10 amounts so received shall be deposited into the Treasury  
11 to the credit of this appropriation, \$106,694,000, of which  
12 \$28,057,000 shall remain available until September 30,  
13 2022: Provided, That not more than \$9,000,000 of the funds  
14 credited or to be reimbursed to this appropriation as herein  
15 provided shall be available for obligation during fiscal year  
16 2018.

17 *LIBRARY BUILDINGS AND GROUNDS*

18 *For all necessary expenses for the mechanical and*  
19 *structural maintenance, care and operation of the Library*  
20 *buildings and grounds, \$74,873,000, of which \$47,500,000*  
21 *shall remain available until September 30, 2022.*

22 *CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY*

23 *For all necessary expenses for the maintenance, care*  
24 *and operation of buildings, grounds and security enhance-*  
25 *ments of the United States Capitol Police, wherever located,*

1 *the Alternate Computing Facility, and Architect of the Cap-*  
2 *itol security operations, \$34,249,000, of which \$13,300,000*  
3 *shall remain available until September 30, 2022.*

4 *BOTANIC GARDEN*

5 *For all necessary expenses for the maintenance, care*  
6 *and operation of the Botanic Garden and the nurseries,*  
7 *buildings, grounds, and collections; and purchase and ex-*  
8 *change, maintenance, repair, and operation of a passenger*  
9 *motor vehicle; all under the direction of the Joint Com-*  
10 *mittee on the Library, \$13,800,000, of which \$3,000,000*  
11 *shall remain available until September 30, 2022: Provided,*  
12 *That, of the amount made available under this heading, the*  
13 *Architect of the Capitol may obligate and expend such sums*  
14 *as may be necessary for the maintenance, care and oper-*  
15 *ation of the National Garden established under section*  
16 *307E of the Legislative Branch Appropriations Act, 1989*  
17 *(2 U.S.C. 2146), upon vouchers approved by the Architect*  
18 *of the Capitol or a duly authorized designee.*

19 *CAPITOL VISITOR CENTER*

20 *For all necessary expenses for the operation of the Cap-*  
21 *itol Visitor Center, \$21,470,000.*

1                                    *ADMINISTRATIVE PROVISIONS*2        *NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR*  
3                                    *OVER BUDGET*

4            *SEC. 140. None of the funds made available in this*  
5 *Act for the Architect of the Capitol may be used to make*  
6 *incentive or award payments to contractors for work on*  
7 *contracts or programs for which the contractor is behind*  
8 *schedule or over budget, unless the Architect of the Capitol,*  
9 *or agency-employed designee, determines that any such de-*  
10 *viations are due to unforeseeable events, government-driven*  
11 *scope changes, or are not significant within the overall*  
12 *scope of the project and/or program.*

13                                    *SCRIMS*

14            *SEC. 141. None of the funds made available by this*  
15 *Act may be used for scrims containing photographs of*  
16 *building facades during restoration or construction projects*  
17 *performed by the Architect of the Capitol.*

18                                    *LIBRARY OF CONGRESS*19                                    *SALARIES AND EXPENSES*

20            *For all necessary expenses of the Library of Congress*  
21 *not otherwise provided for, including development and*  
22 *maintenance of the Library's catalogs; custody and custo-*  
23 *dial care of the Library buildings; special clothing; clean-*  
24 *ing, laundering and repair of uniforms; preservation of mo-*  
25 *tion pictures in the custody of the Library; operation and*

1 maintenance of the American Folklife Center in the Li-  
2 brary; preparation and distribution of catalog records and  
3 other publications of the Library; hire or purchase of one  
4 passenger motor vehicle; and expenses of the Library of Con-  
5 gress Trust Fund Board not properly chargeable to the in-  
6 come of any trust fund held by the Board, \$477,017,000,  
7 of which not more than \$6,000,000 shall be derived from  
8 collections credited to this appropriation during fiscal year  
9 2018, and shall remain available until expended, under the  
10 Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C.  
11 150) and not more than \$350,000 shall be derived from col-  
12 lections during fiscal year 2018 and shall remain available  
13 until expended for the development and maintenance of an  
14 international legal information database and activities re-  
15 lated thereto: Provided, That the Library of Congress may  
16 not obligate or expend any funds derived from collections  
17 under the Act of June 28, 1902, in excess of the amount  
18 authorized for obligation or expenditure in appropriations  
19 Acts: Provided further, That the total amount available for  
20 obligation shall be reduced by the amount by which collec-  
21 tions are less than \$6,350,000: Provided further, That of  
22 the total amount appropriated, not more than \$12,000 may  
23 be expended, on the certification of the Librarian of Con-  
24 gress, in connection with official representation and recep-  
25 tion expenses for the Overseas Field Offices: Provided fur-



1 *ther, That of the total amount appropriated, \$8,653,000*  
2 *shall remain available until expended for the digital collec-*  
3 *tions and educational curricula program: Provided further,*  
4 *That of the total amount appropriated, \$1,300,000 shall re-*  
5 *main available until expended for upgrade of the Legisla-*  
6 *tive Branch Financial Management System: Provided fur-*  
7 *ther, That of the total amount appropriated, \$10,000,000*  
8 *is provided to enhance public exhibits and visitor services*  
9 *at the Library; of which \$2,000,000 shall remain available*  
10 *until September 30, 2020 for planning, including devel-*  
11 *oping direct and indirect cost estimates in conjunction with*  
12 *the Architect of the Capitol; and of which \$8,000,000, to*  
13 *remain available until expended, may be obligated and ex-*  
14 *pended only upon written approval by the Chair and rank-*  
15 *ing minority member of the Subcommittee on the Legisla-*  
16 *tive Branch of the Committee on Appropriations of the*  
17 *House of Representatives and by the Chair and ranking mi-*  
18 *nority member of the Subcommittee on the Legislative*  
19 *Branch of the Committee on Appropriations of the Senate,*  
20 *following review of a project budget justification and cost*  
21 *estimate.*

22 *COPYRIGHT OFFICE*

23 *SALARIES AND EXPENSES*

24 *For all necessary expenses of the Copyright Office,*  
25 *\$72,011,000, of which not more than \$35,218,000, to re-*

1 *main available until expended, shall be derived from collec-*  
2 *tions credited to this appropriation during fiscal year 2018*  
3 *under section 708(d) of title 17, United States Code: Pro-*  
4 *vided, That the Copyright Office may not obligate or expend*  
5 *any funds derived from collections under such section, in*  
6 *excess of the amount authorized for obligation or expendi-*  
7 *ture in appropriations Acts: Provided further, That not*  
8 *more than \$6,087,000 shall be derived from collections dur-*  
9 *ing fiscal year 2018 under sections 111(d)(2), 119(b)(3),*  
10 *803(e), 1005, and 1316 of such title: Provided further, That*  
11 *the total amount available for obligation shall be reduced*  
12 *by the amount by which collections are less than*  
13 *\$41,305,000: Provided further, That \$2,260,000 shall be de-*  
14 *rived from prior year unobligated balances: Provided fur-*  
15 *ther, That not more than \$100,000 of the amount appro-*  
16 *priated is available for the maintenance of an “Inter-*  
17 *national Copyright Institute” in the Copyright Office of the*  
18 *Library of Congress for the purpose of training nationals*  
19 *of developing countries in intellectual property laws and*  
20 *policies: Provided further, That not more than \$6,500 may*  
21 *be expended, on the certification of the Librarian of Con-*  
22 *gress, in connection with official representation and recep-*  
23 *tion expenses for activities of the International Copyright*  
24 *Institute and for copyright delegations, visitors, and semi-*  
25 *nars: Provided further, That, notwithstanding any provi-*

1 sion of chapter 8 of title 17, United States Code, any  
2 amounts made available under this heading which are at-  
3 tributable to royalty fees and payments received by the  
4 Copyright Office pursuant to sections 111, 119, and chapter  
5 10 of such title may be used for the costs incurred in the  
6 administration of the Copyright Royalty Judges program,  
7 with the exception of the costs of salaries and benefits for  
8 the Copyright Royalty Judges and staff under section  
9 802(e).

10                                    *CONGRESSIONAL RESEARCH SERVICE*

11    *SALARIES AND EXPENSES*

12           *For all necessary expenses to carry out the provisions*  
13 *of section 203 of the Legislative Reorganization Act of 1946*  
14 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*  
15 *stitution of the United States of America, \$119,279,000:*  
16 *Provided, That no part of such amount may be used to pay*  
17 *any salary or expense in connection with any publication,*  
18 *or preparation of material therefor (except the Digest of*  
19 *Public General Bills), to be issued by the Library of Con-*  
20 *gress unless such publication has obtained prior approval*  
21 *of either the Committee on House Administration of the*  
22 *House of Representatives or the Committee on Rules and*  
23 *Administration of the Senate: Provided further, That this*  
24 *prohibition does not apply to publication of non-confiden-*  
25 *tial Congressional Research Service (CRS) products: Pro-*

1 *vided further, That a non-confidential CRS product in-*  
2 *cludes any written product containing research or analysis*  
3 *that is currently available for general congressional access*  
4 *on the CRS Congressional Intranet, or that would be made*  
5 *available on the CRS Congressional Intranet in the normal*  
6 *course of business and does not include material prepared*  
7 *in response to Congressional requests for confidential anal-*  
8 *ysis or research.*

9 *BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED*

10 *SALARIES AND EXPENSES*

11 *For all necessary expenses to carry out the Act of*  
12 *March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*  
13 *\$51,498,000: Provided, That of the total amount appro-*  
14 *priated, \$650,000 shall be available to contract to provide*  
15 *newspapers to blind and physically handicapped residents*  
16 *at no cost to the individual.*

17 *ADMINISTRATIVE PROVISIONS*

18 *REIMBURSABLE AND REVOLVING FUND ACTIVITIES*

19 *SEC. 150. (a) IN GENERAL.—For fiscal year 2018, the*  
20 *obligational authority of the Library of Congress for the ac-*  
21 *tivities described in subsection (b) may not exceed*  
22 *\$190,642,000.*

23 *(b) ACTIVITIES.—The activities referred to in sub-*  
24 *section (a) are reimbursable and revolving fund activities*  
25 *that are funded from sources other than appropriations to*

1 *the Library in appropriations Acts for the legislative*  
2 *branch.*

3 *REVOLVING FUNDS UPDATE*

4 *SEC. 151. The Library of Congress Fiscal Operations*  
5 *Improvement Act of 2000 (2 U.S.C. 182a et seq.; Public*  
6 *Law 106–481) is amended—*

7 *(1) in section 102 (2 U.S.C. 182b)—*

8 *(A) in the section heading, by striking the*  
9 *heading and inserting “Revolving fund for sales*  
10 *shop and other services”; and*

11 *(B) in subsection (a), by adding at the end*  
12 *the following: “(5) Training.”; and*

13 *(2) in section 103(f)(1) (2 U.S.C. 182c(f)(1)), by*  
14 *inserting “tribal governments (as defined in 40*  
15 *U.S.C. 502(c)(2)(B))” after “Federal Government,”.*

16 *GIFTS*

17 *SEC. 152. The first undesignated paragraph of section*  
18 *4 of the Act entitled “An Act to create a Library of Congress*  
19 *Trust Fund Board, and for other purposes”, approved*  
20 *March 3, 1925 (2 U.S.C. 160), is amended—*

21 *(1) in the first sentence—*

22 *(A) by striking “of money for immediate*  
23 *disbursement”; and*

24 *(B) by striking the period at the end and*  
25 *inserting “, of the following: (1) nonpersonal*

1           *services; (2) voluntary and uncompensated per-*  
 2           *sonal services not to exceed \$10,000 per person,*  
 3           *per year in value; and (3) gifts or bequests of*  
 4           *money for immediate disbursement.”; and*

5           *(2) by adding the following sentence at the end*  
 6           *of the first paragraph: “The Librarian shall make an*  
 7           *annual public report regarding gifts accepted under*  
 8           *this section.”.*

9   *APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF*  
 10    *1995 TO THE LIBRARY OF CONGRESS; ELECTION OF*  
 11    *PROCEEDING*

12    *SEC. 153. (a) APPLICATION OF CONGRESSIONAL AC-*  
 13    *COUNTABILITY ACT OF 1995 TO THE LIBRARY OF CON-*  
 14    *GRESS.—*

15           *(1) APPLICATION THROUGH DEFINITIONS.—*

16                   *(A) IN GENERAL.—Section 101 of the Con-*  
 17                   *gressional Accountability Act of 1995 (2 U.S.C.*  
 18                   *1301) is amended—*

19                           *(i) in paragraph (3)—*

20                                   *(I) in subparagraph (H), by strik-*  
 21                                   *ing “or” at the end;*

22                                   *(II) in subparagraph (I), by strik-*  
 23                                   *ing the period and inserting “; or”;*  
 24                                   *and*

1                   (III) by adding at the end the fol-  
2                   lowing:

3                   “(J) the Library of Congress, except for sec-  
4                   tion 220.”; and

5                   (ii) in paragraph (9)—

6                   (I) in subparagraph (C), by strik-  
7                   ing “or” at the end;

8                   (II) in subparagraph (D), by  
9                   striking the period and inserting “;  
10                  or”; and

11                  (III) by adding at the end the fol-  
12                  lowing:

13                  “(E) the Library of Congress, except for sec-  
14                  tion 220.”.

15                  (B) PUBLIC SERVICES AND ACCOMMODA-  
16                  TIONS.—Section 210(a) of the Congressional Ac-  
17                  countability Act of 1995 (2 U.S.C. 1331(a)) is  
18                  amended—

19                  (i) in paragraph (9), by striking  
20                  “and” at the end;

21                  (ii) in paragraph (10), by striking the  
22                  period and inserting “; and”; and

23                  (iii) by adding at the end the fol-  
24                  lowing:

25                  “(11) the Library of Congress.”.

1           (C) *LABOR-MANAGEMENT REGULATIONS.—*  
2           *Section 220(a) of the Congressional Account-*  
3           *ability Act of 1995 (2 U.S.C. 1351(a)) is amend-*  
4           *ed—*

5                     *(i) in paragraph (2), in the paragraph*  
6                     *heading, by striking “(2) DEFINITION.—”*  
7                     *and inserting “(2) APPLICATION.—” ; and*  
8                     *(ii) by adding at the end the following:*

9                     *“(3) DEFINITIONS.—For purposes of this section,*  
10                    *the term ‘covered employee’ does not include an em-*  
11                    *ployee of the Library of Congress, and the term ‘em-*  
12                    *ploying office’ does not include the Library of Con-*  
13                    *gress.”.*

14           (2) *CONFORMING AMENDMENTS TO ACT.—The*  
15           *Congressional Accountability Act of 1995 (2 U.S.C.*  
16           *1301 et seq.) is amended—*

17                     (A) *in section 204(a)(2) (2 U.S.C.*  
18                     *1314(a)(2)), by striking “and the Library of*  
19                     *Congress” each place it appears;*

20                     (B) *in section 205(a)(2) (2 U.S.C.*  
21                     *1315(a)(2)), by striking “and the Library of*  
22                     *Congress” each place it appears;*

23                     (C) *in section 206(a)(2) (2 U.S.C.*  
24                     *1316(a)(2))—*



1           (i) in subparagraph (B), by striking  
2           “and the Library of Congress”; and

3           (ii) in subparagraph (C), by striking  
4           “and the Library of Congress”;

5           (D) in section 215(a)(2) (2 U.S.C.  
6           1341(a)(2))—

7           (i) in subparagraph (C), by striking “,  
8           the Library of Congress,”; and

9           (ii) in subparagraph (D), by striking  
10           “and the Library of Congress”; and

11           (E) in section 415(a) (2 U.S.C. 1415(a))—

12           (i) by striking the comma after “Gen-  
13           eral Accounting Office” and inserting “or”;  
14           and

15           (ii) by striking “, or the Library of  
16           Congress”.

17           (b) *ELECTION OF PROCEEDING.*—

18           (1) *PROCEDURE.*—Section 401(3) of the Congres-  
19           sional Accountability Act of 1995 (2 U.S.C. 1401(3))  
20           is amended—

21           (A) in the matter preceding subparagraph  
22           (A), by striking “either”;

23           (B) in subparagraph (A), by striking “or”  
24           at the end;

1           (C) in subparagraph (B), by striking the  
2           period and inserting “, or”; and

3           (D) by adding at the end the following:

4           “(C) in the case of an Library claimant (as  
5           defined in section 404(a)), a proceeding described  
6           in section 404(b)(3) that relates to the violation  
7           at issue.”.

8           (2) *ELECTION*.—Section 404 of the Congressional  
9           Accountability Act of 1995 (2 U.S.C. 1404) is amend-  
10          ed—

11           (A) by striking “Not” and inserting the fol-  
12          lowing:

13          “(b) *ELECTION AFTER PROCEEDINGS INITIALLY*  
14          *BROUGHT UNDER THIS ACT*.—Not”; and

15           (B) by inserting after the section heading  
16          the following:

17          “(a) *DEFINITIONS*.—In this section:

18           “(1) *DIRECT ACT*.—The term ‘direct Act’ means  
19           an Act (other than this Act), or provision of the Re-  
20           vised Statutes, that is specified in section 201, 202,  
21           203, or 210.

22           “(2) *DIRECT PROVISION*.—The term ‘direct pro-  
23           vision’ means a provision (including a definitional  
24           provision) of a direct Act that applies the rights or  
25           protections of a direct Act (including rights and pro-

1        *tections relating to nonretaliation or noncoercion) to*  
2        *a library claimant.*

3            “(3) *LIBRARY CLAIMANT.*—*The term ‘Library*  
4        *claimant’ means—*

5            “(A) *with respect to a direct provision*  
6        *(other than a provision described in subpara-*  
7        *graph (B)), an employee of the Library of Con-*  
8        *gress who is covered by that direct provision,*  
9        *and*

10           “(B) *with respect to a direct provision that*  
11        *applies the rights or protections of title II or III*  
12        *of the Americans with Disabilities Act of 1990*  
13        *(42 U.S.C. 12131 et seq., 12181 et seq.), an indi-*  
14        *vidual who is eligible to provide services for or*  
15        *receive services from the Library of Congress and*  
16        *who is covered by that provision.”;*

17           (C) *in subsection (b), as added by subpara-*  
18        *graph (A) of this paragraph—*

19                (i) *in the matter preceding paragraph*  
20                (1), *by striking “may either” and inserting*  
21                “*who initially requested counseling and me-*  
22                *diation under this title may elect to”;*

23                (ii) *in paragraph (1), by striking “or”*  
24                *at the end;*

1                   (iii) in paragraph (2), by striking the  
2                   period and inserting “, or”; and

3                   “(3) in the case of a Library claimant, bring the  
4                   claim, complaint, or charge that is brought for a pro-  
5                   ceeding before the corresponding Federal agency,  
6                   under the corresponding direct provision.”; and

7                   (D) by adding at the end the following:

8                   “(c) *ELECTION AFTER PROCEEDINGS INITIALLY*  
9                   *BROUGHT UNDER OTHER CIVIL RIGHTS OR LABOR LAW.—*  
10                  *A library claimant who initially brings a claim, complaint,*  
11                  *or charge under a direct provision for a proceeding before*  
12                  *a Federal agency may, prior to requesting a hearing under*  
13                  *the agency’s procedures, elect to—*

14                  “(1) bring any civil action relating to the claim,  
15                  complaint, or charge, that is available to the Library  
16                  claimant,

17                  “(2) file a complaint with the Office in accord-  
18                  ance with section 405, or

19                  “(3) file a civil action in accordance with section  
20                  408 in the United States district court for the district  
21                  in which the employee is employed or for the District  
22                  of Columbia.”.

23                  (c) *PROSPECTIVE APPLICABILITY.—This section and*  
24                  *the amendments made by this section—*

1           (1) *shall take effect on the date of enactment of*  
2 *this section; and*

3           (2) *shall apply to any charge, complaint, or*  
4 *claim, that is made on or after the date of enactment*  
5 *of this section, of a violation of—*

6                   (A) *section 201, 202, 203, 207, or 210 of the*  
7 *Congressional Accountability Act of 1995 (2*  
8 *U.S.C. 1311 et seq.); or*

9                   (B) *a direct provision as defined in section*  
10 *404(a) of the Congressional Accountability Act of*  
11 *1995 (2 U.S.C. 1404) (as added by subsection*  
12 *(b)).*

13 *EQUAL ACCESS TO CONGRESSIONAL RESEARCH SERVICE*

14 *REPORTS*

15 *SEC. 154. (a) DEFINITIONS.—*

16           (1) *CRS PRODUCT.—In this section, the term*  
17 *“CRS product” means any final written work prod-*  
18 *uct of CRS containing research or analysis in any*  
19 *format that is available for general congressional ac-*  
20 *cess on the CRS Congressional Intranet.*

21           (2) *CRS REPORT.—*

22                   (A) *IN GENERAL.—In this section, the term*  
23 *“CRS Report” means any written CRS product,*  
24 *including an update to a previous written CRS*  
25 *product, consisting of—*

1           (i) a Congressional Research Service  
2           Report; or

3           (ii) a Congressional Research Service  
4           Authorization of Appropriations Product  
5           and Appropriations Product, which is  
6           available for general congressional access on  
7           the CRS Congressional Intranet.

8           (B) EXCLUSIONS.—The term “CRS Report”  
9           does not include—

10           (i) any CRS product that is deter-  
11           mined by the CRS Director to be a con-  
12           fidential product or service because it was  
13           prepared in response to a congressional re-  
14           quest or requests for confidential analysis or  
15           research and is not available for general  
16           congressional access on the CRS Congres-  
17           sional Intranet;

18           (ii) any Congressional Research Serv-  
19           ice Report or any Congressional Research  
20           Service Authorization of Appropriations  
21           Product and Appropriations Product re-  
22           ported or produced before the effective date  
23           of this Act which, as of such effective date,  
24           is not available for general congressional ac-  
25           cess on the CRS Congressional Intranet; or

1                   (iii) a written CRS product that has  
2                   been made available by CRS for publication  
3                   on a public website maintained by the GPO  
4                   Director (other than the Website) or the Li-  
5                   brary of Congress.

6                   (3) OTHER DEFINITIONS.—In this section—

7                   (A) the term “CRS” means the Congres-  
8                   sional Research Service;

9                   (B) the term “CRS Congressional Intranet”  
10                  means the Website maintained by CRS at  
11                  www.crs.gov, or a successor website, for the pur-  
12                  pose of providing to Members and employees of  
13                  Congress access to information from CRS;

14                  (C) the term “CRS Director” means the Di-  
15                  rector of CRS;

16                  (D) the term “Librarian of Congress”  
17                  means the Librarian of Congress appointed pur-  
18                  suant to 2 U.S.C. 136–1;

19                  (E) the term “Member of Congress” includes  
20                  a Delegate or Resident Commissioner to Con-  
21                  gress; and

22                  (F) the term “Website” means the website  
23                  established and maintained under subsection (b).

24                  (b) AVAILABILITY OF CRS REPORTS THROUGH LI-  
25                  BRARY OF CONGRESS WEBSITE.—

1 (1) *WEBSITE.*—

2 (A) *ESTABLISHMENT AND MAINTENANCE.*—

3 *The Librarian of Congress, in consultation with*  
4 *the CRS Director, shall establish and maintain*  
5 *a public website containing CRS Reports and an*  
6 *index of all CRS Reports contained on the*  
7 *website, in accordance with this subsection.*

8 (B) *FORMAT.*—*On the Website, CRS Re-*  
9 *ports shall be searchable, sortable, and*  
10 *downloadable, including downloadable in bulk.*

11 (C) *FREE ACCESS.*—*Notwithstanding any*  
12 *other provision of law, the Librarian of Congress*  
13 *may not charge a fee for access to the Website.*

14 (2) *UPDATES; DISCLAIMER.*—*The Librarian of*  
15 *Congress, in consultation with the CRS Director,*  
16 *shall ensure that the Website—*

17 (A) *is updated contemporaneously, auto-*  
18 *matically, and electronically to include each new*  
19 *or updated CRS Report released on or after the*  
20 *effective date of this section;*

21 (B) *shows the status of each CRS Report as*  
22 *new, updated, or archived; and*

23 (C) *displays the following statement in ref-*  
24 *erence to the CRS Reports included on the*  
25 *Website: “These documents were prepared by the*



1           *Congressional Research Service (CRS). CRS*  
2           *serves as nonpartisan shared staff to congres-*  
3           *sional committees and Members of Congress. It*  
4           *operates solely at the behest of and under the di-*  
5           *rection of Congress. Information in a CRS Re-*  
6           *port should not be relied upon for purposes other*  
7           *than public understanding of information that*  
8           *has been provided by CRS to Members of Con-*  
9           *gress in connection with CRS's institutional*  
10          *role. CRS Reports, as a work of the United*  
11          *States Government, are not subject to copyright*  
12          *protection in the United States. Any CRS Re-*  
13          *port may be reproduced and distributed in its*  
14          *entirety without permission from CRS. However,*  
15          *as a CRS Report may include copyrighted im-*  
16          *ages or material from a third party, you may*  
17          *need to obtain the permission of the copyright*  
18          *holder if you wish to copy or otherwise use copy-*  
19          *righted material.”.*

20           (3) *FURNISHING OF NECESSARY INFORMATION*  
21          *AND TECHNOLOGY.—The CRS Director shall consult*  
22          *with and provide assistance to the Librarian of Con-*  
23          *gress to ensure—*

24                   (A) *that the Librarian of Congress is pro-*  
25                   *vided with all of the information necessary to*

1           *carry out this section, including all of the infor-*  
2           *mation described in clauses (i) through (iv) of*  
3           *subsection (c)(1)(A), in such format and manner*  
4           *as the Librarian of Congress considers appro-*  
5           *priate; and*

6                     *(B) that CRS makes available any informa-*  
7           *tion and assistance as may be necessary to fa-*  
8           *ilitate the contemporaneous, automatic, and*  
9           *electronic provision of CRS Reports to the Li-*  
10          *brarian of Congress as required under this sec-*  
11          *tion.*

12                    *(4) NONEXCLUSIVITY.—The Librarian of Con-*  
13          *gress may publish other information on the Website.*

14                    *(5) ALTERNATIVE TECHNIQUES.—The Librarian*  
15          *of Congress and the CRS Director may use additional*  
16          *techniques to make CRS Reports available to the pub-*  
17          *lic, if such techniques are consistent with this section*  
18          *and any other applicable laws.*

19                    *(6) ADDITIONAL INFORMATION.—The CRS Direc-*  
20          *tor is encouraged to make additional CRS products*  
21          *that are not confidential products or services avail-*  
22          *able to the Librarian of Congress for publication on*  
23          *the Website, and the Librarian of Congress is encour-*  
24          *aged to publish such CRS products on the Website.*

1           (7) *EXPANSION OF CONTENTS OF ANNUAL RE-*  
2 *PORT TO CONGRESS TO INCLUDE INFORMATION ON EF-*  
3 *FORTS TO MAKE ADDITIONAL PRODUCTS AVAILABLE*  
4 *ON WEBSITE.*—*Section 203(i) of the Legislative Reor-*  
5 *ganization Act of 1946 (2 U.S.C. 166(i)) is amended*  
6 *by striking the period at the end and inserting the*  
7 *following: “, and shall include in the report a descrip-*  
8 *tion of the efforts made by the Director to make addi-*  
9 *tional Congressional Research Service products that*  
10 *are not confidential products or services available to*  
11 *the Librarian of Congress for publication on the*  
12 *website established and maintained under section 124*  
13 *of the Legislative Branch Appropriations Act, 2018.”.*

14 *(c) WEBSITE CONTENTS.*—

15           (1) *SPECIFIC REQUIREMENTS FOR REPORTS*  
16 *POSTED ON WEBSITE.*—

17           (A) *RESPONSIBILITIES OF LIBRARIAN OF*  
18 *CONGRESS.*—*With respect to each CRS Report*  
19 *included on the Website, the Librarian of Con-*  
20 *gress shall include—*

21                   (i) *the name and identification num-*  
22                   *ber of the CRS Report;*

23                   (ii) *an indication as to whether the*  
24                   *CRS Report is new, updated, or archived;*

1                   (iii) the date of release of the CRS Re-  
2                   port; and

3                   (iv) any other information the Librar-  
4                   ian of Congress, in consultation with the  
5                   CRS Director, considers appropriate.

6                   (B) *RESPONSIBILITIES OF CRS DIREC-*  
7                   *TOR.*—With respect to each CRS Report included  
8                   on the Website, the CRS Director shall, prior to  
9                   transmitting the Report to the Librarian of Con-  
10                  gress—

11                  (i) at the discretion of the CRS Direc-  
12                  tor, remove the name of and any contact in-  
13                  formation for any employee of CRS; and

14                  (ii) include in the CRS Report the fol-  
15                  lowing written statement: “This document  
16                  was prepared by the Congressional Research  
17                  Service (CRS). CRS serves as nonpartisan  
18                  shared staff to congressional committees and  
19                  Members of Congress. It operates solely at  
20                  the behest of and under the direction of Con-  
21                  gress. Information in a CRS Report should  
22                  not be relied upon for purposes other than  
23                  public understanding of information that  
24                  has been provided by CRS to Members of  
25                  Congress in connection with CRS’s institu-

1            *tional role. CRS Reports, as a work of the*  
2            *United States Government, are not subject*  
3            *to copyright protection in the United*  
4            *States. Any CRS Report may be reproduced*  
5            *and distributed in its entirety without per-*  
6            *mission from CRS. However, as this CRS*  
7            *Report may include copyrighted images or*  
8            *material from a third party, you may need*  
9            *to obtain the permission of the copyright*  
10           *holder if you wish to copy or otherwise use*  
11           *copyrighted material.”.*

12           (2) *SPECIFIC REQUIREMENTS FOR INDEX ON*  
13           *WEBSITE.—The Librarian of Congress shall ensure*  
14           *that the index of all CRS Reports published on the*  
15           *Website is—*

16                    (A) *comprehensive;*

17                    (B) *contemporaneously updated;*

18                    (C) *searchable;*

19                    (D) *sortable;*

20                    (E) *maintained in a human-readable for-*  
21                    *mat;*

22                    (F) *maintained in a structured data for-*  
23                    *mat;*

24                    (G) *downloadable; and*

1           (H) inclusive of each item of information  
2           described in paragraph (1)(A) with respect to  
3           each CRS Report.

4           (d) *CONFORMING AMENDMENT TO DUTIES OF CRS.*—  
5           Section 203(d) of the Legislative Reorganization Act of  
6           1946 (2 U.S.C. 166(d)) is amended—

7           (1) by striking “and” at the end of paragraph  
8           (7);

9           (2) by striking the period at the end of para-  
10          graph (8) and inserting “; and”; and

11          (3) by adding at the end the following new para-  
12          graph:

13                 “(9) to comply with the requirements of, and  
14                 provide information and technological assistance con-  
15                 sistent with, section 124 of the Legislative Branch Ap-  
16                 propriations Act, 2018.”.

17          (e) *RULES OF CONSTRUCTION.*—

18                 (1) *NO EFFECT ON SPEECH OR DEBATE*  
19                 *CLAUSE.*—Nothing in this section may be construed to  
20                 diminish, qualify, condition, waive, or otherwise af-  
21                 fect the applicability of clause 1 of section 6 of article  
22                 I of the Constitution of the United States (commonly  
23                 known as the “Speech or Debate Clause”) or any  
24                 other privilege available to Congress or Members, of-

1 *ices, or employees of Congress with respect to any*  
2 *CRS Report made available online under this section.*

3 (2) *CONFIDENTIAL COMMUNICATIONS.*—*Nothing*  
4 *in this section may be construed to waive the require-*  
5 *ment that any confidential communication by CRS to*  
6 *a Member, office, or committee of Congress shall re-*  
7 *main under the custody and control of Congress and*  
8 *may be released only by Congress and its Houses,*  
9 *Members, offices, and committees, in accordance with*  
10 *the rules and privileges of each House and the re-*  
11 *quirements of this section.*

12 (3) *DISSEMINATION OF CRS PRODUCTS.*—*Noth-*  
13 *ing in this section may be construed to limit or other-*  
14 *wise affect the ability of a Member, office, or com-*  
15 *mittee of Congress to disseminate CRS products on a*  
16 *website of the Member, office, or committee or to oth-*  
17 *erwise provide CRS products to the public, including*  
18 *as part of constituent service activities.*

19 (f) *EFFECTIVE DATE.*—

20 (1) *IN GENERAL.*—*Except as provided in para-*  
21 *graph (2)(C), this section and the amendments made*  
22 *by this section shall take effect 90 days after the date*  
23 *on which the Librarian of Congress submits the cer-*  
24 *tification described in paragraph (2)(B).*

1           (2) *PROVISION OF INFORMATION AND TECH-*  
2           *NOLOGY.—*

3                   (A) *CRS DEADLINE.—Not later than 90*  
4                   *days after the date of enactment of this Act, the*  
5                   *CRS Director shall provide the Librarian of*  
6                   *Congress with the information necessary for the*  
7                   *Librarian of Congress to begin the initial oper-*  
8                   *ation of the Website.*

9                   (B) *CERTIFICATION.—Upon provision of the*  
10                   *information described in subparagraph (A), the*  
11                   *Librarian of Congress shall submit to Congress a*  
12                   *certification that the CRS Director has provided*  
13                   *the information necessary for the Librarian of*  
14                   *Congress to begin the initial operation of the*  
15                   *Website.*

16                   (C) *TECHNICAL DELAYS.—In the event of*  
17                   *technical difficulties encountered in planning or*  
18                   *implementing the requirements of this section*  
19                   *and the amendments made by this section, upon*  
20                   *providing a detailed report submitted by the Li-*  
21                   *brarian of Congress or the CRS Director to the*  
22                   *Committees on Appropriations of the House and*  
23                   *the Senate detailing the nature of the technical*  
24                   *difficulties and the timeline for resolving such*  
25                   *technical difficulties, the effective date established*



1           *by subsection (f)(1) shall be extended for up to*  
2           *90 additional days.*

3           **GOVERNMENT PUBLISHING OFFICE**

4                   **CONGRESSIONAL PUBLISHING**

5                           **(INCLUDING TRANSFER OF FUNDS)**

6           *For authorized publishing of congressional informa-*  
7           *tion and the distribution of congressional information in*  
8           *any format; publishing of Government publications author-*  
9           *ized by law to be distributed to Members of Congress; and*  
10          *publishing, and distribution of Government publications*  
11          *authorized by law to be distributed without charge to the*  
12          *recipient, \$79,528,000: Provided, That this appropriation*  
13          *shall not be available for paper copies of the permanent edi-*  
14          *tion of the Congressional Record for individual Representa-*  
15          *tives, Resident Commissioners or Delegates authorized*  
16          *under section 906 of title 44, United States Code: Provided*  
17          *further, That this appropriation shall be available for the*  
18          *payment of obligations incurred under the appropriations*  
19          *for similar purposes for preceding fiscal years: Provided*  
20          *further, That notwithstanding the 2-year limitation under*  
21          *section 718 of title 44, United States Code, none of the funds*  
22          *appropriated or made available under this Act or any other*  
23          *Act for printing and binding and related services provided*  
24          *to Congress under chapter 7 of title 44, United States Code,*  
25          *may be expended to print a document, report, or publica-*

1 tion after the 27-month period beginning on the date that  
2 such document, report, or publication is authorized by Con-  
3 gress to be printed, unless Congress reauthorizes such print-  
4 ing in accordance with section 718 of title 44, United States  
5 Code: Provided further, That any unobligated or unex-  
6 pended balances in this account or accounts for similar  
7 purposes for preceding fiscal years may be transferred to  
8 the Government Publishing Office Business Operations Re-  
9 volving Fund for carrying out the purposes of this heading,  
10 subject to the approval of the Committees on Appropriations  
11 of the House of Representatives and Senate: Provided fur-  
12 ther, That notwithstanding sections 901, 902, and 906 of  
13 title 44, United States Code, this appropriation may be  
14 used to prepare indexes to the Congressional Record on only  
15 a monthly and session basis.

16 *PUBLIC INFORMATION PROGRAMS OF THE*

17 *SUPERINTENDENT OF DOCUMENTS*

18 *SALARIES AND EXPENSES*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For expenses of the public information programs of the*  
21 *Office of Superintendent of Documents necessary to provide*  
22 *for the cataloging and indexing of Government publications*  
23 *and their distribution to the public, Members of Congress,*  
24 *other Government agencies, and designated depository and*  
25 *international exchange libraries as authorized by law,*

1 \$29,000,000: *Provided, That amounts of not more than*  
2 *\$2,000,000 from current year appropriations are author-*  
3 *ized for producing and disseminating Congressional serial*  
4 *sets and other related publications for fiscal years 2016 and*  
5 *2017 to depository and other designated libraries: Provided*  
6 *further, That any unobligated or unexpended balances in*  
7 *this account or accounts for similar purposes for preceding*  
8 *fiscal years may be transferred to the Government Pub-*  
9 *lishing Office Business Operations Revolving Fund for car-*  
10 *rying out the purposes of this heading, subject to the ap-*  
11 *proval of the Committees on Appropriations of the House*  
12 *of Representatives and Senate.*

13           *GOVERNMENT PUBLISHING OFFICE BUSINESS*

14                   *OPERATIONS REVOLVING FUND*

15           *For payment to the Government Publishing Office*  
16 *Business Operations Revolving Fund, \$8,540,000, to re-*  
17 *main available until expended, for information technology*  
18 *development and facilities repair: Provided, That the Gov-*  
19 *ernment Publishing Office is hereby authorized to make*  
20 *such expenditures, within the limits of funds available and*  
21 *in accordance with law, and to make such contracts and*  
22 *commitments without regard to fiscal year limitations as*  
23 *provided by section 9104 of title 31, United States Code,*  
24 *as may be necessary in carrying out the programs and pur-*  
25 *poses set forth in the budget for the current fiscal year for*

1 *the Government Publishing Office Business Operations Re-*  
2 *volving Fund: Provided further, That not more than \$7,500*  
3 *may be expended on the certification of the Director of the*  
4 *Government Publishing Office in connection with official*  
5 *representation and reception expenses: Provided further,*  
6 *That the Business Operations Revolving Fund shall be*  
7 *available for the hire or purchase of not more than 12 pas-*  
8 *senger motor vehicles: Provided further, That expenditures*  
9 *in connection with travel expenses of the advisory councils*  
10 *to the Director of the Government Publishing Office shall*  
11 *be deemed necessary to carry out the provisions of title 44,*  
12 *United States Code: Provided further, That the Business*  
13 *Operations Revolving Fund shall be available for tem-*  
14 *porary or intermittent services under section 3109(b) of*  
15 *title 5, United States Code, but at rates for individuals not*  
16 *more than the daily equivalent of the annual rate of basic*  
17 *pay for level V of the Executive Schedule under section 5316*  
18 *of such title: Provided further, That activities financed*  
19 *through the Business Operations Revolving Fund may pro-*  
20 *vide information in any format: Provided further, That the*  
21 *Business Operations Revolving Fund and the funds pro-*  
22 *vided under the heading “Public Information Programs of*  
23 *the Superintendent of Documents” may not be used for con-*  
24 *tracted security services at Government Publishing Office’s*  
25 *passport facility in the District of Columbia.*

1            *GOVERNMENT ACCOUNTABILITY OFFICE*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses of the Government Account-*  
4 *ability Office, including not more than \$12,500 to be ex-*  
5 *pende d on the certification of the Comptroller General of*  
6 *the United States in connection with official representation*  
7 *and reception expenses; temporary or intermittent services*  
8 *under section 3109(b) of title 5, United States Code, but*  
9 *at rates for individuals not more than the daily equivalent*  
10 *of the annual rate of basic pay for level IV of the Executive*  
11 *Schedule under section 5315 of such title; hire of one pas-*  
12 *senger motor vehicle; advance payments in foreign countries*  
13 *in accordance with section 3324 of title 31, United States*  
14 *Code; benefits comparable to those payable under sections*  
15 *901(5), (6), and (8) of the Foreign Service Act of 1980 (22*  
16 *U.S.C. 4081(5), (6), and (8)); and under regulations pre-*  
17 *scribed by the Comptroller General of the United States,*  
18 *rental of living quarters in foreign countries, \$578,916,653:*  
19 *Provided, That of this amount \$10,000,000 is provided for*  
20 *information technology investments and building facility*  
21 *projects to remain available until September 30, 2019: Pro-*  
22 *vided further, That, in addition, \$23,800,000 of payments*  
23 *received under sections 782, 791, 3521, and 9105 of title*  
24 *31, United States Code, shall be available without fiscal*  
25 *year limitation: Provided further, That this appropriation*

1 *and appropriations for administrative expenses of any*  
2 *other department or agency which is a member of the Na-*  
3 *tional Intergovernmental Audit Forum or a Regional Inter-*  
4 *governmental Audit Forum shall be available to finance an*  
5 *appropriate share of either Forum's costs as determined by*  
6 *the respective Forum, including necessary travel expenses*  
7 *of non-Federal participants: Provided further, That pay-*  
8 *ments hereunder to the Forum may be credited as reim-*  
9 *bursements to any appropriation from which costs involved*  
10 *are initially financed: Provided further, That this appro-*  
11 *priation shall be available to transfer amounts to the De-*  
12 *partment of the Army for the construction of an Army facil-*  
13 *ity at Redstone Arsenal for the sole, unlimited use of GAO:*  
14 *Provided further, That hereafter, amounts appropriated for*  
15 *the salaries and expenses of the Government Accountability*  
16 *Office shall be available to transfer to the Department of*  
17 *the Army for the maintenance of such facility.*

18 **OPEN WORLD LEADERSHIP CENTER TRUST**

19 **FUND**

20 *For a payment to the Open World Leadership Center*  
21 *Trust Fund for financing activities of the Open World*  
22 *Leadership Center under section 313 of the Legislative*  
23 *Branch Appropriations Act, 2001 (2 U.S.C. 1151),*  
24 *\$5,600,000: Provided, That funds made available to support*  
25 *Russian participants shall only be used for those engaging*

1 *in free market development, humanitarian activities, and*  
2 *civic engagement, and shall not be used for officials of the*  
3 *central government of Russia.*

4 *JOHN C. STENNIS CENTER FOR PUBLIC SERVICE*  
5 *TRAINING AND DEVELOPMENT*

6 *For payment to the John C. Stennis Center for Public*  
7 *Service Development Trust Fund established under section*  
8 *116 of the John C. Stennis Center for Public Service Train-*  
9 *ing and Development Act (2 U.S.C. 1105), \$430,000.*

10 *TITLE II*

11 *GENERAL PROVISIONS*

12 *MAINTENANCE AND CARE OF PRIVATE VEHICLES*

13 *SEC. 201. No part of the funds appropriated in this*  
14 *Act shall be used for the maintenance or care of private*  
15 *vehicles, except for emergency assistance and cleaning as*  
16 *may be provided under regulations relating to parking fa-*  
17 *cilities for the House of Representatives issued by the Com-*  
18 *mittee on House Administration and for the Senate issued*  
19 *by the Committee on Rules and Administration.*

20 *FISCAL YEAR LIMITATION*

21 *SEC. 202. No part of the funds appropriated in this*  
22 *Act shall remain available for obligation beyond fiscal year*  
23 *2018 unless expressly so provided in this Act.*

1           *RATES OF COMPENSATION AND DESIGNATION*

2           *SEC. 203. Whenever in this Act any office or position*  
3 *not specifically established by the Legislative Pay Act of*  
4 *1929 (46 Stat. 32 et seq.) is appropriated for or the rate*  
5 *of compensation or designation of any office or position ap-*  
6 *propriated for is different from that specifically established*  
7 *by such Act, the rate of compensation and the designation*  
8 *in this Act shall be the permanent law with respect thereto:*  
9 *Provided, That the provisions in this Act for the various*  
10 *items of official expenses of Members, officers, and commit-*  
11 *tees of the Senate and House of Representatives, and clerk*  
12 *hire for Senators and Members of the House of Representa-*  
13 *tives shall be the permanent law with respect thereto.*

14                           *CONSULTING SERVICES*

15           *SEC. 204. The expenditure of any appropriation under*  
16 *this Act for any consulting service through procurement*  
17 *contract, under section 3109 of title 5, United States Code,*  
18 *shall be limited to those contracts where such expenditures*  
19 *are a matter of public record and available for public in-*  
20 *spection, except where otherwise provided under existing*  
21 *law, or under existing Executive order issued under existing*  
22 *law.*

23                           *COSTS OF LBFMC*

24           *SEC. 205. Amounts available for administrative ex-*  
25 *penses of any legislative branch entity which participates*



1 *in the Legislative Branch Financial Managers Council*  
2 *(LBFMC) established by charter on March 26, 1996, shall*  
3 *be available to finance an appropriate share of LBFMC*  
4 *costs as determined by the LBFMC, except that the total*  
5 *LBFMC costs to be shared among all participating legisla-*  
6 *tive branch entities (in such allocations among the entities*  
7 *as the entities may determine) may not exceed \$2,000.*

8 *LIMITATION ON TRANSFERS*

9 *SEC. 206. None of the funds made available in this*  
10 *Act may be transferred to any department, agency, or in-*  
11 *strumentality of the United States Government, except pur-*  
12 *suant to a transfer made by, or transfer authority provided*  
13 *in, this Act or any other appropriation Act.*

14 *GUIDED TOURS OF THE CAPITOL*

15 *SEC. 207. (a) Except as provided in subsection (b),*  
16 *none of the funds made available to the Architect of the Cap-*  
17 *itol in this Act may be used to eliminate or restrict guided*  
18 *tours of the United States Capitol which are led by employ-*  
19 *ees and interns of offices of Members of Congress and other*  
20 *offices of the House of Representatives and Senate, unless*  
21 *through regulations as authorized by section 402(b)(8) of*  
22 *the Capitol Visitor Center Act of 2008 (2 U.S.C.*  
23 *2242(b)(8)).*

24 *(b) At the direction of the Capitol Police Board, or*  
25 *at the direction of the Architect of the Capitol with the ap-*

1 *proval of the Capitol Police Board, guided tours of the*  
2 *United States Capitol which are led by employees and in-*  
3 *terns described in subsection (a) may be suspended tempo-*  
4 *rarily or otherwise subject to restriction for security or re-*  
5 *lated reasons to the same extent as guided tours of the*  
6 *United States Capitol which are led by the Architect of the*  
7 *Capitol.*

8 *This division may be cited as the “Legislative Branch*  
9 *Appropriations Act, 2018”.*

10 ***DIVISION J—MILITARY CONSTRUCTION,***  
11 ***VETERANS AFFAIRS, AND RELATED***  
12 ***AGENCIES APPROPRIATIONS ACT, 2018***

13 ***TITLE I***

14 ***DEPARTMENT OF DEFENSE***

15 ***MILITARY CONSTRUCTION, ARMY***

16 *For acquisition, construction, installation, and equip-*  
17 *ment of temporary or permanent public works, military in-*  
18 *stallations, facilities, and real property for the Army as*  
19 *currently authorized by law, including personnel in the*  
20 *Army Corps of Engineers and other personal services nec-*  
21 *essary for the purposes of this appropriation, and for con-*  
22 *struction and operation of facilities in support of the func-*  
23 *tions of the Commander in Chief, \$923,994,000, to remain*  
24 *available until September 30, 2022: Provided, That, of this*  
25 *amount, not to exceed \$101,470,000 shall be available for*

1 *study, planning, design, architect and engineer services,*  
2 *and host nation support, as authorized by law, unless the*  
3 *Secretary of the Army determines that additional obliga-*  
4 *tions are necessary for such purposes and notifies the Com-*  
5 *mittees on Appropriations of both Houses of Congress of the*  
6 *determination and the reasons therefor.*

7 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

8 *For acquisition, construction, installation, and equip-*  
9 *ment of temporary or permanent public works, naval in-*  
10 *stallations, facilities, and real property for the Navy and*  
11 *Marine Corps as currently authorized by law, including*  
12 *personnel in the Naval Facilities Engineering Command*  
13 *and other personal services necessary for the purposes of this*  
14 *appropriation, \$1,553,275,000, to remain available until*  
15 *September 30, 2022: Provided, That, of this amount, not*  
16 *to exceed \$219,069,000 shall be available for study, plan-*  
17 *ning, design, and architect and engineer services, as author-*  
18 *ized by law, unless the Secretary of the Navy determines*  
19 *that additional obligations are necessary for such purposes*  
20 *and notifies the Committees on Appropriations of both*  
21 *Houses of Congress of the determination and the reasons*  
22 *therefor.*

23 *MILITARY CONSTRUCTION, AIR FORCE*

24 *For acquisition, construction, installation, and equip-*  
25 *ment of temporary or permanent public works, military in-*

1 *stallations, facilities, and real property for the Air Force*  
2 *as currently authorized by law, \$1,543,558,000, to remain*  
3 *available until September 30, 2022: Provided, That, of this*  
4 *amount, not to exceed \$97,852,000 shall be available for*  
5 *study, planning, design, and architect and engineer serv-*  
6 *ices, as authorized by law, unless the Secretary of the Air*  
7 *Force determines that additional obligations are necessary*  
8 *for such purposes and notifies the Committees on Appro-*  
9 *priations of both Houses of Congress of the determination*  
10 *and the reasons therefor.*

11 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For acquisition, construction, installation, and equip-*  
14 *ment of temporary or permanent public works, installa-*  
15 *tions, facilities, and real property for activities and agen-*  
16 *cies of the Department of Defense (other than the military*  
17 *departments), as currently authorized by law,*  
18 *\$2,811,513,000, to remain available until September 30,*  
19 *2022: Provided, That such amounts of this appropriation*  
20 *as may be determined by the Secretary of Defense may be*  
21 *transferred to such appropriations of the Department of De-*  
22 *fense available for military construction or family housing*  
23 *as the Secretary may designate, to be merged with and to*  
24 *be available for the same purposes, and for the same time*  
25 *period, as the appropriation or fund to which transferred:*

1 *Provided further, That, of the amount, not to exceed*  
2 *\$210,717,000 shall be available for study, planning, design,*  
3 *and architect and engineer services, as authorized by law,*  
4 *unless the Secretary of Defense determines that additional*  
5 *obligations are necessary for such purposes and notifies the*  
6 *Committees on Appropriations of both Houses of Congress*  
7 *of the determination and the reasons therefor: Provided fur-*  
8 *ther, That the Director of the Missile Defense Agency shall*  
9 *provide quarterly reports to the congressional defense com-*  
10 *mittees on the construction timeline and obligations for the*  
11 *Poland Aegis Ashore complex.*

12 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

13 *For construction, acquisition, expansion, rehabilita-*  
14 *tion, and conversion of facilities for the training and ad-*  
15 *ministration of the Army National Guard, and contribu-*  
16 *tions therefor, as authorized by chapter 1803 of title 10,*  
17 *United States Code, and Military Construction Authoriza-*  
18 *tion Acts, \$220,652,000, to remain available until Sep-*  
19 *tember 30, 2022: Provided, That, of the amount, not to ex-*  
20 *ceed \$16,271,000 shall be available for study, planning, de-*  
21 *sign, and architect and engineer services, as authorized by*  
22 *law, unless the Director of the Army National Guard deter-*  
23 *mines that additional obligations are necessary for such*  
24 *purposes and notifies the Committees on Appropriations of*

1 *both Houses of Congress of the determination and the rea-*  
2 *sons therefor.*

3 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

4 *For construction, acquisition, expansion, rehabilita-*  
5 *tion, and conversion of facilities for the training and ad-*  
6 *ministration of the Air National Guard, and contributions*  
7 *therefor, as authorized by chapter 1803 of title 10, United*  
8 *States Code, and Military Construction Authorization Acts,*  
9 *\$171,491,000, to remain available until September 30,*  
10 *2022: Provided, That, of the amount, not to exceed*  
11 *\$18,000,000 shall be available for study, planning, design,*  
12 *and architect and engineer services, as authorized by law,*  
13 *unless the Director of the Air National Guard determines*  
14 *that additional obligations are necessary for such purposes*  
15 *and notifies the Committees on Appropriations of both*  
16 *Houses of Congress of the determination and the reasons*  
17 *therefor.*

18 *MILITARY CONSTRUCTION, ARMY RESERVE*

19 *For construction, acquisition, expansion, rehabilita-*  
20 *tion, and conversion of facilities for the training and ad-*  
21 *ministration of the Army Reserve as authorized by chapter*  
22 *1803 of title 10, United States Code, and Military Con-*  
23 *struction Authorization Acts, \$83,712,000, to remain avail-*  
24 *able until September 30, 2022: Provided, That, of the*  
25 *amount, not to exceed \$6,887,000 shall be available for*

1 *study, planning, design, and architect and engineer serv-*  
2 *ices, as authorized by law, unless the Chief of the Army*  
3 *Reserve determines that additional obligations are nec-*  
4 *essary for such purposes and notifies the Committees on Ap-*  
5 *propriations of both Houses of Congress of the determina-*  
6 *tion and the reasons therefor.*

7 *MILITARY CONSTRUCTION, NAVY RESERVE*

8 *For construction, acquisition, expansion, rehabilita-*  
9 *tion, and conversion of facilities for the training and ad-*  
10 *ministration of the reserve components of the Navy and Ma-*  
11 *rine Corps as authorized by chapter 1803 of title 10, United*  
12 *States Code, and Military Construction Authorization Acts,*  
13 *\$95,271,000, to remain available until September 30, 2022:*  
14 *Provided, That, of the amount, not to exceed \$24,430,000*  
15 *shall be available for study, planning, design, and architect*  
16 *and engineer services, as authorized by law, unless the Sec-*  
17 *retary of the Navy determines that additional obligations*  
18 *are necessary for such purposes and notifies the Committees*  
19 *on Appropriations of both Houses of Congress of the deter-*  
20 *mination and the reasons therefor.*

21 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

22 *For construction, acquisition, expansion, rehabilita-*  
23 *tion, and conversion of facilities for the training and ad-*  
24 *ministration of the Air Force Reserve as authorized by*  
25 *chapter 1803 of title 10, United States Code, and Military*

1 *Construction Authorization Acts, \$73,535,000, to remain*  
2 *available until September 30, 2022: Provided, That, of the*  
3 *amount, not to exceed \$4,725,000 shall be available for*  
4 *study, planning, design, and architect and engineer serv-*  
5 *ices, as authorized by law, unless the Chief of the Air Force*  
6 *Reserve determines that additional obligations are nec-*  
7 *essary for such purposes and notifies the Committees on Ap-*  
8 *propriations of both Houses of Congress of the determina-*  
9 *tion and the reasons therefor: Provided further, That, the*  
10 *Chief of the Air Force Reserve shall take immediate action*  
11 *to address unfunded military construction requirements for*  
12 *access control points and security issues at Air Force Re-*  
13 *serve facilities.*

14 *NORTH ATLANTIC TREATY ORGANIZATION*

15 *SECURITY INVESTMENT PROGRAM*

16 *For the United States share of the cost of the North*  
17 *Atlantic Treaty Organization Security Investment Pro-*  
18 *gram for the acquisition and construction of military facili-*  
19 *ties and installations (including international military*  
20 *headquarters) and for related expenses for the collective de-*  
21 *fense of the North Atlantic Treaty Area as authorized by*  
22 *section 2806 of title 10, United States Code, and Military*  
23 *Construction Authorization Acts, \$177,932,000, to remain*  
24 *available until expended.*



1     *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

2           *For deposit into the Department of Defense Base Clo-*  
3 *sure Account, established by section 2906(a) of the Defense*  
4 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*  
5 *note), \$310,000,000, to remain available until expended.*

6           *FAMILY HOUSING CONSTRUCTION, ARMY*

7           *For expenses of family housing for the Army for con-*  
8 *struction, including acquisition, replacement, addition, ex-*  
9 *pansion, extension, and alteration, as authorized by law,*  
10 *\$182,662,000, to remain available until September 30,*  
11 *2022: Provided, That none of the funds provided under this*  
12 *heading for family housing construction may be expended*  
13 *for family housing improvements on Kwajalein Atoll until*  
14 *the Secretary of the Army certifies to the congressional de-*  
15 *fense committees that the new housing units represent the*  
16 *best value to the taxpayer and that no reasonable alter-*  
17 *natives exist at a lower cost.*

18          *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

19          *For expenses of family housing for the Army for oper-*  
20 *ation and maintenance, including debt payment, leasing,*  
21 *minor construction, principal and interest charges, and in-*  
22 *surance premiums, as authorized by law, \$348,907,000.*

1 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*2 *CORPS*

3 *For expenses of family housing for the Navy and Ma-*  
4 *rine Corps for construction, including acquisition, replace-*  
5 *ment, addition, expansion, extension, and alteration, as au-*  
6 *thorized by law, \$83,682,000, to remain available until*  
7 *September 30, 2022.*

8 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*9 *AND MARINE CORPS*

10 *For expenses of family housing for the Navy and Ma-*  
11 *rine Corps for operation and maintenance, including debt*  
12 *payment, leasing, minor construction, principal and inter-*  
13 *est charges, and insurance premiums, as authorized by law,*  
14 *\$328,282,000.*

15 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

16 *For expenses of family housing for the Air Force for*  
17 *construction, including acquisition, replacement, addition,*  
18 *expansion, extension, and alteration, as authorized by law,*  
19 *\$85,062,000, to remain available until September 30, 2022.*

20 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*21 *FORCE*

22 *For expenses of family housing for the Air Force for*  
23 *operation and maintenance, including debt payment, leas-*  
24 *ing, minor construction, principal and interest charges,*

1 *and insurance premiums, as authorized by law,*  
2 *\$318,324,000.*

3 *FAMILY HOUSING OPERATION AND MAINTENANCE,*  
4 *DEFENSE-WIDE*

5 *For expenses of family housing for the activities and*  
6 *agencies of the Department of Defense (other than the mili-*  
7 *tary departments) for operation and maintenance, leasing,*  
8 *and minor construction, as authorized by law, \$59,169,000.*

9 *DEPARTMENT OF DEFENSE*

10 *FAMILY HOUSING IMPROVEMENT FUND*

11 *For the Department of Defense Family Housing Im-*  
12 *provement Fund, \$2,726,000, to remain available until ex-*  
13 *pended, for family housing initiatives undertaken pursuant*  
14 *to section 2883 of title 10, United States Code, providing*  
15 *alternative means of acquiring and improving military*  
16 *family housing and supporting facilities.*

17 *DEPARTMENT OF DEFENSE*

18 *MILITARY UNACCOMPANIED HOUSING IMPROVEMENT*

19 *FUND*

20 *For the Department of Defense Military Unaccom-*  
21 *panied Housing Improvement Fund, \$623,000, to remain*  
22 *available until expended, for unaccompanied housing ini-*  
23 *tiatives undertaken pursuant to section 2883 of title 10,*  
24 *United States Code, providing alternative means of acquir-*

1 *ing and improving military unaccompanied housing and*  
2 *supporting facilities.*

3 *ADMINISTRATIVE PROVISIONS*

4 *SEC. 101. None of the funds made available in this*  
5 *title shall be expended for payments under a cost-plus-a-*  
6 *fixed-fee contract for construction, where cost estimates ex-*  
7 *ceed \$25,000, to be performed within the United States, ex-*  
8 *cept Alaska, without the specific approval in writing of the*  
9 *Secretary of Defense setting forth the reasons therefor.*

10 *SEC. 102. Funds made available in this title for con-*  
11 *struction shall be available for hire of passenger motor vehi-*  
12 *cles.*

13 *SEC. 103. Funds made available in this title for con-*  
14 *struction may be used for advances to the Federal Highway*  
15 *Administration, Department of Transportation, for the con-*  
16 *struction of access roads as authorized by section 210 of*  
17 *title 23, United States Code, when projects authorized there-*  
18 *in are certified as important to the national defense by the*  
19 *Secretary of Defense.*

20 *SEC. 104. None of the funds made available in this*  
21 *title may be used to begin construction of new bases in the*  
22 *United States for which specific appropriations have not*  
23 *been made.*

24 *SEC. 105. None of the funds made available in this*  
25 *title shall be used for purchase of land or land easements*

1 *in excess of 100 percent of the value as determined by the*  
2 *Army Corps of Engineers or the Naval Facilities Engineer-*  
3 *ing Command, except: (1) where there is a determination*  
4 *of value by a Federal court; (2) purchases negotiated by*  
5 *the Attorney General or the designee of the Attorney Gen-*  
6 *eral; (3) where the estimated value is less than \$25,000; or*  
7 *(4) as otherwise determined by the Secretary of Defense to*  
8 *be in the public interest.*

9       *SEC. 106. None of the funds made available in this*  
10 *title shall be used to: (1) acquire land; (2) provide for site*  
11 *preparation; or (3) install utilities for any family housing,*  
12 *except housing for which funds have been made available*  
13 *in annual Acts making appropriations for military con-*  
14 *struction.*

15       *SEC. 107. None of the funds made available in this*  
16 *title for minor construction may be used to transfer or relo-*  
17 *cate any activity from one base or installation to another,*  
18 *without prior notification to the Committees on Appropria-*  
19 *tions of both Houses of Congress.*

20       *SEC. 108. None of the funds made available in this*  
21 *title may be used for the procurement of steel for any con-*  
22 *struction project or activity for which American steel pro-*  
23 *ducers, fabricators, and manufacturers have been denied the*  
24 *opportunity to compete for such steel procurement.*

1        *SEC. 109. None of the funds available to the Depart-*  
2 *ment of Defense for military construction or family housing*  
3 *during the current fiscal year may be used to pay real prop-*  
4 *erty taxes in any foreign nation.*

5        *SEC. 110. None of the funds made available in this*  
6 *title may be used to initiate a new installation overseas*  
7 *without prior notification to the Committees on Appropria-*  
8 *tions of both Houses of Congress.*

9        *SEC. 111. None of the funds made available in this*  
10 *title may be obligated for architect and engineer contracts*  
11 *estimated by the Government to exceed \$500,000 for projects*  
12 *to be accomplished in Japan, in any North Atlantic Treaty*  
13 *Organization member country, or in countries bordering the*  
14 *Arabian Gulf, unless such contracts are awarded to United*  
15 *States firms or United States firms in joint venture with*  
16 *host nation firms.*

17        *SEC. 112. None of the funds made available in this*  
18 *title for military construction in the United States terri-*  
19 *ories and possessions in the Pacific and on Kwajalein*  
20 *Atoll, or in countries bordering the Arabian Gulf, may be*  
21 *used to award any contract estimated by the Government*  
22 *to exceed \$1,000,000 to a foreign contractor: Provided, That*  
23 *this section shall not be applicable to contract awards for*  
24 *which the lowest responsive and responsible bid of a United*  
25 *States contractor exceeds the lowest responsive and respon-*

1 sible bid of a foreign contractor by greater than 20 percent:  
2 Provided further, That this section shall not apply to con-  
3 tract awards for military construction on Kwajalein Atoll  
4 for which the lowest responsive and responsible bid is sub-  
5 mitted by a Marshallese contractor.

6       SEC. 113. The Secretary of Defense shall inform the  
7 appropriate committees of both Houses of Congress, includ-  
8 ing the Committees on Appropriations, of plans and scope  
9 of any proposed military exercise involving United States  
10 personnel 30 days prior to its occurring, if amounts ex-  
11 pended for construction, either temporary or permanent,  
12 are anticipated to exceed \$100,000.

13       SEC. 114. Funds appropriated to the Department of  
14 Defense for construction in prior years shall be available  
15 for construction authorized for each such military depart-  
16 ment by the authorizations enacted into law during the cur-  
17 rent session of Congress.

18       SEC. 115. For military construction or family housing  
19 projects that are being completed with funds otherwise ex-  
20 pired or lapsed for obligation, expired or lapsed funds may  
21 be used to pay the cost of associated supervision, inspection,  
22 overhead, engineering and design on those projects and on  
23 subsequent claims, if any.

24       SEC. 116. Notwithstanding any other provision of law,  
25 any funds made available to a military department or de-

1 *fense agency for the construction of military projects may*  
2 *be obligated for a military construction project or contract,*  
3 *or for any portion of such a project or contract, at any*  
4 *time before the end of the fourth fiscal year after the fiscal*  
5 *year for which funds for such project were made available,*  
6 *if the funds obligated for such project: (1) are obligated from*  
7 *funds available for military construction projects; and (2)*  
8 *do not exceed the amount appropriated for such project,*  
9 *plus any amount by which the cost of such project is in-*  
10 *creased pursuant to law.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 117. Subject to 30 days prior notification, or 14*  
13 *days for a notification provided in an electronic medium*  
14 *pursuant to sections 480 and 2883 of title 10, United States*  
15 *Code, to the Committees on Appropriations of both Houses*  
16 *of Congress, such additional amounts as may be determined*  
17 *by the Secretary of Defense may be transferred to: (1) the*  
18 *Department of Defense Family Housing Improvement Fund*  
19 *from amounts appropriated for construction in “Family*  
20 *Housing” accounts, to be merged with and to be available*  
21 *for the same purposes and for the same period of time as*  
22 *amounts appropriated directly to the Fund; or (2) the De-*  
23 *partment of Defense Military Unaccompanied Housing Im-*  
24 *provement Fund from amounts appropriated for construc-*  
25 *tion of military unaccompanied housing in “Military Con-*



1 *struction” accounts, to be merged with and to be available*  
2 *for the same purposes and for the same period of time as*  
3 *amounts appropriated directly to the Fund: Provided, That*  
4 *appropriations made available to the Funds shall be avail-*  
5 *able to cover the costs, as defined in section 502(5) of the*  
6 *Congressional Budget Act of 1974, of direct loans or loan*  
7 *guarantees issued by the Department of Defense pursuant*  
8 *to the provisions of subchapter IV of chapter 169 of title*  
9 *10, United States Code, pertaining to alternative means of*  
10 *acquiring and improving military family housing, military*  
11 *unaccompanied housing, and supporting facilities.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 118. In addition to any other transfer authority*  
14 *available to the Department of Defense, amounts may be*  
15 *transferred from the Department of Defense Base Closure*  
16 *Account to the fund established by section 1013(d) of the*  
17 *Demonstration Cities and Metropolitan Development Act of*  
18 *1966 (42 U.S.C. 3374) to pay for expenses associated with*  
19 *the Homeowners Assistance Program incurred under 42*  
20 *U.S.C. 3374(a)(1)(A). Any amounts transferred shall be*  
21 *merged with and be available for the same purposes and*  
22 *for the same time period as the fund to which transferred.*

23 *SEC. 119. Notwithstanding any other provision of law,*  
24 *funds made available in this title for operation and mainte-*  
25 *nance of family housing shall be the exclusive source of*

1 *funds for repair and maintenance of all family housing*  
2 *units, including general or flag officer quarters: Provided,*  
3 *That not more than \$35,000 per unit may be spent annu-*  
4 *ally for the maintenance and repair of any general or flag*  
5 *officer quarters without 30 days prior notification, or 14*  
6 *days for a notification provided in an electronic medium*  
7 *pursuant to sections 480 and 2883 of title 10, United States*  
8 *Code, to the Committees on Appropriations of both Houses*  
9 *of Congress, except that an after-the-fact notification shall*  
10 *be submitted if the limitation is exceeded solely due to costs*  
11 *associated with environmental remediation that could not*  
12 *be reasonably anticipated at the time of the budget submis-*  
13 *sion: Provided further, That the Under Secretary of Defense*  
14 *(Comptroller) is to report annually to the Committees on*  
15 *Appropriations of both Houses of Congress all operation*  
16 *and maintenance expenditures for each individual general*  
17 *or flag officer quarters for the prior fiscal year.*

18       *SEC. 120. Amounts contained in the Ford Island Im-*  
19 *provement Account established by subsection (h) of section*  
20 *2814 of title 10, United States Code, are appropriated and*  
21 *shall be available until expended for the purposes specified*  
22 *in subsection (i)(1) of such section or until transferred pur-*  
23 *suant to subsection (i)(3) of such section.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 121. During the 5-year period after appropria-  
3 tions available in this Act to the Department of Defense  
4 for military construction and family housing operation and  
5 maintenance and construction have expired for obligation,  
6 upon a determination that such appropriations will not be  
7 necessary for the liquidation of obligations or for making  
8 authorized adjustments to such appropriations for obliga-  
9 tions incurred during the period of availability of such ap-  
10 propriations, unobligated balances of such appropriations  
11 may be transferred into the appropriation “Foreign Cur-  
12 rency Fluctuations, Construction, Defense”, to be merged  
13 with and to be available for the same time period and for  
14 the same purposes as the appropriation to which trans-  
15 ferred.

16 SEC. 122. (a) Except as provided in subsection (b),  
17 none of the funds made available in this Act may be used  
18 by the Secretary of the Army to relocate a unit in the Army  
19 that—

20 (1) performs a testing mission or function that  
21 is not performed by any other unit in the Army and  
22 is specifically stipulated in title 10, United States  
23 Code; and

24 (2) is located at a military installation at which  
25 the total number of civilian employees of the Depart-

1        *ment of the Army and Army contractor personnel em-*  
2        *ployed exceeds 10 percent of the total number of mem-*  
3        *bers of the regular and reserve components of the*  
4        *Army assigned to the installation.*

5        *(b) EXCEPTION.—Subsection (a) shall not apply if the*  
6        *Secretary of the Army certifies to the congressional defense*  
7        *committees that in proposing the relocation of the unit of*  
8        *the Army, the Secretary complied with Army Regulation*  
9        *5–10 relating to the policy, procedures, and responsibilities*  
10       *for Army stationing actions.*

11       *SEC. 123. Amounts appropriated or otherwise made*  
12       *available in an account funded under the headings in this*  
13       *title may be transferred among projects and activities with-*  
14       *in the account in accordance with the reprogramming*  
15       *guidelines for military construction and family housing*  
16       *construction contained in Department of Defense Financial*  
17       *Management Regulation 7000.14–R, Volume 3, Chapter 7,*  
18       *of March 2011, as in effect on the date of enactment of this*  
19       *Act.*

20       *SEC. 124. None of the funds made available in this*  
21       *title may be obligated or expended for planning and design*  
22       *and construction of projects at Arlington National Ceme-*  
23       *tery.*

1        *SEC. 125. For an additional amount for the accounts*  
2 *and in the amounts specified, to remain available until*  
3 *September 30, 2022:*

4            *“Military Construction, Army”, \$93,800,000, of*  
5 *which \$25,000,000 is for planning and design;*

6            *“Military Construction, Navy and Marine*  
7 *Corps”, \$202,130,000, of which \$25,000,000 is for*  
8 *planning and design;*

9            *“Military Construction, Air Force”,*  
10 *\$138,100,000, of which \$25,000,000 is for planning*  
11 *and design;*

12            *“Military Construction, Army National Guard”,*  
13 *\$113,500,000, of which \$20,000,000 is for planning*  
14 *and design;*

15            *“Military Construction, Air National Guard”,*  
16 *\$52,000,000, of which \$20,000,000 is for planning*  
17 *and design;*

18            *“Military Construction, Army Reserve”,*  
19 *\$76,000,000, of which \$20,000,000 is for planning*  
20 *and design; and*

21            *“Military Construction, Air Force Reserve”,*  
22 *\$64,100,000, of which \$20,000,000 is for planning*  
23 *and design:*

24 *Provided, That such funds may only be obligated to carry*  
25 *out construction projects identified in the respective mili-*

1 tary department's unfunded priority list for fiscal year  
2 2018 submitted to Congress: Provided further, That such  
3 projects are subject to authorization prior to obligation and  
4 expenditure of funds to carry out construction: Provided  
5 further, That not later than 30 days after enactment of this  
6 Act, the Secretary of the military department concerned, or  
7 his or her designee, shall submit to the Committees on Ap-  
8 propriations of both Houses of Congress an expenditure  
9 plan for funds provided under this section.

10 (RESCISSIONS OF FUNDS)

11 SEC. 126. Of the unobligated balances available to the  
12 Department of Defense from prior appropriation Acts, the  
13 following funds are hereby rescinded from the following ac-  
14 counts in the amounts specified:

15 "NATO Security Investment Program",  
16 \$25,000,000; and  
17 "Family Housing Construction, Army",  
18 \$18,000,000:

19 Provided, That no amounts may be rescinded from amounts  
20 that were designated by the Congress for Overseas Contin-  
21 gency Operations/Global War on Terrorism or as an emer-  
22 gency requirement pursuant to a concurrent resolution on  
23 the budget or the Balanced Budget and Emergency Deficit  
24 Control Act of 1985, as amended.

1        *SEC. 127. For the purposes of this Act, the term “con-*  
2 *gressional defense committees” means the Committees on*  
3 *Armed Services of the House of Representatives and the*  
4 *Senate, the Subcommittee on Military Construction and*  
5 *Veterans Affairs of the Committee on Appropriations of the*  
6 *Senate, and the Subcommittee on Military Construction*  
7 *and Veterans Affairs of the Committee on Appropriations*  
8 *of the House of Representatives.*

9        *SEC. 128. None of the funds made available by this*  
10 *Act may be used to carry out the closure or realignment*  
11 *of the United States Naval Station, Guantánamo Bay,*  
12 *Cuba.*

13        *SEC. 129. Notwithstanding any other provision of law,*  
14 *none of the funds appropriated or otherwise made available*  
15 *by this or any other Act may be used to consolidate or relo-*  
16 *cate any element of a United States Air Force Rapid Engi-*  
17 *neer Deployable Heavy Operational Repair Squadron En-*  
18 *gineer (RED HORSE) outside of the United States until*  
19 *the Secretary of the Air Force (1) completes an analysis*  
20 *and comparison of the cost and infrastructure investment*  
21 *required to consolidate or relocate a RED HORSE squad-*  
22 *ron outside of the United States versus within the United*  
23 *States; (2) provides to the Committees on Appropriations*  
24 *of both Houses of Congress (“the Committees”) a report de-*  
25 *tailing the findings of the cost analysis; and (3) certifies*

1 *in writing to the Committees that the preferred site for the*  
2 *consolidation or relocation yields the greatest savings for*  
3 *the Air Force: Provided, That the term “United States” in*  
4 *this section does not include any territory or possession of*  
5 *the United States.*

6       *SEC. 130. All amounts appropriated to “Department*  
7 *of Defense—Military Construction, Defense-Wide” pursu-*  
8 *ant to the authorization of appropriations in section 2403*  
9 *of Public Law 115–91, as specified for fiscal year 2018 in*  
10 *the funding table in section 4601 of that Act, shall be imme-*  
11 *diately available and allotted to contract for the full scope*  
12 *of authorized projects.*

13       *SEC. 131. For an additional amount for “Military*  
14 *Construction, Army”, for the Defense Access Road Program,*  
15 *\$20,000,000, to remain available until expended: Provided,*  
16 *That amounts made available under this section may not*  
17 *be obligated or expended until the Secretary of the Army*  
18 *submits to the Committees on Appropriations of the Senate*  
19 *and House of Representatives a detailed expenditure plan*  
20 *30 days after enactment of this Act.*



1 *TITLE II*  
2 *DEPARTMENT OF VETERANS AFFAIRS*  
3 *VETERANS BENEFITS ADMINISTRATION*  
4 *COMPENSATION AND PENSIONS*  
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the payment of compensation benefits to or on be-*  
7 *half of veterans and a pilot program for disability examina-*  
8 *tions as authorized by section 107 and chapters 11, 13, 18,*  
9 *51, 53, 55, and 61 of title 38, United States Code; pension*  
10 *benefits to or on behalf of veterans as authorized by chapters*  
11 *15, 51, 53, 55, and 61 of title 38, United States Code; and*  
12 *burial benefits, the Reinstated Entitlement Program for*  
13 *Survivors, emergency and other officers' retirement pay, ad-*  
14 *justed-service credits and certificates, payment of premiums*  
15 *due on commercial life insurance policies guaranteed under*  
16 *the provisions of title IV of the Servicemembers Civil Relief*  
17 *Act (50 U.S.C. App. 541 et seq.) and for other benefits as*  
18 *authorized by sections 107, 1312, 1977, and 2106, and*  
19 *chapters 23, 51, 53, 55, and 61 of title 38, United States*  
20 *Code, \$95,768,462,000, to remain available until expended*  
21 *and to become available on October 1, 2018: Provided, That*  
22 *not to exceed \$17,882,000 of the amount made available for*  
23 *fiscal year 2019 under this heading shall be reimbursed to*  
24 *“General Operating Expenses, Veterans Benefits Adminis-*  
25 *tration”, and “Information Technology Systems” for nec-*

1 *essary expenses in implementing the provisions of chapters*  
2 *51, 53, and 55 of title 38, United States Code, the funding*  
3 *source for which is specifically provided as the “Compensa-*  
4 *tion and Pensions” appropriation: Provided further, That*  
5 *such sums as may be earned on an actual qualifying pa-*  
6 *tient basis, shall be reimbursed to “Medical Care Collections*  
7 *Fund” to augment the funding of individual medical facili-*  
8 *ties for nursing home care provided to pensioners as author-*  
9 *ized.*

10 *READJUSTMENT BENEFITS*

11 *For the payment of readjustment and rehabilitation*  
12 *benefits to or on behalf of veterans as authorized by chapters*  
13 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*  
14 *title 38, United States Code, \$11,832,175,000, to remain*  
15 *available until expended and to become available on October*  
16 *1, 2018: Provided, That expenses for rehabilitation program*  
17 *services and assistance which the Secretary is authorized*  
18 *to provide under subsection (a) of section 3104 of title 38,*  
19 *United States Code, other than under paragraphs (1), (2),*  
20 *(5), and (11) of that subsection, shall be charged to this*  
21 *account.*

22 *VETERANS INSURANCE AND INDEMNITIES*

23 *For military and naval insurance, national service life*  
24 *insurance, servicemen’s indemnities, service-disabled vet-*  
25 *erans insurance, and veterans mortgage life insurance as*

1 *authorized by chapters 19 and 21, title 38, United States*  
2 *Code, \$121,529,000, to remain available until expended, of*  
3 *which \$109,090,000 shall become available on October 1,*  
4 *2018.*

5 *VETERANS HOUSING BENEFIT PROGRAM FUND*

6 *For the cost of direct and guaranteed loans, such sums*  
7 *as may be necessary to carry out the program, as authorized*  
8 *by subchapters I through III of chapter 37 of title 38,*  
9 *United States Code: Provided, That such costs, including*  
10 *the cost of modifying such loans, shall be as defined in sec-*  
11 *tion 502 of the Congressional Budget Act of 1974: Provided*  
12 *further, That, during fiscal year 2018, within the resources*  
13 *available, not to exceed \$500,000 in gross obligations for*  
14 *direct loans are authorized for specially adapted housing*  
15 *loans.*

16 *In addition, for administrative expenses to carry out*  
17 *the direct and guaranteed loan programs, \$178,626,000.*

18 *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

19 *For the cost of direct loans, \$30,000, as authorized by*  
20 *chapter 31 of title 38, United States Code: Provided, That*  
21 *such costs, including the cost of modifying such loans, shall*  
22 *be as defined in section 502 of the Congressional Budget*  
23 *Act of 1974: Provided further, That funds made available*  
24 *under this heading are available to subsidize gross obliga-*

1 *tions for the principal amount of direct loans not to exceed*  
2 *\$2,356,000.*

3 *In addition, for administrative expenses necessary to*  
4 *carry out the direct loan program, \$395,000, which may*  
5 *be paid to the appropriation for “General Operating Ex-*  
6 *penses, Veterans Benefits Administration”.*

7 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

8 *ACCOUNT*

9 *For administrative expenses to carry out the direct*  
10 *loan program authorized by subchapter V of chapter 37 of*  
11 *title 38, United States Code, \$1,163,000.*

12 *GENERAL OPERATING EXPENSES, VETERANS BENEFITS*

13 *ADMINISTRATION*

14 *For necessary operating expenses of the Veterans Bene-*  
15 *fits Administration, not otherwise provided for, including*  
16 *hire of passenger motor vehicles, reimbursement of the Gen-*  
17 *eral Services Administration for security guard services,*  
18 *and reimbursement of the Department of Defense for the*  
19 *cost of overseas employee mail, \$2,910,000,000: Provided,*  
20 *That expenses for services and assistance authorized under*  
21 *paragraphs (1), (2), (5), and (11) of section 3104(a) of title*  
22 *38, United States Code, that the Secretary of Veterans Af-*  
23 *fairs determines are necessary to enable entitled veterans:*  
24 *(1) to the maximum extent feasible, to become employable*  
25 *and to obtain and maintain suitable employment; or (2)*

1 *to achieve maximum independence in daily living, shall be*  
2 *charged to this account: Provided further, That, of the funds*  
3 *made available under this heading, not to exceed 10 percent*  
4 *shall remain available until September 30, 2019.*

5 *VETERANS HEALTH ADMINISTRATION*

6 *MEDICAL SERVICES*

7 *For necessary expenses for furnishing, as authorized*  
8 *by law, inpatient and outpatient care and treatment to*  
9 *beneficiaries of the Department of Veterans Affairs and vet-*  
10 *erans described in section 1705(a) of title 38, United States*  
11 *Code, including care and treatment in facilities not under*  
12 *the jurisdiction of the Department, and including medical*  
13 *supplies and equipment, bioengineering services, food serv-*  
14 *ices, and salaries and expenses of healthcare employees*  
15 *hired under title 38, United States Code, aid to State homes*  
16 *as authorized by section 1741 of title 38, United States*  
17 *Code, assistance and support services for caregivers as au-*  
18 *thorized by section 1720G of title 38, United States Code,*  
19 *loan repayments authorized by section 604 of the Caregivers*  
20 *and Veterans Omnibus Health Services Act of 2010 (Public*  
21 *Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),*  
22 *monthly assistance allowances authorized by section 322(d)*  
23 *of title 38, United States Code, grants authorized by section*  
24 *521A of title 38, United States Code, and administrative*  
25 *expenses necessary to carry out sections 322(d) and 521A*

1 of title 38, United States Code, and hospital care and med-  
2 ical services authorized by section 1787 of title 38, United  
3 States Code; \$1,962,984,000, which shall be in addition to  
4 funds previously appropriated under this heading that be-  
5 came available on October 1, 2017; and, in addition,  
6 \$49,161,165,000, plus reimbursements, shall become avail-  
7 able on October 1, 2018, and shall remain available until  
8 September 30, 2019: Provided, That, of the amount made  
9 available on October 1, 2018, under this heading,  
10 \$1,400,000,000 shall remain available until September 30,  
11 2020: Provided further, That, notwithstanding any other  
12 provision of law, the Secretary of Veterans Affairs shall es-  
13 tablish a priority for the provision of medical treatment  
14 for veterans who have service-connected disabilities, lower  
15 income, or have special needs: Provided further, That, not-  
16 withstanding any other provision of law, the Secretary of  
17 Veterans Affairs shall give priority funding for the provi-  
18 sion of basic medical benefits to veterans in enrollment pri-  
19 ority groups 1 through 6: Provided further, That, notwith-  
20 standing any other provision of law, the Secretary of Vet-  
21 erans Affairs may authorize the dispensing of prescription  
22 drugs from Veterans Health Administration facilities to en-  
23 rolled veterans with privately written prescriptions based  
24 on requirements established by the Secretary: Provided fur-  
25 ther, That the implementation of the program described in

1 *the previous proviso shall incur no additional cost to the*  
2 *Department of Veterans Affairs: Provided further, That the*  
3 *Secretary of Veterans Affairs shall ensure that sufficient*  
4 *amounts appropriated under this heading for medical sup-*  
5 *plies and equipment are available for the acquisition of*  
6 *prosthetics designed specifically for female veterans.*

7 *MEDICAL COMMUNITY CARE*

8 *For necessary expenses for furnishing health care to*  
9 *individuals pursuant to chapter 17 of title 38, United*  
10 *States Code, at non-Department facilities, \$419,176,000,*  
11 *which shall be in addition to funds previously appropriated*  
12 *under this heading that became available on October 1,*  
13 *2017; and, in addition, \$8,384,704,000, plus reimburse-*  
14 *ments, shall become available on October 1, 2018, and shall*  
15 *remain available until September 30, 2019: Provided, That,*  
16 *of the amount made available on October 1, 2018, under*  
17 *this heading, \$2,000,000,000 shall remain available until*  
18 *September 30, 2022.*

19 *MEDICAL SUPPORT AND COMPLIANCE*

20 *For necessary expenses in the administration of the*  
21 *medical, hospital, nursing home, domiciliary, construction,*  
22 *supply, and research activities, as authorized by law; ad-*  
23 *ministrative expenses in support of capital policy activities;*  
24 *and administrative and legal expenses of the Department*  
25 *for collecting and recovering amounts owed the Department*

1 *as authorized under chapter 17 of title 38, United States*  
2 *Code, and the Federal Medical Care Recovery Act (42*  
3 *U.S.C. 2651 et seq.), \$100,000,000, which shall be in addi-*  
4 *tion to funds previously appropriated under this heading*  
5 *that became available on October 1, 2017; and, in addition,*  
6 *\$7,239,156,000, plus reimbursements, shall become avail-*  
7 *able on October 1, 2018, and shall remain available until*  
8 *September 30, 2019: Provided, That, of the amount made*  
9 *available on October 1, 2018, under this heading,*  
10 *\$100,000,000 shall remain available until September 30,*  
11 *2020.*

12 *MEDICAL FACILITIES*

13 *For necessary expenses for the maintenance and oper-*  
14 *ation of hospitals, nursing homes, domiciliary facilities,*  
15 *and other necessary facilities of the Veterans Health Admin-*  
16 *istration; for administrative expenses in support of plan-*  
17 *ning, design, project management, real property acquisition*  
18 *and disposition, construction, and renovation of any facil-*  
19 *ity under the jurisdiction or for the use of the Department;*  
20 *for oversight, engineering, and architectural activities not*  
21 *charged to project costs; for repairing, altering, improving,*  
22 *or providing facilities in the several hospitals and homes*  
23 *under the jurisdiction of the Department, not otherwise pro-*  
24 *vided for, either by contract or by the hire of temporary*  
25 *employees and purchase of materials; for leases of facilities;*



1 *and for laundry services; \$707,000,000, to remain available*  
2 *until September 30, 2019, which shall be in addition to*  
3 *funds previously appropriated under this heading that be-*  
4 *came available on October 1, 2017; and, in addition,*  
5 *\$5,914,288,000, plus reimbursements, shall become avail-*  
6 *able on October 1, 2018, and shall remain available until*  
7 *September 30, 2019: Provided, That, of the amount made*  
8 *available on October 1, 2018, under this heading,*  
9 *\$250,000,000 shall remain available until September 30,*  
10 *2020.*

11 *MEDICAL AND PROSTHETIC RESEARCH*

12 *For necessary expenses in carrying out programs of*  
13 *medical and prosthetic research and development as author-*  
14 *ized by chapter 73 of title 38, United States Code,*  
15 *\$722,262,000, plus reimbursements, shall remain available*  
16 *until September 30, 2019: Provided, That the Secretary of*  
17 *Veterans Affairs shall ensure that sufficient amounts appro-*  
18 *riated under this heading are available for prosthetic re-*  
19 *search specifically for female veterans, and for toxic expo-*  
20 *sure research.*

21 *NATIONAL CEMETERY ADMINISTRATION*

22 *For necessary expenses of the National Cemetery Ad-*  
23 *ministration for operations and maintenance, not otherwise*  
24 *provided for, including uniforms or allowances therefor;*  
25 *cemeterial expenses as authorized by law; purchase of one*

1 *passenger motor vehicle for use in cemeterial operations;*  
2 *hire of passenger motor vehicles; and repair, alteration or*  
3 *improvement of facilities under the jurisdiction of the Na-*  
4 *tional Cemetery Administration, \$306,193,000, of which*  
5 *not to exceed 10 percent shall remain available until Sep-*  
6 *tember 30, 2019.*

7 *DEPARTMENTAL ADMINISTRATION*

8 *GENERAL ADMINISTRATION*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary operating expenses of the Department of*  
11 *Veterans Affairs, not otherwise provided for, including ad-*  
12 *ministrative expenses in support of Department-wide cap-*  
13 *ital planning, management and policy activities, uniforms,*  
14 *or allowances therefor; not to exceed \$25,000 for official re-*  
15 *ception and representation expenses; hire of passenger*  
16 *motor vehicles; and reimbursement of the General Services*  
17 *Administration for security guard services, \$335,891,000,*  
18 *of which not to exceed 10 percent shall remain available*  
19 *until September 30, 2019: Provided, That funds provided*  
20 *under this heading may be transferred to “General Oper-*  
21 *ating Expenses, Veterans Benefits Administration”.*

22 *BOARD OF VETERANS APPEALS*

23 *For necessary operating expenses of the Board of Vet-*  
24 *erans Appeals, \$161,048,000, of which not to exceed 10 per-*  
25 *cent shall remain available until September 30, 2019.*

## 1 INFORMATION TECHNOLOGY SYSTEMS

2 (INCLUDING TRANSFER OF FUNDS)

3 *For necessary expenses for information technology sys-*  
4 *tems and telecommunications support, including develop-*  
5 *mental information systems and operational information*  
6 *systems; for pay and associated costs; and for the capital*  
7 *asset acquisition of information technology systems, includ-*  
8 *ing management and related contractual costs of said ac-*  
9 *quisitions, including contractual costs associated with oper-*  
10 *ations authorized by section 3109 of title 5, United States*  
11 *Code, \$4,055,500,000, plus reimbursements: Provided, That*  
12 *\$1,230,320,000 shall be for pay and associated costs, of*  
13 *which not to exceed 5 percent shall remain available until*  
14 *September 30, 2019: Provided further, That \$2,496,650,000*  
15 *shall be for operations and maintenance, of which not to*  
16 *exceed 5 percent shall remain available until September 30,*  
17 *2019: Provided further, That \$328,530,000 shall be for in-*  
18 *formation technology systems development, and shall re-*  
19 *main available until September 30, 2019: Provided further,*  
20 *That amounts made available for information technology*  
21 *systems development may not be obligated or expended until*  
22 *the Secretary of Veterans Affairs or the Chief Information*  
23 *Officer of the Department of Veterans Affairs submits to the*  
24 *Committees on Appropriations of both Houses of Congress*  
25 *a certification of the amounts, in parts or in full, to be*

1 obligated and expended for each development project: Pro-  
2 vided further, That amounts made available for salaries  
3 and expenses, operations and maintenance, and informa-  
4 tion technology systems development may be transferred  
5 among the three subaccounts after the Secretary of Veterans  
6 Affairs requests from the Committees on Appropriations of  
7 both Houses of Congress the authority to make the transfer  
8 and an approval is issued: Provided further, That amounts  
9 made available for the “Information Technology Systems”  
10 account for development may be transferred among projects  
11 or to newly defined projects: Provided further, That no  
12 project may be increased or decreased by more than  
13 \$1,000,000 of cost prior to submitting a request to the Com-  
14 mittees on Appropriations of both Houses of Congress to  
15 make the transfer and an approval is issued, or absent a  
16 response, a period of 30 days has elapsed: Provided further,  
17 That the funds made available under this heading for infor-  
18 mation technology systems development shall be for the  
19 projects, and in the amounts, specified under this heading  
20 in the explanatory statement described in section 4 (in the  
21 matter preceding division A of this consolidated Act).

22 *VETERANS ELECTRONIC HEALTH RECORD*

23 *For activities related to implementation, preparation,*  
24 *development, interface, management, rollout, and mainte-*  
25 *nance of a Veterans Electronic Health Record system, in-*

1 *cluding contractual costs associated with operations author-*  
2 *ized by section 3109 of title 5, United States Code, and sala-*  
3 *ries and expenses of employees hired under titles 5 and 38,*  
4 *United States Code, \$782,000,000, to remain available*  
5 *until September 30, 2020: Provided, That the Secretary of*  
6 *Veterans Affairs shall submit to the Committees on Appro-*  
7 *priations of both Houses of Congress quarterly reports de-*  
8 *tailing obligations, expenditures, and deployment imple-*  
9 *mentation by facility: Provided further, That the funds pro-*  
10 *vided in this account shall only be available to the Office*  
11 *of the Deputy Secretary, to be administered by that Office.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *For necessary expenses of the Office of Inspector Gen-*  
14 *eral, to include information technology, in carrying out the*  
15 *provisions of the Inspector General Act of 1978 (5 U.S.C.*  
16 *App.), \$164,000,000, of which not to exceed 10 percent shall*  
17 *remain available until September 30, 2019.*

18 *CONSTRUCTION, MAJOR PROJECTS*

19 *For constructing, altering, extending, and improving*  
20 *any of the facilities, including parking projects, under the*  
21 *jurisdiction or for the use of the Department of Veterans*  
22 *Affairs, or for any of the purposes set forth in sections 316,*  
23 *2404, 2406 and chapter 81 of title 38, United States Code,*  
24 *not otherwise provided for, including planning, architec-*  
25 *tural and engineering services, construction management*

1 *services, maintenance or guarantee period services costs as-*  
2 *sociated with equipment guarantees provided under the*  
3 *project, services of claims analysts, offsite utility and storm*  
4 *drainage system construction costs, and site acquisition,*  
5 *where the estimated cost of a project is more than the*  
6 *amount set forth in section 8104(a)(3)(A) of title 38, United*  
7 *States Code, or where funds for a project were made avail-*  
8 *able in a previous major project appropriation,*  
9 *\$512,430,000, of which \$432,430,000 shall remain available*  
10 *until September 30, 2022, and of which \$80,000,000 shall*  
11 *remain available until expended: Provided, That except for*  
12 *advance planning activities, including needs assessments*  
13 *which may or may not lead to capital investments, and*  
14 *other capital asset management related activities, including*  
15 *portfolio development and management activities, and in-*  
16 *vestment strategy studies funded through the advance plan-*  
17 *ning fund and the planning and design activities funded*  
18 *through the design fund, including needs assessments which*  
19 *may or may not lead to capital investments, and salaries*  
20 *and associated costs of the resident engineers who oversee*  
21 *those capital investments funded through this account and*  
22 *contracting officers who manage specific major construction*  
23 *projects, and funds provided for the purchase, security, and*  
24 *maintenance of land for the National Cemetery Administra-*  
25 *tion through the land acquisition line item, none of the*

1 *funds made available under this heading shall be used for*  
2 *any project that has not been notified to Congress through*  
3 *the budgetary process or that has not been approved by the*  
4 *Congress through statute, joint resolution, or in the explan-*  
5 *atory statement accompanying such Act and presented to*  
6 *the President at the time of enrollment: Provided further,*  
7 *That funds made available under this heading for fiscal*  
8 *year 2018, for each approved project shall be obligated: (1)*  
9 *by the awarding of a construction documents contract by*  
10 *September 30, 2018; and (2) by the awarding of a construc-*  
11 *tion contract by September 30, 2019: Provided further, That*  
12 *the Secretary of Veterans Affairs shall promptly submit to*  
13 *the Committees on Appropriations of both Houses of Con-*  
14 *gress a written report on any approved major construction*  
15 *project for which obligations are not incurred within the*  
16 *time limitations established above: Provided further, That,*  
17 *of the amount made available under this heading,*  
18 *\$117,300,000 for Veterans Health Administration major*  
19 *construction projects shall not be available until the Depart-*  
20 *ment of Veterans Affairs—*

21           *(1) enters into an agreement with an appro-*  
22           *prate non-Department of Veterans Affairs Federal*  
23           *entity to serve as the design and/or construction agent*  
24           *for any Veterans Health Administration major con-*  
25           *struction project with a Total Estimated Cost of*

1       \$100,000,000 or above by providing full project man-  
2       agement services, including management of the project  
3       design, acquisition, construction, and contract  
4       changes, consistent with section 502 of Public Law  
5       114–58; and

6               (2) certifies in writing that such an agreement  
7       is executed and intended to minimize or prevent sub-  
8       sequent major construction project cost overruns and  
9       provides a copy of the agreement entered into and  
10      any required supplementary information to the Com-  
11      mittees on Appropriations of both Houses of Congress.

12                               CONSTRUCTION, MINOR PROJECTS

13      For constructing, altering, extending, and improving  
14      any of the facilities, including parking projects, under the  
15      jurisdiction or for the use of the Department of Veterans  
16      Affairs, including planning and assessments of needs which  
17      may lead to capital investments, architectural and engi-  
18      neering services, maintenance or guarantee period services  
19      costs associated with equipment guarantees provided under  
20      the project, services of claims analysts, offsite utility and  
21      storm drainage system construction costs, and site acqui-  
22      sition, or for any of the purposes set forth in sections 316,  
23      2404, 2406 and chapter 81 of title 38, United States Code,  
24      not otherwise provided for, where the estimated cost of a  
25      project is equal to or less than the amount set forth in sec-



1 *tion 8104(a)(3)(A) of title 38, United States Code,*  
2 *\$342,570,000, to remain available until September 30,*  
3 *2022, along with unobligated balances of previous “Con-*  
4 *struction, Minor Projects” appropriations which are hereby*  
5 *made available for any project where the estimated cost is*  
6 *equal to or less than the amount set forth in such section:*  
7 *Provided, That funds made available under this heading*  
8 *shall be for: (1) repairs to any of the nonmedical facilities*  
9 *under the jurisdiction or for the use of the Department*  
10 *which are necessary because of loss or damage caused by*  
11 *any natural disaster or catastrophe; and (2) temporary*  
12 *measures necessary to prevent or to minimize further loss*  
13 *by such causes.*

14 *GRANTS FOR CONSTRUCTION OF*

15 *STATE EXTENDED CARE FACILITIES*

16 *For grants to assist States to acquire or construct*  
17 *State nursing home and domiciliary facilities and to re-*  
18 *model, modify, or alter existing hospital, nursing home, and*  
19 *domiciliary facilities in State homes, for furnishing care*  
20 *to veterans as authorized by sections 8131 through 8137 of*  
21 *title 38, United States Code, \$110,000,000, to remain avail-*  
22 *able until expended.*

23 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

24 *For grants to assist States and tribal organizations*  
25 *in establishing, expanding, or improving veterans ceme-*

1 *teries as authorized by section 2408 of title 38, United*  
2 *States Code, \$45,000,000, to remain available until ex-*  
3 *pended.*

4 *ADMINISTRATIVE PROVISIONS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 201. Any appropriation for fiscal year 2018 for*  
7 *“Compensation and Pensions”, “Readjustment Benefits”,*  
8 *and “Veterans Insurance and Indemnities” may be trans-*  
9 *ferred as necessary to any other of the mentioned appro-*  
10 *priations: Provided, That, before a transfer may take place,*  
11 *the Secretary of Veterans Affairs shall request from the*  
12 *Committees on Appropriations of both Houses of Congress*  
13 *the authority to make the transfer and such Committees*  
14 *issue an approval, or absent a response, a period of 30 days*  
15 *has elapsed.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 202. Amounts made available for the Department*  
18 *of Veterans Affairs for fiscal year 2018, in this or any other*  
19 *Act, under the “Medical Services”, “Medical Community*  
20 *Care”, “Medical Support and Compliance”, and “Medical*  
21 *Facilities” accounts may be transferred among the ac-*  
22 *counts: Provided, That any transfers among the “Medical*  
23 *Services”, “Medical Community Care”, and “Medical Sup-*  
24 *port and Compliance” accounts of 1 percent or less of the*  
25 *total amount appropriated to the account in this or any*

1 *other Act may take place subject to notification from the*  
2 *Secretary of Veterans Affairs to the Committees on Appro-*  
3 *priations of both Houses of Congress of the amount and*  
4 *purpose of the transfer: Provided further, That any trans-*  
5 *fers among the “Medical Services”, “Medical Community*  
6 *Care”, and “Medical Support and Compliance” accounts*  
7 *in excess of 1 percent, or exceeding the cumulative 1 percent*  
8 *for the fiscal year, may take place only after the Secretary*  
9 *requests from the Committees on Appropriations of both*  
10 *Houses of Congress the authority to make the transfer and*  
11 *an approval is issued: Provided further, That any transfers*  
12 *to or from the “Medical Facilities” account may take place*  
13 *only after the Secretary requests from the Committees on*  
14 *Appropriations of both Houses of Congress the authority to*  
15 *make the transfer and an approval is issued.*

16       *SEC. 203. Appropriations available in this title for sal-*  
17 *aries and expenses shall be available for services authorized*  
18 *by section 3109 of title 5, United States Code; hire of pas-*  
19 *senger motor vehicles; lease of a facility or land or both;*  
20 *and uniforms or allowances therefore, as authorized by sec-*  
21 *tions 5901 through 5902 of title 5, United States Code.*

22       *SEC. 204. No appropriations in this title (except the*  
23 *appropriations for “Construction, Major Projects”, and*  
24 *“Construction, Minor Projects”) shall be available for the*

1 *purchase of any site for or toward the construction of any*  
2 *new hospital or home.*

3       *SEC. 205. No appropriations in this title shall be*  
4 *available for hospitalization or examination of any persons*  
5 *(except beneficiaries entitled to such hospitalization or ex-*  
6 *amination under the laws providing such benefits to vet-*  
7 *erans, and persons receiving such treatment under sections*  
8 *7901 through 7904 of title 5, United States Code, or the*  
9 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
10 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*  
11 *of the cost of such hospitalization or examination is made*  
12 *to the “Medical Services” account at such rates as may be*  
13 *fixed by the Secretary of Veterans Affairs.*

14       *SEC. 206. Appropriations available in this title for*  
15 *“Compensation and Pensions”, “Readjustment Benefits”,*  
16 *and “Veterans Insurance and Indemnities” shall be avail-*  
17 *able for payment of prior year accrued obligations required*  
18 *to be recorded by law against the corresponding prior year*  
19 *accounts within the last quarter of fiscal year 2017.*

20       *SEC. 207. Appropriations available in this title shall*  
21 *be available to pay prior year obligations of corresponding*  
22 *prior year appropriations accounts resulting from sections*  
23 *3328(a), 3334, and 3712(a) of title 31, United States Code,*  
24 *except that if such obligations are from trust fund accounts*

1 *they shall be payable only from “Compensation and Pen-*  
2 *sions”.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 208. Notwithstanding any other provision of law,*  
5 *during fiscal year 2018, the Secretary of Veterans Affairs*  
6 *shall, from the National Service Life Insurance Fund under*  
7 *section 1920 of title 38, United States Code, the Veterans’*  
8 *Special Life Insurance Fund under section 1923 of title 38,*  
9 *United States Code, and the United States Government Life*  
10 *Insurance Fund under section 1955 of title 38, United*  
11 *States Code, reimburse the “General Operating Expenses,*  
12 *Veterans Benefits Administration” and “Information Tech-*  
13 *nology Systems” accounts for the cost of administration of*  
14 *the insurance programs financed through those accounts:*  
15 *Provided, That reimbursement shall be made only from the*  
16 *surplus earnings accumulated in such an insurance pro-*  
17 *gram during fiscal year 2018 that are available for divi-*  
18 *dends in that program after claims have been paid and ac-*  
19 *tuarily determined reserves have been set aside: Provided*  
20 *further, That if the cost of administration of such an insur-*  
21 *ance program exceeds the amount of surplus earnings accu-*  
22 *mulated in that program, reimbursement shall be made*  
23 *only to the extent of such surplus earnings: Provided fur-*  
24 *ther, That the Secretary shall determine the cost of adminis-*  
25 *tration for fiscal year 2018 which is properly allocable to*

1 *the provision of each such insurance program and to the*  
2 *provision of any total disability income insurance included*  
3 *in that insurance program.*

4 *SEC. 209. Amounts deducted from enhanced-use lease*  
5 *proceeds to reimburse an account for expenses incurred by*  
6 *that account during a prior fiscal year for providing en-*  
7 *hanced-use lease services, may be obligated during the fiscal*  
8 *year in which the proceeds are received.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 210. Funds available in this title or funds for*  
11 *salaries and other administrative expenses shall also be*  
12 *available to reimburse the Office of Resolution Management,*  
13 *the Office of Employment Discrimination Complaint Adju-*  
14 *dication, the Office of Accountability and Whistleblower*  
15 *Protection, and the Office of Diversity and Inclusion for*  
16 *all services provided at rates which will recover actual costs*  
17 *but not to exceed \$47,668,000 for the Office of Resolution*  
18 *Management, \$3,932,000 for the Office of Employment Dis-*  
19 *crimination Complaint Adjudication, \$17,620,000 for the*  
20 *Office of Accountability and Whistleblower Protection, and*  
21 *\$2,973,000 for the Office of Diversity and Inclusion: Pro-*  
22 *vided, That payments may be made in advance for services*  
23 *to be furnished based on estimated costs: Provided further,*  
24 *That amounts received shall be credited to the “General Ad-*

1 *ministration” and “Information Technology Systems” ac-*  
2 *counts for use by the office that provided the service.*

3       *SEC. 211. No funds of the Department of Veterans Af-*  
4 *fairs shall be available for hospital care, nursing home care,*  
5 *or medical services provided to any person under chapter*  
6 *17 of title 38, United States Code, for a non-service-con-*  
7 *nected disability described in section 1729(a)(2) of such*  
8 *title, unless that person has disclosed to the Secretary of*  
9 *Veterans Affairs, in such form as the Secretary may require,*  
10 *current, accurate third-party reimbursement information*  
11 *for purposes of section 1729 of such title: Provided, That*  
12 *the Secretary may recover, in the same manner as any other*  
13 *debt due the United States, the reasonable charges for such*  
14 *care or services from any person who does not make such*  
15 *disclosure as required: Provided further, That any amounts*  
16 *so recovered for care or services provided in a prior fiscal*  
17 *year may be obligated by the Secretary during the fiscal*  
18 *year in which amounts are received.*

19                   *(INCLUDING TRANSFER OF FUNDS)*

20       *SEC. 212. Notwithstanding any other provision of law,*  
21 *proceeds or revenues derived from enhanced-use leasing ac-*  
22 *tivities (including disposal) may be deposited into the*  
23 *“Construction, Major Projects” and “Construction, Minor*  
24 *Projects” accounts and be used for construction (including*  
25 *site acquisition and disposition), alterations, and improve-*

1 *ments of any medical facility under the jurisdiction or for*  
2 *the use of the Department of Veterans Affairs. Such sums*  
3 *as realized are in addition to the amount provided for in*  
4 *“Construction, Major Projects” and “Construction, Minor*  
5 *Projects”.*

6 *SEC. 213. Amounts made available under “Medical*  
7 *Services” are available—*

8 *(1) for furnishing recreational facilities, sup-*  
9 *plies, and equipment; and*

10 *(2) for funeral expenses, burial expenses, and*  
11 *other expenses incidental to funerals and burials for*  
12 *beneficiaries receiving care in the Department.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 214. Such sums as may be deposited to the Med-*  
15 *ical Care Collections Fund pursuant to section 1729A of*  
16 *title 38, United States Code, may be transferred to the*  
17 *“Medical Services” and “Medical Community Care” ac-*  
18 *counts to remain available until expended for the purposes*  
19 *of these accounts.*

20 *SEC. 215. The Secretary of Veterans Affairs may enter*  
21 *into agreements with Federally Qualified Health Centers in*  
22 *the State of Alaska and Indian tribes and tribal organiza-*  
23 *tions which are party to the Alaska Native Health Compact*  
24 *with the Indian Health Service, to provide healthcare, in-*  
25 *cluding behavioral health and dental care, to veterans in*



1 *rural Alaska. The Secretary shall require participating vet-*  
2 *erans and facilities to comply with all appropriate rules*  
3 *and regulations, as established by the Secretary. The term*  
4 *“rural Alaska” shall mean those lands which are not within*  
5 *the boundaries of the municipality of Anchorage or the*  
6 *Fairbanks North Star Borough.*

7 (INCLUDING TRANSFER OF FUNDS)

8 *SEC. 216. Such sums as may be deposited to the De-*  
9 *partment of Veterans Affairs Capital Asset Fund pursuant*  
10 *to section 8118 of title 38, United States Code, may be*  
11 *transferred to the “Construction, Major Projects” and “Con-*  
12 *struction, Minor Projects” accounts, to remain available*  
13 *until expended for the purposes of these accounts.*

14 *SEC. 217. Not later than 30 days after the end of each*  
15 *fiscal quarter, the Secretary of Veterans Affairs shall submit*  
16 *to the Committees on Appropriations of both Houses of Con-*  
17 *gress a report on the financial status of the Department*  
18 *of Veterans Affairs for the preceding quarter: Provided,*  
19 *That, at a minimum, the report shall include the direction*  
20 *contained in the paragraph entitled “Quarterly reporting”,*  
21 *under the heading “General Administration” in the joint*  
22 *explanatory statement accompanying Public Law 114–223.*

23 (INCLUDING TRANSFER OF FUNDS)

24 *SEC. 218. Amounts made available under the “Medical*  
25 *Services”, “Medical Community Care”, “Medical Support*

1 *and Compliance*”, “*Medical Facilities*”, “*General Oper-*  
2 *ating Expenses, Veterans Benefits Administration*”, “*Board*  
3 *of Veterans Appeals*”, “*General Administration*”, and “*Na-*  
4 *tional Cemetery Administration*” accounts for fiscal year  
5 2018 may be transferred to or from the “*Information Tech-*  
6 *nology Systems*” account: *Provided, That such transfers*  
7 *may not result in a more than 10 percent aggregate increase*  
8 *in the total amount made available by this Act for the “In-*  
9 *formation Technology Systems*” account: *Provided further,*  
10 *That, before a transfer may take place, the Secretary of Vet-*  
11 *erans Affairs shall request from the Committees on Appro-*  
12 *priations of both Houses of Congress the authority to make*  
13 *the transfer and an approval is issued.*

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 219. *Of the amounts appropriated to the Depart-*  
16 *ment of Veterans Affairs for fiscal year 2018 for “Medical*  
17 *Services*”, “*Medical Community Care*”, “*Medical Support*  
18 *and Compliance*”, “*Medical Facilities*”, “*Construction,*  
19 *Minor Projects*”, and “*Information Technology Systems*”,  
20 *up to \$297,137,000, plus reimbursements, may be trans-*  
21 *ferred to the Joint Department of Defense—Department of*  
22 *Veterans Affairs Medical Facility Demonstration Fund, es-*  
23 *tablished by section 1704 of the National Defense Authoriza-*  
24 *tion Act for Fiscal Year 2010 (Public Law 111–84; 123*  
25 *Stat. 3571) and may be used for operation of the facilities*

1 *designated as combined Federal medical facilities as de-*  
2 *scribed by section 706 of the Duncan Hunter National De-*  
3 *fense Authorization Act for Fiscal Year 2009 (Public Law*  
4 *110–417; 122 Stat. 4500): Provided, That additional funds*  
5 *may be transferred from accounts designated in this section*  
6 *to the Joint Department of Defense—Department of Vet-*  
7 *erans Affairs Medical Facility Demonstration Fund upon*  
8 *written notification by the Secretary of Veterans Affairs to*  
9 *the Committees on Appropriations of both Houses of Con-*  
10 *gress: Provided further, That section 222 of title II of divi-*  
11 *sion A of Public Law 114–223 is repealed.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 220. Of the amounts appropriated to the Depart-*  
14 *ment of Veterans Affairs which become available on October*  
15 *1, 2018, for “Medical Services”, “Medical Community*  
16 *Care”, “Medical Support and Compliance”, and “Medical*  
17 *Facilities”, up to \$306,378,000, plus reimbursements, may*  
18 *be transferred to the Joint Department of Defense—Depart-*  
19 *ment of Veterans Affairs Medical Facility Demonstration*  
20 *Fund, established by section 1704 of the National Defense*  
21 *Authorization Act for Fiscal Year 2010 (Public Law 111–*  
22 *84; 123 Stat. 3571) and may be used for operation of the*  
23 *facilities designated as combined Federal medical facilities*  
24 *as described by section 706 of the Duncan Hunter National*  
25 *Defense Authorization Act for Fiscal Year 2009 (Public*

1 *Law 110–417; 122 Stat. 4500): Provided, That additional*  
2 *funds may be transferred from accounts designated in this*  
3 *section to the Joint Department of Defense—Department*  
4 *of Veterans Affairs Medical Facility Demonstration Fund*  
5 *upon written notification by the Secretary of Veterans Af-*  
6 *fairs to the Committees on Appropriations of both Houses*  
7 *of Congress.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 221. Such sums as may be deposited to the Med-*  
10 *ical Care Collections Fund pursuant to section 1729A of*  
11 *title 38, United States Code, for healthcare provided at fa-*  
12 *cilities designated as combined Federal medical facilities as*  
13 *described by section 706 of the Duncan Hunter National*  
14 *Defense Authorization Act for Fiscal Year 2009 (Public*  
15 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*  
16 *for transfer to the Joint Department of Defense—Depart-*  
17 *ment of Veterans Affairs Medical Facility Demonstration*  
18 *Fund, established by section 1704 of the National Defense*  
19 *Authorization Act for Fiscal Year 2010 (Public Law 111–*  
20 *84; 123 Stat. 3571); and (2) for operations of the facilities*  
21 *designated as combined Federal medical facilities as de-*  
22 *scribed by section 706 of the Duncan Hunter National De-*  
23 *fense Authorization Act for Fiscal Year 2009 (Public Law*  
24 *110–417; 122 Stat. 4500): Provided, That, notwithstanding*  
25 *section 1704(b)(3) of the National Defense Authorization*

1 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*  
2 *2573), amounts transferred to the Joint Department of De-*  
3 *fense—Department of Veterans Affairs Medical Facility*  
4 *Demonstration Fund shall remain available until expended.*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 222. Of the amounts available in this title for*  
7 *“Medical Services”, “Medical Community Care”, “Medical*  
8 *Support and Compliance”, and “Medical Facilities”, a*  
9 *minimum of \$15,000,000 shall be transferred to the DOD–*  
10 *VA Health Care Sharing Incentive Fund, as authorized by*  
11 *section 8111(d) of title 38, United States Code, to remain*  
12 *available until expended, for any purpose authorized by sec-*  
13 *tion 8111 of title 38, United States Code.*

14 *SEC. 223. None of the funds available to the Depart-*  
15 *ment of Veterans Affairs, in this or any other Act, may*  
16 *be used to replace the current system by which the Veterans*  
17 *Integrated Service Networks select and contract for diabetes*  
18 *monitoring supplies and equipment.*

19 *SEC. 224. The Secretary of Veterans Affairs shall no-*  
20 *tify the Committees on Appropriations of both Houses of*  
21 *Congress of all bid savings in a major construction project*  
22 *that total at least \$5,000,000, or 5 percent of the pro-*  
23 *grammed amount of the project, whichever is less: Provided,*  
24 *That such notification shall occur within 14 days of a con-*  
25 *tract identifying the programmed amount: Provided fur-*

1 *ther, That the Secretary shall notify the Committees on Ap-*  
2 *propriations of both Houses of Congress 14 days prior to*  
3 *the obligation of such bid savings and shall describe the an-*  
4 *ticipated use of such savings.*

5       *SEC. 225. None of the funds made available for “Con-*  
6 *struction, Major Projects” may be used for a project in ex-*  
7 *cess of the scope specified for that project in the original*  
8 *justification data provided to the Congress as part of the*  
9 *request for appropriations unless the Secretary of Veterans*  
10 *Affairs receives approval from the Committees on Appro-*  
11 *priations of both Houses of Congress.*

12       *SEC. 226. Not later than 30 days after the end of each*  
13 *fiscal quarter, the Secretary of Veterans Affairs shall submit*  
14 *to the Committees on Appropriations of both Houses of Con-*  
15 *gress a quarterly report containing performance measures*  
16 *and data from each Veterans Benefits Administration Re-*  
17 *gional Office: Provided, That, at a minimum, the report*  
18 *shall include the direction contained in the section entitled*  
19 *“Disability claims backlog”, under the heading “General*  
20 *Operating Expenses, Veterans Benefits Administration” in*  
21 *the joint explanatory statement accompanying Public Law*  
22 *114–223: Provided further, That the report shall also in-*  
23 *clude information on the number of appeals pending at the*  
24 *Veterans Benefits Administration as well as the Board of*  
25 *Veterans Appeals on a quarterly basis.*

1        *SEC. 227. The Secretary of Veterans Affairs shall pro-*  
2 *vide written notification to the Committees on Appropria-*  
3 *tions of both Houses of Congress 15 days prior to organiza-*  
4 *tional changes which result in the transfer of 25 or more*  
5 *full-time equivalents from one organizational unit of the*  
6 *Department of Veterans Affairs to another.*

7        *SEC. 228. The Secretary of Veterans Affairs shall pro-*  
8 *vide on a quarterly basis to the Committees on Appropria-*  
9 *tions of both Houses of Congress notification of any single*  
10 *national outreach and awareness marketing campaign in*  
11 *which obligations exceed \$2,000,000.*

12                                    *(INCLUDING TRANSFER OF FUNDS)*

13        *SEC. 229. The Secretary of Veterans Affairs, upon de-*  
14 *termination that such action is necessary to address needs*  
15 *of the Veterans Health Administration, may transfer to the*  
16 *“Medical Services” account any discretionary appropria-*  
17 *tions made available for fiscal year 2018 in this title (except*  
18 *appropriations made to the “General Operating Expenses,*  
19 *Veterans Benefits Administration” account) or any discre-*  
20 *tionary unobligated balances within the Department of Vet-*  
21 *erans Affairs, including those appropriated for fiscal year*  
22 *2018, that were provided in advance by appropriations*  
23 *Acts: Provided, That transfers shall be made only with the*  
24 *approval of the Office of Management and Budget: Provided*  
25 *further, That the transfer authority provided in this section*

1 *is in addition to any other transfer authority provided by*  
2 *law: Provided further, That no amounts may be transferred*  
3 *from amounts that were designated by Congress as an emer-*  
4 *gency requirement pursuant to a concurrent resolution on*  
5 *the budget or the Balanced Budget and Emergency Deficit*  
6 *Control Act of 1985: Provided further, That such authority*  
7 *to transfer may not be used unless for higher priority items,*  
8 *based on emergent healthcare requirements, than those for*  
9 *which originally appropriated and in no case where the*  
10 *item for which funds are requested has been denied by Con-*  
11 *gress: Provided further, That, upon determination that all*  
12 *or part of the funds transferred from an appropriation are*  
13 *not necessary, such amounts may be transferred back to that*  
14 *appropriation and shall be available for the same purposes*  
15 *as originally appropriated: Provided further, That before*  
16 *a transfer may take place, the Secretary of Veterans Affairs*  
17 *shall request from the Committees on Appropriations of*  
18 *both Houses of Congress the authority to make the transfer*  
19 *and receive approval of that request.*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 230. Amounts made available for the Department*  
22 *of Veterans Affairs for fiscal year 2018, under the “Board*  
23 *of Veterans Appeals” and the “General Operating Expenses,*  
24 *Veterans Benefits Administration” accounts may be trans-*  
25 *ferred between such accounts: Provided, That before a trans-*



1 *fer may take place, the Secretary of Veterans Affairs shall*  
2 *request from the Committees on Appropriations of both*  
3 *Houses of Congress the authority to make the transfer and*  
4 *receive approval of that request.*

5 *SEC. 231. The Secretary of Veterans Affairs may not*  
6 *reprogram funds among major construction projects or pro-*  
7 *grams if such instance of reprogramming will exceed*  
8 *\$7,000,000, unless such reprogramming is approved by the*  
9 *Committees on Appropriations of both Houses of Congress.*

10 *SEC. 232. (a) The Secretary of Veterans Affairs shall*  
11 *ensure that the toll-free suicide hotline under section*  
12 *1720F(h) of title 38, United States Code—*

13 *(1) provides to individuals who contact the hot-*  
14 *line immediate assistance from a trained professional;*  
15 *and*

16 *(2) adheres to all requirements of the American*  
17 *Association of Suicidology.*

18 *(b)(1) None of the funds made available by this Act*  
19 *may be used to enforce or otherwise carry out any Executive*  
20 *action that prohibits the Secretary of Veterans Affairs from*  
21 *appointing an individual to occupy a vacant civil service*  
22 *position, or establishing a new civil service position, at the*  
23 *Department of Veterans Affairs with respect to such a posi-*  
24 *tion relating to the hotline specified in subsection (a).*

25 *(2) In this subsection—*

1           (A) the term “civil service” has the meaning  
2           given such term in section 2101(1) of title 5, United  
3           States Code; and

4           (B) the term “Executive action” includes—

5                   (i) any Executive order, presidential memo-  
6                   randum, or other action by the President; and

7                   (ii) any agency policy, order, or other direc-  
8                   tive.

9           SEC. 233. None of the funds in this or any other Act  
10           may be used to close Department of Veterans Affairs (VA)  
11           hospitals, domiciliaries, or clinics, conduct an environ-  
12           mental assessment, or to diminish healthcare services at ex-  
13           isting Veterans Health Administration medical facilities lo-  
14           cated in Veterans Integrated Service Network 23 as part  
15           of a planned realignment of VA services until the Secretary  
16           provides to the Committees on Appropriations of both  
17           Houses of Congress a report including the following ele-  
18           ments:

19                   (1) a national realignment strategy that includes  
20                   a detailed description of realignment plans within  
21                   each Veterans Integrated Services Network (VISN),  
22                   including an updated Long Range Capital Plan to  
23                   implement realignment requirements;

1           (2) *an explanation of the process by which those*  
2           *plans were developed and coordinated within each*  
3           *VISN;*

4           (3) *a cost versus benefit analysis of each planned*  
5           *realignment, including the cost of replacing Veterans*  
6           *Health Administration services with contract care or*  
7           *other outsourced services;*

8           (4) *an analysis of how any such planned re-*  
9           *alignment of services will impact access to care for*  
10          *veterans living in rural or highly rural areas, includ-*  
11          *ing travel distances and transportation costs to access*  
12          *a VA medical facility and availability of local spe-*  
13          *cialty and primary care;*

14          (5) *an inventory of VA buildings with historic*  
15          *designation and the methodology used to determine*  
16          *the buildings' condition and utilization;*

17          (6) *a description of how any realignment will be*  
18          *consistent with requirements under the National His-*  
19          *toric Preservation Act; and*

20          (7) *consideration given for reuse of historic*  
21          *buildings within newly identified realignment re-*  
22          *quirements: Provided, That, this provision shall not*  
23          *apply to capital projects in VISN 23, or any other*  
24          *VISN, which have been authorized or approved by*  
25          *Congress.*

1        *SEC. 234. Section 8109(b) of title 38, United States*  
2 *Code, is amended—*

3            *(1) in paragraph (2), by striking “and” at the*  
4 *end;*

5            *(2) in paragraph (3), by striking the period and*  
6 *inserting “; and”; and*

7            *(3) by adding at the end the following new para-*  
8 *graph:*

9            *“(4) notwithstanding subsection (a) of section 1344 of*  
10 *title 31, may use a passenger carrier (as such term is de-*  
11 *finied in subsection (h)(1) of such section) to transport such*  
12 *an employee between a parking facility and the medical fa-*  
13 *cility of the Department at which the employee works.”.*

14        *SEC. 235. None of the funds made available to the Sec-*  
15 *retary of Veterans Affairs by this or any other Act may*  
16 *be obligated or expended in contravention of the “Veterans*  
17 *Health Administration Clinical Preventive Services Guid-*  
18 *ance Statement on the Veterans Health Administration’s*  
19 *Screening for Breast Cancer Guidance” published on May*  
20 *10, 2017, as issued by the Veterans Health Administration*  
21 *National Center for Health Promotion and Disease Preven-*  
22 *tion.*

23        *SEC. 236. (a) Notwithstanding any other provision of*  
24 *law, the amounts appropriated or otherwise made available*

1 *to the Department of Veterans Affairs for the “Medical*  
2 *Services” account may be used to provide—*

3 *(1) fertility counseling and treatment using as-*  
4 *sisted reproductive technology to a covered veteran or*  
5 *the spouse of a covered veteran; or*

6 *(2) adoption reimbursement to a covered veteran.*

7 *(b) In this section:*

8 *(1) The term “service-connected” has the mean-*  
9 *ing given such term in section 101 of title 38, United*  
10 *States Code.*

11 *(2) The term “covered veteran” means a veteran,*  
12 *as such term is defined in section 101 of title 38,*  
13 *United States Code, who has a service-connected dis-*  
14 *ability that results in the inability of the veteran to*  
15 *procreate without the use of fertility treatment.*

16 *(3) The term “assisted reproductive technology”*  
17 *means benefits relating to reproductive assistance pro-*  
18 *vided to a member of the Armed Forces who incurs*  
19 *a serious injury or illness on active duty pursuant to*  
20 *section 1074(c)(4)(A) of title 10, United States Code,*  
21 *as described in the memorandum on the subject of*  
22 *“Policy for Assisted Reproductive Services for the*  
23 *Benefit of Seriously or Severely Ill/Injured (Category*  
24 *II or III) Active Duty Service Members” issued by the*  
25 *Assistant Secretary of Defense for Health Affairs on*

1 *April 3, 2012, and the guidance issued to implement*  
2 *such policy, including any limitations on the amount*  
3 *of such benefits available to such a member except*  
4 *that—*

5 *(A) the time periods regarding embryo*  
6 *cryopreservation and storage set forth in part*  
7 *III(G) and in part IV(H) of such memorandum*  
8 *shall not apply; and*

9 *(B) such term includes embryo*  
10 *cryopreservation and storage without limitation*  
11 *on the duration of such cryopreservation and*  
12 *storage.*

13 *(4) The term “adoption reimbursement” means*  
14 *reimbursement for the adoption-related expenses for*  
15 *an adoption that is finalized after the date of the en-*  
16 *actment of this Act under the same terms as apply*  
17 *under the adoption reimbursement program of the De-*  
18 *partment of Defense, as authorized in Department of*  
19 *Defense Instruction 1341.09, including the reimburse-*  
20 *ment limits and requirements set forth in such in-*  
21 *struction.*

22 *(c) Amounts made available for the purposes specified*  
23 *in subsection (a) of this section are subject to the require-*  
24 *ments for funds contained in section 508 of division H of*

1 *the Consolidated Appropriations Act, 2017 (Public Law*  
2 *115–31).*

3 *(RESCISSION OF FUNDS)*

4 *SEC. 237. Of the unobligated balance of funds made*  
5 *available in the sixth proviso under the heading “Depart-*  
6 *ment of Veterans Affairs—Veterans Health Administra-*  
7 *tion—Medical Services” in title II of Division J of the Con-*  
8 *solidated Appropriations Act, 2016 (Public Law 114–113),*  
9 *\$751,000,000 is hereby rescinded.*

10 *SEC. 238. None of the funds appropriated or otherwise*  
11 *made available by this Act or any other Act for the Depart-*  
12 *ment of Veterans Affairs may be used in a manner that*  
13 *is inconsistent with: (1) section 842 of the Transportation,*  
14 *Treasury, Housing and Urban Development, the Judiciary,*  
15 *the District of Columbia, and Independent Agencies Appro-*  
16 *priations Act, 2006 (Public Law 109–115; 119 Stat. 2506);*  
17 *or (2) section 8110(a)(5) of title 38, United States Code.*

18 *SEC. 239. Section 842 of Public Law 109–115 shall*  
19 *not apply to conversion of an activity or function of the*  
20 *Veterans Health Administration, Veterans Benefits Admin-*  
21 *istration, or National Cemetery Administration to con-*  
22 *tractor performance by a business concern that is at least*  
23 *51 percent owned by one or more Indian tribes as defined*  
24 *in section 5304(e) of title 25, United States Code, or one*

1 *or more Native Hawaiian Organizations as defined in sec-*  
2 *tion 637(a)(15) of title 15, United States Code.*

3 *SEC. 240. (a) Except as provided in subsection (b), the*  
4 *Secretary of Veterans Affairs, in consultation with the Sec-*  
5 *retary of Defense and the Secretary of Labor, shall dis-*  
6 *continue using Social Security account numbers to identify*  
7 *individuals in all information systems of the Department*  
8 *of Veterans Affairs as follows:*

9 *(1) For all veterans submitting to the Secretary*  
10 *of Veterans Affairs new claims for benefits under laws*  
11 *administered by the Secretary, not later than 5 years*  
12 *after the date of the enactment of this Act.*

13 *(2) For all individuals not described in para-*  
14 *graph (1), not later than 8 years after the date of the*  
15 *enactment of this Act.*

16 *(b) The Secretary of Veterans Affairs may use a Social*  
17 *Security account number to identify an individual in an*  
18 *information system of the Department of Veterans Affairs*  
19 *if and only if the use of such number is required to obtain*  
20 *information the Secretary requires from an information*  
21 *system that is not under the jurisdiction of the Secretary.*

22 *SEC. 241. For funds provided to the Department of*  
23 *Veterans Affairs for each of fiscal year 2018 and 2019 for*  
24 *“Medical Services”, section 239 of Division A of Public Law*  
25 *114–223 shall apply.*



1        *SEC. 242. None of the funds appropriated in this or*  
2 *prior appropriations Acts or otherwise made available to*  
3 *the Department of Veterans Affairs may be used to transfer*  
4 *any amounts from the Filipino Veterans Equity Compensa-*  
5 *tion Fund to any other account within the Department of*  
6 *Veterans Affairs.*

7                                 *(RESCISSIONS OF FUNDS)*

8        *SEC. 243. (a) Of the unobligated balance of funds made*  
9 *available through September 30, 2018, under the heading*  
10 *“Construction, Major Projects” in division J of the Consoli-*  
11 *dated Appropriations Act, 2014 (Public Law 113–76),*  
12 *\$10,000,000 is hereby rescinded.*

13        *(b) For an additional amount for “Construction,*  
14 *Major Projects”, \$10,000,000, to remain available until*  
15 *September 30, 2023.*

16        *(c) Of the unobligated balance of funds made available*  
17 *through September 30, 2019, under the heading “Construc-*  
18 *tion, Major Projects” in division I of the Consolidated and*  
19 *Further Continuing Appropriations Act, 2015 (Public Law*  
20 *113–235), \$410,000,000 is hereby rescinded.*

21        *(d) For an additional amount for “Construction,*  
22 *Major Projects”, \$410,000,000, to remain available until*  
23 *September 30, 2024.*

24        *SEC. 244. Of the funds provided to the Department of*  
25 *Veterans Affairs for each of fiscal year 2018 and fiscal year*

1 2019 for “Medical Services”, funds may be used in each  
2 year to carry out and expand the child care program au-  
3 thorized by section 205 of Public Law 111–163, notwith-  
4 standing subsection (e) of such section.

5       SEC. 245. (a) Section 204(c) of the Department of Vet-  
6 erans Affairs Health Care Programs Enhancement Act of  
7 2001 (Public Law 107–135; 38 U.S.C. 1710 note) is amend-  
8 ed—

9           (1) by inserting “(1)” before “The program”;  
10       and

11           (2) by adding at the end the following new para-  
12       graph:

13           “(2) The program shall be carried out at not  
14       fewer than two medical centers or clinics in each Vet-  
15       erans Integrated Service Network by not later than  
16       December 31, 2019, and at not fewer than 50 percent  
17       of all medical centers in each Veterans Integrated  
18       Service Network by not later than December 31,  
19       2021.”.

20       (b)(1) Paragraph (6) of section 1701 of title 38, United  
21       States Code, is amended by adding at the end the following  
22       new subparagraph:

23           “(H) Chiropractic services.”.

24       (2) Paragraph (8) of such section is amended by in-  
25       serting “chiropractic,” after “counseling,”.

1       (3) *Paragraph (9) of such section is amended—*

2               (A) *by redesignating subparagraphs (F) through*  
3       *(K) as subparagraphs (G) through (L), respectively;*  
4       *and*

5               (B) *by inserting after subparagraph (E) the fol-*  
6       *lowing new subparagraph (F):*

7                       *“(F) chiropractic examinations and serv-*  
8                       *ices;”.*

9       SEC. 246. (a) *PILOT PROGRAM.—The Secretary of Vet-*  
10       *erans Affairs shall carry out a pilot program to provide*  
11       *educational assistance to certain former members of the*  
12       *Armed Forces for education and training as physician as-*  
13       *sistants of the Department of Veterans Affairs.*

14       (b) *ELIGIBLE INDIVIDUALS.—An individual is eligible*  
15       *to participate in the pilot program if the individual—*

16               (1) *has medical or military health experience*  
17       *gained while serving as a member of the Armed*  
18       *Forces;*

19               (2) *has received a certificate, associate degree,*  
20       *baccalaureate degree, master’s degree, or*  
21       *postbaccalaureate training in a science relating to*  
22       *health care; or*

23               (3) *has participated in the delivery of healthcare*  
24       *services or related medical services, including partici-*  
25       *pation in military training relating to the identifica-*

1        *tion, evaluation, treatment, and prevention of diseases*  
2        *and disorders.*

3        *(c) DURATION.—The pilot program shall be carried*  
4        *out during the 5-year period beginning on the date that*  
5        *is 180 days after the date of the enactment of this Act.*

6        *(d) SELECTION.—*

7                *(1) The Secretary shall select eligible individuals*  
8        *under subsection (b) to participate in the pilot pro-*  
9        *gram.*

10               *(2) In selecting individuals to participate in the*  
11        *pilot program under paragraph (1), the Secretary*  
12        *shall give priority to individuals who agree to be em-*  
13        *ployed as a physician assistant for the Veterans*  
14        *Health Administration at a medical facility of the*  
15        *Department located in a community that—*

16                *(A) is designated as a medically under-*  
17        *served population under section 330(b)(3)(A) of*  
18        *the Public Health Service Act (42 U.S.C.*  
19        *254b(b)(3)(A)); and*

20                *(B) is in a State with a per capita popu-*  
21        *lation of veterans of more than 5 percent accord-*  
22        *ing to the National Center for Veterans Analysis*  
23        *and Statistics and the United States Census Bu-*  
24        *reau.*

1           (e) *EDUCATIONAL ASSISTANCE.*—*In carrying out the*  
2 *pilot program, the Secretary shall provide educational as-*  
3 *sistance to individuals participating in the pilot program,*  
4 *including through the use of scholarships, to cover the costs*  
5 *to such individuals of obtaining a master's degree in physi-*  
6 *cian assistant studies or a similar master's degree.*

7           (f) *PERIOD OF OBLIGATED SERVICE.*—*The Secretary*  
8 *shall enter into an agreement with each individual partici-*  
9 *pating in the pilot program in which such individual*  
10 *agrees to be employed as a physician assistant for the Vet-*  
11 *erans Health Administration for a period of obligated serv-*  
12 *ice to be determined by the Secretary.*

13           (g) *BREACH.*—*An individual who participates in the*  
14 *pilot program and fails to satisfy the period of obligated*  
15 *service under subsection (f) shall be liable to the United*  
16 *States, in lieu of such obligated service, for the amount that*  
17 *has been paid or is payable to or on behalf of the individual*  
18 *under the pilot program, reduced by the proportion that*  
19 *the number of days served for completion of the period of*  
20 *obligated service bears to the total number of days in the*  
21 *period of obligated service of such individual.*

22           (h) *REPORT.*—*Not later than one year after the date*  
23 *of the enactment of this Act, the Secretary of Veterans Af-*  
24 *airs, in collaboration with the Secretary of Labor, the Sec-*  
25 *retary of Defense, and the Secretary of Health and Human*

1 *Services, shall submit to Congress a report on the pilot pro-*  
2 *gram's effectiveness of helping to meet the shortage of physi-*  
3 *cian assistants employed by the Department.*

4 *SEC. 247. For funds provided to the Department of*  
5 *Veterans Affairs for each of fiscal year 2018 and 2019, sec-*  
6 *tion 248 of Division A of Public Law 114–223 shall apply.*

7 *SEC. 248. (a) The Secretary of Veterans Affairs may*  
8 *use amounts appropriated or otherwise made available in*  
9 *this title to ensure that the ratio of veterans to full-time*  
10 *employment equivalents within any program of rehabilita-*  
11 *tion conducted under chapter 31 of title 38, United States*  
12 *Code, does not exceed 125 veterans to one full-time employ-*  
13 *ment equivalent.*

14 *(b) Not later than 180 days after the date of the enact-*  
15 *ment of this Act, the Secretary shall submit to Congress a*  
16 *report on the programs of rehabilitation conducted under*  
17 *chapter 31 of title 38, United States Code, including—*

18 *(1) an assessment of the veteran-to-staff ratio for*  
19 *each such program; and*

20 *(2) recommendations for such action as the Sec-*  
21 *retary considers necessary to reduce the veteran-to-*  
22 *staff ratio for each such program.*

23 *SEC. 249. None of the funds appropriated or otherwise*  
24 *made available in this title may be used by the Secretary*  
25 *of Veterans Affairs to enter into an agreement related to*

1 *resolving a dispute or claim with an individual that would*  
2 *restrict in any way the individual from speaking to mem-*  
3 *bers of Congress or their staff on any topic not otherwise*  
4 *prohibited from disclosure by Federal law or required by*  
5 *Executive Order to be kept secret in the interest of national*  
6 *defense or the conduct of foreign affairs.*

7       *SEC. 250. For funds provided to the Department of*  
8 *Veterans Affairs for each of fiscal year 2018 and 2019, sec-*  
9 *tion 258 of Division A of Public Law 114–223 shall apply.*

10       *SEC. 251. (a) IN GENERAL.—Section 2402(a) of title*  
11 *38, United States Code, is amended by adding at the end*  
12 *the following new paragraph:*

13               “(10) Any individual—

14                       “(A) who—

15                               “(i) was naturalized pursuant to sec-

16                                       *tion 2(1) of the Hmong Veterans’ Natu-*  
17                                       *ralization Act of 2000 (Public Law 106–*  
18                                       *207; 8 U.S.C. 1423 note); and*

19                                       “(ii) at the time of the individual’s

20                                       *death resided in the United States.”.*

21       *(b) EFFECTIVE DATE.—The amendment made by sub-*  
22 *section (a) shall apply with respect to an individual dying*  
23 *on or after the date of the enactment of this Act.*

24       *SEC. 252. The Secretary may carry out a 2-year pilot*  
25 *program making grants to nonprofit veterans services orga-*

1 nizations recognized by the Secretary in accordance with  
2 section 5902 of title 38, United States Code, to upgrade,  
3 through construction and repair, VSO community facilities  
4 into health and wellness centers and to promote and expand  
5 complementary and integrative wellness programs: Pro-  
6 vided, That no single grant may exceed a total of \$500,000:  
7 Provided further, That the Secretary may not provide more  
8 than 20 grants during the 2-year pilot program: Provided  
9 further, That the recipient of a grant under this section  
10 may not use the grant to purchase real estate or to carry  
11 out repair of facilities leased by the recipient or to construct  
12 facilities on property leased by the recipient: Provided fur-  
13 ther, That the Secretary ensures that the grant recipients  
14 use grant funds to construct or repair facilities located in  
15 at least 10 different geographic locations in economically  
16 depressed areas or areas designated as highly rural that are  
17 not in close proximity to Department of Veterans Affairs  
18 medical centers: Provided further, That the Secretary shall  
19 report to the Committees on Appropriations of both Houses  
20 of Congress no later than 180 days after enactment of this  
21 Act, on the grant program established under this section.

22       SEC. 253. None of the funds appropriated in this or  
23 any other Act for “Grants for Construction of State Ex-  
24 tended Care Facilities” may be used to award grants for  
25 applications included in priority one of the priority list



1 *for the first time which have been assigned a higher priority*  
2 *ranking for fiscal year 2018 than unfunded applications*  
3 *which met the eligibility requirements defined in section*  
4 *8135(c) of title 38, United States Code, in fiscal year 2017*  
5 *and continue to meet those requirements in fiscal year 2018:*  
6 *Provided, That the Secretary may award grants for new*  
7 *applications in fiscal year 2018 for projects that did not*  
8 *meet eligibility requirements defined in section 8135(c) of*  
9 *title 38, United States Code, in fiscal year 2017 only after*  
10 *applications which met priority one eligibility require-*  
11 *ments in fiscal year 2017 and continue to meet those re-*  
12 *quirements defined in section 8135(c) of title 38, United*  
13 *States Code, have been funded: Provided further, That noth-*  
14 *ing in this section shall preclude the Secretary from assign-*  
15 *ing a higher priority ranking or funding a grant applica-*  
16 *tion to correct conditions that threaten the life or safety*  
17 *of patients which meet the criteria laid out in section*  
18 *8135(c) of title 38, United States Code.*

19 *SEC. 254. None of the funds appropriated or otherwise*  
20 *made available by this Act may be used to conduct research*  
21 *using canines unless: the scientific objectives of the study*  
22 *can only be met by research with canines; the study has*  
23 *been directly approved by the Secretary; and the study is*  
24 *consistent with the revised Department of Veterans Affairs*  
25 *canine research policy document released on December 18,*

1 *2017: Provided, That not later than 180 days after enact-*  
2 *ment of this Act, the Secretary shall submit to the Commit-*  
3 *tees on Appropriations of both Houses of Congress a de-*  
4 *tailed report outlining under what circumstances canine re-*  
5 *search may be needed if there are no other alternatives, how*  
6 *often it was used during that time period, and what proto-*  
7 *cols are in place to determine both the safety and efficacy*  
8 *of the research.*

9       *SEC. 255. For an additional amount for the Depart-*  
10 *ment of Veterans Affairs, \$2,000,000,000 to remain avail-*  
11 *able until expended, for infrastructure improvements, in-*  
12 *cluding new construction, and in addition to amounts oth-*  
13 *erwise made available in this act for such purpose, of which:*

14           (1) *\$1,000,000,000 shall be for “Veterans Health*  
15 *Administration—Medical Facilities” to be used for*  
16 *non-recurring maintenance;*

17           (2) *\$425,000,000 shall be for “Departmental Ad-*  
18 *ministration—Construction, Minor Projects”;* and,

19           (3) *\$575,000,000 shall be for “Departmental Ad-*  
20 *ministration—Grants for Construction of State Ex-*  
21 *tended Care Facilities”;*

22 *Provided, That the additional amounts appropriated for the*  
23 *purposes of non-recurring maintenance and minor con-*  
24 *struction may be used to carry out critical life-safety*  
25 *projects identified in the Department’s annual facility con-*

1 dition assessments; sustainment projects; modernization  
2 projects; infrastructure repair; renovations at existing Vet-  
3 erans Health Administration medical centers and out-  
4 patient clinics; and projects included in the Strategic Cap-  
5 ital Investment Process plan: Provided further, That the ad-  
6 ditional amounts appropriated under this section may not  
7 be obligated or expended until the Secretary of Veterans Af-  
8 fairs submits to the Committees on Appropriations of both  
9 Houses of Congress, and such Committees approve, a de-  
10 tailed expenditure plan, including project descriptions and  
11 costs, for any non-recurring maintenance, minor construc-  
12 tion or State extended care facility project being funded  
13 with the additional amounts made available in this admin-  
14 istrative provision.

15       SEC. 256. Subsection (d) of section 504 of the Veterans'  
16 Benefits Improvement Act of 1996 (Public Law 104–275;  
17 38 U.S.C. 5101 note), as amended, is further amended to  
18 read as follows:

19       “(c) SOURCE OF FUNDS.—Expenses of carrying out  
20 the pilot program under this section, including payments  
21 for pilot program examination travel and incidental ex-  
22 penses under the terms and conditions set forth by 38  
23 U.S.C. 111, shall be reimbursed to the accounts available  
24 for the general operating expenses of the Veterans Benefits  
25 Administration and information technology systems from

1 *amounts available to the Secretary of Veterans Affairs for*  
2 *payment of compensation and pensions.”.*

3 *SEC. 257. None of the funds made available by this*  
4 *Act may be used to charge a veteran a fee for a veterans*  
5 *identification card pursuant to section 5706(c) of title 38,*  
6 *United States Code.*

7 *SEC. 258. (a) IN GENERAL.—Subchapter II of chapter*  
8 *17 of title 38, United States Code, is amended by adding*  
9 *at the end the following new section:*

10 **“§1712I. Mental and behavioral health care for cer-**  
11 **tain former members of the Armed Forces**

12 *“(a) IN GENERAL.—The Secretary shall furnish to*  
13 *former members of the Armed Forces described in subsection*  
14 *(b)—*

15 *“(1) an initial mental health assessment; and*

16 *“(2) the mental healthcare or behavioral*  
17 *healthcare services authorized under this chapter that*  
18 *are required to treat the mental or behavioral health*  
19 *care needs of the former service members, including*  
20 *risk of suicide or harming others.*

21 *“(b) ELIGIBLE INDIVIDUALS.—A former member of the*  
22 *Armed Forces described in this subsection is an individual*  
23 *who—*

24 *“(1) is a former member of the Armed Forces,*  
25 *including the reserve components;*

1           “(2) *while serving in the active military, naval,*  
2           *or air service, was discharged or released therefrom*  
3           *under a condition that is not honorable but not—*

4                     “(A) *a dishonorable discharge; or*

5                     “(B) *a discharge by court-martial;*

6           “(3) *is not otherwise eligible to enroll in the*  
7           *health care system established by section 1705 of this*  
8           *title; and*

9                     “(4)(A)(i) *served in the Armed Forces for a pe-*  
10           *riod of more than 100 cumulative days; and*

11                    “(ii) *was deployed in a theater of combat oper-*  
12           *ations, in support of a contingency operation, or in*  
13           *an area at a time during which hostilities are occur-*  
14           *ring in that area during such service, including by*  
15           *controlling an unmanned aerial vehicle from a loca-*  
16           *tion other than such theater or area; or*

17                    “(B) *while serving in the Armed Forces, was the*  
18           *victim of a physical assault of a sexual nature, a bat-*  
19           *tery of a sexual nature, or sexual harassment (as de-*  
20           *finied in section 1720D(f) of this title).*

21           “(c) *NON-DEPARTMENT CARE.—(1) In furnishing*  
22           *mental or behavioral health care services to an individual*  
23           *under this section, the Secretary may provide such mental*  
24           *or behavioral health care services at a non-Department fa-*  
25           *cility if—*

1           “(A) *in the judgment of a mental health profes-*  
2           *sional employed by the Department, the receipt of*  
3           *mental or behavioral health care services by that indi-*  
4           *vidual in facilities of the Department would be clini-*  
5           *cally inadvisable; or*

6           “(B) *facilities of the Department are not capable*  
7           *of furnishing such mental or behavioral health care*  
8           *services to that individual economically because of*  
9           *geographical inaccessibility.*

10          “(2) *The Secretary shall carry out paragraph (1) pur-*  
11          *suant to section 1703 of this title or any other provision*  
12          *of law authorizing the Secretary to enter into contracts or*  
13          *agreements to furnish hospital care and medical services to*  
14          *veterans at non-Department facilities.*

15          “(d) *SETTING AND REFERRALS.—In furnishing men-*  
16          *tal and behavioral health care services to individuals under*  
17          *this section, the Secretary shall—*

18                 “(1) *seek to ensure that such services are fur-*  
19                 *nished in settings that are therapeutically appro-*  
20                 *priate, taking into account the circumstances that re-*  
21                 *sulted in the need for such services; and*

22                 “(2) *provide referral services to assist former*  
23                 *members who are not eligible for services under this*  
24                 *chapter to obtain services from sources outside the De-*  
25                 *partment.*

1       “(e) *INFORMATION.*—*The Secretary shall provide in-*  
2 *formation on the mental and behavioral health care services*  
3 *available under this section. Efforts by the Secretary to pro-*  
4 *vide such information—*

5               “(1) *shall include notification of each eligible in-*  
6 *dividual described in subsection (b) about the eligi-*  
7 *bility of the individual for covered mental and behav-*  
8 *ioral health care under this section not later than the*  
9 *later of—*

10               “(A) *180 days after the date of the enact-*  
11 *ment of the Military Construction, Veterans Af-*  
12 *fairs, and Related Agencies Appropriations Act,*  
13 *2018; or*

14               “(B) *180 days after the date on which the*  
15 *individual was discharged or released from the*  
16 *active military, naval, or air service;*

17               “(2) *shall include availability of a toll-free tele-*  
18 *phone number (commonly referred to as an 800 num-*  
19 *ber);*

20               “(3) *shall ensure that information about the*  
21 *mental health care services available under this sec-*  
22 *tion—*

23               “(A) *is revised and updated as appropriate;*

24               “(B) *is made available and visibly posted*  
25 *at appropriate facilities of the Department; and*

1           “(C) is made available to State veteran  
2           agencies and through appropriate public infor-  
3           mation services; and

4           “(4) shall include coordination with the Sec-  
5           retary of Defense seeking to ensure that members of  
6           the Armed Forces and individuals who are being sep-  
7           arated from active military, naval, or air service are  
8           provided appropriate information about programs,  
9           requirements, and procedures for applying for mental  
10          health care services under this section.

11          “(f) ANNUAL REPORTS.—(1) Not less frequently than  
12          once each year, the Secretary shall submit to the Committee  
13          on Veterans’ Affairs of the Senate and the Committee on  
14          Veterans’ Affairs of the House of Representatives a report  
15          on the mental and behavioral health care services provided  
16          under this section.

17          “(2) Each report submitted under paragraph (1) shall  
18          include, with respect to the year preceding the submittal  
19          of the report, the following:

20                 “(A) The number of eligible individuals who  
21                 were furnished mental or behavioral health care serv-  
22                 ices under this section, disaggregated by the number  
23                 of men who received such services and the number of  
24                 women who received such services.



1           “(B) *The number of individuals who requested*  
2           *an initial mental health assessment under subsection*  
3           *(a)(1).*

4           “(C) *Such other information as the Secretary*  
5           *considers appropriate.*”

6           **(b) CLERICAL AMENDMENT.**—*The table of sections at*  
7           *the beginning of chapter 17 of title 38, United States Code,*  
8           *is amended by inserting after the item relating to section*  
9           *1720H the following new item:*

*“1720I. Mental and behavioral health care for certain former members of the  
Armed Forces.”*

10          **SEC. 259. (a) IN GENERAL.**—*Chapter 53 of title 38,*  
11          *United States Code, is amended by inserting after section*  
12          *5303A the following new section:*

13          **“§ 5303B. Character of service determinations**

14                 “(a) **DETERMINATION.**—*The Secretary shall establish*  
15                 *a process by which an individual who served in the Armed*  
16                 *Forces and was discharged or dismissed therefrom may seek*  
17                 *a determination from the Secretary with respect to whether*  
18                 *such discharge or release was under a condition that bars*  
19                 *the right of such individual to a benefit under the laws ad-*  
20                 *ministered by the Secretary based upon the period of service*  
21                 *from which discharged or dismissed.*

22                 “(b) **PROVISION OF INFORMATION.**—*If the Secretary*  
23                 *determines under subsection (a) that an individual is*  
24                 *barred to a benefit under the laws administered by the Sec-*

1 *retary, the Secretary shall provide to such individual infor-*  
2 *mation regarding the ability of the individual to address*  
3 *such condition, including pursuant to section 5303 of this*  
4 *title and chapter 79 of title 10.”.*

5 *(b) CLERICAL AMENDMENT.—The table of sections at*  
6 *the beginning of such chapter is amended by inserting after*  
7 *the item relating to section 5303A the following new item:*  
*“5303B. Character of service determinations.”.*

8 *TITLE III*

9 *RELATED AGENCIES*

10 *AMERICAN BATTLE MONUMENTS COMMISSION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses, not otherwise provided for, of*  
13 *the American Battle Monuments Commission, including the*  
14 *acquisition of land or interest in land in foreign countries;*  
15 *purchases and repair of uniforms for caretakers of national*  
16 *cemeteries and monuments outside of the United States and*  
17 *its territories and possessions; rent of office and garage*  
18 *space in foreign countries; purchase (one-for-one replace-*  
19 *ment basis only) and hire of passenger motor vehicles; not*  
20 *to exceed \$42,000 for official reception and representation*  
21 *expenses; and insurance of official motor vehicles in foreign*  
22 *countries, when required by law of such countries,*  
23 *\$79,000,000, to remain available until expended.*

1            *FOREIGN CURRENCY FLUCTUATIONS ACCOUNT*

2            *For necessary expenses, not otherwise provided for, of*  
3 *the American Battle Monuments Commission, such sums as*  
4 *may be necessary, to remain available until expended, for*  
5 *purposes authorized by section 2109 of title 36, United*  
6 *States Code.*

7            *UNITED STATES COURT OF APPEALS FOR VETERANS*8    *CLAIMS*9    *SALARIES AND EXPENSES*

10     *(INCLUDING TRANSFER OF FUNDS)*

11            *For necessary expenses for the operation of the United*  
12 *States Court of Appeals for Veterans Claims as authorized*  
13 *by sections 7251 through 7298 of title 38, United States*  
14 *Code, \$33,600,000: Provided, That, of the amount, up to*  
15 *\$800,000 may be transferred to the General Services Ad-*  
16 *ministration for planning and design of a courthouse, to*  
17 *include a feasibility study: Provided further, That*  
18 *\$2,580,000 shall be available for the purpose of providing*  
19 *financial assistance as described and in accordance with*  
20 *the process and reporting procedures set forth under this*  
21 *heading in Public Law 102–229.*

1                    *DEPARTMENT OF DEFENSE—CIVIL*  
2                    *CEMETERIAL EXPENSES, ARMY*  
3                    *SALARIES AND EXPENSES*

4            *For necessary expenses for maintenance, operation,*  
5 *and improvement of Arlington National Cemetery and Sol-*  
6 *diers' and Airmen's Home National Cemetery, including*  
7 *the purchase or lease of passenger motor vehicles for replace-*  
8 *ment on a one-for-one basis only, and not to exceed \$2,000*  
9 *for official reception and representation expenses,*  
10 *\$80,800,000, of which not to exceed \$15,000,000 shall re-*  
11 *main available until September 30, 2020. In addition, such*  
12 *sums as may be necessary for parking maintenance, repairs*  
13 *and replacement, to be derived from the "Lease of Depart-*  
14 *ment of Defense Real Property for Defense Agencies" ac-*  
15 *count.*

16                    *CONSTRUCTION*

17            *For necessary expenses for planning and design and*  
18 *construction at Arlington National Cemetery and Soldiers'*  
19 *and Airmen's Home National Cemetery, \$167,000,000, to*  
20 *remain available until expended, for planning and design*  
21 *and construction associated with the Southern Expansion*  
22 *project at Arlington National Cemetery.*

1                    *ARMED FORCES RETIREMENT HOME*2                    *TRUST FUND*

3            *For expenses necessary for the Armed Forces Retire-*  
4 *ment Home to operate and maintain the Armed Forces Re-*  
5 *tirement Home—Washington, District of Columbia, and the*  
6 *Armed Forces Retirement Home—Gulfport, Mississippi, to*  
7 *be paid from funds available in the Armed Forces Retire-*  
8 *ment Home Trust Fund, \$64,300,000, of which \$1,000,000*  
9 *shall remain available until expended for construction and*  
10 *renovation of the physical plants at the Armed Forces Re-*  
11 *tirement Home—Washington, District of Columbia, and the*  
12 *Armed Forces Retirement Home—Gulfport, Mississippi:*  
13 *Provided, That of the amounts made available under this*  
14 *heading from funds available in the Armed Forces Retire-*  
15 *ment Home Trust Fund, \$22,000,000 shall be paid from*  
16 *the general fund of the Treasury to the Trust Fund.*

17                    *ADMINISTRATIVE PROVISIONS*

18            *SEC. 301. Funds appropriated in this Act under the*  
19 *heading “Department of Defense—Civil, Cemeterial Ex-*  
20 *penses, Army”, may be provided to Arlington County, Vir-*  
21 *ginia, for the relocation of the federally owned water main*  
22 *at Arlington National Cemetery, making additional land*  
23 *available for ground burials.*

24            *SEC. 302. Amounts deposited into the special account*  
25 *established under 10 U.S.C. 4727 are appropriated and*

1 *shall be available until expended to support activities at*  
2 *the Army National Military Cemeteries.*

3 *TITLE IV*

4 *OVERSEAS CONTINGENCY OPERATIONS*

5 *DEPARTMENT OF DEFENSE*

6 *MILITARY CONSTRUCTION, ARMY*

7 *For an additional amount for “Military Construction,*  
8 *Army”, \$146,100,000, to remain available until September*  
9 *30, 2022, for projects outside of the United States: Provided,*  
10 *That such amount is designated by the Congress for Over-*  
11 *seas Contingency Operations/Global War on Terrorism pur-*  
12 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
13 *and Emergency Deficit Control Act of 1985.*

14 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

15 *For an additional amount for “Military Construction,*  
16 *Navy and Marine Corps”, \$33,248,000, to remain available*  
17 *until September 30, 2022, for projects outside of the United*  
18 *States: Provided, That such amount is designated by the*  
19 *Congress for Overseas Contingency Operations/Global War*  
20 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
21 *Balanced Budget and Emergency Deficit Control Act of*  
22 *1985.*

23 *MILITARY CONSTRUCTION, AIR FORCE*

24 *For an additional amount for “Military Construction,*  
25 *Air Force” \$546,352,000, to remain available until Sep-*

1 *tember 30, 2022, for projects outside of the United States:*  
2  *Provided, That such amount is designated by the Congress*  
3  *for Overseas Contingency Operations/Global War on Ter-*  
4 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
5  *Budget and Emergency Deficit Control Act of 1985.*

6  *MILITARY CONSTRUCTION, DEFENSE-WIDE*

7  *For an additional amount for “Military Construction,*  
8  *Defense-Wide”, \$24,300,000, to remain available until Sep-*  
9 *tember 30, 2022, for projects outside of the United States:*  
10  *Provided, That such amount is designated by the Congress*  
11  *for Overseas Contingency Operations/Global War on Ter-*  
12 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
13  *Budget and Emergency Deficit Control Act of 1985.*

14  *ADMINISTRATIVE PROVISIONS*

15  *SEC. 401. Each amount designated in this Act by the*  
16  *Congress for Overseas Contingency Operations/Global War*  
17  *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
18  *Balanced Budget and Emergency Deficit Control Act of*  
19  *1985 shall be available only if the President subsequently*  
20  *so designates all such amounts and transmits such designa-*  
21 *tions to the Congress.*

22  *SEC. 402. Notwithstanding any other provision of law,*  
23  *the Secretary of Defense is directed to provide the congres-*  
24 *sional defense committees a future years defense program*  
25  *for funds appropriated to the Department of Defense for*

1 *construction projects related to European Reassurance Ini-*  
2 *tiative and European Deterrence Initiative beginning in*  
3 *fiscal year 2018 and each subsequent fiscal year that fund-*  
4 *ing is requested for either initiative. Further, the Secretary*  
5 *of Defense is directed to submit the future years defense pro-*  
6 *gram with each fiscal year budget submission.*

7 *TITLE V*

8 *GENERAL PROVISIONS*

9 *SEC. 501. No part of any appropriation contained in*  
10 *this Act shall remain available for obligation beyond the*  
11 *current fiscal year unless expressly so provided herein.*

12 *SEC. 502. None of the funds made available in this*  
13 *Act may be used for any program, project, or activity, when*  
14 *it is made known to the Federal entity or official to which*  
15 *the funds are made available that the program, project, or*  
16 *activity is not in compliance with any Federal law relating*  
17 *to risk assessment, the protection of private property rights,*  
18 *or unfunded mandates.*

19 *SEC. 503. All departments and agencies funded under*  
20 *this Act are encouraged, within the limits of the existing*  
21 *statutory authorities and funding, to expand their use of*  
22 *“E-Commerce” technologies and procedures in the conduct*  
23 *of their business practices and public service activities.*

24 *SEC. 504. Unless stated otherwise, all reports and noti-*  
25 *fications required by this Act shall be submitted to the Sub-*



1 *committee on Military Construction and Veterans Affairs,*  
2 *and Related Agencies of the Committee on Appropriations*  
3 *of the House of Representatives and the Subcommittee on*  
4 *Military Construction and Veterans Affairs, and Related*  
5 *Agencies of the Committee on Appropriations of the Senate.*

6       *SEC. 505. None of the funds made available in this*  
7 *Act may be transferred to any department, agency, or in-*  
8 *strumentality of the United States Government except pur-*  
9 *suant to a transfer made by, or transfer authority provided*  
10 *in, this or any other appropriations Act.*

11       *SEC. 506. None of the funds made available in this*  
12 *Act may be used for a project or program named for an*  
13 *individual serving as a Member, Delegate, or Resident Com-*  
14 *missioner of the United States House of Representatives.*

15       *SEC. 507. (a) Any agency receiving funds made avail-*  
16 *able in this Act, shall, subject to subsections (b) and (c),*  
17 *post on the public Web site of that agency any report re-*  
18 *quired to be submitted by the Congress in this or any other*  
19 *Act, upon the determination by the head of the agency that*  
20 *it shall serve the national interest.*

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

22               *(1) the public posting of the report compromises*  
23 *national security; or*

24               *(2) the report contains confidential or propri-*  
25 *etary information.*

1       (c) *The head of the agency posting such report shall*  
2 *do so only after such report has been made available to the*  
3 *requesting Committee or Committees of Congress for no less*  
4 *than 45 days.*

5       SEC. 508. *(a) None of the funds made available in this*  
6 *Act may be used to maintain or establish a computer net-*  
7 *work unless such network blocks the viewing, downloading,*  
8 *and exchanging of pornography.*

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

13       SEC. 509. *None of the funds made available in this*  
14 *Act may be used by an agency of the executive branch to*  
15 *pay for first-class travel by an employee of the agency in*  
16 *contravention of sections 301–10.122 through 301–10.124 of*  
17 *title 41, Code of Federal Regulations.*

18       SEC. 510. *None of the funds made available in this*  
19 *Act may be used to execute a contract for goods or services,*  
20 *including construction services, where the contractor has*  
21 *not complied with Executive Order No. 12989.*

22       SEC. 511. *None of the funds made available by this*  
23 *Act may be used by the Department of Defense or the De-*  
24 *partment of Veterans Affairs to lease or purchase new light*  
25 *duty vehicles for any executive fleet, or for an agency's fleet*

1 *inventory, except in accordance with Presidential Memo-*  
2 *randum—Federal Fleet Performance, dated May 24, 2011.*

3       *SEC. 512. (a) IN GENERAL.—None of the funds appro-*  
4 *priated or otherwise made available to the Department of*  
5 *Defense in this Act may be used to construct, renovate, or*  
6 *expand any facility in the United States, its territories, or*  
7 *possessions to house any individual detained at United*  
8 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*  
9 *poses of detention or imprisonment in the custody or under*  
10 *the control of the Department of Defense.*

11       *(b) The prohibition in subsection (a) shall not apply*  
12 *to any modification of facilities at United States Naval*  
13 *Station, Guantánamo Bay, Cuba.*

14       *(c) An individual described in this subsection is any*  
15 *individual who, as of June 24, 2009, is located at United*  
16 *States Naval Station, Guantánamo Bay, Cuba, and who—*

17               *(1) is not a citizen of the United States or a*  
18       *member of the Armed Forces of the United States; and*

19               *(2) is—*

20                       *(A) in the custody or under the effective*  
21               *control of the Department of Defense; or*

22                       *(B) otherwise under detention at United*  
23       *States Naval Station, Guantánamo Bay, Cuba.*

1        *This division may be cited as the “Military Construc-*  
 2 *tion, Veterans Affairs, and Related Agencies Appropria-*  
 3 *tions Act, 2018”.*

4    ***DIVISION K—DEPARTMENT OF STATE,***  
 5        ***FOREIGN OPERATIONS, AND RELATED***  
 6        ***PROGRAMS APPROPRIATIONS ACT,***  
 7        ***2018***

8                    ***TITLE I***

9    ***DEPARTMENT OF STATE AND RELATED AGENCY***

10                   ***DEPARTMENT OF STATE***

11                        ***ADMINISTRATION OF FOREIGN AFFAIRS***

12                           ***DIPLOMATIC AND CONSULAR PROGRAMS***

13        *For necessary expenses of the Department of State and*  
 14 *the Foreign Service not otherwise provided for,*  
 15 *\$5,744,440,000, of which up to \$654,553,000 may remain*  
 16 *available until September 30, 2019, and of which up to*  
 17 *\$1,380,752,000 may remain available until expended for*  
 18 *Worldwide Security Protection: Provided, That funds made*  
 19 *available under this heading shall be allocated in accord-*  
 20 *ance with paragraphs (1) through (4) as follows:*

21                    (1) *HUMAN RESOURCES.—For necessary ex-*  
 22        *penses for training, human resources management,*  
 23        *and salaries, including employment without regard to*  
 24        *civil service and classification laws of persons on a*  
 25        *temporary basis (not to exceed \$700,000), as author-*

1        *ized by section 801 of the United States Information*  
2        *and Educational Exchange Act of 1948,*  
3        *\$2,770,673,000, of which up to \$476,879,000 is for*  
4        *Worldwide Security Protection.*

5            (2) *OVERSEAS PROGRAMS.—For necessary ex-*  
6        *penses for the regional bureaus of the Department of*  
7        *State and overseas activities as authorized by law,*  
8        *\$1,253,799,000.*

9            (3) *DIPLOMATIC POLICY AND SUPPORT.—For*  
10        *necessary expenses for the functional bureaus of the*  
11        *Department of State, including representation to cer-*  
12        *tain international organizations in which the United*  
13        *States participates pursuant to treaties ratified pur-*  
14        *suant to the advice and consent of the Senate or spe-*  
15        *cific Acts of Congress, general administration, and*  
16        *arms control, nonproliferation and disarmament ac-*  
17        *tivities as authorized, \$794,561,000.*

18            (4) *SECURITY PROGRAMS.—For necessary ex-*  
19        *penses for security activities, \$925,407,000, of which*  
20        *up to \$903,873,000 is for Worldwide Security Protec-*  
21        *tion.*

22            (5) *FEEES AND PAYMENTS COLLECTED.—In addi-*  
23        *tion to amounts otherwise made available under this*  
24        *heading—*

1           (A) as authorized by section 810 of the  
2           United States Information and Educational Ex-  
3           change Act, not to exceed \$5,000,000, to remain  
4           available until expended, may be credited to this  
5           appropriation from fees or other payments re-  
6           ceived from English teaching, library, motion  
7           pictures, and publication programs and from  
8           fees from educational advising and counseling  
9           and exchange visitor programs; and

10           (B) not to exceed \$15,000, which shall be  
11           derived from reimbursements, surcharges, and  
12           fees for use of Blair House facilities.

13           (6) *TRANSFER OF FUNDS, REPROGRAMMING, AND*  
14           *OTHER MATTERS.*—

15           (A) Notwithstanding any other provision of  
16           this Act, funds may be reprogrammed within  
17           and between paragraphs (1) through (4) under  
18           this heading subject to section 7015 of this Act.

19           (B) Of the amount made available under  
20           this heading, not to exceed \$10,000,000 may be  
21           transferred to, and merged with, funds made  
22           available by this Act under the heading “Emer-  
23           gencies in the Diplomatic and Consular Serv-  
24           ice”, to be available only for emergency evacu-  
25           ations and rewards, as authorized.

1           (C) Funds appropriated under this heading  
2           are available for acquisition by exchange or pur-  
3           chase of passenger motor vehicles as authorized  
4           by law and, pursuant to section 1108(g) of title  
5           31, United States Code, for the field examination  
6           of programs and activities in the United States  
7           funded from any account contained in this title.

8           (D) Funds appropriated under this heading  
9           that are designated for Worldwide Security Pro-  
10          tection shall continue to be made available for  
11          support of security-related training at sites in  
12          existence prior to the enactment of this Act.

13                            CAPITAL INVESTMENT FUND

14          For necessary expenses of the Capital Investment  
15          Fund, as authorized, \$103,400,000, to remain available  
16          until expended.

17                            OFFICE OF INSPECTOR GENERAL

18          For necessary expenses of the Office of Inspector Gen-  
19          eral, \$77,629,000, notwithstanding section 209(a)(1) of the  
20          Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it  
21          relates to post inspections: Provided, That of the funds ap-  
22          propriated under this heading, \$11,644,000 may remain  
23          available until September 30, 2019.

1        *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

2        *For expenses of educational and cultural exchange pro-*  
3 *grams, as authorized, \$646,143,000, to remain available*  
4 *until expended, of which not less than \$240,000,000 shall*  
5 *be for the Fulbright Program and not less than*  
6 *\$111,360,000 shall be for Citizen Exchange Program, in-*  
7 *cluding \$4,125,000 for the Congress-Bundestag Youth Ex-*  
8 *change: Provided, That fees or other payments received*  
9 *from, or in connection with, English teaching, educational*  
10 *advising and counseling programs, and exchange visitor*  
11 *programs as authorized may be credited to this account,*  
12 *to remain available until expended: Provided further, That*  
13 *a portion of the Fulbright awards from the Eurasia and*  
14 *Central Asia regions shall be designated as Edmund S.*  
15 *Muskie Fellowships, following consultation with the Com-*  
16 *mittees on Appropriations: Provided further, That any sub-*  
17 *stantive modifications from the prior fiscal year to pro-*  
18 *grams funded by this Act under this heading shall be subject*  
19 *to prior consultation with, and the regular notification pro-*  
20 *cedures of, the Committees on Appropriations.*

21                        *REPRESENTATION EXPENSES*

22        *For representation expenses as authorized, \$8,030,000.*

23        *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

24        *For expenses, not otherwise provided, to enable the Sec-*  
25 *retary of State to provide for extraordinary protective serv-*



1 *ices, as authorized, \$30,890,000, to remain available until*  
2 *September 30, 2019.*

3 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

4 *For necessary expenses for carrying out the Foreign*  
5 *Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), pre-*  
6 *serving, maintaining, repairing, and planning for build-*  
7 *ings that are owned or directly leased by the Department*  
8 *of State, renovating, in addition to funds otherwise avail-*  
9 *able, the Harry S Truman Building, and carrying out the*  
10 *Diplomatic Security Construction Program as authorized,*  
11 *\$765,459,000, to remain available until expended, of which*  
12 *not to exceed \$25,000 may be used for domestic and overseas*  
13 *representation expenses as authorized: Provided, That none*  
14 *of the funds appropriated in this paragraph shall be avail-*  
15 *able for acquisition of furniture, furnishings, or generators*  
16 *for other departments and agencies of the United States*  
17 *Government.*

18 *In addition, for the costs of worldwide security up-*  
19 *grades, acquisition, and construction as authorized,*  
20 *\$1,477,237,000, to remain available until expended: Pro-*  
21 *vided, That not later than 45 days after enactment of this*  
22 *Act, the Secretary of State shall submit to the Committees*  
23 *on Appropriations the proposed allocation of funds made*  
24 *available under this heading and the actual and antici-*  
25 *pated proceeds of sales for all projects in fiscal year 2018.*

1        *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*  
2    *SERVICE*

3        *For necessary expenses to enable the Secretary of State*  
4 *to meet unforeseen emergencies arising in the Diplomatic*  
5 *and Consular Service, as authorized, \$7,885,000, to remain*  
6 *available until expended, of which not to exceed \$1,000,000*  
7 *may be transferred to, and merged with, funds appro-*  
8 *priated by this Act under the heading "Repatriation Loans*  
9 *Program Account", subject to the same terms and condi-*  
10 *tions.*

11                                    *REPATRIATION LOANS PROGRAM ACCOUNT*

12        *For the cost of direct loans, \$1,300,000, as authorized:*  
13 *Provided, That such costs, including the cost of modifying*  
14 *such loans, shall be as defined in section 502 of the Congres-*  
15 *sional Budget Act of 1974: Provided further, That such*  
16 *funds are available to subsidize gross obligations for the*  
17 *principal amount of direct loans not to exceed \$2,440,856.*

18                                    *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

19        *For necessary expenses to carry out the Taiwan Rela-*  
20 *tions Act (Public Law 96-8), \$31,963,000.*

21                                    *INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF*

22    *COLUMBIA*

23        *Not to exceed \$1,806,600 shall be derived from fees col-*  
24 *lected from other executive agencies for lease or use of facili-*  
25 *ties at the International Center in accordance with section*

1 *4 of the International Center Act (Public Law 90–553),*  
2 *and, in addition, as authorized by section 5 of such Act,*  
3 *\$743,000, to be derived from the reserve authorized by such*  
4 *section, to be used for the purposes set out in that section.*

5 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
6 *DISABILITY FUND*

7 *For payment to the Foreign Service Retirement and*  
8 *Disability Fund, as authorized, \$158,900,000.*

9 *INTERNATIONAL ORGANIZATIONS*

10 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

11 *For necessary expenses, not otherwise provided for, to*  
12 *meet annual obligations of membership in international*  
13 *multilateral organizations, pursuant to treaties ratified*  
14 *pursuant to the advice and consent of the Senate, conven-*  
15 *tions, or specific Acts of Congress, \$1,371,168,000: Pro-*  
16 *vided, That the Secretary of State shall, at the time of the*  
17 *submission of the President’s budget to Congress under sec-*  
18 *tion 1105(a) of title 31, United States Code, transmit to*  
19 *the Committees on Appropriations the most recent biennial*  
20 *budget prepared by the United Nations for the operations*  
21 *of the United Nations: Provided further, That the Secretary*  
22 *of State shall notify the Committees on Appropriations at*  
23 *least 15 days in advance (or in an emergency, as far in*  
24 *advance as is practicable) of any United Nations action*  
25 *to increase funding for any United Nations program with-*

1 out identifying an offsetting decrease elsewhere in the  
2 United Nations budget: Provided further, That not later  
3 than June 1, 2018, and 30 days after the end of fiscal year  
4 2018, the Secretary of State shall report to the Committees  
5 on Appropriations any credits attributable to the United  
6 States, including from the United Nations Tax Equali-  
7 zation Fund, and provide updated fiscal year 2018 and fis-  
8 cal year 2019 assessment costs including offsets from avail-  
9 able credits and updated foreign currency exchange rates:  
10 Provided further, That any such credits shall only be avail-  
11 able for United States assessed contributions to the United  
12 Nations regular budget, and the Committees on Appropria-  
13 tions shall be notified when such credits are applied to any  
14 assessed contribution, including any payment of arrearages:  
15 Provided further, That any notification regarding funds  
16 appropriated or otherwise made available under this head-  
17 ing in this Act or prior Acts making appropriations for  
18 the Department of State, foreign operations, and related  
19 programs submitted pursuant to section 7015 of this Act,  
20 section 34 of the State Department Basic Authorities Act  
21 of 1956 (22 U.S.C. 2706), or any operating plan submitted  
22 pursuant to section 7076 of this Act, shall include an esti-  
23 mate of all known credits currently attributable to the  
24 United States and provide updated assessment costs includ-  
25 ing offsets from available credits and updated foreign cur-

1 *rency exchange rates: Provided further, That any payment*  
2 *of arrearages under this heading shall be directed to activi-*  
3 *ties that are mutually agreed upon by the United States*  
4 *and the respective international organization and shall be*  
5 *subject to the regular notification procedures of the Commit-*  
6 *tees on Appropriations: Provided further, That none of the*  
7 *funds appropriated under this heading shall be available*  
8 *for a United States contribution to an international organi-*  
9 *zation for the United States share of interest costs made*  
10 *known to the United States Government by such organiza-*  
11 *tion for loans incurred on or after October 1, 1984, through*  
12 *external borrowings.*

13 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

14 *ACTIVITIES*

15 *For necessary expenses to pay assessed and other ex-*  
16 *penses of international peacekeeping activities directed to*  
17 *the maintenance or restoration of international peace and*  
18 *security, \$414,624,000, of which 15 percent shall remain*  
19 *available until September 30, 2019: Provided, That none*  
20 *of the funds made available by this Act shall be obligated*  
21 *or expended for any new or expanded United Nations peace-*  
22 *keeping mission unless, at least 15 days in advance of vot-*  
23 *ing for such mission in the United Nations Security Coun-*  
24 *cil (or in an emergency as far in advance as is practicable),*  
25 *the Committees on Appropriations are notified of: (1) the*

1 *estimated cost and duration of the mission, the objectives*  
2 *of the mission, the national interest that will be served, and*  
3 *the exit strategy; and (2) the sources of funds, including*  
4 *any reprogrammings or transfers, that will be used to pay*  
5 *the cost of the new or expanded mission, and the estimated*  
6 *cost in future fiscal years: Provided further, That none of*  
7 *the funds appropriated under this heading may be made*  
8 *available for obligation unless the Secretary of State cer-*  
9 *tifies and reports to the Committees on Appropriations on*  
10 *a peacekeeping mission-by-mission basis that the United*  
11 *Nations is implementing effective policies and procedures*  
12 *to prevent United Nations employees, contractor personnel,*  
13 *and peacekeeping troops serving in such mission from traf-*  
14 *ficking in persons, exploiting victims of trafficking, or com-*  
15 *mitting acts of sexual exploitation and abuse or other viola-*  
16 *tions of human rights, and to bring to justice individuals*  
17 *who engage in such acts while participating in such mis-*  
18 *sion, including prosecution in their home countries and*  
19 *making information about such prosecutions publicly avail-*  
20 *able on the Web site of the United Nations: Provided further,*  
21 *That the Secretary of State shall work with the United Na-*  
22 *tions and foreign governments contributing peacekeeping*  
23 *troops to implement effective vetting procedures to ensure*  
24 *that such troops have not violated human rights: Provided*  
25 *further, That funds shall be available for peacekeeping ex-*

1 *penses unless the Secretary of State determines that United*  
2 *States manufacturers and suppliers are not being given op-*  
3 *portunities to provide equipment, services, and material for*  
4 *United Nations peacekeeping activities equal to those being*  
5 *given to foreign manufacturers and suppliers: Provided fur-*  
6 *ther, That none of the funds appropriated or otherwise*  
7 *made available under this heading may be used for any*  
8 *United Nations peacekeeping mission that will involve*  
9 *United States Armed Forces under the command or oper-*  
10 *ational control of a foreign national, unless the President's*  
11 *military advisors have submitted to the President a rec-*  
12 *ommendation that such involvement is in the national in-*  
13 *terest of the United States and the President has submitted*  
14 *to Congress such a recommendation: Provided further, That*  
15 *not later than June 1, 2018, and 30 days after the end of*  
16 *fiscal year 2018, the Secretary of State shall report to the*  
17 *Committees on Appropriations any credits attributable to*  
18 *the United States, including those resulting from United*  
19 *Nations peacekeeping missions or the United Nations Tax*  
20 *Equalization Fund, and provide updated fiscal year 2018*  
21 *and fiscal year 2019 assessment costs including offsets from*  
22 *available credits: Provided further, That any such credits*  
23 *shall only be available for United States assessed contribu-*  
24 *tions to United Nations peacekeeping missions, and the*  
25 *Committees on Appropriations shall be notified when such*

1 *credits are applied to any assessed contribution, including*  
2 *any payment of arrearages: Provided further, That any no-*  
3 *tification regarding funds appropriated or otherwise made*  
4 *available under this heading in this Act or prior Acts mak-*  
5 *ing appropriations for the Department of State, foreign op-*  
6 *erations, and related programs submitted pursuant to sec-*  
7 *tion 7015 of this Act, section 34 of the State Department*  
8 *Basic Authorities Act of 1956 (22 U.S.C. 2706), or any op-*  
9 *erating plan submitted pursuant to section 7076 of this Act,*  
10 *shall include an estimate of all known credits currently at-*  
11 *tributable to the United States and provide updated assess-*  
12 *ment costs, including offsets from available credits: Pro-*  
13 *vided further, That any payment of arrearages with funds*  
14 *appropriated by this Act shall be subject to the regular noti-*  
15 *fication procedures of the Committees on Appropriations:*  
16 *Provided further, That the Secretary of State shall work*  
17 *with the United Nations and members of the United Na-*  
18 *tions Security Council to evaluate and prioritize peace-*  
19 *keeping missions, and to consider a draw down when mis-*  
20 *sion goals have been substantially achieved.*

21 *INTERNATIONAL COMMISSIONS*

22 *For necessary expenses, not otherwise provided for, to*  
23 *meet obligations of the United States arising under treaties,*  
24 *or specific Acts of Congress, as follows:*



1     *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

2                     *UNITED STATES AND MEXICO*

3         *For necessary expenses for the United States Section*  
4 *of the International Boundary and Water Commission,*  
5 *United States and Mexico, and to comply with laws appli-*  
6 *cable to the United States Section, including not to exceed*  
7 *\$6,000 for representation expenses; as follows:*

8                     *SALARIES AND EXPENSES*

9         *For salaries and expenses, not otherwise provided for,*  
10 *\$48,134,000.*

11                    *CONSTRUCTION*

12         *For detailed plan preparation and construction of au-*  
13 *thorized projects, \$29,400,000, to remain available until ex-*  
14 *pended, as authorized.*

15                    *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

16         *For necessary expenses, not otherwise provided, for the*  
17 *International Joint Commission and the International*  
18 *Boundary Commission, United States and Canada, as au-*  
19 *thorized by treaties between the United States and Canada*  
20 *or Great Britain, and the Border Environment Cooperation*  
21 *Commission as authorized by the North American Free*  
22 *Trade Agreement Implementation Act (Public Law 103-*  
23 *182), \$13,258,000: Provided, That of the amount provided*  
24 *under this heading for the International Joint Commission,*  
25 *up to \$500,000 may remain available until September 30,*

1 2019, and \$9,000 may be made available for representation  
2 expenses.

3 *INTERNATIONAL FISHERIES COMMISSIONS*

4 *For necessary expenses for international fisheries com-*  
5 *missions, not otherwise provided for, as authorized by law,*  
6 *\$46,356,000: Provided, That the United States share of such*  
7 *expenses may be advanced to the respective commissions*  
8 *pursuant to section 3324 of title 31, United States Code.*

9 *RELATED AGENCY*

10 *BROADCASTING BOARD OF GOVERNORS*

11 *INTERNATIONAL BROADCASTING OPERATIONS*

12 *For necessary expenses to enable the Broadcasting*  
13 *Board of Governors (BBG), as authorized, to carry out*  
14 *international communication activities, and to make and*  
15 *supervise grants for radio, Internet, and television broad-*  
16 *casting to the Middle East, \$797,986,000: Provided, That*  
17 *in addition to amounts otherwise available for such pur-*  
18 *poses, up to \$34,508,000 of the amount appropriated under*  
19 *this heading may remain available until expended for sat-*  
20 *ellite transmissions and Internet freedom programs, of*  
21 *which not less than \$13,800,000 shall be for Internet free-*  
22 *dom programs: Provided further, That of the total amount*  
23 *appropriated under this heading, not to exceed \$35,000*  
24 *may be used for representation expenses, of which \$10,000*  
25 *may be used for such expenses within the United States as*

1 *authorized, and not to exceed \$30,000 may be used for rep-*  
2 *resentation expenses of Radio Free Europe/Radio Liberty:*  
3 *Provided further, That the BBG shall notify the Committees*  
4 *on Appropriations within 15 days of any determination by*  
5 *the BBG that any of its broadcast entities, including its*  
6 *grantee organizations, provides an open platform for inter-*  
7 *national terrorists or those who support international ter-*  
8 *rorism, or is in violation of the principles and standards*  
9 *set forth in subsections (a) and (b) of section 303 of the*  
10 *United States International Broadcasting Act of 1994 (22*  
11 *U.S.C. 6202) or the entity's journalistic code of ethics: Pro-*  
12 *vided further, That significant modifications to BBG*  
13 *broadcast hours previously justified to Congress, including*  
14 *changes to transmission platforms (shortwave, medium*  
15 *wave, satellite, Internet, and television), for all BBG lan-*  
16 *guage services shall be subject to the regular notification*  
17 *procedures of the Committees on Appropriations: Provided*  
18 *further, That in addition to funds made available under*  
19 *this heading, and notwithstanding any other provision of*  
20 *law, up to \$5,000,000 in receipts from advertising and rev-*  
21 *enue from business ventures, up to \$500,000 in receipts*  
22 *from cooperating international organizations, and up to*  
23 *\$1,000,000 in receipts from privatization efforts of the Voice*  
24 *of America and the International Broadcasting Bureau,*

1 *shall remain available until expended for carrying out au-*  
2 *thorized purposes.*

3 *BROADCASTING CAPITAL IMPROVEMENTS*

4 *For the purchase, rent, construction, repair, preserva-*  
5 *tion, and improvement of facilities for radio, television, and*  
6 *digital transmission and reception; the purchase, rent, and*  
7 *installation of necessary equipment for radio, television,*  
8 *and digital transmission and reception, including to Cuba,*  
9 *as authorized; and physical security worldwide, in addition*  
10 *to amounts otherwise available for such purposes,*  
11 *\$9,700,000, to remain available until expended, as author-*  
12 *ized.*

13 *RELATED PROGRAMS*

14 *THE ASIA FOUNDATION*

15 *For a grant to The Asia Foundation, as authorized*  
16 *by The Asia Foundation Act (22 U.S.C. 4402), \$17,000,000,*  
17 *to remain available until expended.*

18 *UNITED STATES INSTITUTE OF PEACE*

19 *For necessary expenses of the United States Institute*  
20 *of Peace, as authorized by the United States Institute of*  
21 *Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to remain*  
22 *available until September 30, 2019, which shall not be used*  
23 *for construction activities.*

1     *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE*  
2    *TRUST FUND*

3           *For necessary expenses of the Center for Middle East-*  
4 *ern-Western Dialogue Trust Fund, as authorized by section*  
5 *633 of the Departments of Commerce, Justice, and State,*  
6 *the Judiciary, and Related Agencies Appropriations Act,*  
7 *2004 (22 U.S.C. 2078), the total amount of the interest and*  
8 *earnings accruing to such Fund on or before September 30,*  
9 *2018, to remain available until expended.*

10     *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

11           *For necessary expenses of Eisenhower Exchange Fel-*  
12 *lowships, Incorporated, as authorized by sections 4 and 5*  
13 *of the Eisenhower Exchange Fellowship Act of 1990 (20*  
14 *U.S.C. 5204–5205), all interest and earnings accruing to*  
15 *the Eisenhower Exchange Fellowship Program Trust Fund*  
16 *on or before September 30, 2018, to remain available until*  
17 *expended: Provided, That none of the funds appropriated*  
18 *herein shall be used to pay any salary or other compensa-*  
19 *tion, or to enter into any contract providing for the pay-*  
20 *ment thereof, in excess of the rate authorized by section 5376*  
21 *of title 5, United States Code; or for purposes which are*  
22 *not in accordance with section 200 of title 2 of the Code*  
23 *of Federal Regulations, including the restrictions on com-*  
24 *pensation for personal services.*

1            *ISRAELI ARAB SCHOLARSHIP PROGRAM*

2            *For necessary expenses of the Israeli Arab Scholarship*  
3 *Program, as authorized by section 214 of the Foreign Rela-*  
4 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*  
5 *U.S.C. 2452 note), all interest and earnings accruing to the*  
6 *Israeli Arab Scholarship Fund on or before September 30,*  
7 *2018, to remain available until expended.*

8            *EAST-WEST CENTER*

9            *To enable the Secretary of State to provide for car-*  
10 *rying out the provisions of the Center for Cultural and*  
11 *Technical Interchange Between East and West Act of 1960,*  
12 *by grant to the Center for Cultural and Technical Inter-*  
13 *change Between East and West in the State of Hawaii,*  
14 *\$16,700,000.*

15            *NATIONAL ENDOWMENT FOR DEMOCRACY*

16            *For grants made by the Department of State to the*  
17 *National Endowment for Democracy, as authorized by the*  
18 *National Endowment for Democracy Act (22 U.S.C. 4412),*  
19 *\$170,000,000, to remain available until expended, of which*  
20 *\$117,500,000 shall be allocated in the traditional and cus-*  
21 *tomary manner, including for the core institutes, and*  
22 *\$52,500,000 shall be for democracy programs.*

1                                    *OTHER COMMISSIONS*  
2                    *COMMISSION FOR THE PRESERVATION OF AMERICA'S*  
3                                    *HERITAGE ABROAD*  
4                                    *SALARIES AND EXPENSES*

5            *For necessary expenses for the Commission for the*  
6 *Preservation of America's Heritage Abroad, \$675,000, as*  
7 *authorized by chapter 3123 of title 54, United States Code:*  
8 *Provided, That the Commission may procure temporary,*  
9 *intermittent, and other services notwithstanding paragraph*  
10 *(3) of section 312304(b) of such chapter: Provided further,*  
11 *That such authority shall terminate on October 1, 2018:*  
12 *Provided further, That the Commission shall notify the*  
13 *Committees on Appropriations prior to exercising such au-*  
14 *thority.*

15                                    *UNITED STATES COMMISSION ON INTERNATIONAL*  
16                                    *RELIGIOUS FREEDOM*  
17                                    *SALARIES AND EXPENSES*

18            *For necessary expenses for the United States Commis-*  
19 *sion on International Religious Freedom (USCIRF), as au-*  
20 *thorized by title II of the International Religious Freedom*  
21 *Act of 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain*  
22 *available until September 30, 2019, including not more*  
23 *than \$4,000 for representation expenses: Provided, That*  
24 *prior to the obligation of \$1,000,000 of the funds appro-*  
25 *priated under this heading, the Commission shall consult*

1 *with the appropriate congressional committees on the steps*  
2 *taken to implement the recommendations of the Inde-*  
3 *pendent Review of USCIRF Mission Effectiveness that was*  
4 *conducted pursuant to the United States Commission on*  
5 *International Religious Freedom Reauthorization Act of*  
6 *2015 (Public Law 114–71), and such funds shall be subject*  
7 *to the regular notification procedures of the Committees on*  
8 *Appropriations.*

9 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*  
10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Commission on Security*  
12 *and Cooperation in Europe, as authorized by Public Law*  
13 *94–304 (22 U.S.C. 3001 et seq.), \$2,579,000, including not*  
14 *more than \$4,000 for representation expenses, to remain*  
15 *available until September 30, 2019.*

16 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*  
17 *PEOPLE’S REPUBLIC OF CHINA*  
18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Congressional-Executive*  
20 *Commission on the People’s Republic of China, as author-*  
21 *ized by title III of the U.S.-China Relations Act of 2000*  
22 *(22 U.S.C. 6911 et seq.), \$2,000,000, including not more*  
23 *than \$3,000 for representation expenses, to remain avail-*  
24 *able until September 30, 2019.*



1 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*  
2 *COMMISSION*  
3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the United States-China*  
5 *Economic and Security Review Commission, as authorized*  
6 *by section 1238 of the Floyd D. Spence National Defense*  
7 *Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),*  
8 *\$3,500,000, including not more than \$4,000 for representa-*  
9 *tion expenses, to remain available until September 30,*  
10 *2019: Provided, That the authorities, requirements, limita-*  
11 *tions, and conditions contained in the second through sixth*  
12 *provisos under this heading in the Department of State,*  
13 *Foreign Operations, and Related Programs Appropriations*  
14 *Act, 2010 (division F of Public Law 111–117) shall con-*  
15 *tinue in effect during fiscal year 2018 and shall apply to*  
16 *funds appropriated under this heading as if included in*  
17 *this Act.*

18 *TITLE II*  
19 *UNITED STATES AGENCY FOR INTERNATIONAL*  
20 *DEVELOPMENT*

21 *FUNDS APPROPRIATED TO THE PRESIDENT*

22 *OPERATING EXPENSES*

23 *For necessary expenses to carry out the provisions of*  
24 *section 667 of the Foreign Assistance Act of 1961,*  
25 *\$1,189,609,000, of which up to \$178,441,000 may remain*

1 available until September 30, 2019: Provided, That none  
2 of the funds appropriated under this heading and under  
3 the heading “Capital Investment Fund” in this title may  
4 be made available to finance the construction (including ar-  
5 chitect and engineering services), purchase, or long-term  
6 lease of offices for use by the United States Agency for Inter-  
7 national Development, unless the USAID Administrator  
8 has identified such proposed use of funds in a report sub-  
9 mitted to the Committees on Appropriations at least 15  
10 days prior to the obligation of funds for such purposes: Pro-  
11 vided further, That contracts or agreements entered into  
12 with funds appropriated under this heading may entail  
13 commitments for the expenditure of such funds through the  
14 following fiscal year: Provided further, That the authority  
15 of sections 610 and 109 of the Foreign Assistance Act of  
16 1961 may be exercised by the Secretary of State to transfer  
17 funds appropriated to carry out chapter 1 of part I of such  
18 Act to “Operating Expenses” in accordance with the provi-  
19 sions of those sections: Provided further, That of the funds  
20 appropriated or made available under this heading, not to  
21 exceed \$250,000 may be available for representation and  
22 entertainment expenses, of which not to exceed \$5,000 may  
23 be available for entertainment expenses, and not to exceed  
24 \$100,500 shall be for official residence expenses, for USAID  
25 during the current fiscal year.

1                                    *CAPITAL INVESTMENT FUND*

2            *For necessary expenses for overseas construction and*  
3 *related costs, and for the procurement and enhancement of*  
4 *information technology and related capital investments,*  
5 *pursuant to section 667 of the Foreign Assistance Act of*  
6 *1961, \$197,100,000, to remain available until expended:*  
7 *Provided, That this amount is in addition to funds other-*  
8 *wise available for such purposes: Provided further, That*  
9 *funds appropriated under this heading shall be available*  
10 *subject to the regular notification procedures of the Commit-*  
11 *tees on Appropriations.*

12                                    *OFFICE OF INSPECTOR GENERAL*

13            *For necessary expenses to carry out the provisions of*  
14 *section 667 of the Foreign Assistance Act of 1961,*  
15 *\$72,800,000, of which up to \$10,920,000 may remain avail-*  
16 *able until September 30, 2019, for the Office of Inspector*  
17 *General of the United States Agency for International De-*  
18 *velopment.*

19                                    *TITLE III*20                                    *BILATERAL ECONOMIC ASSISTANCE*21                                    *FUNDS APPROPRIATED TO THE PRESIDENT*

22            *For necessary expenses to enable the President to carry*  
23 *out the provisions of the Foreign Assistance Act of 1961,*  
24 *and for other purposes, as follows:*

## 1 GLOBAL HEALTH PROGRAMS

2 *For necessary expenses to carry out the provisions of*  
3 *chapters 1 and 10 of part I of the Foreign Assistance Act*  
4 *of 1961, for global health activities, in addition to funds*  
5 *otherwise available for such purposes, \$3,020,000,000, to re-*  
6 *main available until September 30, 2019, and which shall*  
7 *be apportioned directly to the United States Agency for*  
8 *International Development: Provided, That this amount*  
9 *shall be made available for training, equipment, and tech-*  
10 *nical assistance to build the capacity of public health insti-*  
11 *tutions and organizations in developing countries, and for*  
12 *such activities as: (1) child survival and maternal health*  
13 *programs; (2) immunization and oral rehydration pro-*  
14 *grams; (3) other health, nutrition, water and sanitation*  
15 *programs which directly address the needs of mothers and*  
16 *children, and related education programs; (4) assistance for*  
17 *children displaced or orphaned by causes other than AIDS;*  
18 *(5) programs for the prevention, treatment, control of, and*  
19 *research on HIV/AIDS, tuberculosis, polio, malaria, and*  
20 *other infectious diseases including neglected tropical dis-*  
21 *eases, and for assistance to communities severely affected*  
22 *by HIV/AIDS, including children infected or affected by*  
23 *AIDS; (6) disaster preparedness training for health crises;*  
24 *(7) programs to prevent, prepare for, and respond to, unan-*  
25 *ticipated and emerging global health threats; and (8) family*

1 *planning/reproductive health: Provided further, That funds*  
2 *appropriated under this paragraph may be made available*  
3 *for a United States contribution to the GAVI Alliance: Pro-*  
4 *vided further, That none of the funds made available in this*  
5 *Act nor any unobligated balances from prior appropria-*  
6 *tions Acts may be made available to any organization or*  
7 *program which, as determined by the President of the*  
8 *United States, supports or participates in the management*  
9 *of a program of coercive abortion or involuntary steriliza-*  
10 *tion: Provided further, That any determination made under*  
11 *the previous proviso must be made not later than 6 months*  
12 *after the date of enactment of this Act, and must be accom-*  
13 *panied by the evidence and criteria utilized to make the*  
14 *determination: Provided further, That none of the funds*  
15 *made available under this Act may be used to pay for the*  
16 *performance of abortion as a method of family planning*  
17 *or to motivate or coerce any person to practice abortions:*  
18 *Provided further, That nothing in this paragraph shall be*  
19 *construed to alter any existing statutory prohibitions*  
20 *against abortion under section 104 of the Foreign Assist-*  
21 *ance Act of 1961: Provided further, That none of the funds*  
22 *made available under this Act may be used to lobby for*  
23 *or against abortion: Provided further, That in order to re-*  
24 *duce reliance on abortion in developing nations, funds shall*  
25 *be available only to voluntary family planning projects*

1 *which offer, either directly or through referral to, or infor-*  
2 *mation about access to, a broad range of family planning*  
3 *methods and services, and that any such voluntary family*  
4 *planning project shall meet the following requirements: (1)*  
5 *service providers or referral agents in the project shall not*  
6 *implement or be subject to quotas, or other numerical tar-*  
7 *gets, of total number of births, number of family planning*  
8 *acceptors, or acceptors of a particular method of family*  
9 *planning (this provision shall not be construed to include*  
10 *the use of quantitative estimates or indicators for budgeting*  
11 *and planning purposes); (2) the project shall not include*  
12 *payment of incentives, bribes, gratuities, or financial re-*  
13 *ward to: (A) an individual in exchange for becoming a fam-*  
14 *ily planning acceptor; or (B) program personnel for achiev-*  
15 *ing a numerical target or quota of total number of births,*  
16 *number of family planning acceptors, or acceptors of a par-*  
17 *ticular method of family planning; (3) the project shall not*  
18 *deny any right or benefit, including the right of access to*  
19 *participate in any program of general welfare or the right*  
20 *of access to health care, as a consequence of any individual's*  
21 *decision not to accept family planning services; (4) the*  
22 *project shall provide family planning acceptors comprehen-*  
23 *sible information on the health benefits and risks of the*  
24 *method chosen, including those conditions that might render*  
25 *the use of the method inadvisable and those adverse side*

1 *effects known to be consequent to the use of the method; and*  
2 *(5) the project shall ensure that experimental contraceptive*  
3 *drugs and devices and medical procedures are provided only*  
4 *in the context of a scientific study in which participants*  
5 *are advised of potential risks and benefits; and, not less*  
6 *than 60 days after the date on which the USAID Adminis-*  
7 *trator determines that there has been a violation of the re-*  
8 *quirements contained in paragraph (1), (2), (3), or (5) of*  
9 *this proviso, or a pattern or practice of violations of the*  
10 *requirements contained in paragraph (4) of this proviso,*  
11 *the Administrator shall submit to the Committees on Ap-*  
12 *propriations a report containing a description of such vio-*  
13 *lation and the corrective action taken by the Agency: Pro-*  
14 *vided further, That in awarding grants for natural family*  
15 *planning under section 104 of the Foreign Assistance Act*  
16 *of 1961 no applicant shall be discriminated against because*  
17 *of such applicant's religious or conscientious commitment*  
18 *to offer only natural family planning; and, additionally,*  
19 *all such applicants shall comply with the requirements of*  
20 *the previous proviso: Provided further, That for purposes*  
21 *of this or any other Act authorizing or appropriating funds*  
22 *for the Department of State, foreign operations, and related*  
23 *programs, the term "motivate", as it relates to family plan-*  
24 *ning assistance, shall not be construed to prohibit the provi-*  
25 *sion, consistent with local law, of information or counseling*

1 *about all pregnancy options: Provided further, That infor-*  
2 *mation provided about the use of condoms as part of*  
3 *projects or activities that are funded from amounts appro-*  
4 *priated by this Act shall be medically accurate and shall*  
5 *include the public health benefits and failure rates of such*  
6 *use.*

7 *In addition, for necessary expenses to carry out the*  
8 *provisions of the Foreign Assistance Act of 1961 for the pre-*  
9 *vention, treatment, and control of, and research on, HIV/*  
10 *AIDS, \$5,670,000,000, to remain available until September*  
11 *30, 2022, which shall be apportioned directly to the Depart-*  
12 *ment of State: Provided, That funds appropriated under*  
13 *this paragraph may be made available, notwithstanding*  
14 *any other provision of law, except for the United States*  
15 *Leadership Against HIV/AIDS, Tuberculosis, and Malaria*  
16 *Act of 2003 (Public Law 108–25), for a United States con-*  
17 *tribution to the Global Fund to Fight AIDS, Tuberculosis*  
18 *and Malaria (Global Fund), and shall be expended at the*  
19 *minimum rate necessary to make timely payment for*  
20 *projects and activities: Provided further, That the amount*  
21 *of such contribution should be \$1,350,000,000: Provided fur-*  
22 *ther, That clauses (i) and (vi) of section 202(d)(4)(A) of*  
23 *the United States Leadership Against HIV/AIDS, Tuber-*  
24 *culosis, and Malaria Act of 2003 (22 U.S.C. 7622) shall*  
25 *be applied with respect to such funds made available for*



1 *fiscal years 2015 through 2018 by substituting “2004” for*  
2 *“2009”: Provided further, That up to 5 percent of the aggre-*  
3 *gate amount of funds made available to the Global Fund*  
4 *in fiscal year 2018 may be made available to USAID for*  
5 *technical assistance related to the activities of the Global*  
6 *Fund, subject to the regular notification procedures of the*  
7 *Committees on Appropriations: Provided further, That of*  
8 *the funds appropriated under this paragraph, up to*  
9 *\$17,000,000 may be made available, in addition to amounts*  
10 *otherwise available for such purposes, for administrative ex-*  
11 *penses of the Office of the United States Global AIDS Coor-*  
12 *dinator.*

13 *DEVELOPMENT ASSISTANCE*

14 *For necessary expenses to carry out the provisions of*  
15 *sections 103, 105, 106, 214, and sections 251 through 255,*  
16 *and chapter 10 of part I of the Foreign Assistance Act of*  
17 *1961, \$3,000,000,000, to remain available until September*  
18 *30, 2019.*

19 *INTERNATIONAL DISASTER ASSISTANCE*

20 *For necessary expenses to carry out the provisions of*  
21 *section 491 of the Foreign Assistance Act of 1961 for inter-*  
22 *national disaster relief, rehabilitation, and reconstruction*  
23 *assistance, \$2,696,534,000, to remain available until ex-*  
24 *pendent.*

## TRANSITION INITIATIVES

1  
2       *For necessary expenses for international disaster reha-*  
3 *bilitation and reconstruction assistance administered by the*  
4 *Office of Transition Initiatives, United States Agency for*  
5 *International Development, pursuant to section 491 of the*  
6 *Foreign Assistance Act of 1961, \$30,000,000, to remain*  
7 *available until expended, to support transition to democ-*  
8 *racy and long-term development of countries in crisis: Pro-*  
9 *vided, That such support may include assistance to develop,*  
10 *strengthen, or preserve democratic institutions and proc-*  
11 *esses, revitalize basic infrastructure, and foster the peaceful*  
12 *resolution of conflict: Provided further, That the USAID*  
13 *Administrator shall submit a report to the Committees on*  
14 *Appropriations at least 5 days prior to beginning a new*  
15 *program of assistance: Provided further, That if the Sec-*  
16 *retary of State determines that it is important to the na-*  
17 *tional interest of the United States to provide transition*  
18 *assistance in excess of the amount appropriated under this*  
19 *heading, up to \$15,000,000 of the funds appropriated by*  
20 *this Act to carry out the provisions of part I of the Foreign*  
21 *Assistance Act of 1961 may be used for purposes of this*  
22 *heading and under the authorities applicable to funds ap-*  
23 *propriated under this heading: Provided further, That*  
24 *funds made available pursuant to the previous proviso shall*

1 *be made available subject to prior consultation with the*  
2 *Committees on Appropriations.*

3 *COMPLEX CRISES FUND*

4 *For necessary expenses to carry out the provisions of*  
5 *the Foreign Assistance Act of 1961 to support programs and*  
6 *activities to prevent or respond to emerging or unforeseen*  
7 *foreign challenges and complex crises overseas, \$10,000,000,*  
8 *to remain available until expended: Provided, That funds*  
9 *appropriated under this heading may be made available on*  
10 *such terms and conditions as are appropriate and necessary*  
11 *for the purposes of preventing or responding to such chal-*  
12 *lenges and crises, except that no funds shall be made avail-*  
13 *able for lethal assistance or to respond to natural disasters:*  
14 *Provided further, That funds appropriated under this head-*  
15 *ing may be made available notwithstanding any other pro-*  
16 *vision of law, except sections 7007, 7008, and 7018 of this*  
17 *Act and section 620M of the Foreign Assistance Act of 1961:*  
18 *Provided further, That funds appropriated under this head-*  
19 *ing may be used for administrative expenses, in addition*  
20 *to funds otherwise available for such purposes, except that*  
21 *such expenses may not exceed 5 percent of the funds appro-*  
22 *priated under this heading: Provided further, That funds*  
23 *appropriated under this heading shall be subject to the reg-*  
24 *ular notification procedures of the Committees on Appro-*

1 *priations, except that such notifications shall be trans-*  
2 *mitted at least 5 days prior to the obligation of funds.*

3 *DEVELOPMENT CREDIT AUTHORITY*

4 *For the cost of direct loans and loan guarantees pro-*  
5 *vided by the United States Agency for International Devel-*  
6 *opment, as authorized by sections 256 and 635 of the For-*  
7 *ign Assistance Act of 1961, up to \$55,000,000 may be de-*  
8 *rived by transfer from funds appropriated by this Act to*  
9 *carry out part I of such Act and under the heading “Assist-*  
10 *ance for Europe, Eurasia and Central Asia”: Provided,*  
11 *That funds provided under this paragraph and funds pro-*  
12 *vided as a gift that are used for purposes of this paragraph*  
13 *pursuant to section 635(d) of the Foreign Assistance Act*  
14 *of 1961 shall be made available only for micro- and small*  
15 *enterprise programs, urban programs, and other programs*  
16 *which further the purposes of part I of such Act: Provided*  
17 *further, That funds provided as a gift that are used for pur-*  
18 *poses of this paragraph shall be subject to prior consultation*  
19 *with, and the regular notification procedures of, the Com-*  
20 *mittees on Appropriations: Provided further, That such*  
21 *costs, including the cost of modifying such direct and guar-*  
22 *anteed loans, shall be as defined in section 502 of the Con-*  
23 *gressional Budget Act of 1974, as amended: Provided fur-*  
24 *ther, That funds made available by this paragraph may*  
25 *be used for the cost of modifying any such guaranteed loans*

1 *under this Act or prior Acts making appropriations for the*  
2 *Department of State, foreign operations, and related pro-*  
3 *grams, and funds used for such cost, including if the cost*  
4 *results in a negative subsidy, shall be subject to the regular*  
5 *notification procedures of the Committees on Appropria-*  
6 *tions: Provided further, That the provisions of section*  
7 *107A(d) (relating to general provisions applicable to the*  
8 *Development Credit Authority) of the Foreign Assistance*  
9 *Act of 1961, as contained in section 306 of H.R. 1486 as*  
10 *reported by the House Committee on International Rela-*  
11 *tions on May 9, 1997, shall be applicable to direct loans*  
12 *and loan guarantees provided under this heading, except*  
13 *that the principal amount of loans made or guaranteed*  
14 *under this heading with respect to any single country shall*  
15 *not exceed \$300,000,000: Provided further, That these funds*  
16 *are available to subsidize total loan principal, any portion*  
17 *of which is to be guaranteed, of up to \$1,750,000,000.*

18 *In addition, for administrative expenses to carry out*  
19 *credit programs administered by USAID, \$10,000,000,*  
20 *which may be transferred to, and merged with, funds made*  
21 *available under the heading “Operating Expenses” in title*  
22 *II of this Act: Provided, That funds made available under*  
23 *this heading shall remain available until September 30,*  
24 *2020.*

1 *ECONOMIC SUPPORT FUND*

2 *For necessary expenses to carry out the provisions of*  
3 *chapter 4 of part II of the Foreign Assistance Act of 1961,*  
4 *\$1,816,731,000, to remain available until September 30,*  
5 *2019.*

6 *DEMOCRACY FUND*

7 *For necessary expenses to carry out the provisions of*  
8 *the Foreign Assistance Act of 1961 for the promotion of de-*  
9 *mocracy globally, including to carry out the purposes of sec-*  
10 *tion 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C.*  
11 *4411), \$150,375,000, to remain available until September*  
12 *30, 2019, which shall be made available for the Human*  
13 *Rights and Democracy Fund of the Bureau of Democracy,*  
14 *Human Rights, and Labor, Department of State: Provided,*  
15 *That funds appropriated under this heading that are made*  
16 *available to the National Endowment for Democracy and*  
17 *its core institutes are in addition to amounts otherwise*  
18 *available by this Act for such purposes: Provided further,*  
19 *That the Assistant Secretary for Democracy, Human*  
20 *Rights, and Labor, Department of State, shall consult with*  
21 *the Committees on Appropriations prior to the obligation*  
22 *of funds appropriated under this paragraph.*

23 *For an additional amount for such purposes,*  
24 *\$65,125,000, to remain available until September 30, 2019,*  
25 *which shall be made available for the Bureau for Democ-*

1 *racy, Conflict, and Humanitarian Assistance, United*  
2 *States Agency for International Development.*

3 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

4 *For necessary expenses to carry out the provisions of*  
5 *the Foreign Assistance Act of 1961, the FREEDOM Sup-*  
6 *port Act (Public Law 102–511), and the Support for East-*  
7 *ern European Democracy (SEED) Act of 1989 (Public Law*  
8 *101–179), \$750,334,000, to remain available until Sep-*  
9 *tember 30, 2019, which shall be available, notwithstanding*  
10 *any other provision of law, except section 7070 of this Act,*  
11 *for assistance and related programs for countries identified*  
12 *in section 3 of Public Law 102–511 (22 U.S.C. 5801) and*  
13 *section 3(c) of Public Law 101–179 (22 U.S.C. 5402), in*  
14 *addition to funds otherwise available for such purposes:*  
15 *Provided, That funds appropriated by this Act under the*  
16 *headings “Global Health Programs”, “Economic Support*  
17 *Fund”, and “International Narcotics Control and Law En-*  
18 *forcement” that are made available for assistance for such*  
19 *countries shall be administered in accordance with the re-*  
20 *sponsibilities of the coordinator designated pursuant to sec-*  
21 *tion 102 of Public Law 102–511 and section 601 of Public*  
22 *Law 101–179: Provided further, That funds appropriated*  
23 *under this heading shall be considered to be economic assist-*  
24 *ance under the Foreign Assistance Act of 1961 for purposes*

1 *of making available the administrative authorities con-*  
2 *tained in that Act for the use of economic assistance.*

3 *DEPARTMENT OF STATE*

4 *MIGRATION AND REFUGEE ASSISTANCE*

5 *For necessary expenses not otherwise provided for, to*  
6 *enable the Secretary of State to carry out the provisions*  
7 *of section 2(a) and (b) of the Migration and Refugee Assist-*  
8 *ance Act of 1962, and other activities to meet refugee and*  
9 *migration needs; salaries and expenses of personnel and de-*  
10 *pendents as authorized by the Foreign Service Act of 1980;*  
11 *allowances as authorized by sections 5921 through 5925 of*  
12 *title 5, United States Code; purchase and hire of passenger*  
13 *motor vehicles; and services as authorized by section 3109*  
14 *of title 5, United States Code, \$927,802,000, to remain*  
15 *available until expended, of which not less than \$35,000,000*  
16 *shall be made available to respond to small-scale emergency*  
17 *humanitarian requirements, and \$7,500,000 shall be made*  
18 *available for refugees resettling in Israel.*

19 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

20 *ASSISTANCE FUND*

21 *For necessary expenses to carry out the provisions of*  
22 *section 2(c) of the Migration and Refugee Assistance Act*  
23 *of 1962, as amended (22 U.S.C. 2601(c)), \$1,000,000, to*  
24 *remain available until expended: Provided, That amounts*  
25 *in excess of the limitation contained in paragraph (2) of*



1 *such section shall be transferred to, and merged with, funds*  
2 *made available by this Act under the heading “Migration*  
3 *and Refugee Assistance”.*

4 *INDEPENDENT AGENCIES*

5 *PEACE CORPS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses to carry out the provisions of*  
8 *the Peace Corps Act (22 U.S.C. 2501 et seq.), including the*  
9 *purchase of not to exceed five passenger motor vehicles for*  
10 *administrative purposes for use outside of the United*  
11 *States, \$410,000,000, of which \$5,500,000 is for the Office*  
12 *of Inspector General, to remain available until September*  
13 *30, 2019: Provided, That the Director of the Peace Corps*  
14 *may transfer to the Foreign Currency Fluctuations Ac-*  
15 *count, as authorized by section 16 of the Peace Corps Act*  
16 *(22 U.S.C. 2515), an amount not to exceed \$5,000,000: Pro-*  
17 *vided further, That funds transferred pursuant to the pre-*  
18 *vious proviso may not be derived from amounts made avail-*  
19 *able for Peace Corps overseas operations: Provided further,*  
20 *That of the funds appropriated under this heading, not to*  
21 *exceed \$104,000 may be available for representation ex-*  
22 *penses, of which not to exceed \$4,000 may be made available*  
23 *for entertainment expenses: Provided further, That any de-*  
24 *cision to open, close, significantly reduce, or suspend a do-*  
25 *mestic or overseas office or country program shall be subject*

1 *to prior consultation with, and the regular notification pro-*  
2 *cedures of, the Committees on Appropriations, except that*  
3 *prior consultation and regular notification procedures may*  
4 *be waived when there is a substantial security risk to volun-*  
5 *teers or other Peace Corps personnel, pursuant to section*  
6 *7015(e) of this Act: Provided further, That none of the funds*  
7 *appropriated under this heading shall be used to pay for*  
8 *abortions: Provided further, That notwithstanding the pre-*  
9 *vious proviso, section 614 of division E of Public Law 113-*  
10 *76 shall apply to funds appropriated under this heading.*

11 *MILLENNIUM CHALLENGE CORPORATION*

12 *For necessary expenses to carry out the provisions of*  
13 *the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et*  
14 *seq.) (MCA), \$905,000,000, to remain available until ex-*  
15 *pended: Provided, That of the funds appropriated under*  
16 *this heading, up to \$105,000,000 may be available for ad-*  
17 *ministrative expenses of the Millennium Challenge Corpora-*  
18 *tion (MCC): Provided further, That up to 5 percent of the*  
19 *funds appropriated under this heading may be made avail-*  
20 *able to carry out the purposes of section 616 of the MCA*  
21 *for fiscal year 2018: Provided further, That section 605(e)*  
22 *of the MCA shall apply to funds appropriated under this*  
23 *heading: Provided further, That funds appropriated under*  
24 *this heading may be made available for a Millennium Chal-*  
25 *lenge Compact entered into pursuant to section 609 of the*

1 *MCA only if such Compact obligates, or contains a commit-*  
2 *ment to obligate subject to the availability of funds and the*  
3 *mutual agreement of the parties to the Compact to proceed,*  
4 *the entire amount of the United States Government funding*  
5 *anticipated for the duration of the Compact: Provided fur-*  
6 *ther, That the MCC Chief Executive Officer shall notify the*  
7 *Committees on Appropriations not later than 15 days prior*  
8 *to commencing negotiations for any country compact or*  
9 *threshold country program; signing any such compact or*  
10 *threshold program; or terminating or suspending any such*  
11 *compact or threshold program: Provided further, That funds*  
12 *appropriated under this heading by this Act and prior Acts*  
13 *making appropriations for the Department of State, foreign*  
14 *operations, and related programs that are available to im-*  
15 *plement section 609(g) of the MCA shall be subject to the*  
16 *regular notification procedures of the Committees on Appro-*  
17 *priations: Provided further, That no country should be eli-*  
18 *gible for a threshold program after such country has com-*  
19 *pleted a country compact: Provided further, That any funds*  
20 *that are deobligated from a Millennium Challenge Compact*  
21 *shall be subject to the regular notification procedures of the*  
22 *Committees on Appropriations prior to re-obligation: Pro-*  
23 *vided further, That notwithstanding section 606(a)(2) of the*  
24 *MCA, a country shall be a candidate country for purposes*  
25 *of eligibility for assistance for the fiscal year if the country*

1 *has a per capita income equal to or below the World Bank's*  
2 *lower middle income country threshold for the fiscal year*  
3 *and is among the 75 lowest per capita income countries*  
4 *as identified by the World Bank; and the country meets the*  
5 *requirements of section 606(a)(1)(B) of the MCA: Provided*  
6 *further, That notwithstanding section 606(b)(1) of the MCA,*  
7 *in addition to countries described in the preceding proviso,*  
8 *a country shall be a candidate country for purposes of eligi-*  
9 *bility for assistance for the fiscal year if the country has*  
10 *a per capita income equal to or below the World Bank's*  
11 *lower middle income country threshold for the fiscal year*  
12 *and is not among the 75 lowest per capita income countries*  
13 *as identified by the World Bank; and the country meets the*  
14 *requirements of section 606(a)(1)(B) of the MCA: Provided*  
15 *further, That any MCC candidate country under section*  
16 *606 of the MCA with a per capita income that changes in*  
17 *the fiscal year such that the country would be reclassified*  
18 *from a low income country to a lower middle income coun-*  
19 *try or from a lower middle income country to a low income*  
20 *country shall retain its candidacy status in its former in-*  
21 *come classification for the fiscal year and the 2 subsequent*  
22 *fiscal years: Provided further, That publication in the Fed-*  
23 *eral Register of a notice of availability of a copy of a Com-*  
24 *pact on the MCC Web site shall be deemed to satisfy the*  
25 *requirements of section 610(b)(2) of the MCA for such Com-*

1 *pact: Provided further, That none of the funds made avail-*  
2 *able by this Act or prior Acts making appropriations for*  
3 *the Department of State, foreign operations, and related*  
4 *programs shall be available for a threshold program in a*  
5 *country that is not currently a candidate country: Provided*  
6 *further, That of the funds appropriated under this heading,*  
7 *not to exceed \$100,000 may be available for representation*  
8 *and entertainment expenses, of which not to exceed \$5,000*  
9 *may be available for entertainment expenses.*

10 *INTER-AMERICAN FOUNDATION*

11 *For necessary expenses to carry out the functions of*  
12 *the Inter-American Foundation in accordance with the pro-*  
13 *visions of section 401 of the Foreign Assistance Act of 1969,*  
14 *\$22,500,000, to remain available until September 30, 2019:*  
15 *Provided, That of the funds appropriated under this head-*  
16 *ing, not to exceed \$2,000 may be available for representa-*  
17 *tion expenses.*

18 *UNITED STATES AFRICAN DEVELOPMENT FOUNDATION*

19 *For necessary expenses to carry out the African Devel-*  
20 *opment Foundation Act (title V of Public Law 96–533; 22*  
21 *U.S.C. 290h et seq.), \$30,000,000, to remain available until*  
22 *September 30, 2019, of which not to exceed \$2,000 may be*  
23 *available for representation expenses: Provided, That funds*  
24 *made available to grantees may be invested pending expend-*  
25 *iture for project purposes when authorized by the Board of*

1 *Directors of the United States African Development Foun-*  
2 *dation (USADF): Provided further, That interest earned*  
3 *shall be used only for the purposes for which the grant was*  
4 *made: Provided further, That notwithstanding section*  
5 *505(a)(2) of the African Development Foundation Act (22*  
6 *U.S.C. 290h-3(a)(2)), in exceptional circumstances the*  
7 *Board of Directors of the USADF may waive the \$250,000*  
8 *limitation contained in that section with respect to a*  
9 *project and a project may exceed the limitation by up to*  
10 *10 percent if the increase is due solely to foreign currency*  
11 *fluctuation: Provided further, That the USADF shall sub-*  
12 *mit a report to the appropriate congressional committees*  
13 *after each time such waiver authority is exercised: Provided*  
14 *further, That the USADF may make rent or lease payments*  
15 *in advance from appropriations available for such purpose*  
16 *for offices, buildings, grounds, and quarters in Africa as*  
17 *may be necessary to carry out its functions: Provided fur-*  
18 *ther, That the USADF may maintain bank accounts out-*  
19 *side the United States Treasury and retain any interest*  
20 *earned on such accounts, in furtherance of the purposes of*  
21 *the African Development Foundation Act: Provided further,*  
22 *That the USADF may not withdraw any appropriation*  
23 *from the Treasury prior to the need of spending such funds*  
24 *for program purposes.*

1                    *DEPARTMENT OF THE TREASURY*  
2                    *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*  
3                    *For necessary expenses to carry out the provisions of*  
4 *section 129 of the Foreign Assistance Act of 1961,*  
5 *\$30,000,000, to remain available until September 30, 2020:*  
6 *Provided, That amounts made available under this heading*  
7 *may be made available to contract for services as described*  
8 *in section 129(d)(3)(A) of the Foreign Assistance Act of*  
9 *1961, without regard to the location in which such services*  
10 *are performed.*

11                    *TITLE IV*  
12                    *INTERNATIONAL SECURITY ASSISTANCE*  
13                    *DEPARTMENT OF STATE*  
14                    *INTERNATIONAL NARCOTICS CONTROL AND LAW*  
15                    *ENFORCEMENT*  
16                    *For necessary expenses to carry out section 481 of the*  
17 *Foreign Assistance Act of 1961, \$950,845,000, to remain*  
18 *available until September 30, 2019: Provided, That the De-*  
19 *partment of State may use the authority of section 608 of*  
20 *the Foreign Assistance Act of 1961, without regard to its*  
21 *restrictions, to receive excess property from an agency of*  
22 *the United States Government for the purpose of providing*  
23 *such property to a foreign country or international organi-*  
24 *zation under chapter 8 of part I of such Act, subject to the*  
25 *regular notification procedures of the Committees on Appro-*

1 *priations: Provided further, That section 482(b) of the For-*  
2 *oreign Assistance Act of 1961 shall not apply to funds appro-*  
3 *priated under this heading, except that any funds made*  
4 *available notwithstanding such section shall be subject to*  
5 *the regular notification procedures of the Committees on*  
6 *Appropriations: Provided further, That funds appropriated*  
7 *under this heading shall be made available to support train-*  
8 *ing and technical assistance for foreign law enforcement,*  
9 *corrections, and other judicial authorities, utilizing re-*  
10 *gional partners: Provided further, That funds made avail-*  
11 *able under this heading that are transferred to another de-*  
12 *partment, agency, or instrumentality of the United States*  
13 *Government pursuant to section 632(b) of the Foreign As-*  
14 *sistance Act of 1961 valued in excess of \$5,000,000, and*  
15 *any agreement made pursuant to section 632(a) of such Act,*  
16 *shall be subject to the regular notification procedures of the*  
17 *Committees on Appropriations.*

18 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

19 *RELATED PROGRAMS*

20 *For necessary expenses for nonproliferation, anti-ter-*  
21 *rorism, demining and related programs and activities,*  
22 *\$655,467,000, to remain available until September 30,*  
23 *2019, to carry out the provisions of chapter 8 of part II*  
24 *of the Foreign Assistance Act of 1961 for anti-terrorism as-*  
25 *sistance, chapter 9 of part II of the Foreign Assistance Act*



1 of 1961, section 504 of the *FREEDOM Support Act*, section  
2 23 of the *Arms Export Control Act*, or the *Foreign Assist-*  
3 *ance Act of 1961* for demining activities, the clearance of  
4 unexploded ordnance, the destruction of small arms, and  
5 related activities, notwithstanding any other provision of  
6 law, including activities implemented through nongovern-  
7 mental and international organizations, and section 301 of  
8 the *Foreign Assistance Act of 1961* for a United States con-  
9 tribution to the *Comprehensive Nuclear Test Ban Treaty*  
10 *Preparatory Commission*, and for a voluntary contribution  
11 to the *International Atomic Energy Agency (IAEA)*: Pro-  
12 vided, That the Secretary of State shall inform the appro-  
13 priate congressional committees of information regarding  
14 any separate arrangements relating to the “Road-map for  
15 the Clarification of Past and Present Outstanding Issues  
16 Regarding Iran’s Nuclear Program” between the IAEA and  
17 the Islamic Republic of Iran, in classified form if necessary,  
18 if such information becomes known to the Department of  
19 State: Provided further, That funds made available under  
20 this heading for the *Nonproliferation and Disarmament*  
21 *Fund* shall be made available, notwithstanding any other  
22 provision of law and subject to prior consultation with, and  
23 the regular notification procedures of, the Committees on  
24 Appropriations, to promote bilateral and multilateral ac-  
25 tivities relating to nonproliferation, disarmament, and

1 *weapons destruction, and shall remain available until ex-*  
2 *pended: Provided further, That such funds may also be used*  
3 *for such countries other than the Independent States of the*  
4 *former Soviet Union and international organizations when*  
5 *it is in the national security interest of the United States*  
6 *to do so: Provided further, That funds appropriated under*  
7 *this heading may be made available for the IAEA unless*  
8 *the Secretary of State determines that Israel is being denied*  
9 *its right to participate in the activities of that Agency: Pro-*  
10 *vided further, That funds made available for conventional*  
11 *weapons destruction programs, including demining and re-*  
12 *lated activities, in addition to funds otherwise available for*  
13 *such purposes, may be used for administrative expenses re-*  
14 *lated to the operation and management of such programs*  
15 *and activities, subject to the regular notification procedures*  
16 *of the Committees on Appropriations.*

17 *PEACEKEEPING OPERATIONS*

18 *For necessary expenses to carry out the provisions of*  
19 *section 551 of the Foreign Assistance Act of 1961,*  
20 *\$212,712,000: Provided, That funds appropriated under*  
21 *this heading may be used, notwithstanding section 660 of*  
22 *such Act, to provide assistance to enhance the capacity of*  
23 *foreign civilian security forces, including gendarmes, to*  
24 *participate in peacekeeping operations: Provided further,*  
25 *That of the funds appropriated under this heading, not less*

1 *than \$31,000,000 shall be made available for a United*  
2 *States contribution to the Multinational Force and Observ-*  
3 *ers mission in the Sinai: Provided further, That none of*  
4 *the funds appropriated under this heading shall be obli-*  
5 *gated except as provided through the regular notification*  
6 *procedures of the Committees on Appropriations.*

7 *FUNDS APPROPRIATED TO THE PRESIDENT*

8 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

9 *For necessary expenses to carry out the provisions of*  
10 *section 541 of the Foreign Assistance Act of 1961,*  
11 *\$110,875,000, of which up to \$11,000,000 may remain*  
12 *available until September 30, 2019: Provided, That the ci-*  
13 *vilian personnel for whom military education and training*  
14 *may be provided under this heading may include civilians*  
15 *who are not members of a government whose participation*  
16 *would contribute to improved civil-military relations, civil-*  
17 *ian control of the military, or respect for human rights:*  
18 *Provided further, That of the funds appropriated under this*  
19 *heading, not to exceed \$55,000 may be available for enter-*  
20 *tainment expenses.*

21 *FOREIGN MILITARY FINANCING PROGRAM*

22 *For necessary expenses for grants to enable the Presi-*  
23 *dent to carry out the provisions of section 23 of the Arms*  
24 *Export Control Act, \$5,671,613,000: Provided, That to ex-*  
25 *pedite the provision of assistance to foreign countries and*

1 *international organizations, the Secretary of State, fol-*  
2 *lowing consultation with the Committees on Appropriations*  
3 *and subject to the regular notification procedures of such*  
4 *Committees, may use the funds appropriated under this*  
5 *heading to procure defense articles and services to enhance*  
6 *the capacity of foreign security forces: Provided further,*  
7 *That of the funds appropriated under this heading, not less*  
8 *than \$3,100,000,000 shall be available for grants only for*  
9 *Israel which shall be disbursed within 30 days of enactment*  
10 *of this Act: Provided further, That to the extent that the*  
11 *Government of Israel requests that funds be used for such*  
12 *purposes, grants made available for Israel under this head-*  
13 *ing shall, as agreed by the United States and Israel, be*  
14 *available for advanced weapons systems, of which not less*  
15 *than \$815,300,000 shall be available for the procurement*  
16 *in Israel of defense articles and defense services, including*  
17 *research and development: Provided further, That funds ap-*  
18 *propriated or otherwise made available under this heading*  
19 *shall be nonrepayable notwithstanding any requirement in*  
20 *section 23 of the Arms Export Control Act: Provided fur-*  
21 *ther, That funds made available under this heading shall*  
22 *be obligated upon apportionment in accordance with para-*  
23 *graph (5)(C) of section 1501(a) of title 31, United States*  
24 *Code.*

1        *None of the funds made available under this heading*  
2 *shall be available to finance the procurement of defense arti-*  
3 *cles, defense services, or design and construction services*  
4 *that are not sold by the United States Government under*  
5 *the Arms Export Control Act unless the foreign country pro-*  
6 *posing to make such procurement has first signed an agree-*  
7 *ment with the United States Government specifying the*  
8 *conditions under which such procurement may be financed*  
9 *with such funds: Provided, That all country and funding*  
10 *level increases in allocations shall be submitted through the*  
11 *regular notification procedures of section 7015 of this Act:*  
12 *Provided further, That funds made available under this*  
13 *heading may be used, notwithstanding any other provision*  
14 *of law, for demining, the clearance of unexploded ordnance,*  
15 *and related activities, and may include activities imple-*  
16 *mented through nongovernmental and international organi-*  
17 *zations: Provided further, That only those countries for*  
18 *which assistance was justified for the “Foreign Military*  
19 *Sales Financing Program” in the fiscal year 1989 congres-*  
20 *sional presentation for security assistance programs may*  
21 *utilize funds made available under this heading for procure-*  
22 *ment of defense articles, defense services, or design and con-*  
23 *struction services that are not sold by the United States*  
24 *Government under the Arms Export Control Act: Provided*  
25 *further, That funds appropriated under this heading shall*

1 *be expended at the minimum rate necessary to make timely*  
2 *payment for defense articles and services: Provided further,*  
3 *That not more than \$75,000,000 of the funds appropriated*  
4 *under this heading may be obligated for necessary expenses,*  
5 *including the purchase of passenger motor vehicles for re-*  
6 *placement only for use outside of the United States, for the*  
7 *general costs of administering military assistance and sales,*  
8 *except that this limitation may be exceeded only through*  
9 *the regular notification procedures of the Committees on*  
10 *Appropriations: Provided further, That of the funds made*  
11 *available under this heading for general costs of admin-*  
12 *istering military assistance and sales, not to exceed \$4,000*  
13 *may be available for entertainment expenses and not to ex-*  
14 *ceed \$130,000 may be available for representation expenses:*  
15 *Provided further, That not more than \$950,000,000 of funds*  
16 *realized pursuant to section 21(e)(1)(A) of the Arms Export*  
17 *Control Act may be obligated for expenses incurred by the*  
18 *Department of Defense during fiscal year 2018 pursuant*  
19 *to section 43(b) of the Arms Export Control Act, except that*  
20 *this limitation may be exceeded only through the regular*  
21 *notification procedures of the Committees on Appropria-*  
22 *tions.*

1

*TITLE V*

2

*MULTILATERAL ASSISTANCE*

3

*FUNDS APPROPRIATED TO THE PRESIDENT*

4

*INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

5

*For necessary expenses to carry out the provisions of*

6

*section 301 of the Foreign Assistance Act of 1961, and of*

7

*section 2 of the United Nations Environment Program Par-*

8

*ticipation Act of 1973 (Public Law 93–188; 87 Stat. 713),*

9

*\$339,000,000: Provided, That section 307(a) of the Foreign*

10

*Assistance Act of 1961 shall not apply to contributions to*

11

*the United Nations Democracy Fund.*

12

*INTERNATIONAL FINANCIAL INSTITUTIONS*

13

*GLOBAL ENVIRONMENT FACILITY*

14

*For payment to the International Bank for Recon-*

15

*struction and Development as trustee for the Global Envi-*

16

*ronment Facility by the Secretary of the Treasury,*

17

*\$139,575,000, to remain available until expended.*

18

*CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*

19

*ASSOCIATION*

20

*For payment to the International Development Asso-*

21

*ciation by the Secretary of the Treasury, \$1,097,010,000,*

22

*to remain available until expended.*

1        *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

2        *For payment to the Asian Development Bank's Asian*  
3 *Development Fund by the Secretary of the Treasury,*  
4 *\$47,395,000, to remain available until expended.*

5        *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

6        *For payment to the African Development Bank by the*  
7 *Secretary of the Treasury for the United States share of*  
8 *the paid-in portion of the increase in capital stock,*  
9 *\$32,418,000, to remain available until expended.*

10       *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

11       *The United States Governor of the African Develop-*  
12 *ment Bank may subscribe without fiscal year limitation to*  
13 *the callable capital portion of the United States share of*  
14 *such capital stock in an amount not to exceed \$507,860,808.*

15       *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

16       *For payment to the African Development Fund by the*  
17 *Secretary of the Treasury, \$171,300,000, to remain avail-*  
18 *able until expended.*

19       *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*20                    *AGRICULTURAL DEVELOPMENT*

21       *For payment to the International Fund for Agricul-*  
22 *tural Development by the Secretary of the Treasury,*  
23 *\$30,000,000, to remain available until expended.*



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*TITLE VI*

*EXPORT AND INVESTMENT ASSISTANCE*

*EXPORT-IMPORT BANK OF THE UNITED STATES*

*INSPECTOR GENERAL*

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$5,700,000, of which up to \$855,000 may remain available until September 30, 2019.*

*PROGRAM ACCOUNT*

*The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has deto-*

1 *nated a nuclear explosive after the date of the enactment*  
2 *of this Act.*

3 *ADMINISTRATIVE EXPENSES*

4 *For administrative expenses to carry out the direct*  
5 *and guaranteed loan and insurance programs, including*  
6 *hire of passenger motor vehicles and services as authorized*  
7 *by section 3109 of title 5, United States Code, and not to*  
8 *exceed \$30,000 for official reception and representation ex-*  
9 *penses for members of the Board of Directors, not to exceed*  
10 *\$110,000,000, of which up to \$16,500,000 may remain*  
11 *available until September 30, 2019: Provided, That the Ex-*  
12 *port-Import Bank (the Bank) may accept, and use, pay-*  
13 *ment or services provided by transaction participants for*  
14 *legal, financial, or technical services in connection with any*  
15 *transaction for which an application for a loan, guarantee*  
16 *or insurance commitment has been made: Provided further,*  
17 *That the Bank shall charge fees for necessary expenses (in-*  
18 *cluding special services performed on a contract or fee basis,*  
19 *but not including other personal services) in connection*  
20 *with the collection of moneys owed the Bank, repossession*  
21 *or sale of pledged collateral or other assets acquired by the*  
22 *Bank in satisfaction of moneys owed the Bank, or the inves-*  
23 *tigation or appraisal of any property, or the evaluation of*  
24 *the legal, financial, or technical aspects of any transaction*  
25 *for which an application for a loan, guarantee or insurance*

1 *commitment has been made, or systems infrastructure di-*  
2 *rectly supporting transactions: Provided further, That in*  
3 *addition to other funds appropriated for administrative ex-*  
4 *penses, such fees shall be credited to this account for such*  
5 *purposes, to remain available until expended.*

6 *RECEIPTS COLLECTED*

7 *Receipts collected pursuant to the Export-Import Bank*  
8 *Act of 1945 (Public Law 79–173) and the Federal Credit*  
9 *Reform Act of 1990, in an amount not to exceed the amount*  
10 *appropriated herein, shall be credited as offsetting collec-*  
11 *tions to this account: Provided, That the sums herein appro-*  
12 *priated from the General Fund shall be reduced on a dollar-*  
13 *for-dollar basis by such offsetting collections so as to result*  
14 *in a final fiscal year appropriation from the General Fund*  
15 *estimated at \$0: Provided further, That amounts collected*  
16 *in fiscal year 2018 in excess of obligations, up to*  
17 *\$10,000,000 shall become available on September 1, 2018,*  
18 *and shall remain available until September 30, 2021.*

19 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

20 *NONCREDIT ACCOUNT*

21 *The Overseas Private Investment Corporation is au-*  
22 *thorized to make, without regard to fiscal year limitations,*  
23 *as provided by section 9104 of title 31, United States Code,*  
24 *such expenditures and commitments within the limits of*  
25 *funds available to it and in accordance with law as may*

1 *be necessary: Provided, That the amount available for ad-*  
2 *ministrative expenses to carry out the credit and insurance*  
3 *programs (including an amount for official reception and*  
4 *representation expenses which shall not exceed \$35,000)*  
5 *shall not exceed \$79,200,000: Provided further, That*  
6 *project-specific transaction costs, including direct and indi-*  
7 *rect costs incurred in claims settlements, and other direct*  
8 *costs associated with services provided to specific investors*  
9 *or potential investors pursuant to section 234 of the Foreign*  
10 *Assistance Act of 1961, shall not be considered administra-*  
11 *tive expenses for the purposes of this heading.*

12 *PROGRAM ACCOUNT*

13 *For the cost of direct and guaranteed loans as author-*  
14 *ized by section 234 of the Foreign Assistance Act of 1961,*  
15 *\$20,000,000, to be derived by transfer from the Overseas*  
16 *Private Investment Corporation Noncredit Account, to re-*  
17 *main available until September 30, 2020: Provided, That*  
18 *such costs, including the cost of modifying such loans, shall*  
19 *be as defined in section 502 of the Congressional Budget*  
20 *Act of 1974: Provided further, That funds so obligated in*  
21 *fiscal year 2018 remain available for disbursement through*  
22 *2026; funds obligated in fiscal year 2019 remain available*  
23 *for disbursement through 2027; and funds obligated in fiscal*  
24 *year 2020 remain available for disbursement through 2028:*  
25 *Provided further, That notwithstanding any other provision*

1 of law, the Overseas Private Investment Corporation is au-  
2 thorized to undertake any program authorized by title IV  
3 of chapter 2 of part I of the Foreign Assistance Act of 1961  
4 in Iraq: Provided further, That funds made available pur-  
5 suant to the authority of the previous proviso shall be sub-  
6 ject to the regular notification procedures of the Committees  
7 on Appropriations.

8       In addition, such sums as may be necessary for admin-  
9 istrative expenses to carry out the credit program may be  
10 derived from amounts available for administrative expenses  
11 to carry out the credit and insurance programs in the Over-  
12 seas Private Investment Corporation Noncredit Account  
13 and merged with said account.

14                                   TRADE AND DEVELOPMENT AGENCY

15       For necessary expenses to carry out the provisions of  
16 section 661 of the Foreign Assistance Act of 1961,  
17 \$79,500,000, to remain available until September 30, 2019:  
18 Provided, That of the funds appropriated under this head-  
19 ing, not more than \$5,000 may be available for representa-  
20 tion and entertainment expenses.

21                                   TITLE VII

22                                   GENERAL PROVISIONS

23                                   ALLOWANCES AND DIFFERENTIALS

24       SEC. 7001. Funds appropriated under title I of this  
25 Act shall be available, except as otherwise provided, for al-

1 *lowances and differentials as authorized by subchapter 59*  
2 *of title 5, United States Code; for services as authorized by*  
3 *section 3109 of such title and for hire of passenger transpor-*  
4 *tation pursuant to section 1343(b) of title 31, United States*  
5 *Code.*

6 *UNOBLIGATED BALANCES REPORT*

7 *SEC. 7002. Any department or agency of the United*  
8 *States Government to which funds are appropriated or oth-*  
9 *erwise made available by this Act shall provide to the Com-*  
10 *mittees on Appropriations a quarterly accounting of cumu-*  
11 *lative unobligated balances and obligated, but unexpended,*  
12 *balances by program, project, and activity, and Treasury*  
13 *Account Fund Symbol of all funds received by such depart-*  
14 *ment or agency in fiscal year 2018 or any previous fiscal*  
15 *year, disaggregated by fiscal year: Provided, That the report*  
16 *required by this section shall be submitted not later than*  
17 *30 days after the end of each fiscal quarter and should*  
18 *specify by account the amount of funds obligated pursuant*  
19 *to bilateral agreements which have not been further sub-obli-*  
20 *gated.*

21 *CONSULTING SERVICES*

22 *SEC. 7003. The expenditure of any appropriation*  
23 *under title I of this Act for any consulting service through*  
24 *procurement contract, pursuant to section 3109 of title 5,*  
25 *United States Code, shall be limited to those contracts where*

1 *such expenditures are a matter of public record and avail-*  
2 *able for public inspection, except where otherwise provided*  
3 *under existing law, or under existing Executive Order*  
4 *issued pursuant to existing law.*

5 *DIPLOMATIC FACILITIES*

6 *SEC. 7004. (a) CAPITAL SECURITY COST SHARING IN-*  
7 *FORMATION.—The Secretary of State shall promptly inform*  
8 *the Committees on Appropriations of each instance in*  
9 *which a Federal department or agency is delinquent in pro-*  
10 *viding the full amount of funding required by section 604(e)*  
11 *of the Secure Embassy Construction and Counterterrorism*  
12 *Act of 1999 (22 U.S.C. 4865 note).*

13 *(b) EXCEPTION.—Notwithstanding paragraph (2) of*  
14 *section 604(e) of the Secure Embassy Construction and*  
15 *Counterterrorism Act of 1999 (title VI of division A of H.R.*  
16 *3427, as enacted into law by section 1000(a)(7) of Public*  
17 *Law 106–113 and contained in appendix G of that Act),*  
18 *as amended by section 111 of the Department of State Au-*  
19 *thorities Act, Fiscal Year 2017 (Public Law 114–323), a*  
20 *project to construct a facility of the United States may in-*  
21 *clude office space or other accommodations for members of*  
22 *the United States Marine Corps.*

23 *(c) NEW DIPLOMATIC FACILITIES.—For the purposes*  
24 *of calculating the fiscal year 2018 costs of providing new*  
25 *United States diplomatic facilities in accordance with sec-*

1 *tion 604(e) of the Secure Embassy Construction and*  
2 *Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the*  
3 *Secretary of State, in consultation with the Director of the*  
4 *Office of Management and Budget, shall determine the an-*  
5 *nual program level and agency shares in a manner that*  
6 *is proportional to the contribution of the Department of*  
7 *State for this purpose: Provided, That funds appropriated*  
8 *by this Act that are made available for departments and*  
9 *agencies of the United States Government shall be made*  
10 *available for the Capital Security Cost Sharing Program*  
11 *and the Maintenance Cost Sharing Program at levels not*  
12 *less than the prior fiscal year.*

13 *(d) CONSULTATION AND NOTIFICATION.—Funds ap-*  
14 *propriated by this Act and prior Acts making appropria-*  
15 *tions for the Department of State, foreign operations, and*  
16 *related programs, which may be made available for the ac-*  
17 *quisition of property or award of construction contracts for*  
18 *overseas United States diplomatic facilities during fiscal*  
19 *year 2018, shall be subject to prior consultation with, and*  
20 *the regular notification procedures of, the Committees on*  
21 *Appropriations: Provided, That notifications pursuant to*  
22 *this subsection shall include the information enumerated*  
23 *under the heading “Embassy Security, Construction, and*  
24 *Maintenance” in House Report 115–253 and Senate Report*  
25 *114–290: Provided further, That any such notification for*



1 *a new diplomatic facility justified to the Committees on Ap-*  
2 *propriations in the Congressional Budget Justification, De-*  
3 *partment of State, Foreign Operations, and Related Pro-*  
4 *grams, Fiscal Year 2018, or not previously justified to such*  
5 *Committees, shall also include confirmation that the De-*  
6 *partment of State has completed the requisite value engi-*  
7 *neering studies required pursuant to OMB Circular A-131,*  
8 *Value Engineering December 31, 2013 and the Bureau of*  
9 *Overseas Building Operations Policy and Procedure Direc-*  
10 *tive, P&PD, Cost 02: Value Engineering.*

11 *(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—*

12 *(1) SECURITY VULNERABILITIES.—Funds appro-*  
13 *priated by this Act under the heading “Embassy Se-*  
14 *curity, Construction, and Maintenance” may be made*  
15 *available, following consultation with the appropriate*  
16 *congressional committees, to address security*  
17 *vulnerabilities at interim and temporary United*  
18 *States diplomatic facilities abroad, including physical*  
19 *security upgrades and local guard staffing, except*  
20 *that the amount of funds made available for such*  
21 *purposes from this Act and prior Acts making appro-*  
22 *priations for the Department of State, foreign oper-*  
23 *ations, and related programs shall be a minimum of*  
24 *\$25,000,000.*

1           (2) *CONSULTATION.*—*Notwithstanding any other*  
2           *provision of law, the opening, closure, or any signifi-*  
3           *cant modification to an interim or temporary United*  
4           *States diplomatic facility shall be subject to prior*  
5           *consultation with the appropriate congressional com-*  
6           *mittees and the regular notification procedures of the*  
7           *Committees on Appropriations, except that such con-*  
8           *sultation and notification may be waived if there is*  
9           *a security risk to personnel.*

10          (f) *TRANSFER OF FUNDS AUTHORITY.*—*Funds appro-*  
11          *priated under the heading “Diplomatic and Consular Pro-*  
12          *grams”, including for Worldwide Security Protection, and*  
13          *under the heading “Embassy Security, Construction, and*  
14          *Maintenance” in this Act may be transferred to, and*  
15          *merged with, funds appropriated under such headings if the*  
16          *Secretary of State determines and reports to the Committees*  
17          *on Appropriations that to do so is necessary to implement*  
18          *the recommendations of the Benghazi Accountability Re-*  
19          *view Board, or to prevent or respond to security situations*  
20          *and requirements, following consultation with, and subject*  
21          *to the regular notification procedures of, such Committees:*  
22          *Provided, That such transfer authority is in addition to*  
23          *any transfer authority otherwise available under any other*  
24          *provision of law.*

1           (g) *SOFT TARGETS.*—*Funds appropriated by this Act*  
2 *under the heading “Embassy Security, Construction, and*  
3 *Maintenance” may be made available for security upgrades*  
4 *to soft targets, including schools, recreational facilities, and*  
5 *residences used by United States diplomatic personnel and*  
6 *their dependents, except that the amount made available for*  
7 *such purposes shall be a minimum of \$10,000,000.*

8           (h) *SECURE RESUPPLY AND MAINTENANCE.*—*The Sec-*  
9 *retary of State may not grant final approval for the con-*  
10 *struction of a new facility or substantial construction to*  
11 *improve or expand an existing facility in the United States*  
12 *by or for the Government of the People’s Republic of China*  
13 *until the Secretary certifies and reports to the appropriate*  
14 *congressional committees that an agreement has been con-*  
15 *cluded between the Governments of the United States and*  
16 *the People’s Republic of China that permits secure resupply,*  
17 *maintenance, and new construction of United States Gov-*  
18 *ernment facilities in the People’s Republic of China.*

19           (i) *NEW EMBASSY COMPOUND KINSHASA.*—*Of the*  
20 *funds appropriated by this Act under the heading “Peace-*  
21 *keeping Operations” that are made available for the central*  
22 *Government of the Democratic Republic of the Congo, 25*  
23 *percent shall be withheld from obligation until the Secretary*  
24 *of State certifies and reports to the Committees on Appro-*  
25 *priations that such Government has fully vacated the prop-*

1 *erty purchased by the United States in Kinshasa for the*  
2 *construction of a New Embassy Compound.*

3 *(j) REPORTS.—*

4 *(1) None of the funds appropriated under the*  
5 *heading “Embassy Security, Construction, and Main-*  
6 *tenance” in this Act and prior Acts making appro-*  
7 *priations for the Department of State, foreign oper-*  
8 *ations, and related programs, made available through*  
9 *Federal agency Capital Security Cost Sharing con-*  
10 *tributions and reimbursements, or generated from the*  
11 *proceeds of real property sales, other than from real*  
12 *property sales located in London, United Kingdom,*  
13 *may be made available for site acquisition and miti-*  
14 *gation, planning, design, or construction of the New*  
15 *London Embassy: Provided, That the reporting re-*  
16 *quirement contained in section 7004(f)(2) of the De-*  
17 *partment of State, Foreign Operations, and Related*  
18 *Programs Appropriations Act, 2012 (division I of*  
19 *Public Law 112–74) shall remain in effect during fis-*  
20 *cal year 2018.*

21 *(2) Within 45 days of enactment of this Act and*  
22 *every 4 months thereafter until September 30, 2019,*  
23 *the Secretary of State shall submit to the Committees*  
24 *on Appropriations a report on the new Mexico City*  
25 *Embassy, New Delhi Embassy, and Beirut Embassy*

1        *projects: Provided, That such report shall include, for*  
2        *each of the projects—*

3                *(A) a detailed breakout of the project factors*  
4                *that formed the basis of the initial cost estimate*  
5                *used to justify such project to the Committees on*  
6                *Appropriations, as described under the heading*  
7                *“Embassy Security, Construction, and Maintenance”*  
8                *in House Report 115–253;*

9                *(B) a comparison of the current project fac-*  
10                *tors as compared to the project factors submitted*  
11                *pursuant to subparagraph (A) of this subsection,*  
12                *and an explanation of any changes; and*

13                *(C) the impact of currency exchange rate*  
14                *fluctuations on project costs.*

15                                    *PERSONNEL ACTIONS*

16        *SEC. 7005. Any costs incurred by a department or*  
17        *agency funded under title I of this Act resulting from per-*  
18        *sonnel actions taken in response to funding reductions in-*  
19        *cluded in this Act shall be absorbed within the total budg-*  
20        *etary resources available under title I to such department*  
21        *or agency: Provided, That the authority to transfer funds*  
22        *between appropriations accounts as may be necessary to*  
23        *carry out this section is provided in addition to authorities*  
24        *included elsewhere in this Act: Provided further, That use*

1 *of funds to carry out this section shall be treated as a re-*  
2 *programming of funds under section 7015 of this Act.*

3 *DEPARTMENT OF STATE MANAGEMENT*

4 *SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—*  
5 *Funds appropriated by this Act for the operations of the*  
6 *Department of State under the headings “Diplomatic and*  
7 *Consular Programs” and “Capital Investment Fund” shall*  
8 *be made available to implement the recommendations con-*  
9 *tained in the Foreign Assistance Data Review Findings Re-*  
10 *port (FADR) and the Office of Inspector General (OIG) re-*  
11 *port entitled “Department Financial Systems Are Insuffi-*  
12 *cient to Track and Report on Foreign Assistance Funds”:*  
13 *Provided, That not later than 45 days after enactment of*  
14 *this Act, the Secretary of State shall submit to the Commit-*  
15 *tees on Appropriations an update to the plan required*  
16 *under section 7006 of the Department of State, Foreign Op-*  
17 *erations, and Related Programs Appropriations Act, 2017*  
18 *(division J of Public Law 115–31) for implementing the*  
19 *FADR and OIG recommendations: Provided further, That*  
20 *such funds may not be obligated for enhancements to, or*  
21 *expansions of, the Budget System Modernization Financial*  
22 *System, Central Resource Management System, Joint Fi-*  
23 *nanacial Management System, or Foreign Assistance Coordi-*  
24 *nation and Tracking System until such updated plan is*  
25 *submitted to the Committees on Appropriations: Provided*

1 *further, That such funds may not be obligated for new, or*  
2 *expansion of existing, ad hoc electronic systems to track*  
3 *commitments, obligations, or expenditures of funds unless*  
4 *the Secretary of State, following consultation with the Chief*  
5 *Information Officer of the Department of State, has re-*  
6 *viewed and certified that such new system or expansion is*  
7 *consistent with the FADR and OIG recommendations.*

8       **(b) WORKING CAPITAL FUND.**—*Funds appropriated*  
9 *by this Act or otherwise made available to the Department*  
10 *of State for payments to the Working Capital Fund may*  
11 *only be used for the service centers included in the Congres-*  
12 *sional Budget Justification, Department of State, Foreign*  
13 *Operations, and Related Programs, Fiscal Year 2018: Pro-*  
14 *vided, That the amounts for such service centers shall be*  
15 *the amounts included in such budget justification, except*  
16 *as provided in section 7015(b) of this Act: Provided further,*  
17 *That Federal agency components shall be charged only for*  
18 *their direct usage of each Working Capital Fund service:*  
19 *Provided further, That prior to increasing the percentage*  
20 *charged to Department of State bureaus and offices for pro-*  
21 *curement-related activities, the Secretary of State shall in-*  
22 *clude the proposed increase in the Department of State*  
23 *budget justification or, at least 60 days prior to the in-*  
24 *crease, provide the Committees on Appropriations a jus-*  
25 *tification for such increase, including a detailed assessment*

1 *of the cost and benefit of the services provided by the pro-*  
2 *curement fee: Provided further, That Federal agency compo-*  
3 *nents may only pay for Working Capital Fund services that*  
4 *are consistent with the purpose and authorities of such com-*  
5 *ponents: Provided further, That the Working Capital Fund*  
6 *shall be paid in advance or reimbursed at rates which will*  
7 *return the full cost of each service.*

8 *(c) CERTIFICATION.—*

9 *(1) Not later than 45 days after the initial obli-*  
10 *gation of funds appropriated under titles III and IV*  
11 *of this Act that are made available to a Department*  
12 *of State bureau or office with responsibility for the*  
13 *management and oversight of such funds, the Sec-*  
14 *retary of State shall certify and report to the Com-*  
15 *mittees on Appropriations, on an individual bureau*  
16 *or office basis, that such bureau or office is in compli-*  
17 *ance with Department and Federal financial and*  
18 *grants management policies, procedures, and regula-*  
19 *tions, as applicable.*

20 *(2) When making a certification required by*  
21 *paragraph (1), the Secretary of State shall consider*  
22 *the capacity of a bureau or office to—*

23 *(A) account for the obligated funds at the*  
24 *country and program level, as appropriate;*



1           (B) identify risks and develop mitigation  
2           and monitoring plans;

3           (C) establish performance measures and in-  
4           dicators;

5           (D) review activities and performance; and

6           (E) assess final results and reconcile fi-  
7           nances.

8           (3) If the Secretary of State is unable to make  
9           a certification required by paragraph (1), the Sec-  
10          retary shall submit a plan and timeline detailing the  
11          steps to be taken to bring such bureau or office into  
12          compliance.

13          (4) The report accompanying a certification re-  
14          quired by paragraph (1) shall include the require-  
15          ments contained under this section in the explanatory  
16          statement described in section 4 (in the matter pre-  
17          ceding division A of this consolidated Act).

18          (d) *REPORT ON SOLE SOURCE AWARDS.*—Not later  
19          than December 31, 2018, the Secretary of State shall submit  
20          a report to the appropriate congressional committees detail-  
21          ing all sole-source awards made by the Department of State  
22          during the previous fiscal year in excess of \$2,000,000: Pro-  
23          vided, That such report should be posted on the Department  
24          of State Web site.

1     *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
2                                    *COUNTRIES*

3           *SEC. 7007. None of the funds appropriated or other-*  
4 *wise made available pursuant to titles III through VI of*  
5 *this Act shall be obligated or expended to finance directly*  
6 *any assistance or reparations for the governments of Cuba,*  
7 *North Korea, Iran, or Syria: Provided, That for purposes*  
8 *of this section, the prohibition on obligations or expendi-*  
9 *tures shall include direct loans, credits, insurance, and*  
10 *guarantees of the Export-Import Bank or its agents.*

11                                    *COUPS D'ÉTAT*

12           *SEC. 7008. None of the funds appropriated or other-*  
13 *wise made available pursuant to titles III through VI of*  
14 *this Act shall be obligated or expended to finance directly*  
15 *any assistance to the government of any country whose duly*  
16 *elected head of government is deposed by military coup*  
17 *d'état or decree or, after the date of enactment of this Act,*  
18 *a coup d'état or decree in which the military plays a deci-*  
19 *sive role: Provided, That assistance may be resumed to such*  
20 *government if the Secretary of State certifies and reports*  
21 *to the appropriate congressional committees that subsequent*  
22 *to the termination of assistance a democratically elected*  
23 *government has taken office: Provided further, That the pro-*  
24 *visions of this section shall not apply to assistance to pro-*  
25 *mote democratic elections or public participation in demo-*

1 cratic processes: *Provided further, That funds made avail-*  
2 *able pursuant to the previous provisos shall be subject to*  
3 *the regular notification procedures of the Committees on*  
4 *Appropriations.*

5 *TRANSFER OF FUNDS AUTHORITY*

6 *SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-*  
7 *CASTING BOARD OF GOVERNORS.—*

8 *(1) DEPARTMENT OF STATE.—Not to exceed 5*  
9 *percent of any appropriation made available for the*  
10 *current fiscal year for the Department of State under*  
11 *title I of this Act may be transferred between, and*  
12 *merged with, such appropriations, but no such appro-*  
13 *priation, except as otherwise specifically provided,*  
14 *shall be increased by more than 10 percent by any*  
15 *such transfers, and no such transfer may be made to*  
16 *increase the appropriation under the heading “Rep-*  
17 *resentation Expenses”.*

18 *(2) BROADCASTING BOARD OF GOVERNORS.—Not*  
19 *to exceed 5 percent of any appropriation made avail-*  
20 *able for the current fiscal year for the Broadcasting*  
21 *Board of Governors under title I of this Act may be*  
22 *transferred between, and merged with, such appro-*  
23 *priations, but no such appropriation, except as other-*  
24 *wise specifically provided, shall be increased by more*  
25 *than 10 percent by any such transfers.*

1           (3) *TREATMENT AS REPROGRAMMING.*—Any  
2           transfer pursuant to this subsection shall be treated as  
3           a reprogramming of funds under section 7015 of this  
4           Act and shall not be available for obligation or ex-  
5           penditure except in compliance with the procedures  
6           set forth in that section.

7           (b) *TITLE VI AGENCIES.*—Not to exceed 5 percent of  
8           any appropriation, other than for administrative expenses  
9           made available for fiscal year 2018, for programs under  
10          title VI of this Act may be transferred between such appro-  
11          priations for use for any of the purposes, programs, and  
12          activities for which the funds in such receiving account may  
13          be used, but no such appropriation, except as otherwise spe-  
14          cifically provided, shall be increased by more than 25 per-  
15          cent by any such transfer: Provided, That the exercise of  
16          such authority shall be subject to the regular notification  
17          procedures of the Committees on Appropriations.

18          (c) *LIMITATION ON TRANSFERS OF FUNDS BETWEEN*  
19          *AGENCIES.*—

20                 (1) *IN GENERAL.*—None of the funds made avail-  
21                 able under titles II through V of this Act may be  
22                 transferred to any department, agency, or instrumen-  
23                 tality of the United States Government, except pursu-  
24                 ant to a transfer made by, or transfer authority pro-  
25                 vided in, this Act or any other appropriations Act.

1           (2) *ALLOCATION AND TRANSFERS.*—*Notwith-*  
2 *standing paragraph (1), in addition to transfers*  
3 *made by, or authorized elsewhere in, this Act, funds*  
4 *appropriated by this Act to carry out the purposes of*  
5 *the Foreign Assistance Act of 1961 may be allocated*  
6 *or transferred to agencies of the United States Gov-*  
7 *ernment pursuant to the provisions of sections 109,*  
8 *610, and 632 of the Foreign Assistance Act of 1961.*

9           (3) *NOTIFICATION.*—*Any agreement entered into*  
10 *by the United States Agency for International Devel-*  
11 *opment or the Department of State with any depart-*  
12 *ment, agency, or instrumentality of the United States*  
13 *Government pursuant to section 632(b) of the Foreign*  
14 *Assistance Act of 1961 valued in excess of \$1,000,000*  
15 *and any agreement made pursuant to section 632(a)*  
16 *of such Act, with funds appropriated by this Act or*  
17 *prior Acts making appropriations for the Department*  
18 *of State, foreign operations, and related programs*  
19 *under the headings “Global Health Programs”, “De-*  
20 *velopment Assistance”, “Economic Support Fund”,*  
21 *and “Assistance for Europe, Eurasia and Central*  
22 *Asia” shall be subject to the regular notification pro-*  
23 *cedures of the Committees on Appropriations: Pro-*  
24 *vided, That the requirement in the previous sentence*

1        *shall not apply to agreements entered into between*  
2        *USAID and the Department of State.*

3        *(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—*

4        *None of the funds made available under titles II through*  
5        *V of this Act may be obligated under an appropriations*  
6        *account to which such funds were not appropriated, except*  
7        *for transfers specifically provided for in this Act, unless the*  
8        *President, not less than 5 days prior to the exercise of any*  
9        *authority contained in the Foreign Assistance Act of 1961*  
10       *to transfer funds, consults with and provides a written pol-*  
11       *icy justification to the Committees on Appropriations.*

12       *(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—*

13       *Any agreement for the transfer or allocation of funds appro-*  
14       *priated by this Act or prior Acts making appropriations*  
15       *for the Department of State, foreign operations and related*  
16       *programs, entered into between the Department of State or*  
17       *USAID and another agency of the United States Govern-*  
18       *ment under the authority of section 632(a) of the Foreign*  
19       *Assistance Act of 1961 or any comparable provision of law,*  
20       *shall expressly provide that the Inspector General (IG) for*  
21       *the agency receiving the transfer or allocation of such funds,*  
22       *or other entity with audit responsibility if the receiving*  
23       *agency does not have an IG, shall perform periodic program*  
24       *and financial audits of the use of such funds and report*  
25       *to the Department of State or USAID, as appropriate, upon*

1 *completion of such audits: Provided, That such audits shall*  
2 *be transmitted to the Committees on Appropriations by the*  
3 *Department of State or USAID, as appropriate: Provided*  
4 *further, That funds transferred under such authority may*  
5 *be made available for the cost of such audits.*

6 *(f) REPORT.—Not later than 90 days after enactment*  
7 *of this Act, the Secretary of State and the USAID Adminis-*  
8 *trator shall each submit a report to the Committees on Ap-*  
9 *propriations detailing all transfers to another agency of the*  
10 *United States Government made pursuant to sections*  
11 *632(a) and 632(b) of the Foreign Assistance Act of 1961*  
12 *with funds provided in the Department of State, Foreign*  
13 *Operations, and Related Programs Appropriations Act,*  
14 *2017 (division J of Public Law 115–31) as of the date of*  
15 *enactment of this Act: Provided, That such reports shall in-*  
16 *clude a list of each transfer made pursuant to such sections*  
17 *with the respective funding level, appropriation account,*  
18 *and the receiving agency.*

19 *PROHIBITION ON CERTAIN OPERATIONAL EXPENSES*

20 *SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the*  
21 *funds made available by this Act may be used for first-class*  
22 *travel by employees of United States Government depart-*  
23 *ments and agencies funded by this Act in contravention of*  
24 *section 301–10.122 through 301–10.124 of title 41, Code of*  
25 *Federal Regulations.*

1           **(b) COMPUTER NETWORKS.**—None of the funds made  
2 available by this Act for the operating expenses of any  
3 United States Government department or agency may be  
4 used to establish or maintain a computer network for use  
5 by such department or agency unless such network has fil-  
6 ters designed to block access to sexually explicit Web sites:  
7 Provided, That nothing in this subsection shall limit the  
8 use of funds necessary for any Federal, State, tribal, or local  
9 law enforcement agency, or any other entity carrying out  
10 the following activities: criminal investigations, prosecu-  
11 tions, and adjudications; administrative discipline; and the  
12 monitoring of such Web sites undertaken as part of official  
13 business.

14           **(c) PROHIBITION ON PROMOTION OF TOBACCO.**—None  
15 of the funds made available by this Act should be available  
16 to promote the sale or export of tobacco or tobacco products,  
17 or to seek the reduction or removal by any foreign country  
18 of restrictions on the marketing of tobacco or tobacco prod-  
19 ucts, except for restrictions which are not applied equally  
20 to all tobacco or tobacco products of the same type.

21   **AVAILABILITY OF FUNDS**

22           **SEC. 7011.** No part of any appropriation contained  
23 in this Act shall remain available for obligation after the  
24 expiration of the current fiscal year unless expressly so pro-  
25 vided by this Act: Provided, That funds appropriated for



1 *the purposes of chapters 1 and 8 of part I, section 661,*  
2 *chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assist-*  
3 *ance Act of 1961, section 23 of the Arms Export Control*  
4 *Act, and funds provided under the headings “Development*  
5 *Credit Authority” and “Assistance for Europe, Eurasia and*  
6 *Central Asia” shall remain available for an additional 4*  
7 *years from the date on which the availability of such funds*  
8 *would otherwise have expired, if such funds are initially*  
9 *obligated before the expiration of their respective periods of*  
10 *availability contained in this Act: Provided further, That*  
11 *the availability of funds pursuant to the previous proviso*  
12 *shall not be applicable to such funds until the Secretary*  
13 *of State submits the report required under section 7011 of*  
14 *the Department of State, Foreign Operations, and Related*  
15 *Programs Appropriations Act, 2016 (division K of Public*  
16 *Law 114–113): Provided further, That notwithstanding any*  
17 *other provision of this Act, any funds made available for*  
18 *the purposes of chapter 1 of part I and chapter 4 of part*  
19 *II of the Foreign Assistance Act of 1961 which are allocated*  
20 *or obligated for cash disbursements in order to address bal-*  
21 *ance of payments or economic policy reform objectives, shall*  
22 *remain available for an additional 4 years from the date*  
23 *on which the availability of such funds would otherwise*  
24 *have expired, if such funds are initially allocated or obli-*  
25 *gated before the expiration of their respective periods of*

1 *availability contained in this Act: Provided further, That*  
2 *the Secretary of State shall provide a report to the Commit-*  
3 *tees on Appropriations not later than October 30, 2018, de-*  
4 *tailing by account and source year, the use of this authority*  
5 *during the previous fiscal year.*

6 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

7 *SEC. 7012. No part of any appropriation provided*  
8 *under titles III through VI in this Act shall be used to fur-*  
9 *nish assistance to the government of any country which is*  
10 *in default during a period in excess of 1 calendar year in*  
11 *payment to the United States of principal or interest on*  
12 *any loan made to the government of such country by the*  
13 *United States pursuant to a program for which funds are*  
14 *appropriated under this Act unless the President deter-*  
15 *mines, following consultation with the Committees on Ap-*  
16 *propriations, that assistance for such country is in the na-*  
17 *tional interest of the United States.*

18 *PROHIBITION ON TAXATION OF UNITED STATES*

19 *ASSISTANCE*

20 *SEC. 7013. (a) PROHIBITION ON TAXATION.—None of*  
21 *the funds appropriated under titles III through VI of this*  
22 *Act may be made available to provide assistance for a for-*  
23 *ign country under a new bilateral agreement governing the*  
24 *terms and conditions under which such assistance is to be*  
25 *provided unless such agreement includes a provision stating*

1 *that assistance provided by the United States shall be ex-*  
2 *empt from taxation, or reimbursed, by the foreign govern-*  
3 *ment, and the Secretary of State and the Administrator of*  
4 *the United States Agency for International Development*  
5 *shall expeditiously seek to negotiate amendments to existing*  
6 *bilateral agreements, as necessary, to conform with this re-*  
7 *quirement.*

8       **(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN**  
9 *TAXES.—An amount equivalent to 200 percent of the total*  
10 *taxes assessed during fiscal year 2018 on funds appro-*  
11 *priated by this Act and prior Acts making appropriations*  
12 *for the Department of State, foreign operations, and related*  
13 *programs by a foreign government or entity against United*  
14 *States assistance programs, either directly or through*  
15 *grantees, contractors, and subcontractors, shall be withheld*  
16 *from obligation from funds appropriated for assistance for*  
17 *fiscal year 2019 and for prior fiscal years and allocated*  
18 *for the central government of such country or for the West*  
19 *Bank and Gaza program, as applicable, if, not later than*  
20 *September 30, 2019, such taxes have not been reimbursed:*  
21 *Provided, That the Secretary of State shall report to the*  
22 *Committees on Appropriations by such date on the foreign*  
23 *governments and entities that have not reimbursed such*  
24 *taxes, including any amount of funds withheld pursuant*  
25 *to this subsection.*

1           (c) *DE MINIMIS EXCEPTION.*—*Foreign taxes of a de*  
2 *minimis nature shall not be subject to the provisions of sub-*  
3 *section (b).*

4           (d) *REPROGRAMMING OF FUNDS.*—*Funds withheld*  
5 *from obligation for each foreign government or entity pur-*  
6 *suant to subsection (b) shall be reprogrammed for assistance*  
7 *for countries which do not assess taxes on United States*  
8 *assistance or which have an effective arrangement that is*  
9 *providing substantial reimbursement of such taxes, and that*  
10 *can reasonably accommodate such assistance in a program-*  
11 *matically responsible manner.*

12           (e) *DETERMINATIONS.*—

13                 (1) *IN GENERAL.*—*The provisions of this section*  
14 *shall not apply to any foreign government or entity*  
15 *that assesses such taxes if the Secretary of State re-*  
16 *ports to the Committees on Appropriations that—*

17                         (A) *such foreign government or entity has*  
18 *an effective arrangement that is providing sub-*  
19 *stantial reimbursement of such taxes; or*

20                         (B) *the foreign policy interests of the United*  
21 *States outweigh the purpose of this section to en-*  
22 *sure that United States assistance is not subject*  
23 *to taxation.*

24                 (2) *CONSULTATION.*—*The Secretary of State*  
25 *shall consult with the Committees on Appropriations*

1       *at least 15 days prior to exercising the authority of*  
2       *this subsection with regard to any foreign government*  
3       *or entity.*

4       (f) *IMPLEMENTATION.*—*The Secretary of State shall*  
5       *issue and update rules, regulations, or policy guidance, as*  
6       *appropriate, to implement the prohibition against the tax-*  
7       *ation of assistance contained in this section.*

8       (g) *DEFINITIONS.*—*As used in this section:*

9               (1) *BILATERAL AGREEMENT.*—*The term “bilat-*  
10       *eral agreement” refers to a framework bilateral agree-*  
11       *ment between the Government of the United States*  
12       *and the government of the country receiving assist-*  
13       *ance that describes the privileges and immunities ap-*  
14       *plicable to United States foreign assistance for such*  
15       *country generally, or an individual agreement be-*  
16       *tween the Government of the United States and such*  
17       *government that describes, among other things, the*  
18       *treatment for tax purposes that will be accorded the*  
19       *United States assistance provided under that agree-*  
20       *ment.*

21               (2) *TAXES AND TAXATION.*—*The term “taxes and*  
22       *taxation” shall include value added taxes and cus-*  
23       *tom duties but shall not include individual income*  
24       *taxes assessed to local staff.*

1           (h) *REPORT.*—Not later than 90 days after enactment  
2 of this Act, the Secretary of State, in consultation with the  
3 heads of other relevant agencies of the United States Gov-  
4 ernment, shall submit a report to the Committees on Appro-  
5 priations on the requirements contained under this section  
6 in the explanatory statement described in section 4 (in the  
7 matter preceding division A of this consolidated Act).

8                                   *RESERVATIONS OF FUNDS*

9           *SEC. 7014. (a) REPROGRAMMING.*—Funds appro-  
10 priated under titles III through VI of this Act which are  
11 specifically designated may be reprogrammed for other pro-  
12 grams within the same account notwithstanding the des-  
13 ignation if compliance with the designation is made impos-  
14 sible by operation of any provision of this or any other Act:  
15 Provided, That any such reprogramming shall be subject  
16 to the regular notification procedures of the Committees on  
17 Appropriations: Provided further, That assistance that is  
18 reprogrammed pursuant to this subsection shall be made  
19 available under the same terms and conditions as originally  
20 provided.

21           (b) *EXTENSION OF AVAILABILITY.*—In addition to the  
22 authority contained in subsection (a), the original period  
23 of availability of funds appropriated by this Act and ad-  
24 ministered by the Department of State or the United States  
25 Agency for International Development that are specifically

1 *designated for particular programs or activities by this or*  
2 *any other Act may be extended for an additional fiscal year*  
3 *if the Secretary of State or the USAID Administrator, as*  
4 *appropriate, determines and reports promptly to the Com-*  
5 *mittees on Appropriations that the termination of assist-*  
6 *ance to a country or a significant change in circumstances*  
7 *makes it unlikely that such designated funds can be obli-*  
8 *gated during the original period of availability: Provided,*  
9 *That such designated funds that continue to be available*  
10 *for an additional fiscal year shall be obligated only for the*  
11 *purpose of such designation.*

12 *(c) OTHER ACTS.—Ceilings and specifically des-*  
13 *ignated funding levels contained in this Act shall not be*  
14 *applicable to funds or authorities appropriated or otherwise*  
15 *made available by any subsequent Act unless such Act spe-*  
16 *cifically so directs: Provided, That specifically designated*  
17 *funding levels or minimum funding requirements contained*  
18 *in any other Act shall not be applicable to funds appro-*  
19 *priated by this Act.*

20 *NOTIFICATION REQUIREMENTS*

21 *SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-*  
22 *GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds*  
23 *made available in titles I and II of this Act or prior Acts*  
24 *making appropriations for the Department of State, foreign*  
25 *operations, and related programs to the departments and*

1 agencies funded by this Act that remain available for obli-  
2 gation in fiscal year 2018, or provided from any accounts  
3 in the Treasury of the United States derived by the collec-  
4 tion of fees or of currency reflows or other offsetting collec-  
5 tions, or made available by transfer, to the departments and  
6 agencies funded by this Act, shall be available for obligation  
7 to—

8 (1) create new programs;

9 (2) suspend or eliminate a program, project, or  
10 activity;

11 (3) close, suspend, open, or reopen a mission or  
12 post;

13 (4) create, close, reorganize, downsize, or rename  
14 bureaus, centers, or offices; or

15 (5) contract out or privatize any functions or ac-  
16 tivities presently performed by Federal employees;

17 unless previously justified to the Committees on Appropria-  
18 tions or such Committees are notified 15 days in advance  
19 of such obligation.

20 (b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—

21 None of the funds provided under titles I and II of this  
22 Act or prior Acts making appropriations for the Depart-  
23 ment of State, foreign operations, and related programs, to  
24 the departments and agencies funded under titles I and II  
25 of this Act that remain available for obligation in fiscal



1 *year 2018, or provided from any accounts in the Treasury*  
2 *of the United States derived by the collection of fees avail-*  
3 *able to the department and agency funded under title I of*  
4 *this Act, shall be available for obligation or expenditure for*  
5 *activities, programs, or projects through a reprogramming*  
6 *of funds in excess of \$1,000,000 or 10 percent, whichever*  
7 *is less, that—*

8           (1) *augments or changes existing programs,*  
9           *projects, or activities;*

10           (2) *relocates an existing office or employees;*

11           (3) *reduces by 10 percent funding for any exist-*  
12 *ing program, project, or activity, or numbers of per-*  
13 *sonnel by 10 percent as approved by Congress; or*

14           (4) *results from any general savings, including*  
15 *savings from a reduction in personnel, which would*  
16 *result in a change in existing programs, activities, or*  
17 *projects as approved by Congress;*

18 *unless the Committees on Appropriations are notified 15*  
19 *days in advance of such reprogramming of funds.*

20           (c) *NOTIFICATION REQUIREMENT.—None of the funds*  
21 *made available by this Act under the headings “Global*  
22 *Health Programs”, “Development Assistance”, “Inter-*  
23 *national Organizations and Programs”, “Trade and Devel-*  
24 *opment Agency”, “International Narcotics Control and*  
25 *Law Enforcement”, “Economic Support Fund”, “Democ-*

1 racy Fund”, “Assistance for Europe, Eurasia and Central  
2 Asia”, “Peacekeeping Operations”, “Nonproliferation,  
3 Anti-terrorism, Demining and Related Programs”, “Millen-  
4 nium Challenge Corporation”, “Foreign Military Financ-  
5 ing Program”, “International Military Education and  
6 Training”, and “Peace Corps”, shall be available for obliga-  
7 tion for activities, programs, projects, type of materiel as-  
8 sistance, countries, or other operations not justified or in  
9 excess of the amount justified to the Committees on Appro-  
10 priations for obligation under any of these specific headings  
11 unless the Committees on Appropriations are notified 15  
12 days in advance of such obligation: Provided, That the  
13 President shall not enter into any commitment of funds ap-  
14 propriated for the purposes of section 23 of the Arms Export  
15 Control Act for the provision of major defense equipment,  
16 other than conventional ammunition, or other major defense  
17 items defined to be aircraft, ships, missiles, or combat vehi-  
18 cles, not previously justified to Congress or 20 percent in  
19 excess of the quantities justified to Congress unless the Com-  
20 mittees on Appropriations are notified 15 days in advance  
21 of such commitment: Provided further, That requirements  
22 of this subsection or any similar provision of this or any  
23 other Act shall not apply to any reprogramming for an ac-  
24 tivity, program, or project for which funds are appro-  
25 priated under titles III through VI of this Act of less than

1 10 percent of the amount previously justified to Congress  
2 for obligation for such activity, program, or project for the  
3 current fiscal year: Provided further, That any notification  
4 submitted pursuant to subsection (f) of this section shall  
5 include information (if known on the date of transmittal  
6 of such notification) on the use of notwithstanding author-  
7 ity: Provided further, That if subsequent to the notification  
8 of assistance it becomes necessary to rely on notwith-  
9 standing authority, the Committees on Appropriations  
10 should be informed at the earliest opportunity and to the  
11 extent practicable.

12 (d) DEPARTMENT OF DEFENSE PROGRAMS AND FUND-  
13 ING NOTIFICATIONS.—

14 (1) PROGRAMS.—None of the funds appropriated  
15 by this Act or prior Acts making appropriations for  
16 the Department of State, foreign operations, and re-  
17 lated programs may be made available to support or  
18 continue any program initially funded under any au-  
19 thority of title 10, United States Code, or any Act  
20 making or authorizing appropriations for the Depart-  
21 ment of Defense, unless the Secretary of State, in con-  
22 sultation with the Secretary of Defense and in accord-  
23 ance with the regular notification procedures of the  
24 Committees on Appropriations, submits a justifica-  
25 tion to such Committees that includes a description

1       of, and the estimated costs associated with, the sup-  
2       port or continuation of such program.

3           (2) *FUNDING.*—Notwithstanding any other pro-  
4       vision of law, with the exception of funds transferred  
5       to, and merged with, funds appropriated under title  
6       I of this Act, funds transferred by the Department of  
7       Defense to the Department of State and the United  
8       States Agency for International Development for as-  
9       sistance for foreign countries and international orga-  
10      nizations shall be subject to the regular notification  
11      procedures of the Committees on Appropriations.

12       (e) *WAIVER.*—The requirements of this section or any  
13      similar provision of this Act or any other Act, including  
14      any prior Act requiring notification in accordance with the  
15      regular notification procedures of the Committees on Appro-  
16      priations, may be waived if failure to do so would pose a  
17      substantial risk to human health or welfare: Provided, That  
18      in case of any such waiver, notification to the Committees  
19      on Appropriations shall be provided as early as practicable,  
20      but in no event later than 3 days after taking the action  
21      to which such notification requirement was applicable, in  
22      the context of the circumstances necessitating such waiver:  
23      Provided further, That any notification provided pursuant  
24      to such a waiver shall contain an explanation of the emer-  
25      gency circumstances.

1           (f) *COUNTRY NOTIFICATION REQUIREMENTS.*—None of  
2 *the funds appropriated under titles III through VI of this*  
3 *Act may be obligated or expended for assistance for Afghan-*  
4 *istan, Bahrain, Bolivia, Burma, Cambodia, Colombia,*  
5 *Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala,*  
6 *Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico,*  
7 *Pakistan, Philippines, the Russian Federation, Somalia,*  
8 *South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Ven-*  
9 *ezuela, Yemen, and Zimbabwe except as provided through*  
10 *the regular notification procedures of the Committees on*  
11 *Appropriations.*

12           (g) *TRUST FUNDS.*—Funds appropriated or otherwise  
13 *made available in title III of this Act and prior Acts mak-*  
14 *ing funds available for the Department of State, foreign op-*  
15 *erations, and related programs that are made available for*  
16 *a trust fund held by an international financial institution*  
17 *as defined by section 7034(r)(3) of this Act shall be subject*  
18 *to the regular notification procedures of the Committees on*  
19 *Appropriations: Provided, That such notification shall in-*  
20 *clude the information specified under this section in the ex-*  
21 *planatory statement described in section 4 (in the matter*  
22 *preceding division A of this consolidated Act).*

23           (h) *OTHER PROGRAM NOTIFICATION REQUIREMENT.*—

24                   (1) *DIPLOMATIC AND CONSULAR PROGRAMS.*—

25           *Funds appropriated under title I of this Act under*

1        *the heading “Diplomatic and Consular Programs”*  
2        *that are made available for a pilot program for lat-*  
3        *eral entry into the Foreign Service shall be subject to*  
4        *prior consultation with, and the regular notification*  
5        *procedures of, the Committees on Appropriations.*

6                (2) *OTHER PROGRAMS.—Funds appropriated by*  
7        *this Act that are made available for the following pro-*  
8        *grams and activities shall be subject to the regular no-*  
9        *tification procedures of the Committees on Appropria-*  
10       *tions—*

11                (A) *The Global Engagement Center, except*  
12        *that the Secretary of State shall consult with the*  
13        *appropriate congressional committees prior to*  
14        *submitting such notification;*

15                (B) *The Power Africa initiative, or any*  
16        *successor program;*

17                (C) *Community-based police assistance con-*  
18        *ducted pursuant to the authority of section 7049*  
19        *of this Act;*

20                (D) *Programs to counter foreign fighters*  
21        *and extremist organizations, pursuant to section*  
22        *7073(a) of this Act;*

23                (E) *The Relief and Recovery Fund;*

24                (F) *The Global Security Contingency Fund;*

25        *and*

1                   (G) *Programs to end modern slavery.*

2           (i) *WITHHOLDING OF FUNDS.—Funds appropriated*  
3 *by this Act under titles III and IV that are withheld from*  
4 *obligation or otherwise not programmed as a result of ap-*  
5 *plication of a provision of law in this or any other Act*  
6 *shall, if reprogrammed, be subject to the regular notification*  
7 *procedures of the Committees on Appropriations.*

8           (j) *REQUIREMENT TO INFORM, COORDINATE, AND*  
9 *CONSULT.—*

10           (1) *The Secretary of State shall promptly inform*  
11 *the appropriate congressional committees of each in-*  
12 *stance in which funds appropriated by this Act for*  
13 *assistance for Iraq, Libya, Somalia, and Syria, the*  
14 *Counterterrorism Partnership Fund, the Relief and*  
15 *Recovery Fund, and to counter extremism and foreign*  
16 *fighters abroad, have been diverted or destroyed, to in-*  
17 *clude the type and amount of assistance, a description*  
18 *of the incident and parties involved, and an expla-*  
19 *nation of the response of the Department of State or*  
20 *USAID, as appropriate: Provided, That the Secretary*  
21 *shall ensure such funds are coordinated with, and*  
22 *complement, the programs of other United States Gov-*  
23 *ernment departments and agencies and international*  
24 *partners in such countries and on such activities.*

1           (2) *The Secretary of State shall consult with the*  
2           *Committees on Appropriations at least seven days*  
3           *prior to informing a government of, or publically an-*  
4           *nouncing a decision on, the suspension of assistance*  
5           *to a country or a territory from funds appropriated*  
6           *by this Act or prior Acts making appropriations for*  
7           *the Department of State, foreign operations, and re-*  
8           *lated programs.*

9           *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

10          *SEC. 7016. Prior to providing excess Department of*  
11          *Defense articles in accordance with section 516(a) of the*  
12          *Foreign Assistance Act of 1961, the Department of Defense*  
13          *shall notify the Committees on Appropriations to the same*  
14          *extent and under the same conditions as other committees*  
15          *pursuant to subsection (f) of that section: Provided, That*  
16          *before issuing a letter of offer to sell excess defense articles*  
17          *under the Arms Export Control Act, the Department of De-*  
18          *fense shall notify the Committees on Appropriations in ac-*  
19          *cordance with the regular notification procedures of such*  
20          *Committees if such defense articles are significant military*  
21          *equipment (as defined in section 47(9) of the Arms Export*  
22          *Control Act) or are valued (in terms of original acquisition*  
23          *cost) at \$7,000,000 or more, or if notification is required*  
24          *elsewhere in this Act for the use of appropriated funds for*  
25          *specific countries that would receive such excess defense ar-*



1 *ticles: Provided further, That such Committees shall also be*  
2 *informed of the original acquisition cost of such defense ar-*  
3 *ticles.*

4 *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
5 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

6 *SEC. 7017. Subject to the regular notification proce-*  
7 *dures of the Committees on Appropriations, funds appro-*  
8 *priated under titles I and III through V of this Act, which*  
9 *are returned or not made available for organizations and*  
10 *programs because of the implementation of section 307(a)*  
11 *of the Foreign Assistance Act of 1961, shall remain avail-*  
12 *able for obligation until September 30, 2019: Provided,*  
13 *That the requirement to withhold funds for programs in*  
14 *Burma under section 307(a) of the Foreign Assistance Act*  
15 *of 1961 shall not apply to funds appropriated by this Act.*

16 *PROHIBITION ON FUNDING FOR ABORTIONS AND*  
17 *INVOLUNTARY STERILIZATION*

18 *SEC. 7018. None of the funds made available to carry*  
19 *out part I of the Foreign Assistance Act of 1961, as amend-*  
20 *ed, may be used to pay for the performance of abortions*  
21 *as a method of family planning or to motivate or coerce*  
22 *any person to practice abortions. None of the funds made*  
23 *available to carry out part I of the Foreign Assistance Act*  
24 *of 1961, as amended, may be used to pay for the perform-*  
25 *ance of involuntary sterilization as a method of family*

1 *planning or to coerce or provide any financial incentive*  
2 *to any person to undergo sterilizations. None of the funds*  
3 *made available to carry out part I of the Foreign Assistance*  
4 *Act of 1961, as amended, may be used to pay for any bio-*  
5 *medical research which relates in whole or in part, to meth-*  
6 *ods of, or the performance of, abortions or involuntary steri-*  
7 *lization as a means of family planning. None of the funds*  
8 *made available to carry out part I of the Foreign Assistance*  
9 *Act of 1961, as amended, may be obligated or expended for*  
10 *any country or organization if the President certifies that*  
11 *the use of these funds by any such country or organization*  
12 *would violate any of the above provisions related to abor-*  
13 *tions and involuntary sterilizations.*

14 *ALLOCATIONS AND REPORTS*

15 *SEC. 7019. (a) ALLOCATION TABLES.—Subject to sub-*  
16 *section (b), funds appropriated by this Act under titles III*  
17 *through V shall be made available in the amounts specifi-*  
18 *cally designated in the respective tables included in the ex-*  
19 *planatory statement described in section 4 (in the matter*  
20 *preceding division A of this consolidated Act): Provided,*  
21 *That such designated amounts for foreign countries and*  
22 *international organizations shall serve as the amounts for*  
23 *such countries and international organizations transmitted*  
24 *to Congress in the report required by section 653(a) of the*  
25 *Foreign Assistance Act of 1961.*

1           (b) *AUTHORIZED DEVIATIONS.*—Unless otherwise pro-  
2 vided for by this Act, the Secretary of State and the Admin-  
3 istrator of the United States Agency for International De-  
4 velopment, as applicable, may only deviate up to 4 percent  
5 from the amounts specifically designated in the respective  
6 tables included in the explanatory statement described in  
7 section 4 (in the matter preceding division A of this consoli-  
8 dated Act): Provided, That such percentage may be exceeded  
9 only to respond to significant, exigent, or unforeseen events,  
10 or to address other exceptional circumstances directly re-  
11 lated to the national interest: Provided further, That devi-  
12 ations pursuant to the previous proviso shall be subject to  
13 prior consultation with, and the regular notification proce-  
14 dures of, the Committees on Appropriations.

15           (c) *LIMITATION.*—For specifically designated amounts  
16 that are included, pursuant to subsection (a), in the report  
17 required by section 653(a) of the Foreign Assistance Act of  
18 1961, no deviations authorized by subsection (b) may take  
19 place until submission of such report.

20           (d) *EXCEPTIONS.*—

21                   (1) Subsections (a) and (b) shall not apply to—  
22                               (A) amounts designated for “International  
23                               Military Education and Training” in the respec-  
24                               tive tables included in the explanatory statement

1           *described in section 4 (in the matter preceding*  
2           *division A of this consolidated Act); and*

3                     *(B) funds for which the initial period of*  
4           *availability has expired.*

5           *(2) The authority in subsection (b) to deviate*  
6           *below amounts designated in the respective tables in-*  
7           *cluded in the explanatory statement described in sec-*  
8           *tion 4 (in the matter preceding division A of this con-*  
9           *solidated Act) shall not apply to the table included*  
10          *under the heading “Global Health Programs” in such*  
11          *explanatory statement.*

12          *(e) REPORTS.—The Secretary of State and the USAID*  
13          *Administrator, as appropriate, shall submit the reports re-*  
14          *quired, in the manner described, in House Report 115–253,*  
15          *Senate Report 115–152, and the explanatory statement de-*  
16          *scribed in section 4 (in the matter preceding division A of*  
17          *this consolidated Act), unless directed otherwise in such ex-*  
18          *planatory statement.*

19                 *REPRESENTATION AND ENTERTAINMENT EXPENSES*

20                 *SEC. 7020. (a) USES OF FUNDS.—Each Federal de-*  
21                 *partment, agency, or entity funded in titles I or II of this*  
22                 *Act, and the Department of the Treasury and independent*  
23                 *agencies funded in titles III or VI of this Act, shall take*  
24                 *steps to ensure that domestic and overseas representation*

1 *and entertainment expenses further official agency business*  
2 *and United States foreign policy interests, and—*

3 *(1) are primarily for fostering relations outside*  
4 *of the Executive Branch;*

5 *(2) are principally for meals and events of a*  
6 *protocol nature;*

7 *(3) are not for employee-only events; and*

8 *(4) do not include activities that are substan-*  
9 *tially of a recreational character.*

10 *(b) LIMITATIONS.—None of the funds appropriated or*  
11 *otherwise made available by this Act under the headings*  
12 *“International Military Education and Training” or “For-*  
13 *ign Military Financing Program” for Informational Pro-*  
14 *gram activities or under the headings “Global Health Pro-*  
15 *grams”, “Development Assistance”, “Economic Support*  
16 *Fund”, and “Assistance for Europe, Eurasia and Central*  
17 *Asia” may be obligated or expended to pay for—*

18 *(1) alcoholic beverages; or*

19 *(2) entertainment expenses for activities that are*  
20 *substantially of a recreational character, including*  
21 *entrance fees at sporting events, theatrical and musi-*  
22 *cal productions, and amusement parks.*

1        *PROHIBITION ON ASSISTANCE TO GOVERNMENTS*2                *SUPPORTING INTERNATIONAL TERRORISM*3        *SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-*4 *PORTS.—*

5                (1) *PROHIBITION.—None of the funds appro-*  
6 *priated or otherwise made available by titles III*  
7 *through VI of this Act may be made available to any*  
8 *foreign government which provides lethal military*  
9 *equipment to a country the government of which the*  
10 *Secretary of State has determined supports inter-*  
11 *national terrorism for purposes of section 6(j) of the*  
12 *Export Administration Act of 1979 as continued in*  
13 *effect pursuant to the International Emergency Eco-*  
14 *nomics Powers Act: Provided, That the prohibition*  
15 *under this section with respect to a foreign govern-*  
16 *ment shall terminate 12 months after that government*  
17 *ceases to provide such military equipment: Provided*  
18 *further, That this section applies with respect to le-*  
19 *thal military equipment provided under a contract*  
20 *entered into after October 1, 1997.*

21                (2) *DETERMINATION.—Assistance restricted by*  
22 *paragraph (1) or any other similar provision of law,*  
23 *may be furnished if the President determines that to*  
24 *do so is important to the national interest of the*  
25 *United States.*

1           (3) *REPORT.*—Whenever the President makes a  
2           determination pursuant to paragraph (2), the Presi-  
3           dent shall submit to the Committees on Appropria-  
4           tions a report with respect to the furnishing of such  
5           assistance, including a detailed explanation of the as-  
6           sistance to be provided, the estimated dollar amount  
7           of such assistance, and an explanation of how the as-  
8           sistance furthers United States national interest.

9           (b) *BILATERAL ASSISTANCE.*—

10           (1) *LIMITATIONS.*—Funds appropriated for bi-  
11           lateral assistance in titles III through VI of this Act  
12           and funds appropriated under any such title in prior  
13           Acts making appropriations for the Department of  
14           State, foreign operations, and related programs, shall  
15           not be made available to any foreign government  
16           which the President determines—

17                   (A) grants sanctuary from prosecution to  
18                   any individual or group which has committed  
19                   an act of international terrorism;

20                   (B) otherwise supports international ter-  
21                   rorism; or

22                   (C) is controlled by an organization des-  
23                   ignated as a terrorist organization under section  
24                   219 of the Immigration and Nationality Act (8  
25                   U.S.C. 1189).

1           (2) *WAIVER.*—*The President may waive the ap-*  
2           *plication of paragraph (1) to a government if the*  
3           *President determines that national security or hu-*  
4           *manitarian reasons justify such waiver: Provided,*  
5           *That the President shall publish each such waiver in*  
6           *the Federal Register and, at least 15 days before the*  
7           *waiver takes effect, shall notify the Committees on Ap-*  
8           *propriations of the waiver (including the justification*  
9           *for the waiver) in accordance with the regular notifi-*  
10          *cation procedures of the Committees on Appropria-*  
11          *tions.*

12                            *AUTHORIZATION REQUIREMENTS*

13          *SEC. 7022. Funds appropriated by this Act, except*  
14          *funds appropriated under the heading “Trade and Develop-*  
15          *ment Agency”, may be obligated and expended notwith-*  
16          *standing section 10 of Public Law 91–672 (22 U.S.C.*  
17          *2412), section 15 of the State Department Basic Authorities*  
18          *Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign*  
19          *Relations Authorization Act, Fiscal Years 1994 and 1995*  
20          *(22 U.S.C. 6212), and section 504(a)(1) of the National Se-*  
21          *curity Act of 1947 (50 U.S.C. 3094(a)(1)).*

22                            *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

23          *SEC. 7023. For the purpose of titles II through VI of*  
24          *this Act “program, project, and activity” shall be defined*  
25          *at the appropriations Act account level and shall include*



1 *all appropriations and authorizations Acts funding direc-*  
2 *tives, ceilings, and limitations with the exception that for*  
3 *the following accounts: “Economic Support Fund”, “Assist-*  
4 *ance for Europe, Eurasia and Central Asia”, and “Foreign*  
5 *Military Financing Program”, “program, project, and ac-*  
6 *tivity” shall also be considered to include country, regional,*  
7 *and central program level funding within each such ac-*  
8 *count; and for the development assistance accounts of the*  
9 *United States Agency for International Development, “pro-*  
10 *gram, project, and activity” shall also be considered to in-*  
11 *clude central, country, regional, and program level funding,*  
12 *either as—*

- 13           (1) *justified to Congress; or*  
14           (2) *allocated by the Executive Branch in accord-*  
15 *ance with a report, to be provided to the Committees*  
16 *on Appropriations within 30 days after the enact-*  
17 *ment of this Act, as required by section 653(a) of the*  
18 *Foreign Assistance Act of 1961 or as modified pursu-*  
19 *ant to section 7019 of this Act.*

20 *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*  
21 *FOUNDATION AND UNITED STATES AFRICAN DEVELOP-*  
22 *MENT FOUNDATION*

23 *SEC. 7024. Unless expressly provided to the contrary,*  
24 *provisions of this or any other Act, including provisions*  
25 *contained in prior Acts authorizing or making appropria-*

1 *tions for the Department of State, foreign operations, and*  
2 *related programs, shall not be construed to prohibit activi-*  
3 *ties authorized by or conducted under the Peace Corps Act,*  
4 *the Inter-American Foundation Act or the African Develop-*  
5 *ment Foundation Act: Provided, That prior to conducting*  
6 *activities in a country for which assistance is prohibited,*  
7 *the agency shall consult with the Committees on Appropria-*  
8 *tions and report to such Committees within 15 days of tak-*  
9 *ing such action.*

10 *COMMERCE, TRADE AND SURPLUS COMMODITIES*

11 *SEC. 7025. (a) WORLD MARKETS.—None of the funds*  
12 *appropriated or made available pursuant to titles III*  
13 *through VI of this Act for direct assistance and none of the*  
14 *funds otherwise made available to the Export-Import Bank*  
15 *and the Overseas Private Investment Corporation shall be*  
16 *obligated or expended to finance any loan, any assistance,*  
17 *or any other financial commitments for establishing or ex-*  
18 *panding production of any commodity for export by any*  
19 *country other than the United States, if the commodity is*  
20 *likely to be in surplus on world markets at the time the*  
21 *resulting productive capacity is expected to become opera-*  
22 *tive and if the assistance will cause substantial injury to*  
23 *United States producers of the same, similar, or competing*  
24 *commodity: Provided, That such prohibition shall not*  
25 *apply to the Export-Import Bank if in the judgment of its*

1 *Board of Directors the benefits to industry and employment*  
2 *in the United States are likely to outweigh the injury to*  
3 *United States producers of the same, similar, or competing*  
4 *commodity, and the Chairman of the Board so notifies the*  
5 *Committees on Appropriations: Provided further, That this*  
6 *subsection shall not prohibit—*

7           (1) *activities in a country that is eligible for as-*  
8           *istance from the International Development Associa-*  
9           *tion, is not eligible for assistance from the Inter-*  
10          *national Bank for Reconstruction and Development,*  
11          *and does not export on a consistent basis the agricul-*  
12          *tural commodity with respect to which assistance is*  
13          *furnished; or*

14          (2) *activities in a country the President deter-*  
15          *mines is recovering from widespread conflict, a hu-*  
16          *manitarian crisis, or a complex emergency.*

17          (b) *EXPORTS.—None of the funds appropriated by this*  
18          *or any other Act to carry out chapter 1 of part I of the*  
19          *Foreign Assistance Act of 1961 shall be available for any*  
20          *testing or breeding feasibility study, variety improvement*  
21          *or introduction, consultancy, publication, conference, or*  
22          *training in connection with the growth or production in*  
23          *a foreign country of an agricultural commodity for export*  
24          *which would compete with a similar commodity grown or*

1 *produced in the United States: Provided, That this sub-*  
2 *section shall not prohibit—*

3           (1) *activities designed to increase food security*  
4 *in developing countries where such activities will not*  
5 *have a significant impact on the export of agricul-*  
6 *tural commodities of the United States;*

7           (2) *research activities intended primarily to ben-*  
8 *efit United States producers;*

9           (3) *activities in a country that is eligible for as-*  
10 *sistance from the International Development Associa-*  
11 *tion, is not eligible for assistance from the Inter-*  
12 *national Bank for Reconstruction and Development,*  
13 *and does not export on a consistent basis the agricul-*  
14 *tural commodity with respect to which assistance is*  
15 *furnished; or*

16           (4) *activities in a country the President deter-*  
17 *mines is recovering from widespread conflict, a hu-*  
18 *manitarian crisis, or a complex emergency.*

19           (c) *INTERNATIONAL FINANCIAL INSTITUTIONS.—The*  
20 *Secretary of the Treasury shall instruct the United States*  
21 *executive directors of the international financial institu-*  
22 *tions, as defined in section 7034(r)(3) of this Act, to use*  
23 *the voice and vote of the United States to oppose any assist-*  
24 *ance by such institutions, using funds appropriated or*  
25 *made available by this Act, for the production or extraction*

1 *of any commodity or mineral for export, if it is in surplus*  
2 *on world markets and if the assistance will cause substan-*  
3 *tial injury to United States producers of the same, similar,*  
4 *or competing commodity.*

5 *SEPARATE ACCOUNTS*

6 *SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*  
7 *RENCIES.—*

8 *(1) AGREEMENTS.—If assistance is furnished to*  
9 *the government of a foreign country under chapters 1*  
10 *and 10 of part I or chapter 4 of part II of the For-*  
11 *oreign Assistance Act of 1961 under agreements which*  
12 *result in the generation of local currencies of that*  
13 *country, the Administrator of the United States Agen-*  
14 *cy for International Development shall—*

15 *(A) require that local currencies be depos-*  
16 *ited in a separate account established by that*  
17 *government;*

18 *(B) enter into an agreement with that gov-*  
19 *ernment which sets forth—*

20 *(i) the amount of the local currencies*  
21 *to be generated; and*

22 *(ii) the terms and conditions under*  
23 *which the currencies so deposited may be*  
24 *utilized, consistent with this section; and*

1           (C) establish by agreement with that gov-  
2           ernment the responsibilities of USAID and that  
3           government to monitor and account for deposits  
4           into and disbursements from the separate ac-  
5           count.

6           (2) *USES OF LOCAL CURRENCIES.*—As may be  
7           agreed upon with the foreign government, local cur-  
8           rencies deposited in a separate account pursuant to  
9           subsection (a), or an equivalent amount of local cur-  
10          rencies, shall be used only—

11           (A) to carry out chapter 1 or 10 of part I  
12           or chapter 4 of part II of the Foreign Assistance  
13           Act of 1961 (as the case may be), for such pur-  
14           poses as—

15           (i) project and sector assistance activi-  
16           ties; or

17           (ii) debt and deficit financing; or

18           (B) for the administrative requirements of  
19           the United States Government.

20          (3) *PROGRAMMING ACCOUNTABILITY.*—USAID  
21          shall take all necessary steps to ensure that the equiv-  
22          alent of the local currencies disbursed pursuant to  
23          subsection (a)(2)(A) from the separate account estab-  
24          lished pursuant to subsection (a)(1) are used for the  
25          purposes agreed upon pursuant to subsection (a)(2).

1           (4) *TERMINATION OF ASSISTANCE PROGRAMS.*—  
2           *Upon termination of assistance to a country under*  
3           *chapter 1 or 10 of part I or chapter 4 of part II of*  
4           *the Foreign Assistance Act of 1961 (as the case may*  
5           *be), any unencumbered balances of funds which re-*  
6           *main in a separate account established pursuant to*  
7           *subsection (a) shall be disposed of for such purposes*  
8           *as may be agreed to by the government of that coun-*  
9           *try and the United States Government.*

10           (5) *REPORT.*—*The USAID Administrator shall*  
11           *report as part of the congressional budget justification*  
12           *submitted to the Committees on Appropriations on*  
13           *the use of local currencies for the administrative re-*  
14           *quirements of the United States Government as au-*  
15           *thorized in subsection (a)(2)(B), and such report shall*  
16           *include the amount of local currency (and United*  
17           *States dollar equivalent) used or to be used for such*  
18           *purpose in each applicable country.*

19           (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS.*—

20           (1) *IN GENERAL.*—*If assistance is made avail-*  
21           *able to the government of a foreign country, under*  
22           *chapter 1 or 10 of part I or chapter 4 of part II of*  
23           *the Foreign Assistance Act of 1961, as cash transfer*  
24           *assistance or as nonproject sector assistance, that*  
25           *country shall be required to maintain such funds in*

1        *a separate account and not commingle with any other*  
2        *funds.*

3            (2) *APPLICABILITY OF OTHER PROVISIONS OF*  
4        *LAW.—Such funds may be obligated and expended*  
5        *notwithstanding provisions of law which are incon-*  
6        *sistent with the nature of this assistance including*  
7        *provisions which are referenced in the Joint Explana-*  
8        *tory Statement of the Committee of Conference accom-*  
9        *ppanying House Joint Resolution 648 (House Report*  
10       *No. 98–1159).*

11           (3) *NOTIFICATION.—At least 15 days prior to ob-*  
12       *ligating any such cash transfer or nonproject sector*  
13       *assistance, the President shall submit a notification*  
14       *through the regular notification procedures of the*  
15       *Committees on Appropriations, which shall include a*  
16       *detailed description of how the funds proposed to be*  
17       *made available will be used, with a discussion of the*  
18       *United States interests that will be served by such as-*  
19       *sistance (including, as appropriate, a description of*  
20       *the economic policy reforms that will be promoted by*  
21       *such assistance).*

22           (4) *EXEMPTION.—Nonproject sector assistance*  
23       *funds may be exempt from the requirements of para-*  
24       *graph (1) only through the regular notification proce-*  
25       *dures of the Committees on Appropriations.*



1 *ELIGIBILITY FOR ASSISTANCE*

2 *SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-*  
3 *MENTAL ORGANIZATIONS.—Restrictions contained in this*  
4 *or any other Act with respect to assistance for a country*  
5 *shall not be construed to restrict assistance in support of*  
6 *programs of nongovernmental organizations from funds ap-*  
7 *propriated by this Act to carry out the provisions of chap-*  
8 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*  
9 *of the Foreign Assistance Act of 1961 and from funds ap-*  
10 *propriated under the heading “Assistance for Europe, Eur-*  
11 *asia and Central Asia”:* *Provided, That before using the au-*  
12 *thority of this subsection to furnish assistance in support*  
13 *of programs of nongovernmental organizations, the Presi-*  
14 *dent shall notify the Committees on Appropriations pursu-*  
15 *ant to the regular notification procedures, including a de-*  
16 *scription of the program to be assisted, the assistance to*  
17 *be provided, and the reasons for furnishing such assistance:*  
18 *Provided further, That nothing in this subsection shall be*  
19 *construed to alter any existing statutory prohibitions*  
20 *against abortion or involuntary sterilizations contained in*  
21 *this or any other Act.*

22 *(b) PUBLIC LAW 480.—During fiscal year 2018, re-*  
23 *strictions contained in this or any other Act with respect*  
24 *to assistance for a country shall not be construed to restrict*  
25 *assistance under the Food for Peace Act (Public Law 83–*

1 480; 7 U.S.C. 1721 et seq.): *Provided, That none of the*  
2 *funds appropriated to carry out title I of such Act and*  
3 *made available pursuant to this subsection may be obligated*  
4 *or expended except as provided through the regular notifica-*  
5 *tion procedures of the Committees on Appropriations.*

6 (c) *EXCEPTION.—This section shall not apply—*

7 (1) *with respect to section 620A of the Foreign*  
8 *Assistance Act of 1961 or any comparable provision*  
9 *of law prohibiting assistance to countries that support*  
10 *international terrorism; or*

11 (2) *with respect to section 116 of the Foreign As-*  
12 *sistance Act of 1961 or any comparable provision of*  
13 *law prohibiting assistance to the government of a*  
14 *country that violates internationally recognized*  
15 *human rights.*

16 *LOCAL COMPETITION*

17 *SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO*  
18 *COMPETITION FOR LOCAL ENTITIES.—Funds appropriated*  
19 *by this Act that are made available to the United States*  
20 *Agency for International Development may only be made*  
21 *available for limited competitions through local entities if—*

22 (1) *prior to the determination to limit competi-*  
23 *tion to local entities, USAID has—*

1           (A) assessed the level of local capacity to ef-  
2           fectively implement, manage, and account for  
3           programs included in such competition; and

4           (B) documented the written results of the  
5           assessment and decisions made; and

6           (2) prior to making an award after limiting  
7           competition to local entities—

8           (A) each successful local entity has been de-  
9           termined to be responsible in accordance with  
10          USAID guidelines; and

11          (B) effective monitoring and evaluation sys-  
12          tems are in place to ensure that award funding  
13          is used for its intended purposes; and

14          (3) no level of acceptable fraud is assumed.

15          (b) *REPORT.*—In addition to the requirements of sub-  
16          section (a)(1), the USAID Administrator shall report to the  
17          appropriate congressional committees not later than 45  
18          days after the end of fiscal year 2018 on all awards subject  
19          to limited or no competition for local entities: Provided,  
20          That such report shall be posted on the USAID Web site:  
21          Provided further, That the requirements of this subsection  
22          shall only apply to awards in excess of \$3,000,000 and sole  
23          source awards to local entities in excess of \$2,000,000.

24          (c) *EXTENSION OF PROCUREMENT AUTHORITY.*—Sec-  
25          tion 7077 of the Department of State, Foreign Operations,

1 *and Related Programs Appropriations Act, 2012 (division*  
2 *I of Public Law 112–74) shall continue in effect during fis-*  
3 *cal year 2018.*

4 *INTERNATIONAL FINANCIAL INSTITUTIONS*

5 *SEC. 7029. (a) EVALUATIONS AND REPORT.—The Sec-*  
6 *retary of the Treasury shall instruct the United States exec-*  
7 *utive director of each international financial institution to*  
8 *seek to require that such institution adopts and implements*  
9 *a publicly available policy, including the strategic use of*  
10 *peer reviews and external experts, to conduct independent,*  
11 *in-depth evaluations of the effectiveness of at least 25 per-*  
12 *cent of all loans, grants, programs, and significant analyt-*  
13 *ical non-lending activities in advancing the institution’s*  
14 *goals of reducing poverty and promoting equitable economic*  
15 *growth, consistent with relevant safeguards, to ensure that*  
16 *decisions to support such loans, grants, programs, and ac-*  
17 *tivities are based on accurate data and objective analysis:*  
18 *Provided, That not later than 45 days after enactment of*  
19 *this Act, the Secretary shall submit a report to the Commit-*  
20 *tees on Appropriations on steps taken in fiscal year 2017*  
21 *by the United States executive directors and the inter-*  
22 *national financial institutions consistent with this sub-*  
23 *section compared to the previous fiscal year.*

24 *(b) SAFEGUARDS.—*

1           (1) *The Secretary of the Treasury shall instruct*  
2 *the United States Executive Director of the Inter-*  
3 *national Bank for Reconstruction and Development*  
4 *and the International Development Association to*  
5 *vote against any loan, grant, policy, or strategy if*  
6 *such institution has adopted and is implementing*  
7 *any social or environmental safeguard relevant to*  
8 *such loan, grant, policy, or strategy that provides less*  
9 *protection than World Bank safeguards in effect on*  
10 *September 30, 2015.*

11           (2) *The Secretary of the Treasury should instruct*  
12 *the United States executive director of each inter-*  
13 *national financial institution to vote against loans or*  
14 *other financing for projects unless such projects—*

15                   (A) *provide for accountability and trans-*  
16 *parency, including the collection, verification*  
17 *and publication of beneficial ownership informa-*  
18 *tion related to extractive industries and on-site*  
19 *monitoring during the life of the project;*

20                   (B) *will be developed and carried out in ac-*  
21 *cordance with best practices regarding environ-*  
22 *mental conservation; cultural protection; and*  
23 *empowerment of local populations, including*  
24 *free, prior and informed consent of affected in-*  
25 *igenous communities;*

1           (C) do not provide incentives for, or facili-  
2           tate, forced displacement; and

3           (D) do not partner with or otherwise in-  
4           volve enterprises owned or controlled by the  
5           armed forces.

6           (c) *COMPENSATION.*—None of the funds appropriated  
7           under title V of this Act may be made as payment to any  
8           international financial institution while the United States  
9           executive director to such institution is compensated by the  
10          institution at a rate which, together with whatever com-  
11          pensation such executive director receives from the United  
12          States, is in excess of the rate provided for an individual  
13          occupying a position at level IV of the Executive Schedule  
14          under section 5315 of title 5, United States Code, or while  
15          any alternate United States executive director to such insti-  
16          tution is compensated by the institution at a rate in excess  
17          of the rate provided for an individual occupying a position  
18          at level V of the Executive Schedule under section 5316 of  
19          title 5, United States Code.

20          (d) *HUMAN RIGHTS.*—The Secretary of the Treasury  
21          shall instruct the United States executive director of each  
22          international financial institution to seek to require that  
23          such institution conducts rigorous human rights due dili-  
24          gence and risk management, as appropriate, in connection  
25          with any loan, grant, policy, or strategy of such institution:

1 *Provided, That prior to voting on any such loan, grant,*  
2 *policy, or strategy the executive director shall consult with*  
3 *the Assistant Secretary for Democracy, Human Rights, and*  
4 *Labor, Department of State, if the executive director has*  
5 *reason to believe that such loan, grant, policy, or strategy*  
6 *could result in forced displacement or other violation of*  
7 *human rights.*

8       *(e) FRAUD AND CORRUPTION.—The Secretary of the*  
9 *Treasury shall instruct the United States executive director*  
10 *of each international financial institution to promote in*  
11 *loan, grant, and other financing agreements improvements*  
12 *in borrowing countries' financial management and judicial*  
13 *capacity to investigate, prosecute, and punish fraud and*  
14 *corruption.*

15       *(f) BENEFICIAL OWNERSHIP INFORMATION.—The Sec-*  
16 *retary of the Treasury shall instruct the United States exec-*  
17 *utive director of each international financial institution to*  
18 *seek to require that such institution collects, verifies, and*  
19 *publishes, to the maximum extent practicable, beneficial*  
20 *ownership information (excluding proprietary information)*  
21 *for any corporation or limited liability company, other*  
22 *than a publicly listed company, that receives funds from*  
23 *any such financial institution: Provided, That not later*  
24 *than 45 days after enactment of this Act, the Secretary shall*  
25 *submit a report to the Committees on Appropriations on*

1 *steps taken in fiscal year 2017 by the United States execu-*  
2 *tive directors and the international financial institutions*  
3 *consistent with this subsection compared to the previous fis-*  
4 *cal year.*

5       *(g) WHISTLEBLOWER PROTECTIONS.—The Secretary*  
6 *of the Treasury shall instruct the United States executive*  
7 *director of each international financial institution to seek*  
8 *to require that each such institution is effectively imple-*  
9 *menting and enforcing policies and procedures which reflect*  
10 *best practices for the protection of whistleblowers from retal-*  
11 *iation, including best practices for—*

12               *(1) protection against retaliation for internal*  
13 *and lawful public disclosure;*

14               *(2) legal burdens of proof;*

15               *(3) statutes of limitation for reporting retali-*  
16 *ation;*

17               *(4) access to independent adjudicative bodies, in-*  
18 *cluding external arbitration; and*

19               *(5) results that eliminate the effects of proven re-*  
20 *taliation.*

21                                       *DEBT-FOR-DEVELOPMENT*

22       *SEC. 7030. In order to enhance the continued partici-*  
23 *pation of nongovernmental organizations in debt-for-devel-*  
24 *opment and debt-for-nature exchanges, a nongovernmental*  
25 *organization which is a grantee or contractor of the United*



1 *States Agency for International Development may place in*  
2 *interest bearing accounts local currencies which accrue to*  
3 *that organization as a result of economic assistance pro-*  
4 *vided under title III of this Act and, subject to the regular*  
5 *notification procedures of the Committees on Appropria-*  
6 *tions, any interest earned on such investment shall be used*  
7 *for the purpose for which the assistance was provided to*  
8 *that organization.*

9 *FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY*

10 *SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-*  
11 *TO-GOVERNMENT ASSISTANCE.—*

12 *(1) REQUIREMENTS.—Funds appropriated by*  
13 *this Act may be made available for direct govern-*  
14 *ment-to-government assistance only if—*

15 *(A)(i) each implementing agency or min-*  
16 *istry to receive assistance has been assessed and*  
17 *is considered to have the systems required to*  
18 *manage such assistance and any identified*  
19 *vulnerabilities or weaknesses of such agency or*  
20 *ministry have been addressed;*

21 *(ii) the recipient agency or ministry em-*  
22 *ployes and utilizes staff with the necessary tech-*  
23 *nical, financial, and management capabilities;*

1           (iii) the recipient agency or ministry has  
2           adopted competitive procurement policies and  
3           systems;

4           (iv) effective monitoring and evaluation sys-  
5           tems are in place to ensure that such assistance  
6           is used for its intended purposes;

7           (v) no level of acceptable fraud is assumed;  
8           and

9           (vi) the government of the recipient country  
10          is taking steps to publicly disclose on an annual  
11          basis its national budget, to include income and  
12          expenditures;

13          (B) the recipient government is in compli-  
14          ance with the principles set forth in section 7013  
15          of this Act;

16          (C) the recipient agency or ministry is not  
17          headed or controlled by an organization des-  
18          ignated as a foreign terrorist organization under  
19          section 219 of the Immigration and Nationality  
20          Act (8 U.S.C. 1189);

21          (D) the Government of the United States  
22          and the government of the recipient country have  
23          agreed, in writing, on clear and achievable objec-  
24          tives for the use of such assistance, which should

1           *be made available on a cost-reimbursable basis;*  
2           *and*

3                   *(E) the recipient government is taking steps*  
4           *to protect the rights of civil society, including*  
5           *freedoms of expression, association, and assem-*  
6           *bly.*

7           (2) *CONSULTATION AND NOTIFICATION.*—*In ad-*  
8           *dition to the requirements in paragraph (1), no funds*  
9           *may be made available for direct government-to-gov-*  
10          *ernment assistance without prior consultation with,*  
11          *and notification of, the Committees on Appropria-*  
12          *tions: Provided, That such notification shall contain*  
13          *an explanation of how the proposed activity meets the*  
14          *requirements of paragraph (1): Provided further, That*  
15          *the requirements of this paragraph shall only apply*  
16          *to direct government-to-government assistance in ex-*  
17          *cess of \$10,000,000 and all funds available for cash*  
18          *transfer, budget support, and cash payments to indi-*  
19          *viduals.*

20                  (3) *SUSPENSION OF ASSISTANCE.*—*The Adminis-*  
21          *trator of the United States Agency for International*  
22          *Development or the Secretary of State, as appro-*  
23          *priate, shall suspend any direct government-to-gov-*  
24          *ernment assistance if the Administrator or the Sec-*  
25          *retary has credible information of material misuse of*

1        *such assistance, unless the Administrator or the Sec-*  
2        *retary reports to the Committees on Appropriations*  
3        *that it is in the national interest of the United States*  
4        *to continue such assistance, including a justification,*  
5        *or that such misuse has been appropriately addressed.*

6            (4) *SUBMISSION OF INFORMATION.*—*The Sec-*  
7        *retary of State shall submit to the Committees on Ap-*  
8        *propriations, concurrent with the fiscal year 2019*  
9        *congressional budget justification materials, amounts*  
10       *planned for assistance described in paragraph (1) by*  
11       *country, proposed funding amount, source of funds,*  
12       *and type of assistance.*

13           (5) *REPORT.*—*Not later than 90 days after the*  
14       *enactment of this Act and every 6 months thereafter*  
15       *until September 30, 2019, the USAID Administrator*  
16       *shall submit to the Committees on Appropriations a*  
17       *report that—*

18            (A) *details all assistance described in para-*  
19        *graph (1) provided during the previous 6-month*  
20        *period by country, funding amount, source of*  
21        *funds, and type of such assistance; and*

22            (B) *the type of procurement instrument or*  
23        *mechanism utilized and whether the assistance*  
24        *was provided on a reimbursable basis.*

1           (6) *DEBT SERVICE PAYMENT PROHIBITION.*—  
2       *None of the funds made available by this Act may be*  
3       *used by the government of any foreign country for*  
4       *debt service payments owed by any country to any*  
5       *international financial institution: Provided, That for*  
6       *purposes of this paragraph, the term “international*  
7       *financial institution” has the meaning given the term*  
8       *in section 7034(r)(3) of this Act.*

9           (b) *NATIONAL BUDGET AND CONTRACT TRANS-*  
10 *PARENCY.*—

11           (1) *MINIMUM REQUIREMENTS OF FISCAL TRANS-*  
12 *PARENCY.*—*The Secretary of State shall continue to*  
13 *update and strengthen the “minimum requirements of*  
14 *fiscal transparency” for each government receiving*  
15 *assistance appropriated by this Act, as identified in*  
16 *the report required by section 7031(b) of the Depart-*  
17 *ment of State, Foreign Operations, and Related Pro-*  
18 *grams Appropriations Act, 2014 (division K of Public*  
19 *Law 113–76).*

20           (2) *DEFINITION.*—*For purposes of paragraph*  
21 *(1), “minimum requirements of fiscal transparency”*  
22 *are requirements consistent with those in subsection*  
23 *(a)(1), and the public disclosure of national budget*  
24 *documentation (to include receipts and expenditures*  
25 *by ministry) and government contracts and licenses*

1     *for natural resource extraction (to include bidding*  
2     *and concession allocation practices).*

3           (3) *DETERMINATION AND REPORT.—For each*  
4     *government identified pursuant to paragraph (1), the*  
5     *Secretary of State, not later than 180 days after en-*  
6     *actment of this Act, shall make or update any deter-*  
7     *mination of “significant progress” or “no significant*  
8     *progress” in meeting the minimum requirements of*  
9     *fiscal transparency, and make such determinations*  
10    *publicly available in an annual “Fiscal Trans-*  
11    *parency Report” to be posted on the Department of*  
12    *State Web site: Provided, That the Secretary shall*  
13    *identify the significant progress made by each such*  
14    *government to publicly disclose national budget docu-*  
15    *mentation, contracts, and licenses which are addi-*  
16    *tional to such information disclosed in previous fiscal*  
17    *years, and include specific recommendations of short-*  
18    *and long-term steps such government should take to*  
19    *improve fiscal transparency: Provided further, That*  
20    *the annual report shall include a detailed description*  
21    *of how funds appropriated by this Act are being used*  
22    *to improve fiscal transparency, and identify bench-*  
23    *marks for measuring progress.*

24           (4) *ASSISTANCE.—Funds appropriated under*  
25    *title III of this Act shall be made available for pro-*

1        *grams and activities to assist governments identified*  
2        *pursuant to paragraph (1) to improve budget trans-*  
3        *parency and to support civil society organizations in*  
4        *such countries that promote budget transparency:*  
5        *Provided, That such sums shall be in addition to*  
6        *funds otherwise available for such purposes: Provided*  
7        *further, That a description of the uses of such funds*  
8        *shall be included in the annual “Fiscal Transparency*  
9        *Report” required by paragraph (3).*

10        *(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—*

11                *(1) INELIGIBILITY.—*

12                        *(A) Officials of foreign governments and*  
13                        *their immediate family members about whom the*  
14                        *Secretary of State has credible information have*  
15                        *been involved in significant corruption, includ-*  
16                        *ing corruption related to the extraction of nat-*  
17                        *ural resources, or a gross violation of human*  
18                        *rights shall be ineligible for entry into the*  
19                        *United States.*

20                        *(B) The Secretary shall also publicly or pri-*  
21                        *vately designate or identify officials of foreign*  
22                        *governments and their immediate family mem-*  
23                        *bers about whom the Secretary has such credible*  
24                        *information without regard to whether the indi-*  
25                        *vidual has applied for a visa.*

1           (2) *EXCEPTION.*—*Individuals shall not be ineli-*  
2 *gible if entry into the United States would further*  
3 *important United States law enforcement objectives or*  
4 *is necessary to permit the United States to fulfill its*  
5 *obligations under the United Nations Headquarters*  
6 *Agreement: Provided, That nothing in paragraph (1)*  
7 *shall be construed to derogate from United States*  
8 *Government obligations under applicable inter-*  
9 *national agreements.*

10           (3) *WAIVER.*—*The Secretary may waive the ap-*  
11 *plication of paragraph (1) if the Secretary determines*  
12 *that the waiver would serve a compelling national in-*  
13 *terest or that the circumstances which caused the in-*  
14 *dividual to be ineligible have changed sufficiently.*

15           (4) *REPORT.*—*Not later than 6 months after en-*  
16 *actment of this Act, the Secretary of State shall sub-*  
17 *mit a report, including a classified annex if nec-*  
18 *essary, to the Committees on Appropriations and the*  
19 *Committees on the Judiciary describing the informa-*  
20 *tion related to corruption or violation of human*  
21 *rights concerning each of the individuals found ineli-*  
22 *gible in the previous 12 months pursuant to para-*  
23 *graph (1)(A) as well as the individuals who the Sec-*  
24 *retary designated or identified pursuant to paragraph*  
25 *(1)(B), or who would be ineligible but for the applica-*



1        *tion of paragraph (2), a list of any waivers provided*  
2        *under paragraph (3), and the justification for each*  
3        *waiver.*

4            (5) *POSTING OF REPORT.*—*Any unclassified por-*  
5        *tion of the report required under paragraph (4) shall*  
6        *be posted on the Department of State Web site.*

7            (6) *CLARIFICATION.*—*For purposes of para-*  
8        *graphs (1)(B), (4), and (5), the records of the Depart-*  
9        *ment of State and of diplomatic and consular offices*  
10       *of the United States pertaining to the issuance or re-*  
11       *fusals of visas or permits to enter the United States*  
12       *shall not be considered confidential.*

13          (d) *NETWORKS OF CORRUPTION.*—*If the Secretary of*  
14       *State has credible information of networks of corruption in-*  
15       *volving the participation of, or support from, a senior offi-*  
16       *cial in a country that receives assistance funded by this*  
17       *Act under titles III or IV, the Secretary shall update the*  
18       *report on such networks required by section 7031(d) of the*  
19       *Department of State, Foreign Operations, and Related Pro-*  
20       *grams Appropriations Act, 2017 (division J of Public Law*  
21       *115–31).*

22          (e) *EXTRACTION OF NATURAL RESOURCES.*—

23            (1) *ASSISTANCE.*—*Funds appropriated by this*  
24       *Act shall be made available to promote and support*  
25       *transparency and accountability of expenditures and*

1 *revenues related to the extraction of natural resources,*  
2 *including by strengthening implementation and mon-*  
3 *itoring of the Extractive Industries Transparency*  
4 *Initiative, implementing and enforcing section 8204*  
5 *of the Food, Conservation, and Energy Act of 2008*  
6 *(Public Law 110–246; 122 Stat. 2052) and the*  
7 *amendments made by such section, and to prevent the*  
8 *sale of conflict diamonds, and provide technical as-*  
9 *sistance to promote independent audit mechanisms*  
10 *and support civil society participation in natural re-*  
11 *source management.*

12 (2) *UNITED STATES POLICY.—*

13 (A) *The Secretary of the Treasury shall in-*  
14 *form the management of the international finan-*  
15 *cial institutions, and post on the Department of*  
16 *the Treasury Web site, that it is the policy of the*  
17 *United States to vote against any assistance by*  
18 *such institutions (including any loan, credit,*  
19 *grant, or guarantee) to any country for the ex-*  
20 *traction and export of a natural resource if the*  
21 *government of such country has in place laws,*  
22 *regulations, or procedures to prevent or limit the*  
23 *public disclosure of company payments as re-*  
24 *quired by United States law, and unless such*  
25 *government has adopted laws, regulations, or*

1           *procedures in the sector in which assistance is*  
2           *being considered for—*

3                     *(i) accurately accounting for and pub-*  
4                     *lic disclosure of payments to the host gov-*  
5                     *ernment by companies involved in the ex-*  
6                     *traction and export of natural resources;*

7                     *(ii) the independent auditing of ac-*  
8                     *counts receiving such payments and public*  
9                     *disclosure of the findings of such audits;*  
10                    *and*

11                    *(iii) public disclosure of such docu-*  
12                    *ments as Host Government Agreements,*  
13                    *Concession Agreements, and bidding docu-*  
14                    *ments, allowing in any such dissemination*  
15                    *or disclosure for the redaction of, or excep-*  
16                    *tions for, information that is commercially*  
17                    *proprietary or that would create competi-*  
18                    *tive disadvantage.*

19                    *(B) The requirements of subparagraph (A)*  
20                    *shall not apply to assistance for the purpose of*  
21                    *building the capacity of such government to meet*  
22                    *the requirements of this subparagraph.*

23            *(f) FOREIGN ASSISTANCE WEB SITE.—Funds appro-*  
24            *priated by this Act under titles I and II, and funds made*  
25            *available for any independent agency in title III, as appro-*

1 *priate, shall be made available to support the provision of*  
2 *additional information on United States Government for-*  
3 *foreign assistance on the Department of State foreign assist-*  
4 *ance Web site: Provided, That all Federal agencies funded*  
5 *under this Act shall provide such information on foreign*  
6 *assistance, upon request, to the Department of State.*

7 *DEMOCRACY PROGRAMS*

8 *SEC. 7032. (a) FUNDING.—*

9 *(1) IN GENERAL.—Of the funds appropriated by*  
10 *this Act under the headings “Development Assist-*  
11 *ance”, “Economic Support Fund”, “Democracy*  
12 *Fund”, “Assistance for Europe, Eurasia and Central*  
13 *Asia”, and “International Narcotics Control and Law*  
14 *Enforcement”, not less than \$2,308,517,000 shall be*  
15 *made available for democracy programs.*

16 *(2) PROGRAMS.—Of the funds made available for*  
17 *democracy programs pursuant to paragraph (1), the*  
18 *Bureau of Democracy, Human Rights, and Labor,*  
19 *Department of State, shall administer an amount not*  
20 *less than the amount administered in fiscal year 2017*  
21 *under the headings “Economic Support Fund” and*  
22 *“Assistance for Europe, Eurasia and Central Asia”.*

23 *(b) AUTHORITY.—Funds made available by this Act*  
24 *for democracy programs may be made available notwith-*

1 *standing any other provision of law, and with regard to*  
2 *the National Endowment for Democracy, any regulation.*

3 (c) *DEFINITION OF DEMOCRACY PROGRAMS.—For*  
4 *purposes of funds appropriated by this Act, the term “de-*  
5 *mocracy programs” means programs that support good gov-*  
6 *ernance, credible and competitive elections, freedom of ex-*  
7 *pression, association, assembly, and religion, human rights,*  
8 *labor rights, independent media, and the rule of law, and*  
9 *that otherwise strengthen the capacity of democratic polit-*  
10 *ical parties, governments, nongovernmental organizations*  
11 *and institutions, and citizens to support the development*  
12 *of democratic states, and institutions that are responsive*  
13 *and accountable to citizens.*

14 (d) *PROGRAM PRIORITIZATION.—Funds made avail-*  
15 *able pursuant to this section that are made available for*  
16 *programs to strengthen government institutions shall be*  
17 *prioritized for those institutions that demonstrate a com-*  
18 *mitment to democracy and the rule of law, as determined*  
19 *by the Secretary of State or the Administrator of the United*  
20 *States Agency for International Development, as appro-*  
21 *priate.*

22 (e) *RESTRICTION ON PRIOR APPROVAL.—With respect*  
23 *to the provision of assistance for democracy programs in*  
24 *this Act, the organizations implementing such assistance,*  
25 *the specific nature of that assistance, and the participants*

1 *in such programs shall not be subject to the prior approval*  
2 *by the government of any foreign country: Provided, That*  
3 *the Secretary of State, in coordination with the USAID Ad-*  
4 *ministrator, shall report to the Committees on Appropria-*  
5 *tions, not later than 120 days after enactment of this Act,*  
6 *detailing steps taken by the Department of State and*  
7 *USAID to comply with the requirements of this subsection.*

8       *(f) CONTINUATION OF CURRENT PRACTICES.—USAID*  
9 *shall continue to implement civil society and political com-*  
10 *petition and consensus building programs abroad with*  
11 *funds appropriated by this Act in a manner that recognizes*  
12 *the unique benefits of grants and cooperative agreements in*  
13 *implementing such programs: Provided, That nothing in*  
14 *this paragraph shall be construed to affect the ability of*  
15 *any entity, including United States small businesses, from*  
16 *competing for proposals for USAID-funded civil society and*  
17 *political competition and consensus building programs.*

18       *(g) COUNTRY STRATEGY REVIEWS.—Prior to the obli-*  
19 *gation of funds made available by this Act for Department*  
20 *of State and USAID democracy programs for a nondemo-*  
21 *cratic or democratic transitioning country for which a*  
22 *country strategy has been concluded after the date of enact-*  
23 *ment of this Act, as required by section 2111(c)(1) of the*  
24 *ADVANCE Democracy Act of 2007 (title XXI of Public*  
25 *Law 110–53; 22 U.S.C. 8211) or similar provision of law*

1 *or regulation, the Under Secretary for Civilian Security,*  
2 *Democracy and Human Rights, Department of State, in*  
3 *consultation with the Assistant Secretary for Democracy,*  
4 *Human Rights, and Labor, Department of State, and the*  
5 *Assistant Administrator for Democracy, Conflict, and Hu-*  
6 *manitarian Assistance, USAID, shall review such strategy*  
7 *to ensure that it includes—*

8           (1) *specific goals and objectives for such pro-*  
9           *gram, including a specific plan and timeline to meas-*  
10          *ure impacts;*

11           (2) *an assessment of the risks associated with the*  
12          *conduct of such program to intended beneficiaries and*  
13          *implementers, including steps to support and protect*  
14          *such individuals; and*

15           (3) *the funding requirements to initiate and sus-*  
16          *tain such program in fiscal year 2018 and subsequent*  
17          *fiscal years, as appropriate:*

18 *Provided, That for the purposes of this subsection, the term*  
19 *“nondemocratic or democratic transitioning country” shall*  
20 *have the same meaning as in section 2104(6) of the AD-*  
21 *VANCE Democracy Act of 2007.*

22          *(h) COMMUNICATION AND REPORTS.—*

23           (1) *INFORMING THE NATIONAL ENDOWMENT FOR*  
24          *DEMOCRACY.—The Assistant Secretary for Democ-*  
25          *racy, Human Rights, and Labor, Department of*

1       *State, and the Assistant Administrator for Democ-*  
2       *racy, Conflict, and Humanitarian Assistance,*  
3       *USAID, shall regularly inform the National Endow-*  
4       *ment for Democracy of democracy programs that are*  
5       *planned and supported by funds made available by*  
6       *this Act and prior Acts making appropriations for*  
7       *the Department of State, foreign operations, and re-*  
8       *lated programs.*

9               (2) *REPORTS.—*

10               (A) *FUNDING INSTRUMENTS.—Not later*  
11               *than September 30, 2018, the Secretary of State*  
12               *and USAID Administrator shall each submit to*  
13               *the Committees on Appropriations a report de-*  
14               *tailing the use of contracts, grants, and coopera-*  
15               *tive agreements in the conduct of democracy pro-*  
16               *grams with funds made available by the Depart-*  
17               *ment of State, Foreign Operations, and Related*  
18               *Programs Appropriations Act, 2017 (division J*  
19               *of Public Law 115–31), which shall include*  
20               *funding level, account, program sector and sub-*  
21               *sector, and a brief summary of purpose.*

22               (B) *PROGRAM CHANGES.—The Secretary of*  
23               *State or the USAID Administrator, as appro-*  
24               *priate, shall report to the appropriate congres-*  
25               *sional committees within 30 days of a decision*



1           to significantly change the objectives or the con-  
2           tent of a democracy program or to close such a  
3           program due to the increasingly repressive na-  
4           ture of the host country government: Provided,  
5           That the report shall also include a strategy for  
6           continuing support for democracy promotion, if  
7           such programming is feasible, and may be sub-  
8           mitted in classified form, if necessary.

9           (i) *PROTECTION OF CIVIL SOCIETY ACTIVISTS AND*  
10 *JOURNALISTS.*—

11           (1) *PLAN.*—Not later than 120 days after enact-  
12           ment of this Act, the Secretary of State shall submit  
13           to the appropriate congressional committees a diplo-  
14           matic and programmatic action plan to support and  
15           protect civil society activists and journalists who have  
16           been threatened, harassed, or attacked for peacefully  
17           exercising their rights of free expression, association,  
18           or assembly: Provided, That the Assistant Secretary  
19           for Democracy, Human Rights, and Labor (DRL),  
20           Department of State, shall develop such action plan  
21           in coordination with the relevant bureaus and offices  
22           of the Department of State and USAID.

23           (2) *FUNDS.*—Of the funds appropriated by this  
24           Act under the headings “Economic Support Fund”  
25           and “Democracy Fund”, not less than \$10,000,000

1     *shall be made available for programs and activities to*  
2     *implement the action plan described in paragraph*  
3     *(1): Provided, That such funds may only be made*  
4     *available following consultation with the Committees*  
5     *on Appropriations: Provided further, That such funds*  
6     *shall be allocated to, and administered by, DRL and*  
7     *relevant bureaus and offices of the Department of*  
8     *State and USAID, and are in addition to amounts*  
9     *otherwise made available for such purposes.*

10             *INTERNATIONAL RELIGIOUS FREEDOM*

11     *SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM*  
12     *OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS*  
13     *FREEDOM.—*

14             *(1) OPERATIONS.—Funds appropriated by this*  
15     *Act under the heading “Diplomatic and Consular*  
16     *Programs” shall be made available for the Office of*  
17     *International Religious Freedom, Bureau of Democ-*  
18     *racy, Human Rights, and Labor, Department of*  
19     *State, the Office of the Ambassador-at-Large for Inter-*  
20     *national Religious Freedom, and the Special Envoy*  
21     *to Promote Religious Freedom of Religious Minorities*  
22     *in the Near East and South Central Asia, as author-*  
23     *ized in the Near East and South Central Asia Reli-*  
24     *gious Freedom Act of 2014 (Public Law 113–161), in-*  
25     *cluding for support staff at not less than the amounts*

1 *specified for such offices in the table under such head-*  
2 *ing in the explanatory statement described in section*  
3 *4 (in the matter preceding division A of this consoli-*  
4 *dated Act).*

5 (2) *CURRICULUM.—Funds appropriated under*  
6 *the heading “Diplomatic and Consular Programs”*  
7 *and designated for the Office of International Reli-*  
8 *gious Freedom shall be made available for the devel-*  
9 *opment and implementation of an international reli-*  
10 *gious freedom curriculum in accordance with section*  
11 *708(a)(2) of the Foreign Service Act of 1980 (22*  
12 *U.S.C. 4028(a)(2)).*

13 (b) *ASSISTANCE.—*

14 (1) *INTERNATIONAL RELIGIOUS FREEDOM PRO-*  
15 *GRAMS.—Of the funds appropriated by this Act under*  
16 *the heading “Democracy Fund” and available for the*  
17 *Human Rights and Democracy Fund, not less than*  
18 *\$10,000,000 shall be made available for international*  
19 *religious freedom programs: Provided, That the Am-*  
20 *bassador-at-Large for International Religious Free-*  
21 *dom shall consult with the Committees on Appropria-*  
22 *tions on the uses of such funds.*

23 (2) *PROTECTION AND INVESTIGATION PRO-*  
24 *GRAMS.—Of the funds appropriated by this Act under*  
25 *the heading “Economic Support Fund”, not less than*

1       \$10,000,000 shall be made available for programs to  
2       protect vulnerable and persecuted religious minorities:  
3       *Provided, That a portion of such funds shall be made*  
4       *available for programs to investigate the persecution*  
5       *of such minorities by governments and non-state ac-*  
6       *tors and for the public dissemination of information*  
7       *collected on such persecution, including on the De-*  
8       *partment of State Web site.*

9               (3) *HUMANITARIAN PROGRAMS.—Funds appro-*  
10       *priated by this Act under the headings “International*  
11       *Disaster Assistance” and “Migration and Refugee As-*  
12       *sistance” shall be made available for humanitarian*  
13       *assistance for vulnerable and persecuted religious mi-*  
14       *norities, including victims of genocide designated by*  
15       *the Secretary of State and other groups that have suf-*  
16       *fered crimes against humanity and ethnic cleansing,*  
17       *to—*

18               (A) *facilitate the implementation of an im-*  
19       *mediate, coordinated, and sustained response to*  
20       *provide humanitarian assistance;*

21               (B) *enhance protection of conflict victims,*  
22       *including those facing a dire humanitarian cri-*  
23       *sis and severe persecution because of their faith*  
24       *or ethnicity; and*

1           (C) improve access to secure locations for  
2           obtaining humanitarian and resettlement serv-  
3           ices.

4           (4) *TRANSITIONAL JUSTICE, RECONCILIATION,*  
5           *AND REINTEGRATION PROGRAMS.*—Of the funds ap-  
6           propriated by this Act that are made available for the  
7           Relief and Recovery Fund, not less than \$5,000,000  
8           shall be made available to support transitional jus-  
9           tice, reconciliation, and reintegration programs for  
10          vulnerable and persecuted religious minorities, in-  
11          cluding in the Middle East and North Africa regions:  
12          Provided, That such funds shall be matched, to the  
13          maximum extent practicable, from sources other than  
14          the United States Government.

15          (5) *RESPONSIBILITY FOR FUNDS.*—Funds made  
16          available by paragraphs (1) and (2) shall be the re-  
17          sponsibility of the Ambassador-at-Large for Inter-  
18          national Religious Freedom, in consultation with  
19          other relevant United States Government officials.

20          (c) *INTERNATIONAL BROADCASTING.*—Funds appro-  
21          priated by this Act under the heading “Broadcasting Board  
22          of Governors, International Broadcasting Operations” shall  
23          be made available for programs related to international re-  
24          ligious freedom, including reporting on the condition of vul-  
25          nerable and persecuted religious groups.



1 *trafficking, may be made available notwithstanding any*  
2 *other provision of law.*

3 *(b) LAW ENFORCEMENT AND SECURITY.—*

4 *(1) CHILD SOLDIERS.—Funds appropriated by*  
5 *this Act should not be used to support any military*  
6 *training or operations that include child soldiers.*

7 *(2) CROWD CONTROL ITEMS.—Funds appro-*  
8 *priated by this Act should not be used for tear gas,*  
9 *small arms, light weapons, ammunition, or other*  
10 *items for crowd control purposes for foreign security*  
11 *forces that use excessive force to repress peaceful ex-*  
12 *pression, association, or assembly in countries under-*  
13 *going democratic transition.*

14 *(3) DISARMAMENT, DEMOBILIZATION, AND RE-*  
15 *INTEGRATION.—Section 7034(d) of the Department of*  
16 *State, Foreign Operations, and Related Programs Ap-*  
17 *propriations Act, 2015 (division J of Public Law*  
18 *113–235) shall continue in effect during fiscal year*  
19 *2018.*

20 *(4) FORENSIC ASSISTANCE.—*

21 *(A) Of the funds appropriated by this Act*  
22 *under the heading “Economic Support Fund”,*  
23 *not less than \$8,000,000 shall be made available*  
24 *for forensic anthropology assistance related to the*  
25 *exhumation and identification of victims of war*

1 *crimes, crimes against humanity, and genocide,*  
2 *which shall be administered by the Assistant Sec-*  
3 *retary for Democracy, Human Rights, and*  
4 *Labor, Department of State: Provided, That such*  
5 *funds shall be in addition to funds made avail-*  
6 *able by this Act and prior Acts making appro-*  
7 *priations for the Department of State, foreign*  
8 *operations, and related programs for assistance*  
9 *for countries.*

10 *(B) Of the funds appropriated by this Act*  
11 *under the heading “International Narcotics Con-*  
12 *trol and Law Enforcement”, not less than*  
13 *\$6,000,000 shall be made available for DNA fo-*  
14 *rensic technology programs to combat human*  
15 *trafficking in Central America and Mexico.*

16 *(5) INTERNATIONAL PRISON CONDITIONS.—Sec-*  
17 *tion 7065 of the Department of State, Foreign Oper-*  
18 *ations, and Related Programs Appropriations Act,*  
19 *2015 (division J of Public Law 113–235) shall con-*  
20 *tinue in effect during fiscal year 2018.*

21 *(6) RECONSTITUTING CIVILIAN POLICE AUTHOR-*  
22 *ITY.—In providing assistance with funds appro-*  
23 *priated by this Act under section 660(b)(6) of the*  
24 *Foreign Assistance Act of 1961, support for a nation*  
25 *emerging from instability may be deemed to mean*



1 support for regional, district, municipal, or other sub-  
2 national entity emerging from instability, as well as  
3 a nation emerging from instability.

4 (7) *SECURITY ASSISTANCE REPORT.*—Not later  
5 than 120 days after enactment of this Act, the Sec-  
6 retary of State shall submit to the Committees on Ap-  
7 propriations a report on funds obligated and ex-  
8 pended during fiscal year 2017, by country and pur-  
9 pose of assistance, under the headings “Peacekeeping  
10 Operations”, “International Military Education and  
11 Training”, and “Foreign Military Financing Pro-  
12 gram”.

13 (8) *FOREIGN MILITARY SALES AND FOREIGN*  
14 *MILITARY FINANCING PROGRAM.*—

15 (A) *AVAILABILITY.*—Funds appropriated by  
16 this Act under the heading “Foreign Military  
17 Financing Program” for the general costs of ad-  
18 ministering military assistance and sales shall  
19 be made available to increase the efficiency and  
20 effectiveness of programs authorized by Chapter  
21 2 of the Arms Export Control Act: Provided,  
22 That prior to the obligation of funds for such  
23 purposes, the Secretary of State shall consult  
24 with the Committees on Appropriations.

1           (B) *QUARTERLY STATUS REPORT.*—*Fol-*  
2 *lowing the submission of the quarterly report re-*  
3 *quired by section 36 of Public Law 90–629 (22*  
4 *U.S.C. 2776), the Secretary of State, in coordi-*  
5 *nation with the Secretary of Defense, shall sub-*  
6 *mit to the Committees on Appropriations a sta-*  
7 *tus report that contains the information de-*  
8 *scribed under the heading “Foreign Military Fi-*  
9 *nancing Program” in House Report 115–253.*

10       (9) *VETTING REPORT.*—

11           (A) *IN GENERAL.*—*Not later than 90 days*  
12 *after enactment of this Act, the Secretary of*  
13 *State shall submit a report to the appropriate*  
14 *congressional committees on foreign assistance*  
15 *cases submitted for vetting for purposes of section*  
16 *620M of the Foreign Assistance Act of 1961 dur-*  
17 *ing the preceding fiscal year, including—*

18                   (i) *the total number of cases submitted,*  
19 *approved, suspended, or rejected for human*  
20 *rights reasons; and*

21                   (ii) *for cases rejected, a description of*  
22 *the steps taken to assist the foreign govern-*  
23 *ment in taking effective measures to bring*  
24 *the responsible members of the security*  
25 *forces to justice, in accordance with section*

1                   620M(c) of the Foreign Assistance Act of  
2                   1961.

3                   (B) FORM.—The report required by this  
4                   paragraph shall be submitted in unclassified  
5                   form, but may be accompanied by a classified  
6                   annex.

7                   (10) ANNUAL FOREIGN MILITARY TRAINING RE-  
8                   PORT.—For the purposes of implementing section 656  
9                   of the Foreign Assistance Act of 1961, the term “mili-  
10                  tary training provided to foreign military personnel  
11                  by the Department of Defense and the Department of  
12                  State” shall be deemed to include all military train-  
13                  ing provided by foreign governments with funds ap-  
14                  propriated to the Department of Defense or the De-  
15                  partment of State, except for training provided by the  
16                  government of a country designated by section 517(b)  
17                  of such Act as a major non-NATO ally.

18                  (11) ASSISTANCE TO ELIMINATE TORTURE.—  
19                  Funds appropriated under titles III and IV of this  
20                  Act shall be made available, notwithstanding section  
21                  660 of the Foreign Assistance Act of 1961 and fol-  
22                  lowing consultation with the Committees on Appro-  
23                  priations, for assistance to eliminate torture by for-  
24                  eign police, military or other security forces in coun-

1 *tries receiving assistance from funds appropriated by*  
2 *this Act.*

3 (12) *COMBAT CASUALTY CARE.*—

4 (A) *Consistent with the objectives of the*  
5 *Foreign Assistance Act of 1961 and the Arms*  
6 *Export Control Act, funds appropriated by this*  
7 *Act under the headings “Peacekeeping Oper-*  
8 *ations” and “Foreign Military Financing Pro-*  
9 *gram” shall be made available for combat cas-*  
10 *ualty training and equipment.*

11 (B) *The Secretary of State shall offer com-*  
12 *bat casualty care training and equipment as a*  
13 *component of any package of lethal assistance*  
14 *funded by this Act with funds appropriated*  
15 *under the headings “Peacekeeping Operations”*  
16 *and “Foreign Military Financing Program”:*  
17 *Provided, That the requirement of this para-*  
18 *graph shall apply to a country in conflict, unless*  
19 *the Secretary determines that such country has*  
20 *in place, to the maximum extent practicable,*  
21 *functioning combat casualty care treatment and*  
22 *equipment that meets or exceeds the standards*  
23 *recommended by the Committee on Tactical*  
24 *Combat Casualty Care: Provided further, That*  
25 *any such training and equipment for combat*

1           *casualty care shall be made available through an*  
2           *open and transparent process.*

3           *(c) WORLD FOOD PROGRAMME.—*

4           *(1) CONTRIBUTION.—Funds managed by the Bu-*  
5           *reau for Democracy, Conflict, and Humanitarian As-*  
6           *sistance, United States Agency for International De-*  
7           *velopment, from this or any other Act, may be made*  
8           *available as a general contribution to the World Food*  
9           *Programme, notwithstanding any other provision of*  
10          *law.*

11          *(2) PROGRAM TO LEVERAGE ADDITIONAL CON-*  
12          *TRIBUTIONS.—Funds appropriated by this Act shall*  
13          *be made available to leverage additional contributions*  
14          *for the World Food Programme from sources other*  
15          *than the United States Government: Provided, That*  
16          *the Secretary of State shall consult with the Commit-*  
17          *tees on Appropriations on implementation of this*  
18          *paragraph.*

19          *(d) DIRECTIVES AND AUTHORITIES.—*

20          *(1) RESEARCH AND TRAINING.—Funds appro-*  
21          *priated by this Act under the heading “Assistance for*  
22          *Europe, Eurasia and Central Asia” shall be made*  
23          *available to carry out the Program for Research and*  
24          *Training on Eastern Europe and the Independent*  
25          *States of the Former Soviet Union as authorized by*

1 *the Soviet-Eastern European Research and Training*  
2 *Act of 1983 (22 U.S.C. 4501 et seq.).*

3 (2) *GENOCIDE VICTIMS MEMORIAL SITES.—*  
4 *Funds appropriated by this Act and prior Acts mak-*  
5 *ing appropriations for the Department of State, for-*  
6 *ign operations, and related programs under the*  
7 *headings “Economic Support Fund” and “Assistance*  
8 *for Europe, Eurasia and Central Asia” may be made*  
9 *available as contributions to establish and maintain*  
10 *memorial sites of genocide, subject to the regular noti-*  
11 *fication procedures of the Committees on Appropria-*  
12 *tions.*

13 (3) *ADDITIONAL AUTHORITIES.—Of the amounts*  
14 *made available by title I of this Act under the head-*  
15 *ing “Diplomatic and Consular Programs”, up to*  
16 *\$500,000 may be made available for grants pursuant*  
17 *to section 504 of the Foreign Relations Authorization*  
18 *Act, Fiscal Year 1979 (22 U.S.C. 2656d), including*  
19 *to facilitate collaboration with indigenous commu-*  
20 *nities, and up to \$1,000,000 may be made available*  
21 *for grants to carry out the activities of the Cultural*  
22 *Antiquities Task Force.*

23 (4) *INNOVATION.—The USAID Administrator*  
24 *may use funds appropriated by this Act under title*  
25 *III to make innovation incentive awards: Provided,*

1       *That each individual award may not exceed*  
2       *\$100,000: Provided further, That no more than 10*  
3       *such awards may be made during fiscal year 2018:*  
4       *Provided further, That for purposes of this paragraph*  
5       *the term “innovation incentive award” means the*  
6       *provision of funding on a competitive basis that—*

7               *(A) encourages and rewards the develop-*  
8               *ment of solutions for a particular, well-defined*  
9               *problem related to the alleviation of poverty; or*

10              *(B) helps identify and promote a broad*  
11              *range of ideas and practices facilitating further*  
12              *development of an idea or practice by third par-*  
13              *ties.*

14              *(5) EXCHANGE VISITOR PROGRAM.—None of the*  
15              *funds made available by this Act may be used to mod-*  
16              *ify the Exchange Visitor Program administered by*  
17              *the Department of State to implement the Mutual*  
18              *Educational and Cultural Exchange Act of 1961, as*  
19              *amended, (Public Law 87–256; 22 U.S.C. 2451 et*  
20              *seq.), except through the formal rulemaking process*  
21              *pursuant to the Administrative Procedures Act and*  
22              *notwithstanding the exceptions to such rulemaking*  
23              *process in such Act: Provided, That funds made avail-*  
24              *able for such purpose shall only be made available*  
25              *after consultation with, and subject to the regular no-*

1        *tification procedures of, the Committees on Appro-*  
2        *priations, regarding how any proposed modification*  
3        *would affect the public diplomacy goals of, and the es-*  
4        *timated economic impact on, the United States.*

5            (6) *REPORT.—The report required by section*  
6        *502(d) of the Intelligence Authorization Act for Fiscal*  
7        *Year 2017 (division N of Public Law 115–31; 22*  
8        *U.S.C. 254a note) shall be provided to the Committees*  
9        *on Appropriations.*

10          (e) *PARTNER VETTING.—The Secretary of State and*  
11        *USAID Administrator may initiate a partner vetting pro-*  
12        *gram to mitigate the risk of diversion of foreign assistance,*  
13        *or make significant modifications to any existing partner*  
14        *vetting program, only following consultation with the Com-*  
15        *mittees on Appropriations: Provided, That the Secretary*  
16        *and Administrator should provide a direct vetting option*  
17        *for prime awardees in any partner vetting program initi-*  
18        *ated after the date of the enactment of this Act.*

19          (f) *CONTINGENCIES.—During fiscal year 2018, the*  
20        *President may use up to \$125,000,000 under the authority*  
21        *of section 451 of the Foreign Assistance Act of 1961, not-*  
22        *withstanding any other provision of law.*

23          (g) *INTERNATIONAL CHILD ABDUCTIONS.—The Sec-*  
24        *retary of State should withhold funds appropriated under*  
25        *title III of this Act for assistance for the central government*



1 *of any country that is not taking appropriate steps to com-*  
2 *ply with the Convention on the Civil Aspects of Inter-*  
3 *national Child Abductions, done at the Hague on October*  
4 *25, 1980: Provided, That the Secretary shall report to the*  
5 *Committees on Appropriations within 15 days of with-*  
6 *holding funds under this subsection.*

7       *(h) CULTURAL PRESERVATION PROJECT DETERMINA-*  
8 *TION.—None of the funds appropriated in titles I and III*  
9 *of this Act may be used for the preservation of religious*  
10 *sites unless the Secretary of State or the USAID Adminis-*  
11 *trator, as appropriate, determines and reports to the Com-*  
12 *mittees on Appropriations that such sites are historically,*  
13 *artistically, or culturally significant, that the purpose of*  
14 *the project is neither to advance nor to inhibit the free exer-*  
15 *cise of religion, and that the project is in the national inter-*  
16 *est of the United States.*

17       *(i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-*  
18 *TECTION.—The Secretary of State may transfer to, and*  
19 *merge with, funds under the heading “Protection of Foreign*  
20 *Missions and Officials” unobligated balances of expired*  
21 *funds appropriated under the heading “Diplomatic and*  
22 *Consular Programs” for fiscal year 2018, except for funds*  
23 *designated for Overseas Contingency Operations/Global*  
24 *War on Terrorism pursuant to section 251(b)(2)(A)(i) of*  
25 *the Balanced Budget and Emergency Deficit Control Act*

1 of 1985, at no later than the end of the fifth fiscal year  
2 after the last fiscal year for which such funds are available  
3 for the purposes for which appropriated: Provided, That not  
4 more than \$50,000,000 may be transferred.

5 (j) *AUTHORITY TO COUNTER EXTREMISM.*—Funds  
6 made available by this Act under the heading “Economic  
7 Support Fund” to counter extremism may be made avail-  
8 able notwithstanding any other provision of law restricting  
9 assistance to foreign countries, except sections 502B and  
10 620A of the Foreign Assistance Act of 1961: Provided, That  
11 the use of the authority of this subsection shall be subject  
12 to prior consultation with the appropriate congressional  
13 committees, and the regular notification procedures of the  
14 Committees on Appropriations.

15 (k) *PROTECTIONS AND REMEDIES FOR EMPLOYEES OF*  
16 *DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZA-*  
17 *TIONS.*—Section 7034(k) of the Department of State, For-  
18 eign Operations, and Related Programs Appropriations  
19 Act, 2015 (division J of Public Law 113–235) shall con-  
20 tinue in effect during fiscal year 2018.

21 (l) *EXTENSION OF AUTHORITIES.*—

22 (1) *PASSPORT FEES.*—Section 1(b)(2) of the  
23 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))  
24 shall be applied by substituting “September 30, 2018”  
25 for “September 30, 2010”.

1           (2) *INCENTIVES FOR CRITICAL POSTS.*—*The au-*  
2 *thority contained in section 1115(d) of the Supple-*  
3 *mental Appropriations Act, 2009 (Public Law 111–*  
4 *32) shall remain in effect through September 30,*  
5 *2018.*

6           (3) *USAID CIVIL SERVICE ANNUITANT WAIV-*  
7 *ER.*—*Section 625(j)(1) of the Foreign Assistance Act*  
8 *of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by*  
9 *substituting “September 30, 2018” for “October 1,*  
10 *2010” in subparagraph (B).*

11           (4) *OVERSEAS PAY COMPARABILITY AND LIMITA-*  
12 *TION.*—

13           (A) *Subject to the limitation described in*  
14 *subparagraph (B), the authority provided by sec-*  
15 *tion 1113 of the Supplemental Appropriations*  
16 *Act, 2009 (Public Law 111–32) shall remain in*  
17 *effect through September 30, 2018.*

18           (B) *The authority described in subpara-*  
19 *graph (A) may not be used to pay an eligible*  
20 *member of the Foreign Service (as defined in sec-*  
21 *tion 1113(b) of the Supplemental Appropriations*  
22 *Act, 2009 (Public Law 111–32)) a locality-based*  
23 *comparability payment (stated as a percentage)*  
24 *that exceeds two-thirds of the amount of the lo-*  
25 *cality-based comparability payment (stated as a*

1           percentage) that would be payable to such mem-  
2           ber under section 5304 of title 5, United States  
3           Code, if such member's official duty station were  
4           in the District of Columbia.

5           (5) *CATEGORICAL ELIGIBILITY.*—*The Foreign*  
6           *Operations, Export Financing, and Related Programs*  
7           *Appropriations Act, 1990 (Public Law 101–167) is*  
8           *amended—*

9                   (A) *in section 599D (8 U.S.C. 1157 note)—*

10                           (i) *in subsection (b)(3), by striking*  
11                           *“and 2017” and inserting “2017, and*  
12                           *2018”; and*

13                           (ii) *in subsection (e), by striking*  
14                           *“2017” each place it appears and inserting*  
15                           *“2018”; and*

16                   (B) *in section 599E (8 U.S.C. 1255 note) in*  
17                   *subsection (b)(2), by striking “2017” and insert-*  
18                   *ing “2018”.*

19           (6) *INSPECTOR GENERAL ANNUITANT WAIVER.*—  
20           *The authorities provided in section 1015(b) of the*  
21           *Supplemental Appropriations Act, 2010 (Public Law*  
22           *111–212) shall remain in effect through September*  
23           *30, 2018.*

24           (7) *EXTENSION OF WAR RESERVES STOCKPILE*  
25           *AUTHORITY.*—

1           (A) Section 12001(d) of the Department of  
2           Defense Appropriations Act, 2005 (Public Law  
3           108–287; 118 Stat. 1011) is amended by striking  
4           “2018” and inserting “2019”.

5           (B) Section 514(b)(2)(A) of the Foreign As-  
6           sistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A))  
7           is amended by striking “and 2018” and insert-  
8           ing “2018, and 2019”.

9           (8) ACCOUNTABILITY REVIEW BOARDS.—The au-  
10          thority provided by section 301(a)(3) of the Omnibus  
11          Diplomatic Security and Antiterrorism Act of 1986  
12          (22 U.S.C. 4831(a)(3)) shall be in effect for facilities  
13          in Afghanistan through September 30, 2018, except  
14          that the notification and reporting requirements con-  
15          tained in such section shall include the Committees on  
16          Appropriations.

17          (m) MONITORING AND EVALUATION.—Funds appro-  
18          priated by this Act that are available for monitoring and  
19          evaluation of assistance under the headings “Development  
20          Assistance”, “International Disaster Assistance” and “Mi-  
21          gration and Refugee Assistance” shall, as appropriate, be  
22          made available for the regular collection of feedback ob-  
23          tained directly from beneficiaries on the quality and rel-  
24          evance of such assistance: Provided, That the Department  
25          of State and USAID shall, as appropriate, require imple-

1 *menting partners that receive funds under such headings*  
2 *to establish procedures for regularly collecting and respond-*  
3 *ing to such feedback, inform the Department of State and*  
4 *USAID of such procedures, and report to the Department*  
5 *of State and USAID on actions taken in response to the*  
6 *feedback received: Provided further, That the Department*  
7 *of State and USAID shall conduct regular oversight to en-*  
8 *sure that such feedback is collected and used by imple-*  
9 *menting partners to maximize the cost-effectiveness and*  
10 *utility of such assistance.*

11 *(n) HIV/AIDS WORKING CAPITAL FUND.—Funds*  
12 *available in the HIV/AIDS Working Capital Fund estab-*  
13 *lished pursuant to section 525(b)(1) of the Foreign Oper-*  
14 *ations, Export Financing, and Related Programs Appro-*  
15 *priations Act, 2005 (Public Law 108–447) may be made*  
16 *available for pharmaceuticals and other products for child*  
17 *survival, malaria, and tuberculosis to the same extent as*  
18 *HIV/AIDS pharmaceuticals and other products, subject to*  
19 *the terms and conditions in such section: Provided, That*  
20 *the authority in section 525(b)(5) of the Foreign Oper-*  
21 *ations, Export Financing, and Related Programs Appro-*  
22 *priation Act, 2005 (Public Law 108–447) shall be exercised*  
23 *by the Assistant Administrator for Global Health, USAID,*  
24 *with respect to funds deposited for such non-HIV/AIDS*  
25 *pharmaceuticals and other products, and shall be subject*

1 *to the regular notification procedures of the Committees on*  
2 *Appropriations: Provided further, That the Secretary of*  
3 *State shall include in the congressional budget justification*  
4 *an accounting of budgetary resources, disbursements, bal-*  
5 *ances, and reimbursements related to such fund.*

6 *(o) LOANS AND ENTERPRISE FUNDS.—*

7 *(1) LOAN GUARANTEES.—Funds appropriated*  
8 *under the headings “Economic Support Fund” and*  
9 *“Assistance for Europe, Eurasia and Central Asia”*  
10 *by this Act and prior Acts making appropriations for*  
11 *the Department of State, foreign operations, and re-*  
12 *lated programs may be made available for the costs,*  
13 *as defined in section 502 of the Congressional Budget*  
14 *Act of 1974, of loan guarantees for Egypt, Jordan,*  
15 *Iraq, Tunisia, and Ukraine, which are authorized to*  
16 *be provided: Provided, That amounts made available*  
17 *under this paragraph for the costs of such guarantees*  
18 *shall not be considered assistance for the purposes of*  
19 *provisions of law limiting assistance to a country.*

20 *(2) ENTERPRISE FUNDS.—Funds appropriated*  
21 *under the heading “Economic Support Fund” in this*  
22 *Act may be made available to establish and operate*  
23 *one or more enterprise funds for Egypt, Jordan, and*  
24 *Tunisia: Provided, That the first, third and fifth pro-*  
25 *visos under section 7041(b) of the Department of*

1       *State, Foreign Operations, and Related Programs Ap-*  
2       *propriations Act, 2012 (division I of Public Law*  
3       *112–74) shall apply to funds appropriated by this*  
4       *Act under the heading “Economic Support Fund” for*  
5       *an enterprise fund or funds to the same extent and*  
6       *in the same manner as such provision of law applied*  
7       *to funds made available under such section (except*  
8       *that the clause excluding subsection (d)(3) of section*  
9       *201 of the SEED Act shall not apply): Provided fur-*  
10       *ther, That in addition to the previous proviso, the au-*  
11       *thorities in the matter preceding the first proviso of*  
12       *such section may apply to any such enterprise fund*  
13       *or funds: Provided further, That the authority of any*  
14       *such enterprise fund or funds to provide assistance*  
15       *shall cease to be effective on December 31, 2028.*

16               (3) *DESIGNATION REQUIREMENT.—Funds made*  
17       *available pursuant to paragraph (1) from prior Acts*  
18       *making appropriations for the Department of State,*  
19       *foreign operations, and related programs that were*  
20       *previously designated by the Congress for Overseas*  
21       *Contingency Operations/Global War on Terrorism*  
22       *pursuant to section 251(b)(2)(A)(vi) of the Balanced*  
23       *Budget and Emergency Deficit Control Act of 1985*  
24       *are designated by the Congress for Overseas Contin-*



1 *gency Operations/Global War on Terrorism pursuant*  
2 *to section 251(b)(2)(A)(ii) of such Act.*

3 (4) *CONSULTATION AND NOTIFICATION.—Funds*  
4 *made available pursuant to the authorities of this*  
5 *subsection shall be subject to prior consultation with*  
6 *the appropriate congressional committees, and subject*  
7 *to the regular notification procedures of the Commit-*  
8 *tees on Appropriations.*

9 (p) *LOCAL WORKS.—*

10 (1) *The “Small Grants Program” established*  
11 *pursuant to section 7080 of the Department of State,*  
12 *Foreign Operations, and Related Programs Appro-*  
13 *propriations Act, 2015 (division J of Public Law 113–*  
14 *235) shall hereafter be referred to as “Local Works”.*

15 (2) *Of the funds appropriated by this Act under*  
16 *the headings “Development Assistance”, “Economic*  
17 *Support Fund”, and “Assistance for Europe, Eurasia*  
18 *and Central Asia”, not less than \$47,000,000 shall be*  
19 *made available for Local Works pursuant to section*  
20 *7080 of the Department of State, Foreign Operations,*  
21 *and Related Programs Appropriations Act, 2015 (di-*  
22 *vision J of Public Law 113–235), which may remain*  
23 *available until September 30, 2022.*

24 (3) *For the purposes of section 7080 of the De-*  
25 *partment of State, Foreign Operations, and Related*

1        *Programs Appropriations Act, 2015 (division J of*  
2        *Public Law 113–235), “eligible entities” shall be de-*  
3        *defined as small local, international, and United*  
4        *States-based nongovernmental organizations, edu-*  
5        *cational institutions, and other small entities that*  
6        *have received less than a total of \$5,000,000 from*  
7        *USAID over the previous 5 fiscal years: Provided,*  
8        *That departments or centers of such educational insti-*  
9        *tutions may be considered individually in deter-*  
10       *mining such eligibility.*

11       *(q) DEPARTMENT OF STATE INSPECTOR GENERAL*  
12       *WAIVER AUTHORITY.—The Inspector General of the De-*  
13       *partment of State may waive the provisions of subsections*  
14       *(a) through (d) of section 824 of the Foreign Service Act*  
15       *of 1980 (22 U.S.C. 4064) on a case-by-case basis for an*  
16       *annuitant reemployed by the Inspector General on a tem-*  
17       *porary basis, subject to the same constraints and in the*  
18       *same manner by which the Secretary of State may exercise*  
19       *such waiver authority pursuant to subsection (g) of such*  
20       *section.*

21       *(r) DEFINITIONS.—*

22                *(1) APPROPRIATE CONGRESSIONAL COMMIT-*  
23        *TEES.—Unless otherwise defined in this Act, for pur-*  
24        *poses of this Act the term “appropriate congressional*  
25        *committees” means the Committees on Appropriations*

1        *and Foreign Relations of the Senate and the Commit-*  
2        *tees on Appropriations and Foreign Affairs of the*  
3        *House of Representatives.*

4                (2) *FUNDS APPROPRIATED BY THIS ACT AND*  
5        *PRIOR ACTS.—Unless otherwise defined in this Act,*  
6        *for purposes of this Act the term “funds appropriated*  
7        *by this Act and prior Acts making appropriations for*  
8        *the Department of State, foreign operations, and re-*  
9        *lated programs” means funds that remain available*  
10       *for obligation, and have not expired.*

11               (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.—*  
12       *In this Act “international financial institutions”*  
13       *means the International Bank for Reconstruction and*  
14       *Development, the International Development Associa-*  
15       *tion, the International Finance Corporation, the*  
16       *Inter-American Development Bank, the International*  
17       *Monetary Fund, the Asian Development Bank, the*  
18       *Asian Development Fund, the Inter-American Invest-*  
19       *ment Corporation, the North American Development*  
20       *Bank, the European Bank for Reconstruction and De-*  
21       *velopment, the African Development Bank, the Afri-*  
22       *can Development Fund, and the Multilateral Invest-*  
23       *ment Guarantee Agency.*

24               (4) *SOUTHERN KORDOFAN REFERENCE.—Any*  
25       *reference to Southern Kordofan in this or any other*

1     *Act making appropriations for the Department of*  
2     *State, foreign operations, and related programs shall*  
3     *be deemed to include portions of Western Kordofan*  
4     *that were previously part of Southern Kordofan prior*  
5     *to the 2013 division of Southern Kordofan.*

6             (5) *USAID.*—*In this Act, the term “USAID”*  
7     *means the United States Agency for International De-*  
8     *velopment.*

9             (6) *SPEND PLAN.*—*In this Act, the term “spend*  
10    *plan” means a plan for the uses of funds appro-*  
11    *priated for a particular entity, country, program,*  
12    *purpose, or account and which shall include, at a*  
13    *minimum, a description of—*

14                 (A) *realistic and sustainable goals, criteria*  
15                 *for measuring progress, and a timeline for*  
16                 *achieving such goals;*

17                 (B) *amounts and sources of funds by ac-*  
18                 *count;*

19                 (C) *how such funds will complement other*  
20                 *ongoing or planned programs; and*

21                 (D) *implementing partners, to the max-*  
22                 *imum extent practicable.*

23             (7) *CLARIFICATION.*—*In this Act, the terms “As-*  
24    *stant Secretary” and “Under Secretary” shall in-*  
25    *clude individuals appointed by the President and*

1 confirmed by the Senate to serve in such designated  
2 positions, as well as individuals serving in acting ca-  
3 pacities or performing functions pursuant to alter ego  
4 delegations with such designated “Assistant Sec-  
5 retary” and “Under Secretary” positions.

6 ARAB LEAGUE BOYCOTT OF ISRAEL

7 SEC. 7035. It is the sense of the Congress that—

8 (1) the Arab League boycott of Israel, and the  
9 secondary boycott of American firms that have com-  
10 mercial ties with Israel, is an impediment to peace  
11 in the region and to United States investment and  
12 trade in the Middle East and North Africa;

13 (2) the Arab League boycott, which was regret-  
14 tably reinstated in 1997, should be immediately and  
15 publicly terminated, and the Central Office for the  
16 Boycott of Israel immediately disbanded;

17 (3) all Arab League states should normalize rela-  
18 tions with their neighbor Israel;

19 (4) the President and the Secretary of State  
20 should continue to vigorously oppose the Arab League  
21 boycott of Israel and find concrete steps to dem-  
22 onstrate that opposition by, for example, taking into  
23 consideration the participation of any recipient coun-  
24 try in the boycott when determining to sell weapons  
25 to said country; and

1           (5) *the President should report to Congress an-*  
2           *nually on specific steps being taken by the United*  
3           *States to encourage Arab League states to normalize*  
4           *their relations with Israel to bring about the termi-*  
5           *nation of the Arab League boycott of Israel, including*  
6           *those to encourage allies and trading partners of the*  
7           *United States to enact laws prohibiting businesses*  
8           *from complying with the boycott and penalizing busi-*  
9           *nesses that do comply.*

10    *PALESTINIAN STATEHOOD*

11           *SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of*  
12           *the funds appropriated under titles III through VI of this*  
13           *Act may be provided to support a Palestinian state unless*  
14           *the Secretary of State determines and certifies to the appro-*  
15           *priate congressional committees that—*

16                    (1) *the governing entity of a new Palestinian*  
17           *state—*

18    (A) *has demonstrated a firm commitment to*  
19    *peaceful co-existence with the State of Israel; and*

20    (B) *is taking appropriate measures to*  
21    *counter terrorism and terrorist financing in the*  
22    *West Bank and Gaza, including the dismantling*  
23    *of terrorist infrastructures, and is cooperating*  
24    *with appropriate Israeli and other appropriate*  
25    *security organizations; and*

1           (2) *the Palestinian Authority (or the governing*  
2 *entity of a new Palestinian state) is working with*  
3 *other countries in the region to vigorously pursue ef-*  
4 *forts to establish a just, lasting, and comprehensive*  
5 *peace in the Middle East that will enable Israel and*  
6 *an independent Palestinian state to exist within the*  
7 *context of full and normal relationships, which should*  
8 *include—*

9                   (A) *termination of all claims or states of*  
10 *belligerency;*

11                   (B) *respect for and acknowledgment of the*  
12 *sovereignty, territorial integrity, and political*  
13 *independence of every state in the area through*  
14 *measures including the establishment of demili-*  
15 *tarized zones;*

16                   (C) *their right to live in peace within secure*  
17 *and recognized boundaries free from threats or*  
18 *acts of force;*

19                   (D) *freedom of navigation through inter-*  
20 *national waterways in the area; and*

21                   (E) *a framework for achieving a just settle-*  
22 *ment of the refugee problem.*

23           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
24 *that the governing entity should enact a constitution assur-*  
25 *ing the rule of law, an independent judiciary, and respect*

1 *for human rights for its citizens, and should enact other*  
2 *laws and regulations assuring transparent and accountable*  
3 *governance.*

4       (c) *WAIVER.—The President may waive subsection (a)*  
5 *if the President determines that it is important to the na-*  
6 *tional security interest of the United States to do so.*

7       (d) *EXEMPTION.—The restriction in subsection (a)*  
8 *shall not apply to assistance intended to help reform the*  
9 *Palestinian Authority and affiliated institutions, or the*  
10 *governing entity, in order to help meet the requirements of*  
11 *subsection (a), consistent with the provisions of section 7040*  
12 *of this Act (“Limitation on Assistance for the Palestinian*  
13 *Authority”).*

14 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

15       *SEC. 7037. None of the funds appropriated under titles*  
16 *II through VI of this Act may be obligated or expended to*  
17 *create in any part of Jerusalem a new office of any depart-*  
18 *ment or agency of the United States Government for the*  
19 *purpose of conducting official United States Government*  
20 *business with the Palestinian Authority over Gaza and*  
21 *Jericho or any successor Palestinian governing entity pro-*  
22 *vided for in the Israel-PLO Declaration of Principles: Pro-*  
23 *vided, That this restriction shall not apply to the acquisi-*  
24 *tion of additional space for the existing Consulate General*  
25 *in Jerusalem: Provided further, That meetings between offi-*



1 *cers and employees of the United States and officials of the*  
2 *Palestinian Authority, or any successor Palestinian gov-*  
3 *erning entity provided for in the Israel-PLO Declaration*  
4 *of Principles, for the purpose of conducting official United*  
5 *States Government business with such authority should con-*  
6 *tinue to take place in locations other than Jerusalem: Pro-*  
7 *vided further, That as has been true in the past, officers*  
8 *and employees of the United States Government may con-*  
9 *tinue to meet in Jerusalem on other subjects with Palestin-*  
10 *ians (including those who now occupy positions in the Pal-*  
11 *estinian Authority), have social contacts, and have inci-*  
12 *dental discussions.*

13 *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*

14 *BROADCASTING CORPORATION*

15 *SEC. 7038. None of the funds appropriated or other-*  
16 *wise made available by this Act may be used to provide*  
17 *equipment, technical support, consulting services, or any*  
18 *other form of assistance to the Palestinian Broadcasting*  
19 *Corporation.*

20 *ASSISTANCE FOR THE WEST BANK AND GAZA*

21 *SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018, 30*  
22 *days prior to the initial obligation of funds for the bilateral*  
23 *West Bank and Gaza Program, the Secretary of State shall*  
24 *certify to the Committees on Appropriations that proce-*  
25 *dures have been established to assure the Comptroller Gen-*

1 eral of the United States will have access to appropriate  
2 United States financial information in order to review the  
3 uses of United States assistance for the Program funded  
4 under the heading “Economic Support Fund” for the West  
5 Bank and Gaza.

6 (b) VETTING.—Prior to the obligation of funds appro-  
7 priated by this Act under the heading “Economic Support  
8 Fund” for assistance for the West Bank and Gaza, the Sec-  
9 retary of State shall take all appropriate steps to ensure  
10 that such assistance is not provided to or through any indi-  
11 vidual, private or government entity, or educational insti-  
12 tution that the Secretary knows or has reason to believe ad-  
13 vocates, plans, sponsors, engages in, or has engaged in, ter-  
14 rorist activity nor, with respect to private entities or edu-  
15 cational institutions, those that have as a principal officer  
16 of the entity’s governing board or governing board of trust-  
17 ees any individual that has been determined to be involved  
18 in, or advocating terrorist activity or determined to be a  
19 member of a designated foreign terrorist organization: Pro-  
20 vided, That the Secretary of State shall, as appropriate, es-  
21 tablish procedures specifying the steps to be taken in car-  
22 rying out this subsection and shall terminate assistance to  
23 any individual, entity, or educational institution which the  
24 Secretary has determined to be involved in or advocating  
25 terrorist activity.

1       (c) *PROHIBITION.*—

2             (1) *RECOGNITION OF ACTS OF TERRORISM.*—

3       *None of the funds appropriated under titles III*  
4       *through VI of this Act for assistance under the West*  
5       *Bank and Gaza Program may be made available*  
6       *for—*

7             (A) *the purpose of recognizing or otherwise*  
8             *honoring individuals who commit, or have com-*  
9             *mitted acts of terrorism; and*

10            (B) *any educational institution located in*  
11            *the West Bank or Gaza that is named after an*  
12            *individual who the Secretary of State determines*  
13            *has committed an act of terrorism.*

14            (2) *SECURITY ASSISTANCE AND REPORTING RE-*  
15            *QUIREMENT.*—*Notwithstanding any other provision of*  
16            *law, none of the funds made available by this or prior*  
17            *appropriations Acts, including funds made available*  
18            *by transfer, may be made available for obligation for*  
19            *security assistance for the West Bank and Gaza until*  
20            *the Secretary of State reports to the Committees on*  
21            *Appropriations on the benchmarks that have been es-*  
22            *tablished for security assistance for the West Bank*  
23            *and Gaza and reports on the extent of Palestinian*  
24            *compliance with such benchmarks.*

1           (d) *OVERSIGHT BY THE UNITED STATES AGENCY FOR*  
2 *INTERNATIONAL DEVELOPMENT.*—

3           (1) *The Administrator of the United States*  
4 *Agency for International Development shall ensure*  
5 *that Federal or non-Federal audits of all contractors*  
6 *and grantees, and significant subcontractors and sub-*  
7 *grantees, under the West Bank and Gaza Program,*  
8 *are conducted at least on an annual basis to ensure,*  
9 *among other things, compliance with this section.*

10           (2) *Of the funds appropriated by this Act, up to*  
11 *\$1,000,000 may be used by the Office of Inspector*  
12 *General of the United States Agency for International*  
13 *Development for audits, investigations, and other ac-*  
14 *tivities in furtherance of the requirements of this sub-*  
15 *section: Provided, That such funds are in addition to*  
16 *funds otherwise available for such purposes.*

17           (e) *COMPTROLLER GENERAL OF THE UNITED STATES*  
18 *AUDIT.*—*Subsequent to the certification specified in sub-*  
19 *section (a), the Comptroller General of the United States*  
20 *shall conduct an audit and an investigation of the treat-*  
21 *ment, handling, and uses of all funds for the bilateral West*  
22 *Bank and Gaza Program, including all funds provided as*  
23 *cash transfer assistance, in fiscal year 2018 under the head-*  
24 *ing “Economic Support Fund”, and such audit shall ad-*  
25 *dress—*

1           (1) *the extent to which such Program complies*  
2           *with the requirements of subsections (b) and (c); and*

3           (2) *an examination of all programs, projects,*  
4           *and activities carried out under such Program, in-*  
5           *cluding both obligations and expenditures.*

6           (f) *NOTIFICATION PROCEDURES.*—*Funds made avail-*  
7           *able in this Act for West Bank and Gaza shall be subject*  
8           *to the regular notification procedures of the Committees on*  
9           *Appropriations.*

10          (g) *REPORT.*—*Not later than 180 days after enactment*  
11          *of this Act, the Secretary of State shall submit a report to*  
12          *the Committees on Appropriations updating the report con-*  
13          *tained in section 2106 of chapter 2 of title II of the Emer-*  
14          *gency Supplemental Appropriations Act for Defense, the*  
15          *Global War on Terror, and Tsunami Relief, 2005 (Public*  
16          *Law 109–13).*

17           *LIMITATION ON ASSISTANCE FOR THE PALESTINIAN*  
18           *AUTHORITY*

19          SEC. 7040. (a) *PROHIBITION OF FUNDS.*—*None of the*  
20          *funds appropriated by this Act to carry out the provisions*  
21          *of chapter 4 of part II of the Foreign Assistance Act of 1961*  
22          *may be obligated or expended with respect to providing*  
23          *funds to the Palestinian Authority.*

24          (b) *WAIVER.*—*The prohibition included in subsection*  
25          *(a) shall not apply if the President certifies in writing to*

1 *the Speaker of the House of Representatives, the President*  
2 *pro tempore of the Senate, and the Committees on Appro-*  
3 *priations that waiving such prohibition is important to the*  
4 *national security interest of the United States.*

5 (c) *PERIOD OF APPLICATION OF WAIVER.*—*Any waiv-*  
6 *er pursuant to subsection (b) shall be effective for no more*  
7 *than a period of 6 months at a time and shall not apply*  
8 *beyond 12 months after the enactment of this Act.*

9 (d) *REPORT.*—*Whenever the waiver authority pursu-*  
10 *ant to subsection (b) is exercised, the President shall submit*  
11 *a report to the Committees on Appropriations detailing the*  
12 *justification for the waiver, the purposes for which the funds*  
13 *will be spent, and the accounting procedures in place to*  
14 *ensure that the funds are properly disbursed: Provided,*  
15 *That the report shall also detail the steps the Palestinian*  
16 *Authority has taken to arrest terrorists, confiscate weapons*  
17 *and dismantle the terrorist infrastructure.*

18 (e) *CERTIFICATION.*—*If the President exercises the*  
19 *waiver authority under subsection (b), the Secretary of*  
20 *State must certify and report to the Committees on Appro-*  
21 *priations prior to the obligation of funds that the Pales-*  
22 *tinian Authority has established a single treasury account*  
23 *for all Palestinian Authority financing and all financing*  
24 *mechanisms flow through this account, no parallel financ-*  
25 *ing mechanisms exist outside of the Palestinian Authority*

1 *treasury account, and there is a single comprehensive civil*  
2 *service roster and payroll, and the Palestinian Authority*  
3 *is acting to counter incitement of violence against Israelis*  
4 *and is supporting activities aimed at promoting peace, co-*  
5 *existence, and security cooperation with Israel.*

6 (f) *PROHIBITION TO HAMAS AND THE PALESTINE LIB-*  
7 *ERATION ORGANIZATION.—*

8 (1) *None of the funds appropriated in titles III*  
9 *through VI of this Act may be obligated for salaries*  
10 *of personnel of the Palestinian Authority located in*  
11 *Gaza or may be obligated or expended for assistance*  
12 *to Hamas or any entity effectively controlled by*  
13 *Hamas, any power-sharing government of which*  
14 *Hamas is a member, or that results from an agree-*  
15 *ment with Hamas and over which Hamas exercises*  
16 *undue influence.*

17 (2) *Notwithstanding the limitation of paragraph*  
18 *(1), assistance may be provided to a power-sharing*  
19 *government only if the President certifies and reports*  
20 *to the Committees on Appropriations that such gov-*  
21 *ernment, including all of its ministers or such equiva-*  
22 *lent, has publicly accepted and is complying with the*  
23 *principles contained in section 620K(b)(1) (A) and*  
24 *(B) of the Foreign Assistance Act of 1961, as amend-*  
25 *ed.*

1           (3) *The President may exercise the authority in*  
2 *section 620K(e) of the Foreign Assistance Act of 1961,*  
3 *as added by the Palestinian Anti-Terrorism Act of*  
4 *2006 (Public Law 109–446) with respect to this sub-*  
5 *section.*

6           (4) *Whenever the certification pursuant to para-*  
7 *graph (2) is exercised, the Secretary of State shall*  
8 *submit a report to the Committees on Appropriations*  
9 *within 120 days of the certification and every quarter*  
10 *thereafter on whether such government, including all*  
11 *of its ministers or such equivalent are continuing to*  
12 *comply with the principles contained in section*  
13 *620K(b)(1) (A) and (B) of the Foreign Assistance Act*  
14 *of 1961, as amended: Provided, That the report shall*  
15 *also detail the amount, purposes and delivery mecha-*  
16 *nisms for any assistance provided pursuant to the*  
17 *abovementioned certification and a full accounting of*  
18 *any direct support of such government.*

19           (5) *None of the funds appropriated under titles*  
20 *III through VI of this Act may be obligated for assist-*  
21 *ance for the Palestine Liberation Organization.*

22                           MIDDLE EAST AND NORTH AFRICA

23           SEC. 7041. (a) EGYPT.—

24                           (1) CERTIFICATION AND REPORT.—*Funds appro-*  
25 *riated by this Act that are available for assistance*



1     *for Egypt may be made available notwithstanding*  
2     *any other provision of law restricting assistance for*  
3     *Egypt, except for this subsection and section 620M of*  
4     *the Foreign Assistance Act of 1961, and may only be*  
5     *made available for assistance for the Government of*  
6     *Egypt if the Secretary of State certifies and reports*  
7     *to the Committees on Appropriations that such gov-*  
8     *ernment is—*

9             *(A) sustaining the strategic relationship*  
10            *with the United States; and*

11            *(B) meeting its obligations under the 1979*  
12            *Egypt-Israel Peace Treaty.*

13     (2) *ECONOMIC SUPPORT FUND.—*

14            *(A) FUNDING.—Of the funds appropriated*  
15            *by this Act under the heading “Economic Sup-*  
16            *port Fund”, up to \$112,500,000 may be made*  
17            *available for assistance for Egypt, of which not*  
18            *less than \$35,000,000 should be made available*  
19            *for higher education programs including not less*  
20            *than \$10,000,000 for scholarships for Egyptian*  
21            *students with high financial need to attend not-*  
22            *for-profit institutions of higher education: Pro-*  
23            *vided, That such funds shall be made available*  
24            *for democracy programs, and for development*  
25            *programs in the Sinai: Provided further, That*

1        *such funds may not be made available for cash*  
2        *transfer assistance or budget support unless the*  
3        *Secretary of State certifies and reports to the ap-*  
4        *propriate congressional committees that the Gov-*  
5        *ernment of Egypt is taking consistent and effec-*  
6        *tive steps to stabilize the economy and imple-*  
7        *ment market-based economic reforms.*

8                *(B) WITHHOLDING.—The Secretary of State*  
9        *shall withhold from obligation funds appro-*  
10        *priated by this Act under the heading “Eco-*  
11        *nomics Support Fund” for assistance for Egypt,*  
12        *an amount of such funds that the Secretary de-*  
13        *termines to be equivalent to that expended by the*  
14        *United States Government for bail, and by non-*  
15        *governmental organizations for legal and court*  
16        *fees, associated with democracy-related trials in*  
17        *Egypt until the Secretary certifies and reports to*  
18        *the Committees on Appropriations that the Gov-*  
19        *ernment of Egypt has dismissed the convictions*  
20        *issued by the Cairo Criminal Court on June 4,*  
21        *2013, in “Public Prosecution Case No. 1110 for*  
22        *the Year 2012”.*

23                *(C) LIMITATION.—None of the funds appro-*  
24        *priated by this Act and prior Acts making ap-*  
25        *propriations for the Department of State, foreign*

1           *operations, and related programs under the*  
2           *heading “Economic Support Fund” may be*  
3           *made available for a contribution, voluntary or*  
4           *otherwise, to the “Civil Associations and Foun-*  
5           *dations Support Fund”, or any similar fund, es-*  
6           *tablished pursuant to Law 70 on Associations*  
7           *and Other Foundations Working in the Field of*  
8           *Civil Work published in the Official Gazette of*  
9           *Egypt on May 29, 2017.*

10           (3) *FOREIGN MILITARY FINANCING PROGRAM.—*

11                   (A) *CERTIFICATION.—Of the funds appro-*  
12           *priated by this Act under the heading “Foreign*  
13           *Military Financing Program”, up to*  
14           *\$1,300,000,000, to remain available until Sep-*  
15           *tember 30, 2019, may be made available for as-*  
16           *istance for Egypt: Provided, That such funds*  
17           *may be transferred to an interest bearing ac-*  
18           *count in the Federal Reserve Bank of New York,*  
19           *following consultation with the Committees on*  
20           *Appropriations: Provided further, That*  
21           *\$300,000,000 of such funds shall be withheld*  
22           *from obligation until the Secretary of State cer-*  
23           *tifies and reports to the Committees on Appro-*  
24           *priations that the Government of Egypt is tak-*  
25           *ing sustained and effective steps to—*

1           (i) advance democracy and human  
2           rights in Egypt, including to govern demo-  
3           cratically and protect religious minorities  
4           and the rights of women, which are in addi-  
5           tion to steps taken during the previous cal-  
6           endar year for such purposes;

7           (ii) implement reforms that protect  
8           freedoms of expression, association, and  
9           peaceful assembly, including the ability of  
10          civil society organizations, human rights  
11          defenders, and the media to function with-  
12          out interference;

13          (iii) release political prisoners and  
14          provide detainees with due process of law;

15          (iv) hold Egyptian security forces ac-  
16          countable, including officers credibly alleged  
17          to have violated human rights;

18          (v) investigate and prosecute cases of  
19          extrajudicial killings and forced disappear-  
20          ances; and

21          (vi) provide regular access for United  
22          States officials to monitor such assistance  
23          in areas where the assistance is used:

24          *Provided further, That the certification require-*  
25          *ment of this paragraph shall not apply to funds*

1           *appropriated by this Act under such heading for*  
2           *counterterrorism, border security, and non-*  
3           *proliferation programs for Egypt.*

4           *(B) WAIVER.—The Secretary of State may*  
5           *waive the certification requirement in subpara-*  
6           *graph (A) if the Secretary determines and re-*  
7           *ports to the Committees on Appropriations that*  
8           *to do so is important to the national security in-*  
9           *terest of the United States, and submits a report*  
10           *to such Committees containing a detailed jus-*  
11           *tification for the use of such waiver and the rea-*  
12           *sons why any of the requirements of subpara-*  
13           *graph (A) cannot be met, and including an as-*  
14           *essment of the compliance of the Government of*  
15           *Egypt with United Nations Security Council*  
16           *Resolution 2270 and other such resolutions re-*  
17           *garding North Korea: Provided, That the report*  
18           *required by this paragraph shall be submitted in*  
19           *unclassified form, but may be accompanied by a*  
20           *classified annex.*

21           *(4) OVERSIGHT REQUIREMENT.—The Secretary*  
22           *of State shall take all practicable steps to ensure that*  
23           *mechanisms are in place for monitoring, oversight,*  
24           *and control of funds made available by this subsection*  
25           *for assistance for Egypt.*

1           (5) *CONSULTATION REQUIREMENT.*—Not later  
2 than 90 days after enactment of this Act, the Sec-  
3 retary of State shall consult with the Committees on  
4 Appropriations on any plan to restructure military  
5 assistance for Egypt.

6           (b) *IRAN.*—

7           (1) *FUNDING.*—Funds appropriated by this Act  
8 under the headings “Diplomatic and Consular Pro-  
9 grams”, “Economic Support Fund”, and “Non-  
10 proliferation, Anti-terrorism, Demining and Related  
11 Programs” shall be used by the Secretary of State—

12                   (A) to support the United States policy to  
13 prevent Iran from achieving the capability to  
14 produce or otherwise obtain a nuclear weapon;

15                   (B) to support an expeditious response to  
16 any violation of the Joint Comprehensive Plan of  
17 Action or United Nations Security Council Reso-  
18 lution 2231;

19                   (C) to support the implementation and en-  
20 forcement of sanctions against Iran for support  
21 of terrorism, human rights abuses, and ballistic  
22 missile and weapons proliferation; and

23                   (D) for democracy programs for Iran, to be  
24 administered by the Assistant Secretary for Near  
25 Eastern Affairs, Department of State, in con-

1           *sultation with the Assistant Secretary for De-*  
2           *mocracy, Human Rights, and Labor, Depart-*  
3           *ment of State.*

4           (2) *CONTINUATION OF PROHIBITION.*—*The terms*  
5           *and conditions of section 7041(c)(2) of the Depart-*  
6           *ment of State, Foreign Operations, and Related Pro-*  
7           *grams Appropriations Act, 2012 (division I of Public*  
8           *Law 112–74) shall continue in effect during fiscal*  
9           *year 2018.*

10          (3) *REPORTS.*—

11                 (A) *SEMI-ANNUAL REPORT.*—*The Secretary*  
12                 *of State shall submit to the Committees on Ap-*  
13                 *propriations the semi-annual report required by*  
14                 *section 135 of the Atomic Energy Act of 1954*  
15                 *(42 U.S.C. 2160e(d)(4)), as added by section 2 of*  
16                 *the Iran Nuclear Agreement Review Act of 2015*  
17                 *(Public Law 114–17).*

18                 (B) *SANCTIONS REPORT.*—*Not later than*  
19                 *180 days after the date of enactment of this Act,*  
20                 *the Secretary of State, in consultation with the*  
21                 *Secretary of the Treasury, shall submit to the*  
22                 *appropriate congressional committees a report*  
23                 *on the status of the implementation and enforce-*  
24                 *ment of bilateral United States and multilateral*  
25                 *sanctions against Iran and actions taken by the*

1           *United States and the international community*  
2           *to enforce such sanctions against Iran: Provided,*  
3           *That the report shall also include any entities*  
4           *involved in providing significant support for the*  
5           *development of a ballistic missile by the Govern-*  
6           *ment of Iran after October 1, 2015, including*  
7           *shipping and financing, and note whether such*  
8           *entities are currently under United States sanc-*  
9           *tions: Provided further, That such report shall be*  
10          *submitted in an unclassified form, but may con-*  
11          *tain a classified annex if necessary.*

12          *(c) IRAQ.—*

13                 *(1) PURPOSES.—Funds appropriated by this Act*  
14                 *shall be made available for assistance for Iraq to pro-*  
15                 *mote governance and security, and for stabilization*  
16                 *programs, including in the Kurdistan Region of Iraq*  
17                 *and other areas impacted by the conflict in Syria,*  
18                 *and among religious and ethnic minority populations*  
19                 *in Iraq: Provided, That such assistance shall be pro-*  
20                 *vided in accordance with the Constitution of Iraq:*  
21                 *Provided further, That funds appropriated by this*  
22                 *Act under the headings “International Disaster As-*  
23                 *stance” and “Migration and Refugee Assistance”*  
24                 *should be made available for assistance for the*  
25                 *Kurdistan Region of Iraq to address the needs of in-*



1        *ternally displaced persons and refugees: Provided fur-*  
2        *ther, That the Secretary of State shall consult with*  
3        *the Committees on Appropriations prior to obligating*  
4        *funds made available for the Kurdistan Region of*  
5        *Iraq.*

6            (2) *BASING RIGHTS AGREEMENT.*—None of the  
7        *funds appropriated or otherwise made available by*  
8        *this Act may be used by the Government of the United*  
9        *States to enter into a permanent basing rights agree-*  
10       *ment between the United States and Iraq.*

11          (d) *JORDAN.*—Of the funds appropriated by this Act  
12       *under titles III and IV, not less than \$1,525,000,000 shall*  
13       *be made available for assistance for Jordan, of which: not*  
14       *less than \$1,082,400,000 shall be made available under the*  
15       *heading “Economic Support Fund”, of which not less than*  
16       *\$745,100,000 shall be made available for budget support for*  
17       *the Government of Jordan; and not less than \$425,000,000*  
18       *shall be made available under the heading “Foreign Mili-*  
19       *tary Financing Program”.*

20          (e) *LEBANON.*—

21            (1) *LIMITATION.*—None of the funds appro-  
22       *priated by this Act may be made available for the*  
23       *Lebanese Internal Security Forces (ISF) or the Leba-*  
24       *nese Armed Forces (LAF) if the ISF or the LAF is*  
25       *controlled by a foreign terrorist organization, as des-*

1        *ignated pursuant to section 219 of the Immigration*  
2        *and Nationality Act (8 U.S.C. 1189).*

3            (2) *CONSULTATION.—Funds appropriated by*  
4        *this Act under the headings “International Narcotics*  
5        *Control and Law Enforcement” and “Foreign Mili-*  
6        *tary Financing Program” that are available for as-*  
7        *sistance for Lebanon may be made available for pro-*  
8        *grams and equipment for the ISF and the LAF to ad-*  
9        *dress security and stability requirements in areas af-*  
10       *ected by the conflict in Syria, following consultation*  
11       *with the appropriate congressional committees.*

12           (3) *ECONOMIC SUPPORT FUND.—Funds appro-*  
13       *riated by this Act under the heading “Economic*  
14       *Support Fund” that are available for assistance for*  
15       *Lebanon may be made available notwithstanding sec-*  
16       *tion 1224 of the Foreign Relations Authorization Act,*  
17       *Fiscal Year 2003 (Public Law 107–228; 22 U.S.C.*  
18       *2346 note).*

19           (4) *FOREIGN MILITARY FINANCING PROGRAM.—*  
20       *In addition to the activities described in paragraph*  
21       *(2), funds appropriated by this Act under the heading*  
22       *“Foreign Military Financing Program” for assistance*  
23       *for Lebanon may be made available only to profes-*  
24       *sionalize the LAF and to strengthen border security*  
25       *and combat terrorism, including training and equip-*

1        *ping the LAF to secure Lebanon’s borders, inter-*  
2        *dicting arms shipments, preventing the use of Leb-*  
3        *anon as a safe haven for terrorist groups, and to im-*  
4        *plement United Nations Security Council Resolution*  
5        *1701: Provided, That funds may not be obligated for*  
6        *assistance for the LAF until the Secretary of State*  
7        *submits to the Committees on Appropriations a spend*  
8        *plan, including actions to be taken to ensure equip-*  
9        *ment provided to the LAF is only used for the in-*  
10       *tended purposes, except such plan may not be consid-*  
11       *ered as meeting the notification requirements under*  
12       *section 7015 of this Act or under section 634A of the*  
13       *Foreign Assistance Act of 1961, and shall be sub-*  
14       *mitted not later than September 1, 2018: Provided*  
15       *further, That any notification submitted pursuant to*  
16       *such sections shall include any funds specifically in-*  
17       *tended for lethal military equipment.*

18       *(f) LIBYA.—*

19                *(1) FUNDING.—Funds appropriated by titles III*  
20        *and IV of this Act shall be made available for assist-*  
21        *ance for Libya for programs to strengthen governing*  
22        *institutions and civil society, improve border security,*  
23        *and promote stability in Libya, and for activities to*  
24        *address the humanitarian needs of the people of*  
25        *Libya: Provided, That section 7015(j) of this Act re-*

1 *garding notification of assistance diverted or de-*  
2 *stroyed shall apply to funds made available for assist-*  
3 *ance for Libya.*

4 (2) *LIMITATIONS.—*

5 (A) *COOPERATION ON THE SEPTEMBER 2012*  
6 *ATTACK ON UNITED STATES PERSONNEL AND FA-*  
7 *CILITIES.—None of the funds appropriated by*  
8 *this Act may be made available for assistance for*  
9 *the central Government of Libya unless the Sec-*  
10 *retary of State certifies and reports to the Com-*  
11 *mittees on Appropriations that such government*  
12 *is cooperating with United States Government*  
13 *efforts to investigate and bring to justice those*  
14 *responsible for the attack on United States per-*  
15 *sonnel and facilities in Benghazi, Libya in Sep-*  
16 *tember 2012: Provided, That the limitation in*  
17 *this paragraph shall not apply to funds made*  
18 *available for the purpose of protecting United*  
19 *States Government personnel or facilities.*

20 (B) *INFRASTRUCTURE PROJECTS.—The lim-*  
21 *itation on the uses of funds in section 7041(f)(2)*  
22 *of the Department of State, Foreign Operations,*  
23 *and Related Programs Appropriations Act, 2014*  
24 *(division K of Public Law 113–76) shall apply*

1           to funds appropriated by this Act that are made  
2           available for assistance for Libya.

3           (3) *CERTIFICATION.*—Prior to the initial obliga-  
4           tion of funds made available by this Act for assistance  
5           for Libya, the Secretary of State shall certify and re-  
6           port to the Committees on Appropriations that all  
7           practicable steps have been taken to ensure that mech-  
8           anisms are in place for monitoring, oversight, and  
9           control of funds made available by this subsection for  
10          assistance for Libya.

11          (g) *MOROCCO.*—

12           (1) *AVAILABILITY AND CONSULTATION REQUIRE-*  
13          *MENT.*—Funds appropriated under title III of this  
14          Act shall be made available for assistance for the  
15          Western Sahara: Provided, That not later than 90  
16          days after enactment of this Act and prior to the obli-  
17          gation of such funds, the Secretary of State, in con-  
18          sultation with the USAID Administrator, shall con-  
19          sult with the Committees on Appropriations on the  
20          proposed uses of such funds.

21           (2) *FOREIGN MILITARY FINANCING PROGRAM.*—  
22          Funds appropriated by this Act under the heading  
23          “Foreign Military Financing Program” that are  
24          available for assistance for Morocco may only be used  
25          for the purposes requested in the Congressional Budg-

1 *et Justification, Foreign Operations, Fiscal Year*  
2 *2017.*

3 *(h) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not*  
4 *later than 45 days after enactment of this Act, the Secretary*  
5 *of State, after consultation with the United Nations High*  
6 *Commissioner for Refugees and the Executive Director of*  
7 *the World Food Programme, shall submit a report to the*  
8 *Committees on Appropriations describing steps taken to*  
9 *strengthen monitoring of the delivery of humanitarian as-*  
10 *sistance provided for refugees in North Africa, including*  
11 *any steps taken to ensure that all vulnerable refugees are*  
12 *receiving such assistance.*

13 *(i) NORTH AFRICA STRATEGY.—Not later than 60*  
14 *days after enactment of this Act, the Secretary of State, in*  
15 *consultation with the Secretary of Defense, shall submit to*  
16 *the appropriate congressional committees a strategy for*  
17 *United States engagement in North Africa, which shall in-*  
18 *clude detailed information on how diplomatic engagement*  
19 *and assistance will be prioritized for such region, including*  
20 *to address economic and security needs.*

21 *(j) RELIEF AND RECOVERY FUND.—*

22 *(1) FUNDS AND TRANSFER AUTHORITY.—Of the*  
23 *funds appropriated by this Act under the headings*  
24 *“Economic Support Fund”, “International Narcotics*  
25 *Control and Law Enforcement”, “Nonproliferation,*

1 *Anti-terrorism, Demining and Related Programs”,*  
2 *“Peacekeeping Operations”, and “Foreign Military*  
3 *Financing Program”, not less than \$500,000,000*  
4 *shall be made available for the Relief and Recovery*  
5 *Fund for assistance for areas liberated from, at risk*  
6 *from, or under the control of, the Islamic State of*  
7 *Iraq and Syria, other terrorist organizations, or vio-*  
8 *lent extremist organizations in the Middle East and*  
9 *Africa, including for stabilization assistance for vul-*  
10 *nerable ethnic and religious minority communities af-*  
11 *ected by conflict: Provided, That such funds are in*  
12 *addition to amounts otherwise made available for*  
13 *such purposes and to amounts specifically designated*  
14 *in this Act or in the explanatory statement described*  
15 *in section 4 (in the matter preceding division A of*  
16 *this consolidated Act) for assistance for countries:*  
17 *Provided further, That such funds appropriated under*  
18 *such headings may be transferred to, and merged*  
19 *with, funds appropriated under such headings: Pro-*  
20 *vided further, That such transfer authority is in addi-*  
21 *tion to any other transfer authority provided by this*  
22 *Act or any other Act, and is subject to the regular no-*  
23 *tification procedures of the Committees on Appropria-*  
24 *tions.*

1           (2) *TRANSITIONAL JUSTICE.*—Of the funds ap-  
2           propriated by this Act under the heading “Inter-  
3           national Narcotics Control and Law Enforcement”  
4           that are made available for the Relief and Recovery  
5           Fund, not less than \$5,000,000 shall be made avail-  
6           able for programs to promote accountability in Iraq  
7           and Syria for genocide, crimes against humanity,  
8           and war crimes, which shall be in addition to any  
9           other funds made available by this Act for such pur-  
10          poses: Provided, That such programs shall include  
11          components to develop local investigative and judicial  
12          skills, and to collect and preserve evidence and main-  
13          tain the chain of custody of evidence, including for  
14          use in prosecutions: Provided further, That such funds  
15          shall be administered by the Special Coordinator for  
16          the Office of Global Criminal Justice, Department of  
17          State: Provided further, That funds made available by  
18          this paragraph shall only be made available on an  
19          open and competitive basis.

20          (3) *COST-MATCHING BASIS.*—Funds appro-  
21          priated pursuant to paragraph (1) shall be made  
22          available to the maximum extent practicable on a  
23          cost-matching basis from sources other than the  
24          United States Government.

25          (k) *SYRIA.*—



1           (1) *NON-LETHAL ASSISTANCE.*—*Funds appro-*  
2           *priated by this Act under the headings “Economic*  
3           *Support Fund”, “International Narcotics Control and*  
4           *Law Enforcement”, and “Peacekeeping Operations”*  
5           *shall be made available, to the extent practicable and*  
6           *notwithstanding any other provision of law, for non-*  
7           *lethal assistance to address the needs of civilians af-*  
8           *ected by conflict in Syria, and programs that seek*  
9           *to—*

10                   (A) *establish local governance in Syria that*  
11                   *is representative, inclusive, and accountable;*

12                   (B) *empower women through political and*  
13                   *economic programs, and address the psychosocial*  
14                   *needs of women and their families in Syria and*  
15                   *neighboring countries;*

16                   (C) *develop and implement political proc-*  
17                   *esses that are democratic, transparent, and*  
18                   *strengthen the rule of law;*

19                   (D) *further the legitimacy and viability of*  
20                   *the Syrian opposition, including local govern-*  
21                   *ment structures in Syria and through cross-bor-*  
22                   *der programs;*

23                   (E) *develop and sustain civil society and*  
24                   *independent media in Syria;*

1           (F) *promote stability and economic develop-*  
2           *ment in Syria;*

3           (G) *document, investigate, and prosecute*  
4           *human rights violations in Syria, including*  
5           *through transitional justice programs and sup-*  
6           *port for nongovernmental organizations;*

7           (H) *expand the role of women in negotia-*  
8           *tions to end the violence and in any political*  
9           *transition in Syria;*

10          (I) *assist Syrian refugees whose education*  
11          *has been interrupted by the ongoing conflict to*  
12          *complete higher education requirements at uni-*  
13          *versities and other academic institutions in the*  
14          *region, and through distance learning;*

15          (J) *assist vulnerable populations in Syria*  
16          *and in neighboring countries;*

17          (K) *protect and preserve the cultural iden-*  
18          *tity of the people of Syria as a counterbalance*  
19          *to extremism, particularly those living in neigh-*  
20          *boring countries and among youth;*

21          (L) *protect and preserve cultural heritage*  
22          *sites in Syria, particularly those damaged and*  
23          *destroyed by extremists;*

24          (M) *counter extremism in Syria; and*

1           (N) facilitate the return of displaced persons  
2           to liberated areas in Syria.

3           (2) *DEMINEING AND UNEXPLODED ORDNANCE*  
4           *CLEARANCE.—Funds appropriated by this Act under*  
5           *the heading “Nonproliferation, Anti-terrorism,*  
6           *Demining and Related Programs” for assistance for*  
7           *Syria shall be made available for demining and*  
8           *unexploded ordnance clearance programs.*

9           (3) *STRATEGY AND SYRIAN ORGANIZATIONS.—*  
10          *Funds appropriated by this Act that are made avail-*  
11          *able for assistance for Syria pursuant to the author-*  
12          *ity of this subsection—*

13               (A) may only be made available after the  
14               Secretary of State, in consultation with the  
15               heads of relevant United States Government  
16               agencies, submits, in classified form if necessary,  
17               an update to the comprehensive strategy required  
18               in section 7041(i)(3) of the Department of State,  
19               Foreign Operations, and Related Programs Ap-  
20               propriations Act, 2014 (division K of Public  
21               Law 113–76); and

22               (B) shall be made available, on an open  
23               and competitive basis, to continue a program to  
24               strengthen the capability of Syrian civil society  
25               organizations to address the immediate and

1           *long-term needs of the Syrian people in Syria in*  
2           *a manner that supports the sustainability of*  
3           *such organizations in implementing Syrian-led*  
4           *humanitarian and development programs: Pro-*  
5           *vided, That funds made available by this para-*  
6           *graph shall be administered by the Bureau for*  
7           *Democracy, Human Rights, and Labor, Depart-*  
8           *ment of State.*

9           (4) *LIMITATION.*—None of the funds appro-  
10          *priated by this Act for assistance for Syria may be*  
11          *made available for a project or activity that supports*  
12          *or otherwise legitimizes the Government of Iran, for-*  
13          *eign terrorist organizations (as designated pursuant*  
14          *to section 219 of the Immigration and Nationality*  
15          *Act (8 U.S.C. 1189)), or a proxy of Iran in Syria.*

16          (5) *MONITORING, OVERSIGHT, CONSULTATION,*  
17          *AND NOTIFICATION.*—

18                 (A) *Prior to the obligation of funds appro-*  
19                 *priated by this Act and made available for as-*  
20                 *istance for Syria, the Secretary of State shall*  
21                 *take all practicable steps to ensure that mecha-*  
22                 *nisms are in place for monitoring, oversight, and*  
23                 *control of such assistance inside Syria.*

24                 (B) *Section 7015(j) of this Act regarding*  
25                 *the notification of assistance diverted or de-*

1           *stroyed shall apply to funds made available for*  
2           *assistance for Syria.*

3           *(C) Funds made available pursuant to this*  
4           *subsection may only be made available following*  
5           *consultation with the appropriate congressional*  
6           *committees, and shall be subject to the regular*  
7           *notification procedures of the Committees on Ap-*  
8           *propriations.*

9           *(l) TUNISIA.—Of the funds appropriated under titles*  
10          *III and IV of this Act, not less than \$165,400,000 shall be*  
11          *made available for assistance for Tunisia.*

12          *(m) WEST BANK AND GAZA.—*

13                 *(1) REPORT ON ASSISTANCE.—Prior to the ini-*  
14                 *tial obligation of funds made available by this Act*  
15                 *under the heading “Economic Support Fund” for as-*  
16                 *sistance for the West Bank and Gaza, the Secretary*  
17                 *of State shall report to the Committees on Appropria-*  
18                 *tions that the purpose of such assistance is to—*

19                         *(A) advance Middle East peace;*

20                         *(B) improve security in the region;*

21                         *(C) continue support for transparent and*  
22                         *accountable government institutions;*

23                         *(D) promote a private sector economy; or*

24                         *(E) address urgent humanitarian needs.*

25                 *(2) LIMITATIONS.—*

1           (A)(i) *None of the funds appropriated under*  
2 *the heading “Economic Support Fund” in this*  
3 *Act may be made available for assistance for the*  
4 *Palestinian Authority, if after the date of enact-*  
5 *ment of this Act—*

6                   (I) *the Palestinians obtain the same*  
7 *standing as member states or full member-*  
8 *ship as a state in the United Nations or*  
9 *any specialized agency thereof outside an*  
10 *agreement negotiated between Israel and the*  
11 *Palestinians; or*

12                   (II) *the Palestinians initiate an Inter-*  
13 *national Criminal Court (ICC) judicially*  
14 *authorized investigation, or actively support*  
15 *such an investigation, that subjects Israeli*  
16 *nationals to an investigation for alleged*  
17 *crimes against Palestinians.*

18           (ii) *The Secretary of State may waive the*  
19 *restriction in clause (i) of this subparagraph re-*  
20 *sulting from the application of subclause (I) of*  
21 *such clause if the Secretary certifies to the Com-*  
22 *mittees on Appropriations that to do so is in the*  
23 *national security interest of the United States,*  
24 *and submits a report to such Committees detail-*  
25 *ing how the waiver and the continuation of as-*

1           *sistance would assist in furthering Middle East*  
2           *peace.*

3           *(B)(i) The President may waive the provi-*  
4           *sions of section 1003 of the Foreign Relations*  
5           *Authorization Act, Fiscal Years 1988 and 1989*  
6           *(Public Law 100–204) if the President deter-*  
7           *mines and certifies in writing to the Speaker of*  
8           *the House of Representatives, the President pro*  
9           *tempore of the Senate, and the appropriate con-*  
10          *gressional committees that the Palestinians have*  
11          *not, after the date of enactment of this Act—*

12           *(I) obtained in the United Nations or*  
13           *any specialized agency thereof the same*  
14           *standing as member states or full member-*  
15           *ship as a state outside an agreement nego-*  
16           *tiated between Israel and the Palestinians;*  
17           *and*

18           *(II) initiated or actively supported an*  
19           *ICC investigation against Israeli nationals*  
20           *for alleged crimes against Palestinians.*

21           *(ii) Not less than 90 days after the Presi-*  
22           *dent is unable to make the certification pursuant*  
23           *to clause (i) of this subparagraph, the President*  
24           *may waive section 1003 of Public Law 100–204*  
25           *if the President determines and certifies in writ-*

1            *ing to the Speaker of the House of Representa-*  
2            *tives, the President pro tempore of the Senate,*  
3            *and the Committees on Appropriations that the*  
4            *Palestinians have entered into direct and mean-*  
5            *ingful negotiations with Israel: Provided, That*  
6            *any waiver of the provisions of section 1003 of*  
7            *Public Law 100–204 under clause (i) of this sub-*  
8            *paragraph or under previous provisions of law*  
9            *must expire before the waiver under the pre-*  
10           *ceding sentence may be exercised.*

11                    *(iii) Any waiver pursuant to this subpara-*  
12                    *graph shall be effective for no more than a period*  
13                    *of 6 months at a time and shall not apply be-*  
14                    *yond 12 months after the enactment of this Act.*

15                    *(3) REDUCTION.—The Secretary of State shall*  
16                    *reduce the amount of assistance made available by*  
17                    *this Act under the heading “Economic Support*  
18                    *Fund” for the Palestinian Authority by an amount*  
19                    *the Secretary determines is equivalent to the amount*  
20                    *expended by the Palestinian Authority, the Palestine*  
21                    *Liberation Organization, and any successor or affili-*  
22                    *ated organizations with such entities as payments for*  
23                    *acts of terrorism by individuals who are imprisoned*  
24                    *after being fairly tried and convicted for acts of ter-*  
25                    *rorism and by individuals who died committing acts*



1 *of terrorism during the previous calendar year: Pro-*  
2 *vided, That the Secretary shall report to the Commit-*  
3 *tees on Appropriations on the amount reduced for fis-*  
4 *cal year 2018 prior to the obligation of funds for the*  
5 *Palestinian Authority.*

6 (4) *SECURITY REPORT.*—*The reporting require-*  
7 *ments in section 1404 of the Supplemental Appro-*  
8 *priations Act, 2008 (Public Law 110–252) shall*  
9 *apply to funds made available by this Act, including*  
10 *a description of modifications, if any, to the security*  
11 *strategy of the Palestinian Authority.*

12 (5) *INCITEMENT REPORT.*—*Not later than 90*  
13 *days after enactment of this Act, the Secretary of*  
14 *State shall submit a report to the appropriate con-*  
15 *gressional committees detailing steps taken by the*  
16 *Palestinian Authority to counter incitement of vio-*  
17 *lence against Israelis and to promote peace and coex-*  
18 *istence with Israel.*

19 *AFRICA*

20 *SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-*  
21 *SISTANCE RESTRICTION.*—*Funds appropriated by this Act*  
22 *under the heading “International Military Education and*  
23 *Training” for the central government of a country in the*  
24 *African Great Lakes region may be made available only*  
25 *for Expanded International Military Education and*

1 *Training and professional military education until the Sec-*  
2 *retary of State determines and reports to the Committees*  
3 *on Appropriations that such government is not facilitating*  
4 *or otherwise participating in destabilizing activities in a*  
5 *neighboring country, including aiding and abetting armed*  
6 *groups.*

7       **(b) BOKO HARAM.**—*Funds appropriated by this Act*  
8 *that are made available for assistance for Cameroon, Chad,*  
9 *Niger, and Nigeria—*

10           *(1) shall be made available for assistance for*  
11 *women and girls who are targeted by the terrorist or-*  
12 *ganization Boko Haram, consistent with the provi-*  
13 *sions of section 7059 of this Act, and for individuals*  
14 *displaced by Boko Haram violence; and*

15           *(2) may be made available for counterterrorism*  
16 *programs to combat Boko Haram.*

17       **(c) CENTRAL AFRICAN REPUBLIC.**—*Funds made*  
18 *available by this Act for assistance for the Central African*  
19 *Republic shall be made available for reconciliation and*  
20 *peacebuilding programs, including activities to promote*  
21 *inter-faith dialogue at the national and local levels, and*  
22 *for programs to prevent crimes against humanity.*

23       **(d) ETHIOPIA.**—

24           **(1) FORCED EVICTIONS.**—

1           (A) *Funds appropriated by this Act for as-*  
2           *stance for Ethiopia may not be made available*  
3           *for any activity that supports forced evictions.*

4           (B) *The Secretary of the Treasury should*  
5           *instruct the United States executive director of*  
6           *each international financial institution to use*  
7           *the voice and vote of the United States to sup-*  
8           *port projects in Ethiopia only if such projects*  
9           *are developed and carried out in accordance with*  
10          *the requirements of section 7029(b)(2) of this*  
11          *Act.*

12          (2) *CONSULTATION.—Programs and activities to*  
13          *improve livelihoods shall include prior consultation*  
14          *with, and the participation of, affected communities,*  
15          *including in the South Omo and Gambella regions.*

16          (3) *REPORT.—Not later than 45 days after en-*  
17          *actment of this Act, the Secretary of State shall sub-*  
18          *mit to the Committees on Appropriations the report*  
19          *under this subsection in the explanatory statement de-*  
20          *scribed in section 4 (in the matter preceding division*  
21          *A of this consolidated Act).*

22          (e) *LAKE CHAD BASIN COUNTRIES.—Funds appro-*  
23          *riated by this Act that are made available for assistance*  
24          *for Cameroon, Chad, Niger, and Nigeria should be made*

1 *available, following consultation with the Committees on*  
2 *Appropriations, for—*

3           (1) *democracy programs, including to protect*  
4 *freedom of expression, association, assembly, and reli-*  
5 *gion, including support for independent journalists,*  
6 *civil society, and democratic political parties;*

7           (2) *assistance for governments of such countries*  
8 *to strengthen accountability and the rule of law, in-*  
9 *cluding within the security forces; and*

10           (3) *health and development programs.*

11           (f) *LORD’S RESISTANCE ARMY.—Funds appropriated*  
12 *by this Act shall be made available for programs and activi-*  
13 *ties in areas affected by the Lord’s Resistance Army (LRA)*  
14 *consistent with the goals of the Lord’s Resistance Army Dis-*  
15 *armament and Northern Uganda Recovery Act of 2009*  
16 *(Public Law 111–172), including to improve physical ac-*  
17 *cess, telecommunications infrastructure, and early-warning*  
18 *mechanisms and to support the disarmament, demobiliza-*  
19 *tion, and reintegration of former LRA combatants, espe-*  
20 *cially child soldiers.*

21           (g) *MALAWI.—Of the funds appropriated by this Act*  
22 *under the heading “Development Assistance”, not less than*  
23 *\$56,000,000 shall be made available for assistance for Ma-*  
24 *lawi, of which up to \$10,000,000 shall be made available*  
25 *for higher education programs.*

1       (h) *SOUTH SUDAN*.—

2           (1) *STRATEGY UPDATE*.—Not later than 60 days  
3 after enactment of this Act, the Secretary of State, in  
4 consultation with the USAID Administrator, shall  
5 submit an update to the strategy required in section  
6 7042(i) of the Department of State, Foreign Oper-  
7 ations, and Related Programs Appropriations Act,  
8 2017 (division J of Public Law 115–31).

9           (2) *CERTIFICATION*.—None of the funds appro-  
10 priated by this Act that are available for assistance  
11 for the central Government of South Sudan may be  
12 made available until the Secretary of State certifies  
13 and reports to the Committees on Appropriations that  
14 such government is taking effective steps to—

15           (A) end hostilities and pursue good faith ne-  
16 gotiations for a political settlement of the con-  
17 flict;

18           (B) provide access for humanitarian orga-  
19 nizations;

20           (C) end the recruitment and use of child sol-  
21 diers;

22           (D) protect freedoms of expression, associa-  
23 tion, and assembly;

24           (E) reduce corruption related to the extrac-  
25 tion and sale of oil and gas;

1           (F) establish democratic institutions;

2           (G) establish accountable military and po-  
3           lice forces under civilian authority; and

4           (H) investigate and prosecute individuals  
5           credibly alleged to have committed gross viola-  
6           tions of human rights, including at the Terrain  
7           compound in Juba, South Sudan on July 11,  
8           2016.

9           (3) *EXCLUSIONS.*—The limitation of paragraph  
10          (2) shall not apply to—

11           (A) humanitarian assistance;

12           (B) assistance to support South Sudan  
13           peace negotiations or to advance or implement a  
14           peace agreement; and

15           (C) assistance to support implementation of  
16           outstanding issues of the Comprehensive Peace  
17           Agreement and mutual arrangements related to  
18           such Agreement.

19           (4) *CONSULTATION.*—Prior to the initial obliga-  
20          tion of funds made available for the central Govern-  
21          ment of South Sudan pursuant to paragraphs (3)(B)  
22          and (C), the Secretary of State shall consult with the  
23          Committees on Appropriations on the intended uses of  
24          such funds, steps taken by such government to ad-  
25          vance or implement a peace agreement, and progress

1       *made by the Government of South Sudan in meeting*  
2       *the requirements in paragraph (2).*

3       *(i) SUDAN.—*

4             *(1) LIMITATIONS.—*

5                 *(A) ASSISTANCE.—Notwithstanding any*  
6                 *other provision of law, none of the funds appro-*  
7                 *priated by this Act may be made available for*  
8                 *assistance for the Government of Sudan.*

9                 *(B) LOANS.—None of the funds appro-*  
10                *priated by this Act may be made available for*  
11                *the cost, as defined in section 502 of the Congres-*  
12                *sional Budget Act of 1974, of modifying loans*  
13                *and loan guarantees held by the Government of*  
14                *Sudan, including the cost of selling, reducing, or*  
15                *canceling amounts owed to the United States,*  
16                *and modifying concessional loans, guarantees,*  
17                *and credit agreements.*

18             *(2) EXCLUSIONS.—The limitations of paragraph*  
19        *(1) shall not apply to—*

20                 *(A) humanitarian assistance;*

21                 *(B) assistance for democracy programs;*

22                 *(C) assistance for the Darfur region, South-*  
23                 *ern Kordofan State, Blue Nile State, other*  
24                 *marginalized areas and populations in Sudan,*  
25                 *and Abyei; and*

1           (D) assistance to support implementation of  
2           outstanding issues of the Comprehensive Peace  
3           Agreement, mutual arrangements related to post-  
4           referendum issues associated with such Agree-  
5           ment, or any other internationally recognized  
6           viable peace agreement in Sudan.

7           (j) ZIMBABWE.—

8           (1) INSTRUCTION.—The Secretary of the Treas-  
9           ury shall instruct the United States executive director  
10          of each international financial institution to vote  
11          against any extension by the respective institution of  
12          any loan or grant to the Government of Zimbabwe,  
13          except to meet basic human needs or to promote de-  
14          mocracy, unless the Secretary of State certifies and  
15          reports to the Committees on Appropriations that the  
16          rule of law has been restored, including respect for  
17          ownership and title to property, and freedoms of ex-  
18          pression, association, and assembly.

19          (2) LIMITATION.—None of the funds appro-  
20          priated by this Act shall be made available for assist-  
21          ance for the central Government of Zimbabwe, except  
22          for health and education, unless the Secretary of State  
23          certifies and reports as required in paragraph (1),  
24          and funds may be made available for macroeconomic  
25          growth assistance if the Secretary reports to the Com-



1 *mittees on Appropriations that such government is*  
2 *implementing transparent fiscal policies, including*  
3 *public disclosure of revenues from the extraction of*  
4 *natural resources.*

5 *EAST ASIA AND THE PACIFIC*

6 *SEC. 7043. (a) BURMA.—*

7 *(1) BILATERAL ECONOMIC ASSISTANCE.—*

8 *(A) ECONOMIC SUPPORT FUND.—Funds ap-*  
9 *propriated by this Act under the heading “Eco-*  
10 *nomics Support Fund” for assistance for Burma*  
11 *may be made available notwithstanding any*  
12 *other provision of law, except for this subsection,*  
13 *and following consultation with the appropriate*  
14 *congressional committees.*

15 *(B) USES.—Funds appropriated under title*  
16 *III of this Act for assistance for Burma—*

17 *(i) shall be made available to strength-*  
18 *en civil society organizations in Burma and*  
19 *for programs to strengthen independent*  
20 *media;*

21 *(ii) shall be made available for commu-*  
22 *nity-based organizations operating in Thai-*  
23 *land to provide food, medical, and other hu-*  
24 *manitarian assistance to internally dis-*  
25 *placed persons in eastern Burma, in addi-*

1            *tion to assistance for Burmese refugees from*  
2            *funds appropriated by this Act under the*  
3            *heading “Migration and Refugee Assist-*  
4            *ance”;*

5            *(iii) shall be made available for pro-*  
6            *grams to promote ethnic and religious toler-*  
7            *ance and to combat gender-based violence,*  
8            *including in Rakhine, Shan, Kachin, and*  
9            *Karen states;*

10           *(iv) shall be made available to promote*  
11           *rural economic development in Burma, in-*  
12           *cluding through microfinance programs;*

13           *(v) shall be made available to increase*  
14           *opportunities for foreign direct investment*  
15           *by strengthening the rule of law, trans-*  
16           *parency, and accountability;*

17           *(vi) shall be made available for pro-*  
18           *grams to investigate and document allega-*  
19           *tions of ethnic cleansing and other gross*  
20           *violations of human rights committed*  
21           *against the Rohingya people in Rakhine*  
22           *state at not less than the amount specified*  
23           *for such programs in the table under this*  
24           *subsection in the explanatory statement de-*  
25           *scribed in section 4 (in the matter preceding*

1 *division A of this consolidated Act): Pro-*  
2 *vided, That such funds shall be made avail-*  
3 *able for civil society organizations in Ban-*  
4 *gladesh and Burma for such purposes: Pro-*  
5 *vided further, That prior to the obligation*  
6 *of such funds, the Assistant Secretary for*  
7 *Democracy, Human Rights, and Labor, De-*  
8 *partment of State, shall ensure the estab-*  
9 *lishment of a standard documentation for-*  
10 *mat and documentation procedures for use*  
11 *by such organizations, and shall identify an*  
12 *appropriate repository for such informa-*  
13 *tion: Provided further, That such sums shall*  
14 *be in addition to funds otherwise made*  
15 *available for such purposes;*

16 *(vii) shall be made available for pro-*  
17 *grams to investigate and document allega-*  
18 *tions of gross violations of human rights*  
19 *committed in Burma, particularly in areas*  
20 *of conflict: Provided, That such funds shall*  
21 *be made available for civil society and*  
22 *international organizations, including those*  
23 *in countries bordering Burma, at not less*  
24 *than the amount specified for such pro-*  
25 *grams in the table under this subsection in*

1           *the explanatory statement described in sec-*  
2           *tion 4 (in the matter preceding division A*  
3           *of this consolidated Act);*

4           *(viii) shall be made available to sup-*  
5           *port the implementation of the August 2017*  
6           *Final Report of the Advisory Commission*  
7           *on Rakhine State entitled “Towards a*  
8           *Peaceful, Fair and Prosperous Future for*  
9           *the People of Rakhine”;*

10           *(ix) may not be made available to any*  
11           *individual or organization if the Secretary*  
12           *of State has credible information that such*  
13           *individual or organization has committed a*  
14           *gross violation of human rights, including*  
15           *against Rohingya and other minority*  
16           *groups, or that advocates violence against*  
17           *ethnic or religious groups or individuals in*  
18           *Burma;*

19           *(x) may not be made available to any*  
20           *organization or entity controlled by the*  
21           *armed forces of Burma;*

22           *(xi) may be made available for ethnic*  
23           *groups and civil society in Burma to help*  
24           *sustain ceasefire agreements and further*  
25           *prospects for reconciliation and peace,*

1           *which may include support to representa-*  
2           *tives of ethnic armed groups for this pur-*  
3           *pose; and*

4                   *(xii) may only be made available for*  
5           *programs to support the return of*  
6           *Rohingya, Karen, and other refugees and*  
7           *internally displaced persons to their loca-*  
8           *tions of origin or preference in Burma if*  
9           *such returns are voluntary and consistent*  
10          *with international law.*

11           (C) *REGIONAL PROGRAMS.*—*Funds appro-*  
12          *priated under title III of this Act shall be made*  
13          *available for regional programs to address vio-*  
14          *lent extremism, which shall be administered by*  
15          *the Mission Director of the Regional Develop-*  
16          *ment Mission for Asia, USAID.*

17           (2) *INTERNATIONAL SECURITY ASSISTANCE.*—  
18          *None of the funds appropriated by this Act under the*  
19          *headings “International Military Education and*  
20          *Training” and “Foreign Military Financing Pro-*  
21          *gram” may be made available for assistance for*  
22          *Burma: Provided, That the Department of State may*  
23          *continue consultations with the armed forces of*  
24          *Burma only on human rights and disaster response*  
25          *in a manner consistent with the prior fiscal year, and*

1 following consultation with the appropriate congress-  
2 sional committees.

3 (3) *MULTILATERAL ASSISTANCE.*—*The Secretary*  
4 *of the Treasury should instruct the United States ex-*  
5 *ecutive director of each international financial insti-*  
6 *tution to use the voice and vote of the United States*  
7 *to support projects in Burma only if such projects are*  
8 *developed and carried out in accordance with the re-*  
9 *quirements of section 7029(b)(2) of this Act.*

10 (4) *CERTIFICATION AND WAIVER.*—

11 (A) *Notwithstanding any provision of this*  
12 *subsection, of the funds appropriated by this Act*  
13 *under the heading “Economic Support Fund”*  
14 *that are made available for assistance for*  
15 *Burma, 15 percent may not be obligated until*  
16 *the Secretary of State certifies and reports to the*  
17 *Committees on Appropriations that the Govern-*  
18 *ment of Burma—*

19 (i) *has terminated military coopera-*  
20 *tion with North Korea;*

21 (ii) *is respecting human rights and the*  
22 *rule of law, including the arrest and pros-*  
23 *ecution of journalists and two Kachin pas-*  
24 *tors in December 2016;*

1           (iii) is revising, updating, or repealing  
2           colonial-era and other oppressive laws that  
3           are used in such prosecutions, including the  
4           Unlawful Associations Act; and

5           (iv) is credibly investigating the mur-  
6           der of U Ko Ni, and is taking steps to pro-  
7           tect and defend the security and safety of  
8           other activists.

9           (B) The Secretary of State may waive the  
10          requirements of this paragraph if the Secretary  
11          determines and reports to the Committees on Ap-  
12          propriations that do so is in the national inter-  
13          est.

14          (5) PROGRAMS, POSITION, AND RESPONSIBIL-  
15          ITIES.—

16          (A) Any new program or activity in Burma  
17          initiated in fiscal year 2018 shall be subject to  
18          prior consultation with the appropriate congres-  
19          sional committees.

20          (B) Section 7043(b)(7) of the Department of  
21          State, Foreign Operations, and Related Pro-  
22          grams Appropriations Act, 2015 (division J of  
23          Public Law 113–235) shall continue in effect  
24          during fiscal year 2018.

1           (C) *The United States Chief of Mission in*  
2           *Burma, in consultation with the Assistant Sec-*  
3           *retary for Democracy, Human Rights, and*  
4           *Labor, Department of State, shall be responsible*  
5           *for democracy and human rights programs in*  
6           *Burma.*

7           (b) *CAMBODIA.—*

8           (1) *ASSISTANCE.—*

9           (A) *None of the funds appropriated by this*  
10          *Act that are made available for assistance for the*  
11          *Government of Cambodia may be obligated or ex-*  
12          *pended unless the Secretary of State certifies and*  
13          *reports to the Committees on Appropriations*  
14          *that such Government is taking effective steps*  
15          *to—*

16               (i) *strengthen regional security and*  
17               *stability, particularly regarding territorial*  
18               *disputes in the South China Sea and the*  
19               *enforcement of international sanctions with*  
20               *respect to North Korea; and*

21               (ii) *respect the rights and responsibil-*  
22               *ities enshrined in the Constitution of the*  
23               *Kingdom of Cambodia as enacted in 1993,*  
24               *including through the—*



1                   (I) restoration of the civil and po-  
2                   litical rights of the opposition Cam-  
3                   bodia National Rescue Party, media,  
4                   and civil society organizations;

5                   (II) restoration of all elected offi-  
6                   cials to their elected offices; and

7                   (III) release of all political pris-  
8                   oners, including journalists, civil soci-  
9                   ety activists, and members of the oppo-  
10                  sition political party.

11                 (B) Funds appropriated under title III of  
12                 this Act for assistance for Cambodia shall be  
13                 made available for—

14                 (i) democracy programs, including re-  
15                 search and education programs associated  
16                 with the Khmer Rouge in Cambodia, except  
17                 that no funds for such purposes may be  
18                 made available to the Extraordinary Cham-  
19                 bers in the Court of Cambodia; and

20                 (ii) programs in the Khmer language  
21                 to counter the influence of the People's Re-  
22                 public of China in Cambodia.

23                 (2) VISA RESTRICTION.—Funds appropriated  
24                 under title I of this Act shall be made available to  
25                 continue to implement the policy announced by the

1 *Department of State on December 6, 2017, to restrict*  
2 *the issuance of visas to enter the United States to in-*  
3 *dividuals involved in undermining democracy in*  
4 *Cambodia, including the family members of such in-*  
5 *dividuals, as appropriate: Provided, That not later*  
6 *than 30 days after enactment of this Act, the Sec-*  
7 *retary of State shall submit a report to the appro-*  
8 *priate congressional committees describing the imple-*  
9 *mentation of such policy.*

10 *(c) NORTH KOREA.—*

11 *(1) CYBERSECURITY.—None of the funds appro-*  
12 *priated by this Act and prior Acts making appro-*  
13 *priations for the Department of State, foreign oper-*  
14 *ations, and related programs may be made available*  
15 *for assistance for the central government of a country*  
16 *the Secretary of State determines and reports to the*  
17 *appropriate congressional committees engages in sig-*  
18 *nificant transactions contributing materially to the*  
19 *malicious cyber-intrusion capabilities of the Govern-*  
20 *ment of North Korea: Provided, That the Secretary of*  
21 *State shall submit the report required by section 209*  
22 *of the North Korea Sanctions and Policy Enhance-*  
23 *ment Act of 2016 (Public Law 114–122; 22 U.S.C.*  
24 *9229), as amended, to the Committees on Appropria-*  
25 *tions in the manner described in subparagraph (2)(A)*

1 *of such section: Provided further, That the Secretary*  
2 *of State may waive the application of the restriction*  
3 *in this paragraph with respect to assistance for the*  
4 *central government of a country if the Secretary de-*  
5 *termines and reports to the appropriate congressional*  
6 *committees that to do so is important to the national*  
7 *security interest of the United States, including a de-*  
8 *scription of such interest served.*

9 (2) *BROADCASTS.—Funds appropriated by this*  
10 *Act under the heading “International Broadcasting*  
11 *Operations” shall be made available to maintain*  
12 *broadcasting hours into North Korea at levels not less*  
13 *than the prior fiscal year.*

14 (3) *REFUGEES.—Funds appropriated by this*  
15 *Act under the heading “Migration and Refugee Assist-*  
16 *ance” should be made available for assistance for ref-*  
17 *ugees from North Korea, including protection activi-*  
18 *ties in the People’s Republic of China and other coun-*  
19 *tries in Asia.*

20 (4) *HUMAN RIGHTS PROMOTION, DATABASE, AND*  
21 *LIMITATION ON USE OF FUNDS.—*

22 (A) *HUMAN RIGHTS PROMOTION.—Of the*  
23 *funds appropriated by this Act under the head-*  
24 *ings “Economic Support Fund” and “Democ-*  
25 *racy Fund”, not less than \$8,000,000 shall be*

1           *made available for the promotion of human*  
2           *rights in North Korea: Provided, That such*  
3           *funds shall be administered by the Assistant Sec-*  
4           *retary for Democracy, Human Rights, and*  
5           *Labor, Department of State: Provided further,*  
6           *That the authority of section 7032(b) of this Act*  
7           *shall apply to such funds.*

8           *(B) DATABASE.—Funds appropriated by*  
9           *this Act under title III shall be made available*  
10          *to maintain a database of prisons and gulags in*  
11          *North Korea, in accordance with section 7032(i)*  
12          *of the Department of State, Foreign Operations,*  
13          *and Related Programs Appropriations Act, 2014*  
14          *(division K of Public Law 113–76).*

15          *(C) LIMITATION.—None of the funds made*  
16          *available by this Act under the heading “Eco-*  
17          *nomie Support Fund” may be made available*  
18          *for assistance for the Government of North*  
19          *Korea.*

20          *(d) PEOPLE’S REPUBLIC OF CHINA.—*

21                 *(1) LIMITATION ON USE OF FUNDS.—None of the*  
22                 *funds appropriated under the heading “Diplomatic*  
23                 *and Consular Programs” in this Act may be obligated*  
24                 *or expended for processing licenses for the export of*  
25                 *satellites of United States origin (including commer-*

1        *cial satellites and satellite components) to the People's*  
2        *Republic of China (PRC) unless, at least 15 days in*  
3        *advance, the Committees on Appropriations are noti-*  
4        *fied of such proposed action.*

5                (2) *PEOPLE'S LIBERATION ARMY.—The terms*  
6        *and requirements of section 620(h) of the Foreign As-*  
7        *sistance Act of 1961 shall apply to foreign assistance*  
8        *projects or activities of the People's Liberation Army*  
9        *(PLA) of the PRC, to include such projects or activi-*  
10        *ties by any entity that is owned or controlled by, or*  
11        *an affiliate of, the PLA: Provided, That none of the*  
12        *funds appropriated or otherwise made available pur-*  
13        *suant to this Act may be used to finance any grant,*  
14        *contract, or cooperative agreement with the PLA, or*  
15        *any entity that the Secretary of State has reason to*  
16        *believe is owned or controlled by, or an affiliate of,*  
17        *the PLA.*

18                (3) *COUNTER INFLUENCE PROGRAMS.—Funds*  
19        *appropriated by this Act for public diplomacy under*  
20        *title I and for assistance under titles III and IV shall*  
21        *be made available to counter the influence of the PRC,*  
22        *in accordance with the strategy required by section*  
23        *7043(e)(3) of the Department of State, Foreign Oper-*  
24        *ations, and Related Programs Appropriations Act,*

1       2014 (division K of Public Law 113–76), following  
2       consultation with the Committees on Appropriations.

3               (4) *AUTHORITY AND NOTIFICATION REQUIRE-*  
4       *MENT.*—

5               (A) *AUTHORITY.*—*The uses of funds made*  
6       *available by this Act for the promotion of democ-*  
7       *racy in the PRC, except for funds made avail-*  
8       *able under subsection (f), shall be the responsi-*  
9       *bility of the Assistant Secretary for Democracy,*  
10       *Human Rights, and Labor, Department of State.*

11              (B) *NOTIFICATION.*—*Funds appropriated*  
12       *by this Act that are made available for trilateral*  
13       *programs conducted with the PRC shall be sub-*  
14       *ject to the regular notification procedures of the*  
15       *Committees on Appropriations.*

16              (e) *PHILIPPINES.*—*Funds appropriated by this Act*  
17       *under the heading “International Narcotics Control and*  
18       *Law Enforcement” may be made available for counter-*  
19       *narcotics assistance for the Philippine National Police only*  
20       *if the Secretary of State determines and reports to the Com-*  
21       *mittees on Appropriations that the Government of the Phil-*  
22       *ippines has adopted and is implementing a counter-*  
23       *narcotics strategy that is consistent with international*  
24       *human rights standards, including investigating and pros-*  
25       *ecuting individuals who are credibly alleged to have or-*

1 *dered, committed, or covered up extrajudicial killings and*  
2 *other gross violations of human rights in the conduct of*  
3 *counternarcotics operations: Provided, That the limitation*  
4 *of this paragraph shall not apply to funds made available*  
5 *for drug demand reduction or maritime programs, or to*  
6 *support for the development of such counternarcotics strat-*  
7 *egy following consultation with the appropriate congres-*  
8 *sional committees.*

9 (f) *TIBET.—*

10 (1) *FINANCING OF PROJECTS IN TIBET.—The*  
11 *Secretary of the Treasury should instruct the United*  
12 *States executive director of each international finan-*  
13 *cial institution to use the voice and vote of the United*  
14 *States to support financing of projects in Tibet if*  
15 *such projects do not provide incentives for the migra-*  
16 *tion and settlement of non-Tibetans into Tibet or fa-*  
17 *cilitate the transfer of ownership of Tibetan land and*  
18 *natural resources to non-Tibetans, are based on a*  
19 *thorough needs-assessment, foster self-sufficiency of the*  
20 *Tibetan people and respect Tibetan culture and tradi-*  
21 *tions, and are subject to effective monitoring.*

22 (2) *PROGRAMS FOR TIBETAN COMMUNITIES.—*

23 (A) *TIBET AUTONOMOUS REGION.—Notwith-*  
24 *standing any other provision of law, of the funds*  
25 *appropriated by this Act under the heading*

1           *“Economic Support Fund”, not less than*  
2           *\$8,000,000 shall be made available to nongovern-*  
3           *mental organizations to support activities which*  
4           *preserve cultural traditions and promote sustain-*  
5           *able development, education, and environmental*  
6           *conservation in Tibetan communities in the*  
7           *Tibet Autonomous Region and in other Tibetan*  
8           *communities in China.*

9           *(B) INDIA AND NEPAL.—Of the funds ap-*  
10          *propriated by this Act under the heading “Eco-*  
11          *nomics Support Fund”, not less than \$6,000,000*  
12          *shall be made available for programs to promote*  
13          *and preserve Tibetan culture, development, and*  
14          *the resilience of Tibetan communities in India*  
15          *and Nepal, and to assist in the education and*  
16          *development of the next generation of Tibetan*  
17          *leaders from such communities: Provided, That*  
18          *such funds are in addition to amounts made*  
19          *available in subparagraph (A) for programs in-*  
20          *side Tibet.*

21          *(C) TIBETAN GOVERNANCE.—Of the funds*  
22          *appropriated by this Act under the heading*  
23          *“Economic Support Fund”, not less than*  
24          *\$3,000,000 shall be made available for programs*



1           to strengthen the capacity of Tibetan institutions  
2           and governance.

3           (g) VIETNAM.—

4           (1) DIOXIN REMEDIATION.—Notwithstanding  
5           any other provision of law, of the funds appropriated  
6           by this Act under the heading “Economic Support  
7           Fund”, not less than \$20,000,000 shall be made avail-  
8           able for activities related to the remediation of dioxin  
9           contaminated sites in Vietnam and may be made  
10          available for assistance for the Government of Viet-  
11          nam, including the military, for such purposes.

12          (2) HEALTH AND DISABILITY PROGRAMS.—Of  
13          the funds appropriated by this Act under the heading  
14          “Development Assistance”, not less than \$10,000,000  
15          shall be made available for health and disability pro-  
16          grams in areas sprayed with Agent Orange and other-  
17          wise contaminated with dioxin, to assist individuals  
18          with severe upper or lower body mobility impairment  
19          or cognitive or developmental disabilities.

20                                   SOUTH AND CENTRAL ASIA

21          SEC. 7044. (a) AFGHANISTAN.—

22                  (1) ASSISTANCE AND CONDITIONS.—

23                          (A) FUNDING AND LIMITATIONS.—Funds  
24                          appropriated by this Act under the headings  
25                          “Economic Support Fund” and “International

1           *Narcotics Control and Law Enforcement*” may  
2           be made available for assistance for Afghanistan:  
3           *Provided, That such funds may not be obligated*  
4           *for any project or activity that—*

5                     *(i) includes the participation of any*  
6                     *Afghan individual or organization, includ-*  
7                     *ing government entity, if the Secretary of*  
8                     *State has credible information that such in-*  
9                     *dividual, organization, or entity is involved*  
10                    *in corrupt practices, illicit narcotics pro-*  
11                    *duction or trafficking, or a violation of*  
12                    *human rights;*

13                    *(ii) cannot be sustained, as appro-*  
14                    *priate, by the Government of Afghanistan or*  
15                    *another Afghan entity;*

16                    *(iii) is not regularly accessible for the*  
17                    *purposes of conducting effective oversight in*  
18                    *accordance with applicable Federal statutes*  
19                    *and regulations;*

20                    *(iv) initiates any new, major infra-*  
21                    *structure development; or*

22                    *(v) is conducted in areas where project*  
23                    *and resource disbursement monitoring can-*  
24                    *not be performed, unless the Secretary of*  
25                    *State, in consultation with the Adminis-*

1            *trator of the United States Agency for*  
2            *International Development, certifies to the*  
3            *Committees on Appropriations that to do so*  
4            *is in the national security interest of the*  
5            *United States, and submits a report to such*  
6            *Committees describing such interest, includ-*  
7            *ing how such project or activity does not le-*  
8            *gitimize the Taliban or other extremist or-*  
9            *ganizations.*

10            *(B) CERTIFICATION AND REPORT.—Prior to*  
11            *the initial obligation of funds made available by*  
12            *this Act under the headings “Economic Support*  
13            *Fund” and “International Narcotics Control and*  
14            *Law Enforcement” for assistance for the central*  
15            *Government of Afghanistan, the Secretary of*  
16            *State shall certify and report to the Committees*  
17            *on Appropriations, after consultation with the*  
18            *Government of Afghanistan, that—*

19                    *(i) goals and benchmarks for the spe-*  
20                    *cific uses of such funds have been established*  
21                    *by the Governments of the United States*  
22                    *and Afghanistan;*

23                    *(ii) conditions are in place that in-*  
24                    *crease the transparency and accountability*  
25                    *of the Government of Afghanistan for funds*

1                    *obligated under the New Development Part-*  
2                    *nership or other incentive-based programs;*

3                    *(iii) the Government of Afghanistan is*  
4                    *implementing laws and policies to govern*  
5                    *democratically and protect the rights of in-*  
6                    *dividuals, civil society, and the media;*

7                    *(iv) the Government of Afghanistan is*  
8                    *taking consistent steps to protect and ad-*  
9                    *vance the rights of women and girls in Af-*  
10                   *ghanistan;*

11                   *(v) the Government of Afghanistan is*  
12                   *effectively implementing a whole-of-govern-*  
13                   *ment, anti-corruption strategy that has been*  
14                   *endorsed by the High Council on Rule of*  
15                   *Law and Anti-Corruption, as agreed to at*  
16                   *the Brussels Conference on Afghanistan in*  
17                   *October 2016, and is prosecuting individ-*  
18                   *uals alleged to be involved in corrupt or il-*  
19                   *legal activities in Afghanistan;*

20                   *(vi) monitoring and oversight frame-*  
21                   *works for programs implemented with such*  
22                   *funds are in accordance with all applicable*  
23                   *audit policies of the Department of State*  
24                   *and USAID, including in areas under the*

1           *control of the Taliban or other extremist or-*  
2           *ganizations;*

3           *(vii) the necessary policies and proce-*  
4           *dures are in place to ensure Government of*  
5           *Afghanistan compliance with section 7013*  
6           *of this Act, “Prohibition on Taxation of*  
7           *United States Assistance”; and*

8           *(viii) the Government of Afghanistan*  
9           *is publicly reporting its national budget,*  
10          *including revenues and expenditures.*

11          (C) *WAIVER.—The Secretary of State may*  
12          *waive the certification requirement of subpara-*  
13          *graph (B) if the Secretary determines that to do*  
14          *so is important to the national security interest*  
15          *of the United States and the Secretary submits*  
16          *a report to the Committees on Appropriations,*  
17          *in classified form if necessary, on the justifica-*  
18          *tion for the waiver and the reasons why any of*  
19          *the requirements of subparagraph (B) cannot be*  
20          *met.*

21          (D) *PROGRAMS.—Funds appropriated by*  
22          *this Act that are made available for assistance*  
23          *for Afghanistan shall be made available—*

24                 *(i) for programs that protect and*  
25                 *strengthen the rights of women and girls*

1           *and promote the political and economic em-*  
2           *powerment of women, including their mean-*  
3           *ingful inclusion in political processes: Pro-*  
4           *vided, That such assistance to promote eco-*  
5           *nomie empowerment of women shall be*  
6           *made available as grants to Afghan organi-*  
7           *zations, to the maximum extent practicable;*

8                     *(ii) for programs in South and Central*  
9           *Asia to expand linkages between Afghani-*  
10           *stan and countries in the region; and*

11                    *(iii) to assist the Government of Af-*  
12           *ghanistan to develop transparent budgetary*  
13           *processes, including executing a consistently*  
14           *applied system of legitimate revenue genera-*  
15           *tion and expenditure.*

16                    *(E) TAXATION.—None of the funds appro-*  
17           *priated by this Act for assistance for Afghani-*  
18           *stan may be made available for direct govern-*  
19           *ment-to-government assistance unless the Sec-*  
20           *retary of State certifies and reports to the Com-*  
21           *mittees on Appropriations that—*

22                    *(i) the United States Government and*  
23           *the Government of Afghanistan have in*  
24           *place the agreements necessary to ensure*

1 compliance with the principles set forth in  
2 section 7013 of this Act; and

3 (ii) United States companies and orga-  
4 nizations that are implementing United  
5 States assistance programs in Afghanistan  
6 in a manner consistent with United States  
7 laws and regulations are not subjected by  
8 the Government of Afghanistan to taxes or  
9 other fees in contravention of the agreements  
10 referenced in clause (i), and are not sub-  
11 jected to retaliation by the Government of  
12 Afghanistan for the nonpayment of such  
13 taxes or fees imposed in the past: Provided,  
14 That not later than 90 days after enactment  
15 of this Act, the Secretary of State shall sub-  
16 mit to the Committees on Appropriations  
17 an assessment of the dollar value of im-  
18 proper taxes or fees levied by such govern-  
19 ment against such companies and organiza-  
20 tions in fiscal year 2017.

21 (2) GOALS AND BENCHMARKS.—Not later than  
22 90 days after enactment of this Act, the Secretary of  
23 State shall submit to the appropriate congressional  
24 committees a report describing the goals and bench-  
25 marks required in paragraph (1)(B)(i): Provided,

1       *That not later than 6 months after the submission of*  
2       *such report and every 6 months thereafter until Sep-*  
3       *tember 30, 2019, the Secretary of State shall submit*  
4       *a report to such committees on the status of achieving*  
5       *such goals and benchmarks: Provided further, That*  
6       *the Secretary of State should suspend assistance for*  
7       *the Government of Afghanistan if any report required*  
8       *by this paragraph indicates that such government is*  
9       *failing to make measurable progress in meeting such*  
10      *goals and benchmarks.*

11           (3) *AUTHORITIES.*—

12               (A) *Funds appropriated by this Act under*  
13               *title III through VI that are made available for*  
14               *assistance for Afghanistan may be made avail-*  
15               *able—*

16                   (i) *notwithstanding section 7012 of*  
17                   *this Act or any similar provision of law*  
18                   *and section 660 of the Foreign Assistance*  
19                   *Act of 1961;*

20                   (ii) *for reconciliation programs and*  
21                   *disarmament, demobilization, and re-*  
22                   *integration activities for former combatants*  
23                   *who have renounced violence against the*  
24                   *Government of Afghanistan, in accordance*  
25                   *with section 7046(a)(2)(B)(ii) of the De-*



1            *partment of State, Foreign Operations, and*  
2            *Related Programs Appropriations Act, 2012*  
3            *(division I of Public Law 112–74); and*

4            *(iii) for an endowment to empower*  
5            *women and girls.*

6            *(B) Section 7046(a)(2)(A) of the Depart-*  
7            *ment of State, Foreign Operations, and Related*  
8            *Programs Appropriations Act, 2012 (division I*  
9            *of Public Law 112–74) shall apply to funds ap-*  
10           *propriated by this Act for assistance for Afghani-*  
11           *stan.*

12           *(4) BASING RIGHTS AGREEMENT.—None of the*  
13           *funds made available by this Act may be used by the*  
14           *United States Government to enter into a permanent*  
15           *basing rights agreement between the United States*  
16           *and Afghanistan.*

17           *(b) NEPAL.—*

18           *(1) ASSISTANCE.—Not less than \$121,480,000 of*  
19           *the funds appropriated by this Act under the headings*  
20           *“Global Health Programs”, “Economic Support*  
21           *Fund”, “International Narcotics Control and Law*  
22           *Enforcement”, and “Nonproliferation, Anti-terrorism,*  
23           *Demining and Related Programs” shall be made*  
24           *available for assistance for Nepal, including for earth-*  
25           *quake recovery and reconstruction programs.*

1           (2) *FOREIGN MILITARY FINANCING PROGRAM.*—  
2           *Funds appropriated by this Act under the heading*  
3           *“Foreign Military Financing Program” shall only be*  
4           *made available for humanitarian and disaster relief*  
5           *and reconstruction activities in Nepal, and in sup-*  
6           *port of international peacekeeping operations: Pro-*  
7           *vided, That such funds may only be made available*  
8           *for any additional uses if the Secretary of State cer-*  
9           *tifies and reports to the Committees on Appropria-*  
10          *tions that the Government of Nepal is investigating*  
11          *and prosecuting violations of human rights and the*  
12          *laws of war, and the Nepal Army is cooperating fully*  
13          *with civilian judicial authorities in such cases.*

14          (c) *PAKISTAN.*—

15               (1) *INTERNATIONAL SECURITY ASSISTANCE.*—

16                   (A) *LIMITATION.*—*Funds appropriated by*  
17                   *this Act under the heading “Foreign Military*  
18                   *Financing Program” for assistance for Pakistan*  
19                   *may be made available only to support counter-*  
20                   *terrorism and counterinsurgency capabilities in*  
21                   *Pakistan.*

22                   (B) *CONSULTATION.*—*Not later than 30*  
23                   *days after enactment of this Act, and prior to the*  
24                   *submission of the report required by section*  
25                   *653(a) of the Foreign Assistance Act of 1961, the*

1            *Secretary of State shall consult with the Com-*  
2            *mittees on Appropriations on the amount of*  
3            *funds appropriated by this Act under the head-*  
4            *ing “Foreign Military Financing Program” that*  
5            *is anticipated to be subject to the January 2018*  
6            *policy decision of the United States to suspend*  
7            *security assistance for Pakistan: Provided, That*  
8            *the Secretary shall promptly inform the appro-*  
9            *priate congressional committees in writing of*  
10           *any changes to such policy, the justification for*  
11           *such changes, and the progress made by the Gov-*  
12           *ernment of Pakistan in meeting the counterter-*  
13           *rorism objectives described under this section in*  
14           *the explanatory statement described in section 4*  
15           *(in the matter preceding division A of this con-*  
16           *solidated Act).*

17            (C) *REPROGRAMMING.—Funds appro-*  
18            *priated by this Act and prior Acts making ap-*  
19            *propriations for the Department of State, foreign*  
20            *operations, and related programs under the*  
21            *heading “Foreign Military Financing Program”*  
22            *for assistance for Pakistan that are withheld*  
23            *from obligation or expenditure by the Depart-*  
24            *ment of State may be reprogrammed by the Sec-*  
25            *retary of State, except that no such funds may*

1           *be reprogrammed that are required to complete*  
2           *payment on existing and previously approved*  
3           *contracts: Provided, That such reprogramming*  
4           *shall be subject to the regular notification proce-*  
5           *dures of the Committees on Appropriations.*

6           (2) *BILATERAL ECONOMIC ASSISTANCE RE-*  
7           *PORT.—Prior to the obligation of funds made avail-*  
8           *able by this Act under the heading “Economic Sup-*  
9           *port Fund” for assistance for the central Government*  
10           *of Pakistan, the Secretary of State shall submit a re-*  
11           *port to the appropriate congressional committees de-*  
12           *tailing—*

13                   (A) *the amount of financing and other sup-*  
14                   *port, if any, provided by the Government of*  
15                   *Pakistan to schools supported by, affiliated with,*  
16                   *or run by the Taliban or any domestic or foreign*  
17                   *terrorist organization in Pakistan;*

18                   (B) *the extent of cooperation by such gov-*  
19                   *ernment in issuing visas in a timely manner for*  
20                   *United States visitors, including officials and*  
21                   *representatives of nongovernmental organiza-*  
22                   *tions, engaged in assistance and security pro-*  
23                   *grams in Pakistan; and*

24                   (C) *the extent to which such government is*  
25                   *providing humanitarian organizations access to*

1        *detainees, internally displaced persons, and other*  
2        *Pakistani civilians affected by conflict in Paki-*  
3        *stan and the region.*

4        (3) *AUTHORITY AND USES OF FUNDS.—*

5                (A) *Funds appropriated by this Act for as-*  
6        *sistance for Pakistan may be made available*  
7        *notwithstanding any other provision of law, ex-*  
8        *cept for section 620M of the Foreign Assistance*  
9        *Act of 1961.*

10               (B) *Funds appropriated by this Act for as-*  
11        *sistance for Pakistan that are made available for*  
12        *infrastructure projects shall be implemented in a*  
13        *manner consistent with section 507(6) of the*  
14        *Trade Act of 1974 (19 U.S.C. 2467(6)).*

15               (C) *The authorities and directives of section*  
16        *7044(d)(4) of the Department of State, Foreign*  
17        *Operations, and Related Programs Appropria-*  
18        *tions Act, 2015 (division J of Public Law 113–*  
19        *235) regarding scholarships for women shall*  
20        *apply to funds appropriated by this Act for as-*  
21        *sistance for Pakistan, following consultation*  
22        *with the Committees on Appropriations.*

23               (D) *Funds appropriated by this Act under*  
24        *the headings “Economic Support Fund” and*  
25        *“Nonproliferation, Anti-terrorism, Demining*

1           *and Related Programs” that are made available*  
2           *for assistance for Pakistan shall be made avail-*  
3           *able to interdict precursor materials from Paki-*  
4           *stan to Afghanistan that are used to manufac-*  
5           *ture improvised explosive devices and for agri-*  
6           *culture extension programs that encourage alter-*  
7           *native fertilizer use among Pakistani farmers to*  
8           *decrease the dual use of fertilizer in the manufac-*  
9           *turing of improvised explosive devices.*

10           *(E) Funds appropriated by this Act for as-*  
11           *istance for Pakistan shall be made available for*  
12           *border security programs, following consultation*  
13           *with the Committees on Appropriations.*

14           *(F) Funds appropriated by title III of this*  
15           *Act shall be made available for programs to pro-*  
16           *mote democracy in Pakistan.*

17           *(4) WITHHOLDING.—Of the funds appropriated*  
18           *under titles III and IV of this Act that are made*  
19           *available for assistance for Pakistan, \$33,000,000*  
20           *shall be withheld from obligation until the Secretary*  
21           *of State reports to the Committees on Appropriations*  
22           *that Dr. Shakil Afridi has been released from prison*  
23           *and cleared of all charges relating to the assistance*  
24           *provided to the United States in locating Osama bin*  
25           *Laden.*

1           (5) *OVERSIGHT.*—*The Secretary of State shall*  
2           *take all practicable steps to ensure that mechanisms*  
3           *are in place for monitoring, oversight, and control of*  
4           *funds made available by this subsection for assistance*  
5           *for Pakistan: Provided, That the Secretary shall in-*  
6           *form the Committees on Appropriations of such steps*  
7           *in a timely manner.*

8           (d) *SRI LANKA.*—

9           (1) *BILATERAL ECONOMIC ASSISTANCE.*—*Of the*  
10          *funds appropriated under title III of this Act, not less*  
11          *than \$35,000,000 shall be made available for assist-*  
12          *ance for Sri Lanka for economic development and de-*  
13          *mocracy programs, particularly in areas recovering*  
14          *from ethnic and religious conflict: Provided, That*  
15          *such funds shall be made available for programs to*  
16          *assist in the identification and resolution of cases of*  
17          *missing persons.*

18          (2) *CERTIFICATION.*—*Funds appropriated by*  
19          *this Act for assistance for the central Government of*  
20          *Sri Lanka may be made available only if the Sec-*  
21          *retary of State certifies and reports to the Committees*  
22          *on Appropriations that the Government of Sri Lanka*  
23          *is—*

24                        (A) *repealing laws that do not comply with*  
25                        *international standards for arrest and detention*

1           *by security forces, and ensuring that any suc-*  
2           *cessor legislation meets such standards;*

3           *(B) increasing accountability and trans-*  
4           *parency in governance;*

5           *(C) investigating allegations of arbitrary*  
6           *arrest and torture, and supporting a credible*  
7           *justice mechanism in compliance with United*  
8           *Nations Human Rights Council Resolution (A/*  
9           *HCR/30/L.29) of October 2015;*

10          *(D) returning military occupied private*  
11          *lands in former conflict zones to their rightful*  
12          *owners or compensating those whose land was*  
13          *confiscated without due process, which includes*  
14          *legal steps and surveys to determine proper title*  
15          *to disputed lands, and which is in addition to*  
16          *steps taken during the previous calendar year;*

17          *(E) establishing a functioning office of*  
18          *missing persons and assisting its investigations*  
19          *of cases of missing persons from Sri Lanka's in-*  
20          *ternal armed conflicts, and publishing lists of all*  
21          *persons who surrendered to such Government*  
22          *after the end of the civil war in May 2009; and*

23          *(F) substantially reducing the presence of*  
24          *the armed forces in former conflict zones and im-*  
25          *plementing a plan for restructuring and reduc-*



1           *ing the size of the armed forces to adopt a peace-*  
2           *time role that contributes to post-conflict rec-*  
3           *onciliation and regional security.*

4           (3) *INTERNATIONAL SECURITY ASSISTANCE.—*  
5           *Funds appropriated under title IV of this Act that*  
6           *are available for assistance for Sri Lanka shall be*  
7           *subject to the following conditions—*

8                   (A) *not to exceed \$500,000 under the head-*  
9                   *ing “Foreign Military Financing Program” may*  
10                  *only be made available for programs to support*  
11                  *humanitarian and disaster response prepared-*  
12                  *ness and maritime security; and*

13                   (B) *funds under the heading “Peacekeeping*  
14                  *Operations” may only be made available for*  
15                  *training and equipment related to international*  
16                  *peacekeeping operations, and only if the Govern-*  
17                  *ment of Sri Lanka is taking effective steps to*  
18                  *bring to justice Sri Lankan peacekeeping troops*  
19                  *who have engaged in sexual exploitation and*  
20                  *abuse.*

21           (e) *REGIONAL PROGRAMS.—*

22                   (1) *CROSS BORDER PROGRAMS.—Funds appro-*  
23                  *priated by this Act under the heading “Economic*  
24                  *Support Fund” for assistance for Afghanistan and*  
25                  *Pakistan may be provided, notwithstanding any other*

1 *provision of law that restricts assistance to foreign*  
2 *countries, for cross border stabilization and develop-*  
3 *ment programs between Afghanistan and Pakistan, or*  
4 *between either country and the Central Asian coun-*  
5 *tries.*

6 (2) *SECURITY AND JUSTICE PROGRAMS.—Funds*  
7 *appropriated by this Act that are made available for*  
8 *assistance for countries in South and Central Asia*  
9 *shall be made available to accelerate the recruitment*  
10 *and enhance the retention and professionalism of*  
11 *women in the judiciary, police, and other security*  
12 *forces.*

13 *LATIN AMERICA AND THE CARIBBEAN*

14 *SEC. 7045. (a) CENTRAL AMERICA.—*

15 (1) *FUNDING.—Subject to the requirements of*  
16 *this subsection, of the funds appropriated under titles*  
17 *III and IV of this Act, up to \$615,000,000 may be*  
18 *made available for assistance for countries in Central*  
19 *America to implement the United States Strategy for*  
20 *Engagement in Central America (the Strategy): Pro-*  
21 *vided, That such funds shall be made available to the*  
22 *maximum extent practicable on a cost-matching*  
23 *basis.*

24 (2) *PRE-OBLIGATION REQUIREMENTS.—Prior to*  
25 *the obligation of funds made available pursuant to*

1        *paragraph (1), the Secretary of State shall submit to*  
2        *the Committees on Appropriations an updated multi-*  
3        *year spend plan as described under this subsection in*  
4        *the explanatory statement described in section 4 (in*  
5        *the matter preceding division A of this consolidated*  
6        *Act).*

7                (3) *ASSISTANCE FOR THE CENTRAL GOVERN-*  
8        *MENTS OF EL SALVADOR, GUATEMALA, AND HON-*  
9        *DURAS.—Of the funds made available pursuant to*  
10        *paragraph (1) that are available for assistance for*  
11        *each of the central governments of El Salvador, Gua-*  
12        *temala, and Honduras, except for funds made avail-*  
13        *able for the International Commission against Impu-*  
14        *nity in Guatemala or the Mission to Support the*  
15        *Fight against Corruption and Impunity in Hon-*  
16        *duras, the following amounts shall be withheld from*  
17        *obligation and may only be made available as follows:*

18                (A) *25 percent may only be obligated after*  
19        *the Secretary of State certifies and reports to the*  
20        *appropriate congressional committees that such*  
21        *government is—*

22                        (i) *informing its citizens of the dangers*  
23                        *of the journey to the southwest border of the*  
24                        *United States;*

1           (ii) combating human smuggling and  
2 trafficking;

3           (iii) improving border security, includ-  
4 ing preventing illegal migration, human  
5 smuggling and trafficking, and trafficking  
6 of illicit drugs and other contraband; and

7           (iv) cooperating with United States  
8 Government agencies and other governments  
9 in the region to facilitate the return, repa-  
10 triation, and reintegration of illegal mi-  
11 grants arriving at the southwest border of  
12 the United States who do not qualify for  
13 asylum, consistent with international law.

14           (B) An additional 50 percent may only be  
15 obligated after the Secretary of State certifies  
16 and reports to the appropriate congressional  
17 committees that such government is—

18           (i) working cooperatively with an au-  
19 tonomous, publicly accountable entity to  
20 provide oversight of the Plan of the Alliance  
21 for Prosperity in the Northern Triangle in  
22 Central America (the Plan);

23           (ii) combating corruption, including  
24 investigating and prosecuting current and

1           *former government officials credibly alleged*  
2           *to be corrupt;*

3                     *(iii) implementing reforms, policies,*  
4                     *and programs to improve transparency and*  
5                     *strengthen public institutions, including in-*  
6                     *creasing the capacity and independence of*  
7                     *the judiciary and the Office of the Attorney*  
8                     *General;*

9                     *(iv) implementing a policy to ensure*  
10                    *that local communities, civil society organi-*  
11                    *zations (including indigenous and other*  
12                    *marginalized groups), and local govern-*  
13                    *ments are consulted in the design, and par-*  
14                    *ticipate in the implementation and evalua-*  
15                    *tion of, activities of the Plan that affect*  
16                    *such communities, organizations, and gov-*  
17                    *ernments;*

18                    *(v) countering the activities of crimi-*  
19                    *nal gangs, drug traffickers, and organized*  
20                    *crime;*

21                    *(vi) investigating and prosecuting in*  
22                    *the civilian justice system government per-*  
23                    *sonnel, including military and police per-*  
24                    *sonnel, who are credibly alleged to have vio-*

1            *lated human rights, and ensuring that such*  
2            *personnel are cooperating in such cases;*

3            *(vii) cooperating with commissions*  
4            *against corruption and impunity and with*  
5            *regional human rights entities;*

6            *(viii) supporting programs to reduce*  
7            *poverty, expand education and vocational*  
8            *training for at-risk youth, create jobs, and*  
9            *promote equitable economic growth, particu-*  
10           *larly in areas contributing to large numbers*  
11           *of migrants;*

12           *(ix) implementing a plan that includes*  
13           *goals, benchmarks, and timelines to create a*  
14           *professional, accountable civilian police*  
15           *force and end the role of the military in in-*  
16           *ternal policing, and make such plan avail-*  
17           *able to the Department of State;*

18           *(x) protecting the right of political op-*  
19           *position parties, journalists, trade union-*  
20           *ists, human rights defenders, and other civil*  
21           *society activists to operate without inter-*  
22           *ference;*

23           *(xi) increasing government revenues,*  
24           *including by implementing tax reforms and*  
25           *strengthening customs agencies; and*

1                   *(xii) resolving commercial disputes, in-*  
2                   *cluding the confiscation of real property, be-*  
3                   *tween United States entities and such gov-*  
4                   *ernment.*

5                   (4) *DETERMINATIONS AND IMPACT ON ASSIST-*  
6                   *ANCE.—*

7                   (A) *INSUFFICIENT PROGRESS.—The Sec-*  
8                   *retary of State shall periodically review the*  
9                   *progress of each of the central governments of El*  
10                  *Salvador, Guatemala, and Honduras in meeting*  
11                  *the requirements of paragraphs (3)(A) and*  
12                  *(3)(B): Provided, That if the Secretary deter-*  
13                  *mines and reports to the appropriate congress-*  
14                  *sional committees that sufficient progress has not*  
15                  *been made by such government in meeting such*  
16                  *requirements, the Secretary shall suspend, in*  
17                  *whole or in part, assistance for such government*  
18                  *for programs supporting such requirement, and*  
19                  *shall notify the appropriate congressional com-*  
20                  *mittees in writing of such action: Provided fur-*  
21                  *ther, That the Secretary may resume such assist-*  
22                  *ance if the Secretary determines and reports to*  
23                  *such committees that corrective measures have*  
24                  *been taken by such government.*

1           (B) *EXTRAORDINARY PROGRESS.*—*The Sec-*  
2           *retary of State may, notwithstanding section*  
3           *7019 of this Act, increase assistance for El Sal-*  
4           *vador, Guatemala, or Honduras if the Secretary*  
5           *determines and reports to the appropriate con-*  
6           *gressional committees that the central govern-*  
7           *ment of such country has made extraordinary*  
8           *progress in meeting the requirements of para-*  
9           *graphs (3)(A) and (3)(B): Provided, That such*  
10          *increase shall be provided in the amounts des-*  
11          *ignated as Award for Extraordinary Progress in*  
12          *the table under this section in the explanatory*  
13          *statement described in section 4 (in the matter*  
14          *preceding division A of this consolidated Act):*  
15          *Provided further, That such determination may*  
16          *be made for not more than one country and fol-*  
17          *lowing the submission of the reports for such*  
18          *country submitted pursuant to paragraphs*  
19          *(3)(A) and (3)(B).*

20          (C) *CHANGE IN NATIONAL GOVERNMENT.*—  
21          *Not later than 90 days following a change of na-*  
22          *tional government in El Salvador, Guatemala,*  
23          *or Honduras, the Secretary of State shall deter-*  
24          *mine whether or not such government is meeting*  
25          *the requirements of paragraphs (3)(A) and*



1           *(3)(B) and submit a report to the appropriate*  
2           *congressional committees detailing the reasons*  
3           *for such determination: Provided, That if the*  
4           *Secretary determines that such government is not*  
5           *meeting such requirements, then the Secretary*  
6           *shall suspend, in whole or in part, assistance for*  
7           *such central government until such time as such*  
8           *determination and report can be made.*

9           *(D) REPROGRAMMING.—*

10           *(i) Assistance suspended pursuant to*  
11           *subparagraphs (A) or (C) may be repro-*  
12           *grammed if the Secretary of State deter-*  
13           *mines that corrective measures have not*  
14           *been taken.*

15           *(ii) If the Secretary is unable to make*  
16           *a determination pursuant to subparagraph*  
17           *(B) within 180 days after enactment of this*  
18           *Act, amounts designated under such sub-*  
19           *paragraph may be reprogrammed.*

20           *(iii) Any reprogramming made pursu-*  
21           *ant to clauses (i) or (ii) shall only be made*  
22           *available for assistance for other countries*  
23           *in Latin America and the Caribbean and*  
24           *shall be subject to the regular notification*

1                   *procedures of the Committees on Appropriations.*  
2

3                   (5) *CONSULTATION.*—*The Secretary of State*  
4                   *shall consult with the Committees on Appropriations*  
5                   *not less than 14 days prior to submitting any certifi-*  
6                   *cation made pursuant to subsection (a)(3) and any*  
7                   *suspension or reprogramming made pursuant to sub-*  
8                   *section (a)(4).*

9                   (6) *LIMITATION.*—*None of the funds made avail-*  
10                   *able by this subsection for assistance for countries in*  
11                   *Central America may be made available for direct*  
12                   *government-to-government assistance or for major in-*  
13                   *frastructure projects.*

14                   (b) *COLOMBIA.*—

15                   (1) *ASSISTANCE.*—*Of the funds appropriated by*  
16                   *this Act under titles III and IV, not less than*  
17                   *\$391,253,000 shall be made available for assistance*  
18                   *for Colombia, including to support the efforts of the*  
19                   *Government of Colombia to—*

20                   (A) *conduct a unified campaign against*  
21                   *narcotics trafficking, organizations designated as*  
22                   *foreign terrorist organizations pursuant to sec-*  
23                   *tion 219 of the Immigration and Nationality Act*  
24                   *(8 U.S.C. 1189), and other criminal or illegal*  
25                   *armed groups: Provided, That aircraft supported*

1           *by funds made available by this Act and prior*  
2           *Acts making appropriations for the Department*  
3           *of State, foreign operations, and related pro-*  
4           *grams may be used to transport personnel and*  
5           *supplies involved in drug eradication and inter-*  
6           *diction, including security for such activities,*  
7           *and to provide transport in support of alter-*  
8           *native development programs and investigations*  
9           *by civilian judicial authorities;*

10           *(B) enhance security and stability in Co-*  
11           *lombia and the region;*

12           *(C) strengthen and expand governance, the*  
13           *rule of law, and access to justice throughout Co-*  
14           *lombia;*

15           *(D) promote economic and social develop-*  
16           *ment, including by improving access to areas*  
17           *impacted by conflict through demining pro-*  
18           *grams; and*

19           *(E) implement a peace agreement between*  
20           *the Government of Colombia and illegal armed*  
21           *groups, in accordance with constitutional and*  
22           *legal requirements in Colombia:*

23           *Provided, That such funds shall be subject to prior*  
24           *consultation with, and the regular notification proce-*  
25           *dures of, the Committees on Appropriations.*

1           (2) *LIMITATION.*—None of the funds appro-  
2           priated by this Act or prior Acts making appropria-  
3           tions for the Department of State, foreign operations,  
4           and related programs that are made available for as-  
5           sistance for Colombia may be made available for pay-  
6           ment of reparations to conflict victims or compensa-  
7           tion to demobilized combatants associated with a  
8           peace agreement between the Government of Colombia  
9           and illegal armed groups.

10           (3) *PRE-OBLIGATION REQUIREMENTS.*—Prior to  
11           the initial obligation of funds made available pursu-  
12           ant to paragraph (1), the Secretary of State, in con-  
13           sultation with the USAID Administrator, shall sub-  
14           mit to the Committees on Appropriations an updated  
15           multi-year spend plan as described under this sub-  
16           section in the explanatory statement described in sec-  
17           tion 4 (in the matter preceding division A of this con-  
18           solidated Act).

19           (4) *APPORTIONMENT AND TRANSFER.*—Funds  
20           made available by this Act under the heading “Eco-  
21           nomic Support Fund” for assistance for Colombia  
22           shall be apportioned directly to USAID, except that  
23           not less than \$7,000,000 of such funds shall be trans-  
24           ferred to, and merged with, funds appropriated by  
25           this Act under the heading “Migration and Refugee

1     *Assistance” for assistance for Colombian refugees in*  
2     *neighboring countries.*

3             (5) *COUNTERNARCOTICS.—Of the funds made*  
4     *available by this Act under the headings “Economic*  
5     *Support Fund” and “International Narcotics Control*  
6     *and Law Enforcement” for counternarcotics assist-*  
7     *ance for Colombia, 25 percent may be obligated only*  
8     *after the Secretary of State certifies and reports to the*  
9     *Committees on Appropriations that the Government*  
10    *of Colombia has reduced overall illicit drug cultiva-*  
11    *tion, production, and trafficking.*

12            (6) *HUMAN RIGHTS.—Of the funds made avail-*  
13    *able by this Act under the heading “Foreign Military*  
14    *Financing Program” for assistance for Colombia, 20*  
15    *percent may be obligated only in accordance with the*  
16    *conditions set forth under section 7045 in Senate Re-*  
17    *port 115–152.*

18            (7) *EXCEPTIONS.—The limitations of para-*  
19    *graphs (5) and (6) shall not apply to funds made*  
20    *available for aviation instruction and maintenance,*  
21    *and maritime and riverine security programs.*

22            (c) *HAITI.—*

23            (1) *CERTIFICATION.—Funds appropriated by*  
24    *this Act under the headings “Development Assistance”*  
25    *and “Economic Support Fund” that are made avail-*

1     *able for assistance for Haiti may not be made avail-*  
2     *able for assistance for the central Government of*  
3     *Haiti unless the Secretary of State certifies and re-*  
4     *ports to the Committees on Appropriations that such*  
5     *government is taking effective steps, which are in ad-*  
6     *dition to steps taken since the certification and report*  
7     *submitted during the prior year, if applicable, to—*

8             *(A) strengthen the rule of law in Haiti, in-*  
9             *cluding by—*

10                 *(i) selecting judges in a transparent*  
11                 *manner based on merit;*

12                 *(ii) reducing pre-trial detention;*

13                 *(iii) respecting the independence of the*  
14                 *judiciary; and*

15                 *(iv) improving governance by imple-*  
16                 *menting reforms to increase transparency*  
17                 *and accountability, including through the*  
18                 *penal and criminal codes;*

19             *(B) combat corruption, including by imple-*  
20             *menting the anti-corruption law enacted in 2014*  
21             *and prosecuting corrupt officials;*

22             *(C) increase government revenues, including*  
23             *by implementing tax reforms, and increasing ex-*  
24             *penditures on public services; and*



1 *territorial integrity or national sovereignty of any other*  
2 *Independent State of the former Soviet Union, such as those*  
3 *violations included in the Helsinki Final Act: Provided,*  
4 *That except as otherwise provided in section 7070(a) of this*  
5 *Act, funds may be made available without regard to the*  
6 *restriction in this subsection if the President determines*  
7 *that to do so is in the national security interest of the*  
8 *United States: Provided further, That prior to executing the*  
9 *authority contained in the previous proviso, the Secretary*  
10 *of State shall consult with the Committees on Appropria-*  
11 *tions on how such assistance supports the national security*  
12 *interest of the United States.*

13 *(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—*  
14 *Section 907 of the FREEDOM Support Act (22 U.S.C.*  
15 *5812 note) shall not apply to—*

16 *(1) activities to support democracy or assistance*  
17 *under title V of the FREEDOM Support Act (22*  
18 *U.S.C. 5851 et seq.) and section 1424 of the Defense*  
19 *Against Weapons of Mass Destruction Act of 1996 (50*  
20 *U.S.C. 2333) or non-proliferation assistance;*

21 *(2) any assistance provided by the Trade and*  
22 *Development Agency under section 661 of the Foreign*  
23 *Assistance Act of 1961 (22 U.S.C. 2421);*



1           (3) *any activity carried out by a member of the*  
2           *United States and Foreign Commercial Service while*  
3           *acting within his or her official capacity;*

4           (4) *any insurance, reinsurance, guarantee, or*  
5           *other assistance provided by the Overseas Private In-*  
6           *vestment Corporation under title IV of chapter 2 of*  
7           *part I of the Foreign Assistance Act of 1961 (22*  
8           *U.S.C. 2191 et seq.);*

9           (5) *any financing provided under the Export-*  
10          *Import Bank Act of 1945 (Public Law 79–173); or*

11          (6) *humanitarian assistance.*

12          (d) *TURKEY.—None of the funds made available by*  
13          *this Act may be used to facilitate or support the sale of*  
14          *defense articles or defense services to the Turkish Presi-*  
15          *dential Protection Directorate (TPPD) under chapter 2 of*  
16          *the Arms Export Control Act (22 U.S.C. 2761 et seq.), un-*  
17          *less the Secretary of State determines and reports to the*  
18          *appropriate congressional committees that members of the*  
19          *TPPD named in the July 17, 2017 indictment by the Supe-*  
20          *rior Court of the District of Columbia have returned to the*  
21          *United States to stand trial in connection with the offenses*  
22          *contained in such indictment or have otherwise been*  
23          *brought to justice: Provided, That the limitation in this*  
24          *paragraph shall not apply to the use of funds made avail-*  
25          *able by this Act for border security purposes, for North At-*

1 *lantic Treaty Organization or coalition operations, or to*  
2 *enhance the protection of United States officials and facili-*  
3 *ties in Turkey.*

4 *WAR CRIMES TRIBUNALS*

5 *SEC. 7047. If the President determines that doing so*  
6 *will contribute to a just resolution of charges regarding*  
7 *genocide or other violations of international humanitarian*  
8 *law, the President may direct a drawdown pursuant to sec-*  
9 *tion 552(c) of the Foreign Assistance Act of 1961 of up to*  
10 *\$30,000,000 of commodities and services for the United Na-*  
11 *tions War Crimes Tribunal established with regard to the*  
12 *former Yugoslavia by the United Nations Security Council*  
13 *or such other tribunals or commissions as the Council may*  
14 *establish or authorize to deal with such violations, without*  
15 *regard to the ceiling limitation contained in paragraph (2)*  
16 *thereof: Provided, That the determination required under*  
17 *this section shall be in lieu of any determinations otherwise*  
18 *required under section 552(c): Provided further, That funds*  
19 *made available pursuant to this section shall be made avail-*  
20 *able subject to the regular notification procedures of the*  
21 *Committees on Appropriations.*

22 *UNITED NATIONS*

23 *SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-*  
24 *ABILITY.—*

1           (1) *RESTRICTIONS.*—*Of the funds appropriated*  
2 *under title I and under the heading “International*  
3 *Organizations and Programs” in title V of this Act*  
4 *that are available for contributions to the United Na-*  
5 *tions (including the Department of Peacekeeping Op-*  
6 *erations), any United Nations agency, or the Organi-*  
7 *zation of American States, 15 percent may not be ob-*  
8 *ligated for such organization, department, or agency*  
9 *until the Secretary of State determines and reports to*  
10 *the Committees on Appropriations that the organiza-*  
11 *tion, department, or agency is—*

12                   (A) *posting on a publicly available Web*  
13 *site, consistent with privacy regulations and due*  
14 *process, regular financial and programmatic au-*  
15 *ditions of such organization, department, or agency,*  
16 *and providing the United States Government*  
17 *with necessary access to such financial and per-*  
18 *formance audits;*

19                   (B) *effectively implementing and enforcing*  
20 *policies and procedures which reflect best prac-*  
21 *tices for the protection of whistleblowers from re-*  
22 *taliation, including best practices for—*

23                           (i) *protection against retaliation for*  
24 *internal and lawful public disclosures;*

25                           (ii) *legal burdens of proof;*

1                   (iii) statutes of limitation for reporting  
2                   retaliation;

3                   (iv) access to independent adjudicative  
4                   bodies, including external arbitration; and

5                   (v) results that eliminate the effects of  
6                   proven retaliation; and

7                   (C) effectively implementing and enforcing  
8                   policies and procedures on the appropriate use of  
9                   travel funds, including restrictions on first class  
10                  and business class travel.

11                  (2) WAIVER.—*The restrictions imposed by or*  
12                  *pursuant to paragraph (1) may be waived on a case-*  
13                  *by-case basis if the Secretary of State determines and*  
14                  *reports to the Committees on Appropriations that*  
15                  *such waiver is necessary to avert or respond to a hu-*  
16                  *manitarian crisis.*

17                  (b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS  
18                  AND ORGANIZATIONS.—

19                  (1) RESTRICTIONS ON UNITED STATES DELEGA-  
20                  TIONS.—*None of the funds made available by this Act*  
21                  *may be used to pay expenses for any United States*  
22                  *delegation to any specialized agency, body, or com-*  
23                  *mission of the United Nations if such agency, body,*  
24                  *or commission is chaired or presided over by a coun-*  
25                  *try, the government of which the Secretary of State*

1 *has determined, for purposes of section 6(j)(1) of the*  
2 *Export Administration Act of 1979 as continued in*  
3 *effect pursuant to the International Emergency Eco-*  
4 *nomics Powers Act (50 U.S.C. App. 2405(j)(1)), sup-*  
5 *ports international terrorism.*

6 (2) *RESTRICTIONS ON CONTRIBUTIONS.*—None of  
7 *the funds made available by this Act may be used by*  
8 *the Secretary of State as a contribution to any orga-*  
9 *nization, agency, commission, or program within the*  
10 *United Nations system if such organization, agency,*  
11 *commission, or program is chaired or presided over*  
12 *by a country the government of which the Secretary*  
13 *of State has determined, for purposes of section 620A*  
14 *of the Foreign Assistance Act of 1961, section 40 of*  
15 *the Arms Export Control Act, section 6(j)(1) of the*  
16 *Export Administration Act of 1979, or any other pro-*  
17 *vision of law, is a government that has repeatedly*  
18 *provided support for acts of international terrorism.*

19 (3) *WAIVER.*—The Secretary of State may waive  
20 *the restriction in this subsection if the Secretary de-*  
21 *termines and reports to the Committees on Appro-*  
22 *propriations that to do so is important to the national*  
23 *interest of the United States, including a description*  
24 *of the national interest served.*

1           (c) *UNITED NATIONS HUMAN RIGHTS COUNCIL.—*  
2 *None of the funds appropriated by this Act may be made*  
3 *available in support of the United Nations Human Rights*  
4 *Council unless the Secretary of State determines and re-*  
5 *ports to the Committees on Appropriations that participa-*  
6 *tion in the Council is important to the national interest*  
7 *of the United States and that such Council is taking signifi-*  
8 *cant steps to remove Israel as a permanent agenda item*  
9 *and ensure integrity in the election of members to such*  
10 *Council: Provided, That such report shall include a descrip-*  
11 *tion of the national interest served and the steps taken to*  
12 *remove Israel as a permanent agenda item and ensure in-*  
13 *tegrity in the election of members to such Council: Provided*  
14 *further, That the Secretary of State shall report to the Com-*  
15 *mittees on Appropriations not later than September 30,*  
16 *2018, on the resolutions considered in the United Nations*  
17 *Human Rights Council during the previous 12 months, and*  
18 *on steps taken to remove Israel as a permanent agenda item*  
19 *and ensure integrity in the election of members to such*  
20 *Council.*

21           (d) *UNITED NATIONS RELIEF AND WORKS AGENCY.—*  
22 *Prior to the initial obligation of funds for the United Na-*  
23 *tions Relief and Works Agency (UNRWA), and not later*  
24 *than 45 days after enactment of this Act, the Secretary of*

1 *State shall submit a report in writing to the Committees*  
2 *on Appropriations on whether UNRWA is—*

3 *(1) utilizing Operations Support Officers in the*  
4 *West Bank, Gaza, and other fields of operation to in-*  
5 *spect UNRWA installations and reporting any inap-*  
6 *propriate use;*

7 *(2) acting promptly to address any staff or bene-*  
8 *ficiary violation of its own policies (including the*  
9 *policies on neutrality and impartiality of employees)*  
10 *and the legal requirements under section 301(c) of the*  
11 *Foreign Assistance Act of 1961;*

12 *(3) implementing procedures to maintain the*  
13 *neutrality of its facilities, including implementing a*  
14 *no-weapons policy, and conducting regular inspec-*  
15 *tions of its installations, to ensure they are only used*  
16 *for humanitarian or other appropriate purposes;*

17 *(4) taking necessary and appropriate measures*  
18 *to ensure it is operating in compliance with the con-*  
19 *ditions of section 301(c) of the Foreign Assistance Act*  
20 *of 1961 and continuing regular reporting to the De-*  
21 *partment of State on actions it has taken to ensure*  
22 *conformance with such conditions;*

23 *(5) taking steps to ensure the content of all edu-*  
24 *cational materials currently taught in UNRWA-ad-*  
25 *ministered schools and summer camps is consistent*

1       *with the values of human rights, dignity, and toler-*  
2       *ance and does not induce incitement;*

3               *(6) not engaging in operations with financial in-*  
4       *stitutions or related entities in violation of relevant*  
5       *United States law, and is taking steps to improve the*  
6       *financial transparency of the organization; and*

7               *(7) in compliance with the United Nations*  
8       *Board of Auditors' biennial audit requirements and*  
9       *is implementing in a timely fashion the Board's rec-*  
10       *ommendations.*

11       *(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS*  
12       *MEMBERS.—None of the funds appropriated or made avail-*  
13       *able pursuant to titles III through VI of this Act for car-*  
14       *rying out the Foreign Assistance Act of 1961, may be used*  
15       *to pay in whole or in part any assessments, arrearages,*  
16       *or dues of any member of the United Nations or, from funds*  
17       *appropriated by this Act to carry out chapter 1 of part*  
18       *I of the Foreign Assistance Act of 1961, the costs for partici-*  
19       *pation of another country's delegation at international con-*  
20       *ferences held under the auspices of multilateral or inter-*  
21       *national organizations.*

22       *(f) CAPITAL PROJECTS.—None of the funds made*  
23       *available by this Act may be used for the design, renovation,*  
24       *or construction of the United Nations Headquarters in New*  
25       *York: Provided, That any operating plan submitted pursu-*



1 *ant to this Act for funds made available under the heading*  
2 *“Contributions to International Organizations” shall in-*  
3 *clude information on capital projects, as described under*  
4 *such heading in House Report 115–253.*

5 *(g) REPORT.—Not later than 45 days after enactment*  
6 *of this Act, the Secretary of State shall submit a report to*  
7 *the Committees on Appropriations detailing the amount of*  
8 *funds available for obligation or expenditure in fiscal year*  
9 *2018 for contributions to any organization, department,*  
10 *agency, or program within the United Nations system or*  
11 *any international program that are withheld from obliga-*  
12 *tion or expenditure due to any provision of law: Provided,*  
13 *That the Secretary of State shall update such report each*  
14 *time additional funds are withheld by operation of any pro-*  
15 *vision of law: Provided further, That the reprogramming*  
16 *of any withheld funds identified in such report, including*  
17 *updates thereof, shall be subject to prior consultation with,*  
18 *and the regular notification procedures of, the Committees*  
19 *on Appropriations.*

20 *(h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-*  
21 *KEEPING OPERATIONS.—*

22 *(1) IN GENERAL.—Funds appropriated by this*  
23 *Act shall be made available to implement section 301*  
24 *of the Department of State Authorities Act, Fiscal*  
25 *Year 2017 (Public Law 114–323).*

1           (2) *WITHHOLDING OF FUNDS.*—*The Secretary of*  
2           *State should withhold assistance to any unit of the se-*  
3           *curity forces of a foreign country if the Secretary has*  
4           *credible information that such unit has engaged in*  
5           *sexual exploitation or abuse, including while serving*  
6           *in a United Nations peacekeeping operation, until the*  
7           *Secretary determines that the government of such*  
8           *country is taking effective steps to bring the respon-*  
9           *sible members of such unit to justice and to prevent*  
10          *future incidents: Provided, That the Secretary shall*  
11          *promptly notify the government of each country sub-*  
12          *ject to any withholding of assistance pursuant to this*  
13          *paragraph, and shall notify the appropriate congres-*  
14          *sional committees of such withholding not later than*  
15          *10 days after a determination to withhold such assist-*  
16          *ance is made: Provided further, That the Secretary*  
17          *shall, to the maximum extent practicable, assist such*  
18          *government in bringing the responsible members of*  
19          *such unit to justice.*

20           (3) *TRANSFER OF FUNDS.*—*Of the funds appro-*  
21          *priated by this Act under the heading “Economic*  
22          *Support Fund”, not less than \$1,000,000 shall be*  
23          *transferred to, and merged with, funds appropriated*  
24          *under the heading “International Organizations and*  
25          *Programs” for the United Nations Office of the Spe-*

1        *cial Coordinator on Improving the UN Response to*  
2        *Sexual Exploitation and Abuse: Provided, That such*  
3        *transfer authority shall be exercised not later than 60*  
4        *days after enactment of this Act.*

5        (i) *ADDITIONAL AVAILABILITY.—Funds appropriated*  
6        *under titles I and V of this Act which are returned or not*  
7        *made available due to the implementation of subsection (a)*  
8        *or the second proviso under the heading “Contributions for*  
9        *International Peacekeeping Activities” of such title shall re-*  
10       *main available for obligation until September 30, 2019.*

11       (j) *NATIONAL SECURITY INTEREST WITHHOLDING.—*

12                (1) *WITHHOLDING.—The Secretary of State shall*  
13        *withhold 5 percent of the funds appropriated by this*  
14        *Act under the heading “Contributions to Inter-*  
15        *national Organizations” for a specialized agency or*  
16        *other entity of the United Nations if the Secretary, in*  
17        *consultation with the United States Ambassador to*  
18        *the United Nations, determines and reports to the*  
19        *Committees on Appropriations that such agency or*  
20        *entity has taken an official action that is against the*  
21        *national security interest of the United States or an*  
22        *ally of the United States, including Israel.*

23                (2) *RELEASE OF FUNDS.—The Secretary of*  
24        *State, in consultation with the United States Amba-*  
25        *sador to the United Nations, may release funds with-*

1       *held pursuant to paragraph (1) if the Secretary deter-*  
2       *mines and reports to the Committees on Appropria-*  
3       *tions that such agency or entity is taking steps to ad-*  
4       *dress the action that resulted in the withholding of*  
5       *such funds.*

6               (3) *REPROGRAMMING.*—*Should the Secretary of*  
7       *State be unable to make a determination pursuant to*  
8       *paragraph (2) regarding the release of withheld funds,*  
9       *such funds may be reprogrammed for other purposes*  
10       *under the heading “Contributions to International*  
11       *Organizations”.*

12              (4) *WAIVER.*—*The Secretary of State, following*  
13       *consultation with the Committees on Appropriations,*  
14       *may waive the requirements of this subsection if the*  
15       *Secretary determines that to do so in the national in-*  
16       *terest.*

17                               *COMMUNITY-BASED POLICE ASSISTANCE*

18       *SEC. 7049. Funds made available by titles III and IV*  
19       *of this Act to carry out the provisions of chapter 1 of part*  
20       *I and chapters 4 and 6 of part II of the Foreign Assistance*  
21       *Act of 1961, may be used, notwithstanding section 660 of*  
22       *that Act, to enhance the effectiveness and accountability of*  
23       *civilian police authority through training and technical as-*  
24       *sistance in human rights, the rule of law, anti-corruption,*  
25       *strategic planning, and through assistance to foster civilian*

1 *police roles that support democratic governance, including*  
2 *assistance for programs to prevent conflict, respond to dis-*  
3 *asters, address gender-based violence, and foster improved*  
4 *police relations with the communities they serve.*

5 *DISABILITY PROGRAMS*

6 *SEC. 7050. (a) ASSISTANCE.—Funds appropriated by*  
7 *this Act under the heading “Economic Support Fund” shall*  
8 *be made available for programs and activities administered*  
9 *by the United States Agency for International Development*  
10 *to address the needs and protect and promote the rights of*  
11 *people with disabilities in developing countries, including*  
12 *initiatives that focus on independent living, economic self-*  
13 *sufficiency, advocacy, education, employment, transpor-*  
14 *tation, sports, and integration of individuals with disabil-*  
15 *ities, including for the cost of translation.*

16 *(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUP-*  
17 *PORT.—Of the funds made available pursuant to this sec-*  
18 *tion, 5 percent may be used for USAID for management,*  
19 *oversight, and technical support.*

20 *INTERNATIONAL CONFERENCES*

21 *SEC. 7051. None of the funds made available in this*  
22 *Act may be used to send or otherwise pay for the attendance*  
23 *of more than 50 employees of agencies or departments of*  
24 *the United States Government who are stationed in the*  
25 *United States, at any single international conference occur-*

1 *ring outside the United States, unless the Secretary of State*  
2 *reports to the Committees on Appropriations at least 5 days*  
3 *in advance that such attendance is important to the na-*  
4 *tional interest: Provided, That for purposes of this section*  
5 *the term “international conference” shall mean a conference*  
6 *attended by representatives of the United States Govern-*  
7 *ment and of foreign governments, international organiza-*  
8 *tions, or nongovernmental organizations.*

9 *AIRCRAFT TRANSFER, COORDINATION, AND USE*

10 *SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-*  
11 *standing any other provision of law or regulation, aircraft*  
12 *procured with funds appropriated by this Act and prior*  
13 *Acts making appropriations for the Department of State,*  
14 *foreign operations, and related programs under the head-*  
15 *ings “Diplomatic and Consular Programs”, “International*  
16 *Narcotics Control and Law Enforcement”, “Andean*  
17 *Counterdrug Initiative”, and “Andean Counterdrug Pro-*  
18 *grams” may be used for any other program and in any*  
19 *region.*

20 *(b) PROPERTY DISPOSAL.—The authority provided in*  
21 *subsection (a) shall apply only after the Secretary of State*  
22 *determines and reports to the Committees on Appropria-*  
23 *tions that the equipment is no longer required to meet pro-*  
24 *grammatic purposes in the designated country or region:*  
25 *Provided, That any such transfer shall be subject to prior*

1 *consultation with, and the regular notification procedures*  
2 *of, the Committees on Appropriations.*

3 *(c) AIRCRAFT COORDINATION.—*

4 *(1) AUTHORITY.—The uses of aircraft purchased*  
5 *or leased by the Department of State and the United*  
6 *States Agency for International Development with*  
7 *funds made available in this Act or prior Acts mak-*  
8 *ing appropriations for the Department of State, for-*  
9 *foreign operations, and related programs shall be coordi-*  
10 *nated under the authority of the appropriate Chief of*  
11 *Mission: Provided, That such aircraft may be used to*  
12 *transport, on a reimbursable or non-reimbursable*  
13 *basis, Federal and non-Federal personnel supporting*  
14 *Department of State and USAID programs and ac-*  
15 *tivities: Provided further, That official travel for other*  
16 *agencies for other purposes may be supported on a re-*  
17 *imbursable basis, or without reimbursement when*  
18 *traveling on a space available basis: Provided further,*  
19 *That funds received by the Department of State in*  
20 *connection with the use of aircraft owned, leased, or*  
21 *chartered by the Department of State may be credited*  
22 *to the Working Capital Fund of the Department and*  
23 *shall be available for expenses related to the purchase,*  
24 *lease, maintenance, chartering, or operation of such*  
25 *aircraft.*

1           (2) *SCOPE.*—*The requirement and authorities of*  
2           *this subsection shall only apply to aircraft, the pri-*  
3           *mary purpose of which is the transportation of per-*  
4           *sonnel.*

5           (d) *AIRCRAFT OPERATIONS AND MAINTENANCE.*—*To*  
6           *the maximum extent practicable, the costs of operations and*  
7           *maintenance, including fuel, of aircraft funded by this Act*  
8           *shall be borne by the recipient country.*

9           *PARKING FINES AND REAL PROPERTY TAXES OWED BY*  
10   *FOREIGN GOVERNMENTS*

11           *SEC. 7053. The terms and conditions of section 7055*  
12           *of the Department of State, Foreign Operations, and Re-*  
13           *lated Programs Appropriations Act, 2011 (division F of*  
14           *Public Law 111–117) shall apply to this Act: Provided,*  
15           *That the date “September 30, 2009” in subsection (f)(2)(B)*  
16           *of such section shall be deemed to be “September 30, 2017”.*

17   *LANDMINES AND CLUSTER MUNITIONS*

18           *SEC. 7054. (a) LANDMINES.*—*Notwithstanding any*  
19           *other provision of law, demining equipment available to the*  
20           *United States Agency for International Development and*  
21           *the Department of State and used in support of the clear-*  
22           *ance of landmines and unexploded ordnance for humani-*  
23           *tarian purposes may be disposed of on a grant basis in*  
24           *foreign countries, subject to such terms and conditions as*  
25           *the Secretary of State may prescribe.*



1       (b) *CLUSTER MUNITIONS.*—No military assistance  
2 shall be furnished for cluster munitions, no defense export  
3 license for cluster munitions may be issued, and no cluster  
4 munitions or cluster munitions technology shall be sold or  
5 transferred, unless—

6           (1) the submunitions of the cluster munitions,  
7 after arming, do not result in more than 1 percent  
8 unexploded ordnance across the range of intended  
9 operational environments, and the agreement applica-  
10 ble to the assistance, transfer, or sale of such cluster  
11 munitions or cluster munitions technology specifies  
12 that the cluster munitions will only be used against  
13 clearly defined military targets and will not be used  
14 where civilians are known to be present or in areas  
15 normally inhabited by civilians; or

16           (2) such assistance, license, sale, or transfer is  
17 for the purpose of demilitarizing or permanently dis-  
18 posing of such cluster munitions.

19           *PROHIBITION ON PUBLICITY OR PROPAGANDA*

20       *SEC. 7055.* No part of any appropriation contained  
21 in this Act shall be used for publicity or propaganda pur-  
22 poses within the United States not authorized before the  
23 date of the enactment of this Act by Congress: Provided,  
24 That not to exceed \$25,000 may be made available to carry  
25 out the provisions of section 316 of the International Secu-

1 *rity and Development Cooperation Act of 1980 (Public Law*  
2 *96-533; 22 U.S.C. 2151a note).*

3 *CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF*  
4 *ECONOMIC AND MILITARY ASSISTANCE*

5 *SEC. 7056. (a) Under the direction of the President,*  
6 *the Secretary of State shall be responsible for the continuous*  
7 *supervision and general direction of economic assistance,*  
8 *law enforcement and justice sector assistance, military as-*  
9 *sistance, and military education and training programs,*  
10 *including but not limited to determining whether there shall*  
11 *be a military assistance (including civic action) or a mili-*  
12 *tary education and training program for a country and*  
13 *the value thereof, to the end that such programs are effec-*  
14 *tively integrated both at home and abroad and the foreign*  
15 *policy of the United States is best served thereby.*

16 *(b) Consistent with section 481(b) of the Foreign As-*  
17 *sistance Act of 1961, the Secretary of State shall be respon-*  
18 *sible for coordinating all assistance provided by the United*  
19 *States Government to support international efforts to com-*  
20 *bat illicit narcotics production or trafficking: Provided,*  
21 *That the provision of assistance by the Department of De-*  
22 *fense which is comparable to assistance that may be made*  
23 *available by this Act under the heading "International Nar-*  
24 *cotics Control and Law Enforcement" shall be provided in*  
25 *a manner consistent with the requirements of section 333(b)*

1 *of title 10, United States Code, as added by section 1241*  
2 *of the National Defense Authorization Act for Fiscal Year*  
3 *2017 (Public Law 114–328).*

4 *UNITED STATES AGENCY FOR INTERNATIONAL*  
5 *DEVELOPMENT MANAGEMENT*

6 *SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of the*  
7 *funds made available in title III of this Act pursuant to*  
8 *or to carry out the provisions of part I of the Foreign Assist-*  
9 *ance Act of 1961, including funds appropriated under the*  
10 *heading “Assistance for Europe, Eurasia and Central*  
11 *Asia”, may be used by the United States Agency for Inter-*  
12 *national Development to hire and employ individuals in*  
13 *the United States and overseas on a limited appointment*  
14 *basis pursuant to the authority of sections 308 and 309 of*  
15 *the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).*

16 *(b) RESTRICTIONS.—*

17 *(1) The number of individuals hired in any fis-*  
18 *cal year pursuant to the authority contained in sub-*  
19 *section (a) may not exceed 175.*

20 *(2) The authority to hire individuals contained*  
21 *in subsection (a) shall expire on September 30, 2019.*

22 *(c) CONDITIONS.—The authority of subsection (a)*  
23 *should only be used to the extent that an equivalent number*  
24 *of positions that are filled by personal services contractors*  
25 *or other non-direct hire employees of USAID, who are com-*

1 *pensated with funds appropriated to carry out part I of*  
2 *the Foreign Assistance Act of 1961, including funds appro-*  
3 *riated under the heading “Assistance for Europe, Eurasia*  
4 *and Central Asia”, are eliminated.*

5       (d) *PROGRAM ACCOUNT CHARGED.—The account*  
6 *charged for the cost of an individual hired and employed*  
7 *under the authority of this section shall be the account to*  
8 *which the responsibilities of such individual primarily re-*  
9 *late: Provided, That funds made available to carry out this*  
10 *section may be transferred to, and merged with, funds ap-*  
11 *propriated by this Act in title II under the heading “Oper-*  
12 *ating Expenses”.*

13       (e) *FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-*  
14 *viduals hired and employed by USAID, with funds made*  
15 *available in this Act or prior Acts making appropriations*  
16 *for the Department of State, foreign operations, and related*  
17 *programs, pursuant to the authority of section 309 of the*  
18 *Foreign Service Act of 1980 (22 U.S.C. 3949), may be ex-*  
19 *tended for a period of up to 4 years notwithstanding the*  
20 *limitation set forth in such section.*

21       (f) *DISASTER SURGE CAPACITY.—Funds appropriated*  
22 *under title III of this Act to carry out part I of the Foreign*  
23 *Assistance Act of 1961, including funds appropriated under*  
24 *the heading “Assistance for Europe, Eurasia and Central*  
25 *Asia”, may be used, in addition to funds otherwise avail-*

1 able for such purposes, for the cost (including the support  
2 costs) of individuals detailed to or employed by USAID  
3 whose primary responsibility is to carry out programs in  
4 response to natural disasters, or man-made disasters subject  
5 to the regular notification procedures of the Committees on  
6 Appropriations.

7 (g) *PERSONAL SERVICES CONTRACTORS.*—Funds ap-  
8 propriated by this Act to carry out chapter 1 of part I,  
9 chapter 4 of part II, and section 667 of the Foreign Assist-  
10 ance Act of 1961, and title II of the Food for Peace Act  
11 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used  
12 by USAID to employ up to 40 personal services contractors  
13 in the United States, notwithstanding any other provision  
14 of law, for the purpose of providing direct, interim support  
15 for new or expanded overseas programs and activities man-  
16 aged by the agency until permanent direct hire personnel  
17 are hired and trained: Provided, That not more than 15  
18 of such contractors shall be assigned to any bureau or office:  
19 Provided further, That such funds appropriated to carry  
20 out title II of the Food for Peace Act (Public Law 83–480;  
21 7 U.S.C. 1721 et seq.), may be made available only for per-  
22 sonal services contractors assigned to the Office of Food for  
23 Peace.

24 (h) *SMALL BUSINESS.*—In entering into multiple  
25 award indefinite-quantity contracts with funds appro-

1 *priated by this Act, USAID may provide an exception to*  
2 *the fair opportunity process for placing task orders under*  
3 *such contracts when the order is placed with any category*  
4 *of small or small disadvantaged business.*

5       *(i) SENIOR FOREIGN SERVICE LIMITED APPOINT-*  
6 *MENTS.—Individuals hired pursuant to the authority pro-*  
7 *vided by section 7059(o) of the Department of State, For-*  
8 *ign Operations, and Related Programs Appropriations*  
9 *Act, 2011 (division F of Public Law 111–117) may be as-*  
10 *signed to or support programs in Afghanistan or Pakistan*  
11 *with funds made available in this Act and prior Acts mak-*  
12 *ing appropriations for the Department of State, foreign op-*  
13 *erations, and related programs.*

14                                    *GLOBAL HEALTH ACTIVITIES*

15       *SEC. 7058. (a) IN GENERAL.—Funds appropriated by*  
16 *titles III and IV of this Act that are made available for*  
17 *bilateral assistance for child survival activities or disease*  
18 *programs including activities relating to research on, and*  
19 *the prevention, treatment and control of, HIV/AIDS may*  
20 *be made available notwithstanding any other provision of*  
21 *law except for provisions under the heading “Global Health*  
22 *Programs” and the United States Leadership Against HIV/*  
23 *AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.*  
24 *711; 22 U.S.C. 7601 et seq.), as amended: Provided, That*  
25 *of the funds appropriated under title III of this Act, not*

1 *less than \$575,000,000 should be made available for family*  
2 *planning/reproductive health, including in areas where*  
3 *population growth threatens biodiversity or endangered spe-*  
4 *cies.*

5 *(b) GLOBAL FUND.—Of the funds appropriated by this*  
6 *Act that are available for a contribution to the Global Fund*  
7 *to Fight AIDS, Tuberculosis and Malaria (Global Fund),*  
8 *10 percent should be withheld from obligation until the Sec-*  
9 *retary of State determines and reports to the Committees*  
10 *on Appropriations that the Global Fund is—*

11 *(1) maintaining and implementing a policy of*  
12 *transparency, including the authority of the Global*  
13 *Fund Office of the Inspector General (OIG) to publish*  
14 *OIG reports on a public Web site;*

15 *(2) providing sufficient resources to maintain an*  
16 *independent OIG that—*

17 *(A) reports directly to the Board of the*  
18 *Global Fund;*

19 *(B) maintains a mandate to conduct thor-*  
20 *ough investigations and programmatic audits,*  
21 *free from undue interference; and*

22 *(C) compiles regular, publicly published au-*  
23 *ditions and investigations of financial, pro-*  
24 *grammatic, and reporting aspects of the Global*

1           *Fund, its grantees, recipients, sub-recipients, and*  
2           *Local Fund Agents;*

3           (3) *effectively implementing and enforcing poli-*  
4           *cies and procedures which reflect best practices for the*  
5           *protection of whistleblowers from retaliation, includ-*  
6           *ing best practices for—*

7                   (A) *protection against retaliation for inter-*  
8                   *nal and lawful public disclosures;*

9                   (B) *legal burdens of proof;*

10                  (C) *statutes of limitation for reporting re-*  
11                  *taliation;*

12                  (D) *access to independent adjudicative bod-*  
13                  *ies, including external arbitration; and*

14                  (E) *results that eliminate the effects of prov-*  
15                  *en retaliation; and*

16           (4) *implementing the recommendations con-*  
17           *tained in the Consolidated Transformation Plan ap-*  
18           *proved by the Board of the Global Fund on November*  
19           *21, 2011:*

20 *Provided, That such withholding shall not be in addition*  
21 *to funds that are withheld from the Global Fund in fiscal*  
22 *year 2018 pursuant to the application of any other provi-*  
23 *sion contained in this or any other Act.*

24           (c) *CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—*



1           (1) *EXTRAORDINARY MEASURES.*—*If the Sec-*  
2 *retary of State determines and reports to the Commit-*  
3 *tees on Appropriations that an international infec-*  
4 *tious disease outbreak is sustained, severe, and is*  
5 *spreading internationally, or that it is in the na-*  
6 *tional interest to respond to a Public Health Emer-*  
7 *gency of International Concern, funds appropriated*  
8 *by this Act under the headings “Global Health Pro-*  
9 *grams”, “Development Assistance”, “International*  
10 *Disaster Assistance”, “Complex Crises Fund”, “Eco-*  
11 *nomical Support Fund”, “Democracy Fund”, “Assist-*  
12 *ance for Europe, Eurasia and Central Asia”, “Migra-*  
13 *tion and Refugee Assistance”, and “Millennium Chal-*  
14 *lenge Corporation” may be made available to combat*  
15 *such infectious disease or public health emergency,*  
16 *and may be transferred to, and merged with, funds*  
17 *appropriated under such headings for the purposes of*  
18 *this paragraph.*

19           (2) *CONSULTATION AND NOTIFICATION.*—*Funds*  
20 *made available by this subsection shall be subject to*  
21 *prior consultation with the appropriate congressional*  
22 *committees, and the regular notification procedures of*  
23 *the Committees on Appropriations.*

24           (3) *GLOBAL HEALTH SECURITY.*—*Not later than*  
25 *180 days after enactment of this Act, a global health*

1 *security strategy shall be submitted to the appropriate*  
2 *congressional committees in the manner described*  
3 *under this section in the explanatory statement de-*  
4 *scribed in section 4 (in the matter preceding division*  
5 *A of this consolidated Act).*

6 *(d) REPURPOSED FUNDS.—(1) Of the unobligated bal-*  
7 *ances available under the heading “Bilateral Economic As-*  
8 *sistance” in title IX of the Department of State, Foreign*  
9 *Operations, and Related Programs Appropriations Act,*  
10 *2015 (division J of Public Law 113–235)—*

11 *(A) \$35,000,000 shall be made available for the*  
12 *Emergency Reserve Fund established pursuant to sec-*  
13 *tion 7058(c)(1) of the Department of State, Foreign*  
14 *Operations, and Related Programs Appropriations*  
15 *Act, 2017 (division J of Public Law 115–31): Pro-*  
16 *vided, That such funds may only be made available*  
17 *if the USAID Administrator determines and reports*  
18 *to the Committees on Appropriations that it is in the*  
19 *national interest to respond to an emerging health*  
20 *threat that poses severe threats to human health;*

21 *(B) \$100,000,000 shall be for programs to accel-*  
22 *erate the capabilities of targeted countries to prevent,*  
23 *detect, and respond to infectious disease outbreaks;*  
24 *and*

1           (C) \$10,000,000 shall be made available for sup-  
2           port of a multi-partner trust fund or other multilat-  
3           eral efforts to assist communities in Haiti affected by  
4           cholera resulting from the United Nations Stabiliza-  
5           tion Mission in Haiti: Provided, That prior to the ob-  
6           ligation of such funds, the Secretary of State shall en-  
7           sure that mechanisms are in place for monitoring,  
8           oversight, and control of such funds: Provided further,  
9           That such funds shall be subject to prior consultation  
10          with, and the regular notification procedures of, the  
11          Committees on Appropriations.

12          (2) Funds made available pursuant to this subsection  
13          are in addition to funds otherwise made available for such  
14          purposes.

15          (3) Funds made available pursuant to this subsection  
16          under the headings “Global Health Programs” and “Inter-  
17          national Disaster Assistance” may be transferred to, and  
18          merged with, funds made available under such headings:  
19          Provided, That such transfer authority is in addition to  
20          any other transfer authority provided by law.

21          (4) The amounts repurposed under this subsection are  
22          designated by the Congress as an emergency requirement  
23          pursuant to section 251(b)(2)(A)(i) of the Balanced Budget  
24          and Emergency Deficit Control Act of 1985 and shall be  
25          available only if the President subsequently so designates

1 *all such amounts and transmits such designations to the*  
2 *Congress.*

3 *GENDER EQUALITY*

4 *SEC. 7059. (a) GENDER EQUALITY.—Funds appro-*  
5 *priated by this Act shall be made available to promote gen-*  
6 *der equality in United States Government diplomatic and*  
7 *development efforts by raising the status, increasing the*  
8 *participation, and protecting the rights of women and girls*  
9 *worldwide.*

10 *(b) WOMEN’S LEADERSHIP.—Of the funds appro-*  
11 *priated by title III of this Act, not less than \$50,000,000*  
12 *shall be made available to increase leadership opportunities*  
13 *for women in countries where women and girls suffer dis-*  
14 *crimination due to law, policy, or practice, by strength-*  
15 *ening protections for women’s political status, expanding*  
16 *women’s participation in political parties and elections,*  
17 *and increasing women’s opportunities for leadership posi-*  
18 *tions in the public and private sectors at the local, provin-*  
19 *cial, and national levels.*

20 *(c) GENDER-BASED VIOLENCE.—*

21 *(1)(A) Of the funds appropriated by titles III*  
22 *and IV of this Act, not less than \$150,000,000 shall*  
23 *be made available to implement a multi-year strategy*  
24 *to prevent and respond to gender-based violence in*

1        *countries where it is common in conflict and non-con-*  
2        *flict settings.*

3            *(B) Funds appropriated by titles III and IV of*  
4        *this Act that are available to train foreign police, ju-*  
5        *dicial, and military personnel, including for inter-*  
6        *national peacekeeping operations, shall address, where*  
7        *appropriate, prevention and response to gender-based*  
8        *violence and trafficking in persons, and shall promote*  
9        *the integration of women into the police and other se-*  
10       *curity forces.*

11           *(2) Department of State and United States*  
12       *Agency for International Development gender pro-*  
13       *grams shall incorporate coordinated efforts to combat*  
14       *a variety of forms of gender-based violence, including*  
15       *child marriage, rape, female genital cutting and mu-*  
16       *tilation, and domestic violence, among other forms of*  
17       *gender-based violence in conflict and non-conflict set-*  
18       *tings.*

19           *(d) WOMEN, PEACE, AND SECURITY.—Funds appro-*  
20       *priated by this Act under the headings “Development As-*  
21       *sistance”, “Economic Support Fund”, “Assistance for Eu-*  
22       *rope, Eurasia and Central Asia”, and “International Nar-*  
23       *cotics Control and Law Enforcement” should be made*  
24       *available to support a multi-year strategy to expand, and*  
25       *improve coordination of, United States Government efforts*

1 *to empower women as equal partners in conflict prevention,*  
2 *peace building, transitional processes, and reconstruction*  
3 *efforts in countries affected by conflict or in political transi-*  
4 *tion, and to ensure the equitable provision of relief and re-*  
5 *covery assistance to women and girls.*

6 *(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM.—*

7 *(1) ASSISTANCE.—Of the funds appropriated by*  
8 *this Act under the heading “Economic Support*  
9 *Fund”, not less than \$15,000,000 shall be made avail-*  
10 *able to support women and girls who are at risk from*  
11 *extremism and conflict, and for activities to—*

12 *(A) empower women and girls to counter*  
13 *extremism;*

14 *(B) address the needs of women and girls*  
15 *adversely impacted by extremism and conflict;*

16 *(C) document crimes committed by extrem-*  
17 *ists against women and girls, and support inves-*  
18 *tigations and prosecutions of such crimes, as ap-*  
19 *propriate;*

20 *(D) increase the participation and influence*  
21 *of women in formal and informal political proc-*  
22 *esses and institutions at the local level and with-*  
23 *in traditional governing structures;*



1 *notwithstanding any other provision of law that*  
2 *restricts assistance to foreign countries: Pro-*  
3 *vided, That such funds should be used to imple-*  
4 *ment the objectives of basic education programs*  
5 *for each Country Development Cooperation*  
6 *Strategy or similar strategy regarding basic edu-*  
7 *cation established by the United States Agency*  
8 *for International Development: Provided further,*  
9 *That such funds may also be used for secondary*  
10 *education activities: Provided further, That the*  
11 *USAID Administrator, following consultation*  
12 *with the Committees on Appropriations, may re-*  
13 *program such funds between countries.*

14 *(B) Not later than 30 days after enactment*  
15 *of this Act, the USAID Administrator shall re-*  
16 *port to the Committees on Appropriations on the*  
17 *status of cumulative unobligated balances and*  
18 *obligated, but unexpended, balances in each*  
19 *country where USAID provides basic education*  
20 *assistance and such report shall also include de-*  
21 *tails on the types of contracts and grants pro-*  
22 *vided and the goals and objectives of such assist-*  
23 *ance: Provided, That the USAID Administrator*  
24 *shall update such report on a quarterly basis*  
25 *until September 30, 2019: Provided further, That*



1           *if the USAID Administrator determines that*  
2           *any unobligated balances of funds specifically*  
3           *designated for assistance for basic education in*  
4           *prior Acts making appropriations for the De-*  
5           *partment of State, foreign operations, and re-*  
6           *lated programs are in excess of the absorptive ca-*  
7           *capacity of recipient countries, such funds may be*  
8           *made available for other programs authorized*  
9           *under chapter 1 of part I of the Foreign Assist-*  
10          *ance Act of 1961, notwithstanding such funding*  
11          *designation: Provided further, That the authority*  
12          *of the previous proviso shall be subject to prior*  
13          *consultation with, and the regular notification*  
14          *procedures of, the Committees on Appropria-*  
15          *tions.*

16                 *(C) Of the funds appropriated under title*  
17                 *III of this Act for assistance for basic education*  
18                 *programs, not less than \$87,500,000 shall be*  
19                 *made available for a contribution to multilateral*  
20                 *partnerships that support education.*

21                 *(2) HIGHER EDUCATION.—Of the funds appro-*  
22                 *priated by title III of this Act, not less than*  
23                 *\$235,000,000 shall be made available for assistance*  
24                 *for higher education: Provided, That such funds may*  
25                 *be made available notwithstanding any other provi-*

1        *sion of law that restricts assistance to foreign coun-*  
2        *tries, and shall be subject to the regular notification*  
3        *procedures of the Committees on Appropriations: Pro-*  
4        *vided further, That of such amount, not less than*  
5        *\$35,000,000 shall be made available for human and*  
6        *institutional capacity building partnerships between*  
7        *higher education institutions in the United States*  
8        *and developing countries, of which not less than*  
9        *\$15,000,000 shall be for new partnerships which*  
10       *should be competed and awarded not later than one*  
11       *year after enactment of this Act: Provided further,*  
12       *That not later than 45 days after enactment of this*  
13       *Act, the USAID Administrator shall consult with the*  
14       *Committees on Appropriations on the proposed uses*  
15       *of funds for such partnerships.*

16       *(b) DEVELOPMENT PROGRAMS.—Of the funds appro-*  
17       *riated by this Act under the heading “Development Assist-*  
18       *ance”, not less than \$28,000,000 shall be made available*  
19       *for the American Schools and Hospitals Abroad program,*  
20       *and not less than \$12,000,000 shall be made available for*  
21       *cooperative development programs of USAID.*

22       *(c) ENVIRONMENT PROGRAMS.—*

23                *(1) AUTHORITY AND NOTIFICATION.—*

24                        *(A) Funds appropriated by this Act to*  
25                        *carry out the provisions of sections 103 through*

1           106, and chapter 4 of part II, of the Foreign As-  
2           sistance Act of 1961 may be used, notwith-  
3           standing any other provision of law, except for  
4           the provisions of this subsection, to support envi-  
5           ronment programs.

6           (B) Funds made available pursuant to this  
7           subsection shall be subject to the regular notifica-  
8           tion procedures of the Committees on Appropria-  
9           tions.

10          (C) None of the funds in this Act are appro-  
11          priated or otherwise made available for a con-  
12          tribution, grant, or any other payment for the  
13          Green Climate Fund.

14          (2) CONSERVATION PROGRAMS AND LIMITA-  
15          TIONS.—

16          (A) Of the funds appropriated under title  
17          III of this Act, not less than \$269,000,000 shall  
18          be made available for biodiversity conservation  
19          programs.

20          (B) Not less than \$90,664,000 of the funds  
21          appropriated under titles III and IV of this Act  
22          shall be made available to combat the  
23          transnational threat of wildlife poaching and  
24          trafficking.

1           (C) *None of the funds appropriated under*  
2 *title IV of this Act may be made available for*  
3 *training or other assistance for any military*  
4 *unit or personnel that the Secretary of State de-*  
5 *termines has been credibly alleged to have par-*  
6 *ticipated in wildlife poaching or trafficking, un-*  
7 *less the Secretary reports to the appropriate con-*  
8 *gressional committees that to do so is in the na-*  
9 *tional security interest of the United States.*

10           (D) *Funds appropriated by this Act for bio-*  
11 *diversity programs shall not be used to support*  
12 *the expansion of industrial scale logging or any*  
13 *other industrial scale extractive activity into*  
14 *areas that were primary/intact tropical forests*  
15 *as of December 30, 2013, and the Secretary of*  
16 *the Treasury shall instruct the United States ex-*  
17 *ecutive directors of each international financial*  
18 *institutions (IFI) to vote against any financing*  
19 *of any such activity.*

20           (3) *LARGE DAMS.*—*The Secretary of the Treas-*  
21 *ury shall instruct the United States executive director*  
22 *of each IFI that it is the policy of the United States*  
23 *to vote in relation to any loan, grant, strategy, or*  
24 *policy of such institution to support the construction*  
25 *of any large dam consistent with the criteria set forth*

1       *in Senate Report 114–79, while also considering*  
2       *whether the project involves important foreign policy*  
3       *objectives.*

4               (4) *SUSTAINABLE LANDSCAPES.—Of the funds*  
5       *appropriated under title III of this Act, not less than*  
6       *\$123,500,000 shall be made available for sustainable*  
7       *landscapes programs.*

8               (d) *FOOD SECURITY AND AGRICULTURAL DEVELOP-*  
9       *MENT.—Of the funds appropriated by title III of this Act,*  
10       *not less than \$1,000,600,000 shall be made available for*  
11       *food security and agricultural development programs to*  
12       *carry out the purposes of the Global Food Security Act of*  
13       *2016 (Public Law 114–195), of which not less than*  
14       *\$315,960,000 shall be made available for the Bureau for*  
15       *Food Security, USAID, including not less than \$55,000,000*  
16       *for the Feed the Future Innovation Labs: Provided, That*  
17       *funds may be made available for a contribution as author-*  
18       *ized by section 3202 of the Food, Conservation, and Energy*  
19       *Act of 2008 (Public Law 110–246), as amended by section*  
20       *3206 of the Agricultural Act of 2014 (Public Law 113–79).*

21               (e) *MICROENTERPRISE AND MICROFINANCE.—Of the*  
22       *funds appropriated by this Act, not less than \$265,000,000*  
23       *shall be made available for microenterprise and micro-*  
24       *finance development programs for the poor, especially*  
25       *women.*

1           (f) *PROGRAMS TO COMBAT TRAFFICKING IN PER-*  
2 *SONS.—Of the funds appropriated by this Act under the*  
3 *headings “Development Assistance”, “Economic Support*  
4 *Fund”, “Assistance for Europe, Eurasia and Central Asia”,*  
5 *and “International Narcotics Control and Law Enforce-*  
6 *ment”, not less than \$65,000,000 shall be made available*  
7 *for activities to combat trafficking in persons internation-*  
8 *ally, of which not less than \$40,000,000 shall be from funds*  
9 *made available under the heading “International Narcotics*  
10 *Control and Law Enforcement”: Provided, That funds ap-*  
11 *propriated by this Act that are made available for programs*  
12 *to end modern slavery shall be in addition to funds made*  
13 *available by this subsection to combat trafficking in per-*  
14 *sons.*

15           (g) *RECONCILIATION PROGRAMS.—Of the funds appro-*  
16 *priated by this Act under the headings “Economic Support*  
17 *Fund” and “Development Assistance”, not less than*  
18 *\$30,000,000 shall be made available to support people-to-*  
19 *people reconciliation programs which bring together indi-*  
20 *viduals of different ethnic, religious, and political back-*  
21 *grounds from areas of civil strife and war: Provided, That*  
22 *the USAID Administrator shall consult with the Commit-*  
23 *tees on Appropriations, prior to the initial obligation of*  
24 *funds, on the uses of such funds, and such funds shall be*  
25 *subject to the regular notification procedures of the Commit-*

1 *tees on Appropriations: Provided further, That to the max-*  
2 *imum extent practicable, such funds shall be matched by*  
3 *sources other than the United States Government: Provided*  
4 *further, That such funds shall be administered by the Office*  
5 *of Conflict Management and Mitigation, USAID.*

6       *(h) WATER AND SANITATION.—Of the funds appro-*  
7 *priated by this Act, not less than \$400,000,000 shall be*  
8 *made available for water supply and sanitation projects*  
9 *pursuant to the Senator Paul Simon Water for the Poor*  
10 *Act of 2005 (Public Law 109–121), of which not less than*  
11 *\$145,000,000 shall be for programs in sub-Saharan Africa,*  
12 *and of which not less than \$15,000,000 shall be made avail-*  
13 *able to support initiatives by local communities in devel-*  
14 *oping countries to build and maintain safe latrines.*

15           *OVERSEAS PRIVATE INVESTMENT CORPORATION*

16       *SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever the*  
17 *President determines that it is in furtherance of the pur-*  
18 *poses of the Foreign Assistance Act of 1961, up to a total*  
19 *of \$20,000,000 of the funds appropriated under title III of*  
20 *this Act may be transferred to, and merged with, funds ap-*  
21 *propriated by this Act for the Overseas Private Investment*  
22 *Corporation Program Account, to be subject to the terms*  
23 *and conditions of that account: Provided, That such funds*  
24 *shall not be available for administrative expenses of the*  
25 *Overseas Private Investment Corporation: Provided further,*

1 *That designated funding levels in this Act shall not be*  
2 *transferred pursuant to this section: Provided further, That*  
3 *the exercise of such authority shall be subject to the regular*  
4 *notification procedures of the Committees on Appropria-*  
5 *tions.*

6 (b) *AUTHORITY.*—*Notwithstanding section 235(a)(2)*  
7 *of the Foreign Assistance Act of 1961, the authority of sub-*  
8 *sections (a) through (c) of section 234 of such Act shall re-*  
9 *main in effect until September 30, 2018.*

10 *ARMS TRADE TREATY*

11 *SEC. 7062. None of the funds appropriated by this Act*  
12 *may be obligated or expended to implement the Arms Trade*  
13 *Treaty until the Senate approves a resolution of ratification*  
14 *for the Treaty.*

15 *INSPECTORS GENERAL*

16 *SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.*—  
17 *None of the funds appropriated by this Act may be used*  
18 *to deny an Inspector General funded under this Act timely*  
19 *access to any records, documents, or other materials avail-*  
20 *able to the department or agency of the United States Gov-*  
21 *ernment over which such Inspector General has responsibil-*  
22 *ities under the Inspector General Act of 1978 (5 U.S.C.*  
23 *App.), or to prevent or impede the access of such Inspector*  
24 *General to such records, documents, or other materials,*  
25 *under any provision of law, except a provision of law that*



1 *expressly refers to such Inspector General and expressly lim-*  
2 *its the right of access of such Inspector General.*

3 (b) *TIMELY ACCESS.*—*A department or agency of the*  
4 *United States Government covered by this section shall pro-*  
5 *vide its Inspector General access to all records, documents,*  
6 *and other materials in a timely manner.*

7 (c) *COMPLIANCE.*—*Each Inspector General covered by*  
8 *this section shall ensure compliance with statutory limita-*  
9 *tions on disclosure relevant to the information provided by*  
10 *the department or agency over which that Inspector General*  
11 *has responsibilities under the Inspector General Act of 1978*  
12 *(5 U.S.C. App.).*

13 (d) *REPORT.*—*Each Inspector General covered by this*  
14 *section shall report to the Committees on Appropriations*  
15 *within 5 calendar days of any failure by any department*  
16 *or agency of the United States Government to provide its*  
17 *Inspector General access to all requested records, documents,*  
18 *and other materials.*

19 *REPORTING REQUIREMENTS CONCERNING INDIVIDUALS*

20 *DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA*

21 *SEC. 7064. Not later than 5 days after the conclusion*  
22 *of an agreement with a country, including a state with a*  
23 *compact of free association with the United States, to re-*  
24 *ceive by transfer or release individuals detained at United*  
25 *States Naval Station, Guantánamo Bay, Cuba, the Sec-*

1 *retary of State shall notify the Committees on Appropria-*  
2 *tions in writing of the terms of the agreement, including*  
3 *whether funds appropriated by this Act or prior Acts mak-*  
4 *ing appropriations for the Department of State, foreign op-*  
5 *erations, and related programs will be made available for*  
6 *assistance for such country pursuant to such agreement.*

7 *MULTI-YEAR PLEDGES*

8 *SEC. 7065. None of the funds appropriated by this Act*  
9 *may be used to make any pledge for future year funding*  
10 *for any multilateral or bilateral program funded in titles*  
11 *III through VI of this Act unless such pledge was—*

12 *(1) previously justified, including the projected*  
13 *future year costs, in a congressional budget justifica-*  
14 *tion;*

15 *(2) included in an Act making appropriations*  
16 *for the Department of State, foreign operations, and*  
17 *related programs or previously authorized by an Act*  
18 *of Congress;*

19 *(3) notified in accordance with the regular noti-*  
20 *fication procedures of the Committees on Appropria-*  
21 *tions, including the projected future year costs; or*

22 *(4) the subject of prior consultation with the*  
23 *Committees on Appropriations and such consultation*  
24 *was conducted at least 7 days in advance of the*  
25 *pledge.*

1                    *PROHIBITION ON USE OF TORTURE*

2            *SEC. 7066. None of the funds made available in this*  
3 *Act may be used to support or justify the use of torture,*  
4 *cruel, or inhumane treatment by any official or contract*  
5 *employee of the United States Government.*

6                    *EXTRADITION*

7            *SEC. 7067. (a) LIMITATION.—None of the funds appro-*  
8 *priated in this Act may be used to provide assistance (other*  
9 *than funds provided under the headings “International Dis-*  
10 *aster Assistance”, “Complex Crises Fund”, “International*  
11 *Narcotics Control and Law Enforcement”, “Migration and*  
12 *Refugee Assistance”, “United States Emergency Refugee*  
13 *and Migration Assistance Fund”, and “Nonproliferation,*  
14 *Anti-terrorism, Demining and Related Assistance”)* for the  
15 *central government of a country which has notified the De-*  
16 *partment of State of its refusal to extradite to the United*  
17 *States any individual indicted for a criminal offense for*  
18 *which the maximum penalty is life imprisonment without*  
19 *the possibility of parole or for killing a law enforcement*  
20 *officer, as specified in a United States extradition request.*

21            *(b) CLARIFICATION.—Subsection (a) shall only apply*  
22 *to the central government of a country with which the*  
23 *United States maintains diplomatic relations and with*  
24 *which the United States has an extradition treaty and the*

1 *government of that country is in violation of the terms and*  
2 *conditions of the treaty.*

3 (c) *WAIVER.—The Secretary of State may waive the*  
4 *restriction in subsection (a) on a case-by-case basis if the*  
5 *Secretary certifies to the Committees on Appropriations*  
6 *that such waiver is important to the national interest of*  
7 *the United States.*

8 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

9 *SEC. 7068. Notwithstanding any other provision of*  
10 *law, and subject to the regular notification procedures of*  
11 *the Committees on Appropriations, the authority of section*  
12 *23(a) of the Arms Export Control Act may be used to pro-*  
13 *vide financing to Israel, Egypt, and the North Atlantic*  
14 *Treaty Organization (NATO), and major non-NATO allies*  
15 *for the procurement by leasing (including leasing with an*  
16 *option to purchase) of defense articles from United States*  
17 *commercial suppliers, not including Major Defense Equip-*  
18 *ment (other than helicopters and other types of aircraft hav-*  
19 *ing possible civilian application), if the President deter-*  
20 *mines that there are compelling foreign policy or national*  
21 *security reasons for those defense articles being provided by*  
22 *commercial lease rather than by government-to-government*  
23 *sale under such Act.*

1        *JOINT STRATEGIC PLAN, BUDGET, AND TRANSITIONS*

2        *SEC. 7069. (a) JOINT STRATEGIC PLAN AND BUDG-*  
3 *ET.—Not later than 180 days after enactment of this Act,*  
4 *the Secretary of State and the Administrator of the United*  
5 *States Agency for International Development shall jointly*  
6 *submit to the Committees on Appropriations a five year*  
7 *budget estimate that details by each fiscal year the funds*  
8 *necessary to implement, by agency, each of the four goals*  
9 *identified in the “Joint Strategic Plan for the Department*  
10 *of State and the United States Agency for International*  
11 *Development, FY 2018–2022” (Joint Strategic Plan), re-*  
12 *quired by section 306 of title 5, United States Code, and*  
13 *published on February 12, 2018: Provided, That the Sec-*  
14 *retary and the Administrator shall inform the appropriate*  
15 *congressional committees not later than September 30, 2018*  
16 *of any changes to the Joint Strategic Plan.*

17        *(b) STRATEGIC TRANSITIONS.—*

18            *(1) The USAID Administrator shall regularly*  
19 *consult with the appropriate congressional committees*  
20 *and development stakeholders on efforts to transition*  
21 *nations from assistance recipients to enduring diplo-*  
22 *matic, economic, and security partners: Provided,*  
23 *That such consultations shall include the guiding*  
24 *principles and metrics being developed to support*

1 *such efforts, and any other matters related to the im-*  
2 *plementation plan required in paragraph (2).*

3 *(2) Not later than 180 days after enactment of*  
4 *this Act, the USAID Administrator shall submit to*  
5 *the appropriate congressional committees an imple-*  
6 *mentation plan on country transitions from assist-*  
7 *ance that includes—*

8 *(A) the conditions and related benchmarks*  
9 *under which countries may transition from as-*  
10 *sistance provided by this Act and subsequent*  
11 *Acts making appropriations for the Department*  
12 *of State, foreign operations, and related pro-*  
13 *grams;*

14 *(B) the actions required by USAID to fa-*  
15  *facilitate or support country efforts toward such*  
16  *transition, including consultation with civil soci-*  
17  *ety, other donors, multilateral organizations, and*  
18  *implementing partners;*

19 *(C) a description of the costs and number of*  
20  *personnel associated with strategic transitions,*  
21  *including investments to increase public and*  
22  *private domestic resource mobilization; and*

23 *(D) the plans to ensure post-transition de-*  
24  *velopment progress.*

1        *COUNTERING RUSSIAN INFLUENCE AND AGGRESSION*

2        *SEC. 7070. (a) LIMITATION.—None of the funds appro-*  
3 *priated by this Act may be made available for assistance*  
4 *for the central Government of the Russian Federation.*

5        *(b) ANNEXATION OF CRIMEA.—*

6            *(1) None of the funds appropriated by this Act*  
7 *may be made available for assistance for the central*  
8 *government of a country that the Secretary of State*  
9 *determines and reports to the Committees on Appro-*  
10 *propriations has taken affirmative steps intended to sup-*  
11 *port or be supportive of the Russian Federation an-*  
12 *nexation of Crimea or other territory in Ukraine:*  
13 *Provided, That except as otherwise provided in sub-*  
14 *section (a), the Secretary may waive the restriction*  
15 *on assistance required by this paragraph if the Sec-*  
16 *retary determines and reports to such Committees*  
17 *that to do so is in the national interest of the United*  
18 *States, and includes a justification for such interest.*

19            *(2) None of the funds appropriated by this Act*  
20 *may be made available for—*

21            *(A) the implementation of any action or*  
22 *policy that recognizes the sovereignty of the Rus-*  
23 *sian Federation over Crimea or other territory*  
24 *in Ukraine;*

1           (B) the facilitation, financing, or guarantee  
2 of United States Government investments in Cri-  
3 mea or other territory in Ukraine under the con-  
4 trol of Russian-backed separatists, if such activ-  
5 ity includes the participation of Russian Gov-  
6 ernment officials, or other Russian owned or con-  
7 trolled financial entities; or

8           (C) assistance for Crimea or other territory  
9 in Ukraine under the control of Russian-backed  
10 separatists, if such assistance includes the par-  
11 ticipation of Russian Government officials, or  
12 other Russian owned or controlled financial enti-  
13 ties.

14       (3) The Secretary of the Treasury shall instruct  
15 the United States executive directors of each inter-  
16 national financial institution to vote against any as-  
17 sistance by such institution (including any loan,  
18 credit, or guarantee) for any program that violates  
19 the sovereignty or territorial integrity of Ukraine.

20       (4) The requirements and limitations of this sub-  
21 section shall cease to be in effect if the Secretary of  
22 State determines and reports to the Committees on  
23 Appropriations that the Government of Ukraine has  
24 reestablished sovereignty over Crimea and other terri-



1 *tory in Ukraine under the control of Russian-backed*  
2 *separatists.*

3 *(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF*  
4 *ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—*

5 *(1) None of the funds appropriated by this Act*  
6 *may be made available for assistance for the central*  
7 *government of a country that the Secretary of State*  
8 *determines and reports to the Committees on Appro-*  
9 *propriations has recognized the independence of, or has*  
10 *established diplomatic relations with, the Russian oc-*  
11 *cupied Georgian territories of Abkhazia and*  
12 *Tskhinvali Region/South Ossetia: Provided, That the*  
13 *Secretary shall publish on the Department of State*  
14 *Web site a list of any such central governments in a*  
15 *timely manner: Provided further, That the Secretary*  
16 *may waive the restriction on assistance required by*  
17 *this paragraph if the Secretary determines and re-*  
18 *ports to the Committees on Appropriations that to do*  
19 *so is in the national interest of the United States, and*  
20 *includes a justification for such interest.*

21 *(2) None of the funds appropriated by this Act*  
22 *may be made available to support the Russian occu-*  
23 *pation of the Georgian territories of Abkhazia and*  
24 *Tskhinvali Region/South Ossetia.*

1           (3) *The Secretary of the Treasury shall instruct*  
2 *the United States executive directors of each inter-*  
3 *national financial institution to vote against any as-*  
4 *sistance by such institution (including any loan,*  
5 *credit, or guarantee) for any program that violates*  
6 *the sovereignty and territorial integrity of Georgia.*

7           (d) *ASSISTANCE TO COUNTER INFLUENCE AND AG-*  
8 *GRESSION.—*

9           (1) *Of the funds appropriated by this Act under*  
10 *the headings “Assistance for Europe, Eurasia and*  
11 *Central Asia”, “International Narcotics Control and*  
12 *Law Enforcement”, “International Military Edu-*  
13 *cation and Training”, and “Foreign Military Fi-*  
14 *nancing Program”, not less than \$250,000,000 shall*  
15 *be made available to carry out the purposes of the*  
16 *Countering Russian Influence Fund, as authorized by*  
17 *section 254 of the Countering Russian Influence in*  
18 *Europe and Eurasia Act of 2017 (Public Law 115–*  
19 *44; 22 U.S.C. 9543), and programs to enhance the ca-*  
20 *capacity of law enforcement and security forces in coun-*  
21 *tries in Europe and Eurasia and strengthen security*  
22 *cooperation between such countries and the United*  
23 *States and the North Atlantic Treaty Organization,*  
24 *as appropriate.*

1           (2) *Funds appropriated by this Act and made*  
2           *available for assistance for the Eastern Partnership*  
3           *countries shall be made available to advance the im-*  
4           *plementation of Association Agreements and trade*  
5           *agreements with the European Union, and to reduce*  
6           *their vulnerability to external economic and political*  
7           *pressure from the Russian Federation.*

8           (e) *DEMOCRACY PROGRAMS.—Funds appropriated by*  
9           *this Act shall be made available to support democracy pro-*  
10          *grams in the Russian Federation, including to promote*  
11          *Internet freedom, and shall also be made available to sup-*  
12          *port the democracy and rule of law strategy required by*  
13          *section 7071(d) of the Department of State, Foreign Oper-*  
14          *ations, and Related Programs Appropriations Act, 2014*  
15          *(division K of Public Law 113–76).*

16                                    *INTERNATIONAL MONETARY FUND*

17          SEC. 7071. (a) *EXTENSIONS.—The terms and condi-*  
18          *tions of sections 7086(b) (1) and (2) and 7090(a) of the*  
19          *Department of State, Foreign Operations, and Related Pro-*  
20          *grams Appropriations Act, 2010 (division F of Public Law*  
21          *111–117) shall apply to this Act.*

22          (b) *REPAYMENT.—The Secretary of the Treasury shall*  
23          *instruct the United States Executive Director of the Inter-*  
24          *national Monetary Fund (IMF) to seek to ensure that any*  
25          *loan will be repaid to the IMF before other private creditors.*

1                    *SPECIAL DEFENSE ACQUISITION FUND*

2            *SEC. 7072. Not to exceed \$900,000,000 may be obli-*  
3 *gated pursuant to section 51(c)(2) of the Arms Export Con-*  
4 *trol Act for the purposes of the Special Defense Acquisition*  
5 *Fund (the Fund), to remain available for obligation until*  
6 *September 30, 2020: Provided, That the provision of defense*  
7 *articles and defense services to foreign countries or inter-*  
8 *national organizations from the Fund shall be subject to*  
9 *the concurrence of the Secretary of State.*

10            *STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY*  
11                    *EXTREMISM AND CONFLICT*

12            *SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS AND*  
13 *EXTREMIST ORGANIZATIONS.—Funds appropriated under*  
14 *titles III and IV of this Act shall be made available for*  
15 *programs and activities to counter and defeat violent extre-*  
16 *mism and foreign fighters abroad, consistent with the strat-*  
17 *egy required by section 7073(a)(1) of the Department of*  
18 *State, Foreign Operations, and Related Programs Appro-*  
19 *priations Act, 2017 (division J of Public Law 115–31):*  
20 *Provided, That the Secretary of State shall ensure such pro-*  
21 *grams are coordinated with and complement the efforts of*  
22 *other United States Government agencies and international*  
23 *partners, and that information gained through the conduct*  
24 *of such programs is shared in a timely manner with rel-*  
25 *evant departments and agencies of the United States Gov-*

1 *ernment, other international partners, and the appropriate*  
2 *congressional committees, as appropriate.*

3 *(b) COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE*  
4 *POPULATIONS OR INTERNALLY DISPLACED PERSONS.—*

5 *(1) USES OF FUNDS.—Funds appropriated by*  
6 *this Act under the headings “Development Assistance”*  
7 *and “Economic Support Fund” shall be made avail-*  
8 *able for programs in countries affected by significant*  
9 *populations of internally displaced persons or refugees*  
10 *to—*

11 *(A) expand and improve host government*  
12 *social services and basic infrastructure to accom-*  
13 *modate the needs of such populations and per-*  
14 *sons;*

15 *(B) alleviate the social and economic*  
16 *strains placed on host communities, including*  
17 *through programs to promote livelihoods, voca-*  
18 *tional training, and formal and informal edu-*  
19 *cation;*

20 *(C) improve coordination of such assistance*  
21 *in a more effective and sustainable manner; and*

22 *(D) leverage increased assistance from do-*  
23 *nors other than the United States Government*  
24 *for central governments and local communities*  
25 *in such countries:*



1 *be made available for Enterprise Funds unless the appro-*  
2 *priate congressional committees are notified at least 15*  
3 *days in advance.*

4       **(b) DISTRIBUTION OF ASSETS PLAN.**—*Prior to the dis-*  
5 *tribution of any assets resulting from any liquidation, dis-*  
6 *solution, or winding up of an Enterprise Fund, in whole*  
7 *or in part, the President shall submit to the appropriate*  
8 *congressional committees a plan for the distribution of the*  
9 *assets of the Enterprise Fund.*

10       **(c) TRANSITION OR OPERATING PLAN.**—*Prior to a*  
11 *transition to and operation of any private equity fund or*  
12 *other parallel investment fund under an existing Enterprise*  
13 *Fund, the President shall submit such transition or oper-*  
14 *ating plan to the appropriate congressional committees.*

15           **USE OF FUNDS IN CONTRAVENTION OF THIS ACT**

16       **SEC. 7075.** *If the President makes a determination not*  
17 *to comply with any provision of this Act on constitutional*  
18 *grounds, the head of the relevant Federal agency shall notify*  
19 *the Committees on Appropriations in writing within 5 days*  
20 *of such determination, the basis for such determination and*  
21 *any resulting changes to program and policy.*

22           **BUDGET DOCUMENTS**

23       **SEC. 7076. (a) OPERATING AND REORGANIZATION**  
24 **PLANS.**—*Not later than 45 days after the date of enactment*  
25 *of this Act, each department, agency, or organization fund-*

1 *ed in titles I, II, and VI of this Act, and the Department*  
2 *of the Treasury and Independent Agencies funded in title*  
3 *III of this Act, including the Inter-American Foundation*  
4 *and the United States African Development Foundation,*  
5 *shall submit to the Committees on Appropriations an oper-*  
6 *ating plan for funds appropriated to such department,*  
7 *agency, or organization in such titles of this Act, or funds*  
8 *otherwise available for obligation in fiscal year 2018, that*  
9 *provides details of the uses of such funds at the program,*  
10 *project, and activity level: Provided, That such plans shall*  
11 *include, as applicable, a comparison between the congres-*  
12 *sional budget justification funding levels, the most recent*  
13 *congressional directives or approved funding levels, and the*  
14 *funding levels proposed by the department or agency; and*  
15 *a clear, concise, and informative description/justification:*  
16 *Provided further, That if such department, agency, or orga-*  
17 *nization receives an additional amount under the same*  
18 *heading in title VIII of this Act, operating plans required*  
19 *by this subsection shall include consolidated information on*  
20 *all such funds: Provided further, That operating plans that*  
21 *include changes in levels of funding for programs, projects,*  
22 *and activities specified in the congressional budget justifica-*  
23 *tion, in this Act, or amounts specifically designated in the*  
24 *respective tables included in the explanatory statement de-*  
25 *scribed in section 4 (in the matter preceding division A of*



1 *this consolidated Act), as applicable, shall be subject to the*  
2 *notification and reprogramming requirements of section*  
3 *7015 of this Act.*

4 *(b) SPEND PLANS.—*

5 *(1) Prior to the initial obligation of funds, the*  
6 *Secretary of State or Administrator of the United*  
7 *States Agency for International Development, as ap-*  
8 *propriate, shall submit to the Committees on Appro-*  
9 *propriations a spend plan for funds made available by*  
10 *this Act, for—*

11 *(A) assistance for Afghanistan, Iraq, Leb-*  
12 *anon, Pakistan, and the West Bank and Gaza;*

13 *(B) assistance made available pursuant to*  
14 *section 7070(d) of this Act to counter Russian*  
15 *influence and aggression, except that such plan*  
16 *shall be on a country-by-country basis;*

17 *(C) Power Africa and the regional security*  
18 *initiatives listed under this section in Senate Re-*  
19 *port 115–152: Provided, That the spend plan for*  
20 *such initiatives shall include the amount of as-*  
21 *sistance planned for each country by account, to*  
22 *the maximum extent practicable; and*

23 *(D) democracy programs, programs to sup-*  
24 *port section 7073(a) of this Act, and sectors enu-*

1           merated in subsections (a), (c), (d), (e), (f), and  
2           (h) of section 7060 of this Act.

3           (2) Not later than 45 days after enactment of  
4           this Act, the Secretary of the Treasury shall submit  
5           to the Committees on Appropriations a detailed spend  
6           plan for funds made available by this Act under the  
7           heading “Department of the Treasury, International  
8           Affairs Technical Assistance” in title III.

9           (3) Notwithstanding paragraph (1), up to 10  
10          percent of the funds contained in a spend plan re-  
11          quired by this subsection may be obligated prior to  
12          the submission of such spend plan if the Secretary of  
13          State or the USAID Administrator, as appropriate,  
14          determines that the obligation of such funds is nec-  
15          essary to avoid significant programmatic disruption:  
16          *Provided, That not less than seven days prior to such*  
17          *obligation, the Secretary or Administrator, as appro-*  
18          *priate, shall consult with the Committees on Appro-*  
19          *propriations on the justification for such obligation and*  
20          *the proposed uses of such funds.*

21          (c) *SPENDING REPORT.*—Not later than 45 days after  
22          enactment of this Act, the USAID Administrator shall sub-  
23          mit to the Committees on Appropriations a detailed report  
24          on spending of funds made available during fiscal year  
25          2017 under the heading “Development Credit Authority”.

1       (d) *CLARIFICATION.*—*The spend plans referenced in*  
2 *subsection (b) shall not be considered as meeting the notifi-*  
3 *cation requirements in this Act or under section 634A of*  
4 *the Foreign Assistance Act of 1961.*

5       (e) *CONGRESSIONAL BUDGET JUSTIFICATION.*—

6           (1) *The congressional budget justification for De-*  
7 *partment of State operations and foreign operations*  
8 *shall be provided to the Committees on Appropria-*  
9 *tions concurrent with the date of submission of the*  
10 *President’s budget for fiscal year 2019: Provided,*  
11 *That the appendices for such justification shall be*  
12 *provided to the Committees on Appropriations not*  
13 *later than 10 calendar days thereafter.*

14           (2) *The Secretary of State and the USAID Ad-*  
15 *ministrator shall include in the congressional budget*  
16 *justification a detailed justification for multi-year*  
17 *availability for any funds requested under the head-*  
18 *ings “Diplomatic and Consular Programs” and “Op-*  
19 *erating Expenses”.*

20                   *REPORTS AND RECORDS MANAGEMENT*

21       *SEC. 7077. (a) PUBLIC POSTING OF REPORTS.*—

22           (1) *REQUIREMENT.*—*Any agency receiving funds*  
23 *made available by this Act shall, subject to para-*  
24 *graphs (2) and (3), post on the publicly available Web*  
25 *site of such agency any report required by this Act to*

1       *be submitted to the Committees on Appropriations,*  
2       *upon a determination by the head of such agency that*  
3       *to do so is in the national interest.*

4               (2) *EXCEPTIONS.*—*Paragraph (1) shall not*  
5       *apply to a report if—*

6                       (A) *the public posting of such report would*  
7                       *compromise national security, including the con-*  
8                       *duct of diplomacy; or*

9                       (B) *the report contains proprietary, privi-*  
10                      *leged, or sensitive information.*

11               (3) *TIMING AND INTENTION.*—*The head of the*  
12       *agency posting such report shall, unless otherwise pro-*  
13       *vided for in this Act, do so only after such report has*  
14       *been made available to the Committees on Appropria-*  
15       *tions for not less than 45 days: Provided, That any*  
16       *report required by this Act to be submitted to the*  
17       *Committees on Appropriations shall include informa-*  
18       *tion from the submitting agency on whether such re-*  
19       *port will be publicly posted.*

20               (b) *REQUESTS FOR DOCUMENTS.*—*None of the funds*  
21       *appropriated or made available pursuant to titles III*  
22       *through VI of this Act shall be available to a nongovern-*  
23       *mental organization, including any contractor, which fails*  
24       *to provide upon timely request any document, file, or record*  
25       *necessary to the auditing requirements of the Department*

1 *of State and the United States Agency for International*  
2 *Development.*

3 (c) *RECORDS MANAGEMENT.*—

4 (1) *LIMITATION.*—None of the funds appro-  
5 priated by this Act under the headings “Diplomatic  
6 and Consular Programs” and “Capital Investment  
7 Fund” in title I, and “Operating Expenses” and  
8 “Capital Investment Fund” in title II that are made  
9 available to the Department of State and USAID  
10 may be made available to support the use or estab-  
11 lishment of email accounts or email servers created  
12 outside the .gov domain or not fitted for automated  
13 records management as part of a Federal government  
14 records management program in contravention of the  
15 Presidential and Federal Records Act Amendments of  
16 2014 (Public Law 113–187).

17 (2) *DIRECTIVES.*—The Secretary of State and  
18 USAID Administrator shall—

19 (A) update the policies, directives, and over-  
20 sight necessary to comply with Federal statutes,  
21 regulations, and presidential executive orders  
22 and memoranda concerning the preservation of  
23 all records made or received in the conduct of of-  
24 ficial business, including record emails, instant  
25 messaging, and other online tools;

1           (B) use funds appropriated by this Act  
2 under the headings “Diplomatic and Consular  
3 Programs” and “Capital Investment Fund” in  
4 title I, and “Operating Expenses” and “Capital  
5 Investment Fund” in title II, as appropriate, to  
6 improve Federal records management pursuant  
7 to the Federal Records Act (44 U.S.C. Chapters  
8 21, 29, 31, and 33) and other applicable Federal  
9 records management statutes, regulations, or  
10 policies for the Department of State and USAID;

11           (C) direct departing employees that all Fed-  
12 eral records generated by such employees, includ-  
13 ing senior officials, belong to the Federal Govern-  
14 ment; and

15           (D) significantly improve the response time  
16 for identifying and retrieving Federal records,  
17 including requests made pursuant to section 552  
18 of title 5, United States Code (commonly known  
19 as the “Freedom of Information Act”).

20           (3) REPORT.—Not later than 45 days after en-  
21 actment of this Act, the Secretary of State and  
22 USAID Administrator shall each submit a report to  
23 the Committees on Appropriations and to the Na-  
24 tional Archives and Records Administration detail-  
25 ing, as appropriate and where applicable—

1           (A) any updates or modifications made to  
2           the policy of each agency regarding the use or the  
3           establishment of email accounts or email servers  
4           created outside the .gov domain or not fitted for  
5           automated records management as part of a Fed-  
6           eral government records management program  
7           since the submission to the Committees on Ap-  
8           propriations of the report required by section  
9           7077(c)(3) of the Department of State, Foreign  
10          Operations, and Related Programs Appropria-  
11          tions Act, 2017 (division J of Public Law 115-  
12          31);

13          (B) the extent to which each agency is in  
14          compliance with applicable Federal records man-  
15          agement statutes, regulations, and policies, in-  
16          cluding meeting Directive goal 1.2 of the Man-  
17          aging Government Records Directive (M-12-18)  
18          by December 31, 2017; and

19          (C) any steps taken since the submission of  
20          the report referenced in subparagraph (A) to—

21               (i) comply with paragraph (1)(B) of  
22               this subsection;

23               (ii) ensure that all employees at every  
24               level have been instructed in procedures and  
25               processes to ensure that the documentation

1           *of their official duties is captured, pre-*  
2           *served, managed, protected, and accessible*  
3           *in official Government systems of the De-*  
4           *partment of State and USAID;*

5           *(iii) implement recommendation 1*  
6           *made by the Office of Inspector General*  
7           *(OIG), Department of State, in the January*  
8           *2016 Evaluation of the Department of*  
9           *State's FOIA Process for Requests Involving*  
10          *the Office of the Secretary (ESP-16-01);*

11          *(iv) reduce the backlog of Freedom of*  
12          *Information Act (FOIA) and Congressional*  
13          *oversight requests, and measurably improve*  
14          *the response time for answering such re-*  
15          *quests; and*

16          *(v) strengthen cyber security measures*  
17          *to mitigate vulnerabilities, including those*  
18          *resulting from the use of personal email ac-*  
19          *counts or servers outside the .gov domain,*  
20          *improve the process to identify and remove*  
21          *inactive user accounts, update and enforce*  
22          *guidance related to the control of national*  
23          *security information, and implement the*  
24          *recommendations of the corresponding re-*  
25          *ports of the OIG as detailed under this sec-*



1            *tion in House Report 115–253 and con-*  
2            *tained in other relevant reports issued by*  
3            *the OIG.*

4            (4) *OPERATING PLANS.—The operating plans re-*  
5            *quired by section 7076(a) of this Act for funds appro-*  
6            *priated under the headings listed in paragraph (1)*  
7            *shall include funds planned for—*

8                    (A) *implementing the recommendations of*  
9                    *the OIG reports referenced in clauses (iii) and*  
10                   *(v); and*

11                   (B) *measurably reducing the FOIA and*  
12                   *Congressional oversight requests backlog.*

13                                    *GLOBAL INTERNET FREEDOM*

14            *SEC. 7078. (a) FUNDING.—Of the funds available for*  
15            *obligation during fiscal year 2018 under the headings*  
16            *“International Broadcasting Operations”, “Economic Sup-*  
17            *port Fund”, “Democracy Fund”, and “Assistance for Eu-*  
18            *rope, Eurasia and Central Asia”, not less than \$55,500,000*  
19            *shall be made available for programs to promote Internet*  
20            *freedom globally: Provided, That such programs shall be*  
21            *prioritized for countries whose governments restrict freedom*  
22            *of expression on the Internet, and that are important to*  
23            *the national interest of the United States: Provided further,*  
24            *That funds made available pursuant to this section shall*  
25            *be matched, to the maximum extent practicable, by sources*

1 *other than the United States Government, including from*  
2 *the private sector.*

3 (b) *REQUIREMENTS.*—

4 (1) *Funds appropriated by this Act under the*  
5 *headings “Economic Support Fund”, “Democracy*  
6 *Fund”, and “Assistance for Europe, Eurasia and*  
7 *Central Asia” that are made available pursuant to*  
8 *subsection (a) shall be—*

9 (A) *coordinated with other democracy pro-*  
10 *grams funded by this Act under such headings,*  
11 *and shall be incorporated into country assistance*  
12 *and democracy promotion strategies, as appro-*  
13 *priate;*

14 (B) *for programs to implement the May*  
15 *2011, International Strategy for Cyberspace; the*  
16 *Department of State International Cyberspace*  
17 *Policy Strategy required by section 402 of the*  
18 *Cybersecurity Act of 2015 (division N of Public*  
19 *Law 114–113); and the comprehensive strategy*  
20 *to promote Internet freedom and access to infor-*  
21 *mation in Iran, as required by section 414 of the*  
22 *Iran Threat Reduction and Syria Human*  
23 *Rights Act of 2012 (22 U.S.C. 8754);*

24 (C) *made available for programs that sup-*  
25 *port the efforts of civil society to counter the de-*

1            *velopment of repressive Internet-related laws and*  
2            *regulations, including countering threats to*  
3            *Internet freedom at international organizations;*  
4            *to combat violence against bloggers and other*  
5            *users; and to enhance digital security training*  
6            *and capacity building for democracy activists;*

7            *(D) made available for research of key*  
8            *threats to Internet freedom; the continued devel-*  
9            *opment of technologies that provide or enhance*  
10           *access to the Internet, including circumvention*  
11           *tools that bypass Internet blocking, filtering, and*  
12           *other censorship techniques used by authori-*  
13           *tarian governments; and maintenance of the*  
14           *technological advantage of the United States*  
15           *Government over such censorship techniques:*  
16           *Provided, That the Secretary of State, in con-*  
17           *sultation with the Chief Executive Officer (CEO)*  
18           *of the Broadcasting Board of Governors (BBG),*  
19           *shall coordinate any such research and develop-*  
20           *ment programs with other relevant United States*  
21           *Government departments and agencies in order*  
22           *to share information, technologies, and best prac-*  
23           *tices, and to assess the effectiveness of such tech-*  
24           *nologies; and*

1           *(E) made available only after the Assistant*  
2           *Secretary for Democracy, Human Rights, and*  
3           *Labor, Department of State, concurs that such*  
4           *funds are allocated consistent with—*

5                     *(i) the strategies referenced in subpara-*  
6                     *graph (B) of this paragraph;*

7                     *(ii) best practices regarding security*  
8                     *for, and oversight of, Internet freedom pro-*  
9                     *grams; and*

10                    *(iii) sufficient resources and support*  
11                    *for the development and maintenance of*  
12                    *anti-censorship technology and tools.*

13           *(2) Funds appropriated by this Act under the*  
14           *heading “International Broadcasting Operations”*  
15           *that are made available pursuant to subsection (a)*  
16           *shall be—*

17                    *(A) made available only for tools and tech-*  
18                    *niques to securely develop and distribute BBG*  
19                    *digital content; facilitate audience access to such*  
20                    *content on Web sites that are censored; coordi-*  
21                    *nate the distribution of BBG digital content to*  
22                    *targeted regional audiences; and to promote and*  
23                    *distribute such tools and techniques, including*  
24                    *digital security techniques;*

1           (B) coordinated with programs funded by  
2 this Act under the heading “International  
3 Broadcasting Operations”, and shall be incor-  
4 porated into country broadcasting strategies, as  
5 appropriate;

6           (C) coordinated by the BBG CEO to pro-  
7 vide Internet circumvention tools and techniques  
8 for audiences in countries that are strategic pri-  
9 orities for the BBG and in a manner consistent  
10 with the BBG Internet freedom strategy; and

11           (D) made available for the research and de-  
12 velopment of new tools or techniques authorized  
13 in paragraph (A) only after the BBG CEO, in  
14 consultation with the Secretary of State and  
15 other relevant United States Government depart-  
16 ments and agencies, evaluates the risks and bene-  
17 fits of such new tools or techniques, and estab-  
18 lishes safeguards to minimize the use of such new  
19 tools or techniques for illicit purposes.

20           (c) COORDINATION AND SPEND PLANS.—After con-  
21 sultation among the relevant agency heads to coordinate  
22 and de-conflict planned activities, but not later than 90  
23 days after enactment of this Act, the Secretary of State and  
24 the BBG CEO shall submit to the Committees on Appro-  
25 priations spend plans for funds made available by this Act

1 *for programs to promote Internet freedom globally, which*  
2 *shall include a description of safeguards established by rel-*  
3 *evant agencies to ensure that such programs are not used*  
4 *for illicit purposes: Provided, That the Department of State*  
5 *spend plan shall include funding for all such programs for*  
6 *all relevant Department of State and USAID offices and*  
7 *bureaus.*

8 *IMPACT ON JOBS IN THE UNITED STATES*

9 *SEC. 7079. None of the funds appropriated or other-*  
10 *wise made available under titles III through VI of this Act*  
11 *may be obligated or expended to provide—*

12 *(1) any financial incentive to a business enter-*  
13 *prise currently located in the United States for the*  
14 *purpose of inducing such an enterprise to relocate*  
15 *outside the United States if such incentive or induce-*  
16 *ment is likely to reduce the number of employees of*  
17 *such business enterprise in the United States because*  
18 *United States production is being replaced by such*  
19 *enterprise outside the United States;*

20 *(2) assistance for any program, project, or activ-*  
21 *ity that contributes to the violation of internationally*  
22 *recognized workers' rights, as defined in section*  
23 *507(4) of the Trade Act of 1974, of workers in the re-*  
24 *ipient country, including any designated zone or*  
25 *area in that country: Provided, That the application*

1 of section 507(4)(D) and (E) of such Act should be  
2 commensurate with the level of development of the re-  
3 cipient country and sector, and shall not preclude as-  
4 sistance for the informal sector in such country, micro  
5 and small-scale enterprise, and smallholder agri-  
6 culture;

7 (3) any assistance to an entity outside the  
8 United States if such assistance is for the purpose of  
9 directly relocating or transferring jobs from the  
10 United States to other countries and adversely im-  
11 pacts the labor force in the United States; or

12 (4) for the enforcement of any rule, regulation,  
13 policy, or guidelines implemented pursuant to—

14 (A) the third proviso of subsection 7079(b)  
15 of the Department of State, Foreign Operations,  
16 and Related Programs Appropriations Act, 2010  
17 (division F of Public Law 111–117);

18 (B) the modification proposed by the Over-  
19 seas Private Investment Corporation in Novem-  
20 ber 2013 to the Corporation’s Environmental  
21 and Social Policy Statement relating to coal; or

22 (C) the Supplemental Guidelines for High  
23 Carbon Intensity Projects approved by the Ex-  
24 port-Import Bank of the United States on De-  
25 cember 12, 2013,

1        *when enforcement of such rule, regulation, policy, or*  
2        *guidelines would prohibit, or have the effect of prohib-*  
3        *iting, any coal-fired or other power-generation project*  
4        *the purpose of which is to: (i) provide affordable elec-*  
5        *tricity in International Development Association*  
6        *(IDA)-eligible countries and IDA-blend countries; and*  
7        *(ii) increase exports of goods and services from the*  
8        *United States or prevent the loss of jobs from the*  
9        *United States.*

10        *UNITED STATES CITIZENS AND NATIONALS UNLAWFULLY*

11                        *OR WRONGFULLY DETAINED ABROAD*

12        *SEC. 7080. (a) REVIEW.—The Special Presidential*  
13        *Envoy for Hostage Affairs, in consultation with the Assist-*  
14        *ant Secretary for Consular Affairs, Department of State,*  
15        *shall review the practices of United States consular officers*  
16        *regarding assistance for citizens and nationals of the*  
17        *United States who are detained in countries where the De-*  
18        *partment of State’s Country Reports on Human Rights*  
19        *Practices indicate that arbitrary arrest or the denial of due*  
20        *process is common, or the judicial system is not inde-*  
21        *pendent or is susceptible to corruption, to—*

22                        *(1) assess whether consular officers routinely seek*  
23        *to determine if—*



1           (A) *the detained individual has presented*  
2 *credible information of factual innocence to*  
3 *United States officials;*

4           (B) *credible information exists that the in-*  
5 *dividual is detained solely or substantially be-*  
6 *cause he or she is a citizen or national of the*  
7 *United States;*

8           (C) *credible information exists that the in-*  
9 *dividual is being detained as a result of exer-*  
10 *cising his or her right to freedom of expression,*  
11 *association, assembly, or religion;*

12           (D) *credible information exists that the in-*  
13 *dividual has been detained arbitrarily and de-*  
14 *nied due process or a fair trial;*

15           (E) *independent nongovernmental organiza-*  
16 *tions or journalists have raised concerns about*  
17 *the innocence or the conditions of confinement of*  
18 *the detained individual;*

19           (F) *the detained individual has presented*  
20 *credible information that his or her detention is*  
21 *a pretext; and*

22           (G) *the individual is detained in inhumane*  
23 *conditions; and*

24           (2) *identify what, if any, diplomatic or other ac-*  
25 *tions are taken by the Department on behalf of a de-*

1        *tained individual if the consular officer determines*  
2        *that the answer to any of the questions specified in*  
3        *paragraph (1) is affirmative.*

4        *(b) RECOMMENDATIONS, GUIDANCE, AND REPORT.—*  
5        *Not later than 180 days after enactment of this Act and*  
6        *after completion of the review required under subsection (a),*  
7        *the Special Presidential Envoy for Hostage Affairs, after*  
8        *consultation with the Assistant Secretary for Consular Af-*  
9        *fairs, Department of State, shall—*

10                *(1) provide recommendations to the Secretary of*  
11                *State for modifying the guidance concerning the ar-*  
12                *rest and detention of United States citizens abroad in*  
13                *the Foreign Affairs Manual and Foreign Affairs*  
14                *Handbook to better assist the Department of State in*  
15                *identifying cases where such detention is unlawful or*  
16                *wrongful and to enhance diplomatic engagements*  
17                *with foreign governments and other actions on behalf*  
18                *of such citizens and nationals; and*

19                *(2) submit a report to the appropriate congress-*  
20                *sional committees detailing the findings of the review*  
21                *required pursuant to subsection (a) and the rec-*  
22                *ommendations provided pursuant to paragraph (1) of*  
23                *this subsection.*

24                                *REORGANIZATION AND REDESIGN*

25        *SEC. 7081. (a) OVERSIGHT.—*

1           (1) *PRIOR CONSULTATION.*—*Funds appropriated*  
2 *by this Act and prior Acts making appropriations for*  
3 *the Department of State, foreign operations, and re-*  
4 *lated programs may not be used to implement a reor-*  
5 *ganization, redesign, or other plan described in para-*  
6 *graph (2) by the Department of State, the United*  
7 *States Agency for International Development, or any*  
8 *other Federal department, agency, or organization*  
9 *funded by this Act without prior consultation by the*  
10 *head of such department, agency, or organization*  
11 *with the appropriate congressional committees.*

12           (2) *DESCRIPTION OF ACTIVITIES.*—*Pursuant to*  
13 *paragraph (1), a reorganization, redesign, or other*  
14 *plan shall include any action to—*

15                   (A) *expand, eliminate, consolidate, or*  
16 *downsize covered departments, agencies, or orga-*  
17 *nizations, including bureaus and offices within*  
18 *or between such departments, agencies, or orga-*  
19 *nizations, including the transfer to other agen-*  
20 *cies of the authorities and responsibilities of such*  
21 *bureaus and offices;*

22                   (B) *expand, eliminate, consolidate, or*  
23 *downsize the United States official presence over-*  
24 *seas including at bilateral, regional, and multi-*

1           *lateral diplomatic facilities and other platforms;*  
2           *and*

3                   *(C) expand or reduce the size of the Civil*  
4           *Service, Foreign Service, eligible family member,*  
5           *and locally employed staff workforce of the De-*  
6           *partment of State and USAID from the on-board*  
7           *levels as of December 31, 2017: Provided, That*  
8           *not less than 30 days after enactment of this Act,*  
9           *the Secretary of State and the USAID Adminis-*  
10          *trator shall submit to the appropriate congres-*  
11          *sional committees such on-board levels.*

12                   *(3) NOTIFICATION.—Funds made available by*  
13          *this Act and prior Acts making appropriations for*  
14          *the Department of State, foreign operations, and re-*  
15          *lated programs that are made available for the activi-*  
16          *ties described in paragraph (2) shall be subject to the*  
17          *regular notification procedures of the Committees on*  
18          *Appropriations: Provided, That any such notification*  
19          *submitted to such Committees shall include a detailed*  
20          *justification for any proposed action, including the*  
21          *information specified under this section in the ex-*  
22          *planatory statement described in section 4 (in the*  
23          *matter preceding division A of this consolidated Act).*

24                   *(4) OPERATING PLANS.—Operating plans sub-*  
25          *mitted pursuant to section 7076(a) of this Act shall*

1 *detail, as applicable, amounts for the bureaus, offices,*  
2 *and organizations detailed under this section in the*  
3 *explanatory statement described in section 4 (in the*  
4 *matter preceding division A of this consolidated Act).*

5 *(b) ADDITIONAL REQUIREMENTS.—*

6 *(1) PERSONNEL.—*

7 *(A) Not later than 90 days after enactment*  
8 *of this Act, the Secretary of State and the*  
9 *USAID Administrator shall each submit a re-*  
10 *port to the appropriate congressional committees*  
11 *detailing the personnel requirements necessary to*  
12 *implement the December 2017 “National Secu-*  
13 *rity Strategy of the United States” and the Feb-*  
14 *ruary 2018 “Joint Strategic Plan for the De-*  
15 *partment of State and the United States Agency*  
16 *for International Development, FY 2018–2022”.*

17 *(B) Not later than 30 days after enactment*  
18 *of this Act, the Secretary of State and the*  
19 *USAID Administrator shall each submit to the*  
20 *appropriate congressional committees an anal-*  
21 *ysis and justification for the reduction of De-*  
22 *partment of State and USAID personnel during*  
23 *calendar year 2017, to include an explanation of*  
24 *how such reductions support the missions of each*  
25 *agency.*

1           (C) Not later than 60 days after enactment  
2 of this Act and every 60 days thereafter until  
3 September 30, 2019, the Secretary of State, in  
4 the case of the Department of State, and the  
5 USAID Administrator, in the case of USAID,  
6 shall report to the appropriate congressional  
7 committees on the on-board personnel levels, hir-  
8 ing, and attrition of the Civil Service, Foreign  
9 Service, eligible family member, and locally em-  
10 ployed staff workforce of the Department of State  
11 and USAID, as appropriate, on an operating  
12 unit-by-operating unit basis.

13           (2) ADMINISTRATION OF FUNDS.—Funds appro-  
14 priated by this Act—

15           (A) under the heading “Migration and Ref-  
16 ugee Assistance” shall be administered by the As-  
17 sistant Secretary for Population, Refugees, and  
18 Migration, Department of State; and

19           (B) that are made available for the Office of  
20 Global Women’s Issues shall be administered by  
21 the United States Ambassador-at-Large for Glob-  
22 al Women’s Issues.

23           (3) INFORMATION TECHNOLOGY PLATFORM.—

24           (A) None of the funds appropriated in title  
25 I of this Act under the heading “Administration

1           *of Foreign Affairs” may be made available for a*  
2           *new major information technology investment*  
3           *without the concurrence of the Chief Information*  
4           *Officer, Department of State.*

5           *(B) In complying with the requirements of*  
6           *this paragraph, the Chief Information Officer,*  
7           *Department of State, shall consider whether a*  
8           *new major information technology investment—*

9                     *(i) is consistent with the Department*  
10                    *Information Technology Strategic Plan;*

11                    *(ii) maintains consolidated control*  
12                    *over enterprise IT functions or improves*  
13                    *operational maintenance;*

14                    *(iii) improves Department of State re-*  
15                    *siliency to a cyber-attack;*

16                    *(iv) reduces Department of State IT*  
17                    *costs over the long-term; and*

18                    *(v) is in accordance with the Federal*  
19                    *Acquisition Regulation (FAR), including*  
20                    *FAR Part 6 regarding competition require-*  
21                    *ments.*

22           *(C) Not later than 45 days after enactment*  
23           *of this Act, the Secretary of State shall submit*  
24           *a report to the appropriate congressional com-*  
25           *mittees detailing the conclusions and rec-*

1           *ommendations from the Information Technology*  
2           *(IT) Platform Planning workstream of the De-*  
3           *partment of State redesign initiative.*

4           (4) *REGIONAL DEVELOPMENT MISSION FOR*  
5           *ASIA.—Funds appropriated by this Act and made*  
6           *available for the Regional Development Mission for*  
7           *Asia, USAID, in the table included under title II of*  
8           *the explanatory statement described in section 4 (in*  
9           *the matter preceding division A of this consolidated*  
10          *Act) shall be subject to section 7019 of this Act.*

11                           *UNITED NATIONS POPULATION FUND*

12          *SEC. 7082. (a) CONTRIBUTION.—Of the funds made*  
13          *available under the heading “International Organizations*  
14          *and Programs” in this Act for fiscal year 2018, \$32,500,000*  
15          *shall be made available for the United Nations Population*  
16          *Fund (UNFPA).*

17          *(b) AVAILABILITY OF FUNDS.—Funds appropriated by*  
18          *this Act for UNFPA, that are not made available for*  
19          *UNFPA because of the operation of any provision of law,*  
20          *shall be transferred to the “Global Health Programs” ac-*  
21          *count and shall be made available for family planning, ma-*  
22          *ternal, and reproductive health activities, subject to the reg-*  
23          *ular notification procedures of the Committees on Appro-*  
24          *priations.*



1           (c) *PROHIBITION ON USE OF FUNDS IN CHINA.*—None  
2 of the funds made available by this Act may be used by  
3 UNFPA for a country program in the People’s Republic  
4 of China.

5           (d) *CONDITIONS ON AVAILABILITY OF FUNDS.*—Funds  
6 made available by this Act for UNFPA may not be made  
7 available unless—

8                   (1) *UNFPA maintains funds made available by*  
9 *this Act in an account separate from other accounts*  
10 *of UNFPA and does not commingle such funds with*  
11 *other sums; and*

12                   (2) *UNFPA does not fund abortions.*

13           (e) *REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR*  
14 *WITHHOLDING OF FUNDS.*—

15                   (1) *Not later than 4 months after the date of en-*  
16 *actment of this Act, the Secretary of State shall sub-*  
17 *mit a report to the Committees on Appropriations in-*  
18 *dicating the amount of funds that UNFPA is budg-*  
19 *eting for the year in which the report is submitted for*  
20 *a country program in the People’s Republic of China.*

21                   (2) *If a report under paragraph (1) indicates*  
22 *that UNFPA plans to spend funds for a country pro-*  
23 *gram in the People’s Republic of China in the year*  
24 *covered by the report, then the amount of such funds*  
25 *UNFPA plans to spend in the People’s Republic of*

1 *China shall be deducted from the funds made avail-*  
2 *able to UNFPA after March 1 for obligation for the*  
3 *remainder of the fiscal year in which the report is*  
4 *submitted.*

5 *MULTILATERAL DEVELOPMENT BANK REPLENISHMENTS*

6 *SEC. 7083. (a) The Asian Development Bank Act (22*  
7 *U.S.C. 285 et seq.) is amended by adding at the end the*  
8 *following new section:*

9 **“SEC. 36. ELEVENTH REPLENISHMENT.**

10 *“(a) The United States Governor of the Bank is au-*  
11 *thorized to contribute, on behalf of the United States,*  
12 *\$189,580,000 to the eleventh replenishment of the resources*  
13 *of the Fund, subject to obtaining the necessary appropria-*  
14 *tions.*

15 *“(b) In order to pay for the United States contribution*  
16 *provided for in subsection (a), there are authorized to be*  
17 *appropriated, without fiscal year limitation, \$189,580,000*  
18 *for payment by the Secretary of the Treasury.”.*

19 *(b) The International Development Association Act (22*  
20 *U.S.C. 284 et seq.) is amended by adding at the end the*  
21 *following new section:*

22 **“SEC. 30. EIGHTEENTH REPLENISHMENT.**

23 *“(a) The United States Governor of the International*  
24 *Development Association is authorized to contribute on be-*  
25 *half of the United States \$3,291,030,000 to the eighteenth*



1 *ance*”, as identified by Treasury Appropriation Fund Sym-  
 2 *bol 72 X 1021, \$23,766,000 are rescinded.*

3 *(b) Of the unobligated balances available under the*  
 4 *heading “Export and Investment Assistance, Export-Im-*  
 5 *port Bank of the United States” for carryover under the*  
 6 *heading “Receipts Collected” in the Department of State,*  
 7 *Foreign Operations, and Related Programs Appropriations*  
 8 *Act, 2015 (division J of Public Law 113–235), \$10,000,000*  
 9 *are rescinded.*

10 *TITLE VIII*

11 *OVERSEAS CONTINGENCY OPERATIONS/GLOBAL*

12 *WAR ON TERRORISM*

13 *DEPARTMENT OF STATE*

14 *ADMINISTRATION OF FOREIGN AFFAIRS*

15 *DIPLOMATIC AND CONSULAR PROGRAMS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For an additional amount for “Diplomatic and Con-*  
 18 *sular Programs”, \$2,975,971,000, to remain available until*  
 19 *September 30, 2019, of which \$2,376,122,000 is for World-*  
 20 *wide Security Protection and shall remain available until*  
 21 *expended: Provided, That the Secretary of State may trans-*  
 22 *fer up to \$5,000,000 of the total funds made available under*  
 23 *this heading to any other appropriation of any department*  
 24 *or agency of the United States, upon the concurrence of the*  
 25 *head of such department or agency, to support operations*

1 *in and assistance for Afghanistan and to carry out the pro-*  
2 *visions of the Foreign Assistance Act of 1961: Provided fur-*  
3 *ther, That any such transfer shall be subject to the regular*  
4 *notification procedures of the Committees on Appropria-*  
5 *tions: Provided further, That such amount is designated by*  
6 *the Congress for Overseas Contingency Operations/Global*  
7 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
8 *the Balanced Budget and Emergency Deficit Control Act*  
9 *of 1985.*

10 *OFFICE OF INSPECTOR GENERAL*

11 *For an additional amount for “Office of Inspector*  
12 *General”, \$68,100,000, to remain available until September*  
13 *30, 2019, of which \$54,900,000 shall be for the Special In-*  
14 *spector General for Afghanistan Reconstruction (SIGAR)*  
15 *for reconstruction oversight: Provided, That printing and*  
16 *reproduction costs of SIGAR shall not exceed amounts for*  
17 *such costs during fiscal year 2017: Provided further, That*  
18 *notwithstanding any other provision of law, any employee*  
19 *of SIGAR who completes at least 12 months of continuous*  
20 *service after the date of enactment of this Act or who is*  
21 *employed on the date on which SIGAR terminates, which-*  
22 *ever occurs first, shall acquire competitive status for ap-*  
23 *pointment to any position in the competitive service for*  
24 *which the employee possesses the required qualifications:*  
25 *Provided further, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985.*

5 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

6 *For an additional amount for “Embassy Security,*  
7 *Construction, and Maintenance”, \$71,778,000, to remain*  
8 *available until expended, for Worldwide Security Upgrades,*  
9 *acquisition, and construction as authorized: Provided, That*  
10 *such amount is designated by the Congress for Overseas*  
11 *Contingency Operations/Global War on Terrorism pursu-*  
12 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
13 *Emergency Deficit Control Act of 1985.*

14 *INTERNATIONAL ORGANIZATIONS*

15 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

16 *For an additional amount for “Contributions to Inter-*  
17 *national Organizations”, \$96,240,000: Provided, That such*  
18 *amount is designated by the Congress for Overseas Contin-*  
19 *gency Operations/Global War on Terrorism pursuant to sec-*  
20 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
21 *gency Deficit Control Act of 1985.*

22 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

23 *ACTIVITIES*

24 *For an additional amount for “Contributions for*  
25 *International Peacekeeping Activities”, \$967,456,000, to re-*

1 *main available until September 30, 2019: Provided, That*  
2 *such amount is designated by the Congress for Overseas*  
3 *Contingency Operations/Global War on Terrorism pursu-*  
4 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
5 *Emergency Deficit Control Act of 1985.*

6 *UNITED STATES AGENCY FOR INTERNATIONAL*  
7 *DEVELOPMENT*

8 *FUNDS APPROPRIATED TO THE PRESIDENT*  
9 *OPERATING EXPENSES*

10 *For an additional amount for “Operating Expenses”,*  
11 *\$158,067,000, to remain available until September 30,*  
12 *2019: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *For an additional amount for “Office of Inspector*  
19 *General”, \$2,500,000, to remain available until September*  
20 *30, 2019: Provided, That such amount is designated by the*  
21 *Congress for Overseas Contingency Operations/Global War*  
22 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
23 *Balanced Budget and Emergency Deficit Control Act of*  
24 *1985.*

1 *BILATERAL ECONOMIC ASSISTANCE*2 *FUNDS APPROPRIATED TO THE PRESIDENT*3 *INTERNATIONAL DISASTER ASSISTANCE*

4 *For an additional amount for “International Disaster*  
5 *Assistance”, \$1,588,778,000, to remain available until ex-*  
6 *pended: Provided, That such amount is designated by the*  
7 *Congress for Overseas Contingency Operations/Global War*  
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
9 *Balanced Budget and Emergency Deficit Control Act of*  
10 *1985.*

11 *TRANSITION INITIATIVES*

12 *For an additional amount for “Transition Initia-*  
13 *tives”, \$62,043,000, to remain available until expended:*  
14 *Provided, That such amount is designated by the Congress*  
15 *for Overseas Contingency Operations/Global War on Ter-*  
16 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
17 *Budget and Emergency Deficit Control Act of 1985.*

18 *COMPLEX CRISES FUND*

19 *For an additional amount for “Complex Crises Fund”,*  
20 *\$20,000,000, to remain available until expended: Provided,*  
21 *That such amount is designated by the Congress for Over-*  
22 *seas Contingency Operations/Global War on Terrorism pur-*  
23 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
24 *and Emergency Deficit Control Act of 1985.*



1 *ECONOMIC SUPPORT FUND*

2 *For an additional amount for “Economic Support*  
3 *Fund”, \$2,152,122,000, to remain available until Sep-*  
4 *tember 30, 2019: Provided, That such amount is designated*  
5 *by the Congress for Overseas Contingency Operations/Glob-*  
6 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
7 *of the Balanced Budget and Emergency Deficit Control Act*  
8 *of 1985.*

9 *DEPARTMENT OF STATE*10 *MIGRATION AND REFUGEE ASSISTANCE*

11 *For an additional amount for “Migration and Refugee*  
12 *Assistance” to respond to refugee crises, including in Africa,*  
13 *the Near East, South and Central Asia, and Europe and*  
14 *Eurasia, \$2,431,198,000, to remain available until ex-*  
15 *pended, except that such funds shall not be made available*  
16 *for the resettlement costs of refugees in the United States:*  
17 *Provided, That such amount is designated by the Congress*  
18 *for Overseas Contingency Operations/Global War on Ter-*  
19 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
20 *Budget and Emergency Deficit Control Act of 1985.*

1            *INTERNATIONAL SECURITY ASSISTANCE*2                            *DEPARTMENT OF STATE*3            *INTERNATIONAL NARCOTICS CONTROL AND LAW*4                            *ENFORCEMENT*

5            *For an additional amount for “International Nar-*  
6 *cotics Control and Law Enforcement”, \$417,951,000, to re-*  
7 *main available until September 30, 2019: Provided, That*  
8 *such amount is designated by the Congress for Overseas*  
9 *Contingency Operations/Global War on Terrorism pursu-*  
10 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
11 *Emergency Deficit Control Act of 1985.*

12            *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*13                            *RELATED PROGRAMS*

14            *For an additional amount for “Nonproliferation,*  
15 *Anti-terrorism, Demining and Related Programs”,*  
16 *\$220,583,000, to remain available until September 30,*  
17 *2019: Provided, That such amount is designated by the*  
18 *Congress for Overseas Contingency Operations/Global War*  
19 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
20 *Balanced Budget and Emergency Deficit Control Act of*  
21 *1985.*

22                            *PEACEKEEPING OPERATIONS*

23            *For an additional amount for “Peacekeeping Oper-*  
24 *ations”, \$325,213,000, to remain available until September*  
25 *30, 2019: Provided, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985: Provided further, That funds available for obligation*  
5 *under this heading in this Act may be used to pay assessed*  
6 *expenses of international peacekeeping activities in Soma-*  
7 *lia, subject to the regular notification procedures of the*  
8 *Committees on Appropriations.*

9 *FUNDS APPROPRIATED TO THE PRESIDENT*

10 *FOREIGN MILITARY FINANCING PROGRAM*

11 *For an additional amount for “Foreign Military Fi-*  
12 *nancing Program”, \$460,000,000, to remain available until*  
13 *September 30, 2019: Provided, That such amount is des-*  
14 *ignated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *GENERAL PROVISIONS*

19 *ADDITIONAL APPROPRIATIONS*

20 *SEC. 8001. Notwithstanding any other provision of*  
21 *law, funds appropriated in this title are in addition to*  
22 *amounts appropriated or otherwise made available in this*  
23 *Act for fiscal year 2018.*

1           *EXTENSION OF AUTHORITIES AND CONDITIONS*

2           *SEC. 8002. Unless otherwise provided for in this Act,*  
3 *the additional amounts appropriated by this title to appro-*  
4 *priations accounts in this Act shall be available under the*  
5 *authorities and conditions applicable to such appropria-*  
6 *tions accounts.*

7           *COUNTERTERRORISM PARTNERSHIPS FUND*

8           *SEC. 8003. Funds appropriated by this Act under the*  
9 *heading “Nonproliferation, Anti-terrorism, Demining and*  
10 *Related Programs” shall be made available for the Counter-*  
11 *terrorism Partnerships Fund for programs in areas liber-*  
12 *ated from, under the influence of, or adversely affected by,*  
13 *the Islamic State of Iraq and Syria or other terrorist orga-*  
14 *nizations: Provided, That such areas shall include the*  
15 *Kurdistan Region of Iraq: Provided further, That prior to*  
16 *the obligation of funds made available pursuant to this sec-*  
17 *tion, the Secretary of State shall take all practicable steps*  
18 *to ensure that mechanisms are in place for monitoring,*  
19 *oversight, and control of such funds: Provided further, That*  
20 *section 7015(j) of this Act regarding notification of assist-*  
21 *ance diverted or destroyed shall apply to funds made avail-*  
22 *able for the Counterterrorism Partnerships Fund: Provided*  
23 *further, That funds made available pursuant to this section*  
24 *shall be subject to prior consultation with the appropriate*

1 congressional committees, and the regular notification pro-  
2 cedures of the Committees on Appropriations.

3 *TRANSFER OF FUNDS*

4 *SEC. 8004. (a) TRANSFER OF FUNDS BETWEEN AC-*  
5 *COUNTS.—*

6 *(1) Funds appropriated by this title in this Act*  
7 *under the headings “Transition Initiatives”, “Com-*  
8 *plex Crises Fund”, “Economic Support Fund”, and*  
9 *“Assistance for Europe, Eurasia and Central Asia”*  
10 *may be transferred to, and merged with, funds appro-*  
11 *priated by this title under such headings.*

12 *(2) Funds appropriated by this title in this Act*  
13 *under the headings “International Narcotics Control*  
14 *and Law Enforcement”, “Nonproliferation, Anti-ter-*  
15 *rorism, Demining and Related Programs”, “Peace-*  
16 *keeping Operations”, and “Foreign Military Financ-*  
17 *ing Program” may be transferred to, and merged*  
18 *with, funds appropriated by this title under such*  
19 *headings.*

20 *(b) GLOBAL SECURITY CONTINGENCY FUND.—Not-*  
21 *withstanding any other provision of this section, not to ex-*  
22 *ceed \$7,500,000 from funds appropriated under the head-*  
23 *ings “International Narcotics Control and Law Enforce-*  
24 *ment”, “Peacekeeping Operations”, and “Foreign Military*  
25 *Financing Program” by this title in this Act may be trans-*

1 *ferred to, and merged with, funds previously made available*  
2 *under the heading “Global Security Contingency Fund”.*

3 (c) *LIMITATION.—The transfer authority provided in*  
4 *subsection (a) may only be exercised to address contin-*  
5 *gencies.*

6 (d) *NOTIFICATION.—The transfer authority provided*  
7 *by this section shall be subject to prior consultation with,*  
8 *and the regular notification procedures of, the Committees*  
9 *on Appropriations: Provided, That such transfer authority*  
10 *is in addition to any transfer authority otherwise available*  
11 *under any other provision of law, including section 610 of*  
12 *the Foreign Assistance Act of 1961 which may be exercised*  
13 *by the Secretary of State for the purposes of this title.*

14 *This division may be cited as the “Department of*  
15 *State, Foreign Operations, and Related Programs Appro-*  
16 *priations Act, 2018”.*

1 ***DIVISION L—TRANSPORTATION, HOUSING***  
2 ***AND URBAN DEVELOPMENT, AND RE-***  
3 ***LATED AGENCIES APPROPRIATIONS***  
4 ***ACT, 2018***

5 ***TITLE I***

6 ***DEPARTMENT OF TRANSPORTATION***

7 ***OFFICE OF THE SECRETARY***

8 ***SALARIES AND EXPENSES***

9 *For necessary expenses of the Office of the Secretary,*  
10 *\$112,813,000, of which not to exceed \$3,001,000 shall be*  
11 *available for the immediate Office of the Secretary; not to*  
12 *exceed \$1,040,000 shall be available for the immediate Of-*  
13 *fice of the Deputy Secretary; not to exceed \$20,555,000 shall*  
14 *be available for the Office of the General Counsel; not to*  
15 *exceed \$10,331,000 shall be available for the Office of the*  
16 *Under Secretary of Transportation for Policy; not to exceed*  
17 *\$14,019,000 shall be available for the Office of the Assistant*  
18 *Secretary for Budget and Programs; not to exceed*  
19 *\$2,546,000 shall be available for the Office of the Assistant*  
20 *Secretary for Governmental Affairs; not to exceed*  
21 *\$29,356,000 shall be available for the Office of the Assistant*  
22 *Secretary for Administration; not to exceed \$2,142,000 shall*  
23 *be available for the Office of Public Affairs; not to exceed*  
24 *\$1,760,000 shall be available for the Office of the Executive*  
25 *Secretariat; not to exceed \$11,318,000 shall be available for*

1 *the Office of Intelligence, Security, and Emergency Re-*  
2 *sponse; and not to exceed \$16,745,000 shall be available for*  
3 *the Office of the Chief Information Officer: Provided, That*  
4 *the Secretary of Transportation is authorized to transfer*  
5 *funds appropriated for any office of the Office of the Sec-*  
6 *retary to any other office of the Office of the Secretary: Pro-*  
7 *vided further, That no appropriation for any office shall*  
8 *be increased or decreased by more than 7 percent by all*  
9 *such transfers: Provided further, That notice of any change*  
10 *in funding greater than 7 percent shall be submitted for*  
11 *approval to the House and Senate Committees on Appro-*  
12 *priations: Provided further, That not to exceed \$60,000*  
13 *shall be for allocation within the Department for official*  
14 *reception and representation expenses as the Secretary may*  
15 *determine: Provided further, That notwithstanding any*  
16 *other provision of law, excluding fees authorized in Public*  
17 *Law 107-71, there may be credited to this appropriation*  
18 *up to \$2,500,000 in funds received in user fees: Provided*  
19 *further, That none of the funds provided in this Act shall*  
20 *be available for the position of Assistant Secretary for Pub-*  
21 *lic Affairs.*

22 *RESEARCH AND TECHNOLOGY*

23 *For necessary expenses related to the Office of the As-*  
24 *stant Secretary for Research and Technology,*  
25 *\$23,465,109, of which \$2,618,000 shall remain available*



1 *until September 30, 2020, and of which \$15,000,000, to re-*  
2 *main available until expended, is for new competitive*  
3 *grants under 49 U.S.C. 5505 to a national center for con-*  
4 *gestion research and a national center for infrastructure re-*  
5 *search: Provided, That such amounts are in addition to*  
6 *amounts previously provided for such program: Provided*  
7 *further, That such amounts for additional national centers*  
8 *are provided notwithstanding 49 U.S.C. 5505(c)(2)(A):*  
9 *Provided further, That there may be credited to this appro-*  
10 *priation, to be available until expended, funds received from*  
11 *States, counties, municipalities, other public authorities,*  
12 *and private sources for expenses incurred for training: Pro-*  
13 *vided further, That any reference in law, regulation, judi-*  
14 *cial proceedings, or elsewhere to the Research and Innova-*  
15 *tive Technology Administration shall continue to be deemed*  
16 *to be a reference to the Office of the Assistant Secretary*  
17 *for Research and Technology of the Department of Trans-*  
18 *portation.*

19 *NATIONAL INFRASTRUCTURE INVESTMENTS*

20 *For capital investments in surface transportation in-*  
21 *frastructure, \$1,500,000,000, to remain available through*  
22 *September 30, 2020: Provided, That the Secretary of Trans-*  
23 *portation shall distribute funds provided under this heading*  
24 *as discretionary grants to be awarded to a State, local gov-*  
25 *ernment, transit agency, or a collaboration among such en-*

1 *tities on a competitive basis for projects that will have a*  
2 *significant local or regional impact: Provided further, That*  
3 *projects eligible for funding provided under this heading*  
4 *shall include, but not be limited to, highway or bridge*  
5 *projects eligible under title 23, United States Code; public*  
6 *transportation projects eligible under chapter 53 of title 49,*  
7 *United States Code; passenger and freight rail transpor-*  
8 *tation projects; and port infrastructure investments (in-*  
9 *cluding inland port infrastructure and land ports of entry):*  
10 *Provided further, That of the amount made available under*  
11 *this heading, the Secretary may use an amount not to ex-*  
12 *ceed \$15,000,000 for the planning, preparation or design*  
13 *of projects eligible for funding under this heading: Provided*  
14 *further, That grants awarded under the previous proviso*  
15 *shall not be subject to a minimum grant size: Provided fur-*  
16 *ther, That the Secretary may use up to 20 percent of the*  
17 *funds made available under this heading for the purpose*  
18 *of paying the subsidy and administrative costs of projects*  
19 *eligible for Federal credit assistance under chapter 6 of title*  
20 *23, United States Code, if the Secretary finds that such use*  
21 *of the funds would advance the purposes of this paragraph:*  
22 *Provided further, That in distributing funds provided*  
23 *under this heading, the Secretary shall take such measures*  
24 *so as to ensure an equitable geographic distribution of*  
25 *funds, an appropriate balance in addressing the needs of*

1 *urban and rural areas, and the investment in a variety*  
2 *of transportation modes: Provided further, That a grant*  
3 *funded under this heading shall be not less than \$5,000,000*  
4 *and not greater than \$25,000,000: Provided further, That*  
5 *not more than 10 percent of the funds made available under*  
6 *this heading may be awarded to projects in a single State:*  
7 *Provided further, That the Federal share of the costs for*  
8 *which an expenditure is made under this heading shall be,*  
9 *at the option of the recipient, up to 80 percent: Provided*  
10 *further, That the Secretary shall give priority to projects*  
11 *that require a contribution of Federal funds in order to*  
12 *complete an overall financing package: Provided further,*  
13 *That not less than 30 percent of the funds provided under*  
14 *this heading shall be for projects located in rural areas: Pro-*  
15 *vided further, That for projects located in rural areas, the*  
16 *minimum grant size shall be \$1,000,000 and the Secretary*  
17 *may increase the Federal share of costs above 80 percent:*  
18 *Provided further, That projects conducted using funds pro-*  
19 *vided under this heading must comply with the require-*  
20 *ments of subchapter IV of chapter 31 of title 40, United*  
21 *States Code: Provided further, That the Secretary shall con-*  
22 *duct a new competition to select the grants and credit as-*  
23 *sistance awarded under this heading: Provided further,*  
24 *That the Secretary may retain up to \$25,000,000 of the*  
25 *funds provided under this heading, and may transfer por-*

1 *tions of those funds to the Administrators of the Federal*  
2 *Highway Administration, the Federal Transit Administra-*  
3 *tion, the Federal Railroad Administration, and the Mari-*  
4 *time Administration to fund the award and oversight of*  
5 *grants and credit assistance made under the National In-*  
6 *frastructure Investments program: Provided further, That*  
7 *none of the funds provided in the previous proviso may be*  
8 *used to hire additional personnel: Provided further, That*  
9 *the Secretary shall not use the Federal share as a selection*  
10 *criteria in awarding projects: Provided further, That the*  
11 *Secretary shall issue the Notice of Funding Opportunity*  
12 *under the previous proviso no later than 60 days after en-*  
13 *actment of this Act: Provided further, That the Notice of*  
14 *Funding Opportunity shall require application submissions*  
15 *90 days after the publishing of such Notice: Provided fur-*  
16 *ther, That of the applications submitted under the previous*  
17 *two provisos, the Secretary shall make grants no later than*  
18 *270 days after enactment of this Act in such amounts that*  
19 *the Secretary determines.*

20 *NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE*

21 *FINANCE BUREAU*

22 *For necessary expenses for the administration of the*  
23 *National Surface Transportation and Innovative Finance*  
24 *Bureau (the Bureau) within the Office of the Secretary of*  
25 *Transportation, \$3,000,000, to remain available until ex-*

1 *pending: Provided, That the Secretary of Transportation*  
2 *shall use such amount for the necessary expenses to fulfill*  
3 *the responsibilities of the Bureau, as detailed in section*  
4 *9001 of the Fixing America's Surface Transportation*  
5 *(FAST) Act (Public Law 114–94) (49 U.S.C. 116): Pro-*  
6 *vided further, That the Secretary is required to receive the*  
7 *advance approval of the House and Senate Committees on*  
8 *Appropriations prior to exercising the authorities of 49*  
9 *U.S.C. 116(h): Provided further, That the program be avail-*  
10 *able to other Federal agencies, States, municipalities and*  
11 *project sponsors seeking Federal transportation expertise in*  
12 *obtaining financing.*

13 *FINANCIAL MANAGEMENT CAPITAL*

14 *For necessary expenses for upgrading and enhancing*  
15 *the Department of Transportation's financial systems and*  
16 *re-engineering business processes, \$6,000,000, to remain*  
17 *available through September 30, 2020.*

18 *CYBER SECURITY INITIATIVES*

19 *For necessary expenses for cyber security initiatives,*  
20 *including necessary upgrades to wide area network and in-*  
21 *formation technology infrastructure, improvement of net-*  
22 *work perimeter controls and identity management, testing*  
23 *and assessment of information technology against business,*  
24 *security, and other requirements, implementation of Fed-*  
25 *eral cyber security initiatives and information infrastruc-*

1 *ture enhancements, and implementation of enhanced secu-*  
2 *rity controls on network devices, \$15,000,000, to remain*  
3 *available through September 30, 2019.*

4 *OFFICE OF CIVIL RIGHTS*

5 *For necessary expenses of the Office of Civil Rights,*  
6 *\$9,500,000.*

7 *TRANSPORTATION PLANNING, RESEARCH, AND*

8 *DEVELOPMENT*

9 *For necessary expenses for conducting transportation*  
10 *planning, research, systems development, development ac-*  
11 *tivities, and making grants, to remain available until ex-*  
12 *pended, \$14,000,000: Provided, That of such amount,*  
13 *\$1,500,000 shall be for necessary expenses of the Interagency*  
14 *Infrastructure Permitting Improvement Center (IIPIC):*  
15 *Provided further, That there may be transferred to this ap-*  
16 *propriation, to remain available until expended, amounts*  
17 *transferred from other Federal agencies for expenses in-*  
18 *curred under this heading for IIPIC activities not related*  
19 *to transportation infrastructure: Provided further, That the*  
20 *tools and analysis developed by the IIPIC shall be available*  
21 *to other Federal agencies for the permitting and review of*  
22 *major infrastructure projects not related to transportation*  
23 *only to the extent that other Federal agencies provide fund-*  
24 *ing to the Department as provided for under the previous*  
25 *proviso.*



1 *Business Resource Center, \$500,301, as authorized by 49*  
2 *U.S.C. 332; Provided, That notwithstanding that section,*  
3 *these funds may be for business opportunities related to any*  
4 *mode of transportation.*

5 *SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND*  
6 *OUTREACH*

7 *For necessary expenses for small and disadvantaged*  
8 *business utilization and outreach activities, \$4,646,000, to*  
9 *remain available until September 30, 2019: Provided, That*  
10 *notwithstanding 49 U.S.C. 332, these funds may be used*  
11 *for business opportunities related to any mode of transpor-*  
12 *tation.*

13 *PAYMENTS TO AIR CARRIERS*  
14 *(AIRPORT AND AIRWAY TRUST FUND)*

15 *In addition to funds made available from any other*  
16 *source to carry out the essential air service program under*  
17 *49 U.S.C. 41731 through 41742, \$155,000,000, to be derived*  
18 *from the Airport and Airway Trust Fund, to remain avail-*  
19 *able until expended: Provided, That in determining between*  
20 *or among carriers competing to provide service to a commu-*  
21 *nity, the Secretary may consider the relative subsidy re-*  
22 *quirements of the carriers: Provided further, That basic es-*  
23 *sential air service minimum requirements shall not include*  
24 *the 15-passenger capacity requirement under subsection*  
25 *41732(b)(3) of title 49, United States Code: Provided fur-*



1 *ther, That none of the funds in this Act or any other Act*  
2 *shall be used to enter into a new contract with a community*  
3 *located less than 40 miles from the nearest small hub air-*  
4 *port before the Secretary has negotiated with the commu-*  
5 *nity over a local cost share: Provided further, That amounts*  
6 *authorized to be distributed for the essential air service pro-*  
7 *gram under subsection 41742(b) of title 49, United States*  
8 *Code, shall be made available immediately from amounts*  
9 *otherwise provided to the Administrator of the Federal*  
10 *Aviation Administration: Provided further, That the Ad-*  
11 *ministrator may reimburse such amounts from fees credited*  
12 *to the account established under section 45303 of title 49,*  
13 *United States Code.*

14 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*  
15 *OF TRANSPORTATION*

16 *SEC. 101. None of the funds made available in this*  
17 *Act to the Department of Transportation may be obligated*  
18 *for the Office of the Secretary of Transportation to approve*  
19 *assessments or reimbursable agreements pertaining to funds*  
20 *appropriated to the modal administrations in this Act, ex-*  
21 *cept for activities underway on the date of enactment of*  
22 *this Act, unless such assessments or agreements have com-*  
23 *pleted the normal reprogramming process for Congressional*  
24 *notification.*

1        *SEC. 102. The Secretary shall post on the Web site of*  
2 *the Department of Transportation a schedule of all meetings*  
3 *of the Council on Credit and Finance, including the agenda*  
4 *for each meeting, and require the Council on Credit and*  
5 *Finance to record the decisions and actions of each meeting.*

6        *SEC. 103. In addition to authority provided by section*  
7 *327 of title 49, United States Code, the Department's Work-*  
8 *ing Capital Fund is hereby authorized to provide partial*  
9 *or full payments in advance and accept subsequent reim-*  
10 *bursements from all Federal agencies from available funds*  
11 *for transit benefit distribution services that are necessary*  
12 *to carry out the Federal transit pass transportation fringe*  
13 *benefit program under Executive Order No. 13150 and sec-*  
14 *tion 3049 of Public Law 109-59: Provided, That the De-*  
15 *partment shall maintain a reasonable operating reserve in*  
16 *the Working Capital Fund, to be expended in advance to*  
17 *provide uninterrupted transit benefits to Government em-*  
18 *ployees: Provided further, That such reserve will not exceed*  
19 *one month of benefits payable and may be used only for*  
20 *the purpose of providing for the continuation of transit ben-*  
21 *efits: Provided further, That the Working Capital Fund will*  
22 *be fully reimbursed by each customer agency from available*  
23 *funds for the actual cost of the transit benefit.*

1            *FEDERAL AVIATION ADMINISTRATION*2                            *OPERATIONS*3                            *(AIRPORT AND AIRWAY TRUST FUND)*

4            *For necessary expenses of the Federal Aviation Admin-*  
5 *istration, not otherwise provided for, including operations*  
6 *and research activities related to commercial space trans-*  
7 *portation, administrative expenses for research and develop-*  
8 *ment, establishment of air navigation facilities, the oper-*  
9 *ation (including leasing) and maintenance of aircraft, sub-*  
10 *sidizing the cost of aeronautical charts and maps sold to*  
11 *the public, the lease or purchase of passenger motor vehicles*  
12 *for replacement only, in addition to amounts made avail-*  
13 *able by Public Law 112–95, \$10,211,754,000, to remain*  
14 *available until September 30, 2019, of which*  
15 *\$8,851,000,000 shall be derived from the Airport and Air-*  
16 *way Trust Fund, of which not to exceed \$7,692,786,000*  
17 *shall be available for air traffic organization activities; not*  
18 *to exceed \$1,310,000,000 shall be available for aviation safe-*  
19 *ty activities; not to exceed \$22,587,000 shall be available*  
20 *for commercial space transportation activities; not to exceed*  
21 *\$801,506,000 shall be available for finance and manage-*  
22 *ment activities; not to exceed \$60,000,000 shall be available*  
23 *for NextGen and operations planning activities; not to ex-*  
24 *ceed \$112,622,000 shall be available for security and haz-*  
25 *ardous materials safety; and not to exceed \$212,253,000*

1 *shall be available for staff offices: Provided, That not to ex-*  
2 *ceed 5 percent of any budget activity, except for aviation*  
3 *safety budget activity, may be transferred to any budget*  
4 *activity under this heading: Provided further, That no*  
5 *transfer may increase or decrease any appropriation by*  
6 *more than 5 percent: Provided further, That any transfer*  
7 *in excess of 5 percent shall be treated as a reprogramming*  
8 *of funds under section 405 of this Act and shall not be avail-*  
9 *able for obligation or expenditure except in compliance with*  
10 *the procedures set forth in that section: Provided further,*  
11 *That not later than March 31 of each fiscal year hereafter,*  
12 *the Administrator of the Federal Aviation Administration*  
13 *shall transmit to Congress an annual update to the report*  
14 *submitted to Congress in December 2004 pursuant to sec-*  
15 *tion 221 of Public Law 108–176: Provided further, That*  
16 *the amount herein appropriated shall be reduced by*  
17 *\$100,000 for each day after March 31 that such report has*  
18 *not been submitted to the Congress: Provided further, That*  
19 *not later than March 31 of each fiscal year hereafter, the*  
20 *Administrator shall transmit to Congress a companion re-*  
21 *port that describes a comprehensive strategy for staffing,*  
22 *hiring, and training flight standards and aircraft certifi-*  
23 *cation staff in a format similar to the one utilized for the*  
24 *controller staffing plan, including stated attrition estimates*  
25 *and numerical hiring goals by fiscal year: Provided further,*

1 *That the amount herein appropriated shall be reduced by*  
2 *\$100,000 per day for each day after March 31 that such*  
3 *report has not been submitted to Congress: Provided further,*  
4 *That funds may be used to enter into a grant agreement*  
5 *with a nonprofit standard-setting organization to assist in*  
6 *the development of aviation safety standards: Provided fur-*  
7 *ther, That none of the funds in this Act shall be available*  
8 *for new applicants for the second career training program:*  
9 *Provided further, That none of the funds in this Act shall*  
10 *be available for the Federal Aviation Administration to fi-*  
11 *nalize or implement any regulation that would promulgate*  
12 *new aviation user fees not specifically authorized by law*  
13 *after the date of the enactment of this Act: Provided further,*  
14 *That there may be credited to this appropriation, as offset-*  
15 *ting collections, funds received from States, counties, mu-*  
16 *nicipalities, foreign authorities, other public authorities,*  
17 *and private sources for expenses incurred in the provision*  
18 *of agency services, including receipts for the maintenance*  
19 *and operation of air navigation facilities, and for issuance,*  
20 *renewal or modification of certificates, including airman,*  
21 *aircraft, and repair station certificates, or for tests related*  
22 *thereto, or for processing major repair or alteration forms:*  
23 *Provided further, That of the funds appropriated under this*  
24 *heading, not less than \$165,000,000 shall be used to fund*  
25 *direct operations of the current 253 air traffic control tow-*

1 *ers in the contract tower program, including the contract*  
2 *tower cost share program, and any airport that is currently*  
3 *qualified or that will qualify for the program during the*  
4 *fiscal year: Provided further, That not later than 30 days*  
5 *after enactment of this Act, the Secretary of Transportation*  
6 *shall transmit to Congress the final disposition of the Ben-*  
7 *efit Cost Analysis for applications for participation in the*  
8 *Contract Tower Program and for reevaluation of Cost-share*  
9 *Program participants pending as of January 1, 2016, as*  
10 *mandated by section 119C of division K of the Consolidated*  
11 *Appropriations Act, 2017 (Public Law 115–31): Provided*  
12 *further, That none of the funds in this Act for aeronautical*  
13 *charting and cartography are available for activities con-*  
14 *ducted by, or coordinated through, the Working Capital*  
15 *Fund: Provided further, That none of the funds appro-*  
16 *priated or otherwise made available by this Act or any other*  
17 *Act may be used to eliminate the Contract Weather Observ-*  
18 *ers program at any airport.*

19 *FACILITIES AND EQUIPMENT*

20 *(AIRPORT AND AIRWAY TRUST FUND)*

21 *For necessary expenses, not otherwise provided for, for*  
22 *acquisition, establishment, technical support services, im-*  
23 *provement by contract or purchase, and hire of national*  
24 *airspace systems and experimental facilities and equip-*  
25 *ment, as authorized under part A of subtitle VII of title*

1 49, United States Code, including initial acquisition of nec-  
2 essary sites by lease or grant; engineering and service test-  
3 ing, including construction of test facilities and acquisition  
4 of necessary sites by lease or grant; construction and fur-  
5 nishing of quarters and related accommodations for officers  
6 and employees of the Federal Aviation Administration sta-  
7 tioned at remote localities where such accommodations are  
8 not available; and the purchase, lease, or transfer of aircraft  
9 from funds available under this heading, including aircraft  
10 for aviation regulation and certification; to be derived from  
11 the Airport and Airway Trust Fund, \$3,250,000,000, of  
12 which \$498,000,000 shall remain available until September  
13 30, 2019, \$2,602,000,000 shall remain available until Sep-  
14 tember 30, 2020, and \$150,000,000 shall remain available  
15 until expended: Provided, That there may be credited to this  
16 appropriation funds received from States, counties, municipi-  
17 palities, other public authorities, and private sources, for  
18 expenses incurred in the establishment, improvement, and  
19 modernization of national airspace systems: Provided fur-  
20 ther, That no later than March 31, the Secretary of Trans-  
21 portation shall transmit to the Congress an investment plan  
22 for the Federal Aviation Administration which includes  
23 funding for each budget line item for fiscal years 2019  
24 through 2023, with total funding for each year of the plan  
25 constrained to the funding targets for those years as esti-

1 mated and approved by the Office of Management and  
2 Budget.

3 RESEARCH, ENGINEERING, AND DEVELOPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for, for  
6 research, engineering, and development, as authorized  
7 under part A of subtitle VII of title 49, United States Code,  
8 including construction of experimental facilities and acqui-  
9 sition of necessary sites by lease or grant, \$188,926,000, to  
10 be derived from the Airport and Airway Trust Fund and  
11 to remain available until September 30, 2020: Provided,  
12 That there may be credited to this appropriation as offset-  
13 ting collections, funds received from States, counties, mu-  
14 nicipalities, other public authorities, and private sources,  
15 which shall be available for expenses incurred for research,  
16 engineering, and development.

17 GRANTS-IN-AID FOR AIRPORTS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (AIRPORT AND AIRWAY TRUST FUND)

21 (INCLUDING TRANSFER OF FUNDS)

22 For liquidation of obligations incurred for grants-in-  
23 aid for airport planning and development, and noise com-  
24 patibility planning and programs as authorized under sub-  
25 chapter I of chapter 471 and subchapter I of chapter 475



1 of title 49, United States Code, and under other law author-  
2 izing such obligations; for procurement, installation, and  
3 commissioning of runway incursion prevention devices and  
4 systems at airports of such title; for grants authorized under  
5 section 41743 of title 49, United States Code; and for in-  
6 spection activities and administration of airport safety pro-  
7 grams, including those related to airport operating certifi-  
8 cates under section 44706 of title 49, United States Code,  
9 \$3,000,000,000, to be derived from the Airport and Airway  
10 Trust Fund and to remain available until expended: Pro-  
11 vided, That none of the funds under this heading shall be  
12 available for the planning or execution of programs the obli-  
13 gations for which are in excess of \$3,350,000,000 in fiscal  
14 year 2018, notwithstanding section 47117(g) of title 49,  
15 United States Code: Provided further, That none of the  
16 funds under this heading shall be available for the replace-  
17 ment of baggage conveyor systems, reconfiguration of ter-  
18 minal baggage areas, or other airport improvements that  
19 are necessary to install bulk explosive detection systems:  
20 Provided further, That notwithstanding section 47109(a) of  
21 title 49, United States Code, the Government's share of al-  
22 lowable project costs under paragraph (2) for subgrants or  
23 paragraph (3) of that section shall be 95 percent for a  
24 project at other than a large or medium hub airport that  
25 is a successive phase of a multi-phased construction project

1 *for which the project sponsor received a grant in fiscal year*  
2 *2011 for the construction project: Provided further, That*  
3 *notwithstanding any other provision of law, of funds lim-*  
4 *ited under this heading, not more than \$111,863,000 shall*  
5 *be available for administration, not less than \$15,000,000*  
6 *shall be available for the Airport Cooperative Research Pro-*  
7 *gram, not less than \$33,210,000 shall be available for Air-*  
8 *port Technology Research, and \$10,000,000, to remain*  
9 *available until expended, shall be available and transferred*  
10 *to “Office of the Secretary, Salaries and Expenses” to carry*  
11 *out the Small Community Air Service Development Pro-*  
12 *gram: Provided further, That in addition to airports eligi-*  
13 *ble under section 41743 of title 49, such program may in-*  
14 *clude the participation of an airport that serves a commu-*  
15 *nity or consortium that is not larger than a small hub air-*  
16 *port, according to FAA hub classifications effective at the*  
17 *time the Office of the Secretary issues a request for pro-*  
18 *posals.*

19 *GRANTS-IN-AID FOR AIRPORTS*

20 *For an additional amount for “Grants-In-Aid for Air-*  
21 *ports”, to enable the Secretary of Transportation to make*  
22 *grants for projects as authorized by subchapter 1 of chapter*  
23 *471 and subchapter 1 of chapter 475 of title 49, United*  
24 *States Code, \$1,000,000,000, to remain available through*  
25 *September 30, 2020: Provided, That amounts made avail-*

1 able under this heading shall be derived from the general  
2 fund, and such funds shall not be subject to apportionment  
3 formulas, special apportionment categories, or minimum  
4 percentages under chapter 471: Provided further, That the  
5 Secretary shall distribute funds provided under this head-  
6 ing as discretionary grants to airports: Provided further,  
7 That the Secretary shall give priority consideration to  
8 projects at (a) nonprimary airports that are classified as  
9 Regional, Local, or Basic airports and are not located with-  
10 in a Metropolitan or Micropolitan Statistical Area as de-  
11 fined by the Office of Management and Budget, or (b) pri-  
12 mary airports that are classified as Small or Nonhub air-  
13 ports: Provided further, That the Federal share payable of  
14 the costs for which a grant is made under this heading to  
15 a nonprimary airport shall be 100 percent: Provided fur-  
16 ther, That the amount made available under this heading  
17 shall not be subject to any limitation on obligations for the  
18 Grants-in-Aid for Airports program set forth in any Act:  
19 Provided further, That the Administrator of the Federal  
20 Aviation Administration may retain up to 0.5 percent of  
21 the funds provided under this heading to fund the award  
22 and oversight by the Administrator of grants made under  
23 this heading.



1 *at the close of that fiscal year may be made available to*  
2 *satisfy section 41742(a)(1) for the subsequent fiscal year.*

3 *SEC. 113. Amounts collected under section 40113(e) of*  
4 *title 49, United States Code, shall be credited to the appro-*  
5 *priation current at the time of collection, to be merged with*  
6 *and available for the same purposes of such appropriation.*

7 *SEC. 114. None of the funds in this Act shall be avail-*  
8 *able for paying premium pay under subsection 5546(a) of*  
9 *title 5, United States Code, to any Federal Aviation Admin-*  
10 *istration employee unless such employee actually performed*  
11 *work during the time corresponding to such premium pay.*

12 *SEC. 115. None of the funds in this Act may be obli-*  
13 *gated or expended for an employee of the Federal Aviation*  
14 *Administration to purchase a store gift card or gift certifi-*  
15 *cate through use of a Government-issued credit card.*

16 *SEC. 116. None of the funds in this Act may be obli-*  
17 *gated or expended for retention bonuses for an employee of*  
18 *the Federal Aviation Administration without the prior*  
19 *written approval of the Assistant Secretary for Administra-*  
20 *tion of the Department of Transportation.*

21 *SEC. 117. Notwithstanding any other provision of law,*  
22 *none of the funds made available under this Act or any*  
23 *prior Act may be used to implement or to continue to im-*  
24 *plement any limitation on the ability of any owner or oper-*  
25 *ator of a private aircraft to obtain, upon a request to the*

1 *Administrator of the Federal Aviation Administration, a*  
2 *blocking of that owner's or operator's aircraft registration*  
3 *number from any display of the Federal Aviation Adminis-*  
4 *tration's Aircraft Situational Display to Industry data*  
5 *that is made available to the public, except data made*  
6 *available to a Government agency, for the noncommercial*  
7 *flights of that owner or operator.*

8       *SEC. 118. None of the funds in this Act shall be avail-*  
9 *able for salaries and expenses of more than eight political*  
10 *and Presidential appointees in the Federal Aviation Ad-*  
11 *ministration.*

12       *SEC. 119. None of the funds made available under this*  
13 *Act may be used to increase fees pursuant to section 44721*  
14 *of title 49, United States Code, until the Federal Aviation*  
15 *Administration provides to the House and Senate Commit-*  
16 *tees on Appropriations a report that justifies all fees related*  
17 *to aeronautical navigation products and explains how such*  
18 *fees are consistent with Executive Order 13642.*

19       *SEC. 119A. None of the funds in this Act may be used*  
20 *to close a regional operations center of the Federal Aviation*  
21 *Administration or reduce its services unless the Adminis-*  
22 *trator notifies the House and Senate Committees on Appro-*  
23 *priations not less than 90 full business days in advance.*

24       *SEC. 119B. None of the funds appropriated or limited*  
25 *by this Act may be used to change weight restrictions or*

1 *prior permission rules at Teterboro airport in Teterboro,*  
2 *New Jersey.*

3       *SEC. 119C. None of the funds provided under this Act*  
4 *may be used by the Administrator of the Federal Aviation*  
5 *Administration to withhold from consideration and ap-*  
6 *proval any application for participation in the Contract*  
7 *Tower Program, or for reevaluation of Cost-share Program*  
8 *participants, pending as of January 1, 2016, as long as*  
9 *the Federal Aviation Administration has received an appli-*  
10 *cation from the airport, and as long as the Administrator*  
11 *determines such tower is eligible using the factors set forth*  
12 *in the Federal Aviation Administration report, Establish-*  
13 *ment and Discontinuance Criteria for Airport Traffic Con-*  
14 *trol Towers (FAA–APO–90–7 as of August, 1990).*

15       *SEC. 119D. Notwithstanding any other provision of*  
16 *law, none of the funds made available in this Act may be*  
17 *obligated or expended to limit the use of an Organization*  
18 *Designation Authorization’s (ODA) delegated functions doc-*  
19 *umented in its procedures manual on a type certification*  
20 *project unless the Administrator documents a systemic air-*  
21 *worthiness noncompliance performance issue as a result of*  
22 *inspection or oversight that the safety of air commerce re-*  
23 *quires a limitation with regard to a specific authorization*  
24 *or where an ODA’s capability has not been previously es-*  
25 *tablished in terms of a new compliance method or design*

1 *feature: Provided, That in such cases FAA shall work with*  
2 *the ODA holder if requested to develop the capability to exe-*  
3 *cute that function safely, efficiently and effectively.*

4 *FEDERAL HIGHWAY ADMINISTRATION*

5 *LIMITATION ON ADMINISTRATIVE EXPENSES*

6 *(HIGHWAY TRUST FUND)*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *Not to exceed \$439,443,925, together with advances*  
9 *and reimbursements received by the Federal Highway Ad-*  
10 *ministration, shall be obligated for necessary expenses for*  
11 *administration and operation of the Federal Highway Ad-*  
12 *ministration. In addition, \$3,248,000 shall be transferred*  
13 *to the Appalachian Regional Commission in accordance*  
14 *with section 104(a) of title 23, United States Code.*

15 *FEDERAL-AID HIGHWAYS*

16 *(LIMITATION ON OBLIGATIONS)*

17 *(HIGHWAY TRUST FUND)*

18 *Funds available for the implementation or execution*  
19 *of Federal-aid highway and highway safety construction*  
20 *programs authorized under titles 23 and 49, United States*  
21 *Code, and the provisions of the Fixing America's Surface*  
22 *Transportation Act shall not exceed total obligations of*  
23 *\$44,234,212,000 for fiscal year 2018: Provided, That the*  
24 *Secretary may collect and spend fees, as authorized by title*  
25 *23, United States Code, to cover the costs of services of ex-*



1 *pert firms, including counsel, in the field of municipal and*  
2 *project finance to assist in the underwriting and servicing*  
3 *of Federal credit instruments and all or a portion of the*  
4 *costs to the Federal Government of servicing such credit in-*  
5 *struments: Provided further, That such fees are available*  
6 *until expended to pay for such costs: Provided further, That*  
7 *such amounts are in addition to administrative expenses*  
8 *that are also available for such purpose, and are not subject*  
9 *to any obligation limitation or the limitation on adminis-*  
10 *trative expenses under section 608 of title 23, United States*  
11 *Code.*

12 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

13 *(HIGHWAY TRUST FUND)*

14 *For the payment of obligations incurred in carrying*  
15 *out Federal-aid highway and highway safety construction*  
16 *programs authorized under title 23, United States Code,*  
17 *\$44,973,212,000 derived from the Highway Trust Fund*  
18 *(other than the Mass Transit Account), to remain available*  
19 *until expended.*

20 *HIGHWAY INFRASTRUCTURE PROGRAMS*

21 *There is hereby appropriated to the Secretary of*  
22 *Transportation \$2,525,000,000: Provided, That the*  
23 *amounts made available under this heading shall be derived*  
24 *from the general fund, shall be in addition to any funds*  
25 *provided for fiscal year 2018 in this or any other Act for*

1 *“Federal-aid Highways” under chapter 1 of title 23, United*  
2 *States Code, and shall not affect the distribution or amount*  
3 *of funds provided in any other Act: Provided further, That*  
4 *section 1101(b) of Public Law 114–94 shall apply to funds*  
5 *made available under this heading: Provided further, That*  
6 *of the funds made available under this heading,*  
7 *\$1,980,000,000 shall be set aside for activities eligible under*  
8 *section 133(b)(1)(A) of title 23, United States Code,*  
9 *\$15,800,000 shall be set aside for activities eligible under*  
10 *the Puerto Rico Highway Program as described in section*  
11 *165(b)(2)(C) of such title, \$4,200,000 shall be set aside for*  
12 *activities eligible under the Territorial Highway Program,*  
13 *as described in section 165(c)(6) of such title, and*  
14 *\$300,000,000 shall be set aside for the nationally significant*  
15 *Federal lands and tribal projects program under section*  
16 *1123 of the Fixing America’s Surface Transportation*  
17 *(FAST) Act (Public Law 114–94): Provided further, That*  
18 *the funds made available under this heading for activities*  
19 *eligible under section 133(b)(1)(A) of title 23, United States*  
20 *Code, shall be apportioned to the States in the same ratio*  
21 *as the obligation limitation for fiscal year 2018 is distrib-*  
22 *uted among the States in section 120(a)(5) of this Act: Pro-*  
23 *vided further, That the funds made available under this*  
24 *heading for activities eligible under section 133(b)(1)(A) of*  
25 *title 23, United States Code, shall be suballocated in the*

1 manner described in section 133(d) of such title, except that  
2 the set-aside described in section 133(h) of such title shall  
3 not apply to funds made available under this heading: Pro-  
4 vided further, That the funds made available under this  
5 heading for activities eligible under section 133(b)(1)(A) of  
6 such title shall be administered as if apportioned under  
7 chapter 1 of such title and shall remain available through  
8 September 30, 2021: Provided further, That, except as pro-  
9 vided in the following proviso, the funds made available  
10 under this heading for activities eligible under the Puerto  
11 Rico Highway Program and activities eligible under the  
12 Territorial Highway Program shall be administered as if  
13 allocated under sections 165(b) and 165(c), respectively, of  
14 such title and shall remain available through September 30,  
15 2021: Provided further, That the funds made available  
16 under this heading for activities eligible under the Puerto  
17 Rico Highway Program shall not be subject to the require-  
18 ments of sections 165(b)(2)(A) or 165(b)(2)(B) of such title:  
19 Provided further, That notwithstanding section 1123(h) of  
20 the FAST Act, the funds made available under this heading  
21 for the nationally significant Federal lands and tribal  
22 projects program in section 1123 of such Act shall remain  
23 available until expended: Provided further, That of the  
24 funds made available under this heading, \$225,000,000, to  
25 remain available through September 30, 2021, shall be set

1 *aside for a competitive highway bridge program for States*  
2 *that have a population density of less than 100 individuals*  
3 *per square mile: Provided further, That the funds made*  
4 *available by the previous proviso shall be (1) used for high-*  
5 *way bridge replacement or rehabilitation projects on public*  
6 *roads that demonstrate cost savings by bundling multiple*  
7 *highway bridge projects and (2) administered as if appor-*  
8 *tioned under chapter 1 of title 23, United States Code: Pro-*  
9 *vided further, That for purpose of the previous two provisos,*  
10 *the Secretary shall calculate population density figures*  
11 *based on the latest available data from the decennial census*  
12 *conducted under section 141(a) of title 13, United States*  
13 *Code.*

14 *ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY*

15 *ADMINISTRATION*

16 *SEC. 120. (a) For fiscal year 2018, the Secretary of*  
17 *Transportation shall—*

18 *(1) not distribute from the obligation limitation*  
19 *for Federal-aid highways—*

20 *(A) amounts authorized for administrative*  
21 *expenses and programs by section 104(a) of title*  
22 *23, United States Code; and*

23 *(B) amounts authorized for the Bureau of*  
24 *Transportation Statistics;*

1           (2) not distribute an amount from the obligation  
2           limitation for Federal-aid highways that is equal to  
3           the unobligated balance of amounts—

4                   (A) made available from the Highway Trust  
5                   Fund (other than the Mass Transit Account) for  
6                   Federal-aid highway and highway safety con-  
7                   struction programs for previous fiscal years the  
8                   funds for which are allocated by the Secretary  
9                   (or apportioned by the Secretary under sections  
10                  202 or 204 of title 23, United States Code); and

11                  (B) for which obligation limitation was  
12                  provided in a previous fiscal year;

13           (3) determine the proportion that—

14                   (A) the obligation limitation for Federal-aid  
15                   highways, less the aggregate of amounts not dis-  
16                   tributed under paragraphs (1) and (2) of this  
17                   subsection; bears to

18                   (B) the total of the sums authorized to be  
19                   appropriated for the Federal-aid highway and  
20                   highway safety construction programs (other  
21                   than sums authorized to be appropriated for pro-  
22                   visions of law described in paragraphs (1)  
23                   through (11) of subsection (b) and sums author-  
24                   ized to be appropriated for section 119 of title  
25                   23, United States Code, equal to the amount re-

1       ferred to in subsection (b)(12) for such fiscal  
2       year), less the aggregate of the amounts not dis-  
3       tributed under paragraphs (1) and (2) of this  
4       subsection;

5       (4) distribute the obligation limitation for Fed-  
6       eral-aid highways, less the aggregate amounts not dis-  
7       tributed under paragraphs (1) and (2), for each of the  
8       programs (other than programs to which paragraph  
9       (1) applies) that are allocated by the Secretary under  
10      the Fixing America's Surface Transportation Act and  
11      title 23, United States Code, or apportioned by the  
12      Secretary under sections 202 or 204 of that title, by  
13      multiplying—

14           (A) the proportion determined under para-  
15           graph (3); by

16           (B) the amounts authorized to be appro-  
17           priated for each such program for such fiscal  
18           year; and

19      (5) distribute the obligation limitation for Fed-  
20      eral-aid highways, less the aggregate amounts not dis-  
21      tributed under paragraphs (1) and (2) and the  
22      amounts distributed under paragraph (4), for Fed-  
23      eral-aid highway and highway safety construction  
24      programs that are apportioned by the Secretary  
25      under title 23, United States Code (other than the

1        *amounts apportioned for the National Highway Per-*  
2        *formance Program in section 119 of title 23, United*  
3        *States Code, that are exempt from the limitation*  
4        *under subsection (b)(12) and the amounts appor-*  
5        *tioned under sections 202 and 204 of that title) in the*  
6        *proportion that—*

7                *(A) amounts authorized to be appropriated*  
8                *for the programs that are apportioned under title*  
9                *23, United States Code, to each State for such*  
10               *fiscal year; bears to*

11               *(B) the total of the amounts authorized to*  
12               *be appropriated for the programs that are ap-*  
13               *portioned under title 23, United States Code, to*  
14               *all States for such fiscal year.*

15        *(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—*

16        *The obligation limitation for Federal-aid highways shall*  
17        *not apply to obligations under or for—*

18               *(1) section 125 of title 23, United States Code;*

19               *(2) section 147 of the Surface Transportation As-*  
20               *sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.*  
21               *2714);*

22               *(3) section 9 of the Federal-Aid Highway Act of*  
23               *1981 (95 Stat. 1701);*

1           (4) subsections (b) and (j) of section 131 of the  
2     *Surface Transportation Assistance Act of 1982 (96*  
3     *Stat. 2119);*

4           (5) subsections (b) and (c) of section 149 of the  
5     *Surface Transportation and Uniform Relocation As-*  
6     *sistance Act of 1987 (101 Stat. 198);*

7           (6) sections 1103 through 1108 of the *Intermodal*  
8     *Surface Transportation Efficiency Act of 1991 (105*  
9     *Stat. 2027);*

10          (7) section 157 of title 23, *United States Code*  
11     *(as in effect on June 8, 1998);*

12          (8) section 105 of title 23, *United States Code*  
13     *(as in effect for fiscal years 1998 through 2004, but*  
14     *only in an amount equal to \$639,000,000 for each of*  
15     *those fiscal years);*

16          (9) *Federal-aid highway programs for which ob-*  
17     *ligation authority was made available under the*  
18     *Transportation Equity Act for the 21st Century (112*  
19     *Stat. 107) or subsequent Acts for multiple years or to*  
20     *remain available until expended, but only to the ex-*  
21     *tent that the obligation authority has not lapsed or*  
22     *been used;*

23          (10) section 105 of title 23, *United States Code*  
24     *(as in effect for fiscal years 2005 through 2012, but*



1       *only in an amount equal to \$639,000,000 for each of*  
2       *those fiscal years);*

3               *(11) section 1603 of SAFETEA-LU (23 U.S.C.*  
4       *118 note; 119 Stat. 1248), to the extent that funds ob-*  
5       *ligated in accordance with that section were not sub-*  
6       *ject to a limitation on obligations at the time at*  
7       *which the funds were initially made available for ob-*  
8       *ligation; and*

9               *(12) section 119 of title 23, United States Code*  
10       *(but, for each of fiscal years 2013 through 2018, only*  
11       *in an amount equal to \$639,000,000).*

12       *(c) REDISTRIBUTION OF UNUSED OBLIGATION AU-*  
13       *THORITY.—Notwithstanding subsection (a), the Secretary*  
14       *shall, after August 1 of such fiscal year—*

15               *(1) revise a distribution of the obligation limita-*  
16       *tion made available under subsection (a) if an*  
17       *amount distributed cannot be obligated during that*  
18       *fiscal year; and*

19               *(2) redistribute sufficient amounts to those States*  
20       *able to obligate amounts in addition to those pre-*  
21       *viously distributed during that fiscal year, giving pri-*  
22       *ority to those States having large unobligated bal-*  
23       *ances of funds apportioned under sections 144 (as in*  
24       *effect on the day before the date of enactment of Pub-*

1        *lic Law 112–141) and 104 of title 23, United States*  
2        *Code.*

3        *(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO*  
4        *TRANSPORTATION RESEARCH PROGRAMS.—*

5            *(1) IN GENERAL.—Except as provided in para-*  
6            *graph (2), the obligation limitation for Federal-aid*  
7            *highways shall apply to contract authority for trans-*  
8            *portation research programs carried out under—*

9                    *(A) chapter 5 of title 23, United States*  
10                   *Code; and*

11                   *(B) title VI of the Fixing America’s Surface*  
12                   *Transportation Act.*

13            *(2) EXCEPTION.—Obligation authority made*  
14            *available under paragraph (1) shall—*

15                   *(A) remain available for a period of 4 fiscal*  
16                   *years; and*

17                   *(B) be in addition to the amount of any*  
18                   *limitation imposed on obligations for Federal-*  
19                   *aid highway and highway safety construction*  
20                   *programs for future fiscal years.*

21        *(e) REDISTRIBUTION OF CERTAIN AUTHORIZED*  
22        *FUNDS.—*

23            *(1) IN GENERAL.—Not later than 30 days after*  
24            *the date of distribution of obligation limitation under*  
25            *subsection (a), the Secretary shall distribute to the*

1       *States any funds (excluding funds authorized for the*  
2       *program under section 202 of title 23, United States*  
3       *Code) that—*

4               *(A) are authorized to be appropriated for*  
5               *such fiscal year for Federal-aid highway pro-*  
6               *grams; and*

7               *(B) the Secretary determines will not be al-*  
8               *located to the States (or will not be apportioned*  
9               *to the States under section 204 of title 23,*  
10              *United States Code), and will not be available*  
11              *for obligation, for such fiscal year because of the*  
12              *imposition of any obligation limitation for such*  
13              *fiscal year.*

14              *(2) RATIO.—Funds shall be distributed under*  
15              *paragraph (1) in the same proportion as the distribu-*  
16              *tion of obligation authority under subsection (a)(5).*

17              *(3) AVAILABILITY.—Funds distributed to each*  
18              *State under paragraph (1) shall be available for any*  
19              *purpose described in section 133(b) of title 23, United*  
20              *States Code.*

21       *SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-*  
22       *ceived by the Bureau of Transportation Statistics from the*  
23       *sale of data products, for necessary expenses incurred pur-*  
24       *suant to chapter 63 of title 49, United States Code, may*  
25       *be credited to the Federal-aid highways account for the pur-*

1 *pose of reimbursing the Bureau for such expenses: Provided,*  
2 *That such funds shall be subject to the obligation limitation*  
3 *for Federal-aid highway and highway safety construction*  
4 *programs.*

5 *SEC. 122. Not less than 15 days prior to waiving,*  
6 *under his or her statutory authority, any Buy America re-*  
7 *quirement for Federal-aid highways projects, the Secretary*  
8 *of Transportation shall make an informal public notice and*  
9 *comment opportunity on the intent to issue such waiver and*  
10 *the reasons therefor: Provided, That the Secretary shall pro-*  
11 *vide an annual report to the House and Senate Committees*  
12 *on Appropriations on any waivers granted under the Buy*  
13 *America requirements.*

14 *SEC. 123. None of the funds provided in this Act to*  
15 *the Department of Transportation may be used to provide*  
16 *credit assistance unless not less than 3 days before any ap-*  
17 *plication approval to provide credit assistance under sec-*  
18 *tions 603 and 604 of title 23, United States Code, the Sec-*  
19 *retary of Transportation provides notification in writing*  
20 *to the following committees: the House and Senate Commit-*  
21 *tees on Appropriations; the Committee on Environment and*  
22 *Public Works and the Committee on Banking, Housing and*  
23 *Urban Affairs of the Senate; and the Committee on Trans-*  
24 *portation and Infrastructure of the House of Representa-*  
25 *tives: Provided, That such notification shall include, but not*

1 *be limited to, the name of the project sponsor; a description*  
2 *of the project; whether credit assistance will be provided as*  
3 *a direct loan, loan guarantee, or line of credit; and the*  
4 *amount of credit assistance.*

5       *SEC. 124. None of the funds in this Act may be used*  
6 *to make a grant for a project under section 117 of title 23,*  
7 *United States Code, unless the Secretary, at least 60 days*  
8 *before making a grant under that section, provides written*  
9 *notification to the House and Senate Committees on Appro-*  
10 *priations of the proposed grant, including an evaluation*  
11 *and justification for the project and the amount of the pro-*  
12 *posed grant award: Provided, That the written notification*  
13 *required in the previous proviso shall be made no later than*  
14 *180 days after enactment of this Act.*

15       *SEC. 125. For this fiscal year, the Federal Highway*  
16 *Administration shall reinstate Interim Approval IA-5, re-*  
17 *lating to the provisional use of an alternative lettering style*  
18 *on certain highway guide signs, as it existed before its ter-*  
19 *mination, as announced in the Federal Register on Janu-*  
20 *ary 25, 2016 (81 Fed. Reg. 4083).*

21       *SEC. 126. (a) A State or territory, as defined in section*  
22 *165 of title 23, United States Code, may use for any project*  
23 *eligible under section 133(b) of title 23 or section 165 of*  
24 *title 23 and located within the boundary of the State or*  
25 *territory any earmarked amount, and any associated obli-*

1 *gation limitation: Provided, That the Department of Trans-*  
2 *portation for the State or territory for which the earmarked*  
3 *amount was originally designated or directed notifies the*  
4 *Secretary of Transportation of its intent to use its authority*  
5 *under this section and submits a quarterly report to the*  
6 *Secretary identifying the projects to which the funding*  
7 *would be applied. Notwithstanding the original period of*  
8 *availability of funds to be obligated under this section, such*  
9 *funds and associated obligation limitation shall remain*  
10 *available for obligation for a period of 3 fiscal years after*  
11 *the fiscal year in which the Secretary of Transportation*  
12 *is notified. The Federal share of the cost of a project carried*  
13 *out with funds made available under this section shall be*  
14 *the same as associated with the earmark.*

15 *(b) In this section, the term “earmarked amount”*  
16 *means—*

17 *(1) congressionally directed spending, as defined*  
18 *in rule XLIV of the Standing Rules of the Senate,*  
19 *identified in a prior law, report, or joint explanatory*  
20 *statement, which was authorized to be appropriated*  
21 *or appropriated more than 10 fiscal years prior to*  
22 *the current fiscal year, and administered by the Fed-*  
23 *eral Highway Administration; or*

24 *(2) a congressional earmark, as defined in rule*  
25 *XXI of the Rules of the House of Representatives iden-*

1        *tified in a prior law, report, or joint explanatory*  
2        *statement, which was authorized to be appropriated*  
3        *or appropriated more than 10 fiscal years prior to*  
4        *the current fiscal year, and administered by the Fed-*  
5        *eral Highway Administration.*

6        *(c) The authority under subsection (a) may be exer-*  
7        *cised only for those projects or activities that have obligated*  
8        *less than 10 percent of the amount made available for obli-*  
9        *gation as of October 1 of the current fiscal year, and shall*  
10       *be applied to projects within the same general geographic*  
11       *area within 50 miles for which the funding was designated,*  
12       *except that a State or territory may apply such authority*  
13       *to unexpended balances of funds from projects or activities*  
14       *the State or territory certifies have been closed and for*  
15       *which payments have been made under a final voucher.*

16       *(d) The Secretary shall submit consolidated reports of*  
17       *the information provided by the States and territories each*  
18       *quarter to the House and Senate Committees on Appropria-*  
19       *tions.*

20       *SEC. 127. Section 127 of title 23, United States Code,*  
21       *is amended by adding at the end the following:*

22       *“(u) VEHICLES IN NORTH DAKOTA.—A vehicle limited*  
23       *or prohibited under this section from operating on a seg-*  
24       *ment of the Interstate System in the State of North Dakota*  
25       *may operate on such a segment if such vehicle—*

1           “(1) has a gross vehicle weight of 129,000 pounds  
2           or less;

3           “(2) other than gross vehicle weight, complies  
4           with the single axle, tandem axle, and bridge formula  
5           limits set forth in subsection (a); and

6           “(3) is authorized to operate on such segment  
7           under North Dakota State law.”.

8           SEC. 128. Section 1105(c)(89) of Public Law 102–240,  
9           as amended, is amended to read as follows:

10           “(89) I–57 Corridor Extension as follows: In Ar-  
11           kansas, the corridor shall follow United States Route  
12           67 in North Little Rock, Arkansas, from I–40 to  
13           United States Route 412, then continuing generally  
14           northeast to the State line, and in Missouri, the cor-  
15           ridor shall continue generally north from the Arkan-  
16           sas State line to Poplar Bluff, Missouri, and then fol-  
17           low United States Route 60 to I–57.”.

18           SEC. 129. Section 1012(e) of Public Law 102–240 is  
19           amended by inserting “(1)” before “Notwithstanding” and  
20           adding at the end the following:

21           “(2) Upon the request of any State Department  
22           of Transportation that was authorized to enter into a  
23           tolling agreement under section 120(c) of Public Law  
24           100–17 (101 STAT. 159), the Secretary is authorized  
25           to modify the agreement entered into under Public



1       *Law 100–17, as follows. The Secretary shall authorize*  
2       *the use of excess toll revenues for any other purpose*  
3       *for which Federal funds may be obligated under title*  
4       *23, United States Code, provided the State—*

5               “(A) certifies annually that the tolled facil-  
6               ity is being adequately maintained; and

7               “(B) agrees to comply with the audit re-  
8               quirements in section 129(a)(3)(B) of title 23,  
9               United States Code.

10              “(3) For the purposes of paragraph (2), ‘excess  
11              toll revenues’ means revenues in excess of amounts  
12              necessary for operation and maintenance; debt serv-  
13              ice; reasonable return on investment of any private  
14              person or entity that may be authorized by the State  
15              to operate and maintain the facility; and any cost  
16              necessary for improvement, including reconstruction,  
17              resurfacing, restoration, and rehabilitation.”.

18       *SEC. 129A. Section 127(a)(10) of title 23, United*  
19       *States Code, is amended to read—*

20              “(10) With respect to Interstate Routes 89, 93,  
21              and 95 in the State of New Hampshire—

22              “(A) State laws (including regulations) con-  
23              cerning vehicle weight limitations that were in  
24              effect on January 1, 1987, and are applicable to  
25              State highways other than the Interstate System,

1           *shall be applicable in lieu of the requirements of*  
2           *this subsection; and*

3                   “(B) effective June 30, 2016, a combination  
4           *of truck-tractor and dump trailer equipped with*  
5           *6 axles or more with a gross weight of up to*  
6           *99,000 pounds shall be permitted if the distances*  
7           *between the extreme axles, excluding the steering*  
8           *axle, is 28 feet or more.”.*

9           *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*  
10          *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*

11                   *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

12                           *(LIMITATION ON OBLIGATIONS)*

13                                   *(HIGHWAY TRUST FUND)*

14           *For payment of obligations incurred in the implemen-*  
15          *tation, execution and administration of motor carrier safe-*  
16          *ty operations and programs pursuant to section 31110 of*  
17          *title 49, United States Code, as amended by the Fixing*  
18          *America’s Surface Transportation Act, \$283,000,000, to be*  
19          *derived from the Highway Trust Fund (other than the Mass*  
20          *Transit Account), together with advances and reimburse-*  
21          *ments received by the Federal Motor Carrier Safety Admin-*  
22          *istration, the sum of which shall remain available until ex-*  
23          *pende: Provided, That funds available for implementation,*  
24          *execution or administration of motor carrier safety oper-*  
25          *ations and programs authorized under title 49, United*

1 *States Code, shall not exceed total obligations of*  
2 *\$283,000,000 for “Motor Carrier Safety Operations and*  
3 *Programs” for fiscal year 2018, of which \$9,073,000, to re-*  
4 *main available for obligation until September 30, 2020, is*  
5 *for the research and technology program, and of which*  
6 *\$34,824,000, to remain available for obligation until Sep-*  
7 *tember 30, 2020, is for information management.*

8 *MOTOR CARRIER SAFETY GRANTS*  
9 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
10 *(LIMITATION ON OBLIGATIONS)*  
11 *(HIGHWAY TRUST FUND)*  
12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For payment of obligations incurred in carrying out*  
14 *sections 31102, 31103, 31104, and 31313 of title 49, United*  
15 *States Code, as amended by the Fixing America’s Surface*  
16 *Transportation Act, \$374,800,000, to be derived from the*  
17 *Highway Trust Fund (other than the Mass Transit Ac-*  
18 *count) and to remain available until expended: Provided,*  
19 *That funds available for the implementation or execution*  
20 *of motor carrier safety programs shall not exceed total obli-*  
21 *gations of \$374,800,000 in fiscal year 2018 for “Motor Car-*  
22 *rier Safety Grants”; of which \$298,900,000 shall be avail-*  
23 *able for the motor carrier safety assistance program,*  
24 *\$31,800,000 shall be available for the commercial driver’s*  
25 *license program implementation program, \$43,100,000*

1 *shall be available for the high priority activities program,*  
2 *and \$1,000,000 shall be available for the commercial motor*  
3 *vehicle operators grant program: Provided further, That of*  
4 *the unobligated amounts provided for Commercial Vehicle*  
5 *Information Systems Network Development or other Motor*  
6 *Carrier Safety grants in the Transportation Equity Act for*  
7 *the 21st Century (Public Law 105–178), SAFETEA-LU*  
8 *(Public Law 109–59), or other appropriation or authoriza-*  
9 *tion acts prior to fiscal year 2017, \$87,000,000 in addi-*  
10 *tional obligation limitation is provided for the moderniza-*  
11 *tion and maintenance of border facilities, and shall remain*  
12 *available until September 30, 2022: Provided further, That*  
13 *of the unobligated amounts provided for Commercial Vehicle*  
14 *Information Systems Network Development or other Motor*  
15 *Carrier Safety grants in the Transportation Equity Act for*  
16 *the 21st Century (Public Law 105–178), SAFETEA-LU*  
17 *(Public Law 109–59), or other appropriation or authoriza-*  
18 *tion acts prior to fiscal year 2017, \$100,000,000 in addi-*  
19 *tional obligation limitation is provided for a highly auto-*  
20 *mated vehicle research and development program and shall*  
21 *remain available until expended, of which not less than*  
22 *\$60,000,000 shall be for demonstration grants, and of which*  
23 *not less than \$38,000,000 shall be for research activities:*  
24 *Provided further, That the activities funded by the previous*  
25 *proviso may be accomplished through direct expenditure,*

1 *direct research activities, grants, cooperative agreements,*  
2 *contracts, intra or interagency agreements, or other agree-*  
3 *ments with public organizations: Provided further, That*  
4 *such amounts, payments, and obligation limitation as may*  
5 *be necessary to carry out highly automated vehicle research*  
6 *and development program activities may be transferred and*  
7 *credited to appropriate accounts of other participating Fed-*  
8 *eral agencies: Provided further, That \$187,000,000 for pay-*  
9 *ment of obligations incurred in carrying out this section*  
10 *shall be derived from the Highway Trust Fund (other than*  
11 *the Mass Transit Account), to be available until expended.*

12 *ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER*  
13 *SAFETY ADMINISTRATION*

14 *SEC. 130. Funds appropriated or limited in this Act*  
15 *shall be subject to the terms and conditions stipulated in*  
16 *section 350 of Public Law 107–87 and section 6901 of Pub-*  
17 *lic Law 110–28.*

18 *SEC. 131. The Federal Motor Carrier Safety Adminis-*  
19 *tration shall send notice of 49 CFR section 385.308 viola-*  
20 *tions by certified mail, registered mail, or another manner*  
21 *of delivery, which records the receipt of the notice by the*  
22 *persons responsible for the violations.*

23 *SEC. 132. None of the funds appropriated or otherwise*  
24 *made available to the Department of Transportation by this*  
25 *Act or any other Act may be obligated or expended to imple-*

1 *ment, administer, or enforce the requirements of section*  
 2 *31137 of title 49, United States Code, or any regulation*  
 3 *issued by the Secretary pursuant to such section, with re-*  
 4 *spect to the use of electronic logging devices by operators*  
 5 *of commercial motor vehicles, as defined in section 31132(1)*  
 6 *of such title, transporting livestock as defined in section 602*  
 7 *of the Emergency Livestock Feed Assistance Act of 1988 (7*  
 8 *U.S.C. 1471) or insects.*

9 *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

10 *OPERATIONS AND RESEARCH*

11 *For expenses necessary to discharge the functions of the*  
 12 *Secretary, with respect to traffic and highway safety au-*  
 13 *thorized under chapter 301 and part C of subtitle VI of*  
 14 *title 49, United States Code, \$189,075,000, of which*  
 15 *\$40,000,000 shall remain available through September 30,*  
 16 *2019.*

17 *OPERATIONS AND RESEARCH*

18 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

19 *(LIMITATION ON OBLIGATIONS)*

20 *(HIGHWAY TRUST FUND)*

21 *For payment of obligations incurred in carrying out*  
 22 *the provisions of 23 U.S.C. 403, section 4011 of the FAST*  
 23 *Act (Public Law 114–94), and chapter 303 of title 49,*  
 24 *United States Code, \$149,000,000, to be derived from the*  
 25 *Highway Trust Fund (other than the Mass Transit Ac-*

1 count) and to remain available until expended: Provided,  
2 That none of the funds in this Act shall be available for  
3 the planning or execution of programs the total obligations  
4 for which, in fiscal year 2018, are in excess of \$149,000,000,  
5 of which \$143,700,000 shall be for programs authorized  
6 under 23 U.S.C. 403 and \$5,300,000 shall be for the Na-  
7 tional Driver Register authorized under chapter 303 of title  
8 49, United States Code: Provided further, That within the  
9 \$149,000,000 obligation limitation for operations and re-  
10 search, \$20,000,000 shall remain available until September  
11 30, 2019, and shall be in addition to the amount of any  
12 limitation imposed on obligations for future years.

13 *HIGHWAY TRAFFIC SAFETY GRANTS*

14 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

15 *(LIMITATION ON OBLIGATIONS)*

16 *(HIGHWAY TRUST FUND)*

17 *For payment of obligations incurred in carrying out*  
18 *provisions of 23 U.S.C. 402, 404, and 405, and section*  
19 *4001(a)(6) of the Fixing America's Surface Transportation*  
20 *Act, to remain available until expended, \$597,629,000, to*  
21 *be derived from the Highway Trust Fund (other than the*  
22 *Mass Transit Account): Provided, That none of the funds*  
23 *in this Act shall be available for the planning or execution*  
24 *of programs the total obligations for which, in fiscal year*  
25 *2018, are in excess of \$597,629,000 for programs authorized*

1 *under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6)*  
2 *of the Fixing America's Surface Transportation Act, of*  
3 *which \$261,200,000 shall be for "Highway Safety Pro-*  
4 *grams" under 23 U.S.C. 402; \$280,200,000 shall be for*  
5 *"National Priority Safety Programs" under 23 U.S.C. 405;*  
6 *\$29,900,000 shall be for "High Visibility Enforcement Pro-*  
7 *gram" under 23 U.S.C. 404; \$26,329,000 shall be for "Ad-*  
8 *ministrative Expenses" under section 4001(a)(6) of the Fix-*  
9 *ing America's Surface Transportation Act: Provided fur-*  
10 *ther, That none of these funds shall be used for construction,*  
11 *rehabilitation, or remodeling costs, or for office furnishings*  
12 *and fixtures for State, local or private buildings or struc-*  
13 *tures: Provided further, That not to exceed \$500,000 of the*  
14 *funds made available for "National Priority Safety Pro-*  
15 *grams" under 23 U.S.C. 405 for "Impaired Driving Coun-*  
16 *termeasures" (as described in subsection (d) of that section)*  
17 *shall be available for technical assistance to the States: Pro-*  
18 *vided further, That with respect to the "Transfers" provi-*  
19 *sion under 23 U.S.C. 405(a)(8), any amounts transferred*  
20 *to increase the amounts made available under section 402*  
21 *shall include the obligation authority for such amounts:*  
22 *Provided further, That the Administrator shall notify the*  
23 *House and Senate Committees on Appropriations of any*  
24 *exercise of the authority granted under the previous proviso*  
25 *or under 23 U.S.C. 405(a)(8) within 5 days.*



1        *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*2                                *TRAFFIC SAFETY ADMINISTRATION*

3            *SEC. 140. An additional \$130,000 shall be made avail-*  
4 *able to the National Highway Traffic Safety Administra-*  
5 *tion, out of the amount limited for section 402 of title 23,*  
6 *United States Code, to pay for travel and related expenses*  
7 *for State management reviews and to pay for core com-*  
8 *petency development training and related expenses for high-*  
9 *way safety staff.*

10          *SEC. 141. The limitations on obligations for the pro-*  
11 *grams of the National Highway Traffic Safety Administra-*  
12 *tion set in this Act shall not apply to obligations for which*  
13 *obligation authority was made available in previous public*  
14 *laws but only to the extent that the obligation authority*  
15 *has not lapsed or been used.*

16          *SEC. 142. None of the funds made available by this*  
17 *Act may be used to obligate or award funds for the National*  
18 *Highway Traffic Safety Administration's National Road-*  
19 *side Survey.*

20          *SEC. 143. None of the funds made available by this*  
21 *Act may be used to mandate global positioning system*  
22 *(GPS) tracking in private passenger motor vehicles without*  
23 *providing full and appropriate consideration of privacy*  
24 *concerns under 5 U.S.C. chapter 5, subchapter II.*

1        *SEC. 144. In addition to the amounts made available*  
2 *under the heading, “Operations and Research (Liquidation*  
3 *of Contract Authorization) (Limitation on Obligations)*  
4 *(Highway Trust Fund)” for carrying out the provisions of*  
5 *section 403 of title 23, United States Code, \$11,500,000, to*  
6 *remain available until September 30, 2019, shall be made*  
7 *available to the National Highway Traffic Safety Adminis-*  
8 *tration from the general fund, of which not to exceed*  
9 *\$5,000,000 shall be available to provide funding for grants,*  
10 *pilot program activities, and innovative solutions to reduce*  
11 *alcohol-impaired-driving fatalities and other causes of the*  
12 *recent increase in highway fatalities from impaired driving*  
13 *in collaboration with eligible entities under section 403 of*  
14 *title 23, United States Code, and not to exceed \$6,500,000*  
15 *shall be available to continue a high visibility enforcement*  
16 *paid-media campaign regarding highway-rail grade cross-*  
17 *ing safety in collaboration with the Federal Railroad Ad-*  
18 *ministration.*

19                    *FEDERAL RAILROAD ADMINISTRATION*

20                    *SAFETY AND OPERATIONS*

21        *For necessary expenses of the Federal Railroad Admin-*  
22 *istration, not otherwise provided for, \$221,698,000, of which*  
23 *\$15,900,000 shall remain available until expended, and of*  
24 *which up to \$350,000 shall be available for the Secretary*  
25 *of Transportation to assist Class II and Class III railroads*

1 *in preparing to apply and applying for direct loans and*  
2 *loan guarantees for eligible projects pursuant to sections*  
3 *501 through 504 of the Railroad Revitalization and Regu-*  
4 *latory Reform Act of 1976 (Public Law 94–210) to also re-*  
5 *main available until expended.*

6 *RAILROAD RESEARCH AND DEVELOPMENT*

7 *For necessary expenses for railroad research and devel-*  
8 *opment, \$40,600,000, to remain available until expended.*

9 *RAILROAD REHABILITATION AND IMPROVEMENT FINANCING*

10 *PROGRAM*

11 *For the cost of direct loans and loan guarantees pursu-*  
12 *ant to sections 501 through 504 of the Railroad Revitaliza-*  
13 *tion and Regulatory Reform Act of 1976 (Public Law 94–*  
14 *210), as amended, \$25,000,000, to remain available until*  
15 *expended: Provided, That such costs, including the cost of*  
16 *modifying such loans, shall be as defined in section 502 of*  
17 *the Congressional Budget Act of 1974, as amended: Pro-*  
18 *vided further, That the Secretary of Transportation is au-*  
19 *thorized to issue direct loans and loan guarantees pursuant*  
20 *to sections 501 through 504 of the Railroad Revitalization*  
21 *and Regulatory Reform Act of 1976 (Public Law 94–210),*  
22 *as amended, such authority shall exist as long as any such*  
23 *direct loan or loan guarantee is outstanding: Provided fur-*  
24 *ther, That, for direct loans and loan guarantees issued pur-*  
25 *suant to sections 501 through 504 of the Railroad Revital-*

1 ization and Regulatory Reform Act of 1976 (Public Law  
2 94–210), as amended, the Secretary, in consultation with  
3 the Director of the Office of Management and Budget, not  
4 later than 120 days after the date of enactment of this Act,  
5 shall define each cohort as the loans provided for that fiscal  
6 year, creating individual fiscal year cohorts for each fiscal  
7 year in which a loan was provided from the date of enact-  
8 ment of Public Law 105–178 to the date of enactment of  
9 Public Law 114–94: Provided further, That, when all obli-  
10 gations attached to a cohort as defined under the previous  
11 proviso have been satisfied, the Secretary shall repay the  
12 credit risk premiums of loans in the cohort, with interest  
13 accrued thereon, not later than 180 days after the date of  
14 enactment of this Act or, for a cohort with obligations that  
15 have not yet been satisfied, not later than 60 days after  
16 the date on which all obligations attached to the cohort have  
17 been satisfied: Provided further, That the Secretary shall  
18 not treat the repayment of a loan after the date of enact-  
19 ment of Public Law 114–94 as precluding, limiting, or neg-  
20 atively affecting the satisfaction of the obligation of its co-  
21 hort for a fiscal year prior to the enactment of Public Law  
22 114–94.



1 *passenger rail service: Provided, That the Secretary shall*  
2 *not preclude projects from consideration for funding under*  
3 *the previous proviso due to a lack of agreement among the*  
4 *funding recipients, operator, and host railroad regarding*  
5 *access to and use of the host railroad facilities, if an agree-*  
6 *ment or order for the use of such facilities may occur under*  
7 *section 24308 of title 49, United States Code: Provided fur-*  
8 *ther, That section 24405(f) of title 49, United States Code,*  
9 *shall not apply to projects for the implementation of posi-*  
10 *tive train control systems otherwise eligible under section*  
11 *24407(c)(1) of title 49, United States Code: Provided fur-*  
12 *ther, That amounts available under this heading for projects*  
13 *selected for commuter rail passenger transportation may be*  
14 *transferred by the Secretary, after selection, to the appro-*  
15 *priate agencies to be administered in accordance with chap-*  
16 *ter 53 of title 49, United States Code: Provided further,*  
17 *That the Secretary shall not limit eligible projects from con-*  
18 *sideration for funding for planning, engineering, environ-*  
19 *mental, construction, and design elements of the same*  
20 *project in the same application: Provided further, That un-*  
21 *obligated balances remaining after four years from the date*  
22 *of enactment may be used for any eligible project under sec-*  
23 *tion 24407(c) of title 49, United States Code: Provided fur-*  
24 *ther, That the Secretary may withhold up to one percent*  
25 *of the amount provided under this heading for the costs of*

1 *award and project management oversight of grants carried*  
2 *out under section 24407 of title 49, United States Code.*

3 *RESTORATION AND ENHANCEMENT*

4 *For necessary expenses related to Restoration and En-*  
5 *hancement Grants, as authorized by section 24408 of title*  
6 *49, United States Code, \$20,000,000, to remain available*  
7 *until expended: Provided, That the Secretary may withhold*  
8 *up to one percent of the funds provided under this heading*  
9 *to fund the costs of award and project management and*  
10 *oversight.*

11 *NORTHEAST CORRIDOR GRANTS TO THE NATIONAL*

12 *RAILROAD PASSENGER CORPORATION*

13 *To enable the Secretary of Transportation to make*  
14 *grants to the National Railroad Passenger Corporation for*  
15 *activities associated with the Northeast Corridor as author-*  
16 *ized by section 11101(a) of the Fixing America's Surface*  
17 *Transportation Act (division A of Public Law 114-94),*  
18 *\$650,000,000, to remain available until expended: Pro-*  
19 *vided, That the Secretary may retain up to one-half of 1*  
20 *percent of the funds provided under both this heading and*  
21 *the "National Network Grants to the National Railroad*  
22 *Passenger Corporation" heading to fund the costs of project*  
23 *management and oversight of activities authorized by sec-*  
24 *tion 11101(c) of division A of Public Law 114-94: Provided*  
25 *further, That in addition to the project management over-*

1 *sight funds authorized under section 11101(c) of division*  
2 *A of Public Law 114–94, the Secretary may retain up to*  
3 *an additional \$5,000,000 of the funds provided under this*  
4 *heading to fund expenses associated with the Northeast Cor-*  
5 *ridor Commission established under section 24905 of title*  
6 *49, United States Code: Provided further, That of the*  
7 *amounts made available under this heading and the “Na-*  
8 *tional Network Grants to the National Railroad Passenger*  
9 *Corporation” heading, not less than \$50,000,000 shall be*  
10 *made available to bring Amtrak-served facilities and sta-*  
11 *tions into compliance with the Americans with Disabilities*  
12 *Act.*

13 *NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD*  
14 *PASSENGER CORPORATION*

15 *To enable the Secretary of Transportation to make*  
16 *grants to the National Railroad Passenger Corporation for*  
17 *activities associated with the National Network as author-*  
18 *ized by section 11101(b) of the Fixing America’s Surface*  
19 *Transportation Act (division A of Public Law 114–94),*  
20 *\$1,291,600,000, to remain available until expended: Pro-*  
21 *vided, That the Secretary may retain up to an additional*  
22 *\$2,000,000 of the funds provided under this heading to fund*  
23 *expenses associated with the State-Supported Route Com-*  
24 *mittee established under section 24712 of title 49, United*  
25 *States Code: Provided further, That up to \$5,000,000 of the*



1 amount provided under this heading shall be available for  
2 costs associated with any matters Amtrak may elect to  
3 bring before the Surface Transportation Board related to  
4 passenger rail service: Provided further, That at least  
5 \$50,000,000 of the amount provided under this heading  
6 shall be available for the development, installation and op-  
7 eration of railroad safety technology, including the imple-  
8 mentation of a positive train control system, on State-sup-  
9 ported routes as defined under section 24102(13) of title 49,  
10 United States Code, on which positive train control systems  
11 are not required by law or regulation.

12 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

13 ADMINISTRATION

14 SEC. 150. None of the funds provided to the National  
15 Railroad Passenger Corporation may be used to fund any  
16 overtime costs in excess of \$35,000 for any individual em-  
17 ployee: Provided, That the President of Amtrak may waive  
18 the cap set in the previous proviso for specific employees  
19 when the President of Amtrak determines such a cap poses  
20 a risk to the safety and operational efficiency of the system:  
21 Provided further, That the President of Amtrak shall report  
22 to the House and Senate Committees on Appropriations  
23 each quarter within 30 days of such quarter of the calendar  
24 year on waivers granted to employees and amounts paid  
25 above the cap for each month within such quarter and de-

1 *lineate the reasons each waiver was granted: Provided fur-*  
2 *ther, That the President of Amtrak shall report to the House*  
3 *and Senate Committees on Appropriations within 60 days*  
4 *of enactment of this Act, a summary of all overtime pay-*  
5 *ments incurred by the Corporation for 2017 and the three*  
6 *prior calendar years: Provided further, That such summary*  
7 *shall include the total number of employees that received*  
8 *waivers and the total overtime payments the Corporation*  
9 *paid to those employees receiving waivers for each month*  
10 *for 2017 and for the three prior calendar years.*

11 *FEDERAL TRANSIT ADMINISTRATION*

12 *ADMINISTRATIVE EXPENSES*

13 *For necessary administrative expenses of the Federal*  
14 *Transit Administration's programs authorized by chapter*  
15 *53 of title 49, United States Code, \$113,165,000: Provided,*  
16 *That none of the funds provided or limited in this Act may*  
17 *be used to create a permanent office of transit security*  
18 *under this heading: Provided further, That upon submission*  
19 *to the Congress of the fiscal year 2019 President's budget,*  
20 *the Secretary of Transportation shall transmit to Congress*  
21 *the annual report on New Starts, including proposed allo-*  
22 *cations for fiscal year 2019.*



1 *or benefit, the Secretary may approve a greater Federal*  
2 *share.*

3 *TRANSIT INFRASTRUCTURE GRANTS*

4 *For an additional amount for buses and bus facilities*  
5 *grants under section 5339 of title 49, United States Code,*  
6 *state of good repair grants under section 5337 of such title,*  
7 *high density state apportionments under section 5340(d) of*  
8 *such title, and the bus testing facilities under sections 5312*  
9 *and 5318 of such title, \$834,000,000 to remain available*  
10 *until expended: Provided, That \$400,000,000 shall be avail-*  
11 *able for grants as authorized under section 5339 of such*  
12 *title, of which \$209,104,000 shall be available for the buses*  
13 *and bus facilities formula grants as authorized under sec-*  
14 *tion 5339(a) of such title, \$161,446,000 shall be available*  
15 *for the buses and bus facilities competitive grants as author-*  
16 *ized under section 5339(b) of such title, and \$29,450,000*  
17 *shall be available for the low or no emission grants as au-*  
18 *thorized under section 5339(c) of such title: Provided fur-*  
19 *ther, That \$400,000,000 shall be available for the state of*  
20 *good repair grants as authorized under section 5337 of such*  
21 *title: Provided further, That \$30,000,000 shall be available*  
22 *for the high density state apportionments as authorized*  
23 *under section 5340(d) of such title: Provided further, That*  
24 *\$2,000,000 shall be available for the bus testing facility as*  
25 *authorized under section 5318 of such title: Provided fur-*

1 *ther, That notwithstanding section 5318(a) of such title,*  
2 *\$2,000,000 shall be available for the operation and mainte-*  
3 *nance of bus testing facilities by institutions of higher edu-*  
4 *cation selected pursuant to section 5312(h) of such title:*  
5 *Provided further, That the Secretary shall enter into a con-*  
6 *tract or cooperative agreement with, or make a grant to,*  
7 *each institution of higher education selected pursuant to*  
8 *section 5312(h) of such title, to operate and maintain a fa-*  
9 *cility to conduct the testing of low or no emission vehicle*  
10 *new bus models using the standards established pursuant*  
11 *to section 5318(e)(2) of such title: Provided further, That*  
12 *the term “low or no emission vehicle” has the meaning*  
13 *given the term in section 5312(e)(6) of such title: Provided*  
14 *further, That the Secretary shall pay 80 percent of the cost*  
15 *of testing a low or no emission vehicle new bus model at*  
16 *each selected institution of higher education: Provided fur-*  
17 *ther, That the entity having the vehicle tested shall pay 20*  
18 *percent of the cost of testing: Provided further, That a low*  
19 *or no emission vehicle new bus model tested that receives*  
20 *a passing aggregate test score in accordance with the stand-*  
21 *ards established under section 5318(e)(2) of such title, shall*  
22 *be deemed to be in compliance with the requirements of sec-*  
23 *tion 5318(e) of such title: Provided further, That amounts*  
24 *made available by this heading shall be derived from the*  
25 *general fund: Provided further, That the amounts made*

1 *available under this heading shall not be subject to any lim-*  
2 *itation on obligations for transit programs set forth in any*  
3 *Act.*

4 *TECHNICAL ASSISTANCE AND TRAINING*

5 *For necessary expenses to carry out 49 U.S.C. 5314,*  
6 *\$5,000,000.*

7 *CAPITAL INVESTMENT GRANTS*

8 *For necessary expenses to carry out fixed guideway*  
9 *capital investment grants under section 5309 of title 49,*  
10 *United States Code, \$2,644,960,000 to remain available*  
11 *until September 30, 2021: Provided, That of the amounts*  
12 *made available under this heading, \$2,252,508,586 shall be*  
13 *obligated by December 31, 2019: Provided further, That*  
14 *\$5,050,000 from unobligated amounts appropriated for the*  
15 *buses and bus facilities program under section 5309 of such*  
16 *title from fiscal years 2000 to 2005 shall remain available*  
17 *until September 30, 2021 to carry out section 5309: Pro-*  
18 *vided further, That of the amounts made available under*  
19 *this heading, \$1,506,910,000 shall be available for projects*  
20 *authorized under section 5309(d) of such title, \$715,700,000*  
21 *shall be available for projects authorized under section*  
22 *5309(e) of such title, \$400,900,000 shall be available for*  
23 *projects authorized under section 5309(h) of such title: Pro-*  
24 *vided further, That the Secretary shall continue to admin-*  
25 *ister the capital investment grant program in accordance*

1 *with the procedural and substantive requirements of section*  
2 *5309 of such title.*

3 *GRANTS TO THE WASHINGTON METROPOLITAN AREA*

4 *TRANSIT AUTHORITY*

5 *For grants to the Washington Metropolitan Area Tran-*  
6 *sit Authority as authorized under section 601 of division*  
7 *B of Public Law 110–432, \$150,000,000, to remain avail-*  
8 *able until expended: Provided, That the Secretary of Trans-*  
9 *portation shall approve grants for capital and preventive*  
10 *maintenance expenditures for the Washington Metropolitan*  
11 *Area Transit Authority only after receiving and reviewing*  
12 *a request for each specific project: Provided further, That*  
13 *prior to approving such grants, the Secretary shall certify*  
14 *that the Washington Metropolitan Area Transit Authority*  
15 *is making progress to improve its safety management sys-*  
16 *tem in response to the Federal Transit Administration’s*  
17 *2015 safety management inspection: Provided further, That*  
18 *the Secretary shall determine that the Washington Metro-*  
19 *politan Area Transit Authority has placed the highest pri-*  
20 *ority on those investments that will improve the safety of*  
21 *the system before approving such grants: Provided further,*  
22 *That the Secretary, in order to ensure safety throughout the*  
23 *rail system, may waive the requirements of section*  
24 *601(e)(1) of division B of Public Law 110–432.*





1 *fixed guideway capital project, including light rail, in the*  
2 *locations referred to in subsection (a) if—*

3           (1) *voters in the jurisdiction that includes such*  
4 *locations approve a ballot proposition that specifies*  
5 *routes on Richmond Avenue west of South Shepherd*  
6 *Drive or on Post Oak Boulevard north of Richmond*  
7 *Avenue in Houston, Texas; and*

8           (2) *the proposed construction of such routes is*  
9 *part of a comprehensive, multi-modal, service-area*  
10 *wide transportation plan that includes multiple addi-*  
11 *tional segments of fixed guideway capital projects, in-*  
12 *cluding light rail for the jurisdiction set forth in the*  
13 *ballot proposition. The ballot language shall include*  
14 *reasonable cost estimates, sources of revenue to be used*  
15 *and the total amount of bonded indebtedness to be in-*  
16 *curring as well as a description of each route and the*  
17 *beginning and end point of each proposed transit*  
18 *project.*

19       *SEC. 163. Notwithstanding any other provision of law,*  
20 *none of the funds made available in this Act shall be used*  
21 *to enter into a full funding grant agreement for a project*  
22 *with a New Starts share greater than 51 percent.*

23       *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

24       *The Saint Lawrence Seaway Development Corpora-*  
25 *tion is hereby authorized to make such expenditures, within*

1 *the limits of funds and borrowing authority available to*  
2 *the Corporation, and in accord with law, and to make such*  
3 *contracts and commitments without regard to fiscal year*  
4 *limitations, as provided by section 104 of the Government*  
5 *Corporation Control Act, as amended, as may be necessary*  
6 *in carrying out the programs set forth in the Corporation's*  
7 *budget for the current fiscal year.*

8 *OPERATIONS AND MAINTENANCE*

9 *(HARBOR MAINTENANCE TRUST FUND)*

10 *For necessary expenses to conduct the operations,*  
11 *maintenance, and capital asset renewal activities of those*  
12 *portions of the St. Lawrence Seaway owned, operated, and*  
13 *maintained by the Saint Lawrence Seaway Development*  
14 *Corporation, \$40,000,000, to be derived from the Harbor*  
15 *Maintenance Trust Fund, pursuant to Public Law 99-662:*  
16 *Provided, That of the amounts made available under this*  
17 *heading, not less than \$19,500,000 shall be used on asset*  
18 *renewal activities and shall remain available through Sep-*  
19 *tember 30, 2020.*

20 *MARITIME ADMINISTRATION*

21 *MARITIME SECURITY PROGRAM*

22 *For necessary expenses to maintain and preserve a*  
23 *U.S.-flag merchant fleet to serve the national security needs*  
24 *of the United States, \$300,000,000, to remain available*  
25 *until expended.*

## OPERATIONS AND TRAINING

1  
2       *For necessary expenses of operations and training ac-*  
3 *tivities authorized by law, \$513,642,000, of which*  
4 *\$22,000,000 shall remain available until expended for*  
5 *maintenance and repair of training ships at State Mari-*  
6 *time Academies, and of which \$300,000,000 shall remain*  
7 *available until expended for the National Security Multi-*  
8 *Mission Vessel Program, including funds for construction,*  
9 *planning, administration, and design of school ships in ac-*  
10 *cordance with section 3505 of Public Law 114–328, as ap-*  
11 *plicable, with unobligated balances from previous appro-*  
12 *priations for the National Security Multi-Mission Vessel*  
13 *Program also available for and merged into this appropri-*  
14 *ation; and of which \$2,400,000 shall remain available*  
15 *through September 30, 2019, for the Student Incentive Pro-*  
16 *gram at State Maritime Academies, and of which*  
17 *\$1,800,000 shall remain available until expended for train-*  
18 *ing ship fuel assistance payments, and of which*  
19 *\$52,000,000 shall remain available until expended for fa-*  
20 *cilities maintenance and repair, equipment, and capital*  
21 *improvements at the United States Merchant Marine Acad-*  
22 *emy, and of which \$3,000,000 shall remain available*  
23 *through September 30, 2019, for Maritime Environment*  
24 *and Technology Assistance program authorized under sec-*  
25 *tion 50307 of title 46, United States Code, and of which*

1 \$7,000,000 shall remain available until expended for the  
2 Short Sea Transportation Program (America's Marine  
3 Highways) to make grants for the purposes authorized  
4 under sections 55601(b)(1) and (3) of title 46, United States  
5 Code: Provided, That not later than January 12, 2019, the  
6 Administrator of the Maritime Administration shall trans-  
7 mit to the House and Senate Committees on Appropriations  
8 the annual report on sexual assault and sexual harassment  
9 at the United States Merchant Marine Academy as required  
10 pursuant to section 3507 of Public Law 110-417.

11 *ASSISTANCE TO SMALL SHIPYARDS*

12 *To make grants to qualified shipyards as authorized*  
13 *under section 54101 of title 46, United States Code, as*  
14 *amended by Public Law 113-281, \$20,000,000 to remain*  
15 *available until expended.*

16 *SHIP DISPOSAL*

17 *For necessary expenses related to the disposal of obso-*  
18 *lete vessels in the National Defense Reserve Fleet of the Mar-*  
19 *itime Administration, \$116,000,000, to remain available*  
20 *until expended.*

21 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*

22 *ACCOUNT*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the cost of guaranteed loans, \$30,000,000, of which*  
25 *\$27,000,000 shall remain available until expended: Pro-*

1 *vided, That such costs, including the costs of modifying such*  
2 *loans, shall be defined in section 502 of the Congressional*  
3 *Budget Act of 1974, as amended: Provided further, That*  
4 *not to exceed \$3,000,000 shall be for administrative ex-*  
5 *penses to carry out the guaranteed loan program, which*  
6 *shall be transferred to and merged with the appropriations*  
7 *for “Operations and Training”, Maritime Administration.*

8 *ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION*

9 *SEC. 170. Notwithstanding any other provision of this*  
10 *Act, in addition to any existing authority, the Maritime*  
11 *Administration is authorized to furnish utilities and serv-*  
12 *ices and make necessary repairs in connection with any*  
13 *lease, contract, or occupancy involving Government prop-*  
14 *erty under control of the Maritime Administration: Pro-*  
15 *vided, That payments received therefor shall be credited to*  
16 *the appropriation charged with the cost thereof and shall*  
17 *remain available until expended: Provided further, That*  
18 *rental payments under any such lease, contract, or occu-*  
19 *pancy for items other than such utilities, services, or repairs*  
20 *shall be covered into the Treasury as miscellaneous receipts.*

21 *SEC. 171. None of the funds available or appropriated*  
22 *in this Act shall be used by the United States Department*  
23 *of Transportation or the United States Maritime Adminis-*  
24 *tration to negotiate or otherwise execute, enter into, facili-*  
25 *tate or perform fee-for-service contracts for vessel disposal,*

1 *scrapping or recycling, unless there is no qualified domestic*  
2 *ship recycler that will pay any sum of money to purchase*  
3 *and scrap or recycle a vessel owned, operated or managed*  
4 *by the Maritime Administration or that is part of the Na-*  
5 *tional Defense Reserve Fleet: Provided, That such sales of-*  
6 *fers must be consistent with the solicitation and provide*  
7 *that the work will be performed in a timely manner at a*  
8 *facility qualified within the meaning of section 3502 of*  
9 *Public Law 106–398: Provided further, That nothing con-*  
10 *tained herein shall affect the Maritime Administration’s*  
11 *authority to award contracts at least cost to the Federal*  
12 *Government and consistent with the requirements of 54*  
13 *U.S.C. 308704, section 3502, or otherwise authorized under*  
14 *the Federal Acquisition Regulation.*

15           *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

16                           *ADMINISTRATION*

17   *OPERATIONAL EXPENSES*

18           *For necessary operational expenses of the Pipeline and*  
19 *Hazardous Materials Safety Administration, \$23,000,000:*  
20 *Provided, That the Secretary of Transportation shall issue*  
21 *a final rule to expand the applicability of comprehensive*  
22 *oil spill response plans within 5 days of enactment of this*  
23 *Act.*



1 2020; and of which \$131,000,000 shall be derived from the  
2 Pipeline Safety Fund, of which \$64,736,000 shall remain  
3 available until September 30, 2020; and of which  
4 \$8,000,000 shall be derived from fees collected under 49  
5 U.S.C. 60302 and deposited in the Underground Natural  
6 Gas Storage Facility Safety Account for the purpose of car-  
7 rying out 49 U.S.C. 60141 and shall remain available until  
8 September 30, 2020: Provided, That not less than  
9 \$1,058,000 of the funds provided under this heading shall  
10 be for the One-Call State grant program.

11 *EMERGENCY PREPAREDNESS GRANTS*

12 *(EMERGENCY PREPAREDNESS FUND)*

13 *Notwithstanding the fiscal year limitation specified in*  
14 *49 U.S.C. 5116, not more than \$28,318,000 shall be made*  
15 *available for obligation in fiscal year 2018 from amounts*  
16 *made available by 49 U.S.C. 5116(h), and 5128(b) and (c):*  
17 *Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not*  
18 *more than 4 percent of the amounts made available from*  
19 *this account shall be available to pay administrative costs:*  
20 *Provided further, That none of the funds made available*  
21 *by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made*  
22 *available for obligation by individuals other than the Sec-*  
23 *retary of Transportation, or his or her designee.*



1                    *OFFICE OF INSPECTOR GENERAL*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the Office of the Inspector*  
4 *General to carry out the provisions of the Inspector General*  
5 *Act of 1978, as amended, \$92,152,000: Provided, That the*  
6 *Inspector General shall have all necessary authority, in car-*  
7 *rying out the duties specified in the Inspector General Act,*  
8 *as amended (5 U.S.C. App. 3), to investigate allegations*  
9 *of fraud, including false statements to the government (18*  
10 *U.S.C. 1001), by any person or entity that is subject to*  
11 *regulation by the Department of Transportation: Provided*  
12 *further, That the funds made available under this heading*  
13 *may be used to investigate, pursuant to section 41712 of*  
14 *title 49, United States Code: (1) unfair or deceptive prac-*  
15 *tices and unfair methods of competition by domestic and*  
16 *foreign air carriers and ticket agents; and (2) the compli-*  
17 *ance of domestic and foreign air carriers with respect to*  
18 *item (1) of this proviso.*

19                    *GENERAL PROVISIONS—DEPARTMENT OF*20                    *TRANSPORTATION*

21            *SEC. 180. (a) During the current fiscal year, applica-*  
22 *ble appropriations to the Department of Transportation*  
23 *shall be available for maintenance and operation of air-*  
24 *craft; hire of passenger motor vehicles and aircraft; pur-*  
25 *chase of liability insurance for motor vehicles operating in*

1 *foreign countries on official department business; and uni-*  
2 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
3 *5901–5902).*

4 *(b) During the current fiscal year, applicable appro-*  
5 *priations to the Department and its operating administra-*  
6 *tions shall be available for the purchase, maintenance, oper-*  
7 *ation, and deployment of unmanned aircraft systems that*  
8 *advance the Department’s, or its operating administra-*  
9 *tions’, missions.*

10 *(c) Any unmanned aircraft system purchased or pro-*  
11 *cured by the Department prior to the enactment of this Act*  
12 *shall be deemed authorized.*

13 *SEC. 181. Appropriations contained in this Act for the*  
14 *Department of Transportation shall be available for services*  
15 *as authorized by 5 U.S.C. 3109, but at rates for individuals*  
16 *not to exceed the per diem rate equivalent to the rate for*  
17 *an Executive Level IV.*

18 *SEC. 182. (a) No recipient of funds made available in*  
19 *this Act shall disseminate personal information (as defined*  
20 *in 18 U.S.C. 2725(3)) obtained by a State department of*  
21 *motor vehicles in connection with a motor vehicle record*  
22 *as defined in 18 U.S.C. 2725(1), except as provided in 18*  
23 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

1           **(b)** *Notwithstanding subsection (a), the Secretary shall*  
2 *not withhold funds provided in this Act for any grantee*  
3 *if a State is in noncompliance with this provision.*

4           **SEC. 183.** *None of the funds in this Act shall be avail-*  
5 *able for salaries and expenses of more than 110 political*  
6 *and Presidential appointees in the Department of Trans-*  
7 *portation: Provided, That none of the personnel covered by*  
8 *this provision may be assigned on temporary detail outside*  
9 *the Department of Transportation.*

10          **SEC. 184.** *Funds received by the Federal Highway Ad-*  
11 *ministration and Federal Railroad Administration from*  
12 *States, counties, municipalities, other public authorities,*  
13 *and private sources for expenses incurred for training may*  
14 *be credited respectively to the Federal Highway Adminis-*  
15 *tration's "Federal-Aid Highways" account and to the Fed-*  
16 *eral Railroad Administration's "Safety and Operations"*  
17 *account, except for State rail safety inspectors participating*  
18 *in training pursuant to 49 U.S.C. 20105.*

19          **SEC. 185. (a)** *None of the funds provided in this Act*  
20 *to the Department of Transportation may be used to make*  
21 *a loan, loan guarantee, line of credit, or discretionary grant*  
22 *unless the Secretary of Transportation notifies the House*  
23 *and Senate Committees on Appropriations not less than 3*  
24 *full business days before any project competitively selected*  
25 *to receive any discretionary grant award, letter of intent,*

1 *loan commitment, loan guarantee commitment, line of cred-*  
2 *it commitment, or full funding grant agreement is an-*  
3 *nounced by the Department or its modal administrations:*  
4 *Provided, That the Secretary gives concurrent notification*  
5 *to the House and Senate Committees on Appropriations for*  
6 *any “quick release” of funds from the emergency relief pro-*  
7 *gram: Provided further, That no notification shall involve*  
8 *funds that are not available for obligation.*

9       **(b)** *In addition to the notification required in sub-*  
10 *section (a), none of the funds made available in this Act*  
11 *to the Department of Transportation may be used to make*  
12 *a loan, loan guarantee, line of credit, cooperative agreement*  
13 *or discretionary grant unless the Secretary of Transpor-*  
14 *tation provides the House and Senate Committees on Ap-*  
15 *propriations a comprehensive list of all such loans, loan*  
16 *guarantees, lines of credit, cooperative agreement or discre-*  
17 *tionary grants that will be announced not less the 3 full*  
18 *business days before such announcement: Provided, That the*  
19 *requirement to provide a list in this subsection does not*  
20 *apply to any “quick release” of funds from the emergency*  
21 *relief program: Provided further, That no list shall involve*  
22 *funds that are not available for obligation.*

23       **SEC. 186.** *Rebates, refunds, incentive payments, minor*  
24 *fees and other funds received by the Department of Trans-*  
25 *portation from travel management centers, charge card pro-*

1 *grams, the subleasing of building space, and miscellaneous*  
2 *sources are to be credited to appropriations of the Depart-*  
3 *ment of Transportation and allocated to elements of the De-*  
4 *partment of Transportation using fair and equitable cri-*  
5 *teria and such funds shall be available until expended.*

6 *SEC. 187. Amounts made available in this or any*  
7 *prior Act that the Secretary determines represent improper*  
8 *payments by the Department of Transportation to a third-*  
9 *party contractor under a financial assistance award, which*  
10 *are recovered pursuant to law, shall be available—*

11 *(1) to reimburse the actual expenses incurred by*  
12 *the Department of Transportation in recovering im-*  
13 *proper payments: Provided, That amounts made*  
14 *available in this Act shall be available until ex-*  
15 *pended; and*

16 *(2) to pay contractors for services provided in re-*  
17 *covering improper payments or contractor support in*  
18 *the implementation of the Improper Payments Infor-*  
19 *mation Act of 2002: Provided, That amounts in excess*  
20 *of that required for paragraphs (1) and (2)—*

21 *(A) shall be credited to and merged with the*  
22 *appropriation from which the improper pay-*  
23 *ments were made, and shall be available for the*  
24 *purposes and period for which such appropria-*  
25 *tions are available: Provided further, That where*

1           *specific project or accounting information associ-*  
2           *ated with the improper payment or payments is*  
3           *not readily available, the Secretary may credit*  
4           *an appropriate account, which shall be available*  
5           *for the purposes and period associated with the*  
6           *account so credited; or*

7                     *(B) if no such appropriation remains avail-*  
8           *able, shall be deposited in the Treasury as mis-*  
9           *cellaneous receipts: Provided further, That prior*  
10          *to the transfer of any such recovery to an appro-*  
11          *priations account, the Secretary shall notify the*  
12          *House and Senate Committees on Appropria-*  
13          *tions of the amount and reasons for such trans-*  
14          *fer: Provided further, That for purposes of this*  
15          *section, the term “improper payments” has the*  
16          *same meaning as that provided in section*  
17          *2(d)(2) of Public Law 107–300.*

18          *SEC. 188. Notwithstanding any other provision of law,*  
19          *if any funds provided in or limited by this Act are subject*  
20          *to a reprogramming action that requires notice to be pro-*  
21          *vided to the House and Senate Committees on Appropria-*  
22          *tions, transmission of said reprogramming notice shall be*  
23          *provided solely to the House and Senate Committees on Ap-*  
24          *propriations, and said reprogramming action shall be ap-*  
25          *proved or denied solely by the House and Senate Commit-*

1 *tees on Appropriations: Provided, That the Secretary of*  
2 *Transportation may provide notice to other congressional*  
3 *committees of the action of the House and Senate Commit-*  
4 *tees on Appropriations on such reprogramming but not*  
5 *sooner than 30 days following the date on which the re-*  
6 *programming action has been approved or denied by the*  
7 *House and Senate Committees on Appropriations.*

8       *SEC. 189. Funds appropriated in this Act to the modal*  
9 *administrations may be obligated for the Office of the Sec-*  
10 *retary for the costs related to assessments or reimbursable*  
11 *agreements only when such amounts are for the costs of*  
12 *goods and services that are purchased to provide a direct*  
13 *benefit to the applicable modal administration or adminis-*  
14 *trations.*

15       *SEC. 190. The Secretary of Transportation is author-*  
16 *ized to carry out a program that establishes uniform stand-*  
17 *ards for developing and supporting agency transit pass and*  
18 *transit benefits authorized under section 7905 of title 5,*  
19 *United States Code, including distribution of transit bene-*  
20 *fits by various paper and electronic media.*

21       *SEC. 191. The Department of Transportation may use*  
22 *funds provided by this Act, or any other Act, to assist a*  
23 *contract under title 49 U.S.C. or title 23 U.S.C. utilizing*  
24 *geographic, economic, or any other hiring preference not*  
25 *otherwise authorized by law, or to amend a rule, regulation,*

1 *policy or other measure that forbids a recipient of a Federal*  
2 *Highway Administration or Federal Transit Administra-*  
3 *tion grant from imposing such hiring preference on a con-*  
4 *tract or construction project with which the Department of*  
5 *Transportation is assisting, only if the grant recipient cer-*  
6 *tifies the following:*

7           (1) *that except with respect to apprentices or*  
8 *trainees, a pool of readily available but unemployed*  
9 *individuals possessing the knowledge, skill, and abil-*  
10 *ity to perform the work that the contract requires re-*  
11 *sides in the jurisdiction;*

12           (2) *that the grant recipient will include appro-*  
13 *priate provisions in its bid document ensuring that*  
14 *the contractor does not displace any of its existing*  
15 *employees in order to satisfy such hiring preference;*  
16 *and*

17           (3) *that any increase in the cost of labor, train-*  
18 *ing, or delays resulting from the use of such hiring*  
19 *preference does not delay or displace any transpor-*  
20 *tation project in the applicable Statewide Transpor-*  
21 *tation Improvement Program or Transportation Im-*  
22 *provement Program.*

23           *This title may be cited as the “Department of Trans-*  
24 *portation Appropriations Act, 2018”.*



1 *TITLE II*  
2 *DEPARTMENT OF HOUSING AND URBAN*  
3 *DEVELOPMENT*  
4 *MANAGEMENT AND ADMINISTRATION*  
5 *EXECUTIVE OFFICES*

6 *For necessary salaries and expenses for Executive Of-*  
7 *fices, which shall be comprised of the offices of the Secretary,*  
8 *Deputy Secretary, Adjudicatory Services, Congressional*  
9 *and Intergovernmental Relations, Public Affairs, Small*  
10 *and Disadvantaged Business Utilization, and the Center for*  
11 *Faith-Based and Neighborhood Partnerships, \$14,708,000:*  
12 *Provided, That not to exceed \$19,876 of the amount made*  
13 *available under this heading shall be available to the Sec-*  
14 *retary for official reception and representation expenses as*  
15 *the Secretary may determine.*

16 *ADMINISTRATIVE SUPPORT OFFICES*

17 *For necessary salaries and expenses for Administrative*  
18 *Support Offices, \$518,303,000, of which \$52,200,000 shall*  
19 *be available for the Office of the Chief Financial Officer;*  
20 *\$95,400,000 shall be available for the Office of the General*  
21 *Counsel; \$204,253,000 shall be available for the Office of*  
22 *Administration; \$39,300,000 shall be available for the Of-*  
23 *fice of the Chief Human Capital Officer; \$53,500,000 shall*  
24 *be available for the Office of Field Policy and Management;*  
25 *\$19,500,000 shall be available for the Office of the Chief*

1 *Procurement Officer; \$3,800,000 shall be available for the*  
2 *Office of Departmental Equal Employment Opportunity;*  
3 *\$4,950,000 shall be available for the Office of Strategic*  
4 *Planning and Management; and \$45,400,000 shall be avail-*  
5 *able for the Office of the Chief Information Officer: Pro-*  
6 *vided, That funds provided under this heading may be used*  
7 *for necessary administrative and non-administrative ex-*  
8 *penses of the Department of Housing and Urban Develop-*  
9 *ment, not otherwise provided for, including purchase of uni-*  
10 *forms, or allowances therefor, as authorized by 5 U.S.C.*  
11 *5901–5902; hire of passenger motor vehicles; and services*  
12 *as authorized by 5 U.S.C. 3109: Provided further, That not-*  
13 *withstanding any other provision of law, funds appro-*  
14 *priated under this heading may be used for advertising and*  
15 *promotional activities that directly support program activi-*  
16 *ties funded in this title: Provided further, That the Sec-*  
17 *retary shall provide the House and Senate Committees on*  
18 *Appropriations quarterly written notification regarding the*  
19 *status of pending congressional reports: Provided further,*  
20 *That the Secretary shall provide in electronic form all*  
21 *signed reports required by Congress: Provided further, That*  
22 *within 30 days of enactment of this Act, the Secretary shall*  
23 *submit to the House and Senate Committees on Appropria-*  
24 *tions organization charts reflecting the Department’s and*

1 *each office's structure (to the branch level) on October 1,*  
2 *2017 and on the date of enactment of this Act.*

3 *PROGRAM OFFICE SALARIES AND EXPENSES*

4 *PUBLIC AND INDIAN HOUSING*

5 *For necessary salaries and expenses of the Office of*  
6 *Public and Indian Housing, \$216,633,000.*

7 *COMMUNITY PLANNING AND DEVELOPMENT*

8 *For necessary salaries and expenses of the Office of*  
9 *Community Planning and Development, \$107,554,000.*

10 *HOUSING*

11 *For necessary salaries and expenses of the Office of*  
12 *Housing, \$383,000,000.*

13 *POLICY DEVELOPMENT AND RESEARCH*

14 *For necessary salaries and expenses of the Office of*  
15 *Policy Development and Research, \$24,065,000.*

16 *FAIR HOUSING AND EQUAL OPPORTUNITY*

17 *For necessary salaries and expenses of the Office of*  
18 *Fair Housing and Equal Opportunity, \$69,808,000.*

19 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES*

20 *For necessary salaries and expenses of the Office of*  
21 *Lead Hazard Control and Healthy Homes, \$7,600,000.*

22 *WORKING CAPITAL FUND*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the working capital fund for the Department of*  
25 *Housing and Urban Development (referred to in this para-*

1 *graph as the “Fund”), pursuant, in part, to section 7(f)*  
2 *of the Department of Housing and Urban Development Act*  
3 *(42 U.S.C. 3535(f)), amounts transferred to the Fund under*  
4 *this heading shall be available for Federal shared services*  
5 *used by offices and agencies of the Department, and for such*  
6 *portion of any office or agency’s printing, records manage-*  
7 *ment, space renovation, furniture, or supply services as the*  
8 *Secretary determines shall be derived from centralized*  
9 *sources made available by the Department to all offices and*  
10 *agencies and funded through the Fund: Provided, That of*  
11 *the amounts made available in this title for salaries and*  
12 *expenses under the headings “Executive Offices”, “Adminis-*  
13 *trative Support Offices”, “Program Office Salaries and Ex-*  
14 *penses”, and “Government National Mortgage Association”,*  
15 *the Secretary shall transfer to the Fund such amounts, to*  
16 *remain available until expended, as are necessary to fund*  
17 *services, specified in the matter preceding the first proviso,*  
18 *for which the appropriation would otherwise have been*  
19 *available, and may transfer not to exceed an additional*  
20 *\$5,000,000, in aggregate, from all such appropriations, to*  
21 *be merged with the Fund and to remain available until ex-*  
22 *pended for use for any office or agency: Provided further,*  
23 *That amounts in the Fund shall be the only amounts avail-*  
24 *able to each office or agency of the Department for the serv-*  
25 *ices, or portion of services, specified in the matter preceding*

1 *the first proviso: Provided further, That with respect to the*  
2 *Fund, the authorities and conditions under this heading*  
3 *shall supplement the authorities and conditions provided*  
4 *under section 7(f).*

5 *PUBLIC AND INDIAN HOUSING*

6 *TENANT-BASED RENTAL ASSISTANCE*

7 *For activities and assistance for the provision of ten-*  
8 *ant-based rental assistance authorized under the United*  
9 *States Housing Act of 1937, as amended (42 U.S.C. 1437*  
10 *et seq.) (“the Act” herein), not otherwise provided for,*  
11 *\$18,015,000,000, to remain available until expended, shall*  
12 *be available on October 1, 2017 (in addition to the*  
13 *\$4,000,000,000 previously appropriated under this heading*  
14 *that shall be available on October 1, 2017), and*  
15 *\$4,000,000,000, to remain available until expended, shall*  
16 *be available on October 1, 2018: Provided, That the*  
17 *amounts made available under this heading are provided*  
18 *as follows:*

19 *(1) \$19,600,000,000 shall be available for renew-*  
20 *als of expiring section 8 tenant-based annual con-*  
21 *tributions contracts (including renewals of enhanced*  
22 *vouchers under any provision of law authorizing such*  
23 *assistance under section 8(t) of the Act) and includ-*  
24 *ing renewal of other special purpose incremental*  
25 *vouchers: Provided, That notwithstanding any other*

1 *provision of law, from amounts provided under this*  
2 *paragraph and any carryover, the Secretary for the*  
3 *calendar year 2018 funding cycle shall provide re-*  
4 *newal funding for each public housing agency based*  
5 *on validated voucher management system (VMS) leas-*  
6 *ing and cost data for the prior calendar year and by*  
7 *applying an inflation factor as established by the Sec-*  
8 *retary, by notice published in the Federal Register,*  
9 *and by making any necessary adjustments for the*  
10 *costs associated with the first-time renewal of vouch-*  
11 *ers under this paragraph including tenant protection,*  
12 *HOPE VI, and Choice Neighborhoods vouchers: Pro-*  
13 *vided further, That none of the funds provided under*  
14 *this paragraph may be used to fund a total number*  
15 *of unit months under lease which exceeds a public*  
16 *housing agency's authorized level of units under con-*  
17 *tract, except for public housing agencies participating*  
18 *in the MTW demonstration, which are instead gov-*  
19 *erned by the terms and conditions of their MTW*  
20 *agreements: Provided further, That the Secretary*  
21 *shall, to the extent necessary to stay within the*  
22 *amount specified under this paragraph (except as oth-*  
23 *erwise modified under this paragraph), prorate each*  
24 *public housing agency's allocation otherwise estab-*  
25 *lished pursuant to this paragraph: Provided further,*

1       *That except as provided in the following provisos, the*  
2       *entire amount specified under this paragraph (except*  
3       *as otherwise modified under this paragraph) shall be*  
4       *obligated to the public housing agencies based on the*  
5       *allocation and pro rata method described above, and*  
6       *the Secretary shall notify public housing agencies of*  
7       *their annual budget by the latter of 60 days after en-*  
8       *actment of this Act or March 1, 2018: Provided fur-*  
9       *ther, That the Secretary may extend the notification*  
10      *period with the prior written approval of the House*  
11      *and Senate Committees on Appropriations: Provided*  
12      *further, That public housing agencies participating in*  
13      *the MTW demonstration shall be funded pursuant to*  
14      *their MTW agreements and shall be subject to the*  
15      *same pro rata adjustments under the previous pro-*  
16      *visos: Provided further, That the Secretary may offset*  
17      *public housing agencies' calendar year 2018 alloca-*  
18      *tions based on the excess amounts of public housing*  
19      *agencies' net restricted assets accounts, including*  
20      *HUD-held programmatic reserves (in accordance with*  
21      *VMS data in calendar year 2017 that is verifiable*  
22      *and complete), as determined by the Secretary: Pro-*  
23      *vided further, That public housing agencies partici-*  
24      *parting in the MTW demonstration shall also be sub-*  
25      *ject to the offset, as determined by the Secretary, ex-*

1 *cluding amounts subject to the single fund budget au-*  
2 *thority provisions of their MTW agreements, from the*  
3 *agencies' calendar year 2018 MTW funding alloca-*  
4 *tion: Provided further, That the Secretary shall use*  
5 *any offset referred to in the previous two provisos*  
6 *throughout the calendar year to prevent the termi-*  
7 *nation of rental assistance for families as the result*  
8 *of insufficient funding, as determined by the Sec-*  
9 *retary, and to avoid or reduce the proration of re-*  
10 *newal funding allocations: Provided further, That up*  
11 *to \$75,000,000 shall be available only: (1) for adjust-*  
12 *ments in the allocations for public housing agencies,*  
13 *after application for an adjustment by a public hous-*  
14 *ing agency that experienced a significant increase, as*  
15 *determined by the Secretary, in renewal costs of*  
16 *vouchers resulting from unforeseen circumstances or*  
17 *from portability under section 8(r) of the Act; (2) for*  
18 *vouchers that were not in use during the previous 12-*  
19 *month period in order to be available to meet a com-*  
20 *mitment pursuant to section 8(o)(13) of the Act; (3)*  
21 *for adjustments for costs associated with HUD-Vet-*  
22 *erans Affairs Supportive Housing (HUD-VASH)*  
23 *vouchers; and (4) for public housing agencies that de-*  
24 *spite taking reasonable cost savings measures, as de-*  
25 *termined by the Secretary, would otherwise be re-*



1        *quired to terminate rental assistance for families as*  
2        *a result of insufficient funding: Provided further,*  
3        *That the Secretary shall allocate amounts under the*  
4        *previous proviso based on need, as determined by the*  
5        *Secretary;*

6            *(2) \$85,000,000 shall be for section 8 rental as-*  
7        *sistance for relocation and replacement of housing*  
8        *units that are demolished or disposed of pursuant to*  
9        *section 18 of the Act, conversion of section 23 projects*  
10       *to assistance under section 8, the family unification*  
11       *program under section 8(x) of the Act, relocation of*  
12       *witnesses in connection with efforts to combat crime*  
13       *in public and assisted housing pursuant to a request*  
14       *from a law enforcement or prosecution agency, en-*  
15       *hanced vouchers under any provision of law author-*  
16       *izing such assistance under section 8(t) of the Act,*  
17       *HOPE VI and Choice Neighborhood vouchers, manda-*  
18       *tory and voluntary conversions, and tenant protection*  
19       *assistance including replacement and relocation as-*  
20       *sistance or for project-based assistance to prevent the*  
21       *displacement of unassisted elderly tenants currently*  
22       *residing in section 202 properties financed between*  
23       *1959 and 1974 that are refinanced pursuant to Pub-*  
24       *lic Law 106–569, as amended, or under the authority*  
25       *as provided under this Act: Provided, That when a*

1     *public housing development is submitted for demoli-*  
2     *tion or disposition under section 18 of the Act, the*  
3     *Secretary may provide section 8 rental assistance*  
4     *when the units pose an imminent health and safety*  
5     *risk to residents: Provided further, That the Secretary*  
6     *may only provide replacement vouchers for units that*  
7     *were occupied within the previous 24 months that*  
8     *cease to be available as assisted housing, subject only*  
9     *to the availability of funds: Provided further, That of*  
10    *the amounts made available under this paragraph,*  
11    *\$5,000,000 may be available to provide tenant protec-*  
12    *tion assistance, not otherwise provided under this*  
13    *paragraph, to residents residing in low vacancy areas*  
14    *and who may have to pay rents greater than 30 per-*  
15    *cent of household income, as the result of: (A) the ma-*  
16    *turity of a HUD-insured, HUD-held or section 202*  
17    *loan that requires the permission of the Secretary*  
18    *prior to loan prepayment; (B) the expiration of a*  
19    *rental assistance contract for which the tenants are*  
20    *not eligible for enhanced voucher or tenant protection*  
21    *assistance under existing law; or (C) the expiration of*  
22    *affordability restrictions accompanying a mortgage or*  
23    *preservation program administered by the Secretary:*  
24    *Provided further, That such tenant protection assist-*  
25    *ance made available under the previous proviso may*

1 *be provided under the authority of section 8(t) or sec-*  
2 *tion 8(o)(13) of the United States Housing Act of*  
3 *1937 (42 U.S.C. 1437f(t)): Provided further, That the*  
4 *Secretary shall issue guidance to implement the pre-*  
5 *vious provisos, including, but not limited to, require-*  
6 *ments for defining eligible at-risk households within*  
7 *60 days of the enactment of this Act: Provided fur-*  
8 *ther, That any tenant protection voucher made avail-*  
9 *able from amounts under this paragraph shall not be*  
10 *reissued by any public housing agency, except the re-*  
11 *placement vouchers as defined by the Secretary by no-*  
12 *tice, when the initial family that received any such*  
13 *voucher no longer receives such voucher, and the au-*  
14 *thority for any public housing agency to issue any*  
15 *such voucher shall cease to exist: Provided further,*  
16 *That the Secretary may provide section 8 rental as-*  
17 *sistance from amounts made available under this*  
18 *paragraph for units assisted under a project-based*  
19 *subsidy contract funded under the “Project-Based*  
20 *Rental Assistance” heading under this title where the*  
21 *owner has received a Notice of Default and the units*  
22 *pose an imminent health and safety risk to residents:*  
23 *Provided further, That to the extent that the Secretary*  
24 *determines that such units are not feasible for contin-*  
25 *ued rental assistance payments or transfer of the sub-*

1 *sidy contract associated with such units to another*  
2 *project or projects and owner or owners, any remain-*  
3 *ing amounts associated with such units under such*  
4 *contract shall be recaptured and used to reimburse*  
5 *amounts used under this paragraph for rental assist-*  
6 *ance under the preceding proviso;*

7 *(3) \$1,760,000,000 shall be for administrative*  
8 *and other expenses of public housing agencies in ad-*  
9 *ministering the section 8 tenant-based rental assist-*  
10 *ance program, of which up to \$30,000,000 shall be*  
11 *available to the Secretary to allocate to public hous-*  
12 *ing agencies that need additional funds to administer*  
13 *their section 8 programs, including fees associated*  
14 *with section 8 tenant protection rental assistance, the*  
15 *administration of disaster related vouchers, Veterans*  
16 *Affairs Supportive Housing vouchers, and other spe-*  
17 *cial purpose incremental vouchers: Provided, That no*  
18 *less than \$1,730,000,000 of the amount provided in*  
19 *this paragraph shall be allocated to public housing*  
20 *agencies for the calendar year 2018 funding cycle*  
21 *based on section 8(q) of the Act (and related Appro-*  
22 *propriation Act provisions) as in effect immediately be-*  
23 *fore the enactment of the Quality Housing and Work*  
24 *Responsibility Act of 1998 (Public Law 105–276):*  
25 *Provided further, That if the amounts made available*

1        *under this paragraph are insufficient to pay the*  
2        *amounts determined under the previous proviso, the*  
3        *Secretary may decrease the amounts allocated to*  
4        *agencies by a uniform percentage applicable to all*  
5        *agencies receiving funding under this paragraph or*  
6        *may, to the extent necessary to provide full payment*  
7        *of amounts determined under the previous proviso,*  
8        *utilize unobligated balances, including recaptures and*  
9        *carryovers, remaining from funds appropriated to the*  
10       *Department of Housing and Urban Development*  
11       *under this heading from prior fiscal years, excluding*  
12       *special purpose vouchers, notwithstanding the pur-*  
13       *poses for which such amounts were appropriated: Pro-*  
14       *vided further, That all public housing agencies par-*  
15       *ticipating in the MTW demonstration shall be funded*  
16       *pursuant to their MTW agreements, and shall be sub-*  
17       *ject to the same uniform percentage decrease as under*  
18       *the previous proviso: Provided further, That amounts*  
19       *provided under this paragraph shall be only for ac-*  
20       *tivities related to the provision of tenant-based rental*  
21       *assistance authorized under section 8, including re-*  
22       *lated development activities;*

23                *(4) \$505,000,000 for the renewal of tenant-based*  
24        *assistance contracts under section 811 of the Cran-*  
25        *ston-Gonzalez National Affordable Housing Act (42*

1       *U.S.C. 8013), including necessary administrative ex-*  
2       *penditures: Provided, That administrative and other ex-*  
3       *penditures of public housing agencies in administering*  
4       *the special purpose vouchers in this paragraph shall*  
5       *be funded under the same terms and be subject to the*  
6       *same pro rata reduction as the percent decrease for*  
7       *administrative and other expenditures to public housing*  
8       *agencies under paragraph (3) of this heading: Pro-*  
9       *vided further, That any amounts provided under this*  
10       *paragraph in this Act or prior Acts, remaining avail-*  
11       *able after funding renewals and administrative ex-*  
12       *penditures under this paragraph, shall be available for in-*  
13       *cremental tenant-based assistance contracts under*  
14       *such section 811, including necessary administrative*  
15       *expenditures;*

16               *(5) \$5,000,000 shall be for rental assistance and*  
17       *associated administrative fees for Tribal HUD-VA*  
18       *Supportive Housing to serve Native American vet-*  
19       *erans that are homeless or at-risk of homelessness liv-*  
20       *ing on or near a reservation or other Indian areas:*  
21       *Provided, That such amount shall be made available*  
22       *for renewal grants to recipients that received assist-*  
23       *ance under prior Acts under the Tribal HUD-VA*  
24       *Supportive Housing program: Provided further, That*  
25       *the Secretary shall be authorized to specify criteria*

1       *for renewal grants, including data on the utilization*  
2       *of assistance reported by grant recipients: Provided*  
3       *further, That such assistance shall be administered in*  
4       *accordance with program requirements under the Na-*  
5       *tive American Housing Assistance and Self-Deter-*  
6       *mination Act of 1996 and modeled after the HUD-*  
7       *VASH program: Provided further, That the Secretary*  
8       *shall be authorized to waive, or specify alternative re-*  
9       *quirements for any provision of any statute or regula-*  
10       *tion that the Secretary administers in connection*  
11       *with the use of funds made available under this para-*  
12       *graph (except for requirements related to fair housing,*  
13       *nondiscrimination, labor standards, and the environ-*  
14       *ment), upon a finding by the Secretary that any such*  
15       *waivers or alternative requirements are necessary for*  
16       *the effective delivery and administration of such as-*  
17       *stance: Provided further, That grant recipients shall*  
18       *report to the Secretary on utilization of such rental*  
19       *assistance and other program data, as prescribed by*  
20       *the Secretary: Provided further, That the Secretary*  
21       *may reallocate, as determined by the Secretary,*  
22       *amounts returned or recaptured from awards under*  
23       *prior acts;*

24                (6) \$40,000,000 for incremental rental voucher  
25       *assistance for use through a supported housing pro-*

1 *gram administered in conjunction with the Depart-*  
2 *ment of Veterans Affairs as authorized under section*  
3 *8(o)(19) of the United States Housing Act of 1937:*  
4 *Provided, That the Secretary of Housing and Urban*  
5 *Development shall make such funding available, not-*  
6 *withstanding section 203 (competition provision) of*  
7 *this title, to public housing agencies that partner with*  
8 *eligible VA Medical Centers or other entities as des-*  
9 *ignated by the Secretary of the Department of Vet-*  
10 *erans Affairs, based on geographical need for such as-*  
11 *sistance as identified by the Secretary of the Depart-*  
12 *ment of Veterans Affairs, public housing agency ad-*  
13 *ministrative performance, and other factors as speci-*  
14 *fied by the Secretary of Housing and Urban Develop-*  
15 *ment in consultation with the Secretary of the De-*  
16 *partment of Veterans Affairs: Provided further, That*  
17 *the Secretary of Housing and Urban Development*  
18 *may waive, or specify alternative requirements for (in*  
19 *consultation with the Secretary of the Department of*  
20 *Veterans Affairs), any provision of any statute or reg-*  
21 *ulation that the Secretary of Housing and Urban De-*  
22 *velopment administers in connection with the use of*  
23 *funds made available under this paragraph (except*  
24 *for requirements related to fair housing, non-*  
25 *discrimination, labor standards, and the environ-*



1        *ment), upon a finding by the Secretary that any such*  
2        *waivers or alternative requirements are necessary for*  
3        *the effective delivery and administration of such*  
4        *voucher assistance: Provided further, That assistance*  
5        *made available under this paragraph shall continue*  
6        *to remain available for homeless veterans upon turn-*  
7        *over;*

8            *(7) \$20,000,000 shall be made available for new*  
9        *incremental voucher assistance through the family*  
10        *unification program as authorized by section 8(x) of*  
11        *the Act: Provided, That the assistance made available*  
12        *under this paragraph shall continue to remain avail-*  
13        *able for family unification upon turnover: Provided*  
14        *further, That for any public housing agency admin-*  
15        *istering voucher assistance appropriated in a prior*  
16        *Act under the family unification program that deter-*  
17        *mines that it no longer has an identified need for*  
18        *such assistance upon turnover, such agency shall no-*  
19        *tify the Secretary, and the Secretary shall recapture*  
20        *such assistance from the agency and reallocate it to*  
21        *any other public housing agency or agencies based on*  
22        *need for voucher assistance in connection with such*  
23        *program; and*

24            *(8) the Secretary shall separately track all spe-*  
25        *cial purpose vouchers funded under this heading.*

1                                    *HOUSING CERTIFICATE FUND*2                                    *(INCLUDING RESCISSIONS)*

3            *Unobligated balances, including recaptures and carry-*  
4 *over, remaining from funds appropriated to the Depart-*  
5 *ment of Housing and Urban Development under this head-*  
6 *ing, the heading “Annual Contributions for Assisted Hous-*  
7 *ing” and the heading “Project-Based Rental Assistance”,*  
8 *for fiscal year 2018 and prior years may be used for re-*  
9 *newal of or amendments to section 8 project-based contracts*  
10 *and for performance-based contract administrators, not-*  
11 *withstanding the purposes for which such funds were appro-*  
12 *priated: Provided, That any obligated balances of contract*  
13 *authority from fiscal year 1974 and prior that have been*  
14 *terminated shall be rescinded: Provided further, That*  
15 *amounts heretofore recaptured, or recaptured during the*  
16 *current fiscal year, from section 8 project-based contracts*  
17 *from source years fiscal year 1975 through fiscal year 1987*  
18 *are hereby rescinded, and an amount of additional new*  
19 *budget authority, equivalent to the amount rescinded is*  
20 *hereby appropriated, to remain available until expended,*  
21 *for the purposes set forth under this heading, in addition*  
22 *to amounts otherwise available.*

23                                    *PUBLIC HOUSING CAPITAL FUND*

24            *For the Public Housing Capital Fund Program to*  
25 *carry out capital and management activities for public*

1 *housing agencies, as authorized under section 9 of the*  
2 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*  
3 *“Act”) \$2,750,000,000, to remain available until September*  
4 *30, 2021: Provided, That notwithstanding any other provi-*  
5 *sion of law or regulation, during fiscal year 2018, the Sec-*  
6 *retary of Housing and Urban Development may not dele-*  
7 *gate to any Department official other than the Deputy Sec-*  
8 *retary and the Assistant Secretary for Public and Indian*  
9 *Housing any authority under paragraph (2) of section 9(j)*  
10 *regarding the extension of the time periods under such sec-*  
11 *tion: Provided further, That for purposes of such section*  
12 *9(j), the term “obligate” means, with respect to amounts,*  
13 *that the amounts are subject to a binding agreement that*  
14 *will result in outlays, immediately or in the future: Pro-*  
15 *vided further, That up to \$8,300,000 shall be to support*  
16 *ongoing public housing financial and physical assessment*  
17 *activities: Provided further, That up to \$1,000,000 shall be*  
18 *to support the costs of administrative and judicial receiver-*  
19 *ships: Provided further, That of the total amount provided*  
20 *under this heading, not to exceed \$21,500,000 shall be avail-*  
21 *able for the Secretary to make grants, notwithstanding sec-*  
22 *tion 203 of this Act, to public housing agencies for emer-*  
23 *gency capital needs including safety and security measures*  
24 *necessary to address crime and drug-related activity as well*  
25 *as needs resulting from unforeseen or unpreventable emer-*

1 *gencies and natural disasters excluding Presidentially de-*  
2 *clared emergencies and natural disasters under the Robert*  
3 *T. Stafford Disaster Relief and Emergency Act (42 U.S.C.*  
4 *5121 et seq.) occurring in fiscal year 2018: Provided fur-*  
5 *ther, That of the amount made available under the previous*  
6 *proviso, not less than \$5,000,000 shall be for safety and se-*  
7 *curity measures: Provided further, That in addition to the*  
8 *amount in the previous proviso for such safety and security*  
9 *measures, any amounts that remain available, after all ap-*  
10 *plications received on or before September 30, 2019, for*  
11 *emergency capital needs have been processed, shall be allo-*  
12 *cated to public housing agencies for such safety and security*  
13 *measures: Provided further, That of the total amount pro-*  
14 *vided under this heading, up to \$35,000,000 shall be for*  
15 *supportive services, service coordinators and congregate*  
16 *services as authorized by section 34 of the Act (42 U.S.C.*  
17 *1437z-6) and the Native American Housing Assistance and*  
18 *Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.):*  
19 *Provided further, That of the total amount made available*  
20 *under this heading, \$15,000,000 shall be for a Jobs-Plus*  
21 *initiative modeled after the Jobs-Plus demonstration: Pro-*  
22 *vided further, That funding provided under the previous*  
23 *proviso shall be available for competitive grants to partner-*  
24 *ships between public housing authorities, local workforce in-*  
25 *vestment boards established under section 117 of the Work-*

1 *force Investment Act of 1998, and other agencies and orga-*  
2 *nizations that provide support to help public housing resi-*  
3 *dents obtain employment and increase earnings: Provided*  
4 *further, That applicants must demonstrate the ability to*  
5 *provide services to residents, partner with workforce invest-*  
6 *ment boards, and leverage service dollars: Provided further,*  
7 *That the Secretary may allow public housing agencies to*  
8 *request exemptions from rent and income limitation re-*  
9 *quirements under sections 3 and 6 of the United States*  
10 *Housing Act of 1937 as necessary to implement the Jobs-*  
11 *Plus program, on such terms and conditions as the Sec-*  
12 *retary may approve upon a finding by the Secretary that*  
13 *any such waivers or alternative requirements are necessary*  
14 *for the effective implementation of the Jobs-Plus initiative*  
15 *as a voluntary program for residents: Provided further,*  
16 *That the Secretary shall publish by notice in the Federal*  
17 *Register any waivers or alternative requirements pursuant*  
18 *to the preceding proviso no later than 10 days before the*  
19 *effective date of such notice: Provided further, That for*  
20 *funds provided under this heading, the limitation in section*  
21 *9(g)(1) of the Act shall be 25 percent: Provided further, That*  
22 *the Secretary may waive the limitation in the previous pro-*  
23 *viso to allow public housing agencies to fund activities au-*  
24 *thorized under section 9(e)(1)(C) of the Act: Provided fur-*  
25 *ther, That the Secretary shall notify public housing agencies*

1 *requesting waivers under the previous proviso if the request*  
2 *is approved or denied within 14 days of submitting the re-*  
3 *quest: Provided further, That from the funds made available*  
4 *under this heading, the Secretary shall provide bonus*  
5 *awards in fiscal year 2018 to public housing agencies that*  
6 *are designated high performers: Provided further, That the*  
7 *Department shall notify public housing agencies of their*  
8 *formula allocation within 60 days of enactment of this Act.*

9 *PUBLIC HOUSING OPERATING FUND*

10 *For 2018 payments to public housing agencies for the*  
11 *operation and management of public housing, as authorized*  
12 *by section 9(e) of the United States Housing Act of 1937*  
13 *(42 U.S.C. 1437g(e)), \$4,550,000,000, to remain available*  
14 *until September 30, 2019.*

15 *CHOICE NEIGHBORHOODS INITIATIVE*

16 *For competitive grants under the Choice Neighborhoods*  
17 *Initiative (subject to section 24 of the United States Hous-*  
18 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*  
19 *fied under this heading), for transformation, rehabilitation,*  
20 *and replacement housing needs of both public and HUD-*  
21 *assisted housing and to transform neighborhoods of poverty*  
22 *into functioning, sustainable mixed income neighborhoods*  
23 *with appropriate services, schools, public assets, transpor-*  
24 *tation and access to jobs, \$150,000,000, to remain available*  
25 *until September 30, 2020: Provided, That grant funds may*

1 *be used for resident and community services, community*  
2 *development, and affordable housing needs in the commu-*  
3 *nity, and for conversion of vacant or foreclosed properties*  
4 *to affordable housing: Provided further, That the use of*  
5 *funds made available under this heading shall not be*  
6 *deemed to be public housing notwithstanding section 3(b)(1)*  
7 *of such Act: Provided further, That grantees shall commit*  
8 *to an additional period of affordability determined by the*  
9 *Secretary of not fewer than 20 years: Provided further, That*  
10 *grantees shall provide a match in State, local, other Federal*  
11 *or private funds: Provided further, That grantees may in-*  
12 *clude local governments, tribal entities, public housing au-*  
13 *thorities, and nonprofits: Provided further, That for-profit*  
14 *developers may apply jointly with a public entity: Provided*  
15 *further, That for purposes of environmental review, a grant-*  
16 *ee shall be treated as a public housing agency under section*  
17 *26 of the United States Housing Act of 1937 (42 U.S.C.*  
18 *1437x), and grants under this heading shall be subject to*  
19 *the regulations issued by the Secretary to implement such*  
20 *section: Provided further, That of the amount provided, not*  
21 *less than \$75,000,000 shall be awarded to public housing*  
22 *agencies: Provided further, That such grantees shall create*  
23 *partnerships with other local organizations including as-*  
24 *sisted housing owners, service agencies, and resident organi-*  
25 *zations: Provided further, That the Secretary shall consult*

1 *with the Secretaries of Education, Labor, Transportation,*  
2 *Health and Human Services, Agriculture, and Commerce,*  
3 *the Attorney General, and the Administrator of the Envi-*  
4 *ronmental Protection Agency to coordinate and leverage*  
5 *other appropriate Federal resources: Provided further, That*  
6 *no more than \$5,000,000 of funds made available under this*  
7 *heading may be provided as grants to undertake com-*  
8 *prehensive local planning with input from residents and*  
9 *the community: Provided further, That unobligated bal-*  
10 *ances, including recaptures, remaining from funds appro-*  
11 *priated under the heading “Revitalization of Severely Dis-*  
12 *tressed Public Housing (HOPE VI)” in fiscal year 2011*  
13 *and prior fiscal years may be used for purposes under this*  
14 *heading, notwithstanding the purposes for which such*  
15 *amounts were appropriated: Provided further, That the Sec-*  
16 *retary shall issue the Notice of Funding Availability for*  
17 *funds made available under this heading no later than 60*  
18 *days after enactment of this Act: Provided further, That the*  
19 *Secretary shall make grant awards no later than 270 days*  
20 *after enactment of this Act in such amounts that the Sec-*  
21 *retary determines.*

22 *FAMILY SELF-SUFFICIENCY*

23 *For the Family Self-Sufficiency program to support*  
24 *family self-sufficiency coordinators under section 23 of the*  
25 *United States Housing Act of 1937, to promote the develop-*



1 *ment of local strategies to coordinate the use of assistance*  
2 *under sections 8(o) and 9 of such Act with public and pri-*  
3 *vate resources, and enable eligible families to achieve eco-*  
4 *nomie independence and self-sufficiency, \$75,000,000, to re-*  
5 *main available until September 30, 2019: Provided, That*  
6 *the Secretary may, by Federal Register notice, waive or*  
7 *specify alternative requirements under subsections b(3),*  
8 *b(4), b(5), or c(1) of section 23 of such Act in order to facili-*  
9 *tate the operation of a unified self-sufficiency program for*  
10 *individuals receiving assistance under different provisions*  
11 *of the Act, as determined by the Secretary: Provided further,*  
12 *That owners of a privately owned multifamily property*  
13 *with a section 8 contract may voluntarily make a Family*  
14 *Self-Sufficiency program available to the assisted tenants*  
15 *of such property in accordance with procedures established*  
16 *by the Secretary: Provided further, That such procedures*  
17 *established pursuant to the previous proviso shall permit*  
18 *participating tenants to accrue escrow funds in accordance*  
19 *with section 23(d)(2) and shall allow owners to use funding*  
20 *from residual receipt accounts to hire coordinators for their*  
21 *own Family Self-Sufficiency program.*

22 *NATIVE AMERICAN HOUSING BLOCK GRANTS*  
23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the Native American Housing Block Grants pro-*  
25 *gram, as authorized under title I of the Native American*

1 *Housing Assistance and Self-Determination Act of 1996*  
2 *(NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to re-*  
3 *main available until September 30, 2022: Provided, That,*  
4 *notwithstanding NAHASDA, to determine the amount of*  
5 *the allocation under title I of such Act for each Indian tribe,*  
6 *the Secretary shall apply the formula under section 302 of*  
7 *such Act with the need component based on single-race cen-*  
8 *sus data and with the need component based on multi-race*  
9 *census data, and the amount of the allocation for each In-*  
10 *dian tribe shall be the greater of the two resulting allocation*  
11 *amounts: Provided further, That of the amounts made*  
12 *available under this heading, \$7,000,000 shall be for pro-*  
13 *viding training and technical assistance to Indian housing*  
14 *authorities and tribally designated housing entities, to sup-*  
15 *port the inspection of Indian housing units, contract exper-*  
16 *tise, and for training and technical assistance related to*  
17 *funding provided under this heading and other headings*  
18 *under this Act for the needs of Native American families*  
19 *and Indian country: Provided further, That of the funds*  
20 *made available under the previous provisos, not less than*  
21 *\$2,000,000 shall be made available for a national organiza-*  
22 *tion as authorized under section 703 of NAHASDA (25*  
23 *U.S.C. 4212): Provided further, That amounts made avail-*  
24 *able under the previous two provisos may be used, con-*  
25 *tracted, or competed as determined by the Secretary: Pro-*

1 *vided further, That of the amount provided under this head-*  
2 *ing, \$2,000,000 shall be made available for the cost of guar-*  
3 *anteed notes and other obligations, as authorized by title*  
4 *VI of NAHASDA: Provided further, That such costs, includ-*  
5 *ing the costs of modifying such notes and other obligations,*  
6 *shall be as defined in section 502 of the Congressional Budg-*  
7 *et Act of 1974, as amended: Provided further, That these*  
8 *funds are available to subsidize the total principal amount*  
9 *of any notes and other obligations, any part of which is*  
10 *to be guaranteed, not to exceed \$17,391,304: Provided fur-*  
11 *ther, That the Department will notify grantees of their for-*  
12 *mula allocation within 60 days of the date of enactment*  
13 *of this Act: Provided further, That for an additional*  
14 *amount for the Native American Housing Block Grants*  
15 *program, as authorized under title I of NAHASDA,*  
16 *\$100,000,000 to remain available until September 30, 2022:*  
17 *Provided further, That the Secretary shall obligate this ad-*  
18 *ditional amount for competitive grants to eligible recipients*  
19 *authorized under NAHASDA that apply for funds: Pro-*  
20 *vided further, That in awarding this additional amount,*  
21 *the Secretary shall consider need and administrative capac-*  
22 *ity, and shall give priority to projects that will spur con-*  
23 *struction and rehabilitation: Provided further, That up to*  
24 *1 percent of this additional amount may be transferred, in*  
25 *aggregate, to “Program Office Salaries and Expenses—*

1 *Public and Indian Housing” for necessary costs of admin-*  
2 *istering and overseeing the obligation and expenditure of*  
3 *this additional amount: Provided further, That any funds*  
4 *transferred pursuant to the previous proviso shall remain*  
5 *available until September 30, 2023.*

6 *INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM*

7 *ACCOUNT*

8 *For the cost of guaranteed loans, as authorized by sec-*  
9 *tion 184 of the Housing and Community Development Act*  
10 *of 1992 (12 U.S.C. 1715z–13a), \$1,000,000, to remain*  
11 *available until expended: Provided, That such costs, includ-*  
12 *ing the costs of modifying such loans, shall be as defined*  
13 *in section 502 of the Congressional Budget Act of 1974: Pro-*  
14 *vided further, That these funds are available to subsidize*  
15 *total loan principal, any part of which is to be guaranteed,*  
16 *up to \$270,270,270, to remain available until expended:*  
17 *Provided further, That up to \$750,000 of this amount may*  
18 *be for administrative contract expenses including manage-*  
19 *ment processes and systems to carry out the loan guarantee*  
20 *program.*

21 *NATIVE HAWAIIAN HOUSING BLOCK GRANT*

22 *For the Native Hawaiian Housing Block Grant pro-*  
23 *gram, as authorized under title VIII of the Native American*  
24 *Housing Assistance and Self-Determination Act of 1996 (25*  
25 *U.S.C. 4111 et seq.), \$2,000,000 to remain available until*

1 *September 30, 2022: Provided, That notwithstanding sec-*  
2 *tion 812(b) of such Act, the Department of Hawaiian Home*  
3 *Lands may not invest grant amounts provided under this*  
4 *heading in investment securities and other obligations: Pro-*  
5 *vided further, That the language under the first proviso*  
6 *under the heading “Native Hawaiian Housing Block*  
7 *Grant” in the Department of Housing and Urban Develop-*  
8 *ment Appropriations Act, 2015 (Public Law 113–235) is*  
9 *amended by striking “Hawaii-based”: Provided further,*  
10 *That amounts made available under this heading in this*  
11 *and prior fiscal years may be used to provide rental assist-*  
12 *ance to eligible Native Hawaiian families both on and off*  
13 *the Hawaiian Home Lands, notwithstanding any other*  
14 *provision of law.*

15 *COMMUNITY PLANNING AND DEVELOPMENT*

16 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

17 *For carrying out the Housing Opportunities for Per-*  
18 *sons with AIDS program, as authorized by the AIDS Hous-*  
19 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*  
20 *\$375,000,000, to remain available until September 30,*  
21 *2019, except that amounts allocated pursuant to section*  
22 *854(c)(5) of such Act shall remain available until Sep-*  
23 *tember 30, 2020: Provided, That the Secretary shall renew*  
24 *all expiring contracts for permanent supportive housing*  
25 *that initially were funded under section 854(c)(5) of such*

1 *Act from funds made available under this heading in fiscal*  
2 *year 2010 and prior fiscal years that meet all program re-*  
3 *quirements before awarding funds for new contracts under*  
4 *such section: Provided further, That the Department shall*  
5 *notify grantees of their formula allocation within 60 days*  
6 *of enactment of this Act.*

7 *COMMUNITY DEVELOPMENT FUND*

8 *For assistance to units of State and local government,*  
9 *and to other entities, for economic and community develop-*  
10 *ment activities, and for other purposes, \$3,365,000,000, to*  
11 *remain available until September 30, 2020, unless otherwise*  
12 *specified: Provided, That of the total amount provided,*  
13 *\$3,300,000,000 is for carrying out the community develop-*  
14 *ment block grant program under title I of the Housing and*  
15 *Community Development Act of 1974, as amended (“the*  
16 *Act” herein) (42 U.S.C. 5301 et seq.): Provided further,*  
17 *That unless explicitly provided for under this heading, not*  
18 *to exceed 20 percent of any grant made with funds appro-*  
19 *priated under this heading shall be expended for planning*  
20 *and management development and administration: Pro-*  
21 *vided further, That a metropolitan city, urban county, unit*  
22 *of general local government, Indian tribe, or insular area*  
23 *that directly or indirectly receives funds under this heading*  
24 *may not sell, trade, or otherwise transfer all or any portion*  
25 *of such funds to another such entity in exchange for any*

1 *other funds, credits or non-Federal considerations, but must*  
2 *use such funds for activities eligible under title I of the Act:*  
3 *Provided further, That notwithstanding section 105(e)(1) of*  
4 *the Act, no funds provided under this heading may be pro-*  
5 *vided to a for-profit entity for an economic development*  
6 *project under section 105(a)(17) unless such project has*  
7 *been evaluated and selected in accordance with guidelines*  
8 *required under subsection (e)(2): Provided further, That the*  
9 *Department shall notify grantees of their formula allocation*  
10 *within 60 days of enactment of this Act: Provided further,*  
11 *That of the total amount provided under this heading,*  
12 *\$65,000,000 shall be for grants to Indian tribes notwith-*  
13 *standing section 106(a)(1) of such Act, of which, notwith-*  
14 *standing any other provision of law (including section 203*  
15 *of this Act), up to \$4,000,000 may be used for emergencies*  
16 *that constitute imminent threats to health and safety.*

17 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

18 *ACCOUNT*

19 *Subject to section 502 of the Congressional Budget Act*  
20 *of 1974, during fiscal year 2018, commitments to guarantee*  
21 *loans under section 108 of the Housing and Community*  
22 *Development Act of 1974 (42 U.S.C. 5308), any part of*  
23 *which is guaranteed, shall not exceed a total principal*  
24 *amount of \$300,000,000, notwithstanding any aggregate*  
25 *limitation on outstanding obligations guaranteed in sub-*

1 *section (k) of such section 108: Provided, That the Secretary*  
2 *shall collect fees from borrowers, notwithstanding subsection*  
3 *(m) of such section 108, to result in a credit subsidy cost*  
4 *of zero for guaranteeing such loans, and any such fees shall*  
5 *be collected in accordance with section 502(7) of the Con-*  
6 *gressional Budget Act of 1974.*

7 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

8 *For the HOME Investment Partnerships program, as*  
9 *authorized under title II of the Cranston-Gonzalez National*  
10 *Affordable Housing Act, as amended, \$1,362,000,000, to re-*  
11 *main available until September 30, 2021: Provided, That*  
12 *notwithstanding the amount made available under this*  
13 *heading, the threshold reduction requirements in sections*  
14 *216(10) and 217(b)(4) of such Act shall not apply to alloca-*  
15 *tions of such amount: Provided further, That the Depart-*  
16 *ment shall notify grantees of their formula allocation with-*  
17 *in 60 days of enactment of this Act.*

18 *SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY*

19 *PROGRAM*

20 *For the Self-Help and Assisted Homeownership Op-*  
21 *portunity Program, as authorized under section 11 of the*  
22 *Housing Opportunity Program Extension Act of 1996, as*  
23 *amended, \$50,000,000, to remain available until September*  
24 *30, 2020: Provided, That of the total amount provided*  
25 *under this heading, \$10,000,000 shall be made available to*



1 *the Self-Help Homeownership Opportunity Program as au-*  
2 *thorized under section 11 of the Housing Opportunity Pro-*  
3 *gram Extension Act of 1996, as amended: Provided further,*  
4 *That of the total amount provided under this heading,*  
5 *\$35,000,000 shall be made available for the second, third,*  
6 *and fourth capacity building activities authorized under*  
7 *section 4(a) of the HUD Demonstration Act of 1993 (42*  
8 *U.S.C. 9816 note), of which not less than \$5,000,000 shall*  
9 *be made available for rural capacity building activities:*  
10 *Provided further, That of the total amount provided under*  
11 *this heading, \$5,000,000 shall be made available for capac-*  
12 *ity building by national rural housing organizations with*  
13 *experience assessing national rural conditions and pro-*  
14 *viding financing, training, technical assistance, informa-*  
15 *tion, and research to local nonprofits, local governments,*  
16 *and Indian Tribes serving high need rural communities:*  
17 *Provided further, That an additional \$4,000,000, to remain*  
18 *available until expended, shall be for a program to rehabili-*  
19 *tate and modify homes of disabled or low-income veterans,*  
20 *as authorized under section 1079 of Public Law 113–291.*

21 *HOMELESS ASSISTANCE GRANTS*

22 *For the Emergency Solutions Grants program as au-*  
23 *thorized under subtitle B of title IV of the McKinney-Vento*  
24 *Homeless Assistance Act, as amended; the Continuum of*  
25 *Care program as authorized under subtitle C of title IV of*

1 *such Act; and the Rural Housing Stability Assistance pro-*  
2 *gram as authorized under subtitle D of title IV of such Act,*  
3 *\$2,513,000,000, to remain available until September 30,*  
4 *2020: Provided, That any rental assistance amounts that*  
5 *are recaptured under such Continuum of Care program*  
6 *shall remain available until expended: Provided further,*  
7 *That not less than \$270,000,000 of the funds appropriated*  
8 *under this heading shall be available for such Emergency*  
9 *Solutions Grants program: Provided further, That not less*  
10 *than \$2,106,000,000 of the funds appropriated under this*  
11 *heading shall be available for such Continuum of Care and*  
12 *Rural Housing Stability Assistance programs: Provided*  
13 *further, That of the amounts made available under this*  
14 *heading, up to \$50,000,000 shall be made available for*  
15 *grants for rapid re-housing projects and supportive service*  
16 *projects providing coordinated entry, and for eligible activi-*  
17 *ties the Secretary determines to be critical in order to assist*  
18 *survivors of domestic violence, dating violence, and stalking:*  
19 *Provided further, That such projects shall be eligible for re-*  
20 *newal under the continuum of care program subject to the*  
21 *same terms and conditions as other renewal applicants:*  
22 *Provided further, That up to \$7,000,000 of the funds appro-*  
23 *priated under this heading shall be available for the na-*  
24 *tional homeless data analysis project: Provided further,*  
25 *That all funds awarded for supportive services under the*

1 *Continuum of Care program and the Rural Housing Sta-*  
2 *bility Assistance program shall be matched by not less than*  
3 *25 percent in cash or in kind by each grantee: Provided*  
4 *further, That for all match requirements applicable to funds*  
5 *made available under this heading for this fiscal year and*  
6 *prior years, a grantee may use (or could have used) as a*  
7 *source of match funds other funds administered by the Sec-*  
8 *retary and other Federal agencies unless there is (or was)*  
9 *a specific statutory prohibition on any such use of any such*  
10 *funds: Provided further, That the Secretary shall collect sys-*  
11 *tem performance measures for each continuum of care, and*  
12 *that relative to fiscal year 2015, under the Continuum of*  
13 *Care competition with respect to funds made available*  
14 *under this heading, the Secretary shall base an increasing*  
15 *share of the score on performance criteria: Provided further,*  
16 *That none of the funds provided under this heading shall*  
17 *be available to provide funding for new projects, except for*  
18 *projects created through reallocation, unless the Secretary*  
19 *determines that the continuum of care has demonstrated*  
20 *that projects are evaluated and ranked based on the degree*  
21 *to which they improve the continuum of care's system per-*  
22 *formance: Provided further, That the Secretary shall*  
23 *prioritize funding under the Continuum of Care program*  
24 *to continuums of care that have demonstrated a capacity*  
25 *to reallocate funding from lower performing projects to*

1 *higher performing projects: Provided further, That all*  
2 *awards of assistance under this heading shall be required*  
3 *to coordinate and integrate homeless programs with other*  
4 *mainstream health, social services, and employment pro-*  
5 *grams for which homeless populations may be eligible: Pro-*  
6 *vided further, That any unobligated amounts remaining*  
7 *from funds appropriated under this heading in fiscal year*  
8 *2012 and prior years for project-based rental assistance for*  
9 *rehabilitation projects with 10-year grant terms may be*  
10 *used for purposes under this heading, notwithstanding the*  
11 *purposes for which such funds were appropriated: Provided*  
12 *further, That all balances for Shelter Plus Care renewals*  
13 *previously funded from the Shelter Plus Care Renewal ac-*  
14 *count and transferred to this account shall be available, if*  
15 *recaptured, for Continuum of Care renewals in fiscal year*  
16 *2018: Provided further, That the Department shall notify*  
17 *grantees of their formula allocation from amounts allocated*  
18 *(which may represent initial or final amounts allocated)*  
19 *for the Emergency Solutions Grant program within 60 days*  
20 *of enactment of this Act: Provided further, That up to*  
21 *\$80,000,000 of the funds appropriated under this heading*  
22 *shall be to implement projects to demonstrate how a com-*  
23 *prehensive approach to serving homeless youth, age 24 and*  
24 *under, in up to 25 communities, including at least eight*  
25 *communities with substantial rural populations, can dra-*

1 matically reduce youth homelessness: Provided further, That  
2 of the amount made available under the previous proviso,  
3 up to \$5,000,000 shall be available to provide technical as-  
4 sistance on youth homelessness, and collection, analysis,  
5 and reporting of data and performance measures under the  
6 comprehensive approaches to serve homeless youth, in addi-  
7 tion to and in coordination with other technical assistance  
8 funds provided under this title: Provided further, That such  
9 projects shall be eligible for renewal under the continuum  
10 of care program subject to the same terms and conditions  
11 as other renewal applicants: Provided further, That youth  
12 aged 24 and under seeking assistance under this heading  
13 shall not be required to provide third party documentation  
14 to establish their eligibility under 42 U.S.C. 11302(a) or  
15 (b) to receive services: Provided further, That unaccom-  
16 panied youth aged 24 and under or families headed by  
17 youth aged 24 and under who are living in unsafe situa-  
18 tions may be served by youth-serving providers funded  
19 under this heading.

## 20 HOUSING PROGRAMS

### 21 PROJECT-BASED RENTAL ASSISTANCE

22 For activities and assistance for the provision of  
23 project-based subsidy contracts under the United States  
24 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),  
25 not otherwise provided for, \$11,115,000,000, to remain

1 *available until expended, shall be available on October 1,*  
2 *2017 (in addition to the \$400,000,000 previously appro-*  
3 *priated under this heading that became available October*  
4 *1, 2017), and \$400,000,000, to remain available until ex-*  
5 *pended, shall be available on October 1, 2018: Provided,*  
6 *That the amounts made available under this heading shall*  
7 *be available for expiring or terminating section 8 project-*  
8 *based subsidy contracts (including section 8 moderate reha-*  
9 *bilitation contracts), for amendments to section 8 project-*  
10 *based subsidy contracts (including section 8 moderate reha-*  
11 *bilitation contracts), for contracts entered into pursuant to*  
12 *section 441 of the McKinney-Vento Homeless Assistance Act*  
13 *(42 U.S.C. 11401), for renewal of section 8 contracts for*  
14 *units in projects that are subject to approved plans of action*  
15 *under the Emergency Low Income Housing Preservation*  
16 *Act of 1987 or the Low-Income Housing Preservation and*  
17 *Resident Homeownership Act of 1990, and for administra-*  
18 *tive and other expenses associated with project-based activi-*  
19 *ties and assistance funded under this paragraph: Provided*  
20 *further, That of the total amounts provided under this head-*  
21 *ing, not to exceed \$285,000,000 shall be available for per-*  
22 *formance-based contract administrators for section 8*  
23 *project-based assistance, for carrying out 42 U.S.C. 1437(f):*  
24 *Provided further, That the Secretary of Housing and Urban*  
25 *Development may also use such amounts in the previous*

1 *proviso for performance-based contract administrators for*  
2 *the administration of: interest reduction payments pursu-*  
3 *ant to section 236(a) of the National Housing Act (12*  
4 *U.S.C. 1715z-1(a)); rent supplement payments pursuant to*  
5 *section 101 of the Housing and Urban Development Act of*  
6 *1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance*  
7 *payments (12 U.S.C. 1715z-1(f)(2)); project rental assist-*  
8 *ance contracts for the elderly under section 202(c)(2) of the*  
9 *Housing Act of 1959 (12 U.S.C. 1701q); project rental as-*  
10 *sistance contracts for supportive housing for persons with*  
11 *disabilities under section 811(d)(2) of the Cranston-Gon-*  
12 *zalez National Affordable Housing Act (42 U.S.C.*  
13 *8013(d)(2)); project assistance contracts pursuant to section*  
14 *202(h) of the Housing Act of 1959 (Public Law 86-372;*  
15 *73 Stat. 667); and loans under section 202 of the Housing*  
16 *Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided*  
17 *further, That amounts recaptured under this heading, the*  
18 *heading “Annual Contributions for Assisted Housing”, or*  
19 *the heading “Housing Certificate Fund”, may be used for*  
20 *renewals of or amendments to section 8 project-based con-*  
21 *tracts or for performance-based contract administrators,*  
22 *notwithstanding the purposes for which such amounts were*  
23 *appropriated: Provided further, That, notwithstanding any*  
24 *other provision of law, upon the request of the Secretary*  
25 *of Housing and Urban Development, project funds that are*

1 *held in residual receipts accounts for any project subject*  
2 *to a section 8 project-based Housing Assistance Payments*  
3 *contract that authorizes HUD or a Housing Finance Agen-*  
4 *cy to require that surplus project funds be deposited in an*  
5 *interest-bearing residual receipts account and that are in*  
6 *excess of an amount to be determined by the Secretary, shall*  
7 *be remitted to the Department and deposited in this ac-*  
8 *count, to be available until expended: Provided further,*  
9 *That amounts deposited pursuant to the previous proviso*  
10 *shall be available in addition to the amount otherwise pro-*  
11 *vided by this heading for uses authorized under this head-*  
12 *ing.*

13 *HOUSING FOR THE ELDERLY*

14 *For capital advances, including amendments to cap-*  
15 *ital advance contracts, for housing for the elderly, as au-*  
16 *thorized by section 202 of the Housing Act of 1959, as*  
17 *amended, and for project rental assistance for the elderly*  
18 *under section 202(c)(2) of such Act, including amendments*  
19 *to contracts for such assistance and renewal of expiring con-*  
20 *tracts for such assistance for up to a 1-year term, and for*  
21 *senior preservation rental assistance contracts, including*  
22 *renewals, as authorized by section 811(e) of the American*  
23 *Housing and Economic Opportunity Act of 2000, as*  
24 *amended, and for supportive services associated with the*  
25 *housing, \$678,000,000 to remain available until September*



1 30, 2021, of which \$105,000,000 shall be for capital advance  
2 and project-based rental assistance awards: Provided, That  
3 of the amount provided under this heading, up to  
4 \$90,000,000 shall be for service coordinators and the con-  
5 tinuation of existing congregate service grants for residents  
6 of assisted housing projects: Provided further, That amounts  
7 under this heading shall be available for Real Estate Assess-  
8 ment Center inspections and inspection-related activities  
9 associated with section 202 projects: Provided further, That  
10 the Secretary may waive the provisions of section 202 gov-  
11 erning the terms and conditions of project rental assistance,  
12 except that the initial contract term for such assistance  
13 shall not exceed 5 years in duration: Provided further, That  
14 upon request of the Secretary of Housing and Urban Devel-  
15 opment, project funds that are held in residual receipts ac-  
16 counts for any project subject to a section 202 project rental  
17 assistance contract, and that upon termination of such con-  
18 tract are in excess of an amount to be determined by the  
19 Secretary, shall be remitted to the Department and depos-  
20 ited in this account, to be available until September 30,  
21 2021: Provided further, That amounts deposited in this ac-  
22 count pursuant to the previous proviso shall be available,  
23 in addition to the amounts otherwise provided by this head-  
24 ing, for amendments and renewals: Provided further, That  
25 unobligated balances, including recaptures and carryover,

1 *remaining from funds transferred to or appropriated under*  
2 *this heading shall be available for amendments and renew-*  
3 *als notwithstanding the purposes for which such funds*  
4 *originally were appropriated.*

5 *HOUSING FOR PERSONS WITH DISABILITIES*

6 *For capital advances, including amendments to cap-*  
7 *ital advance contracts, for supportive housing for persons*  
8 *with disabilities, as authorized by section 811 of the Cran-*  
9 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*  
10 *8013), as amended, and for project rental assistance for*  
11 *supportive housing for persons with disabilities under sec-*  
12 *tion 811(d)(2) of such Act and for project assistance con-*  
13 *tracts pursuant to section 202(h) of the Housing Act of 1959*  
14 *(Public Law 86–372; 73 Stat. 667), including amendments*  
15 *to contracts for such assistance and renewal of expiring con-*  
16 *tracts for such assistance for up to a 1-year term, for*  
17 *project rental assistance to State housing finance agencies*  
18 *and other appropriate entities as authorized under section*  
19 *811(b)(3) of the Cranston-Gonzalez National Housing Act,*  
20 *and for supportive services associated with the housing for*  
21 *persons with disabilities as authorized by section 811(b)(1)*  
22 *of such Act, \$229,600,000, to remain available until Sep-*  
23 *tember 30, 2021, of which \$82,600,000 shall be for capital*  
24 *advance and project rental assistance awards: Provided,*  
25 *That amounts made available under this heading shall be*

1 *available for Real Estate Assessment Center inspections and*  
2 *inspection-related activities associated with section 811*  
3 *projects: Provided further, That, in this fiscal year, upon*  
4 *the request of the Secretary of Housing and Urban Develop-*  
5 *ment, project funds that are held in residual receipts ac-*  
6 *counts for any project subject to a section 811 project rental*  
7 *assistance contract and that upon termination of such con-*  
8 *tract are in excess of an amount to be determined by the*  
9 *Secretary shall be remitted to the Department and deposited*  
10 *in this account, to be available until September 30, 2021:*  
11 *Provided further, That amounts deposited in this account*  
12 *pursuant to the previous proviso shall be available in addi-*  
13 *tion to the amounts otherwise provided by this heading for*  
14 *amendments and renewals: Provided further, That unobli-*  
15 *gated balances, including recaptures and carryover, re-*  
16 *maining from funds transferred to or appropriated under*  
17 *this heading shall be used for amendments and renewals*  
18 *notwithstanding the purposes for which such funds origi-*  
19 *nally were appropriated.*

20 *HOUSING COUNSELING ASSISTANCE*

21 *For contracts, grants, and other assistance excluding*  
22 *loans, as authorized under section 106 of the Housing and*  
23 *Urban Development Act of 1968, as amended, \$55,000,000,*  
24 *to remain available until September 30, 2019, including*  
25 *up to \$4,500,000 for administrative contract services: Pro-*

1 *vided, That grants made available from amounts provided*  
2 *under this heading shall be awarded within 180 days of*  
3 *enactment of this Act: Provided further, That funds shall*  
4 *be used for providing counseling and advice to tenants and*  
5 *homeowners, both current and prospective, with respect to*  
6 *property maintenance, financial management or literacy,*  
7 *and such other matters as may be appropriate to assist*  
8 *them in improving their housing conditions, meeting their*  
9 *financial needs, and fulfilling the responsibilities of tenancy*  
10 *or homeownership; for program administration; and for*  
11 *housing counselor training: Provided further, That for pur-*  
12 *poses of providing such grants from amounts provided*  
13 *under this heading, the Secretary may enter into multiyear*  
14 *agreements, as appropriate, subject to the availability of*  
15 *annual appropriations.*

16 *RENTAL HOUSING ASSISTANCE*

17 *For amendments to contracts under section 101 of the*  
18 *Housing and Urban Development Act of 1965 (12 U.S.C.*  
19 *1701s) and section 236(f)(2) of the National Housing Act*  
20 *(12 U.S.C. 1715z-1) in State-aided, noninsured rental*  
21 *housing projects, \$14,000,000, to remain available until ex-*  
22 *pended: Provided, That such amount, together with unobli-*  
23 *gated balances from recaptured amounts appropriated*  
24 *prior to fiscal year 2006 from terminated contracts under*  
25 *such sections of law, and any unobligated balances, includ-*

1 *ing recaptures and carryover, remaining from funds appro-*  
2 *priated under this heading after fiscal year 2005, shall also*  
3 *be available for extensions of up to one year for expiring*  
4 *contracts under such sections of law.*

5 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

6 *For necessary expenses as authorized by the National*  
7 *Manufactured Housing Construction and Safety Standards*  
8 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$11,000,000,*  
9 *to remain available until expended, of which \$11,000,000*  
10 *is to be derived from the Manufactured Housing Fees Trust*  
11 *Fund: Provided, That not to exceed the total amount appro-*  
12 *priated under this heading shall be available from the gen-*  
13 *eral fund of the Treasury to the extent necessary to incur*  
14 *obligations and make expenditures pending the receipt of*  
15 *collections to the Fund pursuant to section 620 of such Act:*  
16 *Provided further, That the amount made available under*  
17 *this heading from the general fund shall be reduced as such*  
18 *collections are received during fiscal year 2018 so as to re-*  
19 *sult in a final fiscal year 2018 appropriation from the gen-*  
20 *eral fund estimated at zero, and fees pursuant to such sec-*  
21 *tion 620 shall be modified as necessary to ensure such a*  
22 *final fiscal year 2018 appropriation: Provided further,*  
23 *That for the dispute resolution and installation programs,*  
24 *the Secretary of Housing and Urban Development may as-*  
25 *sess and collect fees from any program participant: Pro-*

1 *vided further, That such collections shall be deposited into*  
2 *the Fund, and the Secretary, as provided herein, may use*  
3 *such collections, as well as fees collected under section 620,*  
4 *for necessary expenses of such Act: Provided further, That,*  
5 *notwithstanding the requirements of section 620 of such Act,*  
6 *the Secretary may carry out responsibilities of the Sec-*  
7 *retary under such Act through the use of approved service*  
8 *providers that are paid directly by the recipients of their*  
9 *services.*

10 *FEDERAL HOUSING ADMINISTRATION*

11 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

12 *New commitments to guarantee single family loans in-*  
13 *sured under the Mutual Mortgage Insurance Fund shall not*  
14 *exceed \$400,000,000,000, to remain available until Sep-*  
15 *tember 30, 2019: Provided, That during fiscal year 2018,*  
16 *obligations to make direct loans to carry out the purposes*  
17 *of section 204(g) of the National Housing Act, as amended,*  
18 *shall not exceed \$5,000,000: Provided further, That the fore-*  
19 *going amount in the previous proviso shall be for loans to*  
20 *nonprofit and governmental entities in connection with*  
21 *sales of single family real properties owned by the Secretary*  
22 *and formerly insured under the Mutual Mortgage Insurance*  
23 *Fund: Provided further, That for administrative contract*  
24 *expenses of the Federal Housing Administration,*  
25 *\$130,000,000, to remain available until September 30,*

1 2019: *Provided further, That to the extent guaranteed loan*  
2 *commitments exceed \$200,000,000,000 on or before April 1,*  
3 *2018, an additional \$1,400 for administrative contract ex-*  
4 *penses shall be available for each \$1,000,000 in additional*  
5 *guaranteed loan commitments (including a pro rata*  
6 *amount for any amount below \$1,000,000), but in no case*  
7 *shall funds made available by this proviso exceed*  
8 *\$30,000,000: Provided further, That during fiscal year 2018*  
9 *the Secretary may insure and enter into new commitments*  
10 *to insure mortgages under section 255 of the National Hous-*  
11 *ing Act only to the extent that the net credit subsidy cost*  
12 *for such insurance does not exceed zero: Provided further,*  
13 *That for fiscal years 2018 and 2019, the Secretary shall*  
14 *not take any action against a lender solely on the basis*  
15 *of compare ratios that have been adversely affected by de-*  
16 *faults on mortgages secured by properties in areas where*  
17 *a major disaster was declared in 2017 or 2018 pursuant*  
18 *to the Robert T. Stafford Disaster Relief and Emergency*  
19 *Assistance Act (42 U.S.C. 5121 et seq.).*

20           *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

21           *New commitments to guarantee loans insured under*  
22 *the General and Special Risk Insurance Funds, as author-*  
23 *ized by sections 238 and 519 of the National Housing Act*  
24 *(12 U.S.C. 1715z-3 and 1735c), shall not exceed*  
25 *\$30,000,000,000 in total loan principal, any part of which*

1 *is to be guaranteed, to remain available until September*  
2 *30, 2019: Provided, That during fiscal year 2018, gross ob-*  
3 *ligations for the principal amount of direct loans, as au-*  
4 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*  
5 *National Housing Act, shall not exceed \$5,000,000, which*  
6 *shall be for loans to nonprofit and governmental entities*  
7 *in connection with the sale of single family real properties*  
8 *owned by the Secretary and formerly insured under such*  
9 *Act.*

10 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*

11 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*

12 *GUARANTEE PROGRAM ACCOUNT*

13 *New commitments to issue guarantees to carry out the*  
14 *purposes of section 306 of the National Housing Act, as*  
15 *amended (12 U.S.C. 1721(g)), shall not exceed*  
16 *\$500,000,000,000, to remain available until September 30,*  
17 *2019: Provided, That \$27,000,000 shall be available for nec-*  
18 *essary salaries and expenses of the Office of Government*  
19 *National Mortgage Association: Provided further, That to*  
20 *the extent that guaranteed loan commitments exceed*  
21 *\$155,000,000,000 on or before April 1, 2018, an additional*  
22 *\$100 for necessary salaries and expenses shall be available*  
23 *until expended for each \$1,000,000 in additional guaran-*  
24 *teed loan commitments (including a pro rata amount for*  
25 *any amount below \$1,000,000), but in no case shall funds*



1 *made available by this proviso exceed \$3,000,000: Provided*  
2 *further, That receipts from Commitment and Multiclass fees*  
3 *collected pursuant to title III of the National Housing Act,*  
4 *as amended, shall be credited as offsetting collections to this*  
5 *account.*

6 *POLICY DEVELOPMENT AND RESEARCH*

7 *RESEARCH AND TECHNOLOGY*

8 *For contracts, grants, and necessary expenses of pro-*  
9 *grams of research and studies relating to housing and*  
10 *urban problems, not otherwise provided for, as authorized*  
11 *by title V of the Housing and Urban Development Act of*  
12 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*  
13 *the functions of the Secretary of Housing and Urban Devel-*  
14 *opment under section 1(a)(1)(i) of Reorganization Plan No.*  
15 *2 of 1968, and for technical assistance, \$89,000,000, to re-*  
16 *main available until September 30, 2019: Provided, That*  
17 *with respect to amounts made available under this heading,*  
18 *notwithstanding section 203 of this title, the Secretary may*  
19 *enter into cooperative agreements funded with philan-*  
20 *thropic entities, other Federal agencies, State or local gov-*  
21 *ernments and their agencies, or colleges or universities for*  
22 *research projects: Provided further, That with respect to the*  
23 *previous proviso, such partners to the cooperative agree-*  
24 *ments must contribute at least a 50 percent match toward*  
25 *the cost of the project: Provided further, That for non-com-*

1 *petitive agreements entered into in accordance with the pre-*  
2 *vious two provisos, the Secretary of Housing and Urban*  
3 *Development shall comply with section 2(b) of the Federal*  
4 *Funding Accountability and Transparency Act of 2006*  
5 *(Public Law 109–282, 31 U.S.C. note) in lieu of compliance*  
6 *with section 102(a)(4)(C) with respect to documentation of*  
7 *award decisions: Provided further, That prior to obligation*  
8 *of technical assistance funding, the Secretary shall submit*  
9 *a plan, for approval, to the House and Senate Committees*  
10 *on Appropriations on how it will allocate funding for this*  
11 *activity: Provided further, That none of the funds provided*  
12 *under this heading may be available for the doctoral dis-*  
13 *sertation research grant program.*

14 *FAIR HOUSING AND EQUAL OPPORTUNITY*

15 *FAIR HOUSING ACTIVITIES*

16 *For contracts, grants, and other assistance, not other-*  
17 *wise provided for, as authorized by title VIII of the Civil*  
18 *Rights Act of 1968, as amended by the Fair Housing*  
19 *Amendments Act of 1988, and section 561 of the Housing*  
20 *and Community Development Act of 1987, as amended,*  
21 *\$65,300,000, to remain available until September 30, 2019:*  
22 *Provided, That notwithstanding 31 U.S.C. 3302, the Sec-*  
23 *retary may assess and collect fees to cover the costs of the*  
24 *Fair Housing Training Academy, and may use such funds*  
25 *to provide such training: Provided further, That no funds*

1 *made available under this heading shall be used to lobby*  
2 *the executive or legislative branches of the Federal Govern-*  
3 *ment in connection with a specific contract, grant, or loan:*  
4 *Provided further, That of the funds made available under*  
5 *this heading, \$300,000 shall be available to the Secretary*  
6 *of Housing and Urban Development for the creation and*  
7 *promotion of translated materials and other programs that*  
8 *support the assistance of persons with limited English pro-*  
9 *ficiency in utilizing the services provided by the Depart-*  
10 *ment of Housing and Urban Development.*

11 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY*

12 *HOMES*

13 *LEAD HAZARD REDUCTION*

14 *For the Lead Hazard Reduction Program, as author-*  
15 *ized by section 1011 of the Residential Lead-Based Paint*  
16 *Hazard Reduction Act of 1992, \$230,000,000, to remain*  
17 *available until September 30, 2019, of which \$45,000,000*  
18 *shall be for the Healthy Homes Initiative, pursuant to sec-*  
19 *tions 501 and 502 of the Housing and Urban Development*  
20 *Act of 1970, that shall include research, studies, testing, and*  
21 *demonstration efforts, including education and outreach*  
22 *concerning lead-based paint poisoning and other housing-*  
23 *related diseases and hazards: Provided, That for purposes*  
24 *of environmental review, pursuant to the National Environ-*  
25 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and*

1 *other provisions of the law that further the purposes of such*  
2 *Act, a grant under the Healthy Homes Initiative, or the*  
3 *Lead Technical Studies program under this heading or*  
4 *under prior appropriations Acts for such purposes under*  
5 *this heading, shall be considered to be funds for a special*  
6 *project for purposes of section 305(c) of the Multifamily*  
7 *Housing Property Disposition Reform Act of 1994: Pro-*  
8 *vided further, That not less than \$95,000,000 of the*  
9 *amounts made available under this heading for the award*  
10 *of grants pursuant to section 1011 of the Residential Lead-*  
11 *Based Paint Hazard Reduction Act of 1992 shall be pro-*  
12 *vided to areas with the highest lead-based paint abatement*  
13 *needs: Provided further, That each applicant shall certify*  
14 *adequate capacity that is acceptable to the Secretary to*  
15 *carry out the proposed use of funds pursuant to a notice*  
16 *of funding availability: Provided further, That amounts*  
17 *made available under this heading in this or prior appro-*  
18 *priations Acts, and that still remain available, may be used*  
19 *for any purpose under this heading notwithstanding the*  
20 *purpose for which such amounts were appropriated if a*  
21 *program competition is undersubscribed and there are other*  
22 *program competitions under this heading that are oversub-*  
23 *scribed.*

1                    *INFORMATION TECHNOLOGY FUND*

2            *For the development of, modifications to, and infra-*  
3 *structure for Department-wide and program-specific infor-*  
4 *mation technology systems, for the continuing operation*  
5 *and maintenance of both Department-wide and program-*  
6 *specific information systems, and for program-related*  
7 *maintenance activities, \$267,000,000, of which*  
8 *\$250,000,000 shall remain available until September 30,*  
9 *2019, and of which \$17,000,000 shall remain available*  
10 *until September 30, 2020: Provided, That any amounts*  
11 *transferred to this Fund under this Act shall remain avail-*  
12 *able until expended: Provided further, That any amounts*  
13 *transferred to this Fund from amounts appropriated by*  
14 *previously enacted appropriations Acts may be used for the*  
15 *purposes specified under this Fund, in addition to any*  
16 *other information technology purposes for which such*  
17 *amounts were appropriated: Provided further, That not*  
18 *more than 10 percent of the funds made available under*  
19 *this heading for development, modernization and enhance-*  
20 *ment may be obligated until the Secretary submits to the*  
21 *House and Senate Committees on Appropriations, for ap-*  
22 *proval, a plan for expenditure that—(A) identifies for each*  
23 *modernization project: (i) the functional and performance*  
24 *capabilities to be delivered and the mission benefits to be*  
25 *realized, (ii) the estimated life-cycle cost, and (iii) key mile-*

1 *stones to be met; and (B) demonstrates that each moderniza-*  
2 *tion project is: (i) compliant with the Department's enter-*  
3 *prise architecture, (ii) being managed in accordance with*  
4 *applicable life-cycle management policies and guidance,*  
5 *(iii) subject to the Department's capital planning and in-*  
6 *vestment control requirements, and (iv) supported by an*  
7 *adequately staffed project office.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *For necessary salaries and expenses of the Office of In-*  
10 *pector General in carrying out the Inspector General Act*  
11 *of 1978, as amended, \$128,082,000: Provided, That the In-*  
12 *pector General shall have independent authority over all*  
13 *personnel issues within this office.*

14 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*

15 *URBAN DEVELOPMENT*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *(INCLUDING RESCISSION)*

18 *SEC. 201. Fifty percent of the amounts of budget au-*  
19 *thority, or in lieu thereof 50 percent of the cash amounts*  
20 *associated with such budget authority, that are recaptured*  
21 *from projects described in section 1012(a) of the Stewart*  
22 *B. McKinney Homeless Assistance Amendments Act of 1988*  
23 *(42 U.S.C. 1437f note) shall be rescinded or in the case of*  
24 *cash, shall be remitted to the Treasury, and such amounts*  
25 *of budget authority or cash recaptured and not rescinded*

1 *or remitted to the Treasury shall be used by State housing*  
2 *finance agencies or local governments or local housing agen-*  
3 *cies with projects approved by the Secretary of Housing and*  
4 *Urban Development for which settlement occurred after*  
5 *January 1, 1992, in accordance with such section. Notwith-*  
6 *standing the previous sentence, the Secretary may award*  
7 *up to 15 percent of the budget authority or cash recaptured*  
8 *and not rescinded or remitted to the Treasury to provide*  
9 *project owners with incentives to refinance their project at*  
10 *a lower interest rate.*

11 *SEC. 202. None of the amounts made available under*  
12 *this Act may be used during fiscal year 2018 to investigate*  
13 *or prosecute under the Fair Housing Act any otherwise law-*  
14 *ful activity engaged in by one or more persons, including*  
15 *the filing or maintaining of a nonfrivolous legal action,*  
16 *that is engaged in solely for the purpose of achieving or*  
17 *preventing action by a Government official or entity, or a*  
18 *court of competent jurisdiction.*

19 *SEC. 203. Except as explicitly provided in law, any*  
20 *grant, cooperative agreement or other assistance made pur-*  
21 *suant to title II of this Act shall be made on a competitive*  
22 *basis and in accordance with section 102 of the Department*  
23 *of Housing and Urban Development Reform Act of 1989*  
24 *(42 U.S.C. 3545).*

1        *SEC. 204. Funds of the Department of Housing and*  
2 *Urban Development subject to the Government Corporation*  
3 *Control Act or section 402 of the Housing Act of 1950 shall*  
4 *be available, without regard to the limitations on adminis-*  
5 *trative expenses, for legal services on a contract or fee basis,*  
6 *and for utilizing and making payment for services and fa-*  
7 *cilities of the Federal National Mortgage Association, Gov-*  
8 *ernment National Mortgage Association, Federal Home*  
9 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*  
10 *eral Reserve banks or any member thereof, Federal Home*  
11 *Loan banks, and any insured bank within the meaning of*  
12 *the Federal Deposit Insurance Corporation Act, as amended*  
13 *(12 U.S.C. 1811-1).*

14        *SEC. 205. Unless otherwise provided for in this Act*  
15 *or through a reprogramming of funds, no part of any ap-*  
16 *propriation for the Department of Housing and Urban De-*  
17 *velopment shall be available for any program, project or*  
18 *activity in excess of amounts set forth in the budget esti-*  
19 *mates submitted to Congress.*

20        *SEC. 206. Corporations and agencies of the Depart-*  
21 *ment of Housing and Urban Development which are subject*  
22 *to the Government Corporation Control Act are hereby au-*  
23 *thorized to make such expenditures, within the limits of*  
24 *funds and borrowing authority available to each such cor-*  
25 *poration or agency and in accordance with law, and to*



1 *make such contracts and commitments without regard to*  
2 *fiscal year limitations as provided by section 104 of such*  
3 *Act as may be necessary in carrying out the programs set*  
4 *forth in the budget for 2018 for such corporation or agency*  
5 *except as hereinafter provided: Provided, That collections*  
6 *of these corporations and agencies may be used for new loan*  
7 *or mortgage purchase commitments only to the extent ex-*  
8 *pressly provided for in this Act (unless such loans are in*  
9 *support of other forms of assistance provided for in this or*  
10 *prior appropriations Acts), except that this proviso shall*  
11 *not apply to the mortgage insurance or guaranty operations*  
12 *of these corporations, or where loans or mortgage purchases*  
13 *are necessary to protect the financial interest of the United*  
14 *States Government.*

15       *SEC. 207. The Secretary of Housing and Urban Devel-*  
16 *opment shall provide quarterly reports to the House and*  
17 *Senate Committees on Appropriations regarding all uncom-*  
18 *mited, unobligated, recaptured and excess funds in each*  
19 *program and activity within the jurisdiction of the Depart-*  
20 *ment and shall submit additional, updated budget informa-*  
21 *tion to these Committees upon request.*

22       *SEC. 208. The President's formal budget request for fis-*  
23 *cal year 2019, as well as the Department of Housing and*  
24 *Urban Development's congressional budget justifications to*  
25 *be submitted to the Committees on Appropriations of the*

1 *House of Representatives and the Senate, shall use the iden-*  
2 *tical account and sub-account structure provided under this*  
3 *Act.*

4 *SEC. 209. No funds provided under this title may be*  
5 *used for an audit of the Government National Mortgage As-*  
6 *sociation that makes applicable requirements under the*  
7 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

8 *SEC. 210. (a) Notwithstanding any other provision of*  
9 *law, subject to the conditions listed under this section, for*  
10 *fiscal years 2018 and 2019, the Secretary of Housing and*  
11 *Urban Development may authorize the transfer of some or*  
12 *all project-based assistance, debt held or insured by the Sec-*  
13 *retary and statutorily required low-income and very low-*  
14 *income use restrictions if any, associated with one or more*  
15 *multifamily housing project or projects to another multi-*  
16 *family housing project or projects.*

17 *(b) PHASED TRANSFERS.—Transfers of project-based*  
18 *assistance under this section may be done in phases to ac-*  
19 *commodate the financing and other requirements related to*  
20 *rehabilitating or constructing the project or projects to*  
21 *which the assistance is transferred, to ensure that such*  
22 *project or projects meet the standards under subsection (c).*

23 *(c) The transfer authorized in subsection (a) is subject*  
24 *to the following conditions:*

25 *(1) NUMBER AND BEDROOM SIZE OF UNITS.—*

1           (A) *For occupied units in the transferring*  
2 *project: The number of low-income and very low-*  
3 *income units and the configuration (i.e., bed-*  
4 *room size) provided by the transferring project*  
5 *shall be no less than when transferred to the re-*  
6 *ceiving project or projects and the net dollar*  
7 *amount of Federal assistance provided to the*  
8 *transferring project shall remain the same in the*  
9 *receiving project or projects.*

10           (B) *For unoccupied units in the transfer-*  
11 *ring project: The Secretary may authorize a re-*  
12 *duction in the number of dwelling units in the*  
13 *receiving project or projects to allow for a recon-*  
14 *figuration of bedroom sizes to meet current mar-*  
15 *ket demands, as determined by the Secretary and*  
16 *provided there is no increase in the project-based*  
17 *assistance budget authority.*

18           (2) *The transferring project shall, as determined*  
19 *by the Secretary, be either physically obsolete or eco-*  
20 *nomically nonviable.*

21           (3) *The receiving project or projects shall meet or*  
22 *exceed applicable physical standards established by*  
23 *the Secretary.*

24           (4) *The owner or mortgagor of the transferring*  
25 *project shall notify and consult with the tenants re-*

1        *siding in the transferring project and provide a cer-*  
2        *tification of approval by all appropriate local govern-*  
3        *mental officials.*

4            (5) *The tenants of the transferring project who*  
5        *remain eligible for assistance to be provided by the re-*  
6        *ceiving project or projects shall not be required to va-*  
7        *cate their units in the transferring project or projects*  
8        *until new units in the receiving project are available*  
9        *for occupancy.*

10           (6) *The Secretary determines that this transfer is*  
11        *in the best interest of the tenants.*

12           (7) *If either the transferring project or the re-*  
13        *ceiving project or projects meets the condition speci-*  
14        *fied in subsection (d)(2)(A), any lien on the receiving*  
15        *project resulting from additional financing obtained*  
16        *by the owner shall be subordinate to any FHA-in-*  
17        *sured mortgage lien transferred to, or placed on, such*  
18        *project by the Secretary, except that the Secretary*  
19        *may waive this requirement upon determination that*  
20        *such a waiver is necessary to facilitate the financing*  
21        *of acquisition, construction, and/or rehabilitation of*  
22        *the receiving project or projects.*

23           (8) *If the transferring project meets the require-*  
24        *ments of subsection (d)(2), the owner or mortgagor of*  
25        *the receiving project or projects shall execute and*

1       *record either a continuation of the existing use agree-*  
2       *ment or a new use agreement for the project where,*  
3       *in either case, any use restrictions in such agreement*  
4       *are of no lesser duration than the existing use restric-*  
5       *tions.*

6               *(9) The transfer does not increase the cost (as de-*  
7       *finied in section 502 of the Congressional Budget Act*  
8       *of 1974, as amended) of any FHA-insured mortgage,*  
9       *except to the extent that appropriations are provided*  
10       *in advance for the amount of any such increased cost.*

11       *(d) For purposes of this section—*

12               *(1) the terms “low-income” and “very low-in-*  
13       *come” shall have the meanings provided by the statute*  
14       *and/or regulations governing the program under*  
15       *which the project is insured or assisted;*

16               *(2) the term “multifamily housing project”*  
17       *means housing that meets one of the following condi-*  
18       *tions—*

19               *(A) housing that is subject to a mortgage*  
20       *insured under the National Housing Act;*

21               *(B) housing that has project-based assist-*  
22       *ance attached to the structure including projects*  
23       *undergoing mark to market debt restructuring*  
24       *under the Multifamily Assisted Housing Reform*  
25       *and Affordability Housing Act;*

1           (C) housing that is assisted under section  
2           202 of the Housing Act of 1959, as amended by  
3           section 801 of the Cranston-Gonzales National  
4           Affordable Housing Act;

5           (D) housing that is assisted under section  
6           202 of the Housing Act of 1959, as such section  
7           existed before the enactment of the Cranston-  
8           Gonzales National Affordable Housing Act;

9           (E) housing that is assisted under section  
10          811 of the Cranston-Gonzales National Afford-  
11          able Housing Act; or

12          (F) housing or vacant land that is subject  
13          to a use agreement;

14          (3) the term “project-based assistance” means—

15               (A) assistance provided under section 8(b)  
16               of the United States Housing Act of 1937;

17               (B) assistance for housing constructed or  
18               substantially rehabilitated pursuant to assistance  
19               provided under section 8(b)(2) of such Act (as  
20               such section existed immediately before October  
21               1, 1983);

22               (C) rent supplement payments under sec-  
23               tion 101 of the Housing and Urban Development  
24               Act of 1965;

1           (D) interest reduction payments under sec-  
2           tion 236 and/or additional assistance payments  
3           under section 236(f)(2) of the National Housing  
4           Act;

5           (E) assistance payments made under sec-  
6           tion 202(c)(2) of the Housing Act of 1959; and

7           (F) assistance payments made under section  
8           811(d)(2) of the Cranston-Gonzalez National Af-  
9           fordable Housing Act;

10          (4) the term “receiving project or projects”  
11          means the multifamily housing project or projects to  
12          which some or all of the project-based assistance, debt,  
13          and statutorily required low-income and very low-in-  
14          come use restrictions are to be transferred;

15          (5) the term “transferring project” means the  
16          multifamily housing project which is transferring  
17          some or all of the project-based assistance, debt, and  
18          the statutorily required low-income and very low-in-  
19          come use restrictions to the receiving project or  
20          projects; and

21          (6) the term “Secretary” means the Secretary of  
22          Housing and Urban Development.

23          (e) RESEARCH REPORT.—The Secretary shall conduct  
24          an evaluation of the transfer authority under this section,  
25          including the effect of such transfers on the operational effi-

1 *ciency, contract rents, physical and financial conditions,*  
2 *and long-term preservation of the affected properties.*

3 *SEC. 211. (a) No assistance shall be provided under*  
4 *section 8 of the United States Housing Act of 1937 (42*  
5 *U.S.C. 1437f) to any individual who—*

6 *(1) is enrolled as a student at an institution of*  
7 *higher education (as defined under section 102 of the*  
8 *Higher Education Act of 1965 (20 U.S.C. 1002));*

9 *(2) is under 24 years of age;*

10 *(3) is not a veteran;*

11 *(4) is unmarried;*

12 *(5) does not have a dependent child;*

13 *(6) is not a person with disabilities, as such*  
14 *term is defined in section 3(b)(3)(E) of the United*  
15 *States Housing Act of 1937 (42 U.S.C.*  
16 *1437a(b)(3)(E)) and was not receiving assistance*  
17 *under such section 8 as of November 30, 2005;*

18 *(7) is not a youth who left foster care at age 14*  
19 *or older and is at risk of becoming homeless; and*

20 *(8) is not otherwise individually eligible, or has*  
21 *parents who, individually or jointly, are not eligible,*  
22 *to receive assistance under section 8 of the United*  
23 *States Housing Act of 1937 (42 U.S.C. 1437f).*

24 *(b) For purposes of determining the eligibility of a per-*  
25 *son to receive assistance under section 8 of the United States*



1 *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*  
2 *sistance (in excess of amounts received for tuition and any*  
3 *other required fees and charges) that an individual receives*  
4 *under the Higher Education Act of 1965 (20 U.S.C. 1001*  
5 *et seq.), from private sources, or an institution of higher*  
6 *education (as defined under the Higher Education Act of*  
7 *1965 (20 U.S.C. 1002)), shall be considered income to that*  
8 *individual, except for a person over the age of 23 with de-*  
9 *pendent children.*

10       *SEC. 212. The funds made available for Native Alas-*  
11 *kans under the heading “Native American Housing Block*  
12 *Grants” in title II of this Act shall be allocated to the same*  
13 *Native Alaskan housing block grant recipients that received*  
14 *funds in fiscal year 2005.*

15       *SEC. 213. Notwithstanding the limitation in the first*  
16 *sentence of section 255(g) of the National Housing Act (12*  
17 *U.S.C. 1715z–20(g)), the Secretary of Housing and Urban*  
18 *Development may, until September 30, 2018, insure and*  
19 *enter into commitments to insure mortgages under such sec-*  
20 *tion 255.*

21       *SEC. 214. Notwithstanding any other provision of law,*  
22 *in fiscal year 2018, in managing and disposing of any mul-*  
23 *tifamily property that is owned or has a mortgage held by*  
24 *the Secretary of Housing and Urban Development, and dur-*  
25 *ing the process of foreclosure on any property with a con-*

1 tract for rental assistance payments under section 8 of the  
2 United States Housing Act of 1937 or other Federal pro-  
3 grams, the Secretary shall maintain any rental assistance  
4 payments under section 8 of the United States Housing Act  
5 of 1937 and other programs that are attached to any dwell-  
6 ing units in the property. To the extent the Secretary deter-  
7 mines, in consultation with the tenants and the local gov-  
8 ernment, that such a multifamily property owned or held  
9 by the Secretary is not feasible for continued rental assist-  
10 ance payments under such section 8 or other programs,  
11 based on consideration of (1) the costs of rehabilitating and  
12 operating the property and all available Federal, State, and  
13 local resources, including rent adjustments under section  
14 524 of the Multifamily Assisted Housing Reform and Af-  
15 fordability Act of 1997 (“MAHRAA”) and (2) environ-  
16 mental conditions that cannot be remedied in a cost-effec-  
17 tive fashion, the Secretary may, in consultation with the  
18 tenants of that property, contract for project-based rental  
19 assistance payments with an owner or owners of other exist-  
20 ing housing properties, or provide other rental assistance.  
21 The Secretary shall also take appropriate steps to ensure  
22 that project-based contracts remain in effect prior to fore-  
23 closure, subject to the exercise of contractual abatement rem-  
24 edies to assist relocation of tenants for imminent major  
25 threats to health and safety after written notice to and in-

1 *formed consent of the affected tenants and use of other avail-*  
2 *able remedies, such as partial abatements or receivership.*  
3 *After disposition of any multifamily property described*  
4 *under this section, the contract and allowable rent levels*  
5 *on such properties shall be subject to the requirements under*  
6 *section 524 of MAHRAA.*

7       *SEC. 215. The commitment authority funded by fees*  
8 *as provided under the heading “Community Development*  
9 *Loan Guarantees Program Account” may be used to guar-*  
10 *antee, or make commitments to guarantee, notes, or other*  
11 *obligations issued by any State on behalf of non-entitlement*  
12 *communities in the State in accordance with the require-*  
13 *ments of section 108 of the Housing and Community Devel-*  
14 *opment Act of 1974: Provided, That any State receiving*  
15 *such a guarantee or commitment shall distribute all funds*  
16 *subject to such guarantee to the units of general local gov-*  
17 *ernment in non-entitlement areas that received the commit-*  
18 *ment.*

19       *SEC. 216. Public housing agencies that own and oper-*  
20 *ate 400 or fewer public housing units may elect to be exempt*  
21 *from any asset management requirement imposed by the*  
22 *Secretary of Housing and Urban Development in connec-*  
23 *tion with the operating fund rule: Provided, That an agency*  
24 *seeking a discontinuance of a reduction of subsidy under*

1 *the operating fund formula shall not be exempt from asset*  
2 *management requirements.*

3       *SEC. 217. With respect to the use of amounts provided*  
4 *in this Act and in future Acts for the operation, capital*  
5 *improvement and management of public housing as author-*  
6 *ized by sections 9(d) and 9(e) of the United States Housing*  
7 *Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary*  
8 *shall not impose any requirement or guideline relating to*  
9 *asset management that restricts or limits in any way the*  
10 *use of capital funds for central office costs pursuant to sec-*  
11 *tion 9(g)(1) or 9(g)(2) of the United States Housing Act*  
12 *of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-*  
13 *lic housing agency may not use capital funds authorized*  
14 *under section 9(d) for activities that are eligible under sec-*  
15 *tion 9(e) for assistance with amounts from the operating*  
16 *fund in excess of the amounts permitted under section*  
17 *9(g)(1) or 9(g)(2).*

18       *SEC. 218. No official or employee of the Department*  
19 *of Housing and Urban Development shall be designated as*  
20 *an allotment holder unless the Office of the Chief Financial*  
21 *Officer has determined that such allotment holder has im-*  
22 *plemented an adequate system of funds control and has re-*  
23 *ceived training in funds control procedures and directives.*  
24 *The Chief Financial Officer shall ensure that there is a*  
25 *trained allotment holder for each HUD sub-office under the*

1 accounts “Executive Offices” and “Administrative Support  
2 Offices,” as well as each account receiving appropriations  
3 for “Program Office Salaries and Expenses”, “Government  
4 National Mortgage Association—Guarantees of Mortgage-  
5 Backed Securities Loan Guarantee Program Account”, and  
6 “Office of Inspector General” within the Department of  
7 Housing and Urban Development.

8       SEC. 219. The Secretary of the Department of Housing  
9 and Urban Development shall, for fiscal year 2018, notify  
10 the public through the Federal Register and other means,  
11 as determined appropriate, of the issuance of a notice of  
12 the availability of assistance or notice of funding avail-  
13 ability (NOFA) for any program or discretionary fund ad-  
14 ministered by the Secretary that is to be competitively  
15 awarded. Notwithstanding any other provision of law, for  
16 fiscal year 2018, the Secretary may make the NOFA avail-  
17 able only on the Internet at the appropriate Government  
18 web site or through other electronic media, as determined  
19 by the Secretary.

20       SEC. 220. Payment of attorney fees in program-related  
21 litigation shall be paid from the individual program office  
22 and Office of General Counsel salaries and expenses appro-  
23 priations. The annual budget submission for the program  
24 offices and the Office of General Counsel shall include any  
25 such projected litigation costs for attorney fees as a separate

1 *line item request. No funds provided in this title may be*  
2 *used to pay any such litigation costs for attorney fees until*  
3 *the Department submits for review a spending plan for such*  
4 *costs to the House and Senate Committees on Appropria-*  
5 *tions.*

6       *SEC. 221. The Secretary is authorized to transfer up*  
7 *to 10 percent or \$5,000,000, whichever is less, of funds ap-*  
8 *propriated for any office under the heading “Administra-*  
9 *tive Support Offices” or for any account under the general*  
10 *heading “Program Office Salaries and Expenses” to any*  
11 *other such office or account: Provided, That no appropria-*  
12 *tion for any such office or account shall be increased or*  
13 *decreased by more than 10 percent or \$5,000,000, whichever*  
14 *is less, without prior written approval of the House and*  
15 *Senate Committees on Appropriations: Provided further,*  
16 *That the Secretary shall provide notification to such Com-*  
17 *mittees three business days in advance of any such transfers*  
18 *under this section up to 10 percent or \$5,000,000, whichever*  
19 *is less.*

20       *SEC. 222. (a) Any entity receiving housing assistance*  
21 *payments shall maintain decent, safe, and sanitary condi-*  
22 *tions, as determined by the Secretary of Housing and*  
23 *Urban Development (in this section referred to as the “Sec-*  
24 *retary”), and comply with any standards under applicable*  
25 *State or local laws, rules, ordinances, or regulations relat-*

1 *ing to the physical condition of any property covered under*  
2 *a housing assistance payment contract.*

3 *(b) The Secretary shall take action under subsection*  
4 *(c) when a multifamily housing project with a section 8*  
5 *contract or contract for similar project-based assistance—*

6 *(1) receives a Uniform Physical Condition*  
7 *Standards (UPCS) score of 60 or less; or*

8 *(2) fails to certify in writing to the Secretary*  
9 *within 3 days that all Exigent Health and Safety de-*  
10 *ficiencies identified by the inspector at the project*  
11 *have been corrected.*

12 *Such requirements shall apply to insured and noninsured*  
13 *projects with assistance attached to the units under section*  
14 *8 of the United States Housing Act of 1937 (42 U.S.C.*  
15 *1437f), but do not apply to such units assisted under section*  
16 *8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units*  
17 *assisted with capital or operating funds under section 9 of*  
18 *the United States Housing Act of 1937 (42 U.S.C. 1437g).*

19 *(c)(1) Within 15 days of the issuance of the REAC in-*  
20 *spection, the Secretary must provide the owner with a No-*  
21 *tice of Default with a specified timetable, determined by the*  
22 *Secretary, for correcting all deficiencies. The Secretary*  
23 *must also provide a copy of the Notice of Default to the*  
24 *tenants, the local government, any mortgagees, and any*  
25 *contract administrator. If the owner's appeal results in a*

1 *UPCS score of 60 or above, the Secretary may withdraw*  
2 *the Notice of Default.*

3 *(2) At the end of the time period for correcting all defi-*  
4 *ciencies specified in the Notice of Default, if the owner fails*  
5 *to fully correct such deficiencies, the Secretary may—*

6 *(A) require immediate replacement of project*  
7 *management with a management agent approved by*  
8 *the Secretary;*

9 *(B) impose civil money penalties, which shall be*  
10 *used solely for the purpose of supporting safe and*  
11 *sanitary conditions at applicable properties, as des-*  
12 *ignated by the Secretary, with priority given to the*  
13 *tenants of the property affected by the penalty;*

14 *(C) abate the section 8 contract, including par-*  
15 *tial abatement, as determined by the Secretary, until*  
16 *all deficiencies have been corrected;*

17 *(D) pursue transfer of the project to an owner,*  
18 *approved by the Secretary under established proce-*  
19 *dures, which will be obligated to promptly make all*  
20 *required repairs and to accept renewal of the assist-*  
21 *ance contract as long as such renewal is offered;*

22 *(E) transfer the existing section 8 contract to an-*  
23 *other project or projects and owner or owners;*

24 *(F) pursue exclusionary sanctions, including*  
25 *suspensions or debarments from Federal programs;*



1           (G) seek judicial appointment of a receiver to  
2           manage the property and cure all project deficiencies  
3           or seek a judicial order of specific performance requir-  
4           ing the owner to cure all project deficiencies;

5           (H) work with the owner, lender, or other related  
6           party to stabilize the property in an attempt to pre-  
7           serve the property through compliance, transfer of  
8           ownership, or an infusion of capital provided by a  
9           third-party that requires time to effectuate; or

10          (I) take any other regulatory or contractual rem-  
11          edies available as deemed necessary and appropriate  
12          by the Secretary.

13          (d) The Secretary shall also take appropriate steps to  
14          ensure that project-based contracts remain in effect, subject  
15          to the exercise of contractual abatement remedies to assist  
16          relocation of tenants for major threats to health and safety  
17          after written notice to the affected tenants. To the extent  
18          the Secretary determines, in consultation with the tenants  
19          and the local government, that the property is not feasible  
20          for continued rental assistance payments under such section  
21          8 or other programs, based on consideration of—

22                 (1) the costs of rehabilitating and operating the  
23                 property and all available Federal, State, and local  
24                 resources, including rent adjustments under section

1       524 of the Multifamily Assisted Housing Reform and  
2       Affordability Act of 1997 (“MAHRAA”); and

3               (2) environmental conditions that cannot be  
4       remedied in a cost-effective fashion, the Secretary  
5       may contract for project-based rental assistance pay-  
6       ments with an owner or owners of other existing hous-  
7       ing properties, or provide other rental assistance.

8       (e) The Secretary shall report quarterly on all prop-  
9       erties covered by this section that are assessed through the  
10      Real Estate Assessment Center and have UPCS physical in-  
11      spection scores of less than 60 or have received an unsatis-  
12      factory management and occupancy review within the past  
13      36 months. The report shall include—

14              (1) the enforcement actions being taken to ad-  
15      dress such conditions, including imposition of civil  
16      money penalties and termination of subsidies, and  
17      identify properties that have such conditions multiple  
18      times;

19              (2) actions that the Department of Housing and  
20      Urban Development is taking to protect tenants of  
21      such identified properties; and

22              (3) any administrative or legislative rec-  
23      ommendations to further improve the living condi-  
24      tions at properties covered under a housing assistance  
25      payment contract.

1 *This report shall be due to the Senate and House Commit-*  
2 *tees on Appropriations no later than 30 days after the en-*  
3 *actment of this Act, and on the first business day of each*  
4 *Federal fiscal year quarter thereafter while this section re-*  
5 *mains in effect.*

6       *SEC. 223. None of the funds made available by this*  
7 *Act, or any other Act, for purposes authorized under section*  
8 *8 (only with respect to the tenant-based rental assistance*  
9 *program) and section 9 of the United States Housing Act*  
10 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*  
11 *housing agency for any amount of salary, including bo-*  
12 *nuses, for the chief executive officer of which, or any other*  
13 *official or employee of which, that exceeds the annual rate*  
14 *of basic pay payable for a position at level IV of the Execu-*  
15 *tive Schedule at any time during any public housing agen-*  
16 *cy fiscal year 2018.*

17       *SEC. 224. Notwithstanding section 24(o) of the United*  
18 *States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Sec-*  
19 *retary of Housing and Urban Development may, until Sep-*  
20 *tember 30, 2018, obligate any available unobligated bal-*  
21 *ances made available under the heading “Choice Neighbor-*  
22 *hoods Initiative” in this Act or any prior Act.*

23       *SEC. 225. None of the funds in this Act provided to*  
24 *the Department of Housing and Urban Development may*  
25 *be used to make a grant award unless the Secretary notifies*

1 *the House and Senate Committees on Appropriations not*  
2 *less than 3 full business days before any project, State, lo-*  
3 *cality, housing authority, tribe, nonprofit organization, or*  
4 *other entity selected to receive a grant award is announced*  
5 *by the Department or its offices.*

6       *SEC. 226. None of the funds made available by this*  
7 *Act may be used to require or enforce the Physical Needs*  
8 *Assessment (PNA).*

9       *SEC. 227. None of the funds made available in this*  
10 *Act shall be used by the Federal Housing Administration,*  
11 *the Government National Mortgage Administration, or the*  
12 *Department of Housing and Urban Development to insure,*  
13 *securitize, or establish a Federal guarantee of any mortgage*  
14 *or mortgage backed security that refinances or otherwise re-*  
15 *places a mortgage that has been subject to eminent domain*  
16 *condemnation or seizure, by a State, municipality, or any*  
17 *other political subdivision of a State.*

18       *SEC. 228. None of the funds made available by this*  
19 *Act may be used to terminate the status of a unit of general*  
20 *local government as a metropolitan city (as defined in sec-*  
21 *tion 102 of the Housing and Community Development Act*  
22 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*  
23 *tion 106 of such Act (42 U.S.C. 5306).*

24       *SEC. 229. Amounts made available under this Act*  
25 *which are either appropriated, allocated, advanced on a re-*

1 *imbursable basis, or transferred to the Office of Policy De-*  
2 *velopment and Research in the Department of Housing and*  
3 *Urban Development and functions thereof, for research,*  
4 *evaluation, or statistical purposes, and which are unex-*  
5 *pendent at the time of completion of a contract, grant, or*  
6 *cooperative agreement, may be deobligated and shall imme-*  
7 *diately become available and may be reobligated in that fis-*  
8 *cal year or the subsequent fiscal year for the research, eval-*  
9 *uation, or statistical purposes for which the amounts are*  
10 *made available to that Office subject to reprogramming re-*  
11 *quirements in section 405 of this Act.*

12       *SEC. 230. None of the funds provided in this Act or*  
13 *any other act may be used for awards, including perform-*  
14 *ance, special act, or spot, for any employee of the Depart-*  
15 *ment of Housing and Urban Development who has been*  
16 *subject to administrative discipline in fiscal years 2017 or*  
17 *2018, including suspension from work.*

18       *SEC. 231. Funds made available in this title under*  
19 *the heading “Homeless Assistance Grants” may be used by*  
20 *the Secretary to participate in Performance Partnership*  
21 *Pilots authorized under section 526 of division H of Public*  
22 *Law 113–76, section 524 of division G of Public Law 113–*  
23 *235, section 525 of division H of Public Law 114–113, and*  
24 *such authorities as are enacted for Performance Partnership*  
25 *Pilots in an appropriations Act for fiscal year 2018: Pro-*

1 *vided, That such participation shall be limited to no more*  
2 *than 10 continuums of care and housing activities to im-*  
3 *prove outcomes for disconnected youth.*

4       *SEC. 232. With respect to grant amounts awarded*  
5 *under the heading “Homeless Assistance Grants” for fiscal*  
6 *years 2015, 2016, 2017, and 2018 for the continuum of care*  
7 *(CoC) program as authorized under subtitle C of title IV*  
8 *of the McKinney-Vento Homeless Assistance Act, costs paid*  
9 *by program income of grant recipients may count toward*  
10 *meeting the recipient’s matching requirements, provided the*  
11 *costs are eligible CoC costs that supplement the recipient’s*  
12 *CoC program.*

13       *SEC. 233. (a) From amounts made available under*  
14 *this title under the heading “Homeless Assistance Grants”,*  
15 *the Secretary may award 1-year transition grants to recipi-*  
16 *ents of funds for activities under subtitle C of the McKin-*  
17 *ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et*  
18 *seq.) to transition from one Continuum of Care program*  
19 *component to another.*

20       *(b) No more than 50 percent of each transition grant*  
21 *may be used for costs of eligible activities of the program*  
22 *component originally funded.*

23       *(c) Transition grants made under this section are eli-*  
24 *gible for renewal in subsequent fiscal years for the eligible*  
25 *activities of the new program component.*

1           (d) *In order to be eligible to receive a transition grant,*  
2 *the funding recipient must have the consent of the Con-*  
3 *tinuum of Care and meet standards determined by the Sec-*  
4 *retary.*

5           *SEC. 234. None of the funds made available by this*  
6 *Act may be used by the Department of Housing and Urban*  
7 *Development to direct a grantee to undertake specific*  
8 *changes to existing zoning laws as part of carrying out the*  
9 *final rule entitled “Affirmatively Furthering Fair Hous-*  
10 *ing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice*  
11 *entitled “Affirmatively Furthering Fair Housing Assess-*  
12 *ment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).*

13           *SEC. 235. Section 218(g) of the Cranston-Gonzalez Na-*  
14 *tional Affordable Housing Act (42 U.S.C. 12748(g)) shall*  
15 *not apply with respect to the right of a jurisdiction to draw*  
16 *funds from its HOME Investment Trust Fund that other-*  
17 *wise expired or would expire in 2016, 2017, 2018, 2019,*  
18 *or 2020 under that section.*

19           *SEC. 236. Section 579 of the Multifamily Assisted*  
20 *Housing Reform and Affordability Act of 1997 (42 U.S.C.*  
21 *1437f note) is amended by striking “October 1, 2017” each*  
22 *place it appears and inserting in lieu thereof “October 1,*  
23 *2022”.*

24           *SEC. 237. The language under the heading “Rental As-*  
25 *sistance Demonstration” in the Department of Housing and*

1 *Urban Development Appropriations Act, 2012 (Public Law*  
2 *112–55), as amended by Public Law 113–76, Public Law*  
3 *113–235, Public Law 114–113, and Public Law 115–31,*  
4 *is amended—*

5           (1) *in the second proviso, by striking “September*  
6 *30, 2020” and inserting “September 30, 2024”;*

7           (2) *in the matter preceding the first proviso, by*  
8 *inserting the following before the colon: “(herein the*  
9 *‘First Component’);”*

10           (3) *in the fourth proviso, by striking “225,000”*  
11 *and inserting “455,000”;*

12           (4) *in the fourteenth proviso, by—*

13                   (A) *inserting “or nonprofit” before “entity,*  
14 *then a capable entity,”; and*

15                   (B) *striking “preserves its interest” and in-*  
16 *serting “or a nonprofit entity preserves an inter-*  
17 *est”;*

18           (5) *in the eighteenth proviso, by—*

19                   (A) *inserting “or with a project rental as-*  
20 *sistance contract under section 202(c)(2) of the*  
21 *Housing Act of 1959,” after “section 8(o) of the*  
22 *Act,”;*

23                   (B) *inserting “the subordination, restruc-*  
24 *turing, or both, of any capital advance docu-*  
25 *mentation, including any note, mortgage, use*



1           *agreement or other agreements, evidencing or se-*  
2           *curing a capital advance previously provided by*  
3           *the Secretary under section 202(c)(1) of the*  
4           *Housing Act of 1959 as necessary to facilitate*  
5           *the conversion of assistance while maintaining*  
6           *the affordability period and the designation of*  
7           *the property as serving elderly persons, and,”*  
8           *following “including but not limited to”;*

9                   *(C) inserting “or assistance contracts” after*  
10           *“for such vouchers”;*

11                   *(D) striking “of Housing and Urban Devel-*  
12           *opment” after “Secretary”; and*

13                   *(E) inserting the following before the colon:*  
14           *“(herein the ‘Second Component’)”;*

15                   *(6) by inserting the following provisos after the*  
16           *eighteenth proviso:*

17           *“Provided further, That contracts provided to properties*  
18           *converting assistance from section 101 of the Housing and*  
19           *Urban Development Act of 1965 or section 236(f)(2) of the*  
20           *National Housing Act located in high-cost areas shall have*  
21           *initial rents set at comparable market rents for the market*  
22           *area: Provided further, That conversions of assistance under*  
23           *the Second Component may not be the basis for re-screening*  
24           *or termination of assistance or eviction of any tenant fam-*  
25           *ily in a property participating in the demonstration and*

1 *such a family shall not be considered a new admission for*  
2 *any purpose, including compliance with income tar-*  
3 *geting.”;*

4           (7) *in the twenty-first proviso, as reordered*  
5 *above, by striking “the previous proviso” and all that*  
6 *follows through the end of the proviso and inserting*  
7 *“the Second Component, except for conversion of sec-*  
8 *tion 202 project rental assistance contracts, shall be*  
9 *available for project-based subsidy contracts entered*  
10 *into pursuant to the Second Component.”;*

11           (8) *in the twenty-second proviso, as reordered*  
12 *above, by striking “the previous two provisos” and in-*  
13 *serting “the Second Component, except for conversion*  
14 *of section 202 project rental assistance contracts,”;*

15           (9) *in the twenty-third proviso, as reordered*  
16 *above, by striking “the three previous provisos” and*  
17 *inserting “the Second Component, except for conver-*  
18 *sion of section 202 project rental assistance con-*  
19 *tracts,”; and*

20           (10) *by inserting the following proviso before the*  
21 *final proviso:*

22 *“Provided further, That the Secretary may transfer*  
23 *amounts made available under the heading ‘Housing for the*  
24 *Elderly’ to the accounts under the headings ‘Project-Based*  
25 *Rental Assistance’ or ‘Tenant-Based Rental Assistance’ to*

1 *facilitate any section 202 project rental assistance contract*  
2 *conversions under the Second Component, and any increase*  
3 *in cost for ‘Project-Based Rental Assistance’ or ‘Tenant-*  
4 *Based Rental Assistance’ associated with such conversion*  
5 *shall be equal to amounts so transferred.’”.*

6       *SEC. 238. None of the funds made available under this*  
7 *Act may be used to interfere with State and local inspec-*  
8 *tions of public housing dwelling units.*

9       *SEC. 239. The Promise Zone designations and Promise*  
10 *Zone Designation Agreements entered into pursuant to such*  
11 *designations, made by the Secretary of Housing and Urban*  
12 *Development in prior fiscal years, shall remain in effect*  
13 *in accordance with the terms and conditions of such agree-*  
14 *ments.*

15       *SEC. 240. Section 153 of the Continuing Appropria-*  
16 *tions Act, 2018 (as added by section 2001(2) of Public Law*  
17 *115–120) is repealed.*

18       *This title may be cited as the “Department of Housing*  
19 *and Urban Development Appropriations Act, 2018”.*

20                                   *TITLE III*

21                                   *RELATED AGENCIES*

22                                   *ACCESS BOARD*

23                                   *SALARIES AND EXPENSES*

24       *For expenses necessary for the Access Board, as author-*  
25 *ized by section 502 of the Rehabilitation Act of 1973, as*

1 *amended, \$8,190,000: Provided, That, notwithstanding any*  
2 *other provision of law, there may be credited to this appro-*  
3 *priation funds received for publications and training ex-*  
4 *penses.*

5 *FEDERAL MARITIME COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Federal Maritime Com-*  
8 *mission as authorized by section 201(d) of the Merchant*  
9 *Marine Act, 1936, as amended (46 U.S.C. 307), including*  
10 *services as authorized by 5 U.S.C. 3109; hire of passenger*  
11 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*  
12 *forms or allowances therefore, as authorized by 5 U.S.C.*  
13 *5901–5902, \$27,490,000: Provided, That not to exceed*  
14 *\$2,000 shall be available for official reception and represen-*  
15 *tation expenses.*

16 *NATIONAL RAILROAD PASSENGER CORPORATION*

17 *OFFICE OF INSPECTOR GENERAL*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Office of Inspector Gen-*  
20 *eral for the National Railroad Passenger Corporation to*  
21 *carry out the provisions of the Inspector General Act of*  
22 *1978, as amended, \$23,274,000: Provided, That the Inspec-*  
23 *tor General shall have all necessary authority, in carrying*  
24 *out the duties specified in the Inspector General Act, as*  
25 *amended (5 U.S.C. App. 3), to investigate allegations of*

1 *fraud, including false statements to the government (18*  
2 *U.S.C. 1001), by any person or entity that is subject to*  
3 *regulation by the National Railroad Passenger Corpora-*  
4 *tion: Provided further, That the Inspector General may*  
5 *enter into contracts and other arrangements for audits,*  
6 *studies, analyses, and other services with public agencies*  
7 *and with private persons, subject to the applicable laws and*  
8 *regulations that govern the obtaining of such services within*  
9 *the National Railroad Passenger Corporation: Provided*  
10 *further, That the Inspector General may select, appoint,*  
11 *and employ such officers and employees as may be nec-*  
12 *essary for carrying out the functions, powers, and duties*  
13 *of the Office of Inspector General, subject to the applicable*  
14 *laws and regulations that govern such selections, appoint-*  
15 *ments, and employment within the Corporation: Provided*  
16 *further, That concurrent with the President's budget request*  
17 *for fiscal year 2018, the Inspector General shall submit to*  
18 *the House and Senate Committees on Appropriations a*  
19 *budget request for fiscal year 2018 in similar format and*  
20 *substance to those submitted by executive agencies of the*  
21 *Federal Government.*

22 *NATIONAL TRANSPORTATION SAFETY BOARD*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the National Transportation*  
25 *Safety Board, including hire of passenger motor vehicles*



1 lished by the Chairman of the Surface Transportation  
2 Board shall be credited to this appropriation as offsetting  
3 collections and used for necessary and authorized expenses  
4 under this heading: Provided further, That the sum herein  
5 appropriated from the general fund shall be reduced on a  
6 dollar-for-dollar basis as such offsetting collections are re-  
7 ceived during fiscal year 2018, to result in a final appro-  
8 priation from the general fund estimated at no more than  
9 \$35,850,000.

10 UNITED STATES INTERAGENCY COUNCIL ON

11 HOMELESSNESS

12 OPERATING EXPENSES

13 For necessary expenses (including payment of salaries,  
14 authorized travel, hire of passenger motor vehicles, the rent-  
15 al of conference rooms, and the employment of experts and  
16 consultants under section 3109 of title 5, United States  
17 Code) of the United States Interagency Council on Home-  
18 lessness in carrying out the functions pursuant to title II  
19 of the McKinney-Vento Homeless Assistance Act, as amend-  
20 ed, \$3,600,000: Provided, That title II of the McKinney-  
21 Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.)  
22 is amended by striking “October 1, 2018” in section 209  
23 and inserting “October 1, 2020”.

## TITLE IV

## GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSIONS)

1  
2  
3  
4       *SEC. 401. None of the funds in this Act shall be used*  
5 *for the planning or execution of any program to pay the*  
6 *expenses of, or otherwise compensate, non-Federal parties*  
7 *intervening in regulatory or adjudicatory proceedings fund-*  
8 *ed in this Act.*

9       *SEC. 402. None of the funds appropriated in this Act*  
10 *shall remain available for obligation beyond the current fis-*  
11 *cal year, nor may any be transferred to other appropria-*  
12 *tions, unless expressly so provided herein.*

13       *SEC. 403. The expenditure of any appropriation under*  
14 *this Act for any consulting service through a procurement*  
15 *contract pursuant to section 3109 of title 5, United States*  
16 *Code, shall be limited to those contracts where such expendi-*  
17 *tures are a matter of public record and available for public*  
18 *inspection, except where otherwise provided under existing*  
19 *law, or under existing Executive order issued pursuant to*  
20 *existing law.*

21       *SEC. 404. (a) None of the funds made available in this*  
22 *Act may be obligated or expended for any employee training*  
23 *that—*



1           (1) *does not meet identified needs for knowledge,*  
2           *skills, and abilities bearing directly upon the perform-*  
3           *ance of official duties;*

4           (2) *contains elements likely to induce high levels*  
5           *of emotional response or psychological stress in some*  
6           *participants;*

7           (3) *does not require prior employee notification*  
8           *of the content and methods to be used in the training*  
9           *and written end of course evaluation;*

10          (4) *contains any methods or content associated*  
11          *with religious or quasi-religious belief systems or*  
12          *“new age” belief systems as defined in Equal Employ-*  
13          *ment Opportunity Commission Notice N-915.022,*  
14          *dated September 2, 1988; or*

15          (5) *is offensive to, or designed to change, partici-*  
16          *pants’ personal values or lifestyle outside the work-*  
17          *place.*

18          (b) *Nothing in this section shall prohibit, restrict, or*  
19          *otherwise preclude an agency from conducting training*  
20          *bearing directly upon the performance of official duties.*

21          SEC. 405. *Except as otherwise provided in this Act,*  
22          *none of the funds provided in this Act, provided by previous*  
23          *appropriations Acts to the agencies or entities funded in*  
24          *this Act that remain available for obligation or expenditure*  
25          *in fiscal year 2018, or provided from any accounts in the*

1 *Treasury derived by the collection of fees and available to*  
2 *the agencies funded by this Act, shall be available for obliga-*  
3 *tion or expenditure through a reprogramming of funds*  
4 *that—*

5           (1) *creates a new program;*

6           (2) *eliminates a program, project, or activity;*

7           (3) *increases funds or personnel for any pro-*  
8 *gram, project, or activity for which funds have been*  
9 *denied or restricted by the Congress;*

10           (4) *proposes to use funds directed for a specific*  
11 *activity by either the House or Senate Committees on*  
12 *Appropriations for a different purpose;*

13           (5) *augments existing programs, projects, or ac-*  
14 *tivities in excess of \$5,000,000 or 10 percent, which-*  
15 *ever is less;*

16           (6) *reduces existing programs, projects, or activi-*  
17 *ties by \$5,000,000 or 10 percent, whichever is less; or*

18           (7) *creates, reorganizes, or restructures a branch,*  
19 *division, office, bureau, board, commission, agency,*  
20 *administration, or department different from the*  
21 *budget justifications submitted to the Committees on*  
22 *Appropriations or the table accompanying the explan-*  
23 *atory statement accompanying this Act, whichever is*  
24 *more detailed, unless prior approval is received from*  
25 *the House and Senate Committees on Appropriations:*

1 *Provided, That not later than 60 days after the date*  
2 *of enactment of this Act, each agency funded by this*  
3 *Act shall submit a report to the Committees on Ap-*  
4 *propriations of the Senate and of the House of Rep-*  
5 *resentatives to establish the baseline for application of*  
6 *reprogramming and transfer authorities for the cur-*  
7 *rent fiscal year: Provided further, That the report*  
8 *shall include—*

9 *(A) a table for each appropriation with a*  
10 *separate column to display the prior year en-*  
11 *acted level, the President's budget request, adjust-*  
12 *ments made by Congress, adjustments due to en-*  
13 *acted rescissions, if appropriate, and the fiscal*  
14 *year enacted level;*

15 *(B) a delineation in the table for each ap-*  
16 *propriation and its respective prior year enacted*  
17 *level by object class and program, project, and*  
18 *activity as detailed in the budget appendix for*  
19 *the respective appropriation; and*

20 *(C) an identification of items of special con-*  
21 *gressional interest.*

22 *SEC. 406. Except as otherwise specifically provided by*  
23 *law, not to exceed 50 percent of unobligated balances re-*  
24 *maining available at the end of fiscal year 2018 from ap-*  
25 *propriations made available for salaries and expenses for*

1 *fiscal year 2018 in this Act, shall remain available through*  
2 *September 30, 2019, for each such account for the purposes*  
3 *authorized: Provided, That a request shall be submitted to*  
4 *the House and Senate Committees on Appropriations for*  
5 *approval prior to the expenditure of such funds: Provided*  
6 *further, That these requests shall be made in compliance*  
7 *with reprogramming guidelines under section 405 of this*  
8 *Act.*

9       *SEC. 407. No funds in this Act may be used to support*  
10 *any Federal, State, or local projects that seek to use the*  
11 *power of eminent domain, unless eminent domain is em-*  
12 *ployed only for a public use: Provided, That for purposes*  
13 *of this section, public use shall not be construed to include*  
14 *economic development that primarily benefits private enti-*  
15 *ties: Provided further, That any use of funds for mass tran-*  
16 *sit, railroad, airport, seaport or highway projects, as well*  
17 *as utility projects which benefit or serve the general public*  
18 *(including energy-related, communication-related, water-re-*  
19 *lated and wastewater-related infrastructure), other struc-*  
20 *tures designated for use by the general public or which have*  
21 *other common-carrier or public-utility functions that serve*  
22 *the general public and are subject to regulation and over-*  
23 *sight by the government, and projects for the removal of an*  
24 *immediate threat to public health and safety or brownfields*  
25 *as defined in the Small Business Liability Relief and*

1 *Brownfields Revitalization Act (Public Law 107–118) shall*  
2 *be considered a public use for purposes of eminent domain.*

3       *SEC. 408. None of the funds made available in this*  
4 *Act may be transferred to any department, agency, or in-*  
5 *strumentality of the United States Government, except pur-*  
6 *suant to a transfer made by, or transfer authority provided*  
7 *in, this Act or any other appropriations Act.*

8       *SEC. 409. No part of any appropriation contained in*  
9 *this Act shall be available to pay the salary for any person*  
10 *filling a position, other than a temporary position, formerly*  
11 *held by an employee who has left to enter the Armed Forces*  
12 *of the United States and has satisfactorily completed his*  
13 *or her period of active military or naval service, and has*  
14 *within 90 days after his or her release from such service*  
15 *or from hospitalization continuing after discharge for a pe-*  
16 *riod of not more than 1 year, made application for restora-*  
17 *tion to his or her former position and has been certified*  
18 *by the Office of Personnel Management as still qualified to*  
19 *perform the duties of his or her former position and has*  
20 *not been restored thereto.*

21       *SEC. 410. No funds appropriated pursuant to this Act*  
22 *may be expended by an entity unless the entity agrees that*  
23 *in expending the assistance the entity will comply with sec-*  
24 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*  
25 *8301–8305, popularly known as the “Buy American Act”).*

1        *SEC. 411. No funds appropriated or otherwise made*  
2 *available under this Act shall be made available to any per-*  
3 *son or entity that has been convicted of violating the Buy*  
4 *American Act (41 U.S.C. 8301–8305).*

5        *SEC. 412. None of the funds made available in this*  
6 *Act may be used for first-class airline accommodations in*  
7 *contravention of sections 301–10.122 and 301–10.123 of*  
8 *title 41, Code of Federal Regulations.*

9        *SEC. 413. (a) None of the funds made available by this*  
10 *Act may be used to approve a new foreign air carrier per-*  
11 *mit under sections 41301 through 41305 of title 49, United*  
12 *States Code, or exemption application under section 40109*  
13 *of that title of an air carrier already holding an air opera-*  
14 *tors certificate issued by a country that is party to the U.S.-*  
15 *E.U.-Iceland-Norway Air Transport Agreement where such*  
16 *approval would contravene United States law or Article 17*  
17 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
18 *ment.*

19        *(b) Nothing in this section shall prohibit, restrict or*  
20 *otherwise preclude the Secretary of Transportation from*  
21 *granting a foreign air carrier permit or an exemption to*  
22 *such an air carrier where such authorization is consistent*  
23 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
24 *ment and United States law.*

1       *SEC. 414. None of the funds made available in this*  
2 *Act may be used to send or otherwise pay for the attendance*  
3 *of more than 50 employees of a single agency or department*  
4 *of the United States Government, who are stationed in the*  
5 *United States, at any single international conference unless*  
6 *the relevant Secretary reports to the House and Senate*  
7 *Committees on Appropriations at least 5 days in advance*  
8 *that such attendance is important to the national interest:*  
9 *Provided, That for purposes of this section the term “inter-*  
10 *national conference” shall mean a conference occurring out-*  
11 *side of the United States attended by representatives of the*  
12 *United States Government and of foreign governments,*  
13 *international organizations, or nongovernmental organiza-*  
14 *tions.*

15       *SEC. 415. None of the funds appropriated or otherwise*  
16 *made available under this Act may be used by the Surface*  
17 *Transportation Board to charge or collect any filing fee for*  
18 *rate or practice complaints filed with the Board in an*  
19 *amount in excess of the amount authorized for district court*  
20 *civil suit filing fees under section 1914 of title 28, United*  
21 *States Code.*

22       *SEC. 416. None of the funds made available by this*  
23 *Act may be used by the Department of Transportation, the*  
24 *Department of Housing and Urban Development, or any*  
25 *other Federal agency to lease or purchase new light duty*

1 *vehicles for any executive fleet, or for an agency's fleet in-*  
2 *ventory, except in accordance with Presidential Memo-*  
3 *randum—Federal Fleet Performance, dated May 24, 2011.*

4       *SEC. 417. (a) All unobligated balances, including re-*  
5 *captures and carryover, remaining from funds appro-*  
6 *priated in division K of Public Law 115–31 for “Depart-*  
7 *ment of Transportation-Office of the Secretary-Salaries and*  
8 *Expenses”, “Department of Transportation-Office of the*  
9 *Secretary-Office of Civil Rights”, “Department of Trans-*  
10 *portation-Office of the Secretary-Small and Disadvantaged*  
11 *Business Utilization and Outreach”, “Department of*  
12 *Transportation-Federal Transit Administration-Adminis-*  
13 *trative Expenses”, “Department of Transportation-Pipeline*  
14 *and Hazardous Materials Safety Administration-Oper-*  
15 *ational Expenses”, “Access Board-Salaries and Expenses”,*  
16 *“Federal Maritime Commission-Salaries and Expenses”,*  
17 *“National Railroad Passenger Corporation-Office of Inspec-*  
18 *tor General-Salaries and Expenses”, “National Transpor-*  
19 *tation Safety Board-Salaries and Expenses”, and “United*  
20 *States Interagency Council on Homelessness-Operating Ex-*  
21 *penses” are rescinded.*

22       *(b) All unobligated balances, including recaptures and*  
23 *carryover, remaining from funds appropriated in division*  
24 *K of Public Law 115–31 for accounts under the headings*  
25 *“Department of Housing and Urban Development-Manage-*



1 *ment and Administration” and “Department of Housing*  
2 *and Urban Development-Program Office Salaries and Ex-*  
3 *penses” are rescinded.*

4       *SEC. 418. (a) None of the funds made available in this*  
5 *Act may be used to maintain or establish a computer net-*  
6 *work unless such network blocks the viewing, downloading,*  
7 *and exchanging of pornography.*

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

12       *SEC. 419. (a) None of the funds made available in this*  
13 *Act may be used to deny an Inspector General funded under*  
14 *this Act timely access to any records, documents, or other*  
15 *materials available to the department or agency over which*  
16 *that Inspector General has responsibilities under the In-*  
17 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*  
18 *or impede that Inspector General’s access to such records,*  
19 *documents, or other materials, under any provision of law,*  
20 *except a provision of law that expressly refers to the Inspec-*  
21 *tor General and expressly limits the Inspector General’s*  
22 *right of access.*

23       *(b) A department or agency covered by this section*  
24 *shall provide its Inspector General with access to all such*

1 records, documents, and other materials in a timely man-  
2 ner.

3 (c) Each Inspector General shall ensure compliance  
4 with statutory limitations on disclosure relevant to the in-  
5 formation provided by the establishment over which that In-  
6 spector General has responsibilities under the Inspector  
7 General Act of 1978 (5 U.S.C. App.).

8 (d) Each Inspector General covered by this section  
9 shall report to the Committees on Appropriations of the  
10 House of Representatives and the Senate within 5 calendar  
11 days any failures to comply with this requirement.

12 SEC. 420. (a) *TERMINAL AERODROME FORECAST.*—  
13 The Administrator shall permit an air carrier operation  
14 under part 121 of title 14, Code of Federal Regulations,  
15 to operate to a destination determined to be under visual  
16 flight rules without a Terminal Aerodrome Forecast or Me-  
17 teorological Aerodrome Report if a current Area Forecast,  
18 supplemented by other local weather observations or reports,  
19 is available, and an alternate airport that has an available  
20 Terminal Aerodrome Forecast and weather report is speci-  
21 fied. The air carrier shall have approved procedures for dis-  
22 patch and enroute weather evaluation and shall operate  
23 under instrument flight rules enroute to the destination.

24 (b) *LIMITATION.*—Without a written finding of neces-  
25 sity, based on objective and historical evidence of imminent

1 *threat to safety, the Administrator shall not promulgate*  
 2 *any operation specification, policy, or guidance document*  
 3 *that is more restrictive than, or requires procedures that*  
 4 *are not expressly stated in, the regulations.*

5 *SEC. 421. Section 149(m) of title 23, United States*  
 6 *Code, is amended by adding “or on a State-Supported Am-*  
 7 *trak route with a valid cost-sharing agreement under sec-*  
 8 *tion 209 of the Passenger Rail Investment and Improve-*  
 9 *ment Act of 2008 and no current nonattainment areas*  
 10 *under subsection (d),” after “2012,”.*

11 *This division may be cited as the “Transportation,*  
 12 *Housing and Urban Development, and Related Agencies*  
 13 *Appropriations Act, 2018”.*

14 ***DIVISION M—EXTENSIONS***  
 15 ***TITLE I—AIRPORT AND AIRWAY***  
 16 ***EXTENSION ACT OF 2018***

17 ***SECTION 1. SHORT TITLE.***

18 *This title may be cited as the “Airport and Airway*  
 19 *Extension Act of 2018”.*

20 ***Subtitle A—Federal Aviation***  
 21 ***Programs***

22 ***SEC. 101. EXTENSION OF AIRPORT IMPROVEMENT PRO-***  
 23 ***GRAM.***

24 *(a) AUTHORIZATION OF APPROPRIATIONS.—Section*  
 25 *48103(a) of title 49, United States Code, is amended by*

1 *striking “2012” and all that follows through the period at*  
2 *the end and inserting “2012 through 2018.”*

3 (b) *PROJECT GRANT AUTHORITY.*—Section 47104(c) of  
4 *title 49, United States Code, is amended in the matter pre-*  
5 *ceding paragraph (1) by striking “March 31, 2018,” and*  
6 *inserting “September 30, 2018.”*

7 **SEC. 102. EXTENSION OF EXPIRING AUTHORITIES.**

8 (a) *Section 47107(r)(3) of title 49, United States Code,*  
9 *is amended by striking “April 1, 2018” and inserting “Oc-*  
10 *tober 1, 2018”.*

11 (b) *Section 47115(j) of title 49, United States Code,*  
12 *is amended by striking “2017 and for the period beginning*  
13 *on October 1, 2017, and ending on March 31, 2018” and*  
14 *inserting “2018”.*

15 (c) *Section 47124(b)(3)(E) of title 49, United States*  
16 *Code, is amended by striking “2012” and all that follows*  
17 *through “2018,” and inserting “2012 through 2018”.*

18 (d) *Section 47141(f) of title 49, United States Code,*  
19 *is amended by striking “March 31, 2018” and inserting*  
20 *“September 30, 2018”.*

21 (e) *Section 186(d) of the Vision 100–Century of Avia-*  
22 *tion Reauthorization Act (117 Stat. 2518) is amended by*  
23 *striking “2017 and for the period beginning on October 1,*  
24 *2017, and ending on March 31, 2018,” and inserting*  
25 *“2018”.*

1           (f) *Section 409(d) of the Vision 100–Century of Avia-*  
2 *tion Reauthorization Act (49 U.S.C. 41731 note) is amend-*  
3 *ed by striking “March 31, 2018” and inserting “September*  
4 *30, 2018”.*

5           (g) *Section 411(h) of the FAA Modernization and Re-*  
6 *form Act of 2012 (49 U.S.C. 42301 prec. note) is amended*  
7 *by striking “March 31, 2018” and inserting “September 30,*  
8 *2018”.*

9           (h) *Section 822(k) of the FAA Modernization and Re-*  
10 *form Act of 2012 (49 U.S.C. 47141 note) is amended by*  
11 *striking “March 31, 2018” and inserting “September 30,*  
12 *2018”.*

13           (i) *Section 2306(b) of the FAA Extension, Safety, and*  
14 *Security Act of 2016 (130 Stat. 641) is amended by striking*  
15 *“April 1, 2018” and inserting “October 1, 2018”.*

16 **SEC. 103. FEDERAL AVIATION ADMINISTRATION OPER-**  
17 **ATIONS.**

18           *Section 106(k) of title 49, United States Code, is*  
19 *amended—*

20                   (1) *in paragraph (1) by striking subparagraph*  
21 *(F) and inserting the following:*

22                                   “(F) \$10,025,852,000 for fiscal year 2018.”;

23                   and

1           (2) in paragraph (3) by striking “2017 and for  
2           the period beginning on October 1, 2017, and ending  
3           on March 31, 2018” and inserting “2018”.

4   **SEC. 104. SMALL COMMUNITY AIR SERVICE.**

5           (a) *ESSENTIAL AIR SERVICE AUTHORIZATION*.—Sec-  
6           tion 41742(a)(2) of title 49, United States Code, is amended  
7           by striking “2016” and all that follows through “2018,”  
8           and inserting “2016 and 2017, and \$150,000,000 for fiscal  
9           year 2018”.

10          (b) *AIRPORTS NOT RECEIVING SUFFICIENT SERV-*  
11          *ICE*.—Section 41743(e)(2) of title 49, United States Code,  
12          is amended by striking “2012” and all that follows through  
13          “2018,” and inserting “2012 through 2017 and \$10,000,000  
14          for fiscal year 2018”.

15   **SEC. 105. AIR NAVIGATION FACILITIES AND EQUIPMENT.**

16          Section 48101(a) of title 49, United States Code, is  
17          amended—

18                 (1) in paragraph (5) by striking “2016 and  
19                 2017” and inserting “2016 through 2018”; and

20                 (2) by striking paragraph (6).

21   **SEC. 106. RESEARCH, ENGINEERING, AND DEVELOPMENT.**

22          Section 48102(a)(10) of title 49, United States Code,  
23          is amended to read as follows:

24                 “(10) \$176,500,000 for fiscal year 2018.”.

1 **SEC. 107. FUNDING FOR AVIATION PROGRAMS.**

2 *The budget authority authorized in this title, including*  
3 *the amendments made by this title, shall be deemed to sat-*  
4 *isfy the requirements of subsections (a)(1)(B) and (a)(2) of*  
5 *section 48114 of title 49, United States Code, for fiscal year*  
6 *2018.*

7 **SEC. 108. CONTROLLER HIRING.**

8 *Section 44506(f) of title 49, United States Code, is*  
9 *amended—*

10 *(1) in paragraph (1) by adding at the end the*  
11 *following:*

12 *“(C) SPECIAL RULE.—*

13 *“(i) IN GENERAL.—Notwithstanding*  
14 *subparagraph (B), after giving preferential*  
15 *consideration to applicants under subpara-*  
16 *graph (A) and if, after consulting with the*  
17 *labor organization recognized as the exclu-*  
18 *sive representative of air traffic controllers*  
19 *under section 7111 of title 5, the Adminis-*  
20 *trator determines there are unique cir-*  
21 *cumstances affecting a covered facility that*  
22 *warrant a vacancy announcement with a*  
23 *limited area of consideration, the Adminis-*  
24 *trator may consider applicants for the posi-*  
25 *tion of air traffic controller who apply*  
26 *under a vacancy announcement recruiting*

1           *from the local commuting area for that cov-*  
2           *ered facility.*

3           “(ii) *BIOGRAPHICAL ASSESSMENTS.*—  
4           *The Administrator shall not use any bio-*  
5           *graphical assessment with respect to an ap-*  
6           *plicant under this subparagraph who would*  
7           *otherwise qualify as a Pool 1 applicant*  
8           *under subparagraph (B)(i).*

9           “(iii) *COVERED FACILITY DEFINED.*—  
10           *In this subparagraph the term ‘covered fa-*  
11           *ility’ means a radar facility with at least*  
12           *1,000,000 operations annually that is lo-*  
13           *cated in a metropolitan statistical area (as*  
14           *defined by the Office of Management and*  
15           *Budget) with a population estimate by the*  
16           *Bureau of the Census of more than*  
17           *15,000,000 (as of July 1, 2016).”;* and

18           (2) *in paragraph (3)—*

19           (A) *by inserting “except for individuals cov-*  
20           *ered by the program described in paragraph*  
21           *(4),” after “section 3307 of title 5,”;* and

22           (B) *by adding at the end the following:*

23           “(4) *RETIRED MILITARY CONTROLLERS.*—*The*  
24           *Administrator may establish a program to provide an*



1 *original appointment to a position as an air traffic*  
2 *controller for individuals who—*

3 *“(A) are on terminal leave pending retire-*  
4 *ment from active duty military service or have*  
5 *retired from active duty military service within*  
6 *5 years of applying for the appointment; and*

7 *“(B) have held either an air traffic certifi-*  
8 *cation or air traffic control facility rating ac-*  
9 *cording to Administration standards within 5*  
10 *years of applying for the appointment.”.*

11 ***Subtitle B—Aviation Revenue***  
12 ***Provisions***

13 ***SEC. 201. EXPENDITURE AUTHORITY FROM AIRPORT AND***  
14 ***AIRWAY TRUST FUND.***

15 *(a) IN GENERAL.—Section 9502(d)(1) of the Internal*  
16 *Revenue Code of 1986 is amended—*

17 *(1) in the matter preceding subparagraph (A) by*  
18 *striking “April 1, 2018” and inserting “October 1,*  
19 *2018”; and*

20 *(2) in subparagraph (A) by striking the semi-*  
21 *colon at the end and inserting “or the Airport and*  
22 *Airway Extension Act of 2018;”.*

23 *(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of*  
24 *such Code is amended by striking “April 1, 2018” and in-*  
25 *serting “October 1, 2018”.*

1 **SEC. 202. EXTENSION OF TAXES FUNDING AIRPORT AND**  
2 **AIRWAY TRUST FUND.**

3 (a) *FUEL TAXES.*—Section 4081(d)(2)(B) of the Inter-  
4 *nal Revenue Code of 1986 is amended by striking “March*  
5 *31, 2018” and inserting “September 30, 2018”.*

6 (b) *TICKET TAXES.*—

7 (1) *PERSONS.*—Section 4261(k)(1)(A)(ii) of such  
8 *Code is amended by striking “March 31, 2018” and*  
9 *inserting “September 30, 2018”.*

10 (2) *PROPERTY.*—Section 4271(d)(1)(A)(ii) of  
11 *such Code is amended by striking “March 31, 2018”*  
12 *and inserting “September 30, 2018”.*

13 (c) *FRACTIONAL OWNERSHIP PROGRAMS.*—

14 (1) *TREATMENT AS NONCOMMERCIAL AVIA-*  
15 *TION.*—Section 4083(b) of such Code is amended by  
16 *striking “April 1, 2018” and inserting “October 1,*  
17 *2018”.*

18 (2) *EXEMPTION FROM TICKET TAXES.*—Section  
19 *4261(j) of such Code is amended by striking “March*  
20 *31, 2018” and inserting “September 30, 2018”.*

21 **TITLE II—IMMIGRATION EXTENSIONS**

22 *SEC. 201. Section 401(b) of the Illegal Immigration*  
23 *Reform and Immigrant Responsibility Act of 1996 (8*  
24 *U.S.C. 1324a note) shall be applied by substituting “Sep-*  
25 *tember 30, 2018” for “September 30, 2015”.*

1        *SEC. 202. Subclauses 101(a)(27)(C)(i)(II) and (III)*  
2 *of the Immigration and Nationality Act (8 U.S.C.*  
3 *1101(a)(27)(C)(i)(II) and (III)) shall be applied by sub-*  
4 *stituting “September 30, 2018” for “September 30, 2015”.*

5        *SEC. 203. Section 220(c) of the Immigration and Na-*  
6 *tionality Technical Corrections Act of 1994 (8 U.S.C. 1182*  
7 *note) shall be applied by substituting “September 30, 2018”*  
8 *for “September 30, 2015”.*

9        *SEC. 204. Section 610(b) of the Departments of Com-*  
10 *merce, Justice, and State, the Judiciary, and Related Agen-*  
11 *cies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall*  
12 *be applied by substituting “September 30, 2018” for “Sep-*  
13 *tember 30, 2015”.*

14        *SEC. 205. Notwithstanding the numerical limitation*  
15 *set forth in section 214(g)(1)(B) of the Immigration and*  
16 *Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of*  
17 *Homeland Security, after consultation with the Secretary*  
18 *of Labor, and upon the determination that the needs of*  
19 *American businesses cannot be satisfied in fiscal year 2018*  
20 *with United States workers who are willing, qualified, and*  
21 *able to perform temporary nonagricultural labor, may in-*  
22 *crease the total number of aliens who may receive a visa*  
23 *under section 101(a)(15)(H)(i)(b) of such Act (8 U.S.C.*  
24 *1101(a)(15)(H)(i)(b)) in such fiscal year above such limi-*  
25 *tation by not more than the highest number of H–2B non-*

1 *immigrants who participated in the H-2B returning work-*  
 2 *er program in any fiscal year in which returning workers*  
 3 *were exempt from such numerical limitation.*

4 *TITLE III—NATIONAL FLOOD INSURANCE*  
 5 *PROGRAM EXTENSION*

6 *SEC. 301. Sections 1309(a) and 1319 of the National*  
 7 *Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026)*  
 8 *shall be applied by substituting “July 31, 2018” for “Sep-*  
 9 *tember 30, 2017”.*

10 *TITLE IV—PESTICIDE REGISTRATION*  
 11 *IMPROVEMENT ACT EXTENSION*

12 *SEC. 401. (a) The following sections of the Federal In-*  
 13 *secticide, Fungicide, and Rodenticide Act shall continue in*  
 14 *effect through September 30, 2018—*

15 *(1) subparagraphs (C) through (E) of section*  
 16 *4(i)(1) (7 U.S.C. 136a-1(i)(1)(C)–(E));*  
 17 *(2) section 4(k)(3) (7 U.S.C. 136a-1(k)(3));*  
 18 *(3) section 4(k)(4) (7 U.S.C. 136a-1(k)(4)); and*  
 19 *(4) section 33(c)(3)(B) (7 U.S.C. 136w-*  
 20 *8(c)(3)(B)).*

21 *(b)(1) Section 4(i)(1)(I) of the Federal Insecticide,*  
 22 *Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(1)(I))*  
 23 *shall be applied by substituting “September 30, 2018” for*  
 24 *“September 30, 2017”.*

1           (2) *Notwithstanding section 33(m)(2) of the Fed-*  
2           *eral Insecticide, Fungicide, and Rodenticide Act (7*  
3           *U.S.C. 136w-8(m)(2)), section 33(m)(1) of such Act*  
4           *(7 U.S.C. 136w-8(m)(1)) shall be applied by sub-*  
5           *stituting “September 30, 2018” for “September 30,*  
6           *2017”.*

7           (c) *Section 408(m)(3) of the Federal Food, Drug, and*  
8           *Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied by*  
9           *substituting “September 30, 2018” for “September 30,*  
10          *2017”.*

11       **TITLE V—GENERALIZED SYSTEM**  
12                               **OF PREFERENCES**

13       **SEC. 501. EXTENSION OF GENERALIZED SYSTEM OF PREF-**  
14                               **ERENCES.**

15           (a) *IN GENERAL.*—*Section 505 of the Trade Act of*  
16           *1974 (19 U.S.C. 2465) is amended by striking “December*  
17           *31, 2017” and inserting “December 31, 2020”.*

18           (b) *EFFECTIVE DATE.*—

19               (1) *IN GENERAL.*—*The amendment made by sub-*  
20           *section (a) shall apply to articles entered on or after*  
21           *the 30th day after the date of the enactment of this*  
22           *Act.*

23               (2) *RETROACTIVE APPLICATION FOR CERTAIN*  
24           *LIQUIDATIONS AND RELIQUIDATIONS.*—

1           (A) *IN GENERAL.*—Notwithstanding section  
2           514 of the Tariff Act of 1930 (19 U.S.C. 1514)  
3           or any other provision of law and subject to sub-  
4           paragraph (B), any entry of a covered article to  
5           which duty-free treatment or other preferential  
6           treatment under title V of the Trade Act of 1974  
7           (19 U.S.C. 2461 et seq.) would have applied if  
8           the entry had been made on December 31, 2017,  
9           that was made—

10                   (i) after December 31, 2017, and

11                   (ii) before the effective date specified in  
12                   paragraph (1),

13           shall be liquidated or reliquidated as though such  
14           entry occurred on the effective date specified in  
15           paragraph (1).

16           (B) *REQUESTS.*—A liquidation or reliqui-  
17           dation may be made under subparagraph (A)  
18           with respect to an entry only if a request therefor  
19           is filed with U.S. Customs and Border Protec-  
20           tion not later than 180 days after the date of the  
21           enactment of this Act that contains sufficient in-  
22           formation to enable U.S. Customs and Border  
23           Protection—

24                   (i) to locate the entry; or

1                   (ii) to reconstruct the entry if it can-  
2                   not be located.

3                   (C) *PAYMENT OF AMOUNTS OWED.*—Any  
4                   amounts owed by the United States pursuant to  
5                   the liquidation or reliquidation of an entry of a  
6                   covered article under subparagraph (A) shall be  
7                   paid, without interest, not later than 90 days  
8                   after the date of the liquidation or reliquidation  
9                   (as the case may be).

10                  (3) *DEFINITIONS.*—In this subsection:

11                   (A) *COVERED ARTICLE.*—The term “covered  
12                   article” means an article from a country that is  
13                   a beneficiary developing country under title V of  
14                   the Trade Act of 1974 (19 U.S.C. 2461 et seq.)  
15                   as of the effective date specified in paragraph  
16                   (1).

17                   (B) *ENTER; ENTRY.*—The terms “enter”  
18                   and “entry” include a withdrawal from ware-  
19                   house for consumption.

20                  (c) *ANNUAL REPORT ON ENFORCEMENT OF ELIGI-*  
21                  *BILITY CRITERIA.*—Not later than 1 year after the date of  
22                  the enactment of this Act, and annually thereafter through  
23                  December 31, 2020, the United States Trade Representative  
24                  shall submit to the Committee on Ways and Means of the  
25                  House of Representatives and the Committee on Finance

1 *of the Senate a report on efforts to ensure that countries*  
2 *designated as beneficiary developing countries under title*  
3 *V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.) are*  
4 *meeting the eligibility criteria set forth in section 502(c)*  
5 *of such Act (19 U.S.C. 2462(c)).*

6 **SEC. 502. TECHNICAL MODIFICATION TO PROCEDURES FOR**  
7 **COMPETITIVE NEED LIMITATION AND WAIV-**  
8 **ERS.**

9 *Section 503 of the Trade Act of 1974 (19 U.S.C. 2463)*  
10 *is amended—*

11 *(1) in subsection (c)(2)—*

12 *(A) in the matter following subparagraph*  
13 *(A)(i)(II), by striking “July 1” and inserting*  
14 *“November 1”; and*

15 *(B) in subparagraph (E), by striking “on*  
16 *January 1, 1995” and inserting “in any of the*  
17 *preceding 3 calendar years”; and*

18 *(2) in subsection (d), by striking “July 1” each*  
19 *place it appears and inserting “November 1”.*

20 **SEC. 503. CUSTOMS USER FEES.**

21 *Section 13031(j)(3)(A) of the Consolidated Omnibus*  
22 *Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A))*  
23 *is amended by striking “February 24, 2027” and inserting*  
24 *“July 21, 2027”.*



1 **TITLE VI—JUDICIAL REDACTION**  
2 **AUTHORITY EXTENSION**

3 **SEC. 601. EXTENSION OF REDACTION AUTHORITY CON-**  
4 **CERNING SENSITIVE SECURITY INFORMA-**  
5 **TION.**

6 *Section 105(b)(3)(E) of the Ethics in Government Act*  
7 *of 1978 (5 U.S.C. App.) is amended by striking “2017” both*  
8 *places it appears and inserting “2027”.*

9 **TITLE VII—BUDGETARY EFFECTS**

10 **SEC. 701. BUDGETARY EFFECTS.**

11 *(a) STATUTORY PAYGO SCORECARDS.—The budg-*  
12 *etary effects of this division and each succeeding division*  
13 *shall not be entered on either PAYGO scorecard maintained*  
14 *pursuant to section 4(d) of the Statutory Pay-As-You-Go*  
15 *Act of 2010.*

16 *(b) SENATE PAYGO SCORECARDS.—The budgetary ef-*  
17 *fects of this division and each succeeding division shall not*  
18 *be entered on any PAYGO scorecard maintained for pur-*  
19 *poses of section 4106 of H. Con. Res. 71 (115th Congress).*

20 *(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Not-*  
21 *withstanding Rule 3 of the Budget Scorekeeping Guidelines*  
22 *set forth in the joint explanatory statement of the committee*  
23 *of conference accompanying Conference Report 105–217*  
24 *and section 250(c)(8) of the Balanced Budget and Emer-*  
25 *gency Deficit Control Act of 1985, the budgetary effects of*

1 *this division and each succeeding division shall not be esti-*  
2 *mated—*

3 *(1) for purposes of section 251 of such Act; and*  
4 *(2) for purposes of paragraph (4)(C) of section*  
5 *3 of the Statutory Pay-As-You-Go Act of 2010 as*  
6 *being included in an appropriation Act.*

## 7 ***DIVISION N—BUILD ACT***

### 8 ***SECTION 1. SHORT TITLE.***

9 *This division may be cited as the “Brownfields Utili-*  
10 *zation, Investment, and Local Development Act of 2018”*  
11 *or the “BUILD Act”.*

### 12 ***SEC. 2. REDEVELOPMENT CERTAINTY FOR GOVERNMENTAL*** 13 ***ENTITIES.***

14 *Section 101(20)(D) of the Comprehensive Environ-*  
15 *mental Response, Compensation, and Liability Act of 1980*  
16 *(42 U.S.C. 9601(20)) is amended by striking “ownership*  
17 *or control” and all that follows through “by virtue” and*  
18 *inserting “ownership or control through seizure or otherwise*  
19 *in connection with law enforcement activity, or through*  
20 *bankruptcy, tax delinquency, abandonment, or other cir-*  
21 *cumstances in which the government acquires title by vir-*  
22 *tue”.*

1 **SEC. 3. ALASKA NATIVE VILLAGE AND NATIVE CORPORA-**  
2 **TION RELIEF.**

3 *Section 101(20) of the Comprehensive Environmental*  
4 *Response, Compensation, and Liability Act of 1980 (42*  
5 *U.S.C. 9601(20)) is amended—*

6 *(1) by redesignating subparagraphs (E) through*  
7 *(G) as subparagraphs (F) through (H), respectively;*

8 *(2) by inserting after subparagraph (D) the fol-*  
9 *lowing:*

10 *“(E) EXCLUSION OF CERTAIN ALASKA NA-*  
11 *TIVE VILLAGES AND NATIVE CORPORATIONS.—*

12 *“(i) IN GENERAL.—The term ‘owner or*  
13 *operator’ does not include, with respect to a*  
14 *facility conveyed to a Native village or Na-*  
15 *tive Corporation (as those terms are defined*  
16 *in section 3 of the Alaska Native Claims*  
17 *Settlement Act) under the Alaska Native*  
18 *Claims Settlement Act—*

19 *“(I) the Native village or Native*  
20 *Corporation that received the facility*  
21 *from the United States Government; or*

22 *“(II) a successor in interest to*  
23 *which the facility was conveyed under*  
24 *section 14(c) of such Act.*

25 *“(ii) LIMITATION.—The exclusion pro-*  
26 *vided under this subparagraph shall not*

1           *apply to any entity described in clause (i)*  
2           *that causes or contributes to a release or*  
3           *threatened release of a hazardous substance*  
4           *from the facility conveyed as described in*  
5           *such clause.”;*

6           (3) *in subparagraph (G) (as so redesignated), in*  
7           *the matter preceding clause (i), by striking “subpara-*  
8           *graph (E)” and inserting “subparagraph (F)”;* and  
9           (4) *in clause (i)(II) of subparagraph (H) (as so*  
10          *redesignated), by striking “1813)” and inserting*  
11          *“1813))”.*

12   **SEC. 4. PETROLEUM BROWNFIELD ENHANCEMENT.**

13          *Section 101(39)(D)(ii)(II) of the Comprehensive Envi-*  
14          *ronmental Response, Compensation, and Liability Act of*  
15          *1980 (42 U.S.C. 9601(39)(D)(ii)(II)) is amended by*  
16          *amending item (bb) to read as follows:*

17          *“(bb) is a site for which there is no viable responsible*  
18          *party and that is determined by the Administrator or the*  
19          *State, as appropriate, to be a site that will be assessed, in-*  
20          *vestigated, or cleaned up by a person that is not potentially*  
21          *liable for cleaning up the site under this Act or any other*  
22          *law pertaining to the cleanup of petroleum products; and”.*

23   **SEC. 5. PROSPECTIVE PURCHASERS AND LESSEES.**

24          (a) *BONA FIDE PROSPECTIVE PURCHASER.*—*Section*  
25          *101(40) of the Comprehensive Environmental Response,*

1 *Compensation, and Liability Act of 1980 (42 U.S.C.*  
2 *9601(40)) is amended—*

3 *(1) in subparagraph (B)—*

4 *(A) by redesignating clauses (i) through*  
5 *(iii) as subclauses (I) through (III), respectively,*  
6 *and indenting appropriately;*

7 *(B) in subclause (I) (as so redesignated), by*  
8 *striking “clauses (ii) and (iii)” and inserting*  
9 *“subclauses (II) and (III)”;*

10 *(C) in subclause (II) (as so redesignated),*  
11 *by striking “subparagraph” and inserting*  
12 *“clause”; and*

13 *(D) in subclause (III) (as so redesignated),*  
14 *by striking “subparagraph” and inserting*  
15 *“clause”;*

16 *(2) in subparagraph (D), by redesignating*  
17 *clauses (i) through (iii) as subclauses (I) through*  
18 *(III), respectively, and indenting appropriately;*

19 *(3) in subparagraph (F), by redesignating*  
20 *clauses (i) and (ii) as subclauses (I) and (II), respec-*  
21 *tively, and indenting appropriately;*

22 *(4) in subparagraph (H)—*

23 *(A) in clause (i)—*

24 *(i) in subclause (II), by inserting “, by*  
25 *a tenancy, by the instruments by which a*

1           *leasehold interest in the facility is created,”*  
2           *after “financed”; and*

3                     *(ii) by redesignating subclauses (I) and*  
4                     *(II) as items (aa) and (bb), respectively,*  
5                     *and indenting appropriately; and*

6                     *(B) by redesignating clauses (i) and (ii) as*  
7           *subclauses (I) and (II), respectively, and indent-*  
8           *ing appropriately;*

9                     *(5) by redesignating subparagraphs (B) through*  
10           *(H) as clauses (ii) through (viii), respectively, and*  
11           *indenting appropriately; and*

12                    *(6) by striking the paragraph designation and*  
13           *heading and all that follows through “All disposal of”*  
14           *in subparagraph (A) and inserting the following:*

15                    “(40) *BONA FIDE PROSPECTIVE PURCHASER.*—

16                    “(A) *IN GENERAL.*—*The term ‘bona fide*  
17                    *prospective purchaser’ means, with respect to a*  
18                    *facility—*

19                    “(i) *a person who—*

20                    “(I) *acquires ownership of the fa-*  
21                    *cility after January 11, 2002; and*

22                    “(II) *establishes by a preponder-*  
23                    *ance of the evidence each of the criteria*  
24                    *described in clauses (i) through (viii)*  
25                    *of subparagraph (B); and*

1 “(ii) a person—

2 “(I) who acquires a leasehold in-  
3 terest in the facility after January 11,  
4 2002;

5 “(II) who establishes by a prepon-  
6 derance of the evidence that the lease-  
7 hold interest is not designed to avoid  
8 liability under this Act by any person;  
9 and

10 “(III) with respect to whom any  
11 of the following conditions apply:

12 “(aa) The owner of the facil-  
13 ity that is subject to the leasehold  
14 interest is a person described in  
15 clause (i).

16 “(bb)(AA) The owner of the  
17 facility that is subject to the lease-  
18 hold interest was a person de-  
19 scribed in clause (i) at the time  
20 the leasehold interest was ac-  
21 quired, but can no longer establish  
22 by a preponderance of the evi-  
23 dence each of the criteria de-  
24 scribed in clauses (i) through  
25 (viii) of subparagraph (B) due to

1                   *circumstances unrelated to any*  
2                   *action of the person who holds the*  
3                   *leasehold interest; and*

4                   *“(BB) the person who holds*  
5                   *the leasehold interest establishes*  
6                   *by a preponderance of the evi-*  
7                   *dence each of the criteria de-*  
8                   *scribed in clauses (i), (iii), (iv),*  
9                   *(v), (vi), (vii), and (viii) of sub-*  
10                  *paragraph (B).*

11                  *“(cc) The person who holds*  
12                  *the leasehold interest establishes*  
13                  *by a preponderance of the evi-*  
14                  *dence each of the criteria de-*  
15                  *scribed in clauses (i) through*  
16                  *(viii) of subparagraph (B).*

17                  *“(B) CRITERIA.—The criteria described in*  
18                  *this subparagraph are as follows:*

19                         *“(i) DISPOSAL PRIOR TO ACQUI-*  
20                         *SITION.—All disposal of”.*

21                  *(b) LIMITATION ON LIABILITY.—Section 107(r)(1) of*  
22                  *the Comprehensive Environmental Response, Compensa-*  
23                  *tion, and Liability Act of 1980 (42 U.S.C. 9607(r)(1)) is*  
24                  *amended by striking “purchaser’s” and inserting “bona fide*  
25                  *prospective purchaser”.*



1 **SEC. 6. EXPANDED ELIGIBILITY FOR NONPROFIT ORGANI-**  
2 **ZATIONS.**

3 *Section 104(k)(1) of the Comprehensive Environ-*  
4 *mental Response, Compensation, and Liability Act of 1980*  
5 *(42 U.S.C. 9604(k)(1)) is amended—*

6 *(1) in subparagraph (G), by striking “or” after*  
7 *the semicolon;*

8 *(2) in subparagraph (H), by striking the period*  
9 *at the end and inserting a semicolon; and*

10 *(3) by adding at the end the following:*

11 *“(I) an organization described in section*  
12 *501(c)(3) of the Internal Revenue Code of 1986*  
13 *and exempt from taxation under section 501(a)*  
14 *of that Code;*

15 *“(J) a limited liability corporation in*  
16 *which all managing members are organizations*  
17 *described in subparagraph (I) or limited liabil-*  
18 *ity corporations whose sole members are organi-*  
19 *zations described in subparagraph (I);*

20 *“(K) a limited partnership in which all*  
21 *general partners are organizations described in*  
22 *subparagraph (I) or limited liability corpora-*  
23 *tions whose sole members are organizations de-*  
24 *scribed in subparagraph (I); or*

1           “(L) a qualified community development  
2           entity (as defined in section 45D(c)(1) of the In-  
3           ternal Revenue Code of 1986).”.

4 **SEC. 7. TREATMENT OF CERTAIN PUBLICLY OWNED**  
5           **BROWNFIELD SITES.**

6           Section 104(k) of the Comprehensive Environmental  
7           Response, Compensation, and Liability Act of 1980 (42  
8           U.S.C. 9604(k)) is amended—

9           (1) in paragraph (2), by adding at the end the  
10          following:

11           “(C) **EXEMPTION FOR CERTAIN PUBLICLY**  
12           **OWNED BROWNFIELD SITES.**—Notwithstanding  
13           paragraph (5)(B)(iii), an eligible entity de-  
14           scribed in any of subparagraphs (A) through (H)  
15           of paragraph (1) may receive a grant under this  
16           paragraph for property acquired by that eligible  
17           entity prior to January 11, 2002, even if the eli-  
18           gible entity does not qualify as a bona fide pro-  
19           spective purchaser, so long as the eligible entity  
20           has not caused or contributed to a release or  
21           threatened release of a hazardous substance at  
22           the property.”; and

23           (2) in paragraph (3), by adding at the end the  
24          following:

1           “(E) *EXEMPTION FOR CERTAIN PUBLICLY*  
2           *OWNED BROWNFIELD SITES.*—*Notwithstanding*  
3           *paragraph (5)(B)(iii), an eligible entity de-*  
4           *scribed in any of subparagraphs (A) through (H)*  
5           *of paragraph (1) may receive a grant or loan*  
6           *under this paragraph for property acquired by*  
7           *that eligible entity prior to January 11, 2002,*  
8           *even if the eligible entity does not qualify as a*  
9           *bona fide prospective purchaser, so long as the el-*  
10           *igible entity has not caused or contributed to a*  
11           *release or threatened release of a hazardous sub-*  
12           *stance at the property.”.*

13 **SEC. 8. INCREASED FUNDING FOR REMEDIATION GRANTS.**

14           *Section 104(k)(3)(A)(ii) of the Comprehensive Envi-*  
15           *ronmental Response, Compensation, and Liability Act of*  
16           *1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by striking*  
17           *“\$200,000 for each site to be remediated” and inserting*  
18           *“\$500,000 for each site to be remediated, which limit may*  
19           *be waived by the Administrator, but not to exceed a total*  
20           *of \$650,000 for each site, based on the anticipated level of*  
21           *contamination, size, or ownership status of the site”.*

22 **SEC. 9. MULTIPURPOSE BROWNFIELDS GRANTS.**

23           *Section 104(k) of the Comprehensive Environmental*  
24           *Response, Compensation, and Liability Act of 1980 (42*  
25           *U.S.C. 9604(k)) is amended—*

1           (1) by redesignating paragraphs (4) through (12)  
2 as paragraphs (5) through (13), respectively;

3           (2) in paragraph (3)(A), in the matter preceding  
4 clause (i), by striking “Subject to paragraphs (4) and  
5 (5)” and inserting “Subject to paragraphs (5) and  
6 (6)”;

7           (3) by inserting after paragraph (3) the fol-  
8 lowing:

9           “(4) *MULTIPURPOSE BROWNFIELDS GRANTS.*—

10           “(A) *IN GENERAL.*—Subject to subpara-  
11 graph (D) and paragraphs (5) and (6), the Ad-  
12 ministrator shall establish a program to provide  
13 multipurpose grants to an eligible entity based  
14 on the criteria under subparagraph (C) and the  
15 considerations under paragraph (3)(C), to carry  
16 out inventory, characterization, assessment,  
17 planning, or remediation activities at 1 or more  
18 brownfield sites in an area proposed by the eligi-  
19 ble entity.

20           “(B) *GRANT AMOUNTS.*—

21           “(i) *INDIVIDUAL GRANT AMOUNTS.*—  
22 Each grant awarded under this paragraph  
23 shall not exceed \$1,000,000.

24           “(ii) *CUMULATIVE GRANT AMOUNTS.*—

25           The total amount of grants awarded for

1           *each fiscal year under this paragraph may*  
2           *not exceed 15 percent of the funds made*  
3           *available for the fiscal year to carry out*  
4           *this subsection.*

5           “(C) *CRITERIA.*—*In awarding a grant*  
6           *under this paragraph, the Administrator shall*  
7           *consider the extent to which the eligible entity is*  
8           *able—*

9                   “(i) *to provide an overall plan for revi-*  
10                  *talization of the 1 or more brownfield sites*  
11                  *in the proposed area in which the multipur-*  
12                  *pose grant will be used;*

13                  “(ii) *to demonstrate a capacity to con-*  
14                  *duct the range of eligible activities that will*  
15                  *be funded by the multipurpose grant; and*

16                  “(iii) *to demonstrate that a multipur-*  
17                  *pose grant will meet the needs of the 1 or*  
18                  *more brownfield sites in the proposed area.*

19           “(D) *CONDITION.*—*As a condition of receiv-*  
20           *ing a grant under this paragraph, each eligible*  
21           *entity shall expend the full amount of the grant*  
22           *by not later than the date that is 5 years after*  
23           *the date on which the grant is awarded to the el-*  
24           *igible entity, unless the Administrator provides*  
25           *an extension.*

1           “(E) OWNERSHIP.—An eligible entity that  
2           receives a grant under this paragraph may not  
3           expend any of the grant funds for the remedi-  
4           ation of a brownfield site unless the eligible enti-  
5           ty owns the brownfield site.”; and

6           (4) by striking “paragraph (2) or (3)” each  
7           place it appears and inserting “paragraph (2), (3), or  
8           (4)”.

9   **SEC. 10. ALLOWING ADMINISTRATIVE COSTS FOR GRANT**  
10           **RECIPIENTS.**

11           Paragraph (5) of section 104(k) of the Comprehensive  
12           Environmental Response, Compensation, and Liability Act  
13           of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9  
14           of this Act) is amended—

15           (1) by amending subparagraph (B) to read as  
16           follows:

17                   “(B) PROHIBITION.—No part of a grant or  
18                   loan under this subsection may be used for the  
19                   payment of—

20                           “(i) a penalty or fine;

21                           “(ii) a Federal cost-share requirement;

22                           “(iii) a response cost at a brownfield  
23                   site for which the recipient of the grant or  
24                   loan is potentially liable under section 107;  
25                   or

1           “(iv) a cost of compliance with any  
2           Federal law (including a Federal law speci-  
3           fied in section 101(39)(B)), excluding the  
4           cost of compliance with laws applicable to  
5           the cleanup.”; and

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

7           “(E) ADMINISTRATIVE COSTS.—

8           “(i) IN GENERAL.—An eligible entity  
9           may use up to 5 percent of the amounts  
10          made available under a grant or loan under  
11          this subsection for administrative costs.

12          “(ii) RESTRICTION.—For purposes of  
13          clause (i), the term ‘administrative costs’  
14          does not include—

15                 “(I) investigation and identifica-  
16                 tion of the extent of contamination of  
17                 a brownfield site;

18                 “(II) design and performance of a  
19                 response action; or

20                 “(III) monitoring of a natural re-  
21                 source.”.

22   **SEC. 11. GRANT APPLICATIONS.**

23           (a) WATERFRONT BROWNFIELDS GRANTS; CLEAN EN-  
24   ERGY ON BROWNFIELD SITES.—Paragraph (6)(C) of sec-  
25   tion 104(k) of the Comprehensive Environmental Response,

1 *Compensation, and Liability Act of 1980 (42 U.S.C.*  
2 *9604(k)) (as redesignated by section 9 of this Act) is amend-*  
3 *ed by adding at the end the following:*

4           “(xi) *The extent to which a grant*  
5           *would address a site adjacent to a body of*  
6           *water or a federally designated flood plain.*

7           “(xii) *The extent to which a grant*  
8           *would facilitate—*

9                   “(I) *the location at a brownfield*  
10           *site of a facility that generates renew-*  
11           *able electricity from wind, solar, or*  
12           *geothermal energy; or*

13                   “(II) *any energy efficiency im-*  
14           *provement project at a brownfield site,*  
15           *including a project for a combined heat*  
16           *and power system or a district energy*  
17           *system.”.*

18           **(b) REPORT ON RANKING CRITERIA.—***Paragraph (6)*  
19 *of section 104(k) of the Comprehensive Environmental Re-*  
20 *sponse, Compensation, and Liability Act of 1980 (42 U.S.C.*  
21 *9604(k)) (as redesignated by section 9 of this Act) is amend-*  
22 *ed by adding at the end the following:*

23                   “(D) **REPORT ON RANKING CRITERIA.—***Not*  
24           *later than September 30, 2022, the Adminis-*  
25           *trator shall submit to Congress a report regard-*



1            *ing the Administrator’s use of the ranking cri-*  
2            *teria described in subparagraph (C) in awarding*  
3            *grants under this subsection.”.*

4    **SEC. 12. AUDITS.**

5            *Paragraph (8) of section 104(k) of the Comprehensive*  
6    *Environmental Response, Compensation, and Liability Act*  
7    *of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9*  
8    *of this Act) is amended by striking “3 years after the date*  
9    *of the enactment of this subsection” and inserting “Sep-*  
10 *tember 30, 2022”.*

11 **SEC. 13. BROWNFIELDS FUNDING.**

12            *Paragraph (13) of section 104(k) of the Comprehensive*  
13 *Environmental Response, Compensation, and Liability Act*  
14 *of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9*  
15 *of this Act) is amended to read as follows:*

16            *“(13) AUTHORIZATION OF APPROPRIATIONS.—*  
17            *There is authorized to be appropriated to carry out*  
18            *this subsection \$200,000,000 for each of fiscal years*  
19            *2019 through 2023.”.*

20 **SEC. 14. SMALL COMMUNITY TECHNICAL ASSISTANCE**  
21            **GRANTS.**

22            *(a) IN GENERAL.—Section 128(a)(1)(B) of the Com-*  
23 *prehensive Environmental Response, Compensation, and*  
24 *Liability Act of 1980 (42 U.S.C. 9628(a)(1)(B)) is amend-*  
25 *ed—*

1           (1) *in clause (ii)*—

2                   (A) *in subclause (I), by striking “; or” and*  
3                   *inserting a semicolon;*

4                   (B) *in subclause (II), by striking the period*  
5                   *at the end and inserting “; or”; and*

6                   (C) *by adding at the end the following:*

7                           “(III) *assist small communities,*  
8                           *Indian tribes, rural areas, or dis-*  
9                           *advantaged areas in carrying out ac-*  
10                           *tivities described in section*  
11                           *104(k)(7)(A) with respect to brownfield*  
12                           *sites.”; and*

13           (2) *by adding at the end the following:*

14                           “(iii) *SMALL COMMUNITIES, INDIAN*  
15                           *TRIBES, RURAL AREAS, AND DISADVAN-*  
16                           *TAGED AREAS.—*

17                                   “(I) *IN GENERAL.—To make*  
18                                   *grants to States or Indian tribes under*  
19                                   *clause (ii)(III), the Administrator may*  
20                                   *use, in addition to amounts available*  
21                                   *to carry out this subsection, not more*  
22                                   *than \$1,500,000 of the amounts made*  
23                                   *available to carry out section 104(k)(7)*  
24                                   *in each fiscal year.*

1           “(II) *LIMITATION.*—*Each grant*  
2           *made under subclause (I) may be not*  
3           *more than \$20,000.*

4           “(III) *INCLUSION IN OTHER*  
5           *GRANTS.*—*The Administrator may, at*  
6           *the request of a State or Indian tribe,*  
7           *include a grant under this clause in*  
8           *any other grant to the State or Indian*  
9           *tribe made under this subsection.*

10          “(iv) *DEFINITIONS.*—*In this subpara-*  
11          *graph:*

12               “(I) *DISADVANTAGED AREA.*—*The*  
13               *term ‘disadvantaged area’ means a*  
14               *community with an annual median*  
15               *household income that is less than 80*  
16               *percent of the statewide annual median*  
17               *household income, as determined by the*  
18               *President based on the latest available*  
19               *decennial census.*

20               “(II) *SMALL COMMUNITY.*—*The*  
21               *term ‘small community’ means a com-*  
22               *munity with a population of not more*  
23               *than 15,000 individuals, as determined*  
24               *by the President based on the latest*  
25               *available decennial census.’.*

1       (b) *CONFORMING AMENDMENT.*—Section 104(g)(1) of  
2 *the Comprehensive Environmental Response, Compensa-*  
3 *tion, and Liability Act of 1980 (42 U.S.C. 9604(g)(1)) is*  
4 *amended by inserting “or section 128(a)(1)(B)(ii)(III)”*  
5 *after “under this section”.*

6 **SEC. 15. STATE RESPONSE PROGRAM FUNDING.**

7       Section 128(a)(3) of the *Comprehensive Environ-*  
8 *mental Response, Compensation, and Liability Act of 1980*  
9 *(42 U.S.C. 9628(a)(3)) is amended to read as follows:*

10               “(3) *FUNDING.*—There is authorized to be appro-  
11               priated to carry out this subsection \$50,000,000 for  
12               each of fiscal years 2019 through 2023.”.

13 **DIVISION O—WILDFIRE SUP-**  
14 **PRESSION FUNDING AND**  
15 **FOREST MANAGEMENT AC-**  
16 **TIVITIES ACT**

17 **SEC. 101. SHORT TITLE.**

18       This division may be cited as the “*Wildfire Suppres-*  
19 *sion Funding and Forest Management Activities Act*”.

1 **TITLE I—WILDFIRE AND DIS-**  
2 **ASTER FUNDING ADJUST-**  
3 **MENT**

4 **SEC. 102. WILDFIRE AND DISASTER FUNDING ADJUSTMENT.**

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

8 *(1) in subparagraph (D)(i), by striking sub-*  
9 *clauses (I) and (II) and inserting the following—*

10 *“(I) the average over the previous*  
11 *10 years (excluding the highest and*  
12 *lowest years) of the sum of the funding*  
13 *provided for disaster relief (as that*  
14 *term is defined on the date imme-*  
15 *diately before the date of enactment of*  
16 *the Wildfire Suppression Funding and*  
17 *Forest Management Activities Act);*

18 *“(II) notwithstanding clause (iv),*  
19 *starting in fiscal year 2018, five per-*  
20 *cent of the total appropriations pro-*  
21 *vided after fiscal year 2011 or in the*  
22 *previous 10 years, whichever is less,*  
23 *net of any rescissions of budget author-*  
24 *ity enacted in the same period, with*  
25 *respect to amounts provided for major*

1            *disasters declared pursuant to the Rob-*  
2            *ert T. Stafford Disaster Relief and*  
3            *Emergency Assistance Act (42 U.S.C.*  
4            *5121 et seq.) and designated by the*  
5            *Congress and the President as an*  
6            *emergency pursuant to subparagraph*  
7            *(A)(i) of this paragraph; and*

8            *“(III) the cumulative net total of*  
9            *the unused carryover for fiscal year*  
10           *2018 and all subsequent fiscal years,*  
11           *where the unused carryover for each*  
12           *fiscal year is calculated as the sum of*  
13           *the amounts in subclauses (I) and (II)*  
14           *less the enacted appropriations for that*  
15           *fiscal year that have been designated as*  
16           *being for disaster relief.”;*

17           *(2) in subparagraph (D)(ii), by striking “not*  
18           *later than 30 days after the date of enactment of the*  
19           *Budget Control Act of 2011” and inserting “not later*  
20           *than 30 days after the date of enactment of the Wild-*  
21           *fire Suppression Funding and Forest Management*  
22           *Activities Act”;* and

23           *(3) by adding at the end the following:*

24           *“(F) WILDFIRE SUPPRESSION.—*

1           “(i) *ADDITIONAL NEW BUDGET AU-*  
2           *THORITY.—If, for fiscal years 2020 through*  
3           *2027, a bill or joint resolution making ap-*  
4           *propriations for a fiscal year is enacted*  
5           *that provides an amount for wildfire sup-*  
6           *pression operations in the Wildland Fire*  
7           *Management accounts at the Department of*  
8           *Agriculture or the Department of the Inte-*  
9           *rior, then the adjustments for that fiscal*  
10           *year shall be the amount of additional new*  
11           *budget authority provided in that Act for*  
12           *wildfire suppression operations for that fis-*  
13           *cal year, but shall not exceed—*

14                   “(I) *for fiscal year 2020,*  
15                   *\$2,250,000,000;*

16                   “(II) *for fiscal year 2021,*  
17                   *\$2,350,000,000;*

18                   “(III) *for fiscal year 2022,*  
19                   *\$2,450,000,000;*

20                   “(IV) *for fiscal year 2023,*  
21                   *\$2,550,000,000;*

22                   “(V) *for fiscal year 2024,*  
23                   *\$2,650,000,000;*

24                   “(VI) *for fiscal year 2025,*  
25                   *\$2,750,000,000;*

1           “(VII) for fiscal year 2026,  
2           \$2,850,000,000; and

3           “(VIII) for fiscal year 2027,  
4           \$2,950,000,000.

5           “(ii) *DEFINITIONS.*—*In this subpara-*  
6           *graph:*

7           “(I) *ADDITIONAL NEW BUDGET*  
8           *AUTHORITY.*—*The term ‘additional*  
9           *new budget authority’ means the*  
10           *amount provided for a fiscal year in*  
11           *an appropriation Act that is in excess*  
12           *of the average costs for wildfire sup-*  
13           *pression operations as reported in the*  
14           *budget of the President submitted*  
15           *under section 1105(a) of title 31,*  
16           *United States Code, for fiscal year*  
17           *2015 and are specified to pay for the*  
18           *costs of wildfire suppression operations*  
19           *in an amount not to exceed the amount*  
20           *specified for that fiscal year in clause*  
21           *(i).*

22           “(II) *WILDFIRE SUPPRESSION OP-*  
23           *ERATIONS.*—*The term ‘wildfire sup-*  
24           *pression operations’ means the emer-*





1 *Balanced Budget and Emergency Deficit Control Act of*  
2 *1985 (2 U.S.C. 901(b)(2)(F)(i)), as added by section 102*  
3 *of this division, the Secretary of the Interior or the Sec-*  
4 *retary of Agriculture (as applicable), in consultation with*  
5 *the Director of the Office of Management and Budget,*  
6 *shall—*

7           (1) *prepare an annual report with respect to the*  
8 *additional new budget authority;*

9           (2) *submit to the Committees on Appropriations,*  
10 *the Budget, and Natural Resources of the House of*  
11 *Representatives and the Committees on Appropria-*  
12 *tions, the Budget, and Energy and Natural Resources*  
13 *of the Senate the annual report prepared under para-*  
14 *graph (1); and*

15           (3) *make the report prepared under paragraph*  
16 *(1) available to the public.*

17       (b) *COMPONENTS.—The annual report prepared under*  
18 *subsection (a)(1) shall—*

19           (1) *document obligations and outlays of the ad-*  
20 *ditional new budget authority for wildfire suppression*  
21 *operations;*

22           (2) *identify risk-based factors that influenced*  
23 *management decisions with respect to wildfire sup-*  
24 *pression operations;*

1           (3) *analyze a statistically significant sample of*  
2 *large fires, including an analysis for each fire of—*

3                   (A) *cost drivers;*

4                   (B) *the effectiveness of risk management*  
5 *techniques and whether fire operations strategy*  
6 *tracked the risk assessment;*

7                   (C) *any resulting ecological or other benefits*  
8 *to the landscape;*

9                   (D) *the impact of investments in wildfire*  
10 *suppression operations preparedness;*

11                   (E) *effectiveness of wildfire suppression op-*  
12 *erations, including an analysis of resources lost*  
13 *versus dollars invested;*

14                   (F) *effectiveness of any fuel treatments on*  
15 *fire behavior and suppression expenditures;*

16                   (G) *levels of exposure experienced by fire-*  
17 *fighters;*

18                   (H) *suggested corrective actions; and*

19                   (I) *any other factors the Secretary of the In-*  
20 *terior or Secretary of Agriculture (as applicable)*  
21 *determines to be appropriate;*

22           (4) *include an accounting of overall fire manage-*  
23 *ment and spending by the Department of the Interior*  
24 *or the Department of Agriculture, which shall be ana-*

1 *lyzed by fire size, cost, regional location, and other*  
2 *factors;*

3 *(5) describe any lessons learned in the conduct of*  
4 *wildfire suppression operations; and*

5 *(6) include any other elements that the Secretary*  
6 *of the Interior or the Secretary of Agriculture (as ap-*  
7 *plicable) determines to be necessary.*

8 ***TITLE II—FOREST MANAGEMENT***  
9 ***ACTIVITIES***

10 ***SEC. 201. DEFINITIONS.***

11 *In this title:*

12 *(1) NATIONAL FOREST SYSTEM.—The term “Na-*  
13 *tional Forest System” has the meaning given the term*  
14 *in section 11(a) of the Forest and Rangeland Renew-*  
15 *able Resources Planning Act of 1974 (16 U.S.C.*  
16 *1609(a)).*

17 *(2) PUBLIC LAND.—The term “public land” has*  
18 *the meaning given the term “public lands” in section*  
19 *103 of the Federal Land Policy and Management Act*  
20 *of 1976 (43 U.S.C. 1702).*

21 *(3) SECRETARY CONCERNED.—The term “Sec-*  
22 *retary concerned” means—*

23 *(A) the Secretary of Agriculture, with re-*  
24 *spect to National Forest System land; and*

1                   (B) the Secretary of the Interior, with re-  
2                   spect to public land.

3 **SEC. 202. WILDFIRE RESILIENCE PROJECTS.**

4                   Insert at the end of the Healthy Forests Restoration  
5 Act of 2003 (16 U.S.C. 6511) the following new section:

6 **“SEC. 605. WILDFIRE RESILIENCE PROJECTS.**

7                   “(a) *IN GENERAL.*—Hazardous fuels reduction  
8 projects, as defined in the Healthy Forests Restoration Act  
9 of 2003 (16 U.S.C. 6511(2)) may be—

10                   “(1) carried out in accordance with subsections  
11 (b), (c), and (d) of section 102 and sections 104 and  
12 105;

13                   “(2) considered an action categorically excluded  
14 from the requirements of Public Law 91–190 (42  
15 U.S.C. 4321 et seq.); and

16                   “(3) exempt from the special administrative re-  
17 view process under section 105.

18                   “(b) *COLLABORATIVE RESTORATION PROJECT.*—

19                   “(1) *IN GENERAL.*—A project referred to in sub-  
20 section (a) is a project to carry out forest restoration  
21 treatments that—

22                   “(A) maximizes the retention of old-growth  
23 and large trees, as appropriate for the forest  
24 type, to the extent that the trees promote stands  
25 that are resilient to insects and disease, and re-

1           *duce the risk or extent of, or increase the resil-*  
2           *ience to, wildfires;*

3           “(B) *considers the best available scientific*  
4           *information to maintain or restore the ecological*  
5           *integrity, including maintaining or restoring*  
6           *structure, function, composition, and*  
7           *connectivity; and*

8           “(C) *is developed and implemented through*  
9           *a collaborative process that—*

10           “(i) *includes multiple interested per-*  
11           *sons representing diverse interests; and*

12           “(ii)(I) *is transparent and nonexclu-*  
13           *sive; or*

14           “(II) *meets the requirements for a*  
15           *resource advisory committee under sub-*  
16           *sections (c) through (f) of section 205*  
17           *of the Secure Rural Schools and Com-*  
18           *munity Self-Determination Act of 2000*  
19           *(16 U.S.C. 7125).*

20           “(2) *INCLUSION.—A project under this sub-*  
21           *section may carry out part of a proposal that com-*  
22           *plies with the eligibility requirements of the Collabo-*  
23           *rative Forest Landscape Restoration Program under*  
24           *section 4003(b) of the Omnibus Public Land Manage-*  
25           *ment Act of 2009 (16 U.S.C. 7303(b)).*

1       “(c) *LIMITATIONS.*—

2               “(1) *PROJECT SIZE.*—A project under this sec-  
3       tion may not exceed 3000 acres.

4               “(2) *LOCATION.*—A project under this section  
5       shall be—

6               “(A) *Prioritized within the wildland-urban*  
7       *interface;*

8               “(B) *If located outside the wildland-urban*  
9       *interface, limited to areas within Condition*  
10       *Classes 2 or 3 in Fire Regime Groups I, II, or*  
11       *III that contain very high wildfire hazard poten-*  
12       *tial; and*

13               “(C) *Limited to areas designated under sec-*  
14       *tion 602(b) as of the date of enactment of this*  
15       *Act.*

16               “(3) *ROADS.*—

17               “(A) *PERMANENT ROADS.*—

18               “(i) *PROHIBITION ON ESTABLISH-*  
19       *MENT.*—A project under this section shall  
20       not include the establishment of permanent  
21       roads.

22               “(ii) *EXISTING ROADS.*—The Secretary  
23       may carry out necessary maintenance and  
24       repairs on existing permanent roads for the  
25       purposes of this section.

1           “(B) *TEMPORARY ROADS.*—*The Secretary*  
2           *shall decommission any temporary road con-*  
3           *structed under a project under this section not*  
4           *later than 3 years after the date on which the*  
5           *project is completed.*

6           “(4) *EXTRAORDINARY CIRCUMSTANCES.*—*The*  
7           *Secretary shall apply the extraordinary circumstances*  
8           *procedures under section 220.6 of title 36, code of*  
9           *Federal regulations (or successor regulations), when*  
10          *using the categorical exclusion under this section.*

11          “(d) *EXCLUSIONS.*—*This section does not apply to—*

12                 “(1) *a component of the National Wilderness*  
13                 *Preservation System;*

14                 “(2) *any Federal land on which, by Act of Con-*  
15                 *gress or Presidential proclamation, the removal of*  
16                 *vegetation is restricted or prohibited;*

17                 “(3) *a congressionally designated wilderness*  
18                 *study area; or*

19                 “(4) *an area in which activities under subsection*  
20                 *(a) would be inconsistent with the applicable land*  
21                 *and resource management plan.*

22          “(e) *FOREST MANAGEMENT PLANS.*—*All projects and*  
23          *activities carried out under this section shall be consistent*  
24          *with the land and resource management plan established*  
25          *under section 6 of the Forest and Rangeland Renewable Re-*



1 *sources Planning Act of 1974 (16 U.S.C. 1604) for the unit*  
2 *of the National Forest System containing the projects and*  
3 *activities.*

4 “(f) *PUBLIC NOTICE AND SCOPING.*—*The Secretary*  
5 *shall conduct public notice and scoping for any project or*  
6 *action proposed in accordance with this section.*

7 “(g) *ACCOUNTABILITY.*—

8 “(1) *IN GENERAL.*—*The Secretary shall prepare*  
9 *an annual report on the use of categorical exclusions*  
10 *under this section that includes a description of all*  
11 *acres (or other appropriate unit) treated through*  
12 *projects carried out under this section.*

13 “(2) *SUBMISSION.*—*Not later than 1 year after*  
14 *the date of enactment of this section, and each year*  
15 *thereafter, the Secretary shall submit the reports re-*  
16 *quired under paragraph (1) to—*

17 “(A) *the Committee on Agriculture, Nutri-*  
18 *tion, and Forestry of the Senate;*

19 “(B) *the Committee on Environment and*  
20 *Public Works of the Senate;*

21 “(C) *the Committee on Agriculture of the*  
22 *House of Representatives;*

23 “(D) *the Committee on Natural Resources of*  
24 *the House of Representatives; and*

1           “(E) the Government Accountability Of-  
2           *fice*.”.

3 **SEC. 203. INSTALLATION OF FUEL BREAKS AND**  
4 **FIREBREAKS FOR HAZARDOUS FUEL REDUC-**  
5 **TION ON FEDERAL LAND.**

6           Section 101(2) of the Healthy Forests Restoration Act  
7 of 2003 (16 U.S.C. 6511(2)) is amended—

8           (1) by striking “The term” and inserting the fol-  
9           *lowing*:

10                   “(A) *IN GENERAL*.—The term”; and

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

12                   “(B) *INCLUSION*.—The term ‘authorized  
13                   *hazardous fuel reduction project*’ includes, using  
14                   *the measures and methods described in subpara-*  
15                   *graph (A), the installation of—*

16                           “(i) *a natural or manmade change in*  
17                           *fuel characteristics that affects fire behavior*  
18                           *such that a fire can be more readily con-*  
19                           *trolled (commonly known as a ‘fuel break’);*  
20                           *and*

21                           “(ii) *a natural or constructed barrier*  
22                           *used to stop or check a fire or to provide a*  
23                           *control line from which to work to stop or*  
24                           *check a fire (commonly known as a*  
25                           *‘firebreak’).*”.

1 **SEC. 204. CANCELLATION CEILINGS FOR STEWARDSHIP**  
2 **END RESULT CONTRACTING PROJECTS.**

3 *Section 604 of the Healthy Forests Restoration Act of*  
4 *2003 (16 U.S.C. 6591c) is amended—*

5 *(1) by redesignating subsections (h) and (i) as*  
6 *subsections (i) and (j), respectively; and*

7 *(2) by inserting after subsection (g) the fol-*  
8 *lowing:*

9 *“(h) CANCELLATION CEILINGS.—*

10 *“(1) IN GENERAL.—Notwithstanding section*  
11 *3903(b)(1) of title 41, United States Code, the Chief*  
12 *and the Director may obligate funds in stages that*  
13 *are economically or programmatically viable to cover*  
14 *any potential cancellation or termination costs for an*  
15 *agreement or contract under subsection (b).*

16 *“(2) ADVANCE NOTICE TO CONGRESS OF CAN-*  
17 *CELLATION CEILING IN EXCESS OF \$25,000,000.—Not*  
18 *later than 30 days before entering into a multiyear*  
19 *agreement or contract under subsection (b) that in-*  
20 *cludes a cancellation ceiling in excess of \$25,000,000,*  
21 *but does not include proposed funding for the costs of*  
22 *cancelling the agreement or contract up to that can-*  
23 *cellation ceiling, the Chief or the Director, as applica-*  
24 *ble, shall submit to the Committee on Energy and*  
25 *Natural Resources and the Committee on Agriculture,*  
26 *Nutrition, and Forestry of the Senate and the Com-*

1 *mittee on Natural Resources and the Committee on*  
2 *Agriculture of the House of Representatives a written*  
3 *notice that includes—*

4 *“(A) a description of the cancellation ceil-*  
5 *ing amounts proposed for each program year in*  
6 *the agreement or contract;*

7 *“(B) the reasons why the cancellation ceil-*  
8 *ing amounts described under subparagraph (A)*  
9 *were selected;*

10 *“(C) a description of the extent to which the*  
11 *costs of contract cancellation are not included in*  
12 *the budget for the agreement or contract; and*

13 *“(D) an assessment of the financial risk of*  
14 *not including budgeting for the costs of agree-*  
15 *ment or contract cancellation.*

16 *“(3) TRANSMITTAL OF NOTICE TO OMB.—Not*  
17 *later than 14 days after the date on which written no-*  
18 *tice is provided under paragraph (2), the Chief or the*  
19 *Director, as appropriate, shall transmit a copy of the*  
20 *notice to the Director of the Office of Management*  
21 *and Budget.”.*

22 **SEC. 205. EXCESS OFFSET VALUE.**

23 *Section 604(g)(2) of the Healthy Forests Restoration*  
24 *Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking*  
25 *subparagraphs (A) and (B) and inserting the following:*

1           “(A) use the excess to satisfy any out-  
2           standing liabilities for cancelled agreements or  
3           contracts; or

4           “(B) if there are no outstanding liabilities  
5           described in subparagraph (A), apply the excess  
6           to other authorized stewardship projects.”.

7   **SEC. 206. SUBMISSION OF EXISTING ANNUAL REPORT.**

8           Subsection (j) of section 604 of the Healthy Forests  
9   Restoration Act of 2003 (16 U.S.C. 6591c) (as redesignated  
10 by section 204 of this Act), is amended by striking “report  
11 to the Committee on Agriculture, Nutrition, and Forestry  
12 of the Senate and the Committee on Agriculture of the  
13 House of Representatives” and inserting “submit to the con-  
14 gressional committees described in subsection (h)(2) a re-  
15 port”.

16 **SEC. 207. 20-YEAR STEWARDSHIP CONTRACTING.**

17           (a) *IN GENERAL.*—The Secretary of Agriculture and  
18 the Secretary of the Interior may award contracts or agree-  
19 ments under section 604 of the Healthy Forests Restoration  
20 Act of 2003 (16 U.S.C. 6511), for terms not to exceed 20  
21 years on areas where the majority of Federal lands are in  
22 Fire Regime Groups I, II, or III.

23           (b) *PREFERENCE.*—In awarding a contract under this  
24 section, the Secretary concerned may, notwithstanding the  
25 Federal Acquisition Regulations, give a procurement pref-

1 erence to a contractor that would, as part of the contract,  
 2 promote an innovative use of forest products, including  
 3 cross-laminated timber.

4 **SEC. 208. CONSULTATION UNDER FOREST AND RANGELAND**  
 5 **RENEWABLE RESOURCES PLANNING ACT OF**  
 6 **1974.**

7 (a) *CONSULTATION REGARDING LAND MANAGEMENT*  
 8 *PLANS.*—Section 6(d) of the *Forest and Rangeland Renew-*  
 9 *able Resources Planning Act of 1974 (16 U.S.C. 1604(d))*  
 10 *is amended—*

11 (1) *by striking “(d) The Secretary” and insert-*  
 12 *ing the following:*

13 “(d) *PUBLIC PARTICIPATION AND CONSULTATION.*—

14 “(1) *IN GENERAL.*—*The Secretary*”; and

15 (2) *by adding at the end the following:*

16 “(2) *NO ADDITIONAL CONSULTATION REQUIRED*  
 17 *AFTER APPROVAL OF LAND MANAGEMENT PLANS.*—

18 “(A) *IN GENERAL.*—*Except as provided in*  
 19 *subparagraph (B), notwithstanding any other*  
 20 *provision of law, the Secretary shall not be re-*  
 21 *quired to engage in consultation under this sec-*  
 22 *tion or any other provision of law (including*  
 23 *section 7 of Public Law 93–205 (16 U.S.C. 1536)*  
 24 *and section 402.16 of title 50, Code of Federal*

1           *Regulations (or a successor regulation)) with re-*  
2           *spect to—*

3                     *“(i) the listing of a species as threat-*  
4                     *ened or endangered, or a designation of crit-*  
5                     *ical habitat pursuant to Public Law 93–205*  
6                     *(16 U.S.C. 1531 et seq.), if a land manage-*  
7                     *ment plan has been adopted by the Sec-*  
8                     *retary as of the date of listing or designa-*  
9                     *tion; and*

10                    *“(ii) any provision of a land manage-*  
11                    *ment plan adopted as described in clause*  
12                    *(i).*

13                    *“(B) EXCEPTION.—Subparagraph (A) shall*  
14                    *not apply if—*

15                     *“(i) 15 years have passed since the*  
16                     *date on which the Secretary adopted the*  
17                     *land management plan described in clause*  
18                     *(i) of that subparagraph; and*

19                     *“(ii) 5 years have passed since the date*  
20                     *of enactment of this section or the date of*  
21                     *the listing of a species as threatened or en-*  
22                     *dangered for a species known to occur on*  
23                     *the unit or the designation of critical habi-*  
24                     *tat within the unit as described in clause*  
25                     *(i) of that subparagraph, whichever is later.*

1           “(C) *EFFECT OF PARAGRAPH.*—*Nothing in*  
2           *this paragraph affects any applicable require-*  
3           *ment of the Secretary to consult with the head of*  
4           *any other Federal department or agency—*

5                     “(i) *regarding any project carried out,*  
6                     *or proposed to be carried out, to implement*  
7                     *a land management plan pursuant to Pub-*  
8                     *lic Law 93–205 (16 U.S.C. 1531 et seq.),*  
9                     *including any requirement to consult re-*  
10                    *garding the consideration of cumulative im-*  
11                    *pacts of completed, ongoing, and planned*  
12                    *projects; or*

13                   “(ii) *with respect to—*

14                             “(I) *the development of a modi-*  
15                             *fication to a land management plan;*  
16                             *or*

17                             “(II) *an amendment or revision*  
18                             *to a land management plan in accord-*  
19                             *ance with paragraph (4) or (5) of sub-*  
20                             *section (f).”.*

21           (b) *DEFINITION OF SECRETARY; CONFORMING AMEND-*

22 *MENTS.—*

23                     (1) *DEFINITION OF SECRETARY.*—*Section 3(a) of*  
24                     *the Forest and Rangeland Renewable Resources Plan-*  
25                     *ning Act of 1974 (16 U.S.C. 1601(a)) is amended, in*



1 *the first sentence of the matter preceding paragraph*  
 2 *(1), by inserting “(referred to in this Act as the ‘Sec-*  
 3 *retary)’” after “Secretary of Agriculture”.*

4 *(2) CONFORMING AMENDMENTS.—The Forest and*  
 5 *Rangeland Renewable Resources Planning Act of*  
 6 *1974 (16 U.S.C. 1600 et seq.) is amended, in sections*  
 7 *4 through 9, 12, 13, and 15, by striking “Secretary*  
 8 *of Agriculture” each place it appears and inserting*  
 9 *“Secretary”.*

10 **SEC. 209. OREGON AND CALIFORNIA RAILROAD REVESTED**

11 **LANDS AND COOS BAY WAGON ROAD RECON-**  
 12 **VEYED LANDS.**

13 *(a) IN GENERAL.—Notwithstanding any other provi-*  
 14 *sion of law, with respect to the Oregon and California Rail-*  
 15 *road grant land revested in the United States by the Act*  
 16 *of June 9, 1916 (39 Stat. 218, chapter 137), and the Coos*  
 17 *Bay Wagon Road grant land reconveyed to the United*  
 18 *States by the first section of the Act of February 26, 1919*  
 19 *(40 Stat. 1179, chapter 47), that is managed under the Act*  
 20 *of August 28, 1937 (43 U.S.C. 2601 et seq.), the Secretary*  
 21 *of the Interior, acting through the Director of the Bureau*  
 22 *of Land Management, shall not be required to engage in*  
 23 *consultation under any law (including section 7 of Public*  
 24 *Law 93–205 (16 U.S.C. 1536) and section 402.16 of title*

1 50, *Code of Federal Regulations* (or a successor regulation)),  
2 *with respect to—*

3 (1) *the listing of a species as threatened or en-*  
4 *dangered, or a designation of critical habitat, pursu-*  
5 *ant to Public Law 93–205 (16 U.S.C. 1531 et seq.),*  
6 *if a land use plan has been adopted by the Secretary*  
7 *of the Interior as of the date of listing or designation;*  
8 *and*

9 (2) *any provision of a land use plan adopted as*  
10 *described in paragraph (1).*

11 (b) *EFFECT OF SECTION.—Nothing in this section af-*  
12 *fects any applicable requirement of the Secretary of the In-*  
13 *terior to consult with the head of any other Federal depart-*  
14 *ment or agency—*

15 (1) *regarding a project carried out, or proposed*  
16 *to be carried out, pursuant to Public Law 93–205 (16*  
17 *U.S.C. 1531 et seq.), including any requirement to*  
18 *consult regarding the consideration of the cumulative*  
19 *impacts of completed, ongoing, and planned projects;*  
20 *or*

21 (2) *with respect to the development of a new*  
22 *land use plan or the revision of or other significant*  
23 *change to an existing land use plan.*

1 **SEC. 210. WILDFIRE HAZARD SEVERITY MAPPING FOR COM-**  
2 **MUNITIES.**

3 (a) *MAP REQUIRED.*—Not later than 2 years after the  
4 date of the enactment of this section, the Secretary of Agri-  
5 culture, acting through the Chief of the Forest Service,  
6 shall—

7 (1) *develop and publish a geospatial map appro-*  
8 *priate for community-level use that depicts wildfire*  
9 *hazard severity to inform at-risk communities that*  
10 *are—*

11 (A) *adjacent to National Forest System*  
12 *lands; or*

13 (B) *affected by wildland fire, as determined*  
14 *by the Secretary; and*

15 (2) *disseminate the information under para-*  
16 *graph (1) in an appropriate, web-based format for*  
17 *use by such communities to—*

18 (A) *improve understanding of their risk*  
19 *profile;*

20 (B) *clarify thinking on the nature and effect*  
21 *of wildfire risks; and*

22 (C) *develop plans to manage and mitigate*  
23 *those risks.*

24 (b) *PURPOSES OF MAP.*—The purposes of the map re-  
25 *quired under subsection (a) are as follows:*

26 (1) *To inform evaluations of wildfire risk.*

1           (2) *To prioritize fuels management needs.*

2           (3) *To depict the relative potential for wildfire*  
3 *that could be difficult for suppression resources to*  
4 *contain and that could cause ignitions to structures.*

5           (c) *CONSULTATION.—In carrying out subsection (a),*  
6 *the Secretary of Agriculture and Chief of the Forest Service*  
7 *shall consult with—*

8           (1) *the Secretary of the Interior;*

9           (2) *the Administrator of the Federal Emergency*  
10 *Management Agency;*

11           (3) *other appropriate Federal agencies;*

12           (4) *States;*

13           (5) *relevant colleges, universities, and institu-*  
14 *tions of higher education with relevant expertise; and*

15           (6) *other entities, as appropriate.*

16           (d) *AT-RISK COMMUNITY DEFINED.—The term “at-*  
17 *risk community” has the meaning given the term in section*  
18 *101 of the Healthy Forests Restoration Act of 2003 (16*  
19 *U.S.C. 6511).*

1 **SEC. 211. VEGETATION MANAGEMENT, FACILITY INSPEC-**  
2 **TION, AND OPERATION AND MAINTENANCE**  
3 **RELATING TO ELECTRIC TRANSMISSION AND**  
4 **DISTRIBUTION FACILITY RIGHTS OF WAY.**

5 (a) *IN GENERAL.*—*Title V of the Federal Land Policy*  
6 *and Management Act of 1976 (43 U.S.C. 1761 et seq.) is*  
7 *amended by adding at the end the following:*

8 **“SEC. 512. VEGETATION MANAGMENT, FACILITY INSPEC-**  
9 **TION, AND OPERATION AND MAINTENANCE**  
10 **RELATING TO ELECTRIC TRANSMISSION AND**  
11 **DISTRIBUTION FACILITY RIGHTS OF WAY.**

12 *“(a) DEFINITIONS.—In this section:*

13 *“(1) HAZARD TREE.—The term ‘hazard tree’*  
14 *means any tree or part thereof (whether located inside*  
15 *or outside a right-of-way) that has been designated,*  
16 *prior to tree failure, by a certified or licensed arborist*  
17 *or forester under the supervision of the Secretary con-*  
18 *cerned or the owner or operator of a transmission or*  
19 *distribution facility to be—*

20 *“(A) dead, likely to die within the routine*  
21 *vegetation management cycle, or likely to fail*  
22 *within the routine vegetation management cycle;*  
23 *and*

24 *“(B) if the tree or part of the tree failed,*  
25 *likely to—*

1                   “(i) *cause substantial damage or dis-*  
2                   *ruption to a transmission or distribution*  
3                   *facility; or*

4                   “(ii) *come within 10 feet of an electric*  
5                   *power line.*

6                   “(2) *OWNER; OPERATOR.*—*The terms ‘owner’*  
7                   *and ‘operator’ include contractors or other agents en-*  
8                   *gaged by the owner or operator of an electric trans-*  
9                   *mission or distribution facility.*

10                  “(3) *PLAN.*—*The term ‘plan’ means a vegetation*  
11                  *management, facility inspection, and operation and*  
12                  *maintenance plan that—*

13                         “(A) *is prepared by the owner or operator*  
14                         *of 1 or more electric transmission or distribution*  
15                         *facilities to cover 1 or more electric transmission*  
16                         *and distribution rights-of-way; and*

17                         “(B) *provides for the long-term, cost-effec-*  
18                         *tive, efficient, and timely management of facili-*  
19                         *ties and vegetation within the width of the right-*  
20                         *of-way and abutting Federal land, including*  
21                         *hazard trees, to enhance electric reliability, pro-*  
22                         *mote public safety, and avoid fire hazards.*

23                         “(4) *SECRETARY CONCERNED.*—*The term ‘Sec-*  
24                         *retary concerned’ means—*

1           “(A) the Secretary, with respect to public  
2           lands; and

3           “(B) the Secretary of Agriculture, with re-  
4           spect to National Forest System land.

5           “(b) GUIDANCE.—

6           “(1) IN GENERAL.—To enhance the reliability of  
7           the electric grid and reduce the threat of wildfire  
8           damage to, and wildfire caused by vegetation-related  
9           conditions within, electric transmission and distribu-  
10          tion rights-of-way and abutting Federal land, includ-  
11          ing hazard trees, the Secretary concerned shall issue  
12          and periodically update guidance to ensure that pro-  
13          visions are appropriately developed and implemented  
14          for utility vegetation management, facility inspection,  
15          and operation and maintenance of rights-of-way, re-  
16          gardless of the means by which the rights-of-way are  
17          established (including by grant, special use authoriza-  
18          tion, and easement).

19          “(2) LIMITATION.—The guidance issued under  
20          paragraph (1) shall be compatible with mandatory  
21          reliability standards established by the Electric Reli-  
22          ability Organization.

23          “(3) CONSIDERATIONS.—The guidance issued  
24          under paragraph (1) shall take into account—

1           “(A) all applicable law, including fire safe-  
2           ty and electric system reliability requirements  
3           (including reliability standards established by  
4           the Electric Reliability Organization under sec-  
5           tion 215 of the Federal Power Act (16 U.S.C.  
6           8240)); and

7           “(B) the Memorandum of Understanding on  
8           Vegetation Management for Powerline Rights-of-  
9           Way between the Edison Electric Institute, Util-  
10          ity Arborist Association, the Department of the  
11          Interior, the Department of Agriculture, and the  
12          Environmental Protection Agency signed in  
13          2016.

14          “(4) *REQUIREMENTS.*—The guidance issued  
15          under paragraph (1) shall—

16                 “(A) be developed in consultation with the  
17                 owners of transmission and distribution facilities  
18                 that hold rights-of-way;

19                 “(B) seek to minimize the need for case-by-  
20                 case approvals for —

21                         “(i) routine vegetation management,  
22                         facility inspection, and operation and  
23                         maintenance activities; and



1                   “(ii) *utility vegetation management*  
2                   *activities that are necessary to control haz-*  
3                   *ard trees; and*

4                   “(C) *provide for prompt and timely review*  
5                   *of requests to conduct vegetation management ac-*  
6                   *tivities that require approval of the Secretary*  
7                   *concerned, especially activities requiring expe-*  
8                   *ditated or immediate action.*

9                   “(c) *VEGETATION MANAGEMENT, FACILITY INSPEC-*  
10                  *TION, AND OPERATION AND MAINTENANCE PLANS.—*

11                  “(1) *DEVELOPMENT AND SUBMISSION.—Con-*  
12                  *sistent with subsection (b), the Secretary concerned*  
13                  *shall provide owners and operators of electric trans-*  
14                  *mission or distribution facilities located on public*  
15                  *lands and National Forest System land, as applica-*  
16                  *ble, with the option to develop and submit a plan.*

17                  “(2) *ERO STANDARDS.—Owners and operators*  
18                  *subject to mandatory reliability standards established*  
19                  *by the Electric Reliability Organization (or super-*  
20                  *seding standards) may use those standards as part of*  
21                  *the plan.*

22                  “(3) *PLAN REQUIREMENTS.—A plan developed*  
23                  *under paragraph (1) shall—*

24                         “(A) *identify the applicable transmission or*  
25                         *distribution facilities to be maintained;*

1           “(B) take into account operations and  
2 maintenance plans for the applicable trans-  
3 mission or distribution line;

4           “(C) describe the vegetation management,  
5 inspection, and operation and maintenance  
6 methods that may be used to comply with all ap-  
7 plicable law, including fire safety requirements  
8 and reliability standards established by the Elec-  
9 tric Reliability Organization;

10          “(D) include schedules for—

11           “(i) the applicable owner or operator  
12 to notify the Secretary concerned about rou-  
13 tine and major maintenance;

14           “(ii) the applicable owner or operator  
15 to request approval from the Secretary con-  
16 cerned about undertaking routine and  
17 major maintenance; and

18           “(iii) the Secretary concerned to re-  
19 spond to a request by an owner or operator  
20 under clause (ii); and

21          “(E) describe processes for—

22           “(i) identifying changes in conditions;  
23 and

24           “(ii) modifying the approved plan, if  
25 necessary.

1           “(4) *REVIEW AND APPROVAL PROCESS.*—

2                   “(A) *IN GENERAL.*—*The Secretary con-*  
3                   *cerned shall jointly develop a consolidated and*  
4                   *coordinated process for the review and approval*  
5                   *of plans submitted under paragraph (1) that—*

6                           “(i) *includes timelines and benchmarks*  
7                           *for—*

8                                   “(I) *the submission of agency*  
9                                   *comments on the plans and schedules*  
10                                   *for final decision; and*

11                                   “(II) *the timely review of modi-*  
12                                   *fications of the plans in cases in which*  
13                                   *modifications are necessary;*

14                                   “(ii) *is consistent with applicable law;*  
15                                   *and*

16                                   “(iii) *includes a process for modifica-*  
17                                   *tions to a plan in a prompt manner if*  
18                                   *changed conditions necessitate a modifica-*  
19                                   *tion to a plan; and*

20                                   “(iv) *ensures, to the maximum extent*  
21                                   *practicable, a prompt review and approval*  
22                                   *process not to exceed 120 days.*

23                   “(B) *PLAN MODIFICATION.*—*Upon reason-*  
24                   *able advance notice to an owner or operator of*  
25                   *an electric transmission or distribution facility*

1           *of any changed conditions that warrant a modi-*  
2           *fication to a plan, the Secretary concerned*  
3           *shall—*

4                     “(i) *provide an opportunity for the*  
5                     *owner or operator to submit a proposed*  
6                     *plan modification, consistent with the proc-*  
7                     *ess described under subparagraph (A)(iii),*  
8                     *to address the changed condition identified*  
9                     *by the Secretary concerned;*

10                    “(ii) *consider the proposed plan modi-*  
11                    *fication consistent with the process de-*  
12                    *scribed under paragraph (4)(A); and*

13                    “(iii) *allow the owner or operator to*  
14                    *continue to implement any element of the*  
15                    *approved plan that does not directly and*  
16                    *adversely affect the condition precipitating*  
17                    *the need for modification.*

18                    “(5) *CATEGORIES OF ACTIONS NOT REQUIRING*  
19                    *ENVIRONMENTAL ANALYSIS.—With respect to the de-*  
20                    *velopment and approval of plans submitted under*  
21                    *paragraph (1), as well as with respect to actions car-*  
22                    *ried out under such plans, the Secretary concerned*  
23                    *shall identify categories of actions for which neither*  
24                    *an environmental impact statement nor an environ-*  
25                    *mental assessment shall be required under section*

1 1508.4 of title 40, Code of Federal Regulations (or a  
2 successor regulation).

3 “(d) CERTAIN OWNERS AND OPERATORS.—

4 “(1) IN GENERAL.—The owner or operator of an  
5 electric transmission or distribution facility that is  
6 not subject to the mandatory reliability standards es-  
7 tablished by the Electric Reliability Organization or  
8 that sold less than or equal to 1,000,000 megawatt  
9 hours of electric energy for purposes other than resale  
10 during each of the 3 calendar years immediately pre-  
11 ceding the date of enactment of this section may enter  
12 into an agreement with the Secretary concerned in  
13 lieu of a plan under subsection (c).

14 “(2) MINIMUM REQUIREMENTS.—The Secretary  
15 concerned shall ensure that the minimum require-  
16 ments for an agreement under paragraph (1)—

17 “(A) reflect the relative financial resources  
18 of the applicable owner or operator compared to  
19 other owners or operators of an electric trans-  
20 mission or distribution facility;

21 “(B) include schedules as described in sub-  
22 section (c)(3)(D);

23 “(C) are subject to modification require-  
24 ments as described in subsection (c)(4)(B); and

25 “(D) comply with applicable law.

1       “(e) *EMERGENCY CONDITIONS.*—*If vegetation or haz-*  
2 *ard trees have contacted or present an imminent danger*  
3 *of contacting an electric transmission or distribution line*  
4 *from within or adjacent to an electric transmission or dis-*  
5 *tribution right-of-way, the owner or operator of the electric*  
6 *transmission or distribution lines—*

7               “(1) *may prune or remove the vegetation or haz-*  
8 *ard tree—*

9                       “(A) *to avoid the disruption of electric serv-*  
10 *ice; and*

11                      “(B) *to eliminate immediate fire and safety*  
12 *hazards; and*

13               “(2) *shall notify the appropriate local agent of*  
14 *the Secretary concerned not later than 1 day after the*  
15 *date of the response to emergency conditions.*

16       “(f) *ACTIVITIES THAT REQUIRE APPROVAL.*—

17               “(1) *IN GENERAL.*—*Except as provided under*  
18 *paragraph (3), the owner or operator of an electric*  
19 *transmission or distribution facility may conduct*  
20 *vegetation management activities that require ap-*  
21 *proval of the Secretary concerned in accordance with*  
22 *a plan approved under subsection (c) or an agreement*  
23 *entered into under subsection (d) only with the ap-*  
24 *proval of the Secretary concerned.*

1           “(2) *REQUIREMENT TO RESPOND.*—*The Sec-*  
2           *retary concerned shall respond to a request for ap-*  
3           *proval to conduct vegetation management activities in*  
4           *accordance with the applicable schedules in a plan*  
5           *approved under subsection (c) or an agreement en-*  
6           *tered into under subsection (d).*

7           “(3) *AUTHORIZED ACTIVITIES.*—*The owner or*  
8           *operator of an electric transmission or distribution*  
9           *facility may conduct vegetation management activi-*  
10           *ties that require approval of the Secretary concerned*  
11           *in accordance with a plan approved under subsection*  
12           *(c) or an agreement entered into under subsection (d)*  
13           *without the approval of the Secretary concerned if—*

14                   “(A) *the owner or operator submitted a re-*  
15                   *quest to the Secretary concerned in accordance*  
16                   *with the applicable schedule in a plan approved*  
17                   *under subsection (c) or an agreement entered*  
18                   *into under subsection (d);*

19                   “(B) *the vegetation management activities,*  
20                   *including the removal of hazard trees, proposed*  
21                   *in the request under subparagraph (A) are in ac-*  
22                   *cordance with a plan approved under subsection*  
23                   *(c) or an agreement entered into under sub-*  
24                   *section (d); and*

1           “(C) *the Secretary concerned fails to re-*  
2           *pond to the request under subparagraph (A) in*  
3           *accordance with the applicable schedule in a*  
4           *plan approved under subsection (c) or an agree-*  
5           *ment entered into under subsection (d).*

6           “(g) *LIABILITY.—*

7           “(1) *IN GENERAL.—The Secretary concerned*  
8           *shall not impose strict liability for damages or injury*  
9           *resulting from—*

10           “(A) *the Secretary concerned unreasonably*  
11           *withholding or delaying—*

12           “(i) *approval of a plan under sub-*  
13           *section (c); or*

14           “(ii) *entrance into an agreement under*  
15           *subsection (d); or*

16           “(B) *the Secretary concerned unreasonably*  
17           *failing to adhere to an applicable schedule in a*  
18           *plan approved under subsection (c) or an agree-*  
19           *ment entered into under subsection (d).*

20           “(2) *DAMAGES.—For the period ending 10 years*  
21           *after the date of the enactment of this subsection, the*  
22           *Secretary concerned shall not impose strict liability*  
23           *in an amount greater than \$500,000 per incident for*  
24           *damages or injury resulting from activities conducted*



1 *by an owner or operator in accordance with an ap-*  
2 *proved agreement under subsection (d).*

3 “(3) *RULE OF CONSTRUCTION.*—*Nothing in*  
4 *paragraph (2) shall be construed to effect any liabil-*  
5 *ity imposed by the Secretary concerned under section*  
6 *251.56(d) of title 36, Code of Federal Regulations (as*  
7 *in effect on the date of the enactment of this section)*  
8 *and section 2807.12 of title 43, Code of Federal Regu-*  
9 *lations (as in effect on the date of the enactment of*  
10 *this section), for activities conducted by an owner or*  
11 *operator in accordance with an approved plan under*  
12 *subsection (c).*

13 “(h) *REPORTING REQUIREMENT.*—

14 “(1) *ACTIVITIES THAT REQUIRE APPROVAL.*—  
15 *The Secretary concerned shall report requests and ac-*  
16 *tions made under subsection (f) annually on the*  
17 *website of the Secretary concerned.*

18 “(2) *LIABILITY.*—*Not later than four years after*  
19 *the date of enactment of this subsection, the Secretary*  
20 *concerned shall prepare and submit a report to the*  
21 *Committee on Natural Resources of the House of Rep-*  
22 *resentatives and the Committee on Energy and Nat-*  
23 *ural Resources of the Senate that describes the effect*  
24 *on the Treasury of the strict liability limitation es-*  
25 *tablished by subsection (g)(2).*

1       “(i) *TRAINING AND GUIDANCE.*—*In consultation with*  
2 *the electric utility industry, the Secretary concerned is en-*  
3 *couraged to develop a program to train personnel of the*  
4 *Department of the Interior and the Forest Service involved*  
5 *in vegetation management decisions relating to electric*  
6 *transmission and distribution facilities to ensure that the*  
7 *personnel—*

8               “(1) *understand electric system reliability re-*  
9 *quirements as the requirements relate to vegetation*  
10 *management of transmission and distribution rights-*  
11 *of-way on Federal land, including reliability stand-*  
12 *ards established by the Electric Reliability Organiza-*  
13 *tion and fire safety requirements;*

14               “(2) *assist owners and operators of electric*  
15 *transmission and distribution facilities in complying*  
16 *with applicable electric reliability and fire safety re-*  
17 *quirements;*

18               “(3) *encourage and assist willing owners and op-*  
19 *erators of electric transmission and distribution fa-*  
20 *ilities to incorporate on a voluntary basis vegetation*  
21 *management practices to enhance habitats and forage*  
22 *for pollinators and for other wildlife if the practices*  
23 *are compatible with the integrated vegetation man-*  
24 *agement practices necessary for reliability and safety;*  
25 *and*

1           “(4) understand how existing and emerging un-  
2           manned technologies can help electric utilities, the  
3           Federal Government, State and local governments,  
4           and private landowners—

5                   “(A) to more efficiently identify vegetation  
6           management needs;

7                   “(B) to reduce the risk of wildfires; and

8                   “(C) to lower ratepayer energy costs.

9           “(j) *IMPLEMENTATION.*—The Secretary concerned  
10 *shall*—

11                   “(1) not later than 1 year after the date of enact-  
12           ment of this section, propose regulations, or amend  
13           existing regulations, to implement this section; and

14                   “(2) not later than 2 years after the date of en-  
15           actment of this section, finalize regulations, or amend  
16           existing regulations, to implement this section.

17           “(k) *EXISTING VEGETATION MANAGEMENT, FACILITY*  
18 *INSPECTION, AND OPERATION AND MAINTENANCE PLANS.*—  
19 *Nothing in this section requires an owner or operator to*  
20 *develop and submit a new plan under this section if a plan*  
21 *consistent with this section has already been approved by*  
22 *the Secretary concerned before the date of enactment of this*  
23 *section.*”.

24           “(b) *CLERICAL AMENDMENT.*—The table of sections for  
25 *the Federal Land Policy and Management Act of 1976 (43*

1 *U.S.C. 1761 et seq.*), is amended by inserting after the item  
2 relating to section 511 the following new item:

“Sec. 512. Vegetation management, facility inspection, and operation and main-  
tenance relating to electric transmission and distribution facility  
rights-of-way.”.

3 **SEC. 212. GOOD NEIGHBOR AUTHORITY IMPROVEMENT.**

4 Section 8206(a) of the Agricultural Act of 2014 (16  
5 *U.S.C. 2113a(a)*) is amended—

6 (1) in paragraph (3)(B)(i), by striking “areas;  
7 or” and inserting the following: “areas, other than the  
8 reconstruction, repair, or restoration of a National  
9 Forest System road that is—

10 “(I) necessary to carry out au-  
11 thorized restoration services pursuant  
12 to a good neighbor agreement; and

13 “(II) in the case of a National  
14 Forest System road that is determined  
15 to be unneeded in accordance with sec-  
16 tion 212.5(b)(2) of title 36, Code of  
17 Federal Regulations (as in effect on the  
18 date of enactment of the Good Neighbor  
19 Authority Improvement Act), decom-  
20 missioned in accordance with subpara-  
21 graph (A)(iii)—

22 “(aa) in a manner that is  
23 consistent with the applicable  
24 travel management plan; and



1           (1) in section 203(1) (43 U.S.C. 2302(1)), by  
2 striking “cultural, or” and inserting “cultural, rec-  
3 reational access and use, or other”;

4           (2) in section 203(2) (43 U.S.C. 2302(2))—

5           (A) in the matter preceding subparagraph  
6 (A), by striking “on the date of enactment of this  
7 Act was” and inserting “is”;

8           (B) by amending subparagraph (A) to read  
9 as follows:

10           “(A) a national monument, area of critical  
11 environmental concern, national conservation  
12 area, national riparian conservation area, na-  
13 tional recreation area, national scenic area, re-  
14 search natural area, national outstanding nat-  
15 ural area, priority species and habitats des-  
16 igned in a land use plan in accordance with  
17 subpart E (entitled “Fish and Wildlife”) of part  
18 I of Appendix C of Bureau of Land Management  
19 Land Use Planning Handbook H-1601-1 (Rel 1-  
20 1693), a special recreation management area, or  
21 a national natural landmark managed by the  
22 Bureau of Land Management;” and

23           (C) by amending subparagraph (D) to read  
24 as follows:

1                   “(D) a National Forest or National Grass-  
2                   land in the National Forest System; or”;

3                   (3) in section 203 (43 U.S.C. 2302), by inserting  
4                   the following paragraph after section 203(2) (and re-  
5                   designating the following paragraphs accordingly):

6                   “(3) *INACCESSIBLE LANDS THAT ARE OPEN TO*  
7                   *PUBLIC HUNTING, FISHING, RECREATIONAL SHOOT-*  
8                   *ING, OR OTHER RECREATIONAL PURPOSES.—The term*  
9                   *‘inaccessible lands that are open to public hunting,*  
10                  *fishing, recreational shooting, or other recreational*  
11                  *purposes’ means public lands in Alaska and the elev-*  
12                  *en contiguous Western States (as defined in section*  
13                  *103 of the Federal Land Policy and Management Act*  
14                  *of 1976 (43 U.S.C. 1702)) consisting of at least 640*  
15                  *contiguous acres on which the public is allowed under*  
16                  *Federal or State law to hunt, fish, target shoot or use*  
17                  *the land for other recreational purposes but—*

18                  “(A) to which there is no public access or  
19                  egress; or

20                  “(B) to which public access or egress to the  
21                  land is significantly restricted, as determined by  
22                  the Secretary.”; and

23                  (4) in section 205 (43 U.S.C. 2304)—

1           (A) in subsection (a), by striking “section  
2           206” and all that follows through the period and  
3           inserting the following: “section 206—

4           “(1) to complete appraisals and satisfy other  
5           legal requirements for the sale or exchange of public  
6           land identified for disposal under approved land use  
7           plans under section 202 of the Federal Land Policy  
8           and Management Act of 1976 (43 U.S.C. 1712);

9           “(2) not later than 180 days after the date of the  
10          enactment of the Federal Land Transaction Facilita-  
11          tion Act Reauthorization of 2018, to establish and  
12          make available to the public, on the website of the De-  
13          partment of the Interior, a database containing a  
14          comprehensive list of all the land referred to in para-  
15          graph (1); and

16          “(3) to maintain the database referred to in  
17          paragraph (2).”; and

18           (B) by striking subsection (d);

19          (5) in section 206(c)(2) (43 U.S.C. 2305(c)(2))—

20           (A) in subparagraph(A)(i), by striking  
21           “inholdings; and” and inserting “inholdings;”;

22           (B) in subparagraph (A)(ii), by striking  
23           “exceptional resources.” and inserting “excep-  
24           tional resources; or”;



1           (C) in subparagraph (A), by inserting after  
2 clause (ii), “(iii) adjacent to inaccessible lands  
3 open to public hunting, fishing, recreational  
4 shooting, or other recreational purposes.”; and

5           (D) by adding at the end the following:

6           “(E) Any funds made available under sub-  
7 paragraph (D) that are not obligated or ex-  
8 pended by the end of the fourth full fiscal year  
9 after the date of the sale or exchange of land that  
10 generated the funds may be expended in any  
11 State.”;

12       (6) in section 206(c)(3) (43 U.S.C. 2305(c)(3))—

13           (A) by inserting after subparagraph (A) the  
14 following:

15           “(B) the extent to which the acquisition of  
16 the land or interest therein will increase the pub-  
17 lic availability of resources for, and facilitate  
18 public access to, hunting, fishing, and other rec-  
19 reational activities;”;

20           (B) by redesignating subparagraphs (B)  
21 and (C) as subparagraphs (C) and (D);

22       (7) by striking section 206(f) (43 U.S.C.  
23 2305(f)); and

24       (8) in section 207(b) (43 U.S.C. 2306(b))—

25           (A) in paragraph (1)—

1                   (i) by striking “96–568” and inserting  
2                   “96–586”; and

3                   (ii) by striking “; or” and inserting a  
4                   semicolon;

5                   (B) in paragraph (2)—

6                   (i) by inserting “Public Law 105–  
7                   263;” before “112 Stat.”; and

8                   (ii) by striking the period at the end  
9                   and inserting a semicolon; and

10                  (C) by adding at the end the following:

11                  “(3) the White Pine County Conservation, Recre-  
12                  ation, and Development Act of 2006 (Public Law  
13                  109–432; 120 Stat. 3028);

14                  “(4) the Lincoln County Conservation, Recre-  
15                  ation, and Development Act of 2004 (Public Law  
16                  108–424; 118 Stat. 2403);

17                  “(5) subtitle F of title I of the Omnibus Public  
18                  Land Management Act of 2009 (16 U.S.C. 1132 note;  
19                  Public Law 111–11);

20                  “(6) subtitle O of title I of the Omnibus Public  
21                  Land Management Act of 2009 (16 U.S.C. 460www  
22                  note, 1132 note; Public Law 111–11);

23                  “(7) section 2601 of the Omnibus Public Land  
24                  Management Act of 2009 (Public Law 111–11; 123  
25                  Stat. 1108); or

1           “(8) section 2606 of the Omnibus Public Land  
2           Management Act of 2009 (Public Law 111–11; 123  
3           Stat. 1121).”.

4   **TITLE IV—EXTENSION OF SE-**  
5   **CURE RURAL SCHOOLS AND**  
6   **COMMUNITY        SELF-DETER-**  
7   **MINATION ACT OF 2000**

8   **SEC. 401. EXTENSION OF SECURE RURAL SCHOOLS AND**  
9                   **COMMUNITY SELF-DETERMINATION ACT OF**  
10                   **2000.**

11       (a) *SECURE PAYMENTS FOR STATES AND COUNTIES*  
12   *CONTAINING FEDERAL LAND.—*

13           (1) *FULL FUNDING AMOUNT.—Section 3(11) of*  
14   *the Secure Rural Schools and Community Self-Deter-*  
15   *mination Act (16 U.S.C. 7102(11)) is amended—*

16                   (A) *in subparagraph (B), by striking*  
17                   *“and”;*

18                   (B) *in subparagraph (C)—*

19                           (i) *by striking “and each fiscal year*  
20                           *thereafter” and inserting “through fiscal*  
21                           *year 2015”; and*

22                           (ii) *by striking the period and insert-*  
23                           *ing a semi-colon; and*

24                           (C) *by adding at the end the following:*

1           “(D) for fiscal year 2017, the amount that  
2           is equal to 95 percent of the full funding amount  
3           for fiscal year 2015; and

4           “(E) for fiscal year 2018 and each fiscal  
5           year thereafter, the amount that is equal to 95  
6           percent of the full funding amount for the pre-  
7           ceding fiscal year.”.

8           (2) *SECURE PAYMENTS*.—

9           (A) *IN GENERAL*.—Section 101 of the *Se-*  
10          *ecure Rural Schools and Community Self-Deter-*  
11          *mination Act of 2000 (16 U.S.C. 7111)* is  
12          amended, in subsections (a) and (b), by striking  
13          “2015” each place it appears and inserting  
14          “2015, 2017, and 2018”.

15          (B) *SPECIAL RULE FOR FISCAL YEAR 2017*  
16          *PAYMENTS*.—Section 101 of the *Secure Rural*  
17          *Schools and Community Self-Determination Act*  
18          *of 2000 (16 U.S.C. 7111)* is amended by adding  
19          at the end the following:

20          “(d) *SPECIAL RULE FOR FISCAL YEAR 2017 PAY-*  
21          *MENTS*.—

22                 “(1) *STATE PAYMENT*.—If an eligible county in  
23                 a State that will receive a share of the State payment  
24                 for fiscal year 2017 has already received, or will re-  
25                 ceive, a share of the 25-percent payment for fiscal

1        *year 2017 distributed to the State before the date of*  
 2        *enactment of this subsection, the amount of the State*  
 3        *payment shall be reduced by the amount of the share*  
 4        *of the eligible county of the 25-percent payment.*

5            *“(2) COUNTY PAYMENT.—If an eligible county*  
 6        *that will receive a county payment for fiscal year*  
 7        *2017 has already received a 50-percent payment for*  
 8        *fiscal year 2017, the amount of the county payment*  
 9        *shall be reduced by the amount of the 50-percent pay-*  
 10       *ment.*

11           *“(3) PROMPT PAYMENT.—Not later than 45 days*  
 12        *after the date of enactment of this subsection, the Sec-*  
 13        *retary of the Treasury shall make all payments under*  
 14        *this title for fiscal year 2017.”.*

15           *(3) PAYMENTS TO STATES AND COUNTIES.—*

16           *(A) ELECTION TO RECEIVE PAYMENT*  
 17        *AMOUNT.—Section 102(b) of the Secure Rural*  
 18        *Schools and Community Self-Determination Act*  
 19        *of 2000 (16 U.S.C. 7112(b)) is amended—*

20           *(i) in paragraph (1), by adding after*  
 21        *subparagraph (C) the following:*

22           *“(D) PAYMENTS FOR FISCAL YEARS 2017*  
 23        *AND 2018.—The election otherwise required by*  
 24        *subparagraph (A) shall not apply for fiscal years*  
 25        *2017 or 2018.”; and*

1           (ii) in paragraph (2)—

2                   (I) in subparagraph (A), by in-  
3                   serting “and for fiscal years 2017 and  
4                   2018” after “2015”; and

5                   (II) in subparagraph (B), by in-  
6                   serting “and for fiscal years 2017 and  
7                   2018” after “2015”.

8           (B) *EXPENDITURE RULES FOR ELIGIBLE*  
9           *COUNTIES.*—Section 102(d) of the Secure Rural  
10           *Schools and Community Self-Determination Act*  
11           *of 2000 (16 U.S.C. 7112(d)) is amended—*

12                   (i) in paragraph (1), by adding after  
13                   subparagraph (E) the following:

14                   “(F) *PAYMENTS FOR FISCAL YEARS 2017*  
15                   *AND 2018.*—The election made by an eligible  
16                   county under subparagraph (B), (C), or (D) for  
17                   fiscal year 2013, or deemed to be made by the  
18                   county under paragraph (3)(B) for that fiscal  
19                   year, shall be effective for fiscal years 2017 and  
20                   2018.”; and

21           (ii) in paragraph (3)—

22                   (I) in subparagraph (B)(ii), by  
23                   striking “purpose described in section  
24                   202(b)” and inserting “purposes de-

1                   scribed in section 202(b), section  
2                   203(c), or section 204(a)(5)”; and

3                   (II) by adding after subparagraph  
4                   (C) the following:

5                   “(D) *PAYMENTS FOR FISCAL YEARS 2017*  
6                   *AND 2018.*—*This paragraph does not apply for*  
7                   *fiscal years 2017 and 2018.*”.

8                   (C) *ELECTIONS AS TO ALLOCATION OF BAL-*  
9                   *ANCE.*—*Section 102(d)(1) of the Secure Rural*  
10                  *Schools and Community Self-Determination Act*  
11                  *of 2000 (16 U.S.C. 7112(d)(1)) is amended—*

12                  (i) in subparagraph (B)(ii), by strik-  
13                  ing “not more than 7 percent of the total  
14                  share for the eligible county of the State  
15                  payment or the county payment” and in-  
16                  serting “any portion of the balance”; and

17                  (ii) by striking subparagraph (C) and  
18                  inserting the following:

19                  “(C) *COUNTIES WITH MAJOR DISTRIBUTI-*  
20                  *ONS.*—*In the case of each eligible county to*  
21                  *which \$350,000 or more is distributed for any*  
22                  *fiscal year pursuant to paragraph (1)(B) or*  
23                  *(2)(B) of subsection (a), the eligible county shall*  
24                  *elect to do 1 or more of the following with the*

1           *balance of any funds not expended pursuant to*  
2           *subparagraph (A):*

3                   “(i) *Reserve any portion of the balance*  
4                   *for projects in accordance with title II.*

5                   “(ii) *Reserve not more than 7 percent*  
6                   *of the total share for the eligible county of*  
7                   *the State payment or the county payment*  
8                   *for projects in accordance with title III.*

9                   “(iii) *Return the portion of the balance*  
10                   *not reserved under clauses (i) and (ii) to the*  
11                   *Treasury of the United States.”.*

12                   (D) *TREATMENT AS SUPPLEMENTAL FUND-*  
13                   *ING.—Section 102 of the Secure Rural Schools*  
14                   *and Community Self-Determination Act of 2000*  
15                   *(16 U.S.C. 7112) is amended by adding at the*  
16                   *end the following:*

17                   “(f) *TREATMENT AS SUPPLEMENTAL FUNDING.—*

18                   “(1) *IN GENERAL.—None of the funds made*  
19                   *available to an eligible county under this Act may be*  
20                   *used in lieu of, or to otherwise offset, a State funding*  
21                   *source for a local school, facility, or educational pur-*  
22                   *pose.*

23                   “(2) *CONTINUATION OF DIRECT PAYMENTS.—*  
24                   *Payments to States made under the Secure Rural*  
25                   *Schools and Community Self-Determination Act of*



1       2000 (16 U.S.C. 7101 et seq.) and 25-percent pay-  
2       ments made to States and Territories under the Acts  
3       of May 23, 1908, and March 1, 1911 (16 U.S.C. 500),  
4       shall continue to be made as direct payments and not  
5       as Federal financial assistance.”.

6                       (E) DISTRIBUTION OF PAYMENTS TO ELIGI-  
7       BLE COUNTIES.—Section 103(d)(2) of the Secure  
8       Rural Schools and Community Self-Determina-  
9       tion Act of 2000 (16 U.S.C. 7113(d)(2)) is  
10       amended by striking “2015” and inserting “and  
11       for fiscal years 2017 and 2018”.

12                   (b) CONTINUATION OF AUTHORITY TO CONDUCT SPE-  
13       CIAL PROJECTS ON FEDERAL LAND.—

14                   (1) REPEAL OF CONTRACTING PILOT PROGRAM.—  
15       Section 204(e) of the Secure Rural Schools and Com-  
16       munity Self-Determination Act of 2000 (16 U.S.C.  
17       7124(e)) is amended by striking paragraph (3).

18                   (2) RESOURCE ADVISORY COMMITTEES.—Section  
19       205(a)(4) of the Secure Rural Schools and Commu-  
20       nity Self-Determination Act of 2000 (16 U.S.C.  
21       7125(a)(4)) is amended by striking “2012” each place  
22       it appears and inserting “2018”.

23                   (3) AVAILABILITY OF PROJECT FUNDS.—Section  
24       207(d)(2) of the Secure Rural Schools and Commu-  
25       nity Self-Determination Act of 2000 (16 U.S.C.

1       7127(d)(2)) is amended by striking “subparagraph  
2       (B)” and inserting “subparagraph (B)(i), (B)(ii).”

3               (4) *TERMINATION OF AUTHORITY.*—Section 208  
4       of the Secure Rural Schools and Community Self-Deter-  
5       mination Act of 2000 (16 U.S.C. 7128) is amend-  
6       ed—

7               (A) in subsection (a), by striking “2017”  
8               and inserting “2020”; and

9               (B) in subsection (b), by striking “2018”  
10              and inserting “2021”.

11       (c) *TERMINATION OF AUTHORITY.*—Section 304 of the  
12       Secure Rural Schools and Community Self-Determination  
13       Act of 2000 (16 U.S.C. 7144) is amended—

14              (1) in subsection (a), by striking “2017” and in-  
15              serting “2020”; and

16              (2) in subsection (b), by striking “2018” and in-  
17              serting “2021”.

18       **SEC. 402. ADDITIONAL AUTHORIZED USE OF RESERVED**

19                               **FUNDS FOR TITLE III COUNTY PROJECTS.**

20       Section 302(a) of the Secure Rural Schools and Com-  
21       munity Self-Determination Act of 2000 (16 U.S.C. 7142(a))  
22       is amended—

23              (1) in paragraph (2)—

24                              (A) by inserting “and law enforcement pa-  
25                              trols” after “including firefighting”; and

- 1                   (B) by striking “and” at the end;
- 2                   (2) in paragraph (3), by inserting “and carry
- 3 out” after “develop”;
- 4                   (3) by redesignating paragraph (3) as para-
- 5 graph (4); and
- 6                   (4) by inserting after paragraph (2) the fol-
- 7 lowing new paragraph (3):
- 8                   “(3) to cover training costs and equipment pur-
- 9 chases directly related to the emergency services de-
- 10 scribed in paragraph (2); and”.

11 **TITLE V—STRATEGIC PETRO-**

12 **LEUM RESERVE DRAWDOWN**

13 **SEC. 501. STRATEGIC PETROLEUM RESERVE DRAWDOWN.**

14 (a) *DRAWDOWN AND SALE.*—

15 (1) *IN GENERAL.*—Notwithstanding section 161

16 of the *Energy Policy and Conservation Act* (42 U.S.C.

17 6241), except as provided in subsection (b), the *Sec-*

18 *retary of Energy* shall draw down and sell 10,000,000

19 barrels of crude oil from the *Strategic Petroleum Re-*

20 *serve* during the period of fiscal years 2020 through

21 2021.

22 (2) *DEPOSIT OF AMOUNTS RECEIVED FROM*

23 *SALE.*—Amounts received from a sale under para-

24 graph (1) shall be deposited in the general fund of the



*TITLE II—APPLICATION OF ANTIDEFICIENCY ACT*

*Sec. 201. Application of Antideficiency Act to Universal Service Program.*

*TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS*

*Sec. 301. Study on network resiliency.*

*Sec. 302. Access to essential service providers during federally declared emergencies.*

*Sec. 303. Definitions.*

*TITLE IV—FCC CONSOLIDATED REPORTING*

*Sec. 401. Communications marketplace report.*

*Sec. 402. Consolidation of redundant reports; conforming amendments.*

*Sec. 403. Effect on authority.*

*Sec. 404. Other reports.*

*TITLE V—ADDITIONAL PROVISIONS*

*Sec. 501. Independent Inspector General for FCC.*

*Sec. 502. Authority of Chief Information Officer.*

*Sec. 503. Spoofing prevention.*

*Sec. 504. Report on promoting broadband Internet access service for veterans.*

*Sec. 505. Methodology for collection of mobile service coverage data.*

*Sec. 506. Accuracy of dispatchable location for 9–1–1 calls.*

*Sec. 507. NTIA study on interagency process following cybersecurity incidents.*

*Sec. 508. Tribal digital access.*

*Sec. 509. Terms of office and vacancies.*

*Sec. 510. Joint board recommendation.*

*Sec. 511. Disclaimer for press releases regarding notices of apparent liability.*

*Sec. 512. Reports related to spectrum auctions.*

*TITLE VI—MOBILE NOW*

*Sec. 601. Short title.*

*Sec. 602. Definitions.*

*Sec. 603. Identifying 255 megahertz.*

*Sec. 604. Millimeter wave spectrum.*

*Sec. 605. 3 gigahertz spectrum.*

*Sec. 606. Communications facilities deployment on Federal property.*

*Sec. 607. Broadband infrastructure deployment.*

*Sec. 608. Communications facilities installation.*

*Sec. 609. Reallocation incentives.*

*Sec. 610. Bidirectional sharing study.*

*Sec. 611. Unlicensed services in guard bands.*

*Sec. 612. Pre-auction funding.*

*Sec. 613. Immediate transfer of funds.*

*Sec. 614. Amendments to the Spectrum Pipeline Act of 2015.*

*Sec. 615. GAO assessment of unlicensed spectrum and Wi-Fi use in low-income neighborhoods.*

*Sec. 616. Rulemaking related to partitioning or disaggregating licenses.*

*Sec. 617. Unlicensed spectrum policy.*

*Sec. 618. National plan for unlicensed spectrum.*

*Sec. 619. Spectrum challenge prize.*

*Sec. 620. Wireless telecommunications tax and fee collection fairness.*

*Sec. 621. Rules of construction.*

*Sec. 622. Relationship to Middle Class Tax Relief and Job Creation Act of 2012.  
Sec. 623. No additional funds authorized.*

1 **SEC. 2. COMMISSION DEFINED.**

2 *In this division, the term “Commission” means the*  
3 *Federal Communications Commission.*

4 **TITLE I—FCC**  
5 **REAUTHORIZATION**

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

7 *(a) IN GENERAL.—Section 6 of the Communications*  
8 *Act of 1934 (47 U.S.C. 156) is amended to read as follows:*

9 **“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 *“(a) AUTHORIZATION.—There are authorized to be ap-*  
11 *propriated to the Commission to carry out the functions*  
12 *of the Commission \$333,118,000 for fiscal year 2019 and*  
13 *\$339,610,000 for fiscal year 2020.*

14 *“(b) OFFSETTING COLLECTIONS.—The sum appro-*  
15 *priated in any fiscal year to carry out the activities de-*  
16 *scribed in subsection (a), to the extent and in the amounts*  
17 *provided for in Appropriations Acts, shall be derived from*  
18 *fees authorized by section 9.”.*

19 *(b) DEPOSITS OF BIDDERS TO BE DEPOSITED IN*  
20 *TREASURY.—Section 309(j)(8)(C) of the Communications*  
21 *Act of 1934 (47 U.S.C. 309(j)(8)(C)) is amended—*

22 *(1) in the first sentence, by striking “an interest*  
23 *bearing account” and all that follows and inserting*  
24 *“the Treasury.”;*

1           (2) *in clause (i)*—

2                   (A) *by striking “paid to the Treasury” and*  
3                   *inserting “deposited in the general fund of the*  
4                   *Treasury (where such deposits shall be used for*  
5                   *the sole purpose of deficit reduction)”*; and

6                   (B) *by striking the semicolon and inserting*  
7                   *“; and”*;

8           (3) *in clause (ii), by striking “; and” and insert-*  
9           *ing “; and payments representing the return of such*  
10           *deposits shall not be subject to administrative offset*  
11           *under section 3716(c) of title 31, United States*  
12           *Code.”*; and

13           (4) *by striking clause (iii).*

14           (c) *ELIMINATION OF DUPLICATIVE AUTHORIZATION OF*  
15           *APPROPRIATIONS.*—

16                   (1) *IN GENERAL.*—*Section 710 of the Tele-*  
17                   *communications Act of 1996 (Public Law 104–104) is*  
18                   *repealed.*

19                   (2) *CONFORMING AMENDMENT.*—*The table of*  
20                   *contents in section 2 of such Act is amended by strik-*  
21                   *ing the item relating to section 710.*

22           (d) *TRANSFER OF FUNDS.*—*On the effective date de-*  
23           *scribed in section 103 of this title, any amounts in the ac-*  
24           *count providing appropriations to carry out the functions*  
25           *of the Commission that were collected in excess of the*

1 amounts provided for in Appropriations Acts in any fiscal  
2 year prior to such date shall be transferred to the general  
3 fund of the Treasury of the United States for the sole pur-  
4 pose of deficit reduction.

5 **SEC. 102. APPLICATION AND REGULATORY FEES.**

6 (a) *APPLICATION FEES.*—Section 8 of the Communica-  
7 tions Act of 1934 (47 U.S.C. 158) is amended to read as  
8 follows:

9 **“SEC. 8. APPLICATION FEES.**

10 “(a) *GENERAL AUTHORITY; ESTABLISHMENT OF*  
11 *SCHEDULE.*—The Commission shall assess and collect ap-  
12 plication fees at such rates as the Commission shall estab-  
13 lish in a schedule of application fees to recover the costs  
14 of the Commission to process applications.

15 “(b) *ADJUSTMENT OF SCHEDULE.*—

16 “(1) *IN GENERAL.*—In every even-numbered  
17 year, the Commission shall review the schedule of ap-  
18 plication fees established under this section and, ex-  
19 cept as provided in paragraph (2), set a new amount  
20 for each fee in the schedule that is equal to the  
21 amount of the fee on the date when the fee was estab-  
22 lished or the date when the fee was last amended  
23 under subsection (c), whichever is later—

24 “(A) increased or decreased by the percent-  
25 age change in the Consumer Price Index during



1           *the period beginning on such date and ending on*  
2           *the date of the review; and*

3           “(B) rounded to the nearest \$5 increment.

4           “(2) *THRESHOLD FOR ADJUSTMENT.*—*The Com-*  
5           *mission may not adjust a fee under paragraph (1)*  
6           *if—*

7           “(A) *in the case of a fee the current amount*  
8           *of which is less than \$200, the adjustment would*  
9           *result in a change in the current amount of less*  
10           *than \$10; or*

11           “(B) *in the case of a fee the current amount*  
12           *of which is \$200 or more, the adjustment would*  
13           *result in a change in the current amount of less*  
14           *than 5 percent.*

15           “(3) *CURRENT AMOUNT DEFINED.*—*In para-*  
16           *graph (2), the term ‘current amount’ means, with re-*  
17           *spect to a fee, the amount of the fee on the date when*  
18           *the fee was established, the date when the fee was last*  
19           *adjusted under paragraph (1), or the date when the*  
20           *fee was last amended under subsection (c), whichever*  
21           *is latest.*

22           “(c) *AMENDMENTS TO SCHEDULE.*—*In addition to the*  
23           *adjustments required by subsection (b), the Commission*  
24           *shall by rule amend the schedule of application fees estab-*

1 *lished under this section if the Commission determines that*  
2 *the schedule requires amendment—*

3           “(1) *so that such fees reflect increases or de-*  
4 *creases in the costs of processing applications at the*  
5 *Commission; or*

6           “(2) *so that such schedule reflects the consolida-*  
7 *tion or addition of new categories of applications.*

8           “(d) *EXCEPTIONS.—*

9           “(1) *PARTIES TO WHICH FEES ARE NOT APPLI-*  
10 *CABLE.—The application fees established under this*  
11 *section shall not be applicable to—*

12                   “(A) *a governmental entity;*

13                   “(B) *a nonprofit entity licensed in the*  
14 *Local Government, Police, Fire, Highway Main-*  
15 *tenance, Forestry-Conservation, Public Safety, or*  
16 *Special Emergency Radio radio services; or*

17                   “(C) *a noncommercial radio station or non-*  
18 *commercial television station.*

19           “(2) *COST OF COLLECTION.—If, in the judgment*  
20 *of the Commission, the cost of collecting an applica-*  
21 *tion fee established under this section would exceed the*  
22 *amount collected, the Commission may by rule elimi-*  
23 *nate such fee.*

1       “(e) *DEPOSIT OF COLLECTIONS.*—*Moneys received*  
2 *from application fees established under this section shall be*  
3 *deposited in the general fund of the Treasury.*”.

4       (b) *REGULATORY FEES.*—*Section 9 of the Commu-*  
5 *nications Act of 1934 (47 U.S.C. 159) is amended to read*  
6 *as follows:*

7       **“SEC. 9. REGULATORY FEES.**

8       “(a) *GENERAL AUTHORITY.*—*The Commission shall*  
9 *assess and collect regulatory fees to recover the costs of car-*  
10 *rying out the activities described in section 6(a) only to*  
11 *the extent, and in the total amounts, provided for in Appro-*  
12 *priations Acts.*

13       “(b) *ESTABLISHMENT OF SCHEDULE.*—*The Commis-*  
14 *sion shall assess and collect regulatory fees at such rates*  
15 *as the Commission shall establish in a schedule of regu-*  
16 *latory fees that will result in the collection, in each fiscal*  
17 *year, of an amount that can reasonably be expected to equal*  
18 *the amounts described in subsection (a) with respect to such*  
19 *fiscal year.*

20       “(c) *ADJUSTMENT OF SCHEDULE.*—

21               “(1) *IN GENERAL.*—*For each fiscal year, the*  
22 *Commission shall by rule adjust the schedule of regu-*  
23 *latory fees established under this section to—*

1           “(A) reflect unexpected increases or de-  
2 creases in the number of units subject to the pay-  
3 ment of such fees; and

4           “(B) result in the collection of the amount  
5 required by subsection (b).

6           “(2) ROUNDING.—In making adjustments under  
7 this subsection, the Commission may round fees to the  
8 nearest \$5 increment.

9           “(d) AMENDMENTS TO SCHEDULE.—In addition to the  
10 adjustments required by subsection (c), the Commission  
11 shall by rule amend the schedule of regulatory fees estab-  
12 lished under this section if the Commission determines that  
13 the schedule requires amendment so that such fees reflect  
14 the full-time equivalent number of employees within the bu-  
15 reaus and offices of the Commission, adjusted to take into  
16 account factors that are reasonably related to the benefits  
17 provided to the payor of the fee by the Commission’s activi-  
18 ties. In making an amendment under this subsection, the  
19 Commission may not change the total amount of regulatory  
20 fees required by subsection (b) to be collected in a fiscal  
21 year.

22           “(e) EXCEPTIONS.—

23           “(1) PARTIES TO WHICH FEES ARE NOT APPLI-  
24 CABLE.—The regulatory fees established under this  
25 section shall not be applicable to—

1           “(A) a governmental entity or nonprofit en-  
2           tity;

3           “(B) an amateur radio operator licensee  
4           under part 97 of the Commission’s rules (47  
5           CFR part 97); or

6           “(C) a noncommercial radio station or non-  
7           commercial television station.

8           “(2) *COST OF COLLECTION.*—If, in the judgment  
9           of the Commission, the cost of collecting a regulatory  
10          fee established under this section from a party would  
11          exceed the amount collected from such party, the Com-  
12          mission may exempt such party from paying such fee.

13          “(f) *DEPOSIT OF COLLECTIONS.*—

14                 “(1) *IN GENERAL.*—Amounts received from fees  
15                 authorized by this section shall be deposited as an off-  
16                 setting collection in, and credited to, the account  
17                 through which funds are made available to carry out  
18                 the activities described in section 6(a).

19                 “(2) *DEPOSIT OF EXCESS COLLECTIONS.*—Any  
20                 regulatory fees collected in excess of the total amount  
21                 of fees provided for in Appropriations Acts for a fis-  
22                 cal year shall be deposited in the general fund of the  
23                 Treasury of the United States for the sole purpose of  
24                 deficit reduction.”.

1       (c) *PROVISIONS APPLICABLE TO APPLICATION AND*  
2 *REGULATORY FEES.*—*Title I of the Communications Act*  
3 *of 1934 (47 U.S.C. 151 et seq.) is amended by inserting*  
4 *after section 9 the following:*

5       **“SEC. 9A. PROVISIONS APPLICABLE TO APPLICATION AND**  
6                                   **REGULATORY FEES.**

7       “(a) *JUDICIAL REVIEW PROHIBITED.*—*Any adjust-*  
8 *ment or amendment to a schedule of fees under subsection*  
9 *(b) or (c) of section 8 or subsection (c) or (d) of section*  
10 *9 is not subject to judicial review.*

11       “(b) *NOTICE TO CONGRESS.*—*The Commission shall*  
12 *transmit to Congress notification—*

13               “(1) *of any adjustment under section 8(b) or 9(c)*  
14 *immediately upon the adoption of such adjustment;*  
15 *and*

16               “(2) *of any amendment under section 8(c) or*  
17 *9(d) not later than 90 days before the effective date*  
18 *of such amendment.*

19       “(c) *ENFORCEMENT.*—

20               “(1) *PENALTIES FOR LATE PAYMENT.*—*The Com-*  
21 *mission shall by rule prescribe an additional penalty*  
22 *for late payment of fees under section 8 or 9. Such*  
23 *additional penalty shall be 25 percent of the amount*  
24 *of the fee that was not paid in a timely manner.*

1           “(2) *INTEREST ON UNPAID FEES AND PEN-*  
2           *ALTIES.—The Commission shall charge interest, at a*  
3           *rate determined under section 3717 of title 31, United*  
4           *States Code, on a fee under section 8 or 9 or an addi-*  
5           *tional penalty under this subsection that is not paid*  
6           *in a timely manner. Such section 3717 shall not oth-*  
7           *erwise apply with respect to such a fee or penalty.*

8           “(3) *DISMISSAL OF APPLICATIONS OR FILINGS.—*  
9           *The Commission may dismiss any application or*  
10           *other filing for failure to pay in a timely manner*  
11           *any fee under section 8 or 9 or any interest or addi-*  
12           *tional penalty under this subsection.*

13           “(4) *REVOCATIONS.—*

14           “(A) *IN GENERAL.—In addition to or in*  
15           *lieu of the penalties and dismissals authorized by*  
16           *this subsection, the Commission may revoke any*  
17           *instrument of authorization held by any licensee*  
18           *that has not paid in a timely manner a regu-*  
19           *latory fee assessed under section 9 or any related*  
20           *interest or penalty.*

21           “(B) *NOTICE.—Revocation action may be*  
22           *taken by the Commission under this paragraph*  
23           *after notice of the Commission’s intent to take*  
24           *such action is sent to the licensee by registered*  
25           *mail, return receipt requested, at the licensee’s*

1           *last known address. The notice shall provide the*  
2           *licensee at least 30 days to either pay the fee, in-*  
3           *terest, and any penalty or show cause why the*  
4           *fee, interest, or penalty does not apply to the li-*  
5           *icensee or should otherwise be waived or payment*  
6           *deferred.*

7           “(C) *HEARING.*—

8           “(i) *GENERALLY NOT REQUIRED.*—*A*  
9           *hearing is not required under this para-*  
10           *graph unless the licensee’s response presents*  
11           *a substantial and material question of fact.*

12           “(ii) *EVIDENCE AND BURDENS.*—*In*  
13           *any case where a hearing is conducted*  
14           *under this paragraph, the hearing shall be*  
15           *based on written evidence only, and the bur-*  
16           *den of proceeding with the introduction of*  
17           *evidence and the burden of proof shall be on*  
18           *the licensee.*

19           “(iii) *COSTS.*—*Unless the licensee sub-*  
20           *stantially prevails in the hearing, the Com-*  
21           *mission may assess the licensee for the costs*  
22           *of such hearing.*

23           “(D) *OPPORTUNITY TO PAY PRIOR TO REV-*  
24           *OCATION.*—*Any Commission order adopted*  
25           *under this paragraph shall determine the*



1           *amount due, if any, and provide the licensee*  
2           *with at least 30 days to pay that amount or*  
3           *have its authorization revoked.*

4           “(E) *FINALITY.*—No order of revocation  
5           under this paragraph shall become final until  
6           the licensee has exhausted its right to judicial re-  
7           view of such order under section 402(b)(5).

8           “(d) *WAIVER, REDUCTION, AND DEFERMENT.*—The  
9           Commission may waive, reduce, or defer payment of a fee  
10          under section 8 or 9 or an interest charge or penalty under  
11          this section in any specific instance for good cause shown,  
12          where such action would promote the public interest.

13          “(e) *PAYMENT RULES.*—The Commission shall by rule  
14          permit payment—

15                 “(1) *in the case of fees under section 8 or 9 in*  
16                 *large amounts, by installments; and*

17                 “(2) *in the case of fees under section 8 or 9 in*  
18                 *small amounts, in advance for a number of years not*  
19                 *to exceed the term of the license held by the payor.*

20          “(f) *ACCOUNTING SYSTEM.*—The Commission shall de-  
21          velop accounting systems necessary to make the amend-  
22          ments authorized by sections 8(c) and 9(d).”.

23          (d) *TRANSITIONAL RULES.*—

24                 (1) *APPLICATION FEES.*—An application fee es-  
25                 tablished under section 8 of the Communications Act

1       of 1934, as such section is in effect on the day before  
2       the effective date described in section 103 of this title,  
3       shall remain in effect under section 8 of the Commu-  
4       nications Act of 1934, as amended by subsection (a)  
5       of this section, until such time as the Commission ad-  
6       justs or amends such fee under subsection (b) or (c)  
7       of such section 8, as so amended.

8               (2) *REGULATORY FEES.*—A regulatory fee estab-  
9       lished under section 9 of the Communications Act of  
10       1934, as such section is in effect on the day before the  
11       effective date described in section 103 of this title,  
12       shall remain in effect under section 9 of the Commu-  
13       nications Act of 1934, as amended by subsection (b)  
14       of this section, until such time as the Commission ad-  
15       justs or amends such fee under subsection (c) or (d)  
16       of such section 9, as so amended.

17       (e) *RULEMAKING TO AMEND SCHEDULE OF REGU-*  
18       *LATORY FEES.*—

19               (1) *IN GENERAL.*—Not later than 1 year after  
20       the effective date described in section 103 of this title,  
21       the Commission shall complete a rulemaking pro-  
22       ceeding under subsection (d) of section 9 of the Com-  
23       munications Act of 1934, as amended by subsection  
24       (b) of this section.

1           (2) *REPORT TO CONGRESS.*—*If the Commission*  
2           *has not completed the rulemaking proceeding required*  
3           *by paragraph (1) by the date that is 6 months after*  
4           *the effective date described in section 103 of this title,*  
5           *the Commission shall submit to Congress a report on*  
6           *the progress of such rulemaking proceeding.*

7 **SEC. 103. EFFECTIVE DATE.**

8           *This title and the amendments made by this title shall*  
9           *take effect on October 1, 2018.*

10           **TITLE II—APPLICATION OF**  
11           **ANTIDEFICIENCY ACT**

12 **SEC. 201. APPLICATION OF ANTIDEFICIENCY ACT TO UNI-**  
13           **VERSAL SERVICE PROGRAM.**

14           *Section 302 of Public Law 108–494 (118 Stat. 3998)*  
15           *is amended by striking “December 31, 2018” each place it*  
16           *appears and inserting “December 31, 2019”.*

17           **TITLE III—SECURING ACCESS TO**  
18           **NETWORKS IN DISASTERS**

19 **SEC. 301. STUDY ON NETWORK RESILIENCY.**

20           *Not later than 36 months after the date of enactment*  
21           *of this Act, the Commission shall submit to Congress, and*  
22           *make publically available on the Commission’s website, a*  
23           *study on the public safety benefits and technical feasibility*  
24           *and cost of—*

1           (1) *making telecommunications service provider-*  
2 *owned WiFi access points, and other communications*  
3 *technologies operating on unlicensed spectrum, avail-*  
4 *able to the general public for access to 9–1–1 services,*  
5 *without requiring any login credentials, during times*  
6 *of emergency when mobile service is unavailable;*

7           (2) *the provision by non-telecommunications*  
8 *service provider-owned WiFi access points of public*  
9 *access to 9–1–1 services during times of emergency*  
10 *when mobile service is unavailable; and*

11           (3) *other alternative means of providing the pub-*  
12 *lic with access to 9–1–1 services during times of emer-*  
13 *gency when mobile service is unavailable.*

14 **SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DUR-**  
15 **ING FEDERALLY DECLARED EMERGENCIES.**

16           *Section 427(a) of the Robert T. Stafford Disaster Relief*  
17 *and Emergency Assistance Act (42 U.S.C. 5189e(a)) is*  
18 *amended—*

19           (1) *in paragraph (1)—*

20           (A) *in subparagraph (A), by striking “tele-*  
21 *communications service” and inserting “wireline*  
22 *or mobile telephone service, Internet access serv-*  
23 *ice, radio or television broadcasting, cable serv-*  
24 *ice, or direct broadcast satellite service”;*

1           (B) in subparagraph (E), by striking the  
2           semicolon and inserting “; or”;

3           (C) by redesignating subparagraphs (A)  
4           through (E) as clauses (i) through (v), respec-  
5           tively; and

6           (D) by adding at the end of the following:

7           “(B) is a tower owner or operator;”;

8           (2) by striking “(1) provides” and inserting  
9           “(1)(A) provides”.

10 **SEC. 303. DEFINITIONS.**

11       *As used in this title—*

12           (1) the term “mobile service” means commercial  
13           mobile service (as defined in section 332 of the Com-  
14           munications Act of 1934 (47 U.S.C. 332)) or commer-  
15           cial mobile data service (as defined in section 6001 of  
16           the Middle Class Tax Relief and Job Creation Act of  
17           2012 (47 U.S.C. 1401));

18           (2) the term “WiFi access point” means wireless  
19           Internet access using the standard designated as  
20           802.11 or any variant thereof; and

21           (3) the term “times of emergency” means either  
22           an emergency as defined in section 102 of the Robert  
23           T. Stafford Disaster Relief and Emergency Assistance  
24           Act (42 U.S.C. 5122), or an emergency as declared by

1       *the governor of a State or territory of the United*  
2       *States.*

3       **TITLE IV—FCC CONSOLIDATED**  
4       **REPORTING**

5       **SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.**

6       *Title I of the Communications Act of 1934 (47 U.S.C.*  
7       *151 et seq.) is amended by adding at the end the following:*

8       **“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.**

9       **“(a) IN GENERAL.—***In the last quarter of every even-*  
10       *numbered year, the Commission shall publish on its website*  
11       *and submit to the Committee on Energy and Commerce of*  
12       *the House of Representatives and the Committee on Com-*  
13       *merce, Science, and Transportation of the Senate a report*  
14       *on the state of the communications marketplace.*

15       **“(b) CONTENTS.—***Each report required by subsection*  
16       *(a) shall—*

17               **“(1) assess the state of competition in the com-**  
18       *munications marketplace, including competition to*  
19       *deliver voice, video, audio, and data services among*  
20       *providers of telecommunications, providers of com-*  
21       *mercial mobile service (as defined in section 332),*  
22       *multichannel video programming distributors (as de-*  
23       *fined in section 602), broadcast stations, providers of*  
24       *satellite communications, Internet service providers,*  
25       *and other providers of communications services;*

1           “(2) assess the state of deployment of commu-  
2           nications capabilities, including advanced tele-  
3           communications capability (as defined in section 706  
4           of the Telecommunications Act of 1996 (47 U.S.C.  
5           1302)), regardless of the technology used for such de-  
6           ployment;

7           “(3) assess whether laws, regulations, regulatory  
8           practices (whether those of the Federal Government,  
9           States, political subdivisions of States, Indian tribes  
10          or tribal organizations (as such terms are defined in  
11          section 4 of the Indian Self-Determination and Edu-  
12          cation Assistance Act (25 U.S.C. 5304)), or foreign  
13          governments), or demonstrated marketplace practices  
14          pose a barrier to competitive entry into the commu-  
15          nications marketplace or to the competitive expansion  
16          of existing providers of communications services;

17          “(4) describe the agenda of the Commission for  
18          the next 2-year period for addressing the challenges  
19          and opportunities in the communications marketplace  
20          that were identified through the assessments under  
21          paragraphs (1) through (3); and

22          “(5) describe the actions that the Commission  
23          has taken in pursuit of the agenda described pursuant  
24          to paragraph (4) in the previous report submitted  
25          under this section.

1       “(c) *EXTENSION.*—If the President designates a Com-  
2       missioner as Chairman of the Commission during the last  
3       quarter of an even-numbered year, the portion of the report  
4       required by subsection (b)(4) may be published on the  
5       website of the Commission and submitted to the Committee  
6       on Energy and Commerce of the House of Representatives  
7       and the Committee on Commerce, Science, and Transpor-  
8       tation of the Senate as an addendum during the first quar-  
9       ter of the following odd-numbered year.

10       “(d) *SPECIAL REQUIREMENTS.*—

11               “(1) *ASSESSING COMPETITION.*—In assessing the  
12       state of competition under subsection (b)(1), the Com-  
13       mission shall consider all forms of competition, in-  
14       cluding the effect of intermodal competition, facilities-  
15       based competition, and competition from new and  
16       emergent communications services, including the pro-  
17       vision of content and communications using the  
18       Internet.

19               “(2) *ASSESSING DEPLOYMENT.*—In assessing the  
20       state of deployment under subsection (b)(2), the Com-  
21       mission shall compile a list of geographical areas that  
22       are not served by any provider of advanced tele-  
23       communications capability.

24               “(3) *CONSIDERING SMALL BUSINESSES.*—In as-  
25       sessing the state of competition under subsection





1           (2) *by redesignating subsection (j) as subsection*  
2           *(g); and*

3           (3) *by transferring subsection (g) (as redesign-*  
4           *ated) so that it appears after subsection (f).*

5           (e) *REPORT ON CABLE INDUSTRY PRICES.—Section*  
6           *623(k) of the Communications Act of 1934 (47 U.S.C.*  
7           *543(k)) is amended—*

8           (1) *in paragraph (1), by striking “annually pub-*  
9           *lish” and inserting “publish with its report under*  
10           *section 13”; and*

11           (2) *in the heading of paragraph (2), by striking*  
12           *“ANNUAL”.*

13           (f) *TRIENNIAL REPORT IDENTIFYING AND ELIMI-*  
14           *NATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS*  
15           *AND OTHER SMALL BUSINESSES.—Section 257 of the Com-*  
16           *munications Act of 1934 (47 U.S.C. 257) is amended by*  
17           *striking subsection (c).*

18           (g) *STATE OF COMPETITIVE MARKET CONDITIONS*  
19           *WITH RESPECT TO COMMERCIAL MOBILE RADIO SERV-*  
20           *ICES.—Section 332(c)(1)(C) of the Communications Act of*  
21           *1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the*  
22           *first and second sentences.*

23           (h) *PREVIOUSLY ELIMINATED ANNUAL REPORT.—*

24           (1) *IN GENERAL.—Section 4 of the Communica-*  
25           *tions Act of 1934 (47 U.S.C. 154) is amended—*

1           (A) by striking subsection (k); and  
2           (B) by redesignating subsections (l) through  
3           (o) as subsections (k) through (n), respectively.

4           (2)       CONFORMING        AMENDMENT.—Section  
5           309(j)(8)(B) of the Communications Act of 1934 (47  
6           U.S.C. 309(j)(8)(B)) is amended by striking the last  
7           sentence.

8           (i) ADDITIONAL OUTDATED REPORTS.—The Commu-  
9           nications Act of 1934 is further amended—

10           (1) in section 4—

11                   (A) in subsection (b)(2)(B)(ii), by striking  
12                   “and shall furnish notice of such action” and all  
13                   that follows through “subject of the waiver”; and

14                   (B) in subsection (g), by striking paragraph  
15                   (2);

16           (2) in section 215—

17                   (A) by striking subsection (b); and

18                   (B) by redesignating subsection (c) as sub-  
19                   section (b);

20           (3) in section 227(e), by striking paragraph (4);

21           (4) in section 309(j)—

22                   (A) by striking paragraph (12); and

23                   (B) in paragraph (15)(C), by striking  
24                   clause (iv);

1           (5) in section 331(b), by striking the last sen-  
2           tence;

3           (6) in section 336(e), by amending paragraph  
4           (4) to read as follows:

5           “(4) *REPORT*.—The Commission shall annually  
6           advise the Congress on the amounts collected pursuant  
7           to the program required by this subsection.”;

8           (7) in section 339(c), by striking paragraph (1);

9           (8) in section 396—

10           (A) by striking subsection (i);

11           (B) in subsection (k)—

12           (i) in paragraph (1), by striking sub-  
13           paragraph (F); and

14           (ii) in paragraph (3)(B)(iii), by strik-  
15           ing subclause (V);

16           (C) in subsection (l)(1)(B), by striking  
17           “shall be included” and all that follows through  
18           “The audit report”; and

19           (D) by striking subsection (m);

20           (9) in section 398(b)(4), by striking the third  
21           sentence;

22           (10) in section 624A(b)(1)—

23           (A) by striking “*REPORT*; *REGULATIONS*”  
24           and inserting “*REGULATIONS*”;

1           (B) by striking “Within 1 year after” and  
 2           all that follows through “on means of assuring”  
 3           and inserting “The Commission shall issue such  
 4           regulations as are necessary to assure”; and

5           (C) by striking “Within 180 days after”  
 6           and all that follows through “to assure such com-  
 7           patibility.”; and

8           (11) in section 713, by striking subsection (a).

9   **SEC. 403. EFFECT ON AUTHORITY.**

10        Nothing in this title or the amendments made by this  
 11        title shall be construed to expand or contract the authority  
 12        of the Commission.

13   **SEC. 404. OTHER REPORTS.**

14        Nothing in this title or the amendments made by this  
 15        title shall be construed to prohibit or otherwise prevent the  
 16        Commission from producing any additional reports other-  
 17        wise within the authority of the Commission.

18                           **TITLE V—ADDITIONAL**  
 19                           **PROVISIONS**

20   **SEC. 501. INDEPENDENT INSPECTOR GENERAL FOR FCC.**

21        (a) *AMENDMENTS.*—*The Inspector General Act of 1978*  
 22        *(5 U.S.C. App.) is amended—*

23           (1) in section 8G(a)(2), by striking “the Federal  
 24        Communications Commission,”; and

25           (2) in section 12—

1           (A) in paragraph (1), by inserting “, the  
2           Federal Communications Commission,” after  
3           “the Chairman of the Nuclear Regulatory Com-  
4           mission”; and

5           (B) in paragraph (2), by inserting “the  
6           Federal Communications Commission,” after  
7           “the Environmental Protection Agency,”.

8           (b) *TRANSITION RULE.*—An individual serving as In-  
9           specter General of the Commission on the date of the enact-  
10          ment of this Act pursuant to an appointment made under  
11          section 8G of the Inspector General Act of 1978 (5 U.S.C.  
12          App.)—

13           (1) may continue so serving until the President  
14           makes an appointment under section 3(a) of such Act  
15           with respect to the Commission consistent with the  
16           amendments made by subsection (a); and

17           (2) shall, while serving under paragraph (1), re-  
18           main subject to the provisions of section 8G of such  
19           Act which, immediately before the date of the enact-  
20           ment of this Act, applied with respect to the Inspector  
21           General of the Commission and suffer no reduction in  
22           pay.

1 **SEC. 502. AUTHORITY OF CHIEF INFORMATION OFFICER.**

2 (a) *IN GENERAL.*—*The Commission shall ensure that*  
3 *the Chief Information Officer of the Commission has a sig-*  
4 *nificant role in—*

5 (1) *the decision-making process for annual and*  
6 *multi-year planning, programming, budgeting, and*  
7 *execution decisions, related reporting requirements,*  
8 *and reports related to information technology;*

9 (2) *the management, governance, and oversight*  
10 *processes related to information technology; and*

11 (3) *the hiring of personnel with information*  
12 *technology responsibilities.*

13 (b) *CIO APPROVAL.*—*The Chief Information Officer of*  
14 *the Commission, in consultation with the Chief Financial*  
15 *Officer of the Commission and budget officials, shall specify*  
16 *and approve the allocation of amounts appropriated to the*  
17 *Commission for information technology, consistent with the*  
18 *provisions of appropriations Acts, budget guidelines, and*  
19 *recommendations from the Director of the Office of Manage-*  
20 *ment and Budget.*

21 **SEC. 503. SPOOFING PREVENTION.**

22 (a) *EXPANDING AND CLARIFYING PROHIBITION ON*  
23 *MISLEADING OR INACCURATE CALLER IDENTIFICATION IN-*  
24 *FORMATION.*—

25 (1) *COMMUNICATIONS FROM OUTSIDE THE*  
26 *UNITED STATES.*—*Section 227(e)(1) of the Commu-*

1        *nications Act of 1934 (47 U.S.C. 227(e)(1)) is amend-*  
2        *ed by striking “in connection with any telecommuni-*  
3        *cations service or IP-enabled voice service” and in-*  
4        *serting “or any person outside the United States if*  
5        *the recipient is within the United States, in connec-*  
6        *tion with any voice service or text messaging service”.*

7            (2) *COVERAGE OF TEXT MESSAGES AND VOICE*  
8        *SERVICES.—Section 227(e)(8) of the Communications*  
9        *Act of 1934 (47 U.S.C. 227(e)(8)) is amended—*

10            (A) *in subparagraph (A), by striking “tele-*  
11        *communications service or IP-enabled voice serv-*  
12        *ice” and inserting “voice service or a text mes-*  
13        *sage sent using a text messaging service”;*

14            (B) *in the first sentence of subparagraph*  
15        *(B), by striking “telecommunications service or*  
16        *IP-enabled voice service” and inserting “voice*  
17        *service or a text message sent using a text mes-*  
18        *saging service”;* and

19            (C) *by striking subparagraph (C) and in-*  
20        *serting the following:*

21            “(C) *TEXT MESSAGE.—The term ‘text mes-*  
22        *sage’—*

23            *“(i) means a message consisting of*  
24        *text, images, sounds, or other information*  
25        *that is transmitted to or from a device that*



1           is identified as the receiving or transmit-  
2           ting device by means of a 10-digit telephone  
3           number or N11 service code;

4           “(ii) includes a short message service  
5           (commonly referred to as ‘SMS’) message  
6           and a multimedia message service (com-  
7           monly referred to as ‘MMS’) message; and

8           “(iii) does not include—

9           “(I) a real-time, two-way voice or  
10          video communication; or

11          “(II) a message sent over an IP-  
12          enabled messaging service to another  
13          user of the same messaging service, ex-  
14          cept a message described in clause (ii).

15          “(D) *TEXT MESSAGING SERVICE*.—The term  
16          ‘text messaging service’ means a service that en-  
17          ables the transmission or receipt of a text mes-  
18          sage, including a service provided as part of or  
19          in connection with a voice service.

20          “(E) *VOICE SERVICE*.—The term ‘voice serv-  
21          ice’—

22          “(i) means any service that is inter-  
23          connected with the public switched telephone  
24          network and that furnishes voice commu-  
25          nications to an end user using resources

1           *from the North American Numbering Plan*  
2           *or any successor to the North American*  
3           *Numbering Plan adopted by the Commis-*  
4           *sion under section 251(e)(1); and*

5           *“(ii) includes transmissions from a*  
6           *telephone facsimile machine, computer, or*  
7           *other device to a telephone facsimile ma-*  
8           *chine.”.*

9           (3) *TECHNICAL AMENDMENT.*—*Section 227(e) of*  
10          *the Communications Act of 1934 (47 U.S.C. 227(e))*  
11          *is amended in the heading by inserting “MISLEADING*  
12          *OR” before “INACCURATE”.*

13          (4) *REGULATIONS.*—

14                (A) *IN GENERAL.*—*Section 227(e)(3)(A) of*  
15                *the Communications Act of 1934 (47 U.S.C.*  
16                *227(e)(3)(A)) is amended by striking “Not later*  
17                *than 6 months after the date of enactment of the*  
18                *Truth in Caller ID Act of 2009, the Commis-*  
19                *sion” and inserting “The Commission”.*

20                (B) *DEADLINE.*—*The Commission shall pre-*  
21                *scribe regulations to implement the amendments*  
22                *made by this subsection not later than 18 months*  
23                *after the date of enactment of this Act.*

24           (5) *EFFECTIVE DATE.*—*The amendments made*  
25          *by this subsection shall take effect on the date that is*

1       6 months after the date on which the Commission pre-  
2       scribes regulations under paragraph (4).

3       (b) *CONSUMER EDUCATION MATERIALS ON HOW TO*  
4 *AVOID SCAMS THAT RELY UPON MISLEADING OR INAC-*  
5 *CURATE CALLER IDENTIFICATION INFORMATION.*—

6           (1) *DEVELOPMENT OF MATERIALS.*—*Not later*  
7 *than 1 year after the date of enactment of this Act,*  
8 *the Commission, in coordination with the Federal*  
9 *Trade Commission, shall develop consumer education*  
10 *materials that provide information about—*

11           (A) *ways for consumers to identify scams*  
12 *and other fraudulent activity that rely upon the*  
13 *use of misleading or inaccurate caller identifica-*  
14 *tion information; and*

15           (B) *existing technologies, if any, that a con-*  
16 *sumer can use to protect against such scams and*  
17 *other fraudulent activity.*

18       (2) *CONTENTS.*—*In developing the consumer*  
19 *education materials under paragraph (1), the Com-*  
20 *mission shall—*

21           (A) *identify existing technologies, if any,*  
22 *that can help consumers guard themselves*  
23 *against scams and other fraudulent activity that*  
24 *rely upon the use of misleading or inaccurate*  
25 *caller identification information, including—*

1                   (i) descriptions of how a consumer can  
2                   use the technologies to protect against such  
3                   scams and other fraudulent activity; and

4                   (ii) details on how consumers can ac-  
5                   cess and use the technologies; and

6                   (B) provide other information that may  
7                   help consumers identify and avoid scams and  
8                   other fraudulent activity that rely upon the use  
9                   of misleading or inaccurate caller identification  
10                  information.

11               (3) *UPDATES.*—The Commission shall ensure  
12               that the consumer education materials required under  
13               paragraph (1) are updated on a regular basis.

14               (4) *WEBSITE.*—The Commission shall include  
15               the consumer education materials developed under  
16               paragraph (1) on its website.

17               (c) *GAO REPORT ON COMBATING THE FRAUDULENT*  
18               *PROVISION OF MISLEADING OR INACCURATE CALLER IDEN-*  
19               *TIFICATION INFORMATION.*—

20               (1) *IN GENERAL.*—The Comptroller General of  
21               the United States shall conduct a study of the actions  
22               the Commission and the Federal Trade Commission  
23               have taken to combat the fraudulent provision of mis-  
24               leading or inaccurate caller identification informa-

1        *tion, and the additional measures that could be taken*  
2        *to combat such activity.*

3            (2) *REQUIRED CONSIDERATIONS.*—*In conducting*  
4        *the study under paragraph (1), the Comptroller Gen-*  
5        *eral shall examine—*

6            (A) *trends in the types of scams that rely*  
7        *on misleading or inaccurate caller identification*  
8        *information;*

9            (B) *previous and current enforcement ac-*  
10       *tions by the Commission and the Federal Trade*  
11       *Commission to combat the practices prohibited*  
12       *by section 227(e)(1) of the Communications Act*  
13       *of 1934 (47 U.S.C. 227(e)(1));*

14          (C) *current efforts by industry groups and*  
15       *other entities to develop technical standards to*  
16       *deter or prevent the fraudulent provision of mis-*  
17       *leading or inaccurate caller identification infor-*  
18       *mation, and how such standards may help com-*  
19       *bat the current and future provision of mis-*  
20       *leading or inaccurate caller identification infor-*  
21       *mation; and*

22          (D) *whether there are additional actions the*  
23       *Commission, the Federal Trade Commission, and*  
24       *Congress should take to combat the fraudulent*

1           *provision of misleading or inaccurate caller*  
2           *identification information.*

3           (3) *REPORT.*—*Not later than 18 months after the*  
4           *date of enactment of this Act, the Comptroller General*  
5           *shall submit to the Committee on Energy and Com-*  
6           *merce of the House of Representatives and the Com-*  
7           *mittee on Commerce, Science, and Transportation of*  
8           *the Senate a report on the findings of the study under*  
9           *paragraph (1), including any recommendations re-*  
10          *garding combating the fraudulent provision of mis-*  
11          *leading or inaccurate caller identification informa-*  
12          *tion.*

13          (d) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*  
14          *tion, or the amendments made by this section, shall be con-*  
15          *strued to modify, limit, or otherwise affect any rule or order*  
16          *adopted by the Commission in connection with—*

17                 (1) *the Telephone Consumer Protection Act of*  
18                 *1991 (Public Law 102–243; 105 Stat. 2394) or the*  
19                 *amendments made by that Act; or*

20                 (2) *the CAN–SPAM Act of 2003 (15 U.S.C. 7701*  
21                 *et seq.).*

1 **SEC. 504. REPORT ON PROMOTING BROADBAND INTERNET**  
2 **ACCESS SERVICE FOR VETERANS.**

3 (a) *VETERAN DEFINED.*—*In this section, the term*  
4 *“veteran” has the meaning given the term in section 101*  
5 *of title 38, United States Code.*

6 (b) *REPORT REQUIRED.*—*Not later than 1 year after*  
7 *the date of the enactment of this Act, the Commission shall*  
8 *submit to Congress a report on promoting broadband Inter-*  
9 *net access service for veterans, in particular low-income vet-*  
10 *erans and veterans residing in rural areas. In such report,*  
11 *the Commission shall—*

12 (1) *examine such access and how to promote such*  
13 *access; and*

14 (2) *provide findings and recommendations for*  
15 *Congress with respect to such access and how to pro-*  
16 *mote such access.*

17 (c) *PUBLIC NOTICE AND OPPORTUNITY TO COM-*  
18 *MENT.*—*In preparing the report required by subsection (b),*  
19 *the Commission shall provide the public with notice and*  
20 *an opportunity to comment on broadband Internet access*  
21 *service for veterans, in particular low-income veterans and*  
22 *veterans residing in rural areas, and how to promote such*  
23 *access.*

24 **SEC. 505. METHODOLOGY FOR COLLECTION OF MOBILE**  
25 **SERVICE COVERAGE DATA.**

26 (a) *DEFINITIONS.*—*In this section—*

1           (1) *the term “commercial mobile data service”*  
2           *has the meaning given the term in section 6001 of the*  
3           *Middle Class Tax Relief and Job Creation Act of 2012*  
4           *(47 U.S.C. 1401);*

5           (2) *the term “commercial mobile service” has the*  
6           *meaning given the term in section 332(d) of the Com-*  
7           *munications Act of 1934 (47 U.S.C. 332(d));*

8           (3) *the term “coverage data” means, if commer-*  
9           *cial mobile service or commercial mobile data service*  
10          *is available, general information about the service,*  
11          *which may include available speed tiers, radio fre-*  
12          *quency signal levels, and network and performance*  
13          *characteristics; and*

14          (4) *the term “Universal Service program” means*  
15          *the universal service support mechanisms established*  
16          *under section 254 of the Communications Act of 1934*  
17          *(47 U.S.C. 254) and the regulations issued under that*  
18          *section.*

19          (b) *METHODOLOGY ESTABLISHED.—Not later than*  
20          *180 days after the conclusion of the Mobility Fund Phase*  
21          *II Auction, the Commission shall promulgate regulations*  
22          *to establish a methodology that shall apply to the collection*  
23          *of coverage data by the Commission for the purposes of—*

24                 (1) *the Universal Service program; or*

25                 (2) *any other similar program.*



1       (c) *REQUIREMENTS.*—*The methodology established*  
2 *under subsection (b) shall—*

3           (1) *contain standard definitions for different*  
4 *available technologies such as 2G, 3G, 4G, and 4G*  
5 *LTE;*

6           (2) *enhance the consistency and robustness of*  
7 *how the data are collected by different parties;*

8           (3) *improve the validity and reliability of cov-*  
9 *erage data; and*

10           (4) *increase the efficiency of coverage data collec-*  
11 *tion.*

12 **SEC. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-**  
13 **1-1 CALLS.**

14       (a) *PROCEEDING REQUIRED.*—*Not later than 18*  
15 *months after the date of the enactment of this Act, the Com-*  
16 *mission shall conclude a proceeding to consider adopting*  
17 *rules to ensure that the dispatchable location is conveyed*  
18 *with a 9–1–1 call, regardless of the technological platform*  
19 *used and including with calls from multi-line telephone sys-*  
20 *tems (as defined in section 6502 of the Middle Class Tax*  
21 *Relief and Job Creation Act of 2012 (47 U.S.C. 1471)).*

22       (b) *RELATIONSHIP TO OTHER PROCEEDINGS.*—*In con-*  
23 *ducting the proceeding required by subsection (a), the Com-*  
24 *mission may consider information and conclusions from*  
25 *other Commission proceedings regarding the accuracy of the*

1 *dispatchable location for a 9–1–1 call, but nothing in this*  
2 *section shall be construed to require the Commission to re-*  
3 *consider any information or conclusion from a proceeding*  
4 *regarding the accuracy of the dispatchable location for a*  
5 *9–1–1 call in which the Commission has adopted rules or*  
6 *issued an order before the date of the enactment of this Act.*

7 *(c) DEFINITIONS.—In this section:*

8 *(1) 9–1–1 CALL.—The term “9–1–1 call” means*  
9 *a voice call that is placed, or a message that is sent*  
10 *by other means of communication, to a public safety*  
11 *answering point (as defined in section 222 of the*  
12 *Communications Act of 1934 (47 U.S.C. 222)) for the*  
13 *purpose of requesting emergency services.*

14 *(2) DISPATCHABLE LOCATION.—The term*  
15 *“dispatchable location” means the street address of*  
16 *the calling party, and additional information such as*  
17 *room number, floor number, or similar information*  
18 *necessary to adequately identify the location of the*  
19 *calling party.*

20 **SEC. 507. NTIA STUDY ON INTERAGENCY PROCESS FOL-**  
21 **LOWING CYBERSECURITY INCIDENTS.**

22 *(a) IN GENERAL.—The Assistant Secretary of Com-*  
23 *merce for Communications and Information shall complete*  
24 *a study on how the National Telecommunications and In-*

1 *formation Administration can best coordinate the inter-*  
2 *agency process following cybersecurity incidents.*

3       **(b) REPORT TO CONGRESS.**—*Not later than 18 months*  
4 *after the date of the enactment of this Act, the Assistant*  
5 *Secretary shall submit to the Committee on Energy and*  
6 *Commerce of the House of Representatives and the Com-*  
7 *mittee on Commerce, Science, and Transportation of the*  
8 *Senate a report detailing the findings and recommenda-*  
9 *tions of the study conducted under subsection (a).*

10 **SEC. 508. TRIBAL DIGITAL ACCESS.**

11       **(a) TRIBAL BROADBAND DATA REPORT.**—

12           **(1) IN GENERAL.**—*Not later than 1 year after*  
13 *the date of the enactment of this Act, the Commission*  
14 *shall submit to the Committee on Energy and Com-*  
15 *merce of the House of Representatives and the Com-*  
16 *mittee on Commerce, Science, and Transportation of*  
17 *the Senate a report evaluating broadband coverage in*  
18 *Indian country (as defined in section 1151 of title 18,*  
19 *United States Code) and on land held by a Native*  
20 *Corporation pursuant to the Alaska Native Claims*  
21 *Settlement Act.*

22           **(2) REQUIRED ASSESSMENTS.**—*The report re-*  
23 *quired by paragraph (1) shall include the following:*

24                   **(A)** *An assessment of areas of Indian coun-*  
25 *try (as so defined) and land held by a Native*

1           *Corporation pursuant to the Alaska Native*  
2           *Claims Settlement Act that have adequate*  
3           *broadband coverage.*

4                     *(B) An assessment of unserved areas of In-*  
5                     *Indian country (as so defined) and land held by a*  
6                     *Native Corporation pursuant to the Alaska Na-*  
7                     *tive Claims Settlement Act.*

8           *(b) TRIBAL BROADBAND PROCEEDING.—Not later*  
9           *than 30 months after the date of the enactment of this Act,*  
10           *the Commission shall complete a proceeding to address the*  
11           *unserved areas identified in the report under subsection (a).*

12   **SEC. 509. TERMS OF OFFICE AND VACANCIES.**

13           *Section 4(c) of the Communications Act of 1934 (47*  
14           *U.S.C. 154(c)) is amended to read as follows:*

15           “(c)(1) A commissioner—

16                     “(A) shall be appointed for a term of 5 years;

17                     “(B) except as provided in subparagraph (C),  
18                     *may continue to serve after the expiration of the fixed*  
19                     *term of office of the commissioner until a successor is*  
20                     *appointed and has been confirmed and taken the oath*  
21                     *of office; and*

22                     “(C) may not continue to serve after the expira-  
23                     *tion of the session of Congress that begins after the ex-*  
24                     *piration of the fixed term of office of the commis-*  
25                     *sioner.*

1       “(2) *Any person chosen to fill a vacancy in the Com-*  
2 *mission—*

3               “(A) *shall be appointed for the unexpired term*  
4 *of the commissioner that the person succeeds;*

5               “(B) *except as provided in subparagraph (C),*  
6 *may continue to serve after the expiration of the fixed*  
7 *term of office of the commissioner that the person suc-*  
8 *ceeds until a successor is appointed and has been con-*  
9 *firmed and taken the oath of office; and*

10              “(C) *may not continue to serve after the expira-*  
11 *tion of the session of Congress that begins after the ex-*  
12 *piration of the fixed term of office of the commissioner*  
13 *that the person succeeds.*

14       “(3) *No vacancy in the Commission shall impair the*  
15 *right of the remaining commissioners to exercise all the*  
16 *powers of the Commission.”.*

17 **SEC. 510. JOINT BOARD RECOMMENDATION.**

18       *The Commission may not modify, amend, or change*  
19 *its rules or regulations for universal service support pay-*  
20 *ments to implement the February 27, 2004, recommenda-*  
21 *tions of the Federal-State Joint Board on Universal Service*  
22 *regarding single connection or primary line restrictions on*  
23 *universal service support payments.*

1 **SEC. 511. DISCLAIMER FOR PRESS RELEASES REGARDING**  
2 **NOTICES OF APPARENT LIABILITY.**

3 *The Commission shall include in any press release re-*  
4 *garding the issuance of a notice of apparent liability under*  
5 *section 503(b)(4) of the Communications Act of 1934 (47*  
6 *U.S.C. 503(b)(4)) a disclaimer informing consumers that—*

7 *(1) the issuance of a notice of apparent liability*  
8 *should be treated only as allegations; and*

9 *(2) the amount of any forfeiture penalty pro-*  
10 *posed in a notice of apparent liability represents the*  
11 *maximum penalty that the Commission may impose*  
12 *for the violations alleged in the notice of apparent li-*  
13 *ability.*

14 **SEC. 512. REPORTS RELATED TO SPECTRUM AUCTIONS.**

15 *(a) ESTIMATE OF UPCOMING AUCTIONS.—Section*  
16 *309(j) of the Communications Act of 1934 (47 U.S.C.*  
17 *309(j)) is amended by adding at the end the following:*

18 *“(18) ESTIMATE OF UPCOMING AUCTIONS.—*

19 *“(A) Not later than September 30, 2018,*  
20 *and annually thereafter, the Commission shall*  
21 *make publicly available an estimate of what sys-*  
22 *tems of competitive bidding authorized under*  
23 *this subsection may be initiated during the up-*  
24 *coming 12-month period.*

25 *“(B) The estimate under subparagraph (A)*  
26 *shall, to the extent possible, identify the bands of*

1           *frequencies the Commission expects to be in-*  
2           *cluded in each such system of competitive bid-*  
3           *ding.”.*

4           **(b) AUCTION EXPENDITURE JUSTIFICATION RE-**  
5 *PORT.—Not later than April 1, 2019, and annually there-*  
6 *after, the Commission shall provide to the appropriate com-*  
7 *mittees of Congress a report containing a detailed justifica-*  
8 *tion for the use of proceeds retained by the Commission*  
9 *under section 309(j)(8)(B) of the Communications Act of*  
10 *1934 (47 U.S.C. 309(j)(8)(B)) for the costs of developing*  
11 *and implementing the program required by section 309(j)*  
12 *of that Act.*

13           **(c) DEFINITION.—***For purposes of this section, the*  
14 *term “appropriate committees of Congress” means—*

15                   **(1)** *the Committee on Commerce, Science, and*  
16 *Transportation of the Senate;*

17                   **(2)** *the Committee on Appropriations of the Sen-*  
18 *ate;*

19                   **(3)** *the Committee on Energy and Commerce of*  
20 *the House of Representatives; and*

21                   **(4)** *the Committee on Appropriations of the*  
22 *House of Representatives.*

1                   **TITLE VI—MOBILE NOW**

2   **SEC. 601. SHORT TITLE.**

3           *This title may be cited as the “Making Opportunities*  
4 *for Broadband Investment and Limiting Excessive and*  
5 *Needless Obstacles to Wireless Act” or the “MOBILE NOW*  
6 *Act”.*

7   **SEC. 602. DEFINITIONS.**

8           *In this title:*

9                   (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

10           *The term “appropriate committees of Congress”*  
11           *means—*

12                           (A) *the Committee on Commerce, Science,*  
13                           *and Transportation of the Senate;*

14                           (B) *the Committee on Energy and Com-*  
15                           *merce of the House of Representatives; and*

16                           (C) *each committee of the Senate or of the*  
17                           *House of Representatives with jurisdiction over a*  
18                           *Federal entity affected by the applicable section*  
19                           *in which the term appears.*

20                   (2) *COMMISSION.—The term “Commission”*  
21                   *means the Federal Communications Commission.*

22                   (3) *FEDERAL ENTITY.—The term “Federal enti-*  
23                   *ty” has the meaning given the term in section 113(l)*  
24                   *of the National Telecommunications and Information*  
25                   *Administration Organization Act (47 U.S.C. 923(l)).*



1           (4) *NTIA*.—*The term “NTIA” means the Na-*  
2           *tional Telecommunications and Information Admin-*  
3           *istration of the Department of Commerce.*

4           (5) *OMB*.—*The term “OMB” means the Office of*  
5           *Management and Budget.*

6           (6) *SECRETARY*.—*The term “Secretary” means*  
7           *the Secretary of Commerce.*

8 **SEC. 603. IDENTIFYING 255 MEGAHERTZ.**

9           (a) *REQUIREMENTS*.—

10           (1) *IN GENERAL*.—*Not later than December 31,*  
11           *2022, the Secretary, working through the NTIA, and*  
12           *the Commission shall identify a total of at least 255*  
13           *megahertz of Federal and non-Federal spectrum for*  
14           *mobile and fixed wireless broadband use.*

15           (2) *UNLICENSED AND LICENSED USE*.—*Of the*  
16           *spectrum identified under paragraph (1), not less*  
17           *than—*

18                   (A) *100 megahertz below the frequency of*  
19                   *8000 megahertz shall be identified for use on an*  
20                   *unlicensed basis;*

21                   (B) *100 megahertz below the frequency of*  
22                   *6000 megahertz shall be identified for use on an*  
23                   *exclusive, licensed basis for commercial mobile*  
24                   *use, pursuant to the Commission’s authority to*  
25                   *implement such licensing in a flexible manner,*

1           *and subject to potential continued use of such*  
2           *spectrum by incumbent Federal entities in des-*  
3           *ignated geographic areas indefinitely or for such*  
4           *length of time stipulated in transition plans ap-*  
5           *proved by the Technical Panel under section*  
6           *113(h) of the National Telecommunications and*  
7           *Information Administration Organization Act*  
8           *(47 U.S.C. 923(h)) for those incumbent entities*  
9           *to be relocated to alternate spectrum; and*

10                 *(C) 55 megahertz below the frequency of*  
11                 *8000 megahertz shall be identified for use on ei-*  
12                 *ther a licensed or unlicensed basis, or a combina-*  
13                 *tion of licensed and unlicensed.*

14                 *(3) NON-ELIGIBLE SPECTRUM.—For purposes of*  
15                 *satisfying the requirement under paragraph (1), the*  
16                 *following spectrum shall not be counted:*

17                         *(A) The frequencies between 1695 and 1710*  
18                         *megahertz.*

19                         *(B) The frequencies between 1755 and 1780*  
20                         *megahertz.*

21                         *(C) The frequencies between 2155 and 2180*  
22                         *megahertz.*

23                         *(D) The frequencies between 3550 and 3700*  
24                         *megahertz.*

1           (E) *Spectrum that the Commission deter-*  
2           *mines had more than de minimis mobile or fixed*  
3           *wireless broadband operations within the band*  
4           *on the day before the date of enactment of this*  
5           *Act.*

6           (4) *TREATMENT OF CERTAIN OTHER SPEC-*  
7           *TRUM.—Spectrum identified pursuant to this section*  
8           *may include eligible spectrum, if any, identified after*  
9           *the date of enactment of this Act pursuant to title X*  
10           *of the Bipartisan Budget Act of 2015 (Public Law*  
11           *114–74).*

12           (5) *SPECTRUM MADE AVAILABLE ON AND AFTER*  
13           *FEBRUARY 11, 2016.—Any spectrum that has been*  
14           *made available for licensed or unlicensed use on and*  
15           *after February 11, 2016, and that otherwise satisfies*  
16           *the requirements of this section may be counted to-*  
17           *wards the requirements of this subsection.*

18           (6) *RELOCATION PRIORITIZED OVER SHARING.—*  
19           *This section shall be carried out in accordance with*  
20           *section 113(j) of the National Telecommunications*  
21           *and Information Administration Organization Act*  
22           *(47 U.S.C. 923(j)).*

23           (7) *CONSIDERATIONS.—In identifying spectrum*  
24           *for use under this section, the Secretary, working*  
25           *through the NTIA, and Commission shall consider—*

1           (A) *the need to preserve critical existing*  
2           *and planned Federal Government capabilities;*

3           (B) *the impact on existing State, local, and*  
4           *tribal government capabilities;*

5           (C) *the international implications;*

6           (D) *the need for appropriate enforcement*  
7           *mechanisms and authorities; and*

8           (E) *the importance of the deployment of*  
9           *wireless broadband services in rural areas of the*  
10          *United States.*

11          (b) *RULES OF CONSTRUCTION.—Nothing in this sec-*  
12          *tion shall be construed—*

13               (1) *to impair or otherwise affect the functions of*  
14               *the Director of OMB relating to budgetary, adminis-*  
15               *trative, or legislative proposals;*

16               (2) *to require the disclosure of classified informa-*  
17               *tion, law enforcement sensitive information, or other*  
18               *information that must be protected in the interest of*  
19               *national security; or*

20               (3) *to affect any requirement under section 156*  
21               *of the National Telecommunications and Information*  
22               *Administration Organization Act (47 U.S.C. 921*  
23               *note), as added by section 1062(a) of the National De-*  
24               *fense Authorization Act for Fiscal Year 2000, or any*

1        *other relevant statutory requirement applicable to the*  
2        *reallocation of Federal spectrum.*

3        **SEC. 604. MILLIMETER WAVE SPECTRUM.**

4        *(a) FCC PROCEEDING.—Not later than 2 years after*  
5        *the date of enactment of this Act, the Commission shall pub-*  
6        *lish a notice of proposed rulemaking to consider service*  
7        *rules to authorize mobile or fixed terrestrial wireless oper-*  
8        *ations, including for advanced mobile service operations, in*  
9        *the radio frequency band between 42000 and 42500 mega-*  
10       *hertz.*

11       *(b) CONSIDERATIONS.—In conducting a rulemaking*  
12       *under subsection (a), the Commission shall—*

13                *(1) consider how the band described in subsection*

14        *(a) may be used to provide commercial wireless*  
15        *broadband service, including whether—*

16                        *(A) such spectrum may be best used for li-*  
17                        *censed or unlicensed services, or some combina-*  
18                        *tion thereof; and*

19                        *(B) to permit additional licensed operations*  
20                        *in such band on a shared basis; and*

21                *(2) include technical characteristics under which*  
22        *the band described in subsection (a) may be employed*  
23        *for mobile or fixed terrestrial wireless operations, in-*  
24        *cluding any appropriate coexistence requirements.*

1           (c) *SPECTRUM MADE AVAILABLE ON AND AFTER FEB-*  
2 *RUARY 11, 2016.—Any spectrum that has been made avail-*  
3 *able for licensed or unlicensed use on or after February 11,*  
4 *2016, and that otherwise satisfies the requirements of sec-*  
5 *tion 603 of this title may be counted towards the require-*  
6 *ments of section 603(a) of this title.*

7 **SEC. 605. 3 GIGAHERTZ SPECTRUM.**

8           (a) *BETWEEN 3100 MEGAHERTZ AND 3550 MEGA-*  
9 *HERTZ.—Not later than 24 months after the date of enact-*  
10 *ment of this Act, and in consultation with the Commission*  
11 *and the head of each affected Federal agency (or a designee*  
12 *thereof), the Secretary, working through the NTIA, shall*  
13 *submit to the Commission and the appropriate committees*  
14 *of Congress a report evaluating the feasibility of allowing*  
15 *commercial wireless services, licensed or unlicensed, to share*  
16 *use of the frequencies between 3100 megahertz and 3550*  
17 *megahertz.*

18           (b) *BETWEEN 3700 MEGAHERTZ AND 4200 MEGA-*  
19 *HERTZ.—Not later than 18 months after the date of enact-*  
20 *ment of this Act, after notice and an opportunity for public*  
21 *comment, and in consultation with the Secretary, working*  
22 *through the NTIA, and the head of each affected Federal*  
23 *agency (or a designee thereof), the Commission shall submit*  
24 *to the Secretary and the appropriate committees of Congress*  
25 *a report evaluating the feasibility of allowing commercial*

1 *wireless services, licensed or unlicensed, to use or share use*  
2 *of the frequencies between 3700 megahertz and 4200 mega-*  
3 *hertz.*

4 *(c) REQUIREMENTS.—A report under subsection (a) or*  
5 *(b) shall include the following:*

6 *(1) An assessment of the operations of Federal*  
7 *entities that operate Federal Government stations au-*  
8 *thorized to use the frequencies described in that sub-*  
9 *section.*

10 *(2) An assessment of the possible impacts of such*  
11 *sharing on Federal and non-Federal users already op-*  
12 *erating on the frequencies described in that sub-*  
13 *section.*

14 *(3) The criteria that may be necessary to ensure*  
15 *shared licensed or unlicensed services would not cause*  
16 *harmful interference to Federal or non-Federal users*  
17 *already operating in the frequencies described in that*  
18 *subsection.*

19 *(4) If such sharing is feasible, an identification*  
20 *of which of the frequencies described in that subsection*  
21 *are most suitable for sharing with commercial wire-*  
22 *less services through the assignment of new licenses by*  
23 *competitive bidding, for sharing with unlicensed oper-*  
24 *ations, or through a combination of licensing and un-*  
25 *licensed operations.*

1       (d) *COMMISSION ACTION.*—*The Commission, in con-*  
2 *sultation with the NTIA, shall seek public comment on the*  
3 *reports required under subsections (a) and (b), including*  
4 *regarding the bands identified in such report as feasible*  
5 *pursuant to subsection (c)(4).*

6 **SEC. 606. COMMUNICATIONS FACILITIES DEPLOYMENT ON**  
7 **FEDERAL PROPERTY.**

8       (a) *IN GENERAL.*—*Section 6409 of the Middle Class*  
9 *Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455)*  
10 *is amended by striking subsections (b), (c), and (d) and*  
11 *inserting the following:*

12       “(b) *FEDERAL EASEMENTS, RIGHTS-OF-WAY, AND*  
13 *LEASES.*—

14               “(1) *GRANT.*—*If an executive agency, a State, a*  
15 *political subdivision or agency of a State, or a per-*  
16 *son, firm, or organization applies for the grant of an*  
17 *easement, right-of-way, or lease to, in, over, or on a*  
18 *building or other property owned by the Federal Gov-*  
19 *ernment for the right to install, construct, modify, or*  
20 *maintain a communications facility installation, the*  
21 *executive agency having control of the building or*  
22 *other property may grant to the applicant, on behalf*  
23 *of the Federal Government, subject to paragraph (3),*  
24 *an easement, right-of-way, or lease to perform such*



1 *installation, construction, modification, or mainte-*  
2 *nance.*

3 “(2) *APPLICATION.*—

4 “(A) *IN GENERAL.*—*The Administrator of*  
5 *General Services shall develop a common form*  
6 *for applications for easements, rights-of-way,*  
7 *and leases under paragraph (1) for all executive*  
8 *agencies that, except as provided in subpara-*  
9 *graph (B), shall be used by all executive agencies*  
10 *and applicants with respect to the buildings or*  
11 *other property of each such agency.*

12 “(B) *EXCEPTION.*—*The requirement under*  
13 *subparagraph (A) for an executive agency to use*  
14 *the common form developed by the Administrator*  
15 *of General Services shall not apply to an execu-*  
16 *tive agency if the head of an executive agency*  
17 *notifies the Administrator that the executive*  
18 *agency uses a substantially similar application.*

19 “(3) *TIMELY CONSIDERATION OF APPLICA-*  
20 *TIONS.*—

21 “(A) *IN GENERAL.*—*Not later than 270*  
22 *days after the date on which an executive agency*  
23 *receives a duly filed application for an easement,*  
24 *right-of-way, or lease under this subsection, the*  
25 *executive agency shall—*

1                   “(i) grant or deny, on behalf of the  
2                   Federal Government, the application; and

3                   “(ii) notify the applicant of the grant  
4                   or denial.

5                   “(B) EXPLANATION OF DENIAL.—If an execu-  
6                   tive agency denies an application under sub-  
7                   paragraph (A), the executive agency shall notify  
8                   the applicant in writing, including a clear state-  
9                   ment of the reasons for the denial.

10                  “(C) APPLICABILITY OF ENVIRONMENTAL  
11                  LAWS.—Nothing in this paragraph shall be con-  
12                  strued to relieve an executive agency of the re-  
13                  quirements of division A of subtitle III of title  
14                  54, United States Code, or the National Envi-  
15                  ronmental Policy Act of 1969 (42 U.S.C. 4321 et  
16                  seq.).

17                  “(D) POINT OF CONTACT.—Upon receiving  
18                  an application under subparagraph (A), an execu-  
19                  tive agency shall designate one or more appro-  
20                  priate individuals within the executive agency to  
21                  act as a point of contact with the applicant.

22                  “(c) MASTER CONTRACTS FOR COMMUNICATIONS FA-  
23                  CILITY INSTALLATION SITINGS.—

24                  “(1) IN GENERAL.—Notwithstanding section 704  
25                  of the Telecommunications Act of 1996 (Public Law

1       104–104; 110 Stat. 151) or any other provision of  
2       law, the Administrator of General Services shall—

3               “(A) develop one or more master contracts  
4       that shall govern the placement of communica-  
5       tions facility installations on buildings and  
6       other property owned by the Federal Govern-  
7       ment; and

8               “(B) in developing the master contract or  
9       contracts, standardize the treatment of the place-  
10      ment of communications facility installations on  
11      building rooftops or facades, the placement of  
12      communications facility installations on rooftops  
13      or inside buildings, the technology used in con-  
14      nection with communications facility installa-  
15      tions placed on Federal buildings and other  
16      property, and any other key issues the Adminis-  
17      trator of General Services considers appropriate.

18              “(2) *APPLICABILITY.*—The master contract or  
19      contracts developed by the Administrator of General  
20      Services under paragraph (1) shall apply to all pub-  
21      licly accessible buildings and other property owned by  
22      the Federal Government, unless the Administrator of  
23      General Services decides that issues with respect to  
24      the siting of a communications facility installation  
25      on a specific building or other property warrant non-

1 *standard treatment of such building or other prop-*  
2 *erty.*

3 “(3) *APPLICATION.*—

4 “(A) *IN GENERAL.*—*The Administrator of*  
5 *General Services shall develop a common form or*  
6 *set of forms for communications facility installa-*  
7 *tion siting applications that, except as provided*  
8 *in subparagraph (B), shall be used by all execu-*  
9 *utive agencies and applicants with respect to the*  
10 *buildings and other property of each such agen-*  
11 *cy.*

12 “(B) *EXCEPTION.*—*The requirement under*  
13 *subparagraph (A) for an executive agency to use*  
14 *the common form or set of forms developed by the*  
15 *Administrator of General Services shall not*  
16 *apply to an executive agency if the head of the*  
17 *executive agency notifies the Administrator that*  
18 *the executive agency uses a substantially similar*  
19 *application.*

20 “(d) *DEFINITIONS.*—*In this section:*

21 “(1) *COMMUNICATIONS FACILITY INSTALLA-*  
22 *TION.*—*The term ‘communications facility installa-*  
23 *tion’ includes—*

24 “(A) *any infrastructure, including any*  
25 *transmitting device, tower, or support structure,*

1           *and any equipment, switches, wiring, cabling,*  
2           *power sources, shelters, or cabinets, associated*  
3           *with the licensed or permitted unlicensed wireless*  
4           *or wireline transmission of writings, signs, sig-*  
5           *nals, data, images, pictures, and sounds of all*  
6           *kinds; and*

7           “(B) *any antenna or apparatus that—*

8                   “(i) *is designed for the purpose of*  
9                   *emitting radio frequency;*

10                   “(ii) *is designed to be operated, or is*  
11                   *operating, from a fixed location pursuant to*  
12                   *authorization by the Federal Communica-*  
13                   *tions Commission or is using duly author-*  
14                   *ized devices that do not require individual*  
15                   *licenses; and*

16                   “(iii) *is added to a tower, building, or*  
17                   *other structure.*

18           “(2) *EXECUTIVE AGENCY.—The term ‘executive*  
19           *agency’ has the meaning given such term in section*  
20           *102 of title 40, United States Code.”.*

21           “(b) *SAVINGS PROVISION.—An application for an ease-*  
22           *ment, right-of-way, or lease that was made or granted under*  
23           *section 6409 of the Middle Class Tax Relief and Job Cre-*  
24           *ation Act of 2012 (47 U.S.C. 1455) before the date of enact-*

1 *ment of this Act shall continue, subject to that section as*  
2 *in effect on the day before such date of enactment.*

3 (c) *STREAMLINING BROADBAND FACILITY APPLICA-*  
4 *TIONS.—*

5 (1) *DEFINITION OF COMMUNICATIONS FACILITY*  
6 *INSTALLATION.—In this subsection, the term “commu-*  
7 *nications facility installation” has the meaning given*  
8 *the term in section 6409(d) of the Middle Class Tax*  
9 *Relief and Job Creation Act of 2012 (47 U.S.C.*  
10 *1455(d)), as amended by subsection (a).*

11 (2) *RECOMMENDATIONS.—*

12 (A) *IN GENERAL.—Not later than 2 years*  
13 *after the date of enactment of this Act, the NTIA,*  
14 *in coordination with the Department of the Inte-*  
15 *rior, the Department of Agriculture, the Depart-*  
16 *ment of Defense, the Department of Transpor-*  
17 *tation, OMB, and the General Services Adminis-*  
18 *tration, shall develop recommendations to*  
19 *streamline the process for considering applica-*  
20 *tions by those agencies under section 6409(b) of*  
21 *the Middle Class Tax Relief and Job Creation*  
22 *Act of 2012 (47 U.S.C. 1455(b)), as amended by*  
23 *subsection (a).*

1           (B) *REQUIREMENTS FOR RECOMMENDA-*  
2           *TIONS.—The recommendations developed under*  
3           *subparagraph (A) shall include—*

4                   (i) *procedures for the tracking of appli-*  
5                   *cations described in subparagraph (A);*

6                   (ii) *methods by which to reduce the*  
7                   *amount of time between the receipt of an*  
8                   *application and the issuance of a final deci-*  
9                   *sion on an application;*

10                  (iii) *policies to expedite renewals of an*  
11                  *easement, license, or other authorization to*  
12                  *locate communications facility installations*  
13                  *on land managed by the agencies described*  
14                  *in subparagraph (A); and*

15                  (iv) *policies that would prioritize or*  
16                  *streamline a permit for construction in a*  
17                  *previously-disturbed right-of-way.*

18           (C) *REPORT TO CONGRESS.—Not later than*  
19           *2 years after the date on which the recommenda-*  
20           *tions required under subparagraph (A) are devel-*  
21           *oped, the NTIA shall submit to the Committee on*  
22           *Commerce, Science, and Transportation of the*  
23           *Senate, the Committee on Homeland Security*  
24           *and Governmental Affairs of the Senate, the*  
25           *Committee on Energy and Commerce of the*

1           *House of Representatives, the Committee on*  
2           *Transportation and Infrastructure of the House*  
3           *of Representatives, and the Committee on Over-*  
4           *sight and Government Reform of the House of*  
5           *Representatives a report that describes—*

6                     *(i) the status of the implementation of*  
7                     *the recommendations developed under sub-*  
8                     *paragraph (A); and*

9                     *(ii) any improvements to the process*  
10                    *for considering applications described in*  
11                    *subparagraph (A) that have resulted from*  
12                    *those recommendations, including in par-*  
13                    *ticular the speed at which such applications*  
14                    *are reviewed and a final determination is*  
15                    *issued.*

16           *(d) ADDITIONAL SAVINGS PROVISIONS.—*

17                    *(1) REAL PROPERTY AUTHORITIES.—Nothing in*  
18                    *this section, or the amendments made by this section,*  
19                    *shall be construed as providing any executive agency*  
20                    *with any new leasing or other real property authori-*  
21                    *ties not existing prior to the date of enactment of this*  
22                    *Act.*

23                    *(2) EFFECT ON OTHER LAWS.—Nothing in this*  
24                    *section, or the amendments made by this section, and*  
25                    *no actions taken pursuant to this section, or the*



1        *amendments made by this section, shall impact a de-*  
2        *cision or determination by any executive agency to*  
3        *sell, dispose of, declare excess or surplus, lease, reuse,*  
4        *or redevelop any Federal real property pursuant to*  
5        *title 40, United States Code, the Federal Assets Sale*  
6        *and Transfer Act of 2016 (Public Law 114–287), or*  
7        *any other law governing real property activities of*  
8        *the Federal Government. No agreement entered into*  
9        *pursuant to this section, or the amendments made by*  
10       *this section, may obligate the Federal Government to*  
11       *hold, control, or otherwise retain or use real property*  
12       *that may otherwise be deemed as excess, surplus, or*  
13       *that could be otherwise sold, leased, or redeveloped.*

14       **SEC. 607. BROADBAND INFRASTRUCTURE DEPLOYMENT.**

15       (a) *DEFINITIONS.—In this section:*

16                (1) *APPROPRIATE STATE AGENCY.—The term*  
17                *“appropriate State agency” means a State govern-*  
18                *mental agency that is recognized by the executive*  
19                *branch of the State as having the experience necessary*  
20                *to evaluate and carry out projects relating to the*  
21                *proper and effective installation and operation of*  
22                *broadband infrastructure.*

23                (2) *BROADBAND INFRASTRUCTURE.—The term*  
24                *“broadband infrastructure” means any buried, under-*  
25                *ground, or aerial facility, and any wireless or*

1 *wireline connection, that enables users to send and re-*  
2 *ceive voice, video, data, graphics, or any combination*  
3 *thereof.*

4 (3) *BROADBAND INFRASTRUCTURE ENTITY.*—*The*  
5 *term “broadband infrastructure entity” means any*  
6 *entity that—*

7 (A) *installs, owns, or operates broadband*  
8 *infrastructure; and*

9 (B) *provides broadband services in a man-*  
10 *ner consistent with the public interest, conven-*  
11 *ience, and necessity, as determined by the State.*

12 (4) *STATE.*—*The term “State” means—*

13 (A) *a State;*

14 (B) *the District of Columbia; and*

15 (C) *the Commonwealth of Puerto Rico.*

16 (b) *BROADBAND INFRASTRUCTURE DEPLOYMENT.*—*To*  
17 *facilitate the installation of broadband infrastructure, the*  
18 *Secretary of Transportation shall promulgate regulations to*  
19 *ensure that each State that receives funds under chapter*  
20 *1 of title 23, United States Code, meets the following re-*  
21 *quirements:*

22 (1) *BROADBAND CONSULTATION.*—*The State de-*  
23 *partment of transportation, in consultation with ap-*  
24 *propriate State agencies, shall—*

1           (A) identify a broadband utility coordi-  
2 nator, that may have additional responsibilities,  
3 whether in the State department of transpor-  
4 tation or in another State agency, that is re-  
5 sponsible for facilitating the broadband infra-  
6 structure right-of-way efforts within the State;

7           (B) establish a process for the registration  
8 of broadband infrastructure entities that seek to  
9 be included in those broadband infrastructure  
10 right-of-way facilitation efforts within the State;

11           (C) establish a process to electronically no-  
12 tify broadband infrastructure entities identified  
13 under subparagraph (B) of the State transpor-  
14 tation improvement program on an annual basis  
15 and provide additional notifications as necessary  
16 to achieve the goals of this section; and

17           (D) coordinate initiatives carried out under  
18 this section with other statewide telecommuni-  
19 cation and broadband plans and State and local  
20 transportation and land use plans, including  
21 strategies to minimize repeated excavations that  
22 involve the installation of broadband infrastruc-  
23 ture in a right-of-way.

24           (2) *PRIORITY.*—If a State chooses to provide for  
25 the installation of broadband infrastructure in the

1 *right-of-way of an applicable Federal-aid highway*  
2 *project under this subsection, the State department of*  
3 *transportation shall carry out any appropriate meas-*  
4 *ures to ensure that any existing broadband infra-*  
5 *structure entities are not disadvantaged, as compared*  
6 *to other broadband infrastructure entities, with re-*  
7 *spect to the program under this subsection.*

8 *(c) EFFECT OF SECTION.—This section applies only*  
9 *to activities for which Federal obligations or expenditures*  
10 *are initially approved on or after the date regulations*  
11 *under subsection (b) become effective. Nothing in this sec-*  
12 *tion establishes a mandate or requirement that a State in-*  
13 *stall or allow the installation of broadband infrastructure*  
14 *in a highway right-of-way. Nothing in this section author-*  
15 *izes the Secretary of Transportation to withhold or reserve*  
16 *funds or approval of a project under title 23, United States*  
17 *Code.*

18 **SEC. 608. COMMUNICATIONS FACILITIES INSTALLATION.**

19 *(a) IN GENERAL.—Section 21 of the Federal Assets*  
20 *Sale and Transfer Act of 2016 (40 U.S.C. 1303 note) is*  
21 *amended—*

22 *(1) in subsection (b), by adding at the end the*  
23 *following:*

24 *“(8) The ability of the Federal real property to*  
25 *support a communications facility installation.”; and*

1           (2) *by adding at the end the following:*

2           “(f) *DEFINITION OF COMMUNICATIONS FACILITY IN-*  
3 *STALLATION.—In this section, the term ‘communications fa-*  
4 *cility installation’ means—*

5           “(1) *any infrastructure, including any transmit-*  
6 *ting device, tower, or support structure, and any*  
7 *equipment, switches, wiring, cabling, power sources,*  
8 *shelters, or cabinets associated with the licensed or*  
9 *permitted unlicensed wireless or wireline trans-*  
10 *mission of writings, signs, signals, data, images, pic-*  
11 *tures, and sounds of any kind; and*

12           “(2) *any antenna or apparatus that—*

13           “(A) *is designed for the purpose of emitting*  
14 *radio frequency;*

15           “(B) *is designed to be operated, or is oper-*  
16 *ating, from a fixed location pursuant to author-*  
17 *ization by the Federal Communications Commis-*  
18 *sion or is using duly authorized devices that do*  
19 *not require individual licenses; and*

20           “(C) *is added to a tower, building, or other*  
21 *structure.”.*

22           (b) *PUBLIC COMMENT.—*

23           “(1) *IN GENERAL.—Not later than 60 days after*  
24 *the date of enactment of this Act, the Administrator*  
25 *of General Services shall issue a notice for public*

1 *comment regarding the inclusion of a communica-*  
2 *tions facility installation under section 21 of the Fed-*  
3 *eral Assets Sale and Transfer Act of 2016 (40 U.S.C.*  
4 *1303 note), as amended by subsection (a) of this sec-*  
5 *tion.*

6 (2) *CONTENTS.—In seeking public comment*  
7 *under paragraph (1), the Administrator shall include*  
8 *a request for recommendations on—*

9 (A) *the criteria that make Federal real*  
10 *property capable of supporting communications*  
11 *facility installations;*

12 (B) *the types of information related to the*  
13 *Federal real property that should be included in*  
14 *the database; and*

15 (C) *other matters that the Administrator*  
16 *determines necessary.*

17 (c) *PROVISION OF INFORMATION.—*

18 (1) *IN GENERAL.—Not later than 90 days after*  
19 *the period for public comment under subsection (b)(1)*  
20 *ends, the Administrator of General Services shall no-*  
21 *tify the head of each Executive agency of the manner*  
22 *and format for submitting such information as the*  
23 *Administrator determines appropriate to the database*  
24 *established under section 21 of the Federal Assets Sale*

1 *and Transfer Act of 2016 (40 U.S.C. 1303 note), as*  
2 *amended by subsection (a) of this section.*

3 (2) *SUBMISSION.*—*Not later than 90 days after*  
4 *the date of the notification under paragraph (1), the*  
5 *head of an Executive agency shall submit the infor-*  
6 *mation required under paragraph (1).*

7 *(d) STATE AND LOCAL GOVERNMENTS.*—

8 (1) *IN GENERAL.*—*The Administrator of General*  
9 *Services, in consultation with the Chairman of the*  
10 *Commission, the Assistant Secretary of Commerce for*  
11 *Communications and Information, the Under Sec-*  
12 *retary of Commerce for Standards and Technology,*  
13 *and the Director of OMB, shall study—*

14 (A) *how to incentivize State and local gov-*  
15 *ernments to provide the Administrator with in-*  
16 *formation, similar to the information required*  
17 *under subsection (c)(1), for inclusion in the*  
18 *database described in that subsection; and*

19 (B) *the feasibility of establishing or oper-*  
20 *ating a database to which State and local gov-*  
21 *ernments can voluntarily submit such informa-*  
22 *tion.*

23 (2) *REPORT ON INCENTIVIZING PARTICIPATION*  
24 *BY STATE AND LOCAL GOVERNMENTS.*—

1           (A) *IN GENERAL.*—Not later than 1 year  
2 after the date of enactment of this Act, the Ad-  
3 ministrator of General Services, in consultation  
4 with the Chairman of the Commission, the As-  
5 sistant Secretary of Commerce for Communica-  
6 tions and Information, the Under Secretary of  
7 Commerce for Standards and Technology, and  
8 the Director of OMB, shall submit to the Com-  
9 mittee on Commerce, Science, and Transpor-  
10 tation and the Committee on Homeland Security  
11 and Governmental Affairs of the Senate, and the  
12 Committee on Energy and Commerce, the Com-  
13 mittee on Transportation and Infrastructure,  
14 and the Committee on Oversight and Govern-  
15 ment Reform of the House of Representatives a  
16 report on the findings of the study under para-  
17 graph (1), including recommendations, if any,  
18 consistent with this section.

19           (B) *CONSIDERATIONS.*—The Administrator  
20 of General Services, in preparing the report  
21 under subparagraph (A), shall—

22                   (i) consult with State and local govern-  
23 ments, or their representatives, to identify  
24 for inclusion in the report the most cost-ef-  
25 fective options for State and local govern-



1            *ments to collect and provide the information*  
2            *described in paragraph (1), including uti-*  
3            *lizing and leveraging State broadband ini-*  
4            *tiatives and programs; and*

5            *(ii) make recommendations on ways*  
6            *the Federal Government can assist State*  
7            *and local governments in collecting and*  
8            *providing the information described in*  
9            *paragraph (1).*

10        *(e) SAVINGS PROVISIONS.—*

11            *(1) REAL PROPERTY AUTHORITIES.—Nothing in*  
12            *this section, or an amendment made by this section,*  
13            *shall be construed as providing any Executive agency*  
14            *with any new leasing or other real property authority*  
15            *that did not exist prior to the date of enactment of*  
16            *this Act.*

17            *(2) EFFECT ON OTHER LAWS.—Nothing in this*  
18            *section, or an amendment made by this section, and*  
19            *no information submitted pursuant to this section, or*  
20            *pursuant to an amendment made by this section,*  
21            *shall be used to prevent or otherwise restrict a deci-*  
22            *sion or determination by any Executive agency to*  
23            *sell, dispose of, declare excess or surplus, lease, reuse*  
24            *or redevelop any Federal real property pursuant to—*

25            *(A) title 40 of the United States Code;*

1                   (B) *the Federal Assets Sale and Transfer*  
2                   *Act of 2016 (40 U.S.C. 1303 note); or*

3                   (C) *any other law governing real property*  
4                   *activities of the Federal Government.*

5 **SEC. 609. REALLOCATION INCENTIVES.**

6           (a) *IN GENERAL.*—*Not later than 24 months after the*  
7 *date of enactment of this Act, the Assistant Secretary of*  
8 *Commerce for Communications and Information, in con-*  
9 *sultation with the Commission, the Director of OMB, and*  
10 *the head of each affected Federal agency (or a designee*  
11 *thereof), after notice and an opportunity for public com-*  
12 *ment, shall submit to the appropriate committees of Con-*  
13 *gress a report that includes legislative or regulatory rec-*  
14 *ommendations to incentivize a Federal entity to relinquish,*  
15 *or share with Federal or non-Federal users, Federal spec-*  
16 *trum for the purpose of allowing commercial wireless*  
17 *broadband services to operate on that Federal spectrum.*

18           (b) *POST-AUCTION PAYMENTS.*—

19                   (1) *REPORT.*—*In preparing the report under*  
20 *subsection (a), the Assistant Secretary of Commerce*  
21 *for Communications and Information shall—*

22                           (A) *consider whether permitting eligible*  
23 *Federal entities that are implementing a transi-*  
24 *tion plan submitted under section 113(h) of the*  
25 *National Telecommunications and Information*

1           *Administration Organization Act (47 U.S.C.*  
2           *923(h)) to accept payments could result in access*  
3           *to the eligible frequencies that are being reallo-*  
4           *cated for exclusive non-Federal use or shared use*  
5           *sooner than would otherwise occur without such*  
6           *payments; and*

7                   *(B) include the findings under subpara-*  
8                   *graph (A), including the analysis under para-*  
9                   *graph (2) and any recommendations for legisla-*  
10                   *tion, in the report.*

11           (2) *ANALYSIS.—In considering payments under*  
12           *paragraph (1)(A), the Assistant Secretary of Com-*  
13           *merce for Communications and Information shall*  
14           *conduct an analysis of whether and how such pay-*  
15           *ments would affect—*

16                   *(A) bidding in auctions conducted under*  
17                   *section 309(j) of the Communications Act of*  
18                   *1934 (47 U.S.C. 309(j)) of such eligible fre-*  
19                   *quencies; and*

20                   *(B) receipts collected from the auctions de-*  
21                   *scribed in subparagraph (A).*

22           (3) *DEFINITIONS.—In this subsection:*

23                   *(A) PAYMENT.—The term “payment” means*  
24                   *a payment in cash or in-kind by any auction*  
25                   *winner, or any person affiliated with an auction*

1 winner, of eligible frequencies during the period  
2 after eligible frequencies have been reallocated by  
3 competitive bidding under section 309(j) of the  
4 Communications Act of 1934 (47 U.S.C. 309(j))  
5 but prior to the completion of relocation or shar-  
6 ing transition of such eligible frequencies per  
7 transition plans approved by the Technical  
8 Panel.

9 (B) *ELIGIBLE FREQUENCIES.*—The term  
10 “eligible frequencies” has the meaning given the  
11 term in section 113(g)(2) of the National Tele-  
12 communications and Information Administra-  
13 tion Organization Act (47 U.S.C. 923(g)(2)).

14 **SEC. 610. BIDIRECTIONAL SHARING STUDY.**

15 (a) *IN GENERAL.*—Not later than 18 months after the  
16 date of enactment of this Act, including an opportunity for  
17 public comment, the Commission, in collaboration with the  
18 NTIA, shall—

19 (1) conduct a bidirectional sharing study to de-  
20 termine the best means of providing Federal entities  
21 flexible access to non-Federal spectrum on a shared  
22 basis across a range of short-, mid-, and long-range  
23 timeframes, including for intermittent purposes like  
24 emergency use; and

1           (2) *submit to Congress a report on the study*  
2           *under paragraph (1), including any recommendations*  
3           *for legislation or proposed regulations.*

4           (b) *CONSIDERATIONS.—In conducting the study under*  
5           *subsection (a), the Commission shall—*

6           (1) *consider the regulatory certainty that com-*  
7           *mercial spectrum users and Federal entities need to*  
8           *make longer-term investment decisions for shared ac-*  
9           *cess to be viable; and*

10          (2) *evaluate any barriers to voluntary commer-*  
11          *cial arrangements in which non-Federal users could*  
12          *provide access to Federal entities.*

13 **SEC. 611. UNLICENSED SERVICES IN GUARD BANDS.**

14          (a) *IN GENERAL.—After public notice and comment,*  
15          *and in consultation with the Assistant Secretary of Com-*  
16          *merce for Communications and Information and the head*  
17          *of each affected Federal agency (or a designee thereof), with*  
18          *respect to frequencies allocated for Federal use, the Commis-*  
19          *sion shall adopt rules that permit unlicensed services where*  
20          *feasible to use any frequencies that are designated as guard*  
21          *bands to protect frequencies allocated after the date of enact-*  
22          *ment of this Act by competitive bidding under section 309(j)*  
23          *of the Communications Act of 1934 (47 U.S.C. 309(j)), in-*  
24          *cluding spectrum that acts as a duplex gap between trans-*  
25          *mit and receive frequencies.*

1       (b) *LIMITATION.*—*The Commission may not permit*  
2 *any use of a guard band under this section that would cause*  
3 *harmful interference to a licensed service or a Federal serv-*  
4 *ice.*

5       (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*  
6 *shall be construed as limiting the Commission or the Assist-*  
7 *ant Secretary of Commerce for Communications and Infor-*  
8 *mation from otherwise making spectrum available for li-*  
9 *censed or unlicensed use in any frequency band in addition*  
10 *to guard bands, including under section 603 of this title,*  
11 *consistent with their statutory jurisdictions.*

12 **SEC. 612. PRE-AUCTION FUNDING.**

13       *Section 118(d)(3)(B)(i)(II) of the National Tele-*  
14 *communications and Information Administration Organi-*  
15 *zation Act (47 U.S.C. 928(d)(3)(B)(i)(II)) is amended by*  
16 *striking “5 years” and inserting “8 years”.*

17 **SEC. 613. IMMEDIATE TRANSFER OF FUNDS.**

18       *Section 118(e)(1) of the National Telecommunications*  
19 *and Information Administration Organization Act (47*  
20 *U.S.C. 928(e)(1)) is amended by adding at the end the fol-*  
21 *lowing:*

22                       *“(D) At the request of an eligible Federal*  
23                       *entity, the Director of the Office of Management*  
24                       *and Budget (in this subsection referred to as*

1           ‘OMB’) may transfer the amount under subpara-  
2           graph (A) immediately—

3                   “(i) after the frequencies are reallo-  
4                   cated by competitive bidding under section  
5                   309(j) of the Communications Act of 1934  
6                   (47 U.S.C. 309(j)); or

7                   “(ii) in the case of an incumbent Fed-  
8                   eral entity that is incurring relocation or  
9                   sharing costs to accommodate sharing spec-  
10                  trum frequencies with another Federal enti-  
11                  ty, after the frequencies from which the  
12                  other eligible Federal entity is relocating  
13                  are reallocated by competitive bidding  
14                  under section 309(j) of the Communications  
15                  Act of 1934 (47 U.S.C. 309(j)), without re-  
16                  gard to the availability of such sums in the  
17                  Fund.

18                  “(E) Prior to the deposit of proceeds into  
19                  the Fund from an auction, the Director of OMB  
20                  may borrow from the Treasury the amount  
21                  under subparagraph (A) for a transfer under  
22                  subparagraph (D). The Treasury shall imme-  
23                  diately be reimbursed, without interest, from  
24                  funds deposited into the Fund.”.

1 **SEC. 614. AMENDMENTS TO THE SPECTRUM PIPELINE ACT**  
2 **OF 2015.**

3 *Section 1008 of the Spectrum Pipeline Act of 2015*  
4 *(Public Law 114–74; 129 Stat. 584) is amended in the mat-*  
5 *ter preceding paragraph (1) by inserting “, after notice and*  
6 *an opportunity for public comment,” after “the Commis-*  
7 *sion”.*

8 **SEC. 615. GAO ASSESSMENT OF UNLICENSED SPECTRUM**  
9 **AND WI-FI USE IN LOW-INCOME NEIGHBOR-**  
10 **HOODS.**

11 *(a) STUDY.—*

12 *(1) IN GENERAL.—The Comptroller General of*  
13 *the United States shall conduct a study to evaluate*  
14 *the availability of broadband Internet access using*  
15 *unlicensed spectrum and wireless networks in low-in-*  
16 *come neighborhoods.*

17 *(2) REQUIREMENTS.—In conducting the study*  
18 *under paragraph (1), the Comptroller General shall*  
19 *consider and evaluate—*

20 *(A) the availability of wireless Internet hot*  
21 *spots and access to unlicensed spectrum in low-*  
22 *income neighborhoods, particularly for elemen-*  
23 *tary and secondary school-aged children in such*  
24 *neighborhoods;*



1           (B) any barriers preventing or limiting the  
2           deployment and use of wireless networks in low-  
3           income neighborhoods;

4           (C) how to overcome any barriers described  
5           in subparagraph (B), including through incen-  
6           tives, policies, or requirements that would in-  
7           crease the availability of unlicensed spectrum  
8           and related technologies in low-income neighbor-  
9           hoods; and

10          (D) how to encourage home broadband  
11          adoption by households with elementary and sec-  
12          ondary school-age children that are in low-in-  
13          come neighborhoods.

14          (b) *REPORT.*—Not later than 1 year after the date of  
15          enactment of this Act, the Comptroller General shall submit  
16          to the Committee on Commerce, Science, and Transpor-  
17          tation of the Senate and the Committee on Energy and  
18          Commerce of the House of Representatives a report that—

19               (1) summarizes the findings of the study con-  
20               ducted under subsection (a); and

21               (2) makes recommendations with respect to po-  
22               tential incentives, policies, and requirements that  
23               could help achieve the goals described in subpara-  
24               graphs (C) and (D) of subsection (a)(2).

1 **SEC. 616. RULEMAKING RELATED TO PARTITIONING OR**  
2 **DISAGGREGATING LICENSES.**

3 (a) *DEFINITIONS.—In this section:*

4 (1) *COVERED SMALL CARRIER.—The term “cov-*  
5 *ered small carrier” means a carrier (as defined in*  
6 *section 3 of the Communications Act of 1934 (47*  
7 *U.S.C. 153)) that—*

8 (A) *has not more than 1,500 employees (as*  
9 *determined under section 121.106 of title 13,*  
10 *Code of Federal Regulations, or any successor*  
11 *thereto); and*

12 (B) *offers services using the facilities of the*  
13 *carrier.*

14 (2) *RURAL AREA.—The term “rural area” means*  
15 *any area other than—*

16 (A) *a city, town, or incorporated area that*  
17 *has a population of more than 20,000 inhab-*  
18 *itants; or*

19 (B) *an urbanized area contiguous and adja-*  
20 *cent to a city or town that has a population of*  
21 *more than 50,000 inhabitants.*

22 (b) *RULEMAKING.—*

23 (1) *IN GENERAL.—Not later than 1 year after*  
24 *the date of enactment of this Act, the Commission*  
25 *shall initiate a rulemaking proceeding to assess*  
26 *whether to establish a program, or modify existing*

1        *programs, under which a licensee that receives a li-*  
2        *cence for the exclusive use of spectrum in a specific*  
3        *geographic area under section 301 of the Communica-*  
4        *tions Act of 1934 (47 U.S.C. 301) may partition or*  
5        *disaggregate the license by sale or long-term lease—*

6                *(A) in order to—*

7                        *(i) provide services consistent with the*  
8                        *license; and*

9                        *(ii) make unused spectrum available*  
10                      *to—*

11                                *(I) an unaffiliated covered small*  
12                                *carrier; or*

13                                *(II) an unaffiliated carrier to*  
14                                *serve a rural area; and*

15                *(B) if the Commission finds that such a*  
16        *program would promote—*

17                                *(i) the availability of advanced tele-*  
18                                *communications services in rural areas; or*

19                                *(ii) spectrum availability for covered*  
20                                *small carriers.*

21                *(2) CONSIDERATIONS.—In conducting the rule-*  
22        *making proceeding under paragraph (1), the Commis-*  
23        *sion shall consider, with respect to the program pro-*  
24        *posed to be established under that paragraph—*

1           (A) *whether reduced performance require-*  
2 *ments with respect to spectrum obtained through*  
3 *the program would facilitate deployment of ad-*  
4 *vanced telecommunications services in the areas*  
5 *covered by the program;*

6           (B) *what conditions may be needed on*  
7 *transfers of spectrum under the program to allow*  
8 *covered small carriers that obtain spectrum*  
9 *under the program to build out the spectrum in*  
10 *a reasonable period of time;*

11           (C) *what incentives may be appropriate to*  
12 *encourage licensees to lease or sell spectrum, in-*  
13 *cluding—*

14               (i) *extending the term of a license*  
15 *granted under section 301 of the Commu-*  
16 *nications Act of 1934 (47 U.S.C. 301); or*

17               (ii) *modifying performance require-*  
18 *ments of the license relating to the leased or*  
19 *sold spectrum; and*

20           (D) *the administrative feasibility of—*

21               (i) *the incentives described in subpara-*  
22 *graph (C); and*

23               (ii) *other incentives considered by the*  
24 *Commission that further the goals of this*  
25 *section.*

1           (3) *FORFEITURE OF SPECTRUM.*—*If a party*  
2           *fails to meet any build out requirements set by the*  
3           *Commission for any spectrum sold or leased under*  
4           *this section, the right to the spectrum shall be forfeited*  
5           *to the Commission unless the Commission finds that*  
6           *there is good cause for the failure of the party.*

7           (4) *REQUIREMENT.*—*The Commission may offer*  
8           *a licensee incentives or reduced performance require-*  
9           *ments under this section only if the Commission finds*  
10          *that doing so would likely result in increased avail-*  
11          *ability of advanced telecommunications services in a*  
12          *rural area.*

13 **SEC. 617. UNLICENSED SPECTRUM POLICY.**

14          (a) *STATEMENT OF POLICY.*—*It is the policy of the*  
15          *United States—*

16               (1) *to maximize the benefit to the people of the*  
17               *United States of the spectrum resources of the United*  
18               *States;*

19               (2) *to advance innovation and investment in*  
20               *wireless broadband services; and*

21               (3) *to promote spectrum policy that makes avail-*  
22               *able on an unlicensed basis radio frequency bands to*  
23               *address consumer demand for unlicensed wireless*  
24               *broadband operations.*

1       (b) *COMMISSION RESPONSIBILITIES.*—*The Commis-*  
2 *sion shall ensure that the efforts of the Commission related*  
3 *to spectrum allocation and assignment made available on*  
4 *an unlicensed basis radio frequency bands to address de-*  
5 *mand for unlicensed wireless broadband operations if doing*  
6 *so is, after taking into account the future needs of homeland*  
7 *security, national security, and other spectrum users—*

8               (1) *reasonable; and*

9               (2) *in the public interest.*

10       (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*  
11 *confers any additional rights on unlicensed users or users*  
12 *licensed by rule under part 96 of title 47, Code of Federal*  
13 *Regulations, to protection from harmful interference.*

14 **SEC. 618. NATIONAL PLAN FOR UNLICENSED SPECTRUM.**

15       (a) *DEFINITIONS.*—*In this section:*

16               (1) *SPECTRUM RELOCATION FUND.*—*The term*  
17 *“Spectrum Relocation Fund” means the Fund estab-*  
18 *lished under section 118 of the National Tele-*  
19 *communications and Information Administration Or-*  
20 *ganization Act (47 U.S.C. 928).*

21               (2) *UNLICENSED OR LICENSED BY RULE OPER-*  
22 *ATIONS.*—*The term “unlicensed or licensed by rule*  
23 *operations” means the use of spectrum on a non-ex-*  
24 *clusive basis under—*

1                   (A) *part 15 of title 47, Code of Federal Reg-*  
2                   *ulations; or*

3                   (B) *licensing by rule under part 96 of title*  
4                   *47, Code of Federal Regulations.*

5           (b) *NATIONAL PLAN.*—*Not later than 18 months after*  
6 *the date of enactment of this Act, the Commission, in con-*  
7 *sultation with the NTIA, shall develop a national plan for*  
8 *making additional radio frequency bands available for un-*  
9 *licensed or licensed by rule operations.*

10          (c) *REQUIREMENTS.*—*The plan developed under this*  
11 *section shall—*

12                   (1) *identify an approach that ensures that con-*  
13 *sumers have access to additional spectrum to conduct*  
14 *unlicensed or licensed by rule operations in a range*  
15 *of radio frequencies to meet consumer demand;*

16                   (2) *recommend specific actions by the Commis-*  
17 *sion and the NTIA to permit unlicensed or licensed*  
18 *by rule operations in additional radio frequency*  
19 *ranges that the Commission finds—*

20                           (A) *are consistent with the statement of pol-*  
21 *icy under section 617(a) of this title;*

22                           (B) *will—*

23                                   (i) *expand opportunities for unlicensed*  
24 *or licensed by rule operations in a spectrum*  
25 *band; or*

1                   (ii) otherwise improve spectrum utili-  
2                   zation and intensity of use of bands where  
3                   unlicensed or licensed by rule operations are  
4                   already permitted;

5                   (C) will not cause harmful interference to  
6                   Federal or non-Federal users of such bands; and

7                   (D) will not significantly impact homeland  
8                   security or national security communications  
9                   systems; and

10                  (3) examine additional ways, with respect to ex-  
11                  isting and planned databases or spectrum access sys-  
12                  tems designed to promote spectrum sharing and access  
13                  to spectrum for unlicensed or licensed by rule oper-  
14                  ations—

15                         (A) to improve accuracy and efficacy;

16                         (B) to reduce burdens on consumers, manu-  
17                         facturers, and service providers; and

18                         (C) to protect sensitive Government infor-  
19                         mation.

20                  (d) SPECTRUM RELOCATION FUND.—To be included as  
21                  an appendix as part of the plan developed under this sec-  
22                  tion, the NTIA, in consultation with the Director of the Of-  
23                  fice of Management and Budget, shall share with the Com-  
24                  mission recommendations about how to reform the Spec-  
25                  trum Relocation Fund—



1           (1) *to address costs incurred by Federal entities*  
2 *related to sharing radio frequency bands with radio*  
3 *technologies conducting unlicensed or licensed by rule*  
4 *operations; and*

5           (2) *to ensure the Spectrum Relocation Fund has*  
6 *sufficient funds to cover—*

7                 (A) *the costs described in paragraph (1);*

8                 *and*

9                 (B) *other expenditures allowed of the Spec-*  
10 *trum Relocation Fund under section 118 of the*  
11 *National Telecommunications and Information*  
12 *Administration Organization Act (47 U.S.C.*  
13 *928).*

14         (e) *REPORT REQUIRED.—*

15                 (1) *IN GENERAL.—Not later than 18 months*  
16 *after the date of enactment of this Act, the Commis-*  
17 *sion shall submit to the appropriate committees of*  
18 *Congress a report that describes the plan developed*  
19 *under this section, including any recommendations*  
20 *for legislative change.*

21                 (2) *PUBLICATION ON COMMISSION WEBSITE.—*

22 *Not later than the date on which the Commission sub-*  
23 *mits the report under paragraph (1), the Commission*  
24 *shall make the report publicly available on the website*  
25 *of the Commission.*

1           (f) *RULE OF CONSTRUCTION.*—*Nothing in this section*  
2 *confers any additional rights on unlicensed users or users*  
3 *licensed by rule under part 96 of title 47, Code of Federal*  
4 *Regulations, to protection from harmful interference.*

5 **SEC. 619. SPECTRUM CHALLENGE PRIZE.**

6           (a) *SHORT TITLE.*—*This section may be cited as the*  
7 *“Spectrum Challenge Prize Act”.*

8           (b) *DEFINITION OF PRIZE COMPETITION.*—*In this sec-*  
9 *tion, the term “prize competition” means a prize competi-*  
10 *tion conducted by the Secretary under subsection (c)(1).*

11           (c) *SPECTRUM CHALLENGE PRIZE.*—

12                   (1) *IN GENERAL.*—*The Secretary, in consultation*  
13 *with the Assistant Secretary of Commerce for Com-*  
14 *munications and Information and the Under Sec-*  
15 *retary of Commerce for Standards and Technology,*  
16 *shall, subject to the availability of funds for prize*  
17 *competitions under this section—*

18                           (A) *conduct prize competitions to dramati-*  
19 *cally accelerate the development and commer-*  
20 *cialization of technology that improves spectrum*  
21 *efficiency and is capable of cost-effective deploy-*  
22 *ment; and*

23                           (B) *define a measurable set of performance*  
24 *goals for participants in the prize competitions*  
25 *to demonstrate their solutions on a level playing*

1           *field while making a significant advancement*  
2           *over the current state of the art.*

3           (2) *AUTHORITY OF SECRETARY.*—*In carrying*  
4           *out paragraph (1), the Secretary may—*

5                   (A) *enter into a grant, contract, cooperative*  
6                   *agreement, or other agreement with a private*  
7                   *sector for-profit or nonprofit entity to administer*  
8                   *the prize competitions;*

9                   (B) *invite the Defense Advanced Research*  
10                  *Projects Agency, the Commission, the National*  
11                  *Aeronautics and Space Administration, the Na-*  
12                  *tional Science Foundation, or any other Federal*  
13                  *agency to provide advice and assistance in the*  
14                  *design or administration of the prize competi-*  
15                  *tions; and*

16                  (C) *award not more than \$5,000,000, in the*  
17                  *aggregate, to the winner or winners of the prize*  
18                  *competitions.*

19           (d) *CRITERIA.*—*Not later than 180 days after the date*  
20           *on which funds for prize competitions are made available*  
21           *pursuant to this section, the Commission shall publish a*  
22           *technical paper on spectrum efficiency providing criteria*  
23           *that may be used for the design of the prize competitions.*

1       (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
2 *authorized to be appropriated such sums as may be nec-*  
3 *essary to carry out this section.*

4 **SEC. 620. WIRELESS TELECOMMUNICATIONS TAX AND FEE**  
5 **COLLECTION FAIRNESS.**

6       (a) *SHORT TITLE.*—*This section may be cited as the*  
7 *“Wireless Telecommunications Tax and Fee Collection*  
8 *Fairness Act”.*

9       (b) *DEFINITIONS.*—*In this section:*

10           (1) *FINANCIAL TRANSACTION.*—*The term “finan-*  
11 *cial transaction” means a transaction in which the*  
12 *purchaser or user of a wireless telecommunications*  
13 *service upon whom a tax, fee, or surcharge is imposed*  
14 *gives cash, credit, or any other exchange of monetary*  
15 *value or consideration to the person who is required*  
16 *to collect or remit the tax, fee, or surcharge.*

17           (2) *LOCAL JURISDICTION.*—*The term “local ju-*  
18 *risdiction” means a political subdivision of a State.*

19           (3) *STATE.*—*The term “State” means any of the*  
20 *several States, the District of Columbia, and any ter-*  
21 *ritory or possession of the United States.*

22           (4) *STATE OR LOCAL JURISDICTION.*—*The term*  
23 *“State or local jurisdiction” includes any govern-*  
24 *mental entity or person acting on behalf of a State*

1       or local jurisdiction that has the authority to assess,  
2       impose, levy, or collect taxes or fees.

3               (5) *WIRELESS TELECOMMUNICATIONS SERV-*  
4       *ICE.*—The term “wireless telecommunications service”  
5       means a commercial mobile radio service, as defined  
6       in section 20.3 of title 47, Code of Federal Regula-  
7       tions, or any successor thereto.

8       (c) *FINANCIAL TRANSACTION REQUIREMENT.*—

9               (1) *IN GENERAL.*—A State, or a local jurisdic-  
10       tion of a State, may not require a person who is nei-  
11       ther a resident of such State or local jurisdiction nor  
12       an entity having its principal place of business in  
13       such State or local jurisdiction to collect from, or  
14       remit on behalf of, any other person a State or local  
15       tax, fee, or surcharge imposed on a purchaser or user  
16       with respect to the purchase or use of any wireless  
17       telecommunications service within the State unless the  
18       collection or remittance is in connection with a finan-  
19       cial transaction.

20              (2) *RULE OF CONSTRUCTION.*—Nothing in this  
21       subsection shall be construed to affect the right of a  
22       State or local jurisdiction to require the collection of  
23       any tax, fee, or surcharge in connection with a finan-  
24       cial transaction.

25       (d) *ENFORCEMENT.*—

1           (1) *PRIVATE RIGHT OF ACTION.*—Any person ag-  
2           grieved by a violation of subsection (c) may bring a  
3           civil action in an appropriate district court of the  
4           United States for equitable relief in accordance with  
5           paragraph (2) of this subsection.

6           (2) *JURISDICTION OF DISTRICT COURTS.*—Not-  
7           withstanding section 1341 of title 28, United States  
8           Code, or the constitution or laws of any State, the  
9           district courts of the United States shall have juris-  
10          diction, without regard to the amount in controversy  
11          or citizenship of the parties, to grant such mandatory  
12          or prohibitive injunctive relief, interim equitable re-  
13          lief, and declaratory judgments as may be necessary  
14          to prevent, restrain, or terminate any acts in viola-  
15          tion of subsection (c).

16 **SEC. 621. RULES OF CONSTRUCTION.**

17          (a) *RANGES OF FREQUENCIES.*—Each range of fre-  
18          quencies described in this title shall be construed to be inclu-  
19          sive of the upper and lower frequencies in the range.

20          (b) *ASSESSMENT OF ELECTROMAGNETIC SPECTRUM*  
21 *REALLOCATION.*—Nothing in this title shall be construed to  
22 affect any requirement under section 156 of the National  
23 Telecommunications and Information Administration Or-  
24 ganization Act (47 U.S.C. 921 note), as added by section

1 1062(a) of the National Defense Authorization Act for Fis-  
2 cal Year 2000.

3 **SEC. 622. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF**  
4 **AND JOB CREATION ACT OF 2012.**

5 *Nothing in this title shall be construed to limit, re-*  
6 *strict, or circumvent in any way the implementation of the*  
7 *nationwide public safety broadband network defined in sec-*  
8 *tion 6001 of title VI of the Middle Class Tax Relief and*  
9 *Job Creation Act of 2012 (47 U.S.C. 1401) or any rules*  
10 *implementing that network under title VI of that Act (47*  
11 *U.S.C. 1401 et seq.).*

12 **SEC. 623. NO ADDITIONAL FUNDS AUTHORIZED.**

13 *No additional funds are authorized to be appropriated*  
14 *to carry out this title, or the amendments made by this title.*  
15 *This title, and the amendments made by this title, shall*  
16 *be carried out using amounts otherwise authorized.*

17 ***DIVISION Q—KEVIN AND***  
18 ***AVONTE’S LAW***

19 **SECTION 1. SHORT TITLE.**

20 *This division may be cited as the “Kevin and Avonte’s*  
21 *Law of 2018”.*

1 **TITLE I—MISSING ALZHEIMER’S**  
2 **DISEASE PATIENT ALERT**  
3 **PROGRAM REAUTHORIZATION**

4 **SEC. 101. SHORT TITLE.**

5 *This title may be cited as the “Missing Americans*  
6 *Alert Program Act of 2018”.*

7 **SEC. 102. REAUTHORIZATION OF THE MISSING ALZ-**  
8 **HEIMER’S DISEASE PATIENT ALERT PRO-**  
9 **GRAM.**

10 (a) *AMENDMENTS.—Section 240001 of the Violent*  
11 *Crime Control and Law Enforcement Act of 1994 (34*  
12 *U.S.C. 12621) is amended—*

13 (1) *in the section header, by striking “ALZ-*  
14 *HEIMER’S DISEASE PATIENT” and inserting*  
15 *“AMERICANS”;*

16 (2) *by striking subsection (a) and inserting the*  
17 *following:*

18 *“(a) GRANT PROGRAM TO REDUCE INJURY AND*  
19 *DEATH OF MISSING AMERICANS WITH DEMENTIA AND DE-*  
20 *VELOPMENTAL DISABILITIES.—Subject to the availability*  
21 *of appropriations to carry out this section, the Attorney*  
22 *General, through the Bureau of Justice Assistance and in*  
23 *consultation with the Secretary of Health and Human*  
24 *Services—*



1           “(1) shall award competitive grants to health  
2           care agencies, State and local law enforcement agen-  
3           cies, or public safety agencies and nonprofit organiza-  
4           tions to assist such entities in planning, designing,  
5           establishing, or operating locally based, proactive pro-  
6           grams to prevent wandering and locate missing indi-  
7           viduals with forms of dementia, such as Alzheimer’s  
8           Disease, or developmental disabilities, such as autism,  
9           who, due to their condition, wander from safe envi-  
10          ronments, including programs that—

11                   “(A) provide prevention and response infor-  
12                   mation, including online training resources, and  
13                   referrals to families or guardians of such indi-  
14                   viduals who, due to their condition, wander from  
15                   a safe environment;

16                   “(B) provide education and training, in-  
17                   cluding online training resources, to first re-  
18                   sponders, school personnel, clinicians, and the  
19                   public in order to—

20                           “(i) increase the safety and reduce the  
21                           incidence of wandering of persons, who, due  
22                           to their dementia or developmental disabili-  
23                           ties, may wander from safe environments;

24                           “(ii) facilitate the rescue and recovery  
25                           of individuals who, due to their dementia or

1           *developmental disabilities, wander from safe*  
2           *environments; and*

3           “(iii) recognize and respond to and ap-  
4           *propriately interact with endangered miss-*  
5           *ing individuals with dementia or develop-*  
6           *mental disabilities who, due to their condi-*  
7           *tion, wander from safe environments;*

8           “(C) provide prevention and response train-  
9           *ing and emergency protocols for school adminis-*  
10          *trators, staff, and families or guardians of indi-*  
11          *viduals with dementia, such as Alzheimer’s Dis-*  
12          *ease, or developmental disabilities, such as au-*  
13          *tism, to help reduce the risk of wandering by*  
14          *such individuals; and*

15          “(D) develop, operate, or enhance a notifi-  
16          *cation or communications systems for alerts,*  
17          *advisories, or dissemination of other information*  
18          *for the recovery of missing individuals with*  
19          *forms of dementia, such as Alzheimer’s Disease,*  
20          *or with developmental disabilities, such as au-*  
21          *tism; and*

22          “(2) shall award grants to health care agencies,  
23          *State and local law enforcement agencies, or public*  
24          *safety agencies to assist such agencies in designing,*  
25          *establishing, and operating locative tracking tech-*

1 *nology programs for individuals with forms of demen-*  
2 *tia, such as Alzheimer’s Disease, or children with de-*  
3 *velopmental disabilities, such as autism, who have*  
4 *wandered from safe environments.”;*

5 *(3) in subsection (b)—*

6 *(A) by inserting “competitive” after “to re-*  
7 *ceive a”;*

8 *(B) by inserting “agency or” before “orga-*  
9 *nization” each place it appears; and*

10 *(C) by adding at the end the following:*

11 *“The Attorney General shall periodically solicit*  
12 *applications for grants under this section by*  
13 *publishing a request for applications in the Fed-*  
14 *eral Register and by posting such a request on*  
15 *the website of the Department of Justice.”; and*

16 *(4) by striking subsections (c) and (d) and in-*  
17 *serting the following:*

18 *“(c) PREFERENCE.—In awarding grants under sub-*  
19 *section (a)(1), the Attorney General shall give preference to*  
20 *law enforcement or public safety agencies that partner with*  
21 *nonprofit organizations that appropriately use person-cen-*  
22 *tered plans minimizing restrictive interventions and that*  
23 *have a direct link to individuals, and families of individ-*  
24 *uals, with forms of dementia, such as Alzheimer’s Disease,*  
25 *or developmental disabilities, such as autism.*

1       “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There*  
2 *are authorized to be appropriated to carry out this section*  
3 *\$2,000,000 for each of fiscal years 2018 through 2022.*

4       “(e) *GRANT ACCOUNTABILITY.*—*All grants awarded by*  
5 *the Attorney General under this section shall be subject to*  
6 *the following accountability provisions:*

7               “(1) *AUDIT REQUIREMENT.*—

8                       “(A) *DEFINITION.*—*In this paragraph, the*  
9 *term ‘unresolved audit finding’ means a finding*  
10 *in the final audit report of the Inspector General*  
11 *of the Department of Justice that the audited*  
12 *grantee has utilized grant funds for an unau-*  
13 *thorized expenditure or otherwise unallowable*  
14 *cost that is not closed or resolved within 12*  
15 *months from the date when the final audit report*  
16 *is issued.*

17                       “(B) *AUDITS.*—*Beginning in the first fiscal*  
18 *year beginning after the date of enactment of*  
19 *this subsection, and in each fiscal year there-*  
20 *after, the Inspector General of the Department of*  
21 *Justice shall conduct audits of recipients of*  
22 *grants under this section to prevent waste, fraud,*  
23 *and abuse of funds by grantees. The Inspector*  
24 *General shall determine the appropriate number*  
25 *of grantees to be audited each year.*

1           “(C) *MANDATORY EXCLUSION.*—*A recipient*  
2 *of grant funds under this section that is found*  
3 *to have an unresolved audit finding shall not be*  
4 *eligible to receive grant funds under this section*  
5 *during the first 2 fiscal years beginning after the*  
6 *end of the 12-month period described in subpara-*  
7 *graph (A).*

8           “(D) *PRIORITY.*—*In awarding grants under*  
9 *this section, the Attorney General shall give pri-*  
10 *ority to eligible applicants that did not have an*  
11 *unresolved audit finding during the 3 fiscal*  
12 *years before submitting an application for a*  
13 *grant under this section.*

14           “(E) *REIMBURSEMENT.*—*If an entity is*  
15 *awarded grant funds under this section during*  
16 *the 2-fiscal-year period during which the entity*  
17 *is barred from receiving grants under subpara-*  
18 *graph (C), the Attorney General shall—*

19                   “(i) *deposit an amount equal to the*  
20 *amount of the grant funds that were im-*  
21 *properly awarded to the grantee into the*  
22 *General Fund of the Treasury; and*

23                   “(ii) *seek to recoup the costs of the re-*  
24 *payment to the fund from the grant recipi-*

1           ent that was erroneously awarded grant  
2           funds.

3           “(2) *NONPROFIT ORGANIZATION REQUIRE-*  
4           *MENTS.—*

5           “(A) *DEFINITION OF NONPROFIT ORGANIZA-*  
6           *TION.—For purposes of this paragraph and the*  
7           *grant programs under this section, the term*  
8           *‘nonprofit organization’ means an organization*  
9           *that is described in section 501(c)(3) of the Inter-*  
10           *nal Revenue Code of 1986 and is exempt from*  
11           *taxation under section 501(a) of such Code.*

12           “(B) *PROHIBITION.—The Attorney General*  
13           *may not award a grant under this section to a*  
14           *nonprofit organization that holds money in off-*  
15           *shore accounts for the purpose of avoiding pay-*  
16           *ing the tax described in section 511(a) of the In-*  
17           *ternal Revenue Code of 1986.*

18           “(C) *DISCLOSURE.—Each nonprofit organi-*  
19           *zation that is awarded a grant under this section*  
20           *and uses the procedures prescribed in regulations*  
21           *to create a rebuttable presumption of reasonable-*  
22           *ness for the compensation of its officers, direc-*  
23           *tors, trustees, and key employees, shall disclose to*  
24           *the Attorney General, in the application for the*  
25           *grant, the process for determining such com-*

1           *compensation, including the independent persons in-*  
2           *volved in reviewing and approving such com-*  
3           *ensation, the comparability data used, and con-*  
4           *temporaneous substantiation of the deliberation*  
5           *and decision. Upon request, the Attorney General*  
6           *shall make the information disclosed under this*  
7           *subparagraph available for public inspection.*

8           “(3) *CONFERENCE EXPENDITURES.*—

9                   “(A) *LIMITATION.*—*No amounts made*  
10           *available to the Department of Justice under this*  
11           *section may be used by the Attorney General, or*  
12           *by any individual or entity awarded discre-*  
13           *tionary funds through a cooperative agreement*  
14           *under this section, to host or support any ex-*  
15           *penditure for conferences that uses more than*  
16           *\$20,000 in funds made available by the Depart-*  
17           *ment of Justice, unless the head of the relevant*  
18           *agency or department, provides prior written*  
19           *authorization that the funds may be expended to*  
20           *host the conference.*

21                   “(B) *WRITTEN APPROVAL.*—*Written ap-*  
22           *proval under subparagraph (A) shall include a*  
23           *written estimate of all costs associated with the*  
24           *conference, including the cost of all food, bev-*

1 *erages, audio-visual equipment, honoraria for*  
2 *speakers, and entertainment.*

3 *“(C) REPORT.—The Deputy Attorney Gen-*  
4 *eral shall submit an annual report to the Com-*  
5 *mittee on the Judiciary of the Senate and the*  
6 *Committee on the Judiciary of the House of Rep-*  
7 *resentatives on all conference expenditures ap-*  
8 *proved under this paragraph.*

9 *“(4) ANNUAL CERTIFICATION.—Beginning in the*  
10 *first fiscal year beginning after the date of enactment*  
11 *of this subsection, the Attorney General shall submit,*  
12 *to the Committee on the Judiciary and the Committee*  
13 *on Appropriations of the Senate and the Committee*  
14 *on the Judiciary and the Committee on Appropria-*  
15 *tions of the House of Representatives, an annual cer-*  
16 *tification—*

17 *“(A) indicating whether—*

18 *“(i) all audits issued by the Office of*  
19 *the Inspector General under paragraph (1)*  
20 *have been completed and reviewed by the*  
21 *appropriate Assistant Attorney General or*  
22 *Director;*

23 *“(ii) all mandatory exclusions required*  
24 *under paragraph (1)(C) have been issued;*  
25 *and*



1                   “(iii) all reimbursements required  
2                   under paragraph (1)(E) have been made;  
3                   and

4                   “(B) that includes a list of any grant re-  
5                   cipients excluded under paragraph (1) from the  
6                   previous year.

7                   “(f) PREVENTING DUPLICATIVE GRANTS.—

8                   “(1) IN GENERAL.—Before the Attorney General  
9                   awards a grant to an applicant under this section,  
10                  the Attorney General shall compare potential grant  
11                  awards with other grants awarded by the Attorney  
12                  General to determine if grant awards are or have  
13                  been awarded for a similar purpose.

14                  “(2) REPORT.—If the Attorney General awards  
15                  grants to the same applicant for a similar purpose  
16                  the Attorney General shall submit to the Committee  
17                  on the Judiciary of the Senate and the Committee on  
18                  the Judiciary of the House of Representatives a report  
19                  that includes—

20                         “(A) a list of all such grants awarded, in-  
21                         cluding the total dollar amount of any such  
22                         grants awarded; and

23                         “(B) the reason the Attorney General  
24                         awarded multiple grants to the same applicant  
25                         for a similar purpose.”.

1       (b) *ANNUAL REPORT*.—Not later than 2 years after the  
2 date of enactment of this Act and every year thereafter, the  
3 Attorney General shall submit to the Committee on the Ju-  
4 diciary and the Committee on Appropriations of the Senate  
5 and the Committee on the Judiciary and the Committee on  
6 Appropriations of the House of Representatives a report on  
7 the Missing Americans Alert Program, as amended by sub-  
8 section (a), which shall address—

9           (1) the number of individuals who benefitted  
10 from the Missing Americans Alert Program, including  
11 information such as the number of individuals with  
12 reduced unsafe wandering, the number of people who  
13 were trained through the program, and the estimated  
14 number of people who were impacted by the program;

15           (2) the number of State, local, and tribal law en-  
16 forcement or public safety agencies that applied for  
17 funding under the Missing Americans Alert Program;

18           (3) the number of State, local, and tribal local  
19 law enforcement or public safety agencies that re-  
20 ceived funding under the Missing Americans Alert  
21 Program, including—

22           (A) the number of State, local, and tribal  
23 law enforcement or public safety agencies that  
24 used such funding for training; and

1           (B) the number of State, local, and tribal  
2 law enforcement or public safety agencies that  
3 used such funding for designing, establishing, or  
4 operating locative tracking technology;

5           (4) the companies, including the location (city  
6 and State) of the headquarters and local offices of  
7 each company, for which their locative tracking tech-  
8 nology was used by State, local, and tribal law en-  
9 forcement or public safety agencies;

10           (5) the nonprofit organizations, including the lo-  
11 cation (city and State) of the headquarters and local  
12 offices of each organization, that State, local, and  
13 tribal law enforcement or public safety agencies  
14 partnered with and the result of each partnership;

15           (6) the number of missing children with autism  
16 or another developmental disability with wandering  
17 tendencies or adults with Alzheimer's being served by  
18 the program who went missing and the result of the  
19 search for each such individual; and

20           (7) any recommendations for improving the  
21 Missing Americans Alert Program.

22           (c) *TABLE OF CONTENTS.*—The table of contents in  
23 section 2 of the Violent Crime Control and Law Enforce-  
24 ment Act of 1994 is amended by striking the item relating  
25 to section 240001 and inserting the following:

“Sec. 240001. Missing Americans Alert Program.”.

1           **TITLE II—EDUCATION AND**  
2                           **OUTREACH**

3   **SEC. 201. ACTIVITIES BY THE NATIONAL CENTER FOR MISS-**  
4                           **ING AND EXPLOITED CHILDREN.**

5           *Section 404(b)(1)(H) of the Missing Children’s Assist-*  
6   *ance Act (34 U.S.C. 11293(b)(1)(H)) is amended by insert-*  
7   *ing “, including cases involving children with develop-*  
8   *mental disabilities such as autism” before the semicolon.*

9                           **TITLE III—PRIVACY**  
10                           **PROTECTIONS**

11   **SEC. 301. DEFINITIONS.**

12           *In this title:*

13                   (1) *CHILD.*—*The term “child” means an indi-*  
14   *vidual who is less than 18 years of age.*

15                   (2) *INDIAN TRIBE.*—*The term “Indian tribe” has*  
16   *the meaning given that term in section 4(e) of the In-*  
17   *dian Self-Determination and Education Assistance*  
18   *Act (25 U.S.C. 5304(e)).*

19                   (3) *LAW ENFORCEMENT AGENCY.*—*The term*  
20   *“law enforcement agency” means an agency of a*  
21   *State, unit of local government, or Indian tribe that*  
22   *is authorized by law or by a government agency to*  
23   *engage in or supervise the prevention, detection, in-*  
24   *vestigation, or prosecution of any violation of crimi-*  
25   *nal law.*

1           (4) *NON-INVASIVE AND NON-PERMANENT.*—*The*  
 2 *term “non-invasive and non-permanent” means, with*  
 3 *regard to any technology or device, that the procedure*  
 4 *to install the technology or device does not create an*  
 5 *external or internal marker or implant a device, such*  
 6 *as a microchip, or other trackable items.*

7           (5) *STATE.*—*The term “State” means each of the*  
 8 *50 States, the District of Columbia, the Common-*  
 9 *wealth of Puerto Rico, the United States Virgin Is-*  
 10 *lands, American Samoa, Guam, and the Common-*  
 11 *wealth of the Northern Mariana Islands.*

12           (6) *UNIT OF LOCAL GOVERNMENT.*—*The term*  
 13 *“unit of local government” means a county, munici-*  
 14 *pality, town, township, village, parish, borough, or*  
 15 *other unit of general government below the State level.*

16 **SEC. 302. STANDARDS AND BEST PRACTICES FOR USE OF**  
 17 **NON-INVASIVE AND NON-PERMANENT TRACK-**  
 18 **ING DEVICES.**

19 (a) *ESTABLISHMENT.*—

20           (1) *IN GENERAL.*—*Not later than 180 days after*  
 21 *the date of enactment of this Act, the Attorney Gen-*  
 22 *eral, in consultation with the Secretary of Health and*  
 23 *Human Services and leading research, advocacy, self-*  
 24 *advocacy, and service organizations, shall establish*  
 25 *standards and best practices relating to the use of*

1     *non-invasive and non-permanent tracking technology,*  
2     *where a guardian or parent has determined that a*  
3     *non-invasive and non-permanent tracking device is*  
4     *the least restrictive alternative, to locate individuals*  
5     *as described in subsection (a)(2) of section 240001 of*  
6     *the Violent Crime Control and Law Enforcement Act*  
7     *of 1994 (34 U.S.C. 12621), as added by this Act.*

8             (2) *REQUIREMENTS.—In establishing the stand-*  
9     *ards and best practices required under paragraph (1),*  
10    *the Attorney General shall—*

11             (A) *determine—*

12                 (i) *the criteria used to determine which*  
13                 *individuals would benefit from the use of a*  
14                 *tracking device;*

15                 (ii) *the criteria used to determine who*  
16                 *should have direct access to the tracking*  
17                 *system; and*

18                 (iii) *which non-invasive and non-per-*  
19                 *manent types of tracking devices can be*  
20                 *used in compliance with the standards and*  
21                 *best practices; and*

22             (B) *establish standards and best practices*  
23     *the Attorney General determines are necessary to*  
24     *the administration of a tracking system, includ-*  
25     *ing procedures to—*

1           (i) *safeguard the privacy of the data*  
2           *used by the tracking device such that—*

3                   (I) *access to the data is restricted*  
4                   *to law enforcement and health agencies*  
5                   *determined necessary by the Attorney*  
6                   *General; and*

7                   (II) *collection, use, and retention*  
8                   *of the data is solely for the purpose of*  
9                   *preventing injury to or death of the in-*  
10                  *dividual wearing the tracking device;*

11           (ii) *establish criteria to determine*  
12           *whether use of the tracking device is the*  
13           *least restrictive alternative in order to pre-*  
14           *vent risk of injury or death before issuing*  
15           *the tracking device, including the previous*  
16           *consideration of less restrictive alternatives;*

17           (iii) *provide training for law enforce-*  
18           *ment agencies to recognize signs of abuse*  
19           *during interactions with applicants for*  
20           *tracking devices;*

21           (iv) *protect the civil rights and lib-*  
22           *erties of the individuals who use tracking*  
23           *devices, including their rights under the*  
24           *Fourth Amendment to the Constitution of*  
25           *the United States and title VII of the Civil*

1                   *Rights Act of 1964 (42 U.S.C. 2000e et*  
2                   *seq.);*

3                   *(v) establish a complaint and inves-*  
4                   *tigation process to address—*

5                   *(I) incidents of noncompliance by*  
6                   *recipients of grants under subsection*  
7                   *(a)(2) of section 240001 of the Violent*  
8                   *Crime Control and Law Enforcement*  
9                   *Act of 1994 (34 U.S.C. 12621), as*  
10                  *added by this Act, with the best prac-*  
11                  *tices established by the Attorney Gen-*  
12                  *eral or other applicable law; and*

13                  *(II) use of a tracking device over*  
14                  *the objection of an individual; and*

15                  *(vi) determine the role that State agen-*  
16                  *cies should have in the administration of a*  
17                  *tracking system.*

18                  (3) *EFFECTIVE DATE.*—*The standards and best*  
19                  *practices established pursuant to paragraph (1) shall*  
20                  *take effect 90 days after publication of such standards*  
21                  *and practices by the Attorney General.*

22                  (b) *REQUIRED COMPLIANCE.*—

23                  (1) *IN GENERAL.*—*Each entity that receives a*  
24                  *grant under subsection (a)(2) of section 240001 of the*  
25                  *Violent Crime Control and Law Enforcement Act of*



1       1994 (34 U.S.C. 12621), as added by this Act, shall  
2       comply with any standards and best practices relat-  
3       ing to the use of tracking devices established by the  
4       Attorney General in accordance with subsection (a).

5               (2) *DETERMINATION OF COMPLIANCE.*—The At-  
6       torney General, in consultation with the Secretary of  
7       Health and Human Services, shall determine whether  
8       an entity that receives a grant under subsection  
9       (a)(2) of section 240001 of the Violent Crime Control  
10      and Law Enforcement Act of 1994 (34 U.S.C. 12621),  
11      as added by this Act, acts in compliance with the  
12      standards and best practices described in paragraph  
13      (1).

14              (c) *APPLICABILITY OF STANDARDS AND BEST PRAC-*  
15      *TICES.*—The standards and best practices established by the  
16      Attorney General under subsection (a) shall apply only to  
17      the grant programs authorized under subsection (a)(2) of  
18      section 240001 of the Violent Crime Control and Law En-  
19      forcement Act of 1994 (34 U.S.C. 12621), as added by this  
20      Act.

21              (d) *LIMITATIONS ON PROGRAM.*—

22                      (1) *DATA STORAGE.*—Any tracking data pro-  
23      vided by tracking devices issued under this program  
24      may not be used by a Federal entity to create a data-  
25      base.

1           (2) *VOLUNTARY PARTICIPATION.*—*Nothing in*  
2 *this Act may be construed to require that a parent or*  
3 *guardian use a tracking device to monitor the loca-*  
4 *tion of a child or adult under that parent or guard-*  
5 *ian’s supervision if the parent or guardian does not*  
6 *believe that the use of such device is necessary or in*  
7 *the interest of the child or adult under supervision.*

## 8           ***DIVISION R—TARGET ACT***

### 9   ***SECTION 1. SHORT TITLES.***

10           *This division may be cited as the “Targeted Rewards*  
11 *for the Global Eradication of Human Trafficking” or the*  
12 *“TARGET Act”.*

### 13   ***SEC. 2. FINDINGS; SENSE OF CONGRESS.***

14           (a) *FINDINGS.*—*Congress finds the following:*

15           (1) *Trafficking in persons is a major*  
16 *transnational crime, as recognized by the Trafficking*  
17 *Victims Protection Act of 2000 (22 U.S.C. 7101 et*  
18 *seq.; division A of Public Law 106–386).*

19           (2) *Trafficking in persons is increasingly per-*  
20 *petrated by organized, sophisticated criminal enter-*  
21 *prises.*

22           (3) *Combating trafficking in persons requires a*  
23 *global approach to identifying and apprehending the*  
24 *world’s worst human trafficking rings.*

1           **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*  
2 *that the Department of State’s rewards program is a power-*  
3 *ful tool in combating sophisticated international crime and*  
4 *that the Department of State and Federal law enforcement*  
5 *should work in concert to offer rewards that target human*  
6 *traffickers who prey on the most vulnerable people around*  
7 *the world.*

8   **SEC. 3. REWARDS FOR JUSTICE.**

9           *Section 36(k)(5) of the State Department Basic Au-*  
10 *thorities Act of 1956 (22 U.S.C. 2708(k)(5)) is amended—*

11                   (1) *in the matter preceding subparagraph (A),*  
12 *by striking “means”;*

13                   (2) *by redesignating subparagraphs (A) and (B)*  
14 *as clauses (i) and (ii), respectively, and moving such*  
15 *clauses, as redesignated, 2 ems to the right;*

16                   (3) *by inserting before clause (i), as redesignated,*  
17 *the following:*

18                                 “(A) means—”;

19                   (4) *in clause (ii), as redesignated, by striking the*  
20 *period at the end and inserting “; and”;* and

21                   (5) *by adding at the end following:*

22                                 “(B) includes severe forms of trafficking in  
23                                 persons (as defined in section 103 of the Traf-  
24                                 ficking Victims Protection Act of 2000 (22

1           U.S.C. 7102)) involving at least 1 jurisdiction  
2           outside of the United States.”.

3           ***DIVISION S—OTHER MATTER***  
4           ***TITLE I—CHILD PROTECTION***  
5           ***IMPROVEMENTS ACT***

6   ***SEC. 101. NATIONAL CRIMINAL HISTORY BACKGROUND***  
7           ***CHECK AND CRIMINAL HISTORY REVIEW PRO-***  
8           ***GRAM.***

9           (a) *IN GENERAL.*—*The National Child Protection Act*  
10 *of 1993 (34 U.S.C. 40101 et seq.) is amended—*

11           (1) *in section 3 (34 U.S.C. 40102)—*

12           (A) *by striking “provider” each place it ap-*  
13 *pears and inserting “covered individual”;*

14           (B) *by striking “provider’s” each place it*  
15 *appears and inserting “covered individual’s”;*

16           (C) *by amending subsection (a)(3) to read*  
17 *as follows:*

18           “(3)(A) *The Attorney General shall establish a pro-*  
19 *gram, in accordance with this section, to provide qualified*  
20 *entities located in States that do not have in effect proce-*  
21 *dures described in paragraph (1), or qualified entities lo-*  
22 *cated in States that do not prohibit the use of the program*  
23 *established under this paragraph, with access to national*  
24 *criminal history background checks on, and criminal his-*  
25 *tory reviews of, covered individuals. In any case where the*

1 *use of a Federal national criminal history background check*  
2 *program is required pursuant to Federal law as of the effec-*  
3 *tive date of this subparagraph, the program under this sub-*  
4 *paragraph may not be used.*

5       “(B) *A qualified entity described in subparagraph (A)*  
6 *may submit to the appropriate designated entity a request*  
7 *for a national criminal history background check on, and*  
8 *a criminal history review of, a covered individual. Quali-*  
9 *fied entities making a request under this paragraph shall*  
10 *comply with the guidelines set forth in subsection (b), and*  
11 *with any additional applicable procedures set forth by the*  
12 *Attorney General or by the State in which the entity is lo-*  
13 *cated.*”;

14                       *(D) in subsection (b)—*

15                               *(i) in paragraph (1)(E), by striking*  
16                               *“unsupervised”;*

17                               *(ii) by amending paragraph (2) to*  
18                               *read as follows:*

19                       “(2) *that the State, or in a State that does not*  
20 *have in effect procedures described in subsection*  
21 *(a)(1), the designated entity, ensures that—*

22                               *(A) each covered individual who is the sub-*  
23 *ject of a background check under subsection (a)*  
24 *is entitled to obtain a copy of any background*  
25 *check report;*

1           “(B) each covered individual who is the  
2           subject of a background check under subsection  
3           (a) is provided a process by which the covered  
4           individual may appeal the results of the back-  
5           ground check to challenge the accuracy or com-  
6           pleteness of the information contained in the  
7           background report of the covered individual and  
8           obtain a prompt determination as to the validity  
9           of such challenge before a final determination is  
10          made by the authorized agency;

11           “(C)(i) each covered individual described in  
12          subparagraph (B) is given notice of the oppor-  
13          tunity to appeal;

14           “(ii) each covered individual described in  
15          subparagraph (B) will receive instructions on  
16          how to complete the appeals process if the cov-  
17          ered individual wishes to challenge the accuracy  
18          or completeness of the information contained in  
19          the background report of the covered individual;  
20          and

21           “(iii) the appeals process is completed in a  
22          timely manner for each covered individual de-  
23          scribed in subparagraph (B);

1           “(iv) the appeals process is consistent with  
2 title VII of the Civil Rights Act of 1964 (42  
3 U.S.C. 2000e et seq.); and

4           “(D) an authorized agency, upon receipt of  
5 a background check report lacking disposition  
6 data, shall conduct research in whatever State  
7 and local recordkeeping systems are available in  
8 order to obtain complete data;”;

9           (iii) in paragraph (3), by inserting  
10 “or designated entity, as applicable,” after  
11 “authorized agency”; and

12           (iv) in paragraph (4), by inserting “or  
13 designated entity, as applicable,” after “au-  
14 thorized agency”;

15           (E) in subsection (d), by inserting “, nor  
16 shall any designated entity nor any officer or  
17 employee thereof;” after “officer or employee  
18 thereof;”;

19           (F) by amending subsection (e) to read as  
20 follows:

21           “(e) FEES.—

22           “(1) STATE PROGRAM.—In the case of a back-  
23 ground check conducted pursuant to a State require-  
24 ment adopted after December 20, 1993, conducted  
25 with fingerprints on a covered individual, the fees col-

1       lected by authorized State agencies and the Federal  
2       Bureau of Investigation may not exceed the actual  
3       cost of the background check conducted with finger-  
4       prints.

5           “(2) *FEDERAL PROGRAM.*—In the case of a na-  
6       tional criminal history background check and crimi-  
7       nal history review conducted pursuant to the proce-  
8       dures established pursuant to subsection (a)(3), the  
9       fees collected by a designated entity shall be set at a  
10      level that will ensure the recovery of the full costs of  
11      providing all such services. The designated entity  
12      shall remit the appropriate portion of such fee to the  
13      Attorney General, which amount is in accordance  
14      with the amount published in the Federal Register to  
15      be collected for the provision of a criminal history  
16      background check by the Federal Bureau of Investiga-  
17      tion.

18           “(3) *ENSURING FEES DO NOT DISCOURAGE VOL-*  
19      *UNTEERS.*—A fee system under this subsection shall  
20      be established in a manner that ensures that fees to  
21      qualified entities for background checks do not dis-  
22      courage volunteers from participating in programs to  
23      care for children, the elderly, or individuals with dis-  
24      abilities. A fee charged to a qualified entity that is  
25      not organized under section 501(c)(3) of the Internal



1 *Revenue Code of 1986 may not be less than the total*  
2 *sum of the costs of the Federal Bureau of Investiga-*  
3 *tion and the designated entity.”; and*

4 *(G) by inserting after subsection (e) the fol-*  
5 *lowing:*

6 *“(f) NATIONAL CRIMINAL HISTORY BACKGROUND*  
7 *CHECK AND CRIMINAL HISTORY REVIEW PROGRAM.—*

8 *“(1) NATIONAL CRIMINAL HISTORY BACKGROUND*  
9 *CHECK.—Upon a designated entity receiving notice of*  
10 *a request submitted by a qualified entity pursuant to*  
11 *subsection (a)(3), the designated entity shall forward*  
12 *the request to the Attorney General, who shall, acting*  
13 *through the Director of the Federal Bureau of Inves-*  
14 *tigation, complete a fingerprint-based check of the na-*  
15 *tional criminal history background check system, and*  
16 *provide the information received in response to such*  
17 *national criminal history background check to the ap-*  
18 *propriate designated entity. The designated entity*  
19 *may, upon request from a qualified entity, complete*  
20 *a check of a State criminal history database.*

21 *“(2) CRIMINAL HISTORY REVIEW.—*

22 *“(A) DESIGNATED ENTITIES.—The Attorney*  
23 *General shall designate, and enter into an agree-*  
24 *ment with, one or more entities to make deter-*  
25 *minations described in subparagraph (B). The*

1        *Attorney General may not designate and enter*  
2        *into an agreement with a Federal agency under*  
3        *this subparagraph.*

4                “(B) *DETERMINATIONS.*—*A designated enti-*  
5        *ty shall, upon the receipt of the information de-*  
6        *scribed in paragraph (1), make a determination*  
7        *of fitness described in subsection (b)(4), using the*  
8        *criteria described in subparagraph (C).*

9                “(C) *CRIMINAL HISTORY REVIEW CRI-*  
10        *TERIA.*—*The Attorney General shall, by rule, es-*  
11        *tablish the criteria for use by designated entities*  
12        *in making a determination of fitness described*  
13        *in subsection (b)(4). Such criteria shall be based*  
14        *on the criteria established pursuant to section*  
15        *108(a)(3)(G)(i) of the Prosecutorial Remedies*  
16        *and Other Tools to end the Exploitation of Chil-*  
17        *dren Today Act of 2003 (34 U.S.C. 40102 note)*  
18        *and section 658H of the Child Care and Develop-*  
19        *ment Block Grant Act of 1990 (42 U.S.C.*  
20        *9858f).”; and*

21        *(2) in section 5 (34 U.S.C. 40104)—*

22                *(A) by amending paragraph (9) to read as*  
23        *follows:*

24                “(9) *the term ‘covered individual’ means an in-*  
25        *dividual—*

1           “(A) who has, seeks to have, or may have  
2           access to children, the elderly, or individuals  
3           with disabilities, served by a qualified entity;  
4           and

5           “(B) who—

6                   “(i) is employed by or volunteers with,  
7                   or seeks to be employed by or volunteer  
8                   with, a qualified entity; or

9                   “(ii) owns or operates, or seeks to own  
10                  or operate, a qualified entity;”;

11           (B) in paragraph (10), by striking “and”  
12           at the end;

13           (C) in paragraph (11), by striking the pe-  
14           riod at the end and inserting “; and”; and

15           (D) by inserting after paragraph (11) the  
16           following:

17                   “(12) the term ‘designated entity’ means an enti-  
18           ty designated by the Attorney General under section  
19           3(f)(2)(A).”.

20           (b) *IMPLEMENTATION.*—The Attorney General shall  
21           ensure that this section and the amendments made by this  
22           section are fully implemented not later than 1 year after  
23           the date of enactment of this section.

1           **TITLE II—SAVE AMERICA’S**  
2                           **PASTIME ACT**

3   **SEC. 201. APPLICATION OF THE FAIR LABOR STANDARDS**  
4                           **ACT OF 1938 TO MINOR LEAGUE BASEBALL**  
5                           **PLAYERS.**

6           (a) *IN GENERAL.*—Section 13(a) of the Fair Labor  
7 Standards Act of 1938 (29 U.S.C. 213(a)) is amended—

8                   (1) *in paragraph (18), by striking the period*  
9                   *and inserting “; or”; and*

10                  (2) *by adding at the end the following:*

11                   “(19) *any employee employed to play baseball*  
12                   *who is compensated pursuant to a contract that pro-*  
13                   *vides for a weekly salary for services performed dur-*  
14                   *ing the league’s championship season (but not spring*  
15                   *training or the off season) at a rate that is not less*  
16                   *than a weekly salary equal to the minimum wage*  
17                   *under section 6(a) for a workweek of 40 hours, irre-*  
18                   *spective of the number of hours the employee devotes*  
19                   *to baseball related activities.”.*

20           (b) *EFFECTIVE DATE.*—*This section, and the amend-*  
21 *ments made by this section, shall take effect on the date*  
22 *of enactment of this Act.*

1                   **TITLE III—KEEP YOUNG**  
2                   **ATHLETES SAFE ACT**

3 **SEC. 301. SHORT TITLE.**

4           *This title may be cited as the “Keep Young Athletes*  
5 *Safe Act of 2018”.*

6 **SEC. 302. GRANT TO PROTECT YOUNG ATHLETES FROM**  
7                   **ABUSE.**

8           *(a) IN GENERAL.—Chapter 2205 of title 36, United*  
9 *States Code, is amended by adding at the end the following:*

10           **“SUBCHAPTER III—GRANT TO KEEP YOUNG**  
11                   **ATHLETES SAFE**

12 **“§ 220531. Grant to protect young athletes from abuse**

13           *“(a) AUTHORITY.—The Attorney General may award*  
14 *a grant to an eligible nonprofit nongovernmental entity in*  
15 *order to support oversight of the United States Olympic*  
16 *Committee, each national governing body, and each*  
17 *paralympic sports organization with regard to safe-*  
18 *guarding amateur athletes against abuse, including emo-*  
19 *tional, physical, and sexual abuse in sports.*

20           *“(b) APPLICATIONS.—To be eligible to receive a grant*  
21 *under this section, a nonprofit nongovernmental entity*  
22 *shall submit an application to the Attorney General at such*  
23 *time, in such manner, and containing such information as*  
24 *the Attorney General may require, including information*  
25 *that demonstrates that the entity has—*

1           “(1) *nationally recognized expertise in pre-*  
2           *venting and investigating emotional, physical, and*  
3           *sexual abuse in the athletic programs of the United*  
4           *States Olympic Committee, each national governing*  
5           *body, and each paralympic sports organization; and*

6           “(2) *the capacity to oversee regular and random*  
7           *audits to ensure that the policies and procedures used*  
8           *by the United States Olympic Committee, each na-*  
9           *tional governing body, and each paralympic sports*  
10          *organization to prevent and identify the abuse of an*  
11          *amateur athlete are followed correctly.*

12          “(c) *USE OF GRANT AMOUNT.—An entity that receives*  
13          *a grant under this section may use such funds—*

14                 “(1) *to develop and test new training materials*  
15                 *for emotional, physical, and sexual abuse prevention*  
16                 *and identification education in youth athletic pro-*  
17                 *grams;*

18                 “(2) *for staff salaries, travel expenses, equip-*  
19                 *ment, printing, and other reasonable expenses nec-*  
20                 *essary to develop, maintain, and disseminate to the*  
21                 *United States Olympic Committee, each national gov-*  
22                 *erning body, each paralympic sports organization,*  
23                 *and other amateur sports organizations information*  
24                 *about safeguarding amateur athletes against abuse,*

1 *including emotional, physical, and sexual abuse in*  
 2 *sports; and*

3 *“(3) to oversee the administration of the proce-*  
 4 *dures described in subsection (b)(2).*

5 *“(d) AUTHORIZATION OF APPROPRIATIONS.—*

6 *“(1) IN GENERAL.—There is authorized to be ap-*  
 7 *propriated to carry out this section \$2,500,000 for*  
 8 *each of the fiscal years 2018 through 2022.*

9 *“(2) AVAILABILITY OF GRANT FUNDS.—Funds*  
 10 *appropriated under this section shall remain avail-*  
 11 *able until expended.”.*

12 *(b) CLERICAL AMENDMENT.—The table of sections for*  
 13 *chapter 2205 of title 36, United States Code, is amended*  
 14 *by inserting after the item related to section 220529 the fol-*  
 15 *lowing:*

*“SUBCHAPTER III—GRANT TO KEEP YOUNG ATHLETES SAFE*

*“220531. Grant to protect young athletes from abuse.”.*

16 **TITLE IV—CONSENT OF CON-**  
 17 **GRESS TO AMENDMENTS TO**  
 18 **THE CONSTITUTION OF THE**  
 19 **STATE OF ARIZONA**

20 **SEC. 401. CONSENT OF CONGRESS TO AMENDMENTS TO**  
 21 **THE CONSTITUTION OF THE STATE OF ARI-**  
 22 **ZONA.**

23 *Congress consents to the amendments to the Constitu-*  
 24 *tion of the State of Arizona proposed by House Concurrent*

1 *Resolution 2001 of the 52nd Legislature of the State of Ari-*  
 2 *zona, First Special Session, 2015, entitled “A Concurrent*  
 3 *Resolution Proposing an Amendment to the Constitution of*  
 4 *Arizona; Amending Article X, Section 7, Constitution of*  
 5 *Arizona; Amending Article XI, Constitution of Arizona, by*  
 6 *Adding Section 11; Relating to Education Finance”, ap-*  
 7 *proved by the voters of the State of Arizona at the special*  
 8 *election held on May 17, 2016.*

9                   **TITLE V—STOP SCHOOL**  
 10                   **VIOLENCE ACT**

11 **SEC. 501. SHORT TITLE.**

12           *This title may be cited as the “Student, Teachers, and*  
 13 *Officers Preventing School Violence Act of 2018” or the*  
 14 *“STOP School Violence Act of 2018”.*

15 **SEC. 502. GRANT PROGRAM FOR SCHOOL SECURITY.**

16           *Part AA of title I of the Omnibus Crime Control and*  
 17 *Safe Streets Act of 1968 (34 U.S.C. 10551 et seq.) is amend-*  
 18 *ed—*

19                   *(1) in section 2701 (34 U.S.C. 10551)—*

20                           *(A) by striking subsection (a) and inserting*  
 21                   *the following:*

22           *“(a) IN GENERAL.—*

23                   *“(1) COPS GRANTS.—The Director of the Office*  
 24 *of Community Oriented Policing Services (referred to*  
 25 *in this part as the ‘COPS Director’) is authorized to*



1       *make grants to States, units of local government, and*  
2       *Indian tribes for the purposes described in para-*  
3       *graphs (5) through (9) of subsection (b).*

4               “(2) *BJA GRANTS.*—*The Director of the Bureau*  
5       *of Justice Assistance (referred to in this part as the*  
6       *‘BJA Director’)* is authorized to make grants to  
7       *States, units of local government, and Indian tribes*  
8       *for the purposes described in paragraphs (1) through*  
9       *(4) of subsection (b).”;*

10               *(B) in subsection (b)—*

11                       *(i) in the matter preceding paragraph*  
12                       *(1), by inserting “evidence-based school safe-*  
13                       *ty programs that may include” after*  
14                       *“through”; and*

15                       *(ii) by striking paragraphs (1) through*  
16                       *(6) and inserting the following:*

17               “(1) *Training school personnel and students to*  
18       *prevent student violence against others and self.*

19               “(2) *The development and operation of anony-*  
20       *mous reporting systems for threats of school violence,*  
21       *including mobile telephone applications, hotlines, and*  
22       *Internet websites.*

23               “(3) *The development and operation of—*

24                       *“(A) school threat assessment and interven-*  
25                       *tion teams that may include coordination with*

1           *law enforcement agencies and school personnel;*  
2           *and*

3                   “(B) *specialized training for school officials*  
4                   *in responding to mental health crises.*

5                   “(4) *Any other measure that, in the determina-*  
6                   *tion of the BJA Director, may provide a significant*  
7                   *improvement in training, threat assessments and re-*  
8                   *porting, and violence prevention.*

9                   “(5) *Coordination with local law enforcement.*

10                   “(6) *Training for local law enforcement officers*  
11                   *to prevent student violence against others and self.*

12                   “(7) *Placement and use of metal detectors, locks,*  
13                   *lighting, and other deterrent measures.*

14                   “(8) *Acquisition and installation of technology*  
15                   *for expedited notification of local law enforcement*  
16                   *during an emergency.*

17                   “(9) *Any other measure that, in the determina-*  
18                   *tion of the COPS Director, may provide a significant*  
19                   *improvement in security.”;*

20                   (C) *by redesignating subsections (c) through*  
21                   *(f) as subsections (e) through (h), respectively;*

22                   (D) *by inserting after subsection (b) the fol-*  
23                   *lowing:*

24                   “(c) *CONTRACTS AND SUBAWARDS.—A State, unit of*  
25                   *local government, or Indian tribe may, in using a grant*

1 *under this part for purposes authorized under subsection*  
2 *(b), use the grant to contract with or make 1 or more sub-*  
3 *awards to 1 or more—*

4           “(1) *local educational agencies;*

5           “(2) *nonprofit organizations, excluding schools;*

6       *or*

7           “(3) *units of local government or tribal organi-*  
8 *zations.*

9       “(d) *SERVICES AND BENEFITS FOR SCHOOLS.—An en-*  
10 *tity that receives a subaward or contract under subsection*  
11 *(c) may use such funds to provide services or benefits de-*  
12 *scribed under subsection (b) to 1 or more schools.”;*

13           *(E) in subsection (e), as so redesignated—*

14           *(i) by striking “Director” and insert-*  
15 *ing “COPS Director and the BJA Direc-*  
16 *tor”;*

17           *(ii) by striking “and has” and insert-*  
18 *ing “has”; and*

19           *(iii) by inserting before the period at*  
20 *the end the following: “, and will use evi-*  
21 *dence-based strategies and programs, such*  
22 *as those identified by the Comprehensive*  
23 *School Safety Initiative of the Department*  
24 *of Justice”;*

25           *(F) in subsection (f), as so redesignated—*

1           (i) in paragraph (1), by striking “50  
2           percent” and inserting “75 percent”; and

3           (ii) in paragraph (3), by striking “Di-  
4           rector may” and inserting “COPS Director  
5           and the BJA Director may each”;

6           (G) in subsection (g), as so redesignated, by  
7           striking “Director shall” and inserting “COPS  
8           Director and the BJA shall each”; and

9           (H) in subsection (h), as so redesignated, by  
10          striking “Director may” and inserting “COPS  
11          Director and the BJA Director may each”;

12          (2) in section 2702 (34 U.S.C. 10552)—

13               (A) in subsection (a)—

14                       (i) in the matter preceding paragraph  
15                       (1)—

16                               (I) by striking “the Director” the  
17                               first place it appears and inserting  
18                               “the COPS Director or the BJA Direc-  
19                               tor, as the case may be,”; and

20                               (II) by striking “the Director  
21                               may” and inserting “the COPS Direc-  
22                               tor or the BJA Director may”;

23                       (ii) in paragraph (1)(B), by striking  
24                       “and” at the end;

25                       (iii) in paragraph (2)—

1           (I) in the matter preceding sub-  
2           paragraph (A), by striking “child psy-  
3           chologists” and inserting “licensed  
4           mental health professionals”; and

5           (II) in subparagraph (B), by  
6           striking the period at the end and in-  
7           serting a semicolon; and

8           (iv) by adding at the end the following:

9           “(3) include an assurance that the applicant  
10          shall maintain and report such data, records, and in-  
11          formation (programmatic and financial) as the  
12          COPS Director or the BJA Director may reasonably  
13          require;

14          “(4) include a certification, made in a form ac-  
15          ceptable to the COPS Director or the BJA Director,  
16          as the case may be, that—

17               “(A) the programs to be funded by the grant  
18               meet all the requirements of this part;

19               “(B) all the information contained in the  
20               application is correct; and

21               “(C) the applicant will comply with all  
22               provisions of this part and all other applicable  
23               Federal laws.”; and

24           (B) in subsection (b)—

1                   (i) by striking “this part” and insert-  
2                   ing “the STOP School Violence Act of  
3                   2018”; and

4                   (ii) by striking “Director shall” and  
5                   inserting “COPS Director and the BJA Di-  
6                   rector shall each”;

7                   (3) in section 2703 (34 U.S.C. 10553)—

8                   (A) in the section heading, by inserting  
9                   after “**CONGRESS**” the following: “; **GRANT**  
10                  **ACCOUNTABILITY**”;

11                  (B) by striking “Not later” and inserting  
12                  the following:

13                  “(a) **ANNUAL REPORT**.—Not later”;

14                  (C) by striking “Director shall” and insert-  
15                  ing “COPS Director and the BJA Director shall  
16                  each”; and

17                  (D) by adding at the end the following:

18                  “(b) **GRANT ACCOUNTABILITY**.—Section 3026 (relating  
19                  to grant accountability) shall apply to grants awarded by  
20                  the COPS Director and the BJA Director under this part.  
21                  For purposes of the preceding sentence, any references in  
22                  section 3026 to the Attorney General shall be considered ref-  
23                  erences to the COPS Director or the BJA Director, as ap-  
24                  propriate, and any references in that section to part LL  
25                  shall be considered references to part AA.”;

- 1           (4) *in section 2704 (34 U.S.C. 10554)—*
- 2                 (A) *in paragraph (1)—*
- 3                     (i) *by striking “a public” and insert-*  
4                     *ing “an”; and*
- 5                     (ii) *by inserting “, including a Bu-*  
6                     *reau-funded school (as defined in section*  
7                     *1141 of the Education Amendments of 1978*  
8                     *(25 U.S.C. 2021))” after “secondary*  
9                     *school”;*
- 10                 (B) *in paragraph (2), by striking “and” at*  
11                 *the end;*
- 12                 (C) *in paragraph (3), by striking the period*  
13                 *at the end and inserting a semicolon; and*
- 14                 (D) *by adding at the end the following:*
- 15                     “(4) *the term ‘evidence-based’ means a program,*  
16                     *practice, technology, or equipment that—*
- 17                         “(A) *demonstrates a statistically significant*  
18                         *effect on relevant outcomes based on—*
- 19                             “(i) *strong evidence from not less than*  
20                             *1 well-designed and well-implemented ex-*  
21                             *perimental study;*
- 22                             “(ii) *moderate evidence from not less*  
23                             *than 1 well-designed and well-implemented*  
24                             *quasi-experimental study; or*

1                   “(iii) promising evidence from not less  
2                   than 1 well-designed and well-implemented  
3                   correlational study with statistical controls  
4                   for selection bias;

5                   “(B) demonstrates a rationale based on  
6                   high-quality research findings or positive evalua-  
7                   tion that such program, practice, technology, or  
8                   equipment is likely to improve relevant out-  
9                   comes, and includes ongoing efforts to examine  
10                  the effects of the program, practice, technology,  
11                  or equipment; or

12                  “(C) in the case of technology or equipment,  
13                  demonstrates that use of the technology or equip-  
14                  ment is—

15                   “(i) consistent with best practices for  
16                   school security, including—

17                           “(I) applicable standards for  
18                           school security established by a Federal  
19                           or State government agency; and

20                           “(II) findings and recommenda-  
21                           tions of public commissions and task  
22                           forces established to make recommenda-  
23                           tions or set standards for school secu-  
24                           rity; and



1           “(ii) *compliant with all applicable*  
2           *codes, including building and life safety*  
3           *codes; and*

4           “(5) *the term ‘tribal organization’ has the same*  
5           *meaning given the term in section 4(l) of the Indian*  
6           *Self-Determination and Education Assistance Act (25*  
7           *U.S.C. 5304(l)).’;*”;

8           (5) *by striking section 2705 and inserting the*  
9           *following:*

10 **“SEC. 2705. AUTHORIZATION OF APPROPRIATIONS.**

11           “(a) *IN GENERAL.—There are authorized to be appro-*  
12           *priated—*

13           “(1) *\$75,000,000 for fiscal year 2018, of which—*

14           “(A) *\$50,000,000 shall be made available to*  
15           *the BJA Director to carry out this part; and*

16           “(B) *\$25,000,000 shall be made available to*  
17           *the COPS Director to carry out this part; and*

18           “(2) *\$100,000,000 for each of fiscal years 2019*  
19           *through 2028, of which, for each fiscal year—*

20           “(A) *\$67,000,000 shall be made available to*  
21           *the BJA Director to carry out this part; and*

22           “(B) *\$33,000,000 shall be made available to*  
23           *the COPS Director to carry out this part.*

24           “(b) *OFFSET.—Any funds appropriated for the Com-*  
25           *prehensive School Safety Initiative of the National Institute*

1 *of Justice in fiscal year 2018 shall instead be used for the*  
 2 *purposes in subsection (a).”; and*

3 *(6) by adding at the end the following:*

4 **“SEC. 2706. RULES OF CONSTRUCTION.**

5 *“(a) NO FUNDS TO PROVIDE FIREARMS OR TRAIN-*  
 6 *ING.—No amounts provided as a grant under this part may*  
 7 *be used for the provision to any person of a firearm or*  
 8 *training in the use of a firearm.*

9 *“(b) NO EFFECT ON OTHER LAWS.—Nothing in this*  
 10 *part may be construed to preclude or contradict any other*  
 11 *provision of law authorizing the provision of firearms or*  
 12 *training in the use of firearms.”.*

13 **TITLE VI—FIX NICS ACT**

14 **SEC. 601. SHORT TITLE.**

15 *This title may be cited as the “Fix NICS Act of 2018”.*

16 **SEC. 602. ACCOUNTABILITY FOR FEDERAL DEPARTMENTS**  
 17 **AND AGENCIES.**

18 *Section 103 of the Brady Handgun Violence Preven-*  
 19 *tion Act (34 U.S.C. 40901) is amended—*

20 *(1) in subsection (e)(1), by adding at the end the*  
 21 *following:*

22 *“(F) SEMIANNUAL CERTIFICATION AND RE-*  
 23 *PORTING.—*

24 *“(i) IN GENERAL.—The head of each*  
 25 *Federal department or agency shall submit*

1           *a semiannual written certification to the*  
2           *Attorney General indicating whether the de-*  
3           *partment or agency is in compliance with*  
4           *the record submission requirements under*  
5           *subparagraph (C).*

6           “(ii) *SUBMISSION DATES.*—*The head of*  
7           *a Federal department or agency shall sub-*  
8           *mit a certification to the Attorney General*  
9           *under clause (i)—*

10           “(I) *not later than July 31 of*  
11           *each year, which shall address all rel-*  
12           *evant records, including those that*  
13           *have not been transmitted to the Attor-*  
14           *ney General, in possession of the de-*  
15           *partment or agency during the period*  
16           *beginning on January 1 of the year*  
17           *and ending on June 30 of the year;*  
18           *and*

19           “(II) *not later than January 31*  
20           *of each year, which shall address all*  
21           *relevant records, including those that*  
22           *have not been transmitted to the Attor-*  
23           *ney General, in possession of the de-*  
24           *partment or agency during the period*  
25           *beginning on July 1 of the previous*

1                    *year and ending on December 31 of the*  
2                    *previous year.*

3                    “(iii) *CONTENTS.*—*A certification re-*  
4                    *quired under clause (i) shall state, for the*  
5                    *applicable period—*

6                                       “(I) *the total number of records of*  
7                                       *the Federal department or agency dem-*  
8                                       *onstrating that a person falls within*  
9                                       *one of the categories described in sub-*  
10                                       *section (g) or (n) of section 922 of title*  
11                                       *18, United States Code;*

12                                       “(II) *for each category of records*  
13                                       *described in subclause (I), the total*  
14                                       *number of records of the Federal de-*  
15                                       *partment or agency that have been*  
16                                       *provided to the Attorney General; and*

17                                       “(III) *the efforts of the Federal de-*  
18                                       *partment or agency to ensure complete*  
19                                       *and accurate reporting of relevant*  
20                                       *records, including efforts to monitor*  
21                                       *compliance and correct any reporting*  
22                                       *failures or inaccuracies.*

23                    “(G) *IMPLEMENTATION PLAN.*—

24                                       “(i) *IN GENERAL.*—*Not later than 1*  
25                                       *year after the date of enactment of this sub-*

1           *paragraph, the head of each Federal depart-*  
2           *ment or agency, in coordination with the*  
3           *Attorney General, shall establish a plan to*  
4           *ensure maximum coordination and auto-*  
5           *mated reporting or making available of*  
6           *records to the Attorney General as required*  
7           *under subparagraph (C), and the*  
8           *verification of the accuracy of those records,*  
9           *including the pre-validation of those*  
10          *records, where appropriate, during a 4-year*  
11          *period specified in the plan. The records*  
12          *shall be limited to those of an individual*  
13          *described in subsection (g) or (n) of section*  
14          *922 of title 18, United States Code.*

15                 “(i) *BENCHMARK REQUIREMENTS.—*  
16                 *Each plan established under clause (i) shall*  
17                 *include annual benchmarks to enable the*  
18                 *Attorney General to assess implementation*  
19                 *of the plan, including—*

20                         “(I) *qualitative goals and quan-*  
21                         *titative measures;*

22                         “(II) *measures to monitor inter-*  
23                         *nal compliance, including any report-*  
24                         *ing failures and inaccuracies;*

1                   “(III) a needs assessment, includ-  
2                   ing estimated compliance costs; and

3                   “(IV) an estimated date by which  
4                   the Federal department or agency will  
5                   fully comply with record submission  
6                   requirements under subparagraph (C).

7                   “(iii) COMPLIANCE DETERMINATION.—  
8                   Not later than the end of each fiscal year  
9                   beginning after the date of the establishment  
10                  of a plan under clause (i), the Attorney  
11                  General shall determine whether the appli-  
12                  cable Federal department or agency has  
13                  achieved substantial compliance with the  
14                  benchmarks included in the plan.

15                  “(H) ACCOUNTABILITY.—The Attorney Gen-  
16                  eral shall publish, including on the website of the  
17                  Department of Justice, and submit to the Com-  
18                  mittee on the Judiciary and the Committee on  
19                  Appropriations of the Senate and the Committee  
20                  on the Judiciary and the Committee on Appro-  
21                  priations of the House of Representatives a semi-  
22                  annual report that discloses—

23                         “(i) the name of each Federal depart-  
24                         ment or agency that has failed to submit a

1           *required certification under subparagraph*  
2           *(F);*

3           “(ii) *the name of each Federal depart-*  
4           *ment or agency that has submitted a re-*  
5           *quired certification under subparagraph*  
6           *(F), but failed to certify compliance with*  
7           *the record submission requirements under*  
8           *subparagraph (C);*

9           “(iii) *the name of each Federal depart-*  
10           *ment or agency that has failed to submit an*  
11           *implementation plan under subparagraph*  
12           *(G);*

13           “(iv) *the name of each Federal depart-*  
14           *ment or agency that is not in substantial*  
15           *compliance with an implementation plan*  
16           *under subparagraph (G);*

17           “(v) *a detailed summary of the data,*  
18           *broken down by department or agency, con-*  
19           *tained in the certifications submitted under*  
20           *subparagraph (F);*

21           “(vi) *a detailed summary of the con-*  
22           *tents and status, broken down by depart-*  
23           *ment or agency, of the implementation*  
24           *plans established under subparagraph (G);*  
25           *and*

1           “(vii) the reasons for which the Attor-  
2           ney General has determined that a Federal  
3           department or agency is not in substantial  
4           compliance with an implementation plan  
5           established under subparagraph (G).

6           “(I) *NONCOMPLIANCE PENALTIES.*—For  
7           each of fiscal years 2019 through 2022, each po-  
8           litical appointee of a Federal department or  
9           agency that has failed to certify compliance with  
10          the record submission requirements under sub-  
11          paragraph (C), and is not in substantial compli-  
12          ance with an implementation plan established  
13          under subparagraph (G), shall not be eligible for  
14          the receipt of bonus pay, excluding overtime pay,  
15          until the department or agency—

16                 “(i) certifies compliance with the  
17                 record submission requirements under sub-  
18                 paragraph (C); or

19                 “(ii) achieves substantial compliance  
20                 with an implementation plan established  
21                 under subparagraph (G).

22           “(J) *TECHNICAL ASSISTANCE.*—The Attor-  
23           ney General may use funds made available for  
24           the national instant criminal background check  
25           system established under subsection (b) to pro-



1           *vide technical assistance to a Federal department*  
2           *or agency, at the request of the department or*  
3           *agency, in order to help the department or agen-*  
4           *cy comply with the record submission require-*  
5           *ments under subparagraph (C).*

6           “(K) *APPLICATION TO FEDERAL COURTS.—*

7           *For purposes of this paragraph—*

8                   “(i) *the terms ‘department or agency of*  
9                   *the United States’ and ‘Federal department*  
10                   *or agency’ include a Federal court; and*

11                   “(ii) *the Director of the Administrative*  
12                   *Office of the United States Courts shall per-*  
13                   *form, for a Federal court, the functions as-*  
14                   *signed to the head of a department or agen-*  
15                   *cy.’; and*

16           (2) *in subsection (g), by adding at the end the*  
17           *following: “For purposes of the preceding sentence,*  
18           *not later than 60 days after the date on which the At-*  
19           *torney General receives such information, the Attor-*  
20           *ney General shall determine whether or not the pro-*  
21           *spective transferee is the subject of an erroneous*  
22           *record and remove any records that are determined to*  
23           *be erroneous. In addition to any funds made avail-*  
24           *able under subsection (k), the Attorney General may*  
25           *use such sums as are necessary and otherwise avail-*

1        *able for the salaries and expenses of the Federal Bu-*  
2        *reau of Investigation to comply with this subsection.”.*

3    **SEC. 603. REAUTHORIZATION OF NICS ACT RECORD IM-**  
4        **PROVEMENT PROGRAM.**

5        *(a) REQUIREMENTS TO OBTAIN WAIVER.—Section*  
6    *102 of the NICS Improvement Amendments Act of 2007 (34*  
7    *U.S.C. 40912) is amended—*

8            *(1) in subsection (a), in the first sentence—*

9                    *(A) by striking “the Crime Identification*  
10                    *Technology Act of 1988 (42 U.S.C. 14601)” and*  
11                    *inserting “section 102 of the Crime Identifica-*  
12                    *tion Technology Act of 1998 (34 U.S.C. 40301)”;*  
13                    *and*

14                    *(B) by inserting “is in compliance with an*  
15                    *implementation plan established under sub-*  
16                    *section (b) or” before “provides at least 90 per-*  
17                    *cent of the information described in subsection*  
18                    *(c)”;* *and*

19                    *(2) in subsection (b)(1)(B), by inserting “or has*  
20                    *established an implementation plan under section*  
21                    *107” after “the Attorney General”.*

22        *(b) IMPLEMENTATION ASSISTANCE TO STATES.—Sec-*  
23    *tion 103 of the NICS Improvement Amendments Act of*  
24    *2007 (34 U.S.C. 40913) is amended—*

1           (1) in subsection (b)(3), by inserting before the  
2           semicolon at the end the following: “, including  
3           through increased efforts to pre-validate the contents  
4           of those records to expedite eligibility determina-  
5           tions”;

6           (2) in subsection (e)—

7           (A) in paragraph (1)—

8           (i) by striking “and”; and

9           (ii) by inserting before the period at  
10          the end the following: “, and \$125,000,000  
11          for each of fiscal years 2018 through 2022”;

12          and

13          (B) by striking paragraph (2) and inserting  
14          the following—

15          “(2) *DOMESTIC ABUSE AND VIOLENCE PREVEN-*  
16          *TION INITIATIVE.—*

17                 “(A) *ESTABLISHMENT.—For each of fiscal*  
18                 *years 2018 through 2022, the Attorney General*  
19                 *shall create a priority area under the NICS Act*  
20                 *Record Improvement Program (commonly known*  
21                 *as ‘NARIP’) for a Domestic Abuse and Violence*  
22                 *Prevention Initiative that emphasizes the need*  
23                 *for grantees to identify and upload all felony*  
24                 *conviction records and domestic violence records.*

25                 “(B) *FUNDING.—The Attorney General—*

1           “(i) may use not more than 50 percent  
2           of the amounts made available under this  
3           subsection for each of fiscal years 2018  
4           through 2022 to carry out the initiative de-  
5           scribed in subparagraph (A); and

6           “(ii) shall give a funding preference  
7           under NARIP to States that—

8                         “(I) have established an imple-  
9                         mentation plan under section 107; and

10                        “(II) will use amounts made  
11                        available under this subparagraph to  
12                        improve efforts to identify and upload  
13                        all felony conviction records and do-  
14                        mestic violence records described in  
15                        clauses (i), (v), and (vi) of section  
16                        102(b)(1)(C) by not later than Sep-  
17                        tember 30, 2022.”; and

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

19           “(g) *TECHNICAL ASSISTANCE.*—*The Attorney General*  
20           *shall direct the Office of Justice Programs, the Bureau of*  
21           *Alcohol, Tobacco, Firearms, and Explosives, and the Fed-*  
22           *eral Bureau of Investigation to—*

23                        “(1) assist States that are not currently eligible  
24                        for grants under this section to achieve compliance  
25                        with all eligibility requirements; and

1           “(2) provide technical assistance and training  
2           services to grantees under this section.”.

3 **SEC. 604. REAUTHORIZATION OF THE NATIONAL CRIMINAL**  
4           **HISTORY IMPROVEMENT PROGRAM.**

5           (a) *STATE GRANT PROGRAM FOR CRIMINAL JUSTICE*  
6 *IDENTIFICATION, INFORMATION, AND COMMUNICATION.*—

7 *Section 102 of the Crime Identification Technology Act of*  
8 *1998 (34 U.S.C. 40301) is amended—*

9           (1) *in subsection (a)(3)—*

10                   (A) *by redesignating subparagraphs (C),*  
11                   *(D), and (E) as subparagraphs (D), (E), and*  
12                   *(F), respectively; and*

13                   (B) *by inserting after subparagraph (B) the*  
14                   *following:*

15                           “(C) *identification of all individuals who*  
16                           *have been convicted of a crime punishable by im-*  
17                           *prisonment for a term exceeding 1 year”;*

18           (2) *in subsection (b)(6)—*

19                   (A) *by striking “(18 U.S.C. 922 note)” and*  
20                   *inserting “(34 U.S.C. 40901(b))”;* and

21                   (B) *by inserting before the semicolon at the*  
22                   *end the following: “, including through increased*  
23                   *efforts to pre-validate the contents of felony con-*  
24                   *viction records and domestic violence records to*  
25                   *expedite eligibility determinations, and measures*

1           *and resources necessary to establish and achieve*  
2           *compliance with an implementation plan under*  
3           *section 107 of the NICS Improvement Amend-*  
4           *ments Act of 2007”;*

5           *(3) in subsection (d), by inserting after “unless”*  
6           *the following: “the State has achieved compliance*  
7           *with an implementation plan under section 107 of the*  
8           *NICS Improvement Amendments Act of 2007 or”;*  
9           *and*

10           *(4) in subsection (e)(1), by striking “2002*  
11           *through 2007” and inserting “2018 through 2022”.*

12           **(b) GRANTS FOR THE IMPROVEMENT OF CRIMINAL**  
13           **RECORDS.—Section 106(b)(1) of the Brady Handgun Vio-**  
14           **lence Prevention Act (34 U.S.C. 40302(1)) is amended—**

15           *(1) in the matter preceding subparagraph (A)—*

16                   *(A) by striking “as of the date of enactment*  
17                   *of this Act” and inserting “, as of the date of en-*  
18                   *actment of the Fix NICS Act of 2018,”; and*

19                   *(B) by striking “files,” and inserting the*  
20                   *following: “files and that will utilize funding*  
21                   *under this subsection to prioritize the identifica-*  
22                   *tion and transmittal of felony conviction records*  
23                   *and domestic violence records,”;*

24           *(2) in subparagraph (B), by striking “and” at*  
25           *the end;*

1           (3) *in subparagraph (C)—*

2                   (A) *by striking “upon establishment of the*  
3                   *national system,”; and*

4                   (B) *by striking the period at the end and*  
5                   *inserting “; and”; and*

6           (4) *by adding at the end the following—*

7                   “(D) *to establish and achieve compliance*  
8                   *with an implementation plan under section 107*  
9                   *of the NICS Improvement Amendments Act of*  
10                   *2007.”.*

11 **SEC. 605. IMPROVING INFORMATION SHARING WITH THE**  
12                   **STATES.**

13           (a) *IN GENERAL.—Title I of the NICS Improvement*  
14 *Amendments Act of 2007 (34 U.S. 40911 et seq.) is amended*  
15 *by adding at the end the following:*

16 **“SEC. 107. IMPLEMENTATION PLAN.**

17           “(a) *IN GENERAL.—Not later than 1 year after the*  
18 *date of enactment of the Fix NICS Act of 2018, the Attorney*  
19 *General, in coordination with the States and Indian tribal*  
20 *governments, shall establish, for each State or Indian tribal*  
21 *government, a plan to ensure maximum coordination and*  
22 *automation of the reporting or making available of appro-*  
23 *priate records to the National Instant Criminal Back-*  
24 *ground Check System established under section 103 of the*  
25 *Brady Handgun Violence Prevention Act (34 U.S.C. 40901)*

1 *and the verification of the accuracy of those records during*  
2 *a 4-year period specified in the plan. The records shall be*  
3 *limited to those of an individual described in subsection (g)*  
4 *or (n) of section 922 of title 18, United States Code*

5       “(b) *BENCHMARK REQUIREMENTS.—Each plan estab-*  
6 *lished under this section shall include annual benchmarks*  
7 *to enable the Attorney General to assess the implementation*  
8 *of the plan, including—*

9               “(1) *qualitative goals and quantitative measures;*  
10       *and*

11               “(2) *a needs assessment, including estimated*  
12 *compliance costs.*

13       “(c) *COMPLIANCE DETERMINATION.—Not later than*  
14 *the end of each fiscal year beginning after the date of the*  
15 *establishment of an implementation plan under this section,*  
16 *the Attorney General shall determine whether each State or*  
17 *Indian tribal government has achieved substantial compli-*  
18 *ance with the benchmarks included in the plan.*

19       “(d) *ACCOUNTABILITY.—The Attorney General—*

20               “(1) *shall disclose and publish, including on the*  
21 *website of the Department of Justice—*

22                       “(A) *the name of each State or Indian trib-*  
23 *al government that received a determination of*  
24 *failure to achieve substantial compliance with an*



1           *implementation plan under subsection (c) for the*  
2           *preceding fiscal year; and*

3           “(B) *a description of the reasons for which*  
4           *the Attorney General has determined that the*  
5           *State or Indian tribal government is not in sub-*  
6           *stantial compliance with the implementation*  
7           *plan, including, to the greatest extent possible, a*  
8           *description of the types and amounts of records*  
9           *that have not been submitted; and*

10          “(2) *if a State or Indian tribal government de-*  
11          *scribed in paragraph (1) subsequently receives a de-*  
12          *termination of substantial compliance, shall—*

13                 “(A) *immediately correct the applicable*  
14                 *record; and*

15                 “(B) *not later than 3 days after the deter-*  
16                 *mination, remove the record from the website of*  
17                 *the Department of Justice and any other loca-*  
18                 *tion where the record was published.*

19          “(e) *INCENTIVES.—For each of fiscal years 2018*  
20          *through 2022, the Attorney General shall give affirmative*  
21          *preference to all Bureau of Justice Assistance discretionary*  
22          *grant applications of a State or Indian tribal government*  
23          *that received a determination of substantial compliance*  
24          *under subsection (c) for the fiscal year in which the grant*  
25          *was solicited.”.*

1       (b) *TABLE OF CONTENTS.*—*The table of contents in*  
2 *section 1(b) of the NICS Improvement Amendments Act of*  
3 *2007 (Public Law 110–180; 121 Stat. 2559) is amended*  
4 *by inserting after the item relating to section 106 the fol-*  
5 *lowing:*

“*Sec. 107. Implementation plan.*”.

6 ***TITLE VII—STATE SEXUAL RISK***  
7 ***AVOIDANCE EDUCATION PRO-***  
8 ***GRAM***

9 ***SEC. 701. FULL PAYMENT BY SECRETARY FOR STATE SEX-***  
10 ***UAL RISK AVOIDANCE EDUCATION PROGRAM.***

11       (a) *IN GENERAL.*—*Paragraph (1) of section 510(d) of*  
12 *the Social Security Act (42 U.S.C. 710(d)) is amended by*  
13 *inserting before the period at the end the following: “, except*  
14 *that section 503(a) shall be applied by substituting ‘the*  
15 *total of the sums’ for ‘four-sevenths of the total of the*  
16 *sums’”.*

17       (b) *TECHNICAL CORRECTIONS.*—*Section 510(a)(1)(A)*  
18 *of the Social Security Act (42 U.S.C. 710(a)(1)(A)) is*  
19 *amended—*

20               (1) *by striking “subsection (e)(1)” and inserting*  
21 *“subsection (f)(1)”; and*

22               (2) *by striking “subsection (e)(2)” and inserting*  
23 *“subsection (f)(2)”.*

1       **TITLE VIII—SMALL BUSINESS**  
2       **CREDIT AVAILABILITY ACT**

3       **SEC. 801. SHORT TITLE.**

4           *This title may be cited as the “Small Business Credit*  
5 *Availability Act”.*

6       **SEC. 802. EXPANDING ACCESS TO CAPITAL FOR BUSINESS**  
7           **DEVELOPMENT COMPANIES.**

8           *(a) IN GENERAL.—Section 61(a) of the Investment*  
9 *Company Act of 1940 (15 U.S.C. 80a–60(a)) is amended—*

10               *(1) by redesignating paragraphs (2) through (4)*  
11 *as paragraphs (3) through (5), respectively; and*

12               *(2) by striking paragraph (1) and inserting the*  
13 *following:*

14                   *“(1) Except as provided in paragraph (2), the*  
15 *asset coverage requirements of subparagraphs (A) and*  
16 *(B) of section 18(a)(1) (and any related rule promul-*  
17 *gated under this Act) applicable to business develop-*  
18 *ment companies shall be 200 percent.*

19                   *“(2) The asset coverage requirements of subpara-*  
20 *graphs (A) and (B) of section 18(a)(1) and of sub-*  
21 *paragraphs (A) and (B) of section 18(a)(2) (and any*  
22 *related rule promulgated under this Act) applicable to*  
23 *a business development company shall be 150 percent*  
24 *if—*

1           “(A) not later than 5 business days after the  
2           date on which those asset coverage requirements  
3           are approved under subparagraph (D) of this  
4           paragraph, the business development company  
5           discloses that the requirements were approved,  
6           and the effective date of the approval, in—

7                   “(i) any filing submitted to the Com-  
8                   mission under section 13(a) or 15(d) of the  
9                   Securities Exchange Act of 1934 (15 U.S.C.  
10                  78m(a); 78o(d)); and

11                  “(ii) a notice on the website of the  
12                  business development company;

13           “(B) the business development company dis-  
14           closes, in each periodic filing required under sec-  
15           tion 13(a) of the Securities Exchange Act of 1934  
16           (15 U.S.C. 78m(a))—

17                   “(i) the aggregate outstanding prin-  
18                   cipal amount or liquidation preference, as  
19                   applicable, of the senior securities issued by  
20                   the business development company and the  
21                   asset coverage percentage as of the date of  
22                   the business development company’s most  
23                   recent financial statements included in that  
24                   filing;

1           “(ii) that the business development  
2           company, under subparagraph (D), has ap-  
3           proved the asset coverage requirements  
4           under this paragraph; and

5           “(iii) the effective date of the approval  
6           described in clause (ii);

7           “(C) with respect to a business development  
8           company that is an issuer of common equity se-  
9           curities, each periodic filing of the company re-  
10          quired under section 13(a) of the Securities Ex-  
11          change Act of 1934 (15 U.S.C. 78m(a)) includes  
12          disclosures that are reasonably designed to en-  
13          sure that shareholders are informed of—

14          “(i) the amount of senior securities  
15          (and the associated asset coverage ratios) of  
16          the company, determined as of the date of  
17          the most recent financial statements of the  
18          company included in that filing; and

19          “(ii) the principal risk factors associ-  
20          ated with the senior securities described in  
21          clause (i), to the extent that risk is incurred  
22          by the company; and

23          “(D) the company—

24          “(i)(I) through a vote of the required  
25          majority (as defined in section 57(o)), ap-

1           *proves the application of this paragraph to*  
2           *the company, to become effective on the date*  
3           *that is 1 year after the date of the approval;*  
4           *or*

5           *“(II) obtains, at a special or annual*  
6           *meeting of shareholders or partners at*  
7           *which a quorum is present, the approval of*  
8           *more than 50 percent of the votes cast for*  
9           *the application of this paragraph to the*  
10          *company, to become effective on the first*  
11          *day after the date of the approval; and*

12          *“(ii) if the company is not an issuer of*  
13          *common equity securities that are listed on*  
14          *a national securities exchange, extends, to*  
15          *each person that is a shareholder as of the*  
16          *date of an approval described in subclause*  
17          *(I) or (II) of clause (i), as applicable, the*  
18          *opportunity (which may include a tender*  
19          *offer) to sell the securities held by that*  
20          *shareholder as of that applicable approval*  
21          *date, with 25 percent of those securities to*  
22          *be repurchased in each of the 4 calendar*  
23          *quarters following the calendar quarter in*  
24          *which that applicable approval date takes*  
25          *place.”.*

1 (b) *CONFORMING AMENDMENTS.*—

2 (1) *INVESTMENT ADVISERS ACT OF 1940.*—*Sec-*  
 3 *tion 205(b)(3) of the Investment Advisers Act of 1940*  
 4 *(15 U.S.C. 80b-5(b)(3)) is amended—*

5 (A) *by striking “section 61(a)(3)(B)(iii)”*  
 6 *and inserting “section 61(a)(4)(B)(iii)”*; and

7 (B) *by striking “section 61(a)(3)(B)” and*  
 8 *inserting “section 61(a)(4)(B)”.*

9 (2) *INVESTMENT COMPANY ACT OF 1940.*—*The In-*  
 10 *vestment Company Act of 1940 (15 U.S.C. 80a-1 et*  
 11 *seq.) is amended—*

12 (A) *in section 57 (15 U.S.C. 80a-56)—*

13 (i) *in subsection (j)(1), by striking*  
 14 *“section 61(a)(3)(B)” and inserting “section*  
 15 *61(a)(4)(B)”*; and

16 (ii) *in subsection (n)(2), by striking*  
 17 *“section 61(a)(3)(B)” and inserting “section*  
 18 *61(a)(4)(B)”*; and

19 (B) *in section 63(3) (15 U.S.C. 80a-62(3)),*  
 20 *by striking “section 61(a)(3)” and inserting*  
 21 *“section 61(a)(4)”.*

22 **SEC. 803. PARITY FOR BUSINESS DEVELOPMENT COMPA-**  
 23 **NIES REGARDING OFFERING AND PROXY**  
 24 **RULES.**

25 (a) *DEFINITIONS.*—*In this section—*

1           (1) *the term “business development company”*  
2 *has the meaning given the term in section 2(a) of the*  
3 *Investment Company Act of 1940 (15 U.S.C. 80a–*  
4 *2(a));*

5           (2) *the term “Commission” means the Securities*  
6 *and Exchange Commission;*

7           (3) *the term “Form N–2” means the form de-*  
8 *scribed in section 239.14 of title 17, Code of Federal*  
9 *Regulations;*

10          (4) *the term “Form S–3” means the form de-*  
11 *scribed in section 239.13 of title 17, Code of Federal*  
12 *Regulations; and*

13          (5) *the term “Schedule 14A” means the informa-*  
14 *tion required under section 240.14a–101 of title 17,*  
15 *Code of Federal Regulations.*

16       (b) *REVISION TO RULES.—*

17           (1) *IN GENERAL.—Not later than 1 year after*  
18 *the date of enactment of this Act, the Commission*  
19 *shall make the revisions described in paragraph (2) to*  
20 *allow a business development company that has filed*  
21 *an election under section 54 of the Investment Com-*  
22 *pany Act of 1940 (15 U.S.C. 80a–53) to use the secu-*  
23 *rities offering and proxy rules that are available to*  
24 *other issuers that are required to file reports under*



1 *section 13(a) or section 15(d) of the Securities Ex-*  
2 *change Act of 1934 (15 U.S.C. 78m(a); 78o(d)).*

3 (2) *REQUIRED REVISIONS.—The revisions de-*  
4 *scribed in this paragraph are revisions to—*

5 (A) *section 230.405 of title 17, Code of Fed-*  
6 *eral Regulations—*

7 (i) *to remove the exclusion of a busi-*  
8 *ness development company from the defini-*  
9 *tion of the term “well-known seasoned*  
10 *issuer” under that section; and*

11 (ii) *to add a registration statement*  
12 *filed on Form N-2 to the definition of the*  
13 *term “automatic shelf registration state-*  
14 *ment” under that section;*

15 (B) *sections 230.168 and 230.169 of title*  
16 *17, Code of Federal Regulations, to remove the*  
17 *exclusion of a business development company*  
18 *from an issuer that is eligible for the exemptions*  
19 *under those sections;*

20 (C) *section 230.163 of title 17, Code of Fed-*  
21 *eral Regulations, to remove a business develop-*  
22 *ment company from the list of issuers that are*  
23 *ineligible for the exemption under that section;*

24 (D) *section 230.163A of title 17, Code of*  
25 *Federal Regulations, to remove the communica-*

1            *tions made by a business development company*  
2            *from the list of communications that are ineli-*  
3            *gible for the exemption under that section;*

4            *(E) section 230.134 of title 17, Code of Fed-*  
5            *eral Regulations, to remove the exclusion of a*  
6            *communication relating to a business develop-*  
7            *ment company from the application of that sec-*  
8            *tion;*

9            *(F) sections 230.138 and 230.139 of title 17,*  
10           *Code of Federal Regulations, to specifically in-*  
11           *clude a business development company as an*  
12           *issuer to which those sections apply;*

13           *(G) section 230.156 of title 17, Code of Fed-*  
14           *eral Regulations, to provide that nothing in that*  
15           *section may be construed to prevent a business*  
16           *development company from qualifying for an ex-*  
17           *emption under section 230.168 or 230.169 of title*  
18           *17, Code of Federal Regulations, as amended by*  
19           *the Commission in accordance with the require-*  
20           *ments of this section;*

21           *(H) section 230.164 of title 17, Code of Fed-*  
22           *eral Regulations, to remove a business develop-*  
23           *ment company from the list of issuers that are*  
24           *excluded under that section;*

1           (I) section 230.433 of title 17, Code of Fed-  
2           eral Regulations, to specifically include a busi-  
3           ness development company that is a well-known  
4           seasoned issuer as an issuer to which that section  
5           applies;

6           (J) section 230.415 of title 17, Code of Fed-  
7           eral Regulations to state that the registration for  
8           securities under section 230.415(a)(1)(x) of title  
9           17, Code of Federal Regulations, includes securi-  
10          ties registered on Form N-2 by a business devel-  
11          opment company that would otherwise meet the  
12          eligibility requirements of Form S-3;

13          (K) section 230.497 of title 17, Code of Fed-  
14          eral Regulations, to include a process for a busi-  
15          ness development company to file a form of pro-  
16          spectus in the same manner as the process for fil-  
17          ing a form of prospectus under section  
18          230.424(b) of title 17, Code of Federal Regula-  
19          tions;

20          (L) sections 230.172 and 230.173 of title 17,  
21          Code of Federal Regulations, to remove the exclu-  
22          sion of an offering of a business development  
23          company from the application of those sections;

24          (M) section 230.418 of title 17, Code of Fed-  
25          eral Regulations, to provide that a business de-

1            *velopment company that would otherwise meet*  
2            *the eligibility requirements of Form S-3 shall be*  
3            *exempt from paragraph (a)(3) of that section;*

4            *(N) Schedule 14A to revise item 13(b)(1) of*  
5            *that Schedule to include a business development*  
6            *company that would otherwise meet the require-*  
7            *ments of note E of that Schedule as an issuer to*  
8            *which that item applies;*

9            *(O) section 243.103 of title 17, Code of Fed-*  
10           *eral Regulations, to provide that paragraph (a)*  
11           *of that section applies for the purposes of Form*  
12           *N-2; and*

13           *(P) item 34 on Form N-2 to require a busi-*  
14           *ness development company to provide under-*  
15           *takings that are no more restrictive than the un-*  
16           *dertakings that are required of a registrant*  
17           *under section 229.512 of title 17, Code of Federal*  
18           *Regulations.*

19           *(c) REVISION TO FORM N-2.—Not later than 1 year*  
20           *after the date of enactment of this Act, the Commission shall*  
21           *revise Form N-2—*

22           *(1) to include an item or instruction that is*  
23           *similar to item 12 on Form S-3 to provide that a*  
24           *business development company that would otherwise*  
25           *meet the requirements of Form S-3 shall incorporate*

1        *by reference the reports and documents filed by the*  
2        *business development company under the Securities*  
3        *Exchange Act of 1934 (15 U.S.C. 78a et seq.) into the*  
4        *registration statement of the business development*  
5        *company filed on Form N-2; and*

6            *(2) to include an item or instruction that is*  
7        *similar to the instruction regarding automatic shelf*  
8        *offerings by well-known seasoned issuers on Form S-*  
9        *3 to provide that a business development company*  
10       *that is a well-known seasoned issuer may file auto-*  
11       *matic shelf offerings on Form N-2.*

12        *(d) TREATMENT IF REVISIONS NOT COMPLETED IN*  
13       *TIMELY MANNER.—If the Commission fails to complete the*  
14       *revisions required under subsections (b) and (c) by the dates*  
15       *described in those subsections, a business development com-*  
16       *pany, during the period beginning on the date that is 1*  
17       *day after 1 year after the date of enactment of this Act*  
18       *and ending on the date that the Commission completes those*  
19       *revisions, may deem those revisions to have been completed*  
20       *in accordance with the actions required to be taken by the*  
21       *Commission under those subsections.*

22        *(e) RULES OF CONSTRUCTION.—*

23            *(1) TREATMENT OF SUCCESSOR REGULATIONS*  
24        *AND FORMS.—Any reference in this section to a regu-*  
25        *lation or form shall be construed as a reference to—*

1           (A) that regulation or form, as in effect on  
2           the day before the date of enactment of this Act;

3           or

4           (B) any successor to that regulation or  
5           form.

6           (2) *DISTRIBUTION OF SALES MATERIAL.*—*Noth-*  
7           *ing in this section, or in the amendments made pur-*  
8           *suant to the requirements of this section, may be con-*  
9           *strued to prevent a business development company*  
10          *from distributing sales material under section*  
11          *230.482 of title 17, Code of Federal Regulations.*

12       **TITLE IX—SMALL BUSINESS AC-**  
13       **CESS TO CAPITAL AFTER A**  
14       **NATURAL DISASTER ACT**

15       **SEC. 901. SHORT TITLE.**

16           *This title may be cited as the “Small Business Access*  
17          *to Capital After a Natural Disaster Act”.*

18       **SEC. 902. EXPANDING ACCESS TO CAPITAL FOR SMALL**  
19                        **BUSINESSES IMPACTED BY A NATURAL DIS-**  
20                        **ASTER.**

21           *Section 4 of the Securities Exchange Act of 1934 (15*  
22          *U.S.C. 78d) is amended—*

23           (1) *in subsection (j)(4)(C), by striking “minor-*  
24          *ity-owned and women-owned small businesses” and*  
25          *inserting “minority-owned small businesses, women-*

1 *owned small businesses, and small businesses affected*  
2 *by hurricanes or other natural disasters”*; and

3 *(2) in subsection (j)(6)(B)(iii), by striking “mi-*  
4 *nority-owned and women-owned small businesses”*  
5 *and inserting “minority-owned small businesses,*  
6 *women-owned small businesses, and small businesses*  
7 *affected by hurricanes or other natural disasters”*.

## 8 **TITLE X—TAYLOR FORCE ACT**

### 9 **SEC. 1001. SHORT TITLE.**

10 *This title may be cited as the “Taylor Force Act”*.

### 11 **SEC. 1002. FINDINGS.**

12 *Congress makes the following findings:*

13 *(1) The Palestinian Authority’s practice of pay-*  
14 *ing salaries to terrorists serving in Israeli prisons, as*  
15 *well as to the families of deceased terrorists, is an in-*  
16 *centive to commit acts of terror.*

17 *(2) The United States does not provide direct*  
18 *budgetary support to the Palestinian Authority. The*  
19 *United States does pay certain debts held by the Pal-*  
20 *estinian Authority and funds programs for which the*  
21 *Palestinian Authority would otherwise be responsible.*

22 *(3) The United States Government supports com-*  
23 *munity-based programs in the West Bank and Gaza*  
24 *that provide for basic human needs, such as food,*

1 *water, health, shelter, protection, education, and live-*  
2 *lihoods, and that promote peace and development.*

3 *(4) Since fiscal year 2015, annual appropri-*  
4 *ations legislation has mandated the reduction of Eco-*  
5 *nomic Support Fund aid for the Palestinian Author-*  
6 *ity as a result of their payments for acts of terrorism*  
7 *including, in fiscal year 2017, a reduction “by an*  
8 *amount the Secretary determines is equivalent to the*  
9 *amount expended by the Palestinian Authority, the*  
10 *Palestine Liberation Organization, and any successor*  
11 *or affiliated organizations with such entities as pay-*  
12 *ments for acts of terrorism by individuals who are*  
13 *imprisoned after being fairly tried and convicted for*  
14 *acts of terrorism and by individuals who died com-*  
15 *mitting acts of terrorism during the previous cal-*  
16 *endar year”.*

17 **SEC. 1003. SENSE OF CONGRESS.**

18 *Congress—*

19 *(1) calls on the Palestinian Authority, the Pal-*  
20 *estine Liberation Organization, and any successor or*  
21 *affiliated organizations to stop payments for acts of*  
22 *terrorism by individuals who are imprisoned after*  
23 *being fairly tried and convicted for acts of terrorism*  
24 *and by individuals who died committing acts of ter-*



1 *rorism and to repeal the laws authorizing such pay-*  
2 *ments;*

3 *(2) calls on all donor countries providing budg-*  
4 *etary assistance to the Palestinian Authority to cease*  
5 *direct budgetary support until the Palestinian Au-*  
6 *thority stops all payments incentivizing terror;*

7 *(3) urges the Palestinian Authority to develop*  
8 *programs to provide essential public services and sup-*  
9 *port to any individual in need within its jurisdic-*  
10 *tional control, rather than to provide payments con-*  
11 *tingent on perpetrating acts of violence;*

12 *(4) urges the United States Permanent Rep-*  
13 *resentative to the United Nations to use the voice,*  
14 *vote, and influence of the United States at the United*  
15 *Nations to highlight the issue of Palestinian Author-*  
16 *ity payments for acts of terrorism and to urge other*  
17 *Member States to apply pressure upon the Pales-*  
18 *tinian Authority to immediately cease such payments;*  
19 *and*

20 *(5) urges the Department of State to use its bi-*  
21 *lateral and multilateral engagements with all govern-*  
22 *ments and organizations committed to the cause of*  
23 *peace between Israel and the Palestinians to highlight*  
24 *the issue of Palestinian Authority payments for acts*  
25 *of terrorism and to urge such governments and orga-*

1        *nizations to join the United States in calling on the*  
2        *Palestinian Authority to immediately cease such pay-*  
3        *ments.*

4    **SEC. 1004. LIMITATION ON ASSISTANCE TO THE WEST BANK**  
5                            **AND GAZA.**

6        *(a) LIMITATION.—*

7                    *(1) IN GENERAL.—Funds authorized to be appro-*  
8        *priated or otherwise made available for assistance*  
9        *under chapter 4 of part II of the Foreign Assistance*  
10       *Act of 1961 (22 U.S.C. 2346 et seq.; relating to Eco-*  
11       *nomie Support Fund) and available for assistance for*  
12       *the West Bank and Gaza that directly benefits the*  
13       *Palestinian Authority may only be made available for*  
14       *such purpose if, except as provided in subsection (d),*  
15       *not later than 30 days after the date of the enactment*  
16       *of this Act, and every 180 days thereafter, the Sec-*  
17       *retary of State certifies in writing to the appropriate*  
18       *congressional committees that the Palestinian Author-*  
19       *ity, the Palestine Liberation Organization, and any*  
20       *successor or affiliated organizations—*

21                    *(A) are taking credible steps to end acts of*  
22                    *violence against Israeli citizens and United*  
23                    *States citizens that are perpetrated or materially*  
24                    *assisted by individuals under their jurisdictional*  
25                    *control, such as the March 2016 attack that*

1           *killed former United States Army officer Taylor*  
2           *Force, a veteran of the wars in Iraq and Afghan-*  
3           *istan;*

4           *(B) have terminated payments for acts of*  
5           *terrorism against Israeli citizens and United*  
6           *States citizens to any individual, after being*  
7           *fairly tried, who has been imprisoned for such*  
8           *acts of terrorism and to any individual who died*  
9           *committing such acts of terrorism, including to*  
10          *a family member of such individuals;*

11          *(C) have revoked any law, decree, regula-*  
12          *tion, or document authorizing or implementing a*  
13          *system of compensation for imprisoned individ-*  
14          *uals that uses the sentence or period of incarcer-*  
15          *ation of an individual imprisoned for an act of*  
16          *terrorism to determine the level of compensation*  
17          *paid, or have taken comparable action that has*  
18          *the effect of invalidating any such law, decree,*  
19          *regulation, or document; and*

20          *(D) are publicly condemning such acts of*  
21          *violence and are taking steps to investigate or*  
22          *are cooperating in investigations of such acts to*  
23          *bring the perpetrators to justice.*

24          (2) *ADDITIONAL CERTIFICATION REQUIRE-*  
25          *MENT.—The Secretary of State shall include in the*

1 *certification required under paragraph (1) the defini-*  
2 *tion of “acts of terrorism” that the Secretary used for*  
3 *purposes of making the determination in subpara-*  
4 *graph (B) of such paragraph.*

5 *(b) EXCEPTION.—*

6 *(1) IN GENERAL.—Subject to paragraph (2), the*  
7 *limitation on assistance under subsection (a) shall*  
8 *not apply to—*

9 *(A) payments made to the East Jerusalem*  
10 *Hospital Network;*

11 *(B) assistance for wastewater projects not*  
12 *exceeding \$5,000,000 in any one fiscal year; and*

13 *(C) assistance for any other program,*  
14 *project, or activity that provides vaccinations to*  
15 *children not exceeding \$500,000 in any one fis-*  
16 *cal year.*

17 *(2) NOTIFICATION.—The Secretary of State shall*  
18 *notify in writing the appropriate congressional com-*  
19 *mittees not later than 15 days prior to making funds*  
20 *available for assistance under subparagraph (A), (B),*  
21 *or (C) of paragraph (1).*

22 *(c) RULE OF CONSTRUCTION.—Funds withheld pursu-*  
23 *ant to this section—*

24 *(1) shall be deemed to satisfy any similar with-*  
25 *holding or reduction required under any other provi-*

1        *sion of law relating to the Palestinian Authority's*  
2        *payments for acts of terrorism; and*

3            *(2) shall be in an amount that is not less than*  
4        *the total amount required by such other provision of*  
5        *law.*

6        *(d) INITIAL USE AND DISPOSITION OF WITHHELD*  
7        *FUNDS.—*

8            *(1) PERIOD OF AVAILABILITY.—Funds withheld*  
9        *pursuant to this section are authorized to remain*  
10       *available for an additional 2 years from the date on*  
11       *which the availability of such funds would otherwise*  
12       *have expired.*

13           *(2) USE OF FUNDS.—Funds withheld pursuant*  
14       *to this section may be made available for assistance*  
15       *for the West Bank and Gaza that directly benefits the*  
16       *Palestinian Authority upon a certification by the Sec-*  
17       *retary of State that the Palestinian Authority, the*  
18       *Palestine Liberation Organization, and any successor*  
19       *or affiliated organizations have met the conditions set*  
20       *forth in subsection (a). Except as provided in para-*  
21       *graph (3), such funds may not be made available for*  
22       *any purpose other than for assistance for the West*  
23       *Bank and Gaza that directly benefits the Palestinian*  
24       *Authority.*

1           (3) *DISPOSITION OF UNUSED FUNDS.*—*Begin-*  
2           *ning on the date that is 180 days after the last day*  
3           *on which the initial availability of funds withheld*  
4           *pursuant to this section would otherwise have expired,*  
5           *such funds are authorized to be made available to the*  
6           *Department of State for assistance under chapter 4 of*  
7           *part II of the Foreign Assistance Act of 1961 (22*  
8           *U.S.C. 2346 et seq.; relating to Economic Support*  
9           *Fund) in the following manner—*

10                   (A) *50 percent for purposes of assistance*  
11                   *other than that deemed benefiting the Pales-*  
12                   *tinian Authority; and*

13                   (B) *50 percent for purposes other than as-*  
14                   *sistance for the West Bank and Gaza.*

15           (e) *REPORT.*—

16                   (1) *IN GENERAL.*—*If the Secretary of State is*  
17                   *unable to certify in writing to the appropriate con-*  
18                   *gressional committees that the Palestinian Authority,*  
19                   *the Palestine Liberation Organization, and any suc-*  
20                   *cessor or affiliated organizations have met the condi-*  
21                   *tions described in subsection (a), the Secretary shall,*  
22                   *not later than 15 days after the date on which the*  
23                   *Secretary is unable to make such certification, submit*  
24                   *to the appropriate congressional committees a report*  
25                   *that contains the following:*

1           (A) *The reasons why the Secretary was un-*  
2           *able to certify in writing that such organizations*  
3           *have met such requirements.*

4           (B) *The definition of “acts of terrorism”*  
5           *that the Secretary used for purposes of making*  
6           *the determination in subparagraph (B) of sub-*  
7           *section (a)(1).*

8           (C) *The total amount of funds to be with-*  
9           *held.*

10          (2) *FORM.—The report required by this sub-*  
11          *section shall be submitted in unclassified form but*  
12          *may include a classified annex.*

13          (f) *LIST OF CRITERIA.—*

14           (1) *IN GENERAL.—Not later than 15 days after*  
15           *the date of the enactment of this Act, the Secretary of*  
16           *State shall submit to the appropriate congressional*  
17           *committees a list of the criteria that the Secretary*  
18           *uses to determine whether assistance for the West*  
19           *Bank and Gaza is assistance that directly benefits the*  
20           *Palestinian Authority for purposes of carrying out*  
21           *this section.*

22           (2) *UPDATE.—The Secretary of State shall sub-*  
23           *mit to the appropriate congressional committees an*  
24           *updated list under paragraph (1) not later than 15*

1        *days after the date on which the Secretary makes any*  
2        *modification to the list.*

3        **SEC. 1005. INITIAL REPORT.**

4        *(a) IN GENERAL.—Not later than 60 days after the*  
5        *date of the enactment of this Act, the Secretary of State*  
6        *shall submit to the appropriate congressional committees a*  
7        *report describing those programs, projects, and activities*  
8        *funded by the United States Government that have been or*  
9        *will be suspended by reason of withholding of funds under*  
10       *section 1004.*

11       *(b) FORM.—The report required by subsection (a) shall*  
12       *be submitted in unclassified form but may include a classi-*  
13       *fied annex.*

14       **SEC. 1006. ANNUAL REPORT.**

15       *(a) IN GENERAL.—Not later than 180 days after the*  
16       *date of the enactment of this Act, and annually thereafter*  
17       *for 6 years, the Secretary of State shall submit to the appro-*  
18       *priate congressional committees a report including at a*  
19       *minimum the following elements:*

20                *(1) An estimate of the amount expended by the*  
21        *Palestinian Authority, the Palestine Liberation Orga-*  
22        *nization, and any successor or affiliated organiza-*  
23        *tions during the previous calendar year as payments*  
24        *for acts of terrorism by individuals who are impris-*  
25        *oned for such acts.*



1           (2) *An estimate of the amount expended by the*  
2 *Palestinian Authority, the Palestine Liberation Orga-*  
3 *nization, and any successor or affiliated organiza-*  
4 *tions during the previous calendar year as payments*  
5 *to the families of deceased individuals who committed*  
6 *an act of terrorism.*

7           (3) *An overview of Palestinian laws, decrees, reg-*  
8 *ulations, or documents in effect the previous calendar*  
9 *year that authorize or implement any payments re-*  
10 *ported under paragraphs (1) and (2).*

11           (4) *A description of United States Government*  
12 *policy, efforts, and engagement with the Palestinian*  
13 *Authority in order to confirm the revocation of any*  
14 *law, decree, regulation, or document in effect the pre-*  
15 *vious calendar year that authorizes or implements*  
16 *any payments reported under paragraphs (1) and*  
17 *(2).*

18           (5) *A description of United States Government*  
19 *policy, efforts, and engagement with other govern-*  
20 *ments, and at the United Nations, to highlight the*  
21 *issue of Palestinian payments for acts of terrorism*  
22 *and to urge other nations to join the United States*  
23 *in calling on the Palestinian Authority to imme-*  
24 *diately cease such payments.*

1       (b) *FORM OF REPORT.*—The report required by sub-  
 2 section (a) shall be submitted in unclassified form but may  
 3 include a classified annex.

4 **SEC. 1007. APPROPRIATE CONGRESSIONAL COMMITTEES**  
 5 **DEFINED.**

6       In this title, the term “appropriate congressional com-  
 7 mittees” means—

8           (1) the Committee on Appropriations and the  
 9 Committee on Foreign Affairs of the House of Rep-  
 10 resentatives; and

11           (2) the Committee on Appropriations and the  
 12 Committee on Foreign Relations of the Senate.

13 **TITLE XI—FARM ACT**

14 **SEC. 1101. SHORT TITLE.**

15       This title may be cited as the “Fair Agricultural Re-  
 16 porting Method Act” or the “FARM Act”.

17 **SEC. 1102. EXEMPTIONS FROM CERTAIN NOTICE REQUIRE-**  
 18 **MENTS AND PENALTIES.**

19       Section 103 of the Comprehensive Environmental Re-  
 20 sponse, Compensation, and Liability Act of 1980 (42 U.S.C.  
 21 9603) is amended by striking subsection (e) and inserting  
 22 the following:

23       “(e) *APPLICABILITY TO REGISTERED PESTICIDE*  
 24 *PRODUCTS AND AIR EMISSIONS FROM ANIMAL WASTE AT*  
 25 *FARMS.*—

1           “(1) *IN GENERAL.*—*This section shall not apply*  
2     *to—*

3           “(A) *the application of a pesticide product*  
4     *registered under the Federal Insecticide, Fun-*  
5     *gicide, and Rodenticide Act (7 U.S.C. 136 et*  
6     *seq.) or the handling and storage of such a pes-*  
7     *ticide product by an agricultural producer; or*

8           “(B) *air emissions from animal waste (in-*  
9     *cluding decomposing animal waste) at a farm.*

10          “(2) *DEFINITIONS.*—*In this subsection:*

11          “(A) *ANIMAL WASTE.*—

12                 “(i) *IN GENERAL.*—*The term ‘animal*  
13     *waste’ means feces, urine, or other excre-*  
14     *ment, digestive emission, urea, or similar*  
15     *substances emitted by animals (including*  
16     *any form of livestock, poultry, or fish).*

17                 “(ii) *INCLUSIONS.*—*The term ‘animal*  
18     *waste’ includes animal waste that is mixed*  
19     *or commingled with bedding, compost, feed,*  
20     *soil, or any other material typically found*  
21     *with such waste.*

22          “(B) *FARM.*—*The term ‘farm’ means a site*  
23     *or area (including associated structures) that—*

24                 “(i) *is used for—*

25                         “(I) *the production of a crop; or*

1                   “(II) the raising or selling of ani-  
2                   mals (including any form of livestock,  
3                   poultry, or fish); and

4                   “(ii) under normal conditions, pro-  
5                   duces during a farm year any agricultural  
6                   products with a total value equal to not less  
7                   than \$1,000.”.

8 **SEC. 1103. APPLICATION.**

9           *Nothing in this title or an amendment made by this*  
10 *title affects, or supersedes or modifies the responsibility or*  
11 *authority of any Federal official or employee to comply*  
12 *with or enforce, any requirement under the Comprehensive*  
13 *Environmental Response, Compensation, and Liability Act*  
14 *of 1980 (42 U.S.C. 9601 et seq.), other than the hazardous*  
15 *substance notification requirements under section 103 of*  
16 *that Act (42 U.S.C. 9603) with respect to air emissions*  
17 *from animal waste at farms.*

18 **TITLE XII—TIPPED EMPLOYEES**

19 **SEC. 1201. TIPPED EMPLOYEES.**

20           *(a) PROHIBITION ON KEEPING TIPS.—Section 3(m) of*  
21 *the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m))*  
22 *is amended—*

23                   *(1) by redesignating paragraphs (1) and (2) as*  
24                   *clauses (i) and (ii), respectively;*

25                   *(2) by inserting “(1)” after “(m)”;*

1           (3) by striking “any employee. In determining”  
2           and inserting the following: “any employee.

3           “(2)(A) In determining”;

4           (4) in clause (ii) of paragraph (2)(A) (as so re-  
5           designated), by striking “paragraph (1)” and insert-  
6           ing “clause (i)”; and

7           (5) by adding at the end the following:

8           “(B) An employer may not keep tips received by its  
9           employees for any purposes, including allowing managers  
10          or supervisors to keep any portion of employees’ tips, re-  
11          gardless of whether or not the employer takes a tip credit.”.

12          (b) *PENALTIES*.—Section 16 of the Fair Labor Stand-  
13          ards Act of 1938 (29 U.S.C. 216) is amended—

14                 (1) in subsection (b)—

15                         (A) by inserting after the second sentence  
16                         the following: “Any employer who violates sec-  
17                         tion 3(m)(2)(B) shall be liable to the employee or  
18                         employees affected in the amount of the sum of  
19                         any tip credit taken by the employer and all  
20                         such tips unlawfully kept by the employer, and  
21                         in an additional equal amount as liquidated  
22                         damages.”; and

23                         (B) by striking “either of”;

24                 (2) in subsection (c), by adding at the end the  
25                 following: “The authority and requirements described

1        *in this subsection shall apply with respect to a viola-*  
2        *tion of section 3(m)(2)(B), as appropriate, and the*  
3        *employer shall be liable for the amount of the sum of*  
4        *any tip credit taken by the employer and all such tips*  
5        *unlawfully kept by the employer, and an additional*  
6        *equal amount as liquidated damages.”; and*

7                *(3) in subsection (e)(2), by adding at the end the*  
8        *following: “Any person who violates section*  
9        *3(m)(2)(B) shall be subject to a civil penalty not to*  
10        *exceed \$1,100 for each such violation, as the Secretary*  
11        *determines appropriate, in addition to being liable to*  
12        *the employee or employees affected for all tips unlaw-*  
13        *fully kept, and an additional equal amount as liq-*  
14        *uidated damages, as described in subsection (b).”.*

15        *(c) EFFECT ON REGULATIONS.—The portions of the*  
16        *final rule promulgated by the Department of Labor entitled*  
17        *“Updating Regulations Issued Under the Fair Labor*  
18        *Standards Act” (76 Fed. Reg. 18832 (April 5, 2011)) that*  
19        *revised sections 531.52, 531.54, and 531.59 of title 29, Code*  
20        *of Federal Regulations (76 Fed. Reg. 18854–18856) and*  
21        *that are not addressed by section 3(m) of the Fair Labor*  
22        *Standards Act of 1938 (29 U.S.C. 203(m)) (as such section*  
23        *was in effect on April 5, 2011), shall have no further force*  
24        *or effect until any future action taken by the Administrator*  
25        *of the Wage and Hour Division of the Department of Labor.*

1 **TITLE XIII—REVISIONS TO PASS-**  
 2 **THROUGH PERIOD AND PAY-**  
 3 **MENT RULES**

4 **SEC. 1301. REVISIONS TO PASS-THROUGH PERIOD AND PAY-**  
 5 **MENT RULES UNDER OPPS FOR CERTAIN NEW**  
 6 **DRUGS AND BIOLOGICALS.**

7 *(a) REVISIONS TO PASS-THROUGH PERIOD AND PAY-*  
 8 *MENT RULES.—*

9 *(1) IN GENERAL.—Section 1833(t)(6) of the So-*  
 10 *cial Security Act (42 U.S.C. 1395l(t)(6)) is amend-*  
 11 *ed—*

12 *(A) in subparagraph (C)(i), in the matter*  
 13 *preceding subclause (I), by striking “The pay-*  
 14 *ment” and inserting “Subject to subparagraph*  
 15 *(G), the payment”;*

16 *(B) in subparagraph (D)(i), by inserting*  
 17 *“subject to subparagraph (H),” before “in the*  
 18 *case”;* and

19 *(C) by adding at the end the following new*  
 20 *subparagraphs:*

21 *“(G) PASS-THROUGH EXTENSION FOR CER-*  
 22 *TAIN DRUGS AND BIOLOGICALS.—In the case of a*  
 23 *drug or biological whose period of pass-through*  
 24 *status under this paragraph ended on December*  
 25 *31, 2017, and for which payment under this sub-*

1            *section was packaged into a payment for a cov-*  
2            *ered OPD service (or group of services) furnished*  
3            *beginning January 1, 2018, such pass-through*  
4            *status shall be extended for a 2-year period be-*  
5            *ginning on October 1, 2018.*

6            *“(H) TEMPORARY PAYMENT RULE FOR CER-*  
7            *TAIN DRUGS AND BIOLOGICALS.—In the case of a*  
8            *drug or biological whose period of pass-through*  
9            *status under this paragraph ended on December*  
10           *31, 2017, and for which payment under this sub-*  
11           *section was packaged into a payment for a cov-*  
12           *ered OPD service (or group of services) furnished*  
13           *beginning January 1, 2018, the payment*  
14           *amount for such drug or biological under this*  
15           *subsection that is furnished during the period be-*  
16           *ginning on October 1, 2018, and ending on*  
17           *March 31, 2019, shall be the greater of—*

18           *“(i) the payment amount that would*  
19           *otherwise apply under subparagraph (D)(i)*  
20           *for such drug or biological during such pe-*  
21           *riod; or*

22           *“(ii) the payment amount that applied*  
23           *under such subparagraph (D)(i) for such*  
24           *drug or biological on December 31, 2017.*



1           “(I) *SPECIAL PAYMENT ADJUSTMENT RULES*  
2           *FOR LAST QUARTER OF 2018.*—*In the case of a*  
3           *drug or biological whose period of pass-through*  
4           *status under this paragraph ended on December*  
5           *31, 2017, and for which payment under this sub-*  
6           *section was packaged into a payment amount for*  
7           *a covered OPD service (or group of services) be-*  
8           *ginning January 1, 2018, the following rules*  
9           *shall apply with respect to payment amounts*  
10           *under this subsection for covered a OPD service*  
11           *(or group of services) furnished during the period*  
12           *beginning on October 1, 2018, and ending on*  
13           *December 31, 2018:*

14                   “(i) *The Secretary shall remove the*  
15                   *packaged costs of such drug or biological (as*  
16                   *determined by the Secretary) from the pay-*  
17                   *ment amount under this subsection for the*  
18                   *covered OPD service (or group of services)*  
19                   *with which it is packaged.*

20                   “(ii) *The Secretary shall not make any*  
21                   *adjustments to payment amounts under this*  
22                   *subsection for a covered OPD service (or*  
23                   *group of services) for which no costs were*  
24                   *removed under clause (i).”.*

1           (2) *NONAPPLICATION OF LIMIT ON AGGREGATE*  
2 *ANNUAL ADJUSTMENT FOR 2018.*—Section  
3 *1833(t)(6)(E)(i) of the Social Security Act (42 U.S.C.*  
4 *1395l(t)(6)(E)(i)) is amended by adding at the end*  
5 *the following new sentence: “This clause shall not*  
6 *apply for 2018.”.*

7           (3) *IMPLEMENTATION.*—*Notwithstanding any*  
8 *other provision of law, the Secretary of Health and*  
9 *Human Services may implement the amendments*  
10 *made by paragraphs (1) and (2) by program instruc-*  
11 *tion or otherwise.*

12           (b) *GAO STUDY AND REPORT.*—

13           (1) *IN GENERAL.*—*The Comptroller General of*  
14 *the United States (in this subsection referred to as the*  
15 *“Comptroller General”)* shall conduct a study on the  
16 *policy for packaging high cost drugs and biologicals*  
17 *after their pass-through status under subsection (t)(6)*  
18 *of section 1833 of the Social Security Act (42 U.S.C.*  
19 *1395l) has expired under the payment systems for*  
20 *hospital outpatient department services under section*  
21 *subsection (t) of such section and for surgical services*  
22 *furnished in an ambulatory surgical center under*  
23 *subsection (i) of such section. Such study shall include*  
24 *an analysis of—*

25                           (A) *the impact of such policy on—*

1                   (i) the utilization of such drugs and  
2                   biologicals;

3                   (ii) the availability of treatment op-  
4                   tions, including consultations with physi-  
5                   cians and hospitals; and

6                   (iii) to the extent practicable, the  
7                   health outcomes of Medicare beneficiaries;  
8                   and

9                   (B) the impact of the amendments made by  
10                  subsection (a), including the impact on price  
11                  competition and cost-sharing.

12                  (2) *REPORT.*—Not later than March 1, 2021, the  
13                  Comptroller General shall submit to Congress a report  
14                  containing the results of the study conducted under  
15                  paragraph (1), together with recommendations for  
16                  such legislation and administrative action as the  
17                  Comptroller General determines appropriate.

## 18                   ***DIVISION T—REVENUE***

### 19                   ***PROVISIONS***

20                  ***SEC. 101. MODIFICATION OF DEDUCTION FOR QUALIFIED***  
21                                   ***BUSINESS INCOME OF A COOPERATIVE AND***  
22                                   ***ITS PATRONS.***

23                  ***(a) DEDUCTION FOR QUALIFIED PRODUCTION ACTIVI-***  
24                  ***TIES INCOME.—***

1           (1) *IN GENERAL.*—*Subsection (g) of section 199A*  
2           *of the Internal Revenue Code of 1986 is amended to*  
3           *read as follows:*

4           “(g) *DEDUCTION FOR INCOME ATTRIBUTABLE TO DO-*  
5           *MESTIC PRODUCTION ACTIVITIES OF SPECIFIED AGRICUL-*  
6           *TURAL OR HORTICULTURAL COOPERATIVES.*—

7           “(1) *ALLOWANCE OF DEDUCTION.*—

8           “(A) *IN GENERAL.*—*In the case of a tax-*  
9           *payer which is a specified agricultural or horti-*  
10           *cultural cooperative, there shall be allowed as a*  
11           *deduction an amount equal to 9 percent of the*  
12           *lesser of—*

13           “(i) *the qualified production activities*  
14           *income of the taxpayer for the taxable year,*  
15           *or*

16           “(ii) *the taxable income of the tax-*  
17           *payer for the taxable year.*

18           “(B) *LIMITATION.*—

19           “(i) *IN GENERAL.*—*The deduction al-*  
20           *lowable under subparagraph (A) for any*  
21           *taxable year shall not exceed 50 percent of*  
22           *the W-2 wages of the taxpayer for the tax-*  
23           *able year.*

24           “(ii) *W-2 WAGES.*—*For purposes of*  
25           *this subparagraph, the W-2 wages of the*

1           taxpayer shall be determined in the same  
2           manner as under subsection (b)(4) (without  
3           regard to subparagraph (B) thereof and  
4           after application of subsection (b)(5)), ex-  
5           cept that such wages shall not include any  
6           amount which is not properly allocable to  
7           domestic production gross receipts for pur-  
8           poses of paragraph (3)(A).

9           “(C) *TAXABLE INCOME OF COOPERATIVES*  
10          *DETERMINED WITHOUT REGARD TO CERTAIN DE-*  
11          *DUCTIONS.—For purposes of this subsection, the*  
12          *taxable income of a specified agricultural or hor-*  
13          *ticultural cooperative shall be computed without*  
14          *regard to any deduction allowable under sub-*  
15          *section (b) or (c) of section 1382 (relating to pa-*  
16          *tronage dividends, per-unit retain allocations,*  
17          *and nonpatronage distributions).*

18          “(2) *DEDUCTION ALLOWED TO PATRONS.—*

19                 “(A) *IN GENERAL.—In the case of any eligi-*  
20                 *ble taxpayer who receives a qualified payment*  
21                 *from a specified agricultural or horticultural co-*  
22                 *operative, there shall be allowed as a deduction*  
23                 *for the taxable year in which such payment is*  
24                 *received an amount equal to the portion of the*

1           *deduction allowed under paragraph (1) to such*  
2           *cooperative which is—*

3                     *“(i) allowed with respect to the portion*  
4                     *of the qualified production activities income*  
5                     *to which such payment is attributable, and*

6                     *“(ii) identified by such cooperative in*  
7                     *a written notice mailed to such taxpayer*  
8                     *during the payment period described in sec-*  
9                     *tion 1382(d).*

10                    *“(B) LIMITATION BASED ON TAXABLE IN-*  
11                    *COME.—The deduction allowed to any taxpayer*  
12                    *under this paragraph shall not exceed the taxable*  
13                    *income of the taxpayer determined without re-*  
14                    *gard to the deduction allowed under this para-*  
15                    *graph and after taking into account any deduc-*  
16                    *tion allowed to the taxpayer under subsection (a)*  
17                    *for the taxable year.*

18                    *“(C) COOPERATIVE DENIED DEDUCTION FOR*  
19                    *PORTION OF QUALIFIED PAYMENTS.—The taxable*  
20                    *income of a specified agricultural or horti-*  
21                    *cultural cooperative shall not be reduced under*  
22                    *section 1382 by reason of that portion of any*  
23                    *qualified payment as does not exceed the deduc-*  
24                    *tion allowable under subparagraph (A) with re-*  
25                    *spect to such payment.*

1           “(D) *ELIGIBLE TAXPAYER.*—For purposes  
2 of this paragraph, the term ‘eligible taxpayer’  
3 means—

4           “(i) a taxpayer other than a corpora-  
5 tion, or

6           “(ii) a specified agricultural or horti-  
7 cultural cooperative.

8           “(E) *QUALIFIED PAYMENT.*—For purposes  
9 of this section, the term ‘qualified payment’  
10 means, with respect to any eligible taxpayer, any  
11 amount which—

12           “(i) is described in paragraph (1) or  
13 (3) of section 1385(a),

14           “(ii) is received by such taxpayer from  
15 a specified agricultural or horticultural co-  
16 operative, and

17           “(iii) is attributable to qualified pro-  
18 duction activities income with respect to  
19 which a deduction is allowed to such cooper-  
20 ative under paragraph (1).

21           “(3) *QUALIFIED PRODUCTION ACTIVITIES IN-*  
22 *COME.*—For purposes of this subsection—

23           “(A) *IN GENERAL.*—The term ‘qualified  
24 production activities income’ for any taxable

1           year means an amount equal to the excess (if  
2           any) of—

3                   “(i) the taxpayer’s domestic production  
4                   gross receipts for such taxable year, over

5                   “(ii) the sum of—

6                           “(I) the cost of goods sold that are  
7                           allocable to such receipts, and

8                           “(II) other expenses, losses, or de-  
9                           ductions (other than the deduction al-  
10                          lowed under this subsection), which are  
11                          properly allocable to such receipts.

12                   “(B) ALLOCATION METHOD.—The Secretary  
13                   shall prescribe rules for the proper allocation of  
14                   items described in subparagraph (A) for pur-  
15                   poses of determining qualified production activi-  
16                   ties income. Such rules shall provide for the  
17                   proper allocation of items whether or not such  
18                   items are directly allocable to domestic produc-  
19                   tion gross receipts.

20                   “(C) SPECIAL RULES FOR DETERMINING  
21                   COSTS.—

22                           “(i) IN GENERAL.—For purposes of de-  
23                           termining costs under subclause (I) of sub-  
24                           paragraph (A)(ii), any item or service  
25                           brought into the United States shall be



1           *treated as acquired by purchase, and its*  
2           *cost shall be treated as not less than its*  
3           *value immediately after it entered the*  
4           *United States. A similar rule shall apply in*  
5           *determining the adjusted basis of leased or*  
6           *rented property where the lease or rental*  
7           *gives rise to domestic production gross re-*  
8           *ceipts.*

9           “(ii) *EXPORTS FOR FURTHER MANU-*  
10          *FACTURE.—In the case of any property de-*  
11          *scribed in clause (i) that had been exported*  
12          *by the taxpayer for further manufacture, the*  
13          *increase in cost or adjusted basis under*  
14          *clause (i) shall not exceed the difference be-*  
15          *tween the value of the property when ex-*  
16          *ported and the value of the property when*  
17          *brought back into the United States after*  
18          *the further manufacture.*

19          “(D) *DOMESTIC PRODUCTION GROSS RE-*  
20          *CEIPTS.—*

21                 “(i) *IN GENERAL.—The term ‘domestic*  
22                 *production gross receipts’ means the gross*  
23                 *receipts of the taxpayer which are derived*  
24                 *from any lease, rental, license, sale, ex-*  
25                 *change, or other disposition of any agricul-*

1            *tural or horticultural product which was*  
2            *manufactured, produced, grown, or ex-*  
3            *tracted by the taxpayer (determined after*  
4            *the application of paragraph (4)(B)) in*  
5            *whole or significant part within the United*  
6            *States. Such term shall not include gross re-*  
7            *ceipts of the taxpayer which are derived*  
8            *from the lease, rental, license, sale, ex-*  
9            *change, or other disposition of land.*

10            *“(i) RELATED PERSONS.—*

11            *“(I) IN GENERAL.—The term ‘do-*  
12            *mestic production gross receipts’ shall*  
13            *not include any gross receipts of the*  
14            *taxpayer derived from property leased,*  
15            *licensed, or rented by the taxpayer for*  
16            *use by any related person.*

17            *“(II) RELATED PERSON.—For*  
18            *purposes of subclause (I), a person*  
19            *shall be treated as related to another*  
20            *person if such persons are treated as a*  
21            *single employer under subsection (a) or*  
22            *(b) of section 52 or subsection (m) or*  
23            *(o) of section 414, except that deter-*  
24            *minations under subsections (a) and*

1                   (b) of section 52 shall be made without  
2                   regard to section 1563(b).

3                   “(4) SPECIFIED AGRICULTURAL OR HORTI-  
4                   CULTURAL COOPERATIVE.—For purposes of this sec-  
5                   tion—

6                   “(A) IN GENERAL.—The term ‘specified ag-  
7                   ricultural or horticultural cooperative’ means an  
8                   organization to which part I of subchapter T ap-  
9                   plies which is engaged—

10                   “(i) in the manufacturing, production,  
11                   growth, or extraction in whole or significant  
12                   part of any agricultural or horticultural  
13                   product, or

14                   “(ii) in the marketing of agricultural  
15                   or horticultural products.

16                   “(B) APPLICATION TO MARKETING CO-  
17                   OPERATIVES.—A specified agricultural or horti-  
18                   cultural cooperative described in subparagraph  
19                   (A)(ii) shall be treated as having manufactured,  
20                   produced, grown, or extracted in whole or sig-  
21                   nificant part any agricultural or horticultural  
22                   product marketed by the specified agricultural or  
23                   horticultural cooperative which its patrons have  
24                   so manufactured, produced, grown, or extracted.

25                   “(5) DEFINITIONS AND SPECIAL RULES.—

1           “(A) *SPECIAL RULE FOR AFFILIATED*  
2           *GROUPS.—*

3                   “(i) *IN GENERAL.—All members of an*  
4                   *expanded affiliated group shall be treated as*  
5                   *a single corporation for purposes of this*  
6                   *subsection.*

7                   “(ii) *PARTNERSHIPS OWNED BY EX-*  
8                   *PANDED AFFILIATED GROUPS.—For pur-*  
9                   *poses of paragraph (3)(D), if all of the in-*  
10                   *terests in the capital and profits of a part-*  
11                   *nership are owned by members of a single*  
12                   *expanded affiliated group at all times dur-*  
13                   *ing the taxable year of such partnership, the*  
14                   *partnership and all members of such group*  
15                   *shall be treated as a single taxpayer during*  
16                   *such period.*

17                   “(iii)     *EXPANDED        AFFILIATED*  
18                   *GROUP.—For purposes of this subsection,*  
19                   *the term ‘expanded affiliated group’ means*  
20                   *an affiliated group as defined in section*  
21                   *1504(a), determined—*

22                           “(I) *by substituting ‘more than 50*  
23                           *percent’ for ‘at least 80 percent’ each*  
24                           *place it appears, and*

1                   “(II) *without regard to para-*  
2                   *graphs (2) and (4) of section 1504(b).*

3                   “(iv) *ALLOCATION OF DEDUCTION.—*  
4                   *Except as provided in regulations, the de-*  
5                   *duction under paragraph (1) shall be allo-*  
6                   *cated among the members of the expanded*  
7                   *affiliated group in proportion to each mem-*  
8                   *ber’s respective amount (if any) of qualified*  
9                   *production activities income.*

10                  “(B) *SPECIAL RULE FOR COOPERATIVE*  
11                  *PARTNERS.—In the case of a specified agricul-*  
12                  *tural or horticultural cooperative which is a*  
13                  *partner in a partnership, rules similar to the*  
14                  *rules of subsection (f)(1) shall apply for purposes*  
15                  *of this subsection.*

16                  “(C) *TRADE OR BUSINESS REQUIREMENT.—*  
17                  *This subsection shall be applied by only taking*  
18                  *into account items which are attributable to the*  
19                  *actual conduct of a trade or business.*

20                  “(D) *UNRELATED BUSINESS TAXABLE IN-*  
21                  *COME.—For purposes of determining the tax im-*  
22                  *posed by section 511, this section shall be applied*  
23                  *by substituting ‘unrelated business taxable in-*  
24                  *come’ for ‘taxable income’ each place it appears*  
25                  *in this section (other than this subparagraph).*

1           “(E) *SPECIAL RULE FOR COOPERATIVE*  
2 *WITH OIL RELATED QUALIFIED PRODUCTION AC-*  
3 *TIVITIES INCOME.—*

4           “(i) *IN GENERAL.—If a specified agri-*  
5 *cultural or horticultural cooperative has oil*  
6 *related qualified production activities in-*  
7 *come for any taxable year, the amount oth-*  
8 *erwise allowable as a deduction under para-*  
9 *graph (1) shall be reduced by 3 percent of*  
10 *the least of—*

11           “(I) *the oil related qualified pro-*  
12 *duction activities income of the cooper-*  
13 *ative for the taxable year,*

14           “(II) *the qualified production ac-*  
15 *tivities income of the cooperative for*  
16 *the taxable year, or*

17           “(III) *taxable income.*

18           “(ii) *OIL RELATED QUALIFIED PRO-*  
19 *DUCTION ACTIVITIES INCOME.—For pur-*  
20 *poses of this subparagraph, the term ‘oil re-*  
21 *lated qualified production activities income’*  
22 *means for any taxable year the qualified*  
23 *production activities income which is at-*  
24 *tributable to the production, refining, proc-*  
25 *essing, transportation, or distribution of oil,*

1           *gas, or any primary product thereof (within*  
2           *the meaning of section 927(a)(2)(C), as in*  
3           *effect before its repeal) during such taxable*  
4           *year.*

5           “(6) *REGULATIONS.*—*The Secretary shall pre-*  
6           *scribe such regulations as are necessary to carry out*  
7           *the purposes of this subsection, including regulations*  
8           *which prevent more than 1 taxpayer from being al-*  
9           *lowed a deduction under this subsection with respect*  
10          *to any activity described in paragraph (3)(D)(i).*  
11          *Such regulations shall be based on the regulations ap-*  
12          *plicable to cooperatives and their patrons under sec-*  
13          *tion 199 (as in effect before its repeal).”.*

14          (2) *CONFORMING AMENDMENTS.*—

15                 (A) *Sections 63(b)(3), 63(d)(3), 199A(e)(1),*  
16                 *and 6662(d)(1)(C) of such Code are each amend-*  
17                 *ed by striking “the deduction” and inserting*  
18                 *“any deduction”.*

19                 (B) *The last sentence of section 62(a) of*  
20                 *such Code and section 172(d)(8) of such Code are*  
21                 *each amended by striking “The deduction” and*  
22                 *inserting “Any deduction”.*

23                 (C) *Section 199A(e)(1) of such Code is*  
24                 *amended by striking “Taxable income” and in-*

1           serting “*Except as otherwise provided in sub-*  
2           *section (g)(2)(B), taxable income*”.

3                   (D) *Section 613(a) of such Code is amended*  
4           by striking “*the deduction under section 199A*”  
5           and inserting “*any deduction under section*  
6           *199A*”.

7           (b) *MODIFICATIONS RELATED TO PAYMENTS FROM*  
8           *COOPERATIVES.—*

9                   (1) *REPEAL OF SPECIAL DEDUCTION FOR QUALI-*  
10           *FIED COOPERATIVE DIVIDENDS.—Subsection (a) of*  
11           *section 199A of such Code is amended to read as fol-*  
12           *lows:*

13                   “(a) *ALLOWANCE OF DEDUCTION.—In the case of a*  
14           *taxpayer other than a corporation, there shall be allowed*  
15           *as a deduction for any taxable year an amount equal to*  
16           *the lesser of—*

17                           “(1) *the combined qualified business income*  
18                           *amount of the taxpayer, or*

19                           “(2) *an amount equal to 20 percent of the excess*  
20                           *(if any) of—*

21                                   “(A) *the taxable income of the taxpayer for*  
22                                   *the taxable year, over*

23                                   “(B) *the net capital gain (as defined in sec-*  
24                                   *tion 1(h)) of the taxpayer for such taxable*  
25                                   *year.*”.



1           (2) *REPEAL OF RULE EXCLUDING QUALIFIED CO-*  
2           *OPERATIVE DIVIDENDS FROM QUALIFIED BUSINESS*  
3           *INCOME.*—

4           (A) *IN GENERAL.*—Section 199A(c)(1) of  
5           such Code is amended by striking “, qualified co-  
6           operative dividends,”.

7           (B) *CONFORMING AMENDMENTS.*—

8           (i) Section 199A(c)(3)(B) of such Code  
9           is amended—

10           (I) by striking “investment” in  
11           the matter preceding clause (i), and

12           (II) by adding at the end of clause  
13           (ii) the following: “Any amount de-  
14           scribed in section 1385(a)(1) shall not  
15           be treated as described in this clause.”.

16           (ii) Section 199A(e) of such Code is  
17           amended by striking paragraph (4) and by  
18           redesignating paragraph (5) as paragraph  
19           (4).

20           (3) *REDUCTION OF QUALIFIED BUSINESS INCOME*  
21           *WITH RESPECT TO INCOME RECEIVED FROM COOPERA-*  
22           *TIVES.*—Section 199A(b) of such Code is amended by  
23           adding at the end the following new paragraph:

24           “(7) *SPECIAL RULE WITH RESPECT TO INCOME*  
25           *RECEIVED FROM COOPERATIVES.*—In the case of any

1       *qualified trade or business of a patron of a specified*  
2       *agricultural or horticultural cooperative, the amount*  
3       *determined under paragraph (2) with respect to such*  
4       *trade or business shall be reduced by the lesser of—*

5               “(A) 9 percent of so much of the qualified  
6               business income with respect to such trade or  
7               business as is properly allocable to qualified pay-  
8               ments received from such cooperative, or

9               “(B) 50 percent of so much of the W-2  
10              wages with respect to such trade or business as  
11              are so allocable.”.

12       (c) *APPLICATION OF SECTION 199 TO CERTAIN QUALI-*  
13       *FIED PAYMENTS PAID AFTER 2017.*—Subsection (c) of sec-  
14       tion 13305 of Public Law 115–97 is amended to read as  
15       follows:

16       “(c) *EFFECTIVE DATES.*—

17               “(1) *IN GENERAL.*—Except as provided in para-  
18               graph (2), the amendments made by this section shall  
19               apply to taxable years beginning after December 31,  
20               2017.

21               “(2) *TRANSITION RULE FOR QUALIFIED PAY-*  
22               *MENTS OF PATRONS OF COOPERATIVES.*—

23               “(A) *IN GENERAL.*—The amendments made  
24               by this section shall not apply to a qualified  
25               payment received by a taxpayer from a specified

1           *agricultural or horticultural cooperative in a*  
2           *taxable year of the taxpayer beginning after De-*  
3           *cember 31, 2017, which is attributable to quali-*  
4           *fied production activities income with respect to*  
5           *which a deduction is allowable to the cooperative*  
6           *under section 199 of the Internal Revenue Code*  
7           *of 1986 (as in effect before the amendments made*  
8           *by this section) for a taxable year of the coopera-*  
9           *tive beginning before January 1, 2018. Any term*  
10           *used in this subparagraph which is also used in*  
11           *section 199 of such Code (as so in effect) shall*  
12           *have the same meaning as when used in such*  
13           *section.*

14           “(B) *COORDINATION WITH SECTION 199A.—*  
15           *No deduction shall be allowed under section*  
16           *199A of such Code for any qualified payment to*  
17           *which subparagraph (A) applies.”*

18           (d) *EFFECTIVE DATE.—*

19           (1) *IN GENERAL.—Except as otherwise provided*  
20           *in this subsection, the amendments made by this sec-*  
21           *tion shall take effect as if included in section 11011*  
22           *of Public Law 115–97.*

23           (2) *APPLICATION OF SECTION 199 TO CERTAIN*  
24           *QUALIFIED PAYMENTS PAID AFTER 2017.—The amend-*

1 *ment made by subsection (c) shall take effect as if in-*  
 2 *cluded in section 13305 of Public Law 115–97.*

3 **SEC. 102. INCREASE IN STATE HOUSING CREDIT CEILING**  
 4 **FOR , 2019, 2020, 2021.**

5 *(a) IN GENERAL.—Section 42(h)(3)(I) of the Internal*  
 6 *Revenue Code of 1986 is amended to read as follows:*

7 *“(I) INCREASE IN STATE HOUSING CREDIT*  
 8 *CEILING FOR 2018, 2019, 2020, AND 2021.—In*  
 9 *the case of calendar years 2018, 2019, 2020, and*  
 10 *2021, each of the dollar amounts in effect under*  
 11 *clauses (I) and (II) of subparagraph (C)(ii) for*  
 12 *any calendar year (after any increase under sub-*  
 13 *paragraph (H)) shall be increased by multi-*  
 14 *plying such dollar amount by 1.125.”.*

15 *(b) EFFECTIVE DATE.—The amendment made by this*  
 16 *section shall apply to calendar years beginning after De-*  
 17 *cember 31, 2017.*

18 **SEC. 103. AVERAGE INCOME TEST FOR LOW-INCOME HOUS-**  
 19 **ING CREDIT.**

20 *(a) IN GENERAL.—Paragraph (1) of section 42(g) of*  
 21 *the Internal Revenue Code of 1986 is amended—*

22 *(1) by striking “subparagraph (A) or (B)” and*  
 23 *inserting “subparagraph (A), (B), or (C)”, and*

24 *(2) by inserting after subparagraph (B) the fol-*  
 25 *lowing new subparagraph:*

1           “(C) *AVERAGE INCOME TEST.*—

2                   “(i) *IN GENERAL.*—*The project meets*  
3                   *the minimum requirements of this subpara-*  
4                   *graph if 40 percent or more (25 percent or*  
5                   *more in the case of a project described in*  
6                   *section 142(d)(6)) of the residential units in*  
7                   *such project are both rent-restricted and oc-*  
8                   *cupied by individuals whose income does*  
9                   *not exceed the imputed income limitation*  
10                   *designated by the taxpayer with respect to*  
11                   *the respective unit.*

12                   “(ii) *SPECIAL RULES RELATING TO IN-*  
13                   *COME LIMITATION.*—*For purposes of clause*  
14                   *(i)—*

15                           “(I) *DESIGNATION.*—*The taxpayer*  
16                           *shall designate the imputed income*  
17                           *limitation of each unit taken into ac-*  
18                           *count under such clause.*

19                           “(II) *AVERAGE TEST.*—*The aver-*  
20                           *age of the imputed income limitations*  
21                           *designated under subclause (I) shall*  
22                           *not exceed 60 percent of area median*  
23                           *gross income.*

24                           “(III)    10-PERCENT    INCRE-

25                           *MENTS.*—*The designated imputed in-*

1                    *come limitation of any unit under sub-*  
 2                    *clause (I) shall be 20 percent, 30 per-*  
 3                    *cent, 40 percent, 50 percent, 60 per-*  
 4                    *cent, 70 percent, or 80 percent of area*  
 5                    *median gross income.”.*

6            *(b) RULES RELATING TO NEXT AVAILABLE UNIT.—*  
 7            *Subparagraph (D) of section 42(g)(2) of the Internal Rev-*  
 8            *enue Code of 1986 is amended—*

9                    *(1) in clause (i), by striking “clause (ii)” and*  
 10                    *inserting “clauses (ii), (iii), and (iv)”,*

11                    *(2) in clause (ii)—*

12                    *(A) by striking “If” and inserting “In the*  
 13                    *case of a project with respect to which the tax-*  
 14                    *payer elects the requirements of subparagraph*  
 15                    *(A) or (B) of paragraph (1), if”,*

16                    *(B) by striking the second sentence, and*

17                    *(C) by striking “NEXT AVAILABLE UNIT*  
 18                    *MUST BE RENTED TO LOW-INCOME TENANT IF IN-*  
 19                    *COME RISES ABOVE 140 PERCENT OF INCOME*  
 20                    *LIMIT” in the heading and inserting “RENTAL*  
 21                    *OF NEXT AVAILABLE UNIT IN CASE OF 20–50 OR*  
 22                    *40–60 TEST”, and*

23                    *(3) by adding at the end the following new*  
 24                    *clauses:*

1                   “(iii) *RENTAL OF NEXT AVAILABLE*  
2                   *UNIT IN CASE OF AVERAGE INCOME TEST.—*  
3                   *In the case of a project with respect to*  
4                   *which the taxpayer elects the requirements*  
5                   *of subparagraph (C) of paragraph (1), if*  
6                   *the income of the occupants of the unit in-*  
7                   *creases above 140 percent of the greater of—*  
8                                 “(I) 60 percent of area median  
9                                 *gross income, or*  
10                                “(II) *the imputed income limita-*  
11                                *tion designated with respect to the unit*  
12                                *under paragraph (1)(C)(i)(I),*  
13                   *clause (i) shall cease to apply to any such*  
14                   *unit if any residential rental unit in the*  
15                   *building (of a size comparable to, or smaller*  
16                   *than, such unit) is occupied by a new resi-*  
17                   *dent whose income exceeds the limitation*  
18                   *described in clause (v).*  
19                                “(iv)     *DEEP RENT SKEWED*  
20                   *PROJECTS.—In the case of a project de-*  
21                   *scribed in section 142(d)(4)(B), clause (ii)*  
22                   *or (iii), whichever is applicable, shall be ap-*  
23                   *plied by substituting ‘170 percent’ for ‘140*  
24                   *percent’, and—*

1           “(I) in the case of clause (ii), by  
2           substituting ‘any low-income unit in  
3           the building is occupied by a new resi-  
4           dent whose income exceeds 40 percent  
5           of area median gross income’ for ‘any  
6           residential rental unit’ and all that  
7           follows in such clause, and

8           “(II) in the case of clause (iii), by  
9           substituting ‘any low-income unit in  
10          the building is occupied by a new resi-  
11          dent whose income exceeds the lesser of  
12          40 percent of area median gross in-  
13          come or the imputed income limitation  
14          designated with respect to such unit  
15          under paragraph (1)(C)(ii)(I)’ for ‘any  
16          residential rental unit’ and all that  
17          follows in such clause.

18          “(v) *LIMITATION DESCRIBED.*—For  
19          purposes of clause (iii), the limitation de-  
20          scribed in this clause with respect to any  
21          unit is—

22                 “(I) the imputed income limita-  
23                 tion designated with respect to such  
24                 unit under paragraph (1)(C)(ii)(I), in  
25                 the case of a unit which was taken into



1                   *account as a low-income unit prior to*  
2                   *becoming vacant, and*

3                   *“(II) the imputed income limita-*  
4                   *tion which would have to be designated*  
5                   *with respect to such unit under such*  
6                   *paragraph in order for the project to*  
7                   *continue to meet the requirements of*  
8                   *paragraph (1)(C)(ii)(II), in the case of*  
9                   *any other unit.”.*

10           *(c) EFFECTIVE DATE.—The amendments made by this*  
11           *section shall apply to elections made under section 42(g)(1)*  
12           *of the Internal Revenue Code of 1986 after the date of the*  
13           *enactment of this Act.*

14           ***DIVISION U—TAX TECHNICAL***  
15           ***CORRECTIONS***

16           ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS; ETC.***

17           *(a) SHORT TITLE.—This division may be cited as the*  
18           *“Tax Technical Corrections Act of 2018”.*

19           *(b) AMENDMENT OF INTERNAL REVENUE CODE OF*  
20           *1986.—Except as otherwise expressly provided, whenever in*  
21           *this division an amendment or repeal is expressed in terms*  
22           *of an amendment to, or repeal of, a section or other provi-*  
23           *sion, the reference shall be considered to be made to a section*  
24           *or other provision of the Internal Revenue Code of 1986.*

1           (c) *TABLE OF CONTENTS.*—*The table of contents for*  
 2 *this division is as follows:*

*Sec. 1. Short title; table of contents; etc.*

**TITLE I—TAX TECHNICAL CORRECTIONS**

*Sec. 101. Amendments relating to Protecting Americans from Tax Hikes Act of 2015.*

*Sec. 102. Amendment relating to Consolidated Appropriations Act, 2016.*

*Sec. 103. Amendments relating to Fixing America's Surface Transportation Act.*

*Sec. 104. Amendments relating to Surface Transportation and Veterans Health Care Choice Improvement Act of 2015.*

*Sec. 105. Amendments relating to Stephen Beck, Jr., ABLE Act of 2014.*

*Sec. 106. Amendment relating to American Taxpayer Relief Act of 2012.*

*Sec. 107. Amendment relating to United States-Korea Free Trade Agreement Implementation Act.*

*Sec. 108. Amendment relating to SAFETEA-LU.*

*Sec. 109. Amendments relating to the American Jobs Creation Act of 2004.*

**TITLE II—TECHNICAL CORRECTIONS RELATED TO PARTNERSHIP  
 AUDIT RULES**

*Sec. 201. Scope of adjustments subject to partnership audit rules.*

*Sec. 202. Determination of imputed underpayments.*

*Sec. 203. Alternative procedure to filing amended returns for purposes of modifying imputed underpayment.*

*Sec. 204. Treatment of passthrough partners in tiered structures.*

*Sec. 205. Treatment of failure of partnership to pay imputed underpayment.*

*Sec. 206. Other technical corrections related to partnership audit rules.*

*Sec. 207. Effective date.*

**TITLE III—OTHER CORRECTIONS**

*Sec. 301. Amendments relating to the Bipartisan Budget Act of 2015.*

*Sec. 302. Amendments relating to the Energy Policy Act of 2005.*

**TITLE IV—CLERICAL CORRECTIONS AND DEADWOOD**

*Sec. 401. Clerical corrections and deadwood-related provisions.*

3           **TITLE I—TAX TECHNICAL**  
 4           **CORRECTIONS**

5           **SEC. 101. AMENDMENTS RELATING TO PROTECTING AMERI-**  
 6           **CANS FROM TAX HIKES ACT OF 2015.**

7           (a) *AMENDMENT RELATING TO SECTION 103.*—

8           (1) *Section 32(b)(2) is amended—*

1           (A) by striking clauses (ii) and (iii) of sub-  
2 paragraph (B), and

3           (B) by striking so much of subparagraph  
4 (B) as precedes “In the case of a joint return”  
5 and inserting the following:

6           “(B) JOINT RETURNS.—”.

7           (2) Section 32(j)(1) is amended—

8           (A) in the matter preceding subparagraph  
9 (A) by striking “after 1996” and inserting “after  
10 2015”,

11           (B) in subparagraph (B) by inserting “by  
12 substituting in subparagraph (A)(ii) thereof”  
13 after “, determined” ,

14           (C) in subparagraph (B)(i) by striking “by  
15 substituting” and “in subparagraph (A)(ii)  
16 thereof”,

17           (D) in subparagraph (B)(ii)—

18           (i) by striking “by substituting” and  
19 “in subparagraph (A)(ii) of such section 1”,

20           (ii) by striking “\$3,000” and inserting  
21 “\$5,000”,

22           (iii) by striking “(b)(2)(B)(iii)” and  
23 inserting “(b)(2)(B)”, and

24           (iv) by striking “2007” and inserting  
25 “2008”.

1       (b) *AMENDMENT RELATING TO SECTION 105.*—Section  
2 132(f)(6)(A) is amended by striking the second sentence.

3       (c) *AMENDMENTS RELATING TO SECTION 121.*—Sec-  
4 tion 41(c) is amended—

5           (1) by striking paragraph (4),

6           (2) by redesignating paragraphs (5), (6), and (7)  
7 as paragraphs (4), (5), and (6), respectively, and

8           (3) by striking the last sentence of paragraph  
9 (4)(C) (as so redesignated).

10       (d) *AMENDMENTS RELATING TO SECTION 143.*—

11           (1) Section 168(k)(2)(B)(i)(III) is amended by  
12 inserting “binding” before “contract”.

13           (2) Section 168(k)(5)(B)(ii) is amended—

14               (A) by inserting “crop or” after “more than  
15 one”, and

16               (B) by inserting “a marketable crop or  
17 yield of” after “begins bearing”.

18           (3) For purposes of applying section 168(k) of  
19 the Internal Revenue Code of 1986, as in effect on the  
20 day before the date of the enactment of Public Law  
21 115-97, with respect to property acquired before Sep-  
22 tember 28, 2017, paragraph (6) thereof shall be treat-  
23 ed as reading as follows (and as having been included  
24 in section 143 of the Protecting Americans from Tax  
25 Hikes Act of 2015):

1           “(6) *PHASE-DOWN.*—*In the case of qualified*  
2           *property placed in service by the taxpayer after De-*  
3           *cember 31, 2017 (December 31, 2018, in the case of*  
4           *property described in subparagraph (B) or (C) of*  
5           *paragraph (2)), paragraph (1)(A) shall be applied by*  
6           *substituting for ‘50 percent’—*

7                   “(A) *‘40 percent’ in the case of—*

8                           “(i) *property placed in service in 2018*  
9                           *(other than property described in subpara-*  
10                           *graph (B) or (C) of paragraph (2)), and*

11                           “(ii) *property described in subpara-*  
12                           *graph (B) or (C) of paragraph (2) which is*  
13                           *placed in service in 2019, and*

14                   “(B) *‘30 percent’ in the case of—*

15                           “(i) *property placed in service in 2019*  
16                           *(other than property described in subpara-*  
17                           *graph (B) or (C) of paragraph (2)), and*

18                           “(ii) *property described in subpara-*  
19                           *graph (B) or (C) of paragraph (2) which is*  
20                           *placed in service in 2020.”.*

21           (4) *Section 168(k)(7) of the Internal Revenue*  
22           *Code of 1986, as in effect on the day before the date*  
23           *of the enactment of Public Law 115-97, shall be ap-*  
24           *plied—*

1           (A) by substituting “paragraphs (1), (2)(F),  
2           and (4)” for “paragraphs (1) and (2)(F)”, and  
3           (B) as if the application of such substi-  
4           tution had been included in section 143 of the  
5           Protecting Americans from Tax Hikes Act of  
6           2015.

7           (e) AMENDMENTS RELATING TO SECTION 167.—

8           (1) Section 168(j)(3) is amended by striking  
9           “property to which paragraph (1) applies” and in-  
10          serting “qualified Indian reservation property”.

11          (2) Section 168(j)(8) is amended by striking  
12          “this subsection” and inserting “paragraph (1)”.

13          (f) AMENDMENTS RELATING TO SECTION 202.—

14          (1) Section 6722(c)(3)(A) is amended—

15               (A) by striking “any information return”  
16               in clause (iii) and inserting “the payee state-  
17               ment”, and

18               (B) by striking “filed” in the flush matter  
19               at the end and inserting “furnished”.

20          (2) Section 6721(c)(3)(A) is amended by striking  
21          “any information return” and inserting “the infor-  
22          mation return”.

23          (3) Section 202(e) of the Protecting Americans  
24          from Tax Hikes Act of 2015 is amended by striking  
25          “provided” and inserting “furnished”.

1           (g) *AMENDMENTS RELATING TO SECTION 203.*—

2           (1) *Section 6109(i)(1)(A)(i) is amended by strik-*  
3 *ing “community-based certified acceptance agent”*  
4 *and inserting “community-based certifying accept-*  
5 *ance agent”.*

6           (2) *Section 6109(i)(1)(B) is amended by striking*  
7 *“Internal Revenue Service” and inserting “Internal*  
8 *Revenue Service, a community-based certifying ac-*  
9 *ceptance agent approved by the Secretary,”.*

10          (3) *Section 6109(i)(3) is amended—*

11           (A) *in subparagraph (A)—*

12           (i) *by inserting “ending after the*  
13 *issuance of such number” before the period*  
14 *at the end of the first sentence, and*

15           (ii) *by striking “on the last day of*  
16 *such third consecutive taxable year” and in-*  
17 *serting “on the day after the due date for*  
18 *the return of tax for such third consecutive*  
19 *taxable year”, and*

20           (B) *by striking subparagraph (B)(ii) and*  
21 *inserting the following:*

22           “(ii) *if the individual does not file a*  
23 *return of tax (or is not included as a de-*  
24 *pendent on the return of tax of another tax-*  
25 *payer) for 3 consecutive taxable years at*

1           *least one of which ends after December 18,*  
2           *2015, the due date for the return of tax for*  
3           *such third consecutive taxable year.”.*

4           (4) *Section 203(c) of the Protecting Americans*  
5           *from Tax Hikes Act of 2015 is amended—*

6                   (A) *by striking “section 6109(i)(1)(A)(i)”*  
7                   *and inserting “section 6109(i)(1)”,*

8                   (B) *by striking “community-based certified*  
9                   *acceptance agents” and inserting “community-*  
10                   *based certifying acceptance agents”, and*

11                   (C) *by striking “CERTIFIED” in the heading*  
12                   *thereof and inserting “CERTIFYING”.*

13           (5) *Section 203(f) of the Protecting Americans*  
14           *from Tax Hikes Act of 2015 is amended by striking*  
15           *“The amendments” and inserting “Except to the ex-*  
16           *tent provided in section 6109(i)(3) of the Internal*  
17           *Revenue Code of 1986, the amendments”.*

18           (h) *AMENDMENTS RELATING TO SECTION 204.—Sec-*  
19           *tion 204(b) of the Protecting Americans from Tax Hikes*  
20           *Act of 2015 is amended—*

21                   (1) *by striking paragraph (2), and*

22                   (2) *by striking so much as precedes “amendment*  
23                   *made by this section” and inserting the following:*  
24                   *“(b) EFFECTIVE DATE.—The”.*

25           (i) *AMENDMENTS RELATING TO SECTION 205.—*



1           (1) *Section 24(e)(2) is amended by striking*  
2           *“identifying number” and inserting “taxpayer identi-*  
3           *fication number”.*

4           (2) *Section 205(c) of the Protecting Americans*  
5           *from Tax Hikes Act of 2015 is amended—*

6                     (A) *by striking paragraph (2), and*

7                     (B) *by striking so much as precedes “shall*  
8                     *apply to any return of tax” and inserting the*  
9                     *following: “(c) EFFECTIVE DATE.—The amend-*  
10                    *ments made by this section”.*

11           (j) *AMENDMENTS RELATING TO SECTION 206.—Sec-*  
12           *tion 206(b) of the Protecting Americans from Tax Hikes*  
13           *Act of 2015 is amended—*

14                    (1) *by striking “Except as provided in para-*  
15                    *graph (2), the amendment” in paragraph (1) and in-*  
16                    *serting “The amendment”, and*

17                    (2) *by striking paragraph (2) and redesignating*  
18                    *paragraph (3) as paragraph (2).*

19           (k) *AMENDMENT RELATING TO SECTION 209.—Section*  
20           *209(d)(2) of the Protecting Americans from Tax Hikes Act*  
21           *of 2015 is amended by striking “amendment made by sub-*  
22           *section (b)” and inserting “amendments made by sub-*  
23           *sections (b) and (c)”.*

24           (l) *AMENDMENTS RELATED TO SECTIONS 102, 206,*  
25           *207, 208, AND 211.—*

1           (1) *Section 25A(b)(1) is amended—*

2                   (A) *in subparagraph (A) by striking*  
3 *“\$1,000” and inserting “\$2,000”, and*

4                   (B) *in subparagraph (B)—*

5                           (i) *by striking “50 percent” and in-*  
6 *serting “25 percent”,*

7                           (ii) *by striking “\$1,000” and inserting*  
8 *“\$2,000”, and*

9                           (iii) *by striking “the applicable limit”*  
10 *and inserting “\$4,000”.*

11           (2) *Subparagraphs (A) and (C) of section*  
12 *25A(b)(2) are amended by striking “2” in the head-*  
13 *ing and text of each subparagraph and inserting “4”.*

14           (3) *Section 25A(b)(4) is amended to read as fol-*  
15 *lows:*

16                   “(4) *RESTRICTIONS ON TAXPAYERS WHO IMPROP-*  
17 *ERLY CLAIMED AMERICAN OPPORTUNITY TAX CREDIT*  
18 *IN PRIOR YEARS.—*

19                           “(A) *TAXPAYERS MAKING PRIOR FRAUDU-*  
20 *LENT OR RECKLESS CLAIMS.—*

21                                   “(i) *IN GENERAL.—No American Op-*  
22 *portunity Tax Credit shall be allowed under*  
23 *this section for any taxable year in the dis-*  
24 *allowance period.*

1           “(i) *DISALLOWANCE PERIOD.*—*For*  
2           *purposes of subparagraph (A), the disallow-*  
3           *ance period is—*

4                   “(I) *the period of 10 taxable years*  
5                   *after the most recent taxable year for*  
6                   *which there was a final determination*  
7                   *that the taxpayer’s claim of the Amer-*  
8                   *ican Opportunity Tax Credit under*  
9                   *this section was due to fraud, and*

10                   “(II) *the period of 2 taxable years*  
11                   *after the most recent taxable year for*  
12                   *which there was a final determination*  
13                   *that the taxpayer’s claim of the Amer-*  
14                   *ican Opportunity Tax Credit under*  
15                   *this section was due to reckless or in-*  
16                   *tentional disregard of rules and regula-*  
17                   *tions (but not due to fraud).*

18           “(B) *TAXPAYERS MAKING IMPROPER PRIOR*  
19           *CLAIMS.*—*In the case of a taxpayer who is de-*  
20           *nied the American Opportunity Tax Credit*  
21           *under this section for any taxable year as a re-*  
22           *sult of the deficiency procedures under sub-*  
23           *chapter B of chapter 63, no American Oppor-*  
24           *tunity Tax Credit shall be allowed under this*  
25           *section for any subsequent taxable year unless*

1           *the taxpayer provides such information as the*  
2           *Secretary may require to demonstrate eligibility*  
3           *for such credit.”.*

4           *(4) Section 25A(d) is amended to read as follows:*

5           “(d) *LIMITATIONS BASED ON MODIFIED ADJUSTED*  
6 *GROSS INCOME.—*

7           “(1) *AMERICAN OPPORTUNITY TAX CREDIT.—The*  
8           *American Opportunity Tax Credit (determined with-*  
9           *out regard to this paragraph) shall be reduced (but*  
10           *not below zero) by the amount which bears the same*  
11           *ratio to such credit (as so determined) as—*

12                   “(A) *the excess of—*

13                           “(i) *the taxpayer’s modified adjusted*  
14                           *gross income for such taxable year, over*

15                                   “(ii) *\$80,000 (\$160,000 in the case of*  
16                                   *a joint return), bears to*

17                                   “(B) *\$10,000 (\$20,000 in the case of a joint*  
18                                   *return).*

19           “(2) *LIFETIME LEARNING CREDIT.—The Lifetime*  
20           *Learning Credit (determined without regard to this*  
21           *paragraph) shall be reduced (but not below zero) by*  
22           *the amount which bears the same ratio to such credit*  
23           *(as so determined) as—*

24                   “(A) *the excess of—*

1           “(i) the taxpayer’s modified adjusted  
2           gross income for such taxable year, over

3           “(ii) \$40,000 (\$80,000 in the case of a  
4           joint return), bears to

5           “(B) \$10,000 (\$20,000 in the case of a joint  
6           return).

7           “(3) *MODIFIED ADJUSTED GROSS INCOME.*—For  
8           purposes of this subsection, the term ‘modified ad-  
9           justed gross income’ means the adjusted gross income  
10          of the taxpayer for the taxable year increased by any  
11          amount excluded from gross income under section  
12          911, 931, or 933.”.

13          (5) Section 25A(f)(1) is amended by adding at  
14          the end the following new subparagraph:

15                 “(D) *REQUIRED COURSE MATERIALS TAKEN*  
16                 *INTO ACCOUNT FOR AMERICAN OPPORTUNITY TAX*  
17                 *CREDIT.*—For purposes of determining the Amer-  
18                 ican Opportunity Tax Credit, subparagraph (A)  
19                 shall be applied by substituting ‘tuition, fees,  
20                 and course materials’ for ‘tuition and fees’.”.

21          (6) Section 25A(g)(1) is amended—

22                 (A) by striking “No credit” and inserting  
23                 the following:

24                 “(A) *IN GENERAL.*—No credit”, and

1           *(B) by adding at the end the following new*  
2           *subparagraph:*

3           “*(B) ADDITIONAL IDENTIFICATION RE-*  
4           *QUIREMENTS WITH RESPECT TO AMERICAN OP-*  
5           *PORTUNITY TAX CREDIT.—*

6                   “*(i) STUDENT.—The requirements of*  
7                   *subparagraph (A) shall not be treated as*  
8                   *met with respect to the American Oppor-*  
9                   *tunity Tax Credit unless the individual’s*  
10                   *taxpayer identification number was issued*  
11                   *on or before the due date for filing the re-*  
12                   *turn of tax for the taxable year.*

13                   “*(ii) TAXPAYER.—No American Op-*  
14                   *portunity Tax Credit shall be allowed under*  
15                   *this section if the taxpayer identification*  
16                   *number of the taxpayer was issued after the*  
17                   *due date for filing the return for the taxable*  
18                   *year.*

19                   “*(iii) INSTITUTION.—No American*  
20                   *Opportunity Tax Credit shall be allowed*  
21                   *under this section unless the taxpayer in-*  
22                   *cludes the employer identification number*  
23                   *of any institution to which qualified tuition*  
24                   *and related expenses were paid with respect*  
25                   *to the individual.”.*

1           (7) *Section 25A(h) is amended to read as follows:*

2           “(h) *INFLATION ADJUSTMENT.—*

3           “(1) *IN GENERAL.—In the case of a taxable year*  
4           *beginning after 2001, the \$40,000 and \$80,000*  
5           *amounts in subsection (d)(2) shall each be increased*  
6           *by an amount equal to—*

7                     “(A) *such dollar amount, multiplied by*

8                     “(B) *the cost-of-living adjustment deter-*  
9                     *mined under section 1(f)(3) for the calendar year*  
10                    *in which the taxable year begins, determined by*  
11                    *substituting ‘calendar year 2000’ for ‘calendar*  
12                    *year 2016’ in subparagraph (A)(ii) thereof.*

13           “(2) *ROUNDING.—If any amount as adjusted*  
14           *under paragraph (1) is not a multiple of \$1,000, such*  
15           *amount shall be rounded to the next lowest multiple*  
16           *of \$1,000.”.*

17           (8) *Section 25A(i) is amended to read as follows:*

18           “(i) *PORTION OF AMERICAN OPPORTUNITY TAX CRED-*  
19           *IT MADE REFUNDABLE.—Forty percent of so much of the*  
20           *credit allowed under subsection (a) as is attributable to the*  
21           *American Opportunity Tax Credit (determined after appli-*  
22           *cation of subsection (d) and without regard to this para-*  
23           *graph and section 26(a)) shall be treated as a credit allow-*  
24           *able under subpart C (and not allowed under subsection*  
25           *(a)). The preceding sentence shall not apply to any tax-*

1 payer for any taxable year if such taxpayer is a child to  
2 whom subsection (g) of section 1 applies for such taxable  
3 year.”.

4 (9) The heading of section 25A is amended by  
5 striking “**HOPE**” and inserting “**AMERICAN OP-**  
6 **PORTUNITY**”.

7 (10) The item relating to section 25A in the table  
8 of contents for subpart A of part IV of subchapter A  
9 of chapter 1 is amended to read as follows:

“Sec. 25A. American Opportunity and Lifetime Learning credits.”.

10 (11) The heading of section 25A(b) is amended  
11 by striking “*HOPE SCHOLARSHIP CREDIT*” and in-  
12 serting “*AMERICAN OPPORTUNITY TAX CREDIT*”.

13 (12) The heading of section 25A(b)(2) is amend-  
14 ed by striking “*HOPE SCHOLARSHIP CREDIT*” and in-  
15 serting “*AMERICAN OPPORTUNITY TAX CREDIT*”.

16 (13) The heading of section 25A(c)(2)(A) is  
17 amended by striking “*HOPE SCHOLARSHIP*” and in-  
18 serting “*AMERICAN OPPORTUNITY TAX CREDIT*”.

19 (14) Section 25A, as amended by the preceding  
20 provisions of this Act, is amended by striking “*Hope*  
21 *Scholarship Credit*” each place it appears in the text  
22 and inserting “*American Opportunity Tax Credit*”.

23 (15) The heading of section 529(c)(3)(B)(v) is  
24 amended by striking “*HOPE*” and inserting “*AMER-*  
25 *ICAN OPPORTUNITY*”.



1           (16) *The heading of section 530(d)(2)(C) is*  
2 *amended by striking “HOPE” and inserting “AMER-*  
3 *ICAN OPPORTUNITY”.*

4           (17) *Section 6211(b)(4)(A), as amended by this*  
5 *Act, is amended by striking “subsection (i)(5)” and*  
6 *inserting “subsection (i)”.*

7           (18) *Section 6213(g)(2)(Q) is amended to read*  
8 *as follows:*

9                   *“(Q) an omission of information required*  
10 *by section 25A(b)(4)(B) or an entry on the re-*  
11 *turn claiming the American Opportunity Tax*  
12 *Credit for a taxable year for which such credit*  
13 *is disallowed under section 25A(b)(4)(A).”.*

14           (19) *Section 207(b)(1) of the Protecting Ameri-*  
15 *cans from Tax Hikes Act of 2015 is amended by*  
16 *striking “the American opportunity tax credit under*  
17 *section 25A(i) of such Code” and inserting “the*  
18 *American Opportunity Tax Credit under section 25A*  
19 *of such Code”.*

20           (m) *AMENDMENT RELATING TO SECTION 311.—*

21                   (1) *The last sentence of section 355(h)(2)(B) is*  
22 *amended by striking “80 percent” both places it ap-*  
23 *pears and inserting “at least 80 percent”.*

24                   (2) *Section 355(h)(2) is amended—*

1           (A) by striking “SPINOFFS” in the heading  
2 of such paragraph and inserting “DISTRIBU-  
3 TIONS”, and

4           (B) by striking “SPINOFFS” in the headings  
5 of subparagraphs (A) and (B) and inserting  
6 “DISTRIBUTIONS”.

7       (n) AMENDMENT RELATING TO SECTION 318.—

8           (1) Section 856(c)(9)(A) is amended—

9           (A) by striking “Personal property” and in-  
10 sserting the following:

11                   “(i) IN GENERAL.—Personal prop-  
12 erty”, and

13           (B) by adding at the end the following new  
14 clause:

15                   “(ii) TREATMENT OF GAIN ON DISPOSI-  
16 TION.—If—

17                           “(I) personal property is leased  
18 under, or in connection with, a lease of  
19 real property, for a period of not less  
20 than 1 year, and rents attributable to  
21 such personal property are treated as  
22 rents from real property under sub-  
23 section (d)(1)(C),

24                           “(II) any portion of such personal  
25 property and any portion of such real

1           *property are sold, or otherwise disposed*  
2           *of, in a single disposition (or contem-*  
3           *poraneously in separate dispositions),*  
4           *and*

5                     *“(III) the fair market value of the*  
6           *personal property so sold or contem-*  
7           *poraneously disposed of (determined at*  
8           *the time of disposition) does not exceed*  
9           *15 percent of the total fair market*  
10          *value of all of the personal and real*  
11          *property so sold or contemporaneously*  
12          *disposed of (determined at the time of*  
13          *disposition),*

14          *any gain from such dispositions shall be*  
15          *treated for purposes of paragraphs (2)(H)*  
16          *and (3)(H) as gain from the disposition of*  
17          *a real estate asset.”.*

18                 *(2) Section 856(c)(9)(B) is amended to read as*  
19          *follows:*

20                     *“(B) CERTAIN PERSONAL PROPERTY MORT-*  
21                     *GAGED IN CONNECTION WITH REAL PROPERTY.—*

22                             *“(i) IN GENERAL.—In the case of an*  
23                     *obligation secured by a mortgage on both*  
24                     *real property and personal property, if the*  
25                     *fair market value of such personal property*

1           *does not exceed 15 percent of the total fair*  
2           *market value of all such property, such obli-*  
3           *gation shall be treated—*

4                     “(I) *for purposes of paragraph*  
5                     *(3)(B), as an obligation described*  
6                     *therein,*

7                     “(II) *for purposes of paragraph*  
8                     *(4)(A), as a real estate asset, and*

9                     “(III) *for purposes of paragraphs*  
10                    *(2)(D) and (3)(C), as a mortgage on*  
11                    *real property.*

12                    “(ii) *DETERMINATION OF FAIR MAR-*  
13                    *KET VALUE.—*

14                    “(I) *IN GENERAL.—Except as pro-*  
15                    *vided in subclause (II), the fair market*  
16                    *value of all such property shall be de-*  
17                    *termined for purposes of clause (i) in*  
18                    *the same manner as the fair market*  
19                    *value of real property is determined for*  
20                    *purposes of apportioning interest in-*  
21                    *come between real property and per-*  
22                    *sonal property under paragraph*  
23                    *(3)(B).*

24                    “(II) *GAIN ON DISPOSITION.—For*  
25                    *purposes of applying clause (i)(III),*

1                   *fair market value shall be determined*  
2                   *at the time of sale or other disposi-*  
3                   *tion.”.*

4           (o) *AMENDMENT RELATED TO SECTION 302(b).*—*Sec-*  
5 *tion 529A(c)(1) is amended by striking subparagraph (D).*

6           (p) *AMENDMENTS RELATING TO SECTION 322.*—

7                 (1) *Section 897(k)(2) is amended—*

8                         (A) *by striking so much of subparagraph*  
9                         (B) *as precedes “amounts realized by the quali-*  
10                         *fied shareholder” and inserting the following:*

11                                 “(B) *EXCEPTION.*—*In the case of a quali-*  
12                                 *fied shareholder with one or more applicable in-*  
13                                 *vestors—*

14   “(i) *subparagraph (A)(i) shall not*  
15   *apply to the applicable percentage of the*  
16   *stock of the real estate investment trust held*  
17   *by the qualified shareholder, and*

18   “(ii) *the applicable percentage of the”,*  
19   *and*

20   (B) *by adding at the end the following new*  
21   *subparagraph:*

22   “(F) *APPLICABLE PERCENTAGE.*—*For pur-*  
23   *poses of subparagraph (B), the term ‘applicable*  
24   *percentage’ means the percentage of the value of*  
25   *the interests (other than interests held solely as*

1           *a creditor) in the qualified shareholder held by*  
2           *applicable investors.”.*

3           *(2) Section 897(k)(2)(D) is amended by striking*  
4           *“paragraph” and inserting “subsection”.*

5           *(3) Section 897(k)(2)(E) is amended by striking*  
6           *“and (C) and paragraph (4)” and inserting “and*  
7           *(D)”.*

8           *(4) Section 897(k)(3)(B)(i) is amended by strik-*  
9           *ing so much as precedes “for a reduced rate of with-*  
10           *holding” and inserting the following:*

11                   *“(i) which—*

12                           *“(I) is eligible for benefits under*  
13                           *the comprehensive income tax treaty*  
14                           *described in subparagraph (A)(i)(I),*  
15                           *but only if the dividends article of such*  
16                           *treaty imposes conditions on the bene-*  
17                           *fits allowable in the case of dividends*  
18                           *paid by a real estate investment trust,*  
19                           *and*

20                           *“(II) is eligible under such trea-*  
21                           *ty”.*

22           *(5) Section 897(k)(3)(B)(ii) is amended—*

23                   *(A) by adding “and” at the end of subclause*  
24                   *(II), and*

1                   (B) by striking “United States corporation”  
2                   in subclause (III) and inserting “domestic cor-  
3                   poration”.

4                   (6) Section 322 of the Protecting Americans from  
5                   Tax Hikes Act of 2015 is amended by striking sub-  
6                   sections (b)(2) and (c)(3), and the Internal Revenue  
7                   Code of 1986 shall be applied as if such subsections,  
8                   and amendments made thereby, had never been en-  
9                   acted.

10                  (7) Section 322(c)(2) of such Act is amended by  
11                  striking “take effect on” and inserting the following:  
12                  “apply with respect to testing periods (as defined in  
13                  section 897(h)(4)(D) of the Internal Revenue Code of  
14                  1986) ending on or after”.

15                  (q) AMENDMENTS RELATED TO SECTION 323.—

16                  (1) So much of subsection (l) of section 897 as  
17                  precedes paragraph (2) thereof is amended to read as  
18                  follows:

19                  “(l) EXCEPTION FOR QUALIFIED FOREIGN PENSION  
20                  FUNDS.—

21                  “(1) IN GENERAL.—For purposes of this section,  
22                  a qualified foreign pension fund shall not be treated  
23                  as a nonresident alien individual or a foreign cor-  
24                  poration. For purposes of the preceding sentence, an  
25                  entity all the interests of which are held by a quali-

1 *fied foreign pension fund shall be treated as such a*  
2 *fund.”.*

3 (2) *Subparagraph (B) of section 897(l)(2) is*  
4 *amended to read as follows:*

5 “(B) *which is established—*

6 “(i) *by such country (or one or more*  
7 *political subdivisions thereof) to provide re-*  
8 *tirement or pension benefits to participants*  
9 *or beneficiaries that are current or former*  
10 *employees (including self-employed individ-*  
11 *uals) or persons designated by such employ-*  
12 *ees, as a result of services rendered by such*  
13 *employees to their employers, or*

14 “(ii) *by one or more employers to pro-*  
15 *vide retirement or pension benefits to par-*  
16 *ticipants or beneficiaries that are current or*  
17 *former employees (including self-employed*  
18 *individuals) or persons designated by such*  
19 *employees in consideration for services ren-*  
20 *dered by such employees to such employ-*  
21 *ers,”.*

22 (3) *Section 897(l)(2)(D) is amended by striking*  
23 *“provides annual information reporting about its*  
24 *beneficiaries to the relevant tax authorities” and in-*  
25 *serting “with respect to which annual information*



1 *about its beneficiaries is provided, or is otherwise*  
2 *available, to the relevant tax authorities”.*

3 *(4) Section 897(l)(2)(E) is amended—*

4 *(A) by striking “such entity” in clause (i)*  
5 *and inserting “such entity or arrangement”, and*

6 *(B) by striking “or such income is taxed at*  
7 *a reduced rate” in clause (ii) and inserting “, or*  
8 *such income is excluded from the gross income of*  
9 *such entity or arrangement or is taxed at a re-*  
10 *duced rate”.*

11 *(r) AMENDMENTS RELATING TO SECTION 333.—*

12 *(1) Section 831(b)(2)(B)(i)(II) is amended by*  
13 *striking “specified assets” and inserting “relevant*  
14 *specified assets”*

15 *(2) Section 831(b)(2)(B) is amended by redesign-*  
16 *ating clause (ii) as clause (iv) and by inserting after*  
17 *clause (i) the following new clauses:*

18 *“(ii) AGGREGATION OF CERTAIN*  
19 *SPOUSAL INTERESTS.—For purposes of*  
20 *clause (i)(II), any interest in the insurance*  
21 *company referred to in such clause which is*  
22 *held (directly or indirectly) by an indi-*  
23 *vidual who is a spouse of the specified hold-*  
24 *er, and who is a citizen of the United*

1           *States, shall be treated as held by the speci-*  
2           *fied holder.*

3           “(iii) *SPECIFIED HOLDER.*—*For pur-*  
4           *poses of this subparagraph, the term ‘speci-*  
5           *fied holder’ means, with respect to any in-*  
6           *surance company, any individual who holds*  
7           *(directly or indirectly) an interest in such*  
8           *insurance company and who—*

9                   “(I) *is a lineal descendent (in-*  
10                   *cluding by adoption) of an individual*  
11                   *who holds an interest (directly or indi-*  
12                   *rectly) in the specified assets with re-*  
13                   *spect to such insurance company or of*  
14                   *such individual’s spouse,*

15                   “(II) *is a spouse of any lineal de-*  
16                   *scendent described in subclause (I), or*

17                   “(III) *is not a citizen of the*  
18                   *United States and is a spouse of an in-*  
19                   *dividual who holds an interest (di-*  
20                   *rectly or indirectly) in the specified as-*  
21                   *sets with respect to such insurance*  
22                   *company.”.*

23           (3) *Section 831(b)(2)(B)(iv), as redesignated by*  
24           *paragraph (2), is amended—*

1           (A) by striking “clause (i)(II)” in the mat-  
2           ter preceding subclause (I) and inserting “this  
3           subparagraph”, and

4           (B) by amending subclause (I) to read as  
5           follows:

6                           “(I) *RELEVANT SPECIFIED AS-*  
7                           *SETS.—The term ‘relevant specified as-*  
8                           *sets’ means, with respect to any speci-*  
9                           *fied holder with respect to any insur-*  
10                           *ance company, the aggregate amount of*  
11                           *the specified assets, with respect to*  
12                           *such insurance company, any interest*  
13                           *in which is held (directly or indirectly)*  
14                           *by any spouse or specified relation of*  
15                           *such specified holder. Such term shall*  
16                           *not include any specified asset solely*  
17                           *by reason of an interest in such asset*  
18                           *which was acquired by such spouse or*  
19                           *specified relation by bequest, devise, or*  
20                           *inheritance from a decedent during the*  
21                           *taxable year of the insurance company*  
22                           *or the preceding taxable year. For pur-*  
23                           *poses of this subclause, the term ‘speci-*  
24                           *fied relation’ means any individual*  
25                           *with respect to whom the specified*

1 holder bears a relationship described in  
2 subclause (I) or (II) of clause (iii).”.

3 (4) Section 831(b)(2) is amended by redesi-  
4 gnating subparagraph (D) as subparagraph (E) and  
5 by inserting after subparagraph (C) the following new  
6 subparagraph:

7 “(D) *LOOK-THROUGH OF REINSURANCE AND*  
8 *FRONTING ARRANGEMENTS.*—*In the case of rein-*  
9 *surance or any fronting, intermediary, or simi-*  
10 *lar arrangement, the term ‘policyholder’ means*  
11 *each policyholder of the underlying direct writ-*  
12 *ten insurance with respect to such reinsurance or*  
13 *arrangement.*”.

14 (s) *EFFECTIVE DATE.*—*The amendments made by this*  
15 *section shall take effect as if included in the provision of*  
16 *the Protecting Americans from Tax Hikes Act of 2015 to*  
17 *which they relate.*

18 **SEC. 102. AMENDMENT RELATING TO CONSOLIDATED AP-**  
19 **PROPRIATIONS ACT, 2016.**

20 (a) *AMENDMENT RELATING TO SECTION 305 OF DIVI-*  
21 *SION P.*—*For purposes of applying section 199(c)(3)(C)(i)*  
22 *of the Internal Revenue Code of 1986 (as in effect before*  
23 *its repeal by Public Law 115-97) to taxable years beginning*  
24 *after December 31, 2015, and before January 1, 2018, such*  
25 *section shall be applied—*

1           (1) *by inserting “who elects the application of*  
2 *this clause for any taxable year,” after “In the case*  
3 *of any taxpayer”,*

4           (2) *by substituting “, and who” for “and who”,*

5           (3) *by substituting “such taxable year” for “the*  
6 *taxable year”, and*

7           (4) *by substituting “(as defined in subsection*  
8 *(d)(9)(B))” for “under subsection (d)(9)(B)”.*

9           (b) *EFFECTIVE DATE.—The amendment made by this*  
10 *section shall take effect as if included in section 305 of divi-*  
11 *sion P of the Consolidated Appropriations Act, 2016.*

12 **SEC. 103. AMENDMENTS RELATING TO FIXING AMERICA’S**  
13 **SURFACE TRANSPORTATION ACT.**

14 (a) *AMENDMENTS RELATING TO SECTION 32101.—*

15           (1) *Section 7345(e)(1) is amended—*

16               (A) *by striking “or the Tax Court” and in-*  
17 *serting “, or against the Commissioner in the*  
18 *Tax Court,” and*

19               (B) *by adding at the end the following:*  
20 *“For purposes of the preceding sentence, the*  
21 *court first acquiring jurisdiction over such an*  
22 *action shall have sole jurisdiction.”.*

23           (2) *Section 7345(f) is amended by striking “sub-*  
24 *section (a)” and inserting “subsection (b)(1)(B)”.*

1       (b) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall take effect as if included in section 32101 of*  
3 *the Fixing America’s Surface Transportation Act.*

4 **SEC. 104. AMENDMENTS RELATING TO SURFACE TRANS-**  
5 **PORTATION AND VETERANS HEALTH CARE**  
6 **CHOICE IMPROVEMENT ACT OF 2015.**

7       (a) *AMENDMENT RELATING TO SECTION 2004.*—*Sec-*  
8 *tion 6662(k) is amended to read as follows:*

9       “(k) *INCONSISTENT ESTATE BASIS REPORTING.*—*For*  
10 *purposes of this section, the term ‘inconsistent estate basis’*  
11 *means any portion of an underpayment attributable to the*  
12 *failure to comply with section 1014(f).”.*

13       (b) *AMENDMENTS RELATING TO SECTION 2008.*—*Sec-*  
14 *tion 9503(e)(2) is amended—*

15               (1) *by striking “per gallon” in subparagraph (C)*  
16 *and inserting “per energy equivalent of a gallon of*  
17 *diesel (as defined in section 4041(a)(2)(D))”, and*

18               (2) *by striking “per gallon” in subparagraph*  
19 *(D) and inserting “per energy equivalent of a gallon*  
20 *of gasoline (as defined in section 4041(a)(2)(C))”.*

21       (c) *EFFECTIVE DATE.*—*The amendments made by this*  
22 *section shall take effect as if included in the provision of*  
23 *the Surface Transportation and Veterans Health Care*  
24 *Choice Improvement Act of 2015 to which they relate.*

1 **SEC. 105. AMENDMENTS RELATING TO STEPHEN BECK, JR.,**  
2 **ABLE ACT OF 2014.**

3 (a) *AMENDMENTS RELATING TO SECTION 208.*—*Sec-*  
4 *tion 208(h) of the Stephen Beck, Jr., ABLE Act of 2014*  
5 *is amended—*

6 (1) *by striking so much as precedes “made by*  
7 *this section” and inserting the following:*

8 “(h) *EFFECTIVE DATE.*—

9 “(1) *IN GENERAL.*—*Except as provided in para-*  
10 *graph (2), the amendments”,*

11 (2) *by inserting “, and statements required to be*  
12 *furnished,” after “returns required to be filed”, and*

13 (3) *by adding at the end the following new para-*  
14 *graph:*

15 “(2) *SUBSECTION (c).*—*The amendment made by*  
16 *subsection (c) shall apply to returns or claims for re-*  
17 *fund filed after December 31, 2014.”.*

18 (b) *EFFECTIVE DATE.*—*The amendments made by this*  
19 *section shall take effect as if included in section 208 of the*  
20 *Stephen Beck, Jr., ABLE Act of 2014.*

21 **SEC. 106. AMENDMENT RELATING TO AMERICAN TAXPAYER**  
22 **RELIEF ACT OF 2012.**

23 (a) *AMENDMENT RELATING TO SECTION 104.*—*Section*  
24 *6211(b)(4)(A) is amended by striking “subsection (i)(6)”*  
25 *and inserting “subsection (i)(5)”.*

1       (b) *EFFECTIVE DATE.*—*The amendment made by this*  
2 *section shall take effect as if included in section 104 of the*  
3 *American Taxpayer Relief Act of 2012.*

4 **SEC. 107. AMENDMENT RELATING TO UNITED STATES-**  
5 **KOREA FREE TRADE AGREEMENT IMPLEMEN-**  
6 **TATION ACT.**

7       (a) *AMENDMENT RELATING TO SECTION 501.*—*Section*  
8 *501(b) of the United States-Korea Free Trade Agreement*  
9 *Implementation Act is amended by striking “returns re-*  
10 *quired to be filed” and inserting “documents prepared”.*

11       (b) *EFFECTIVE DATE.*—*The amendment made by this*  
12 *section shall take effect as if included in section 501 of the*  
13 *United States-Korea Free Trade Agreement Implementa-*  
14 *tion Act.*

15 **SEC. 108. AMENDMENT RELATING TO SAFETEA-LU.**

16       (a) *AMENDMENT RELATING TO SECTION 11125.*—*Sec-*  
17 *tion 5681(b) is amended by striking “who has paid the spe-*  
18 *cial tax (or who is exempt from payment of such special*  
19 *tax by reason of the provisions of section 5113(a))” and*  
20 *inserting “who meets the requirements of section 5121(a)*  
21 *and section 5124 (or who is exempt from such requirements*  
22 *by reason of section 5121(b))”.*

23       (b) *EFFECTIVE DATE.*—*The amendment made by this*  
24 *section shall take effect as if included in section 11125 of*



1 *the Safe, Accountable, Flexible, Efficient Transportation*  
2 *Equity Act: A Legacy for Users.*

3 **SEC. 109. AMENDMENTS RELATING TO THE AMERICAN JOBS**

4 **CREATION ACT OF 2004.**

5 (a) *AMENDMENT RELATING TO SECTION 233.—Section*  
6 *1361(c)(2)(B)(vi) is amended by striking “a shareholder”*  
7 *and inserting “the shareholder”.*

8 (b) *AMENDMENT RELATING TO SECTION 319.—Section*  
9 *501(c)(12)(E) is amended by striking “means the Federal*  
10 *Energy Regulatory Commission” and all that follows and*  
11 *inserting: “means—*

12 *“(i) the Federal Energy Regulatory*  
13 *Commission, or*

14 *“(ii) in the case of any utility with re-*  
15 *spect to which all of the electricity gen-*  
16 *erated, transmitted, or distributed by such*  
17 *utility is generated, transmitted, distrib-*  
18 *uted, and consumed in the same State, the*  
19 *State agency of such State with the author-*  
20 *ity to regulate electric utilities.”.*

21 (c) *EFFECTIVE DATE.—The amendments made by this*  
22 *section shall take effect as if included in section 319 of the*  
23 *American Jobs Creation Act of 2004.*

1 **TITLE II—TECHNICAL CORREC-**  
2 **TIONS RELATED TO PARTNER-**  
3 **SHIP AUDIT RULES**

4 **SEC. 201. SCOPE OF ADJUSTMENTS SUBJECT TO PARTNER-**  
5 **SHIP AUDIT RULES.**

6 (a) *IN GENERAL.*—Section 6241(2) is amended to read  
7 as follows:

8 “(2) *PARTNERSHIP ADJUSTMENT.*—

9 “(A) *IN GENERAL.*—The term ‘partnership  
10 adjustment’ means any adjustment to a partner-  
11 ship-related item.

12 “(B) *PARTNERSHIP-RELATED ITEM.*—The  
13 term ‘partnership-related item’ means—

14 “(i) any item or amount with respect  
15 to the partnership (without regard to wheth-  
16 er or not such item or amount appears on  
17 the partnership’s return and including an  
18 imputed underpayment and any item or  
19 amount relating to any transaction with,  
20 basis in, or liability of, the partnership)  
21 which is relevant (determined without re-  
22 gard to this subchapter) in determining the  
23 tax liability of any person under chapter 1,  
24 and

1                   “(i) any partner’s distributive share  
2                   of any item or amount described in clause  
3                   (i).”.

4           (b) *COORDINATION WITH OTHER CHAPTERS.*—

5                   (1) *IN GENERAL.*—Section 6241 is amended by  
6           adding at the end the following new paragraph:

7                   “(9) *COORDINATION WITH OTHER CHAPTERS.*—

8                           “(A) *IN GENERAL.*—This subchapter shall  
9                           not apply with respect to any tax imposed (in-  
10                           cluding any amount required to be deducted or  
11                           withheld) under chapter 2, 2A, 3, or 4, except  
12                           that any partnership adjustment determined  
13                           under this subchapter for purposes of chapter 1  
14                           shall be taken into account for purposes of deter-  
15                           mining any such tax to the extent that such ad-  
16                           justment is relevant to such determination.

17                           “(B) *TIMING OF WITHHOLDING.*—In the  
18                           case of any tax imposed (including any amount  
19                           required to be deducted or withheld) under chap-  
20                           ter 3 or 4, which is determined with respect to  
21                           an adjustment described in subparagraph (A),  
22                           such tax—

23                                   “(i) shall be so determined with respect  
24                                   to the reviewed year, and

1           “(ii) shall be so imposed (or so re-  
2           quired to be deducted or withheld) with re-  
3           spect to the adjustment year.

4           “(C) *STATUTE OF LIMITATION ON ASSESS-*  
5           *MENT.—For special rule with respect to limita-*  
6           *tion on assessment of taxes under chapter 2 or*  
7           *2A which are attributable to any partnership*  
8           *adjustment, see section 6501(c)(12).”.*

9           (2) *SPECIAL RULE.—Section 6501(c) is amended*  
10          *by adding at the end the following new paragraph:*

11           “(12) *CERTAIN TAXES ATTRIBUTABLE TO PART-*  
12          *nership Adjustments.—In the case of any partner-*  
13          *ship adjustment determined under subchapter C of*  
14          *chapter 63, the period for assessment of any tax im-*  
15          *posed under chapter 2 or 2A which is attributable to*  
16          *such adjustment shall not expire before the date that*  
17          *is 1 year after—*

18           “(A) *in the case of an adjustment pursuant*  
19          *to the decision of a court in a proceeding brought*  
20          *under section 6234, such decision becomes final,*  
21          *or*

22           “(B) *in any other case, 90 days after the*  
23          *date on which the notice of the final partnership*  
24          *adjustment is mailed under section 6231.”.*

25          (c) *CONFORMING AMENDMENTS.—*

1           (1) *Section 6211(c) is amended to read as fol-*  
2           *lows:*

3           “(c) *COORDINATION WITH SUBCHAPTER C.—In deter-*  
4           *mining the amount of any deficiency for purposes of this*  
5           *subchapter, adjustments to partnership-related items shall*  
6           *be made only as provided in subchapter C.”.*

7           (2) *Section 6221(a) is amended to read as fol-*  
8           *lows:*

9           “(a) *IN GENERAL.—Any adjustment to a partnership-*  
10          *related item shall be determined, and any tax attributable*  
11          *thereto shall be assessed and collected, and the applicability*  
12          *of any penalty, addition to tax, or additional amount*  
13          *which relates to an adjustment to any such item shall be*  
14          *determined, at the partnership level, except to the extent*  
15          *otherwise provided in this subchapter.”.*

16          (3) *Section 6222(a) is amended to read as fol-*  
17          *lows:*

18          “(a) *IN GENERAL.—A partner shall, on the partner’s*  
19          *return, treat any partnership-related item in a manner*  
20          *which is consistent with the treatment of such item on the*  
21          *partnership return.”.*

22          (4) *Section 6226(a)(2) is amended by striking*  
23          *“any adjustment to income, gain, loss, deduction, or*  
24          *credit” and inserting “any adjustment to a partner-*  
25          *ship-related item”.*

1           (5) *Section 6227(a) is amended by striking*  
2           *“items of income, gain, loss, deduction, or credit of*  
3           *the partnership” and inserting “partnership-related*  
4           *items”.*

5           (6) *Section 6231(a)(1) is amended by striking*  
6           *“any item of income, gain, loss, deduction, or credit*  
7           *of a partnership for a partnership taxable year” and*  
8           *inserting “any partnership-related item for any part-*  
9           *nership taxable year”.*

10          (7) *Section 6234(c) is amended by striking “all*  
11          *items of income, gain, loss, deduction, or credit of the*  
12          *partnership” and inserting “all partnership-related*  
13          *items”.*

14          (8) *Section 7485(b) is amended by striking*  
15          *“partnership items” and inserting “partnership-re-*  
16          *lated items (as defined in section 6241)”.*

17 **SEC. 202. DETERMINATION OF IMPUTED UNDERPAYMENTS.**

18          (a) *IN GENERAL.*—*Section 6225(b) is amended to read*  
19 *as follows:*

20          “(b) *DETERMINATION OF IMPUTED UNDERPAY-*  
21 *MENTS.*—*For purposes of this subchapter—*

22                 “(1) *IN GENERAL.*—*Except as otherwise provided*  
23                 *in this section, any imputed underpayment with re-*  
24                 *spect to any reviewed year shall be determined by the*  
25                 *Secretary by—*

1           “(A) appropriately netting all partnership  
2           adjustments with respect to such reviewed year,  
3           and

4           “(B) applying the highest rate of tax in ef-  
5           fect for the reviewed year under section 1 or 11.

6           “(2) *ADJUSTMENTS TO DISTRIBUTIVE SHARES*  
7           *OF PARTNERS NOT NETTED.*—In the case of any ad-  
8           justment which reallocates the distributive share of  
9           any item from one partner to another, such adjust-  
10          ment shall be taken into account by disregarding so  
11          much of such adjustment as results in a decrease in  
12          the amount of the imputed underpayment.

13          “(3) *ADJUSTMENTS SEPARATELY NETTED BY*  
14          *CATEGORY.*—For purposes of paragraph (1)(A), part-  
15          nership adjustments for any reviewed year shall first  
16          be separately determined (and netted as appropriate)  
17          within each category of items that are required to be  
18          taken into account separately under section 702(a) or  
19          other provision of this title.

20          “(4) *LIMITATION ON ADJUSTMENTS THAT MAY BE*  
21          *TAKEN INTO ACCOUNT.*—If any adjustment would  
22          (but for this paragraph)—

23                  “(A) result in a decrease in the amount of  
24                  the imputed underpayment, and

1           “(B) could be subject to any additional lim-  
2           itation under the provisions of this title (or not  
3           allowed, in whole or in part, against ordinary  
4           income) if such adjustment were taken into ac-  
5           count by any person,  
6           such adjustment shall not be taken into account under  
7           paragraph (1)(A) except to the extent otherwise pro-  
8           vided by the Secretary.”.

9           (b) MODIFICATIONS OF IMPUTED UNDERPAYMENTS.—

10           (1) Section 6225(c)(3) is amended by striking  
11           “without regard to the portion thereof” and inserting  
12           “without regard to the portion of the adjustment”.

13           (2) Section 6225(c)(4)(A) is amended by striking  
14           “with respect to any portion of the imputed under-  
15           payment” and inserting “with respect to any portion  
16           of the adjustment”.

17           (3) Section 6225(c)(5)(A)(i) is amended by strik-  
18           ing “without regard to the portion thereof” and in-  
19           serting “without regard to the portion of the adjust-  
20           ment”.

21           (c) CONFORMING AMENDMENTS.—

22           (1) Section 6225(a) is amended to read as fol-  
23           lows:



1       “(a) *IN GENERAL.*—*In the case of any adjustments by*  
2 *the Secretary to any partnership-related items with respect*  
3 *to any reviewed year of a partnership—*

4               “(1) *if such adjustments result in an imputed*  
5 *underpayment, the partnership shall pay an amount*  
6 *equal to such imputed underpayment in the adjust-*  
7 *ment year as provided in section 6232, and*

8               “(2) *if such adjustments do not result in an im-*  
9 *puted underpayment, such adjustments shall be taken*  
10 *into account by the partnership in the adjustment*  
11 *year.”.*

12               “(2) *Section 6225(c) is amended by adding at the*  
13 *end the following new paragraph:*

14               “(9) *MODIFICATION OF ADJUSTMENTS NOT RE-*  
15 *SULTING IN AN IMPUTED UNDERPAYMENT.*—*The Sec-*  
16 *retary shall establish procedures under which the ad-*  
17 *justments described in subsection (a)(2) may be modi-*  
18 *fied in such manner as the Secretary determines ap-*  
19 *propriate.”.*

20 **SEC. 203. ALTERNATIVE PROCEDURE TO FILING AMENDED**  
21 **RETURNS FOR PURPOSES OF MODIFYING IM-**  
22 **PUTED UNDERPAYMENT.**

23       “(a) *IN GENERAL.*—*Section 6225(c)(2) is amended to*  
24 *read as follows:*

1           “(2) *PROCEDURES FOR PARTNERS TO TAKE AD-*  
2           *JUSTMENTS INTO ACCOUNT.—*

3           “(A) *AMENDED RETURNS OF PARTNERS.—*

4           *Such procedures shall provide that if—*

5                   “(i) *one or more partners file returns*  
6                   *for the taxable year of the partners which*  
7                   *includes the end of the reviewed year of the*  
8                   *partnership (and for any taxable year with*  
9                   *respect to which any tax attribute is af-*  
10                   *ected by reason of any adjustment referred*  
11                   *to in clause (ii)),*

12                   “(ii) *such returns take into account all*  
13                   *adjustments under subsection (a) properly*  
14                   *allocable to such partners (and the effect of*  
15                   *such adjustments on any tax attributes),*  
16                   *and*

17                   “(iii) *payment of any tax due is in-*  
18                   *cluded with such returns,*

19           *then the imputed underpayment amount shall be*  
20           *determined without regard to the portion of the*  
21           *adjustments so taken into account.*

22           “(B) *ALTERNATIVE PROCEDURE TO FILING*  
23           *AMENDED RETURNS.—Such procedures shall pro-*  
24           *vide that, with respect to any partner referred to*  
25           *in subparagraph (A), the requirements of sub-*

1 paragraph (A) shall be treated as satisfied with  
2 respect to adjustments properly allocable to such  
3 partner if, in lieu of filing the returns described  
4 in such subparagraph—

5 “(i) the amounts described in subpara-  
6 graph (A)(iii) are paid by the partner,

7 “(ii) the partner agrees to take into ac-  
8 count, in the form and manner prescribed  
9 by the Secretary, the adjustments to the tax  
10 attributes of such partner referred to in sub-  
11 paragraph (A)(ii), and

12 “(iii) such partner provides, in the  
13 form and manner specified by the Secretary  
14 (including, if the Secretary so specifies, in  
15 the same form as on an amended return),  
16 such information as the Secretary may re-  
17 quire to carry out this subparagraph.

18 “(C) REALLOCATION OF DISTRIBUTIVE  
19 SHARE.—In the case of any adjustment which  
20 reallocates the distributive share of any item  
21 from one partner to another, this paragraph  
22 shall apply with respect to any such partner  
23 only if the requirements of subparagraph (A) or  
24 (B) are satisfied with respect to all partners af-  
25 fected by such adjustment.

1           “(D) *APPLICATION OF STATUTE OF LIMITA-*  
2           *TIONS.—In the case of adjustments referred to in*  
3           *subparagraph (A)(ii), sections 6501 and 6511*  
4           *shall not apply with respect to any return filed*  
5           *for purposes of subparagraph (A)(i) or any*  
6           *amount paid under subparagraph (A)(iii) or*  
7           *(B)(i).*

8           “(E) *ADJUSTMENTS TO TAX ATTRIBUTES*  
9           *BINDING FOR AFFECTED TAXABLE YEARS OF*  
10           *PARTNER.—The adjustments to the tax attributes*  
11           *of any partner provided for in subparagraph*  
12           *(A)(ii) or (B)(ii) shall be binding with respect to*  
13           *the taxable year of the partner which includes*  
14           *the end of the reviewed year of the partnership*  
15           *and any taxable years for which any tax at-*  
16           *tribute is affected by such adjustment. Any fail-*  
17           *ure to so treat any such tax attribute shall be*  
18           *treated for purposes of this title in the same*  
19           *manner as a failure to treat a partnership-re-*  
20           *lated item in a manner which is consistent with*  
21           *the treatment of such item on the partnership re-*  
22           *turn within the meaning of section 6222.*

23           “(F) *APPLICATION TO PARTNERSHIPS AND S*  
24           *CORPORATIONS IN TIERED STRUCTURES.—*

1           “(i) *IN GENERAL.*—*In the case of any*  
2           *partnership any partner of which is a part-*  
3           *nership, subparagraph (A) or (B) may*  
4           *apply with respect to any partner (hereafter*  
5           *in this subparagraph referred to as the ‘rel-*  
6           *evant partner’)* *in the chain of ownership of*  
7           *such partnerships if—*

8                     “(I) *such information as the Sec-*  
9                     *retary may require is furnished to the*  
10                    *Secretary for purposes of carrying out*  
11                    *this paragraph with respect to such*  
12                    *partnerships (including any informa-*  
13                    *tion the Secretary may require with*  
14                    *respect to any chain of ownership of*  
15                    *the relevant partner), and*

16                    “(II) *to such extent as the Sec-*  
17                    *retary may require, each partnership*  
18                    *in the chain of ownership between the*  
19                    *relevant partner and the audited part-*  
20                    *nership satisfies the requirements of*  
21                    *subparagraph (A) or (B).*

22           “(ii) *TREATMENT OF S CORPORA-*  
23            *TIONS.*—*For purposes of clause (i), an S*  
24            *corporation and its shareholders shall be*

1                   *treated in the same manner as a partner-*  
2                   *ship and its partners.”.*

3           (b) *CONFORMING AMENDMENT.*—Section 6201(a)(1) is  
4 *amended by inserting “(or payments under section*  
5 *6225(c)(2)(B)(i))” after “returns or lists”.*

6 **SEC. 204. TREATMENT OF PASSTHROUGH PARTNERS IN**  
7                   **TIERED STRUCTURES.**

8           (a) *IN GENERAL.*—Section 6226(b) is amended by  
9 *adding at the end the following new paragraph:*

10                   “(4) *TREATMENT OF PARTNERSHIPS AND S COR-*  
11                   *PORATIONS IN TIERED STRUCTURES.*—

12                           “(A) *IN GENERAL.*—*If a partner which re-*  
13                           *ceives a statement under subsection (a)(2) is a*  
14                           *partnership or an S corporation, such partner*  
15                           *shall, with respect to the partner’s share of the*  
16                           *adjustment—*

17                                   “(i) *file with the Secretary a partner-*  
18                                   *ship adjustment tracking report which in-*  
19                                   *cludes such information as the Secretary*  
20                                   *may require, and*

21                                   “(ii)(I) *furnish statements under rules*  
22                                   *similar to the rules of subsection (a)(2), or*

23   “(II) *if no such statements are fur-*  
24   *nished, compute and pay an imputed un-*  
25   *derpayment under rules similar to the rules*

1           of section 6225 (other than paragraphs (2),  
2           (7), and (9) of subsection (c) thereof).

3           “(B) *DUE DATE.*—For purposes of subpara-  
4           graph (A), with respect to a partner’s share of  
5           the adjustment, the partnership adjustment  
6           tracking report shall be filed, and the imputed  
7           underpayment shall be paid or statements shall  
8           be furnished, not later than the due date for the  
9           return for the adjustment year of the audited  
10          partnership.

11          “(C) *PARTNERSHIP PAYMENT OF TAX IF*  
12          *ELECTED OUT OF SUBCHAPTER.*—In the case of  
13          a partnership which has elected the application  
14          of section 6221(b) with respect to the taxable  
15          year of the partnership which includes the end of  
16          the reviewed year of the audited partnership, this  
17          paragraph shall apply notwithstanding such  
18          election.

19          “(D) *AUDITED PARTNERSHIP.*—For pur-  
20          poses of this paragraph, the term ‘audited part-  
21          nership’ means, with respect to any partner de-  
22          scribed in subparagraph (A), the partnership in  
23          the chain of ownership originally electing the ap-  
24          plication of this section.

1           “(E) *TREATMENT OF TRUSTS.*—The Sec-  
2           retary shall prescribe such rules as may be nec-  
3           essary with respect to trusts which receive a  
4           statement under subsection (a)(2).”

5           (b) *CONFORMING AMENDMENTS.*—

6           (1) Section 6226(b)(1) is amended by striking  
7           “Each partner’s” and inserting “Except as provided  
8           in paragraph (4), each partner’s”.

9           (2) Section 6226(c)(2) is amended by inserting  
10          “or which is described in subsection (b)(4)(A)(ii)(I),”  
11          after “is elected,”.

12 **SEC. 205. TREATMENT OF FAILURE OF PARTNERSHIP TO**  
13 **PAY IMPUTED UNDERPAYMENT.**

14          (a) *IN GENERAL.*—Section 6232 is amended by adding  
15          at the end the following new subsection:

16          “(f) *FAILURE TO PAY IMPUTED UNDERPAYMENT.*—

17                 “(1) *IN GENERAL.*—If any amount of any im-  
18                 puted underpayment to which section 6225 applies or  
19                 any specified similar amount (or any interest or pen-  
20                 alties with respect to any such amount) has not been  
21                 paid by the date which is 10 days after the date on  
22                 which the Secretary provides notice and demand for  
23                 such payment—



1           “(A) section 6621(a)(2)(B) shall be applied  
2           by substituting ‘5 percentage points’ for ‘3 per-  
3           centage points’ with respect to such amount, and

4           “(B) the Secretary may assess upon each  
5           partner of the partnership (determined as of the  
6           close of the adjustment year or, if the partner-  
7           ship has ceased to exist as of such time, the  
8           former partners of the partnership as determined  
9           for purposes of section 6241(7)) a tax equal to  
10          such partner’s proportionate share of such  
11          amount (including any such interest or pen-  
12          alties, determined after application of subpara-  
13          graph (A)).

14          “(2) SPECIFIED SIMILAR AMOUNT.—For pur-  
15          poses of this subsection, the term ‘specified similar  
16          amount’ means—

17                 “(A) the amount described in subclause (II)  
18                 of section 6226(b)(4)(A)(i) (including any fail-  
19                 ure to satisfy the requirement of subclause (I) of  
20                 such section which is treated as a failure to pay  
21                 such amount under section 6651(i)), and

22                 “(B) any amount assessed under paragraph  
23                 (1)(B) upon a partner which is a partnership.

24          “(3) PROPORTIONATE SHARE.—For purposes of  
25          paragraph (1), a partner’s proportionate share is

1        *such percentage as the Secretary may determine on*  
2        *the basis of such partner’s distributive share. The Sec-*  
3        *retary shall make determinations under the preceding*  
4        *sentence such that the aggregate proportionate shares*  
5        *so determined total 100 percent.*

6                *“(4) COORDINATION WITH PARTNERSHIP LIABIL-*  
7        *ITY.—The liability of the partnership for any amount*  
8        *with respect to which a partner is made liable under*  
9        *paragraph (1) shall be reduced upon payment by the*  
10        *partner of such amount. Paragraph (1)(B) shall not*  
11        *apply with respect to any amount after the date on*  
12        *which such amount is paid by the partnership.*

13                *“(5) S CORPORATIONS.—For purposes of this*  
14        *subsection, an S corporation and its shareholders*  
15        *shall be treated in the same manner as a partnership*  
16        *and its partners.*

17                *“(6) RULES RELATED TO ASSESSMENT AND COL-*  
18        *LECTION.—*

19                        *“(A) DEFICIENCY PROCEDURES NOT APPLI-*  
20        *CABLE.—Subchapter B shall not apply to any*  
21        *assessment or collection under this paragraph.*

22                        *“(B) LIMITATION ON ASSESSMENT.—Except*  
23        *as otherwise provided in this subtitle, no assess-*  
24        *ment may be made (or proceeding in court begun*  
25        *without assessment) with respect to any partner*



1       **(b) ADMINISTRATIVE ADJUSTMENT REQUEST AND**  
2 **PARTNERSHIP ADJUSTMENT TRACKING REPORT NOT**  
3 **TREATED AS AMENDED RETURN FOR PURPOSES OF MODI-**  
4 **FICATION OF IMPUTED UNDERPAYMENTS.**—Section  
5 6225(c)(2), as amended by the preceding provisions of this  
6 Act, is amended by adding at the end the following new  
7 subparagraph:

8               **“(F) ADJUSTMENTS NOT TREATED AS**  
9 **AMENDED RETURN.**—An administrative adjust-  
10 ment request under section 6227 and a partner-  
11 ship adjustment tracking report under section  
12 6226(b)(4)(A) shall not be treated as a return for  
13 purposes of this paragraph.”.

14       **(c) AUTHORITY TO REQUIRE E-FILING OF MATERIALS**  
15 **IN CONNECTION WITH MODIFICATION OF IMPUTED UNDER-**  
16 **PAYMENTS, ETC.**—Section 6241, as amended by the pre-  
17 ceding provisions of this Act, is amended by adding at the  
18 end the following new paragraph:

19               **“(10) AUTHORITY TO REQUIRE ELECTRONIC FIL-**  
20 **ING.**—Notwithstanding section 6011(e), the Secretary  
21 may require that anything required to be filed or sub-  
22 mitted under section 6225(c), or to be furnished to or  
23 filed with the Secretary under section 6226, be so  
24 filed, submitted, or furnished by magnetic media or  
25 in other machine-readable form.”.

1       (d) *CLARIFICATION OF ASSESSMENT AUTHORITY.*—  
2       Section 6226(a) is amended by inserting “(and no assess-  
3       ment of tax, levy, or proceeding in any court for the collec-  
4       tion of such underpayment shall be made against such part-  
5       nership)” after “section 6225 shall not apply with respect  
6       to such underpayment”.

7       (e) *TREATMENT OF PARTNERSHIP ADJUSTMENTS*  
8       *THAT RESULT IN DECREASE IN TAX IN CASE OF ELECTION*  
9       *TO PUSH OUT ADJUSTMENTS.*—Section 6226(b) is amend-  
10      ed—

11           (1) by striking “increased” in paragraph (1)  
12           and inserting “adjusted”,

13           (2) by striking “adjustment amounts” each place  
14           it appears in paragraphs (1) and (2) and inserting  
15           “correction amounts”,

16           (3) by striking “increase” each place it appears  
17           in subparagraphs (A) and (B) of paragraph (2) and  
18           inserting “increase or decrease”,

19           (4) by striking “plus” at the end of paragraph  
20           (2)(A) and inserting “and”, and

21           (5) by striking “ADJUSTMENT AMOUNTS” in the  
22           heading of paragraph (2) and inserting “CORRECTION  
23           AMOUNTS”.

24       (f) *COORDINATION OF STATUTE OF LIMITATION ON*  
25       *FILING ADMINISTRATION ADJUSTMENT REQUEST WITH*

1 *ADJUSTMENTS RELATED TO FOREIGN TAX CREDITS.*—*Sec-*  
2 *tion 6227 is amended by adding at the end the following*  
3 *new subsection:*

4 “(d) *COORDINATION WITH ADJUSTMENTS RELATED*  
5 *TO FOREIGN TAX CREDITS.*—*The Secretary shall issue reg-*  
6 *ulations or other guidance which provide for the proper co-*  
7 *ordination of this section and section 905(c).”.*

8 (g) *CLARIFICATION OF ASSESSMENT OF IMPUTED UN-*  
9 *DERPAYMENTS.*—

10 (1) *IN GENERAL.*—*Section 6232(a) is amended*  
11 *by striking “except that in the case of” and all that*  
12 *follows and inserting the following: “except that—*

13 “(1) *subchapter B of chapter 63 shall not apply,*  
14 *and*

15 “(2) *in the case of an administrative adjustment*  
16 *request to which section 6227(b)(1) applies, the under-*  
17 *payment shall be paid and may be assessed when the*  
18 *request is filed.”.*

19 (2) *CONFORMING AMENDMENT.*—*Section 6232(b)*  
20 *is amended—*

21 (A) *by striking “assessment of a deficiency”*  
22 *and inserting “assessment of an imputed under-*  
23 *payment”, and*

24 (B) *by adding at the end the following new*  
25 *flush matter:*

1 *“The preceding sentence shall not apply in the case of a*  
2 *specified similar amount (as defined in subsection (f)(2)).”.*

3 *(h) TIME LIMITATION FOR NOTICE OF PROPOSED AD-*  
4 *JUSTMENT.—*

5 *(1) IN GENERAL.—Section 6231 is amended by*  
6 *redesignating subsections (b) and (c) as subsections*  
7 *(c) and (d), respectively, and by inserting after sub-*  
8 *section (a) the following new subsection:*

9 *“(b) TIMING OF NOTICES.—*

10 *“(1) NOTICE OF PROPOSED PARTNERSHIP AD-*  
11 *JUSTMENT.—Any notice of a proposed partnership*  
12 *adjustment shall not be mailed later than the date de-*  
13 *termined under section 6235 (determined without re-*  
14 *gard to paragraphs (2) and (3) of subsection (a)*  
15 *thereof).*

16 *“(2) NOTICE OF FINAL PARTNERSHIP ADJUST-*  
17 *MENT.—*

18 *“(A) IN GENERAL.—Except to the extent*  
19 *that the partnership elects to waive the applica-*  
20 *tion of this subparagraph, any notice of a final*  
21 *partnership adjustment shall not be mailed ear-*  
22 *lier than 270 days after the date on which the*  
23 *notice of the proposed partnership adjustment is*  
24 *mailed.*

1                   “(B) *STATUTE OF LIMITATIONS ON ADJUST-*  
2                   *MENT.—For the period of limitations on making*  
3                   *adjustments, see section 6235.*”.

4                   (2) *CONFORMING AMENDMENT.—Section 6231(a)*  
5                   *is amended by striking “Any notice of a final part-*  
6                   *nership adjustment” and all that follows through*  
7                   *“Such notices” and inserting “Any notice of a final*  
8                   *partnership adjustment”.*

9                   (i) *DEPOSIT TO SUSPEND INTEREST ON IMPUTED UN-*  
10                  *DERPAYMENT.—Section 6233 is amended by adding at the*  
11                  *end the following new subsection:*

12                  “(c) *DEPOSIT TO SUSPEND INTEREST.—For rules al-*  
13                  *lowing deposits to suspend running of interest on potential*  
14                  *underpayments, see section 6603.*”.

15                  (j) *DEPOSIT TO MEET JURISDICTIONAL REQUIRE-*  
16                  *MENT.—The first sentence of section 6234(b) is amended by*  
17                  *striking “the amount of the imputed underpayment (as of*  
18                  *the date of the filing of the petition)” and inserting “the*  
19                  *amount of (as of the date of the filing of the petition) the*  
20                  *imputed underpayment, penalties, additions to tax, and ad-*  
21                  *ditional amounts with respect to such imputed under-*  
22                  *payment”.*

23                  (k) *CORRECTIONS RELATED TO PERIOD OF LIMITA-*  
24                  *TION ON MAKING ADJUSTMENTS.—*

25                         (1) *Section 6235(a) is amended—*



1           (A) by inserting “or section 905(c)” after  
2           “Except as otherwise provided in this section”,  
3           and

4           (B) by striking “subpart” and inserting  
5           “subchapter”.

6           (2) Section 6235(a)(3) is amended by striking  
7           “section 6225(c)(7)” and inserting “section  
8           6225(c)(7)”.

9           (3) Section 6235(c)(2) is amended by striking  
10           “section 6501(e)(1)(A)” and inserting “subparagraph  
11           (A) or (C) of section 6501(e)(1)”.

12           (4) Section 6235(c) is amended by adding at the  
13           end the following new subparagraphs:

14           “(5) *INFORMATION REQUIRED TO BE RE-*  
15           *PORTED.*—In the case of a partnership that is re-  
16           quired to report any information described in section  
17           6501(c)(8), the time for making any adjustment  
18           under this subchapter with respect to any tax return,  
19           event, or period to which such information relates  
20           shall not expire before the date that is determined  
21           under section 6501(c)(8).

22           “(6) *LISTED TRANSACTIONS.*—If a partnership  
23           fails to include on any return or statement any infor-  
24           mation with respect to a listed transaction as de-  
25           scribed in section 6501(c)(10), the time for making

1        *any adjustment under this subchapter with respect to*  
2        *such transaction shall not expire before the date that*  
3        *is determined under section 6501(c)(10).”.*

4            (5) *Section 6235 is amended by striking sub-*  
5        *section (d).*

6        (l) *TREATMENT OF SPECIAL ENFORCEMENT MAT-*  
7        *TERS.—Section 6241, as amended by the preceding provi-*  
8        *sions of this Act, is amended by adding at the end the fol-*  
9        *lowing new paragraph:*

10            “(11) *TREATMENT OF SPECIAL ENFORCEMENT*  
11        *MATTERS.—*

12            “(A) *IN GENERAL.—In the case of partner-*  
13        *ship-related items which involve special enforce-*  
14        *ment matters, the Secretary may prescribe regu-*  
15        *lations pursuant to which—*

16            “(i) *this subchapter (or any portion*  
17        *thereof) does not apply to such items, and*

18            “(ii) *such items are subject to such spe-*  
19        *cial rules (including rules related to assess-*  
20        *ment and collection) as the Secretary deter-*  
21        *mines to be necessary for the effective and*  
22        *efficient enforcement of this title.*

23            “(B) *SPECIAL ENFORCEMENT MATTERS.—*  
24        *For purposes of subparagraph (A), the term ‘spe-*  
25        *cial enforcement matters’ means—*

1                   “(i) failure to comply with the require-  
2                   ments of section 6226(b)(4)(A)(ii),

3                   “(ii) assessments under section 6851  
4                   (relating to termination assessments of in-  
5                   come tax) or section 6861 (relating to jeop-  
6                   ardly assessments of income, estate, gift, and  
7                   certain excise taxes),

8                   “(iii) criminal investigations,

9                   “(iv) indirect methods of proof of in-  
10                  come,

11                  “(v) foreign partners or partnerships,  
12                  and

13                  “(vi) other matters that the Secretary  
14                  determines by regulation present special en-  
15                  forcement considerations.”.

16                  (m) UNITED STATES SHAREHOLDERS AND CERTAIN  
17 OTHER PERSONS TREATED AS PARTNERS.—Section 6241,  
18 as amended by the preceding provisions of this Act, is  
19 amended by adding at the end the following new paragraph:

20                         “(12) UNITED STATES SHAREHOLDERS AND CER-  
21                         TAIN OTHER PERSONS TREATED AS PARTNERS.—

22                                 “(A) IN GENERAL.—Except as otherwise  
23                                 provided by the Secretary, in the case of any  
24                                 controlled foreign corporation (as defined in sec-  
25                                 tion 957 or 953(c)(1)) which is a partner of a

1        *partnership, each United States shareholder (as*  
2        *defined in section 951(b) or 953(c)(1)) with re-*  
3        *spect to such controlled foreign corporation shall*  
4        *be treated for purposes of this subchapter as a*  
5        *partner of such partnership. For purposes of the*  
6        *preceding sentence, any distributive share of any*  
7        *such United States shareholder with respect to*  
8        *such partnership shall, except as otherwise pro-*  
9        *vided by the Secretary, be equal to such United*  
10       *States shareholder's pro rata share with respect*  
11       *to such controlled foreign corporation (deter-*  
12       *mined under rules similar to the rules of section*  
13       *951(a)(2)).*

14            *“(B) PASSIVE FOREIGN INVESTMENT COM-*  
15        *PANIES.—For purposes of subparagraph (A), in*  
16        *the case of a passive foreign investment company*  
17        *(as defined in section 1297), each taxpayer that*  
18        *makes an election under section 1295 with re-*  
19        *spect to such company shall be treated in the*  
20        *same manner as United States shareholders*  
21        *under subparagraph (A), except that such tax-*  
22        *payer's pro rata share with respect to the passive*  
23        *foreign investment company shall be determined*  
24        *under rules similar to the rules of section*  
25        *1293(b).*

1           “(C) *REGULATIONS OR OTHER GUIDANCE.*—  
2           *The Secretary shall issue such regulations or*  
3           *other guidance as is necessary or appropriate to*  
4           *carry out the purposes of this paragraph, includ-*  
5           *ing regulations which apply the rules of sub-*  
6           *paragraph (A) in similar circumstances or with*  
7           *respect to similarly situated persons.”.*

8           (n) *PENALTIES RELATED TO ADMINISTRATIVE AD-*  
9           *JUSTMENT REQUESTS AND PARTNERSHIP ADJUSTMENT*  
10          *TRACKING REPORTS.*—

11           (1) *FAILURE TO PAY.*—*Section 6651 is amended*  
12          *by redesignating subsection (i) as subsection (j) and*  
13          *by inserting after subsection (h) the following new*  
14          *subsection:*

15          “(i) *APPLICATION TO IMPUTED UNDERPAYMENT.*—*For*  
16          *purposes of this section, any failure to comply with section*  
17          *6226(b)(4)(A)(ii) shall be treated as a failure to pay the*  
18          *amount described in subclause (II) thereof and such amount*  
19          *shall be treated for purposes of this section as an amount*  
20          *shown as tax on a return specified in subsection (a)(1).”.*

21           (2) *FAILURE TO FILE PARTNERSHIP ADJUST-*  
22          *MENT TRACKING REPORT.*—*Section 6698(a) is amend-*  
23          *ed—*

24                    (A) *in the matter preceding paragraph (1)*  
25            *by inserting “, or a partnership adjustment*

1 tracking report under section 6226(b)(4)(A),”  
2 after “under section 6031”,

3 (B) in paragraph (1) by inserting “, or  
4 such report,” after “such return”, and

5 (C) in paragraph (2)—

6 (i) by inserting “or a report” after “a  
7 return”, and

8 (ii) by inserting “or 6226(b)(4)(A), re-  
9 spectively” before the comma at the end.

10 (3) *TAX RETURN PREPARER RELATED PEN-*  
11 *ALTIES.*—Section 6696(e)(1) is amended by inserting  
12 “, any administrative adjustment request under sec-  
13 tion 6227, and any partnership adjustment tracking  
14 report under section 6226(b)(4)(A)” before the period  
15 at the end.

16 (4) *FRIVOLOUS TAX SUBMISSIONS.*—Section 6702  
17 is amended by adding at the end the following new  
18 subsection:

19 “(f) *PARTNERSHIP ADJUSTMENTS.*—An administra-  
20 tive adjustment request under section 6227 and a partner-  
21 ship adjustment tracking report under section  
22 6226(b)(4)(A) shall be treated as a return for purposes of  
23 this section.”.

24 (o) *ADJUSTED SCHEDULE K-1 TREATED AS PAYEE*  
25 *STATEMENT.*—Section 6724(d)(2) is amended by striking

1 “or” at the end of subparagraph (HH), by striking the pe-  
2 riod at the end of subparagraph (II) and inserting “; or”,  
3 and by inserting after subparagraph (II) the following new  
4 subparagraph:

5           “(JJ) section 6226(a)(2) (relating to state-  
6           ments relating to alternative to payment of im-  
7           puted underpayment by partnership) or under  
8           any other provision of this title which provides  
9           for the application of rules similar to such sec-  
10          tion.”.

11 (p) OTHER CLERICAL CORRECTIONS.—

12           (1) Section 6225(c)(7) is amended by striking  
13           “submitted pursuant to paragraph (1)” and inserting  
14           “filed or submitted under this subsection”.

15           (2) Section 6227(b) is amended by striking “is  
16           made” both places it appears and inserting “is filed”.

17           (3) Section 6227(b)(1) is amended by striking  
18           “paragraphs (2), (6), and (7)” and inserting “para-  
19           graphs (2), (7), and (9)”.

20           (4) Section 6232(b) is amended by striking “this  
21           chapter” and inserting “this subtitle (other than sub-  
22           chapter B of this chapter)”.

23           (5) Section 6232(d)(1)(A) is amended by striking  
24           “a item” and inserting “an item”.

1           (6) Section 6232(e) is amended by striking  
2           “thereof”.

3           (7) Section 6241(5) is amended by striking “sec-  
4           tions 6234” and inserting “section 6234”.

5           (8) Section 7485(b) is amended by striking “a  
6           partner” and inserting “the partnership”.

7           (9) The heading of the first part of subchapter C  
8           of chapter 63 is amended to read as follows:

9                           **“PART I—IN GENERAL”.**

10           (10) The heading of the second part of sub-  
11           chapter C of chapter 63 is amended to read as follows:

12                           **“PART II—PARTNERSHIP ADJUSTMENTS”.**

13           (11) The heading of the third part of subchapter  
14           C of chapter 63 is amended to read as follows:

15                           **“PART III—PROCEDURE”.**

16           (12) The heading of the fourth part of subchapter  
17           C of chapter 63 is amended to read as follows:

18                           **“PART IV—DEFINITIONS AND SPECIAL RULES”.**

19           **SEC. 207. EFFECTIVE DATE.**

20           The amendments made by this title shall take effect  
21           as if included in section 1101 of the Bipartisan Budget Act  
22           of 2015.



1 **TITLE III—OTHER CORRECTIONS**

2 **SEC. 301. AMENDMENTS RELATING TO THE BIPARTISAN**  
3 **BUDGET ACT OF 2015.**

4 *(a) AMENDMENTS RELATING TO SECTION 1101.—*

5 *(1) Section 6011(e) is amended by adding at the*  
6 *end the following new paragraph:*

7 *“(5) SPECIAL RULES FOR PARTNERSHIPS.—*

8 *“(A) PARTNERSHIPS PERMITTED TO BE RE-*  
9 *QUIRED TO FILE ON MAGNETIC MEDIA.—In the*  
10 *case of a partnership, paragraph (2)(A) shall be*  
11 *applied by substituting for ‘250’ the following*  
12 *amount:*

13 *“(i) In the case of returns and state-*  
14 *ments relating to calendar year 2018, ‘200’.*

15 *“(ii) In the case of returns and state-*  
16 *ments relating to calendar year 2019, ‘150’.*

17 *“(iii) In the case of returns and state-*  
18 *ments relating to calendar year 2020, ‘100’.*

19 *“(iv) In the case of returns and state-*  
20 *ments relating to calendar year 2021, ‘50’.*

21 *“(v) In the case of returns and state-*  
22 *ments relating to calendar years after 2021,*  
23 *‘20’.*

24 *“(B) PARTNERSHIPS REQUIRED TO FILE ON*  
25 *MAGNETIC MEDIA.—Notwithstanding subpara-*

1           *graph (A) and paragraph (2)(A), the Secretary*  
2           *shall require partnerships having more than 100*  
3           *partners to file returns on magnetic media.”.*

4           *(2) Section 6011(e)(2) is amended by striking*  
5           *the last sentence.*

6           *(b) EFFECTIVE DATE.—The amendments made by this*  
7           *section shall take effect as if included in section 1101 of*  
8           *the Bipartisan Budget Act of 2015.*

9           **SEC. 302. AMENDMENTS RELATING TO THE ENERGY POLICY**

10                           **ACT OF 2005.**

11           *(a) AMENDMENTS RELATING TO SECTION 1253.—*

12                           *(1) Subclause (II) of section 168(e)(3)(B)(vi) is*  
13                           *amended by striking “is a qualifying small power*  
14                           *production facility” and all that follows and insert-*  
15                           *ing “has a power production capacity of not greater*  
16                           *than 80 megawatts, or”.*

17                           *(2) The last sentence of section 168(e)(3)(B) is*  
18                           *amended by striking “clause (vi)(I)” and all that fol-*  
19                           *lows and inserting “subclause (I) or (II) of clause (vi)*  
20                           *by reason of being public utility property.”.*

21           *(b) EFFECTIVE DATE.—The amendments made by this*  
22           *section shall apply to property placed in service after the*  
23           *date of the enactment of this Act.*

1                   **TITLE IV—CLERICAL**  
2                   **CORRECTIONS AND DEADWOOD**

3                   **SEC. 401. CLERICAL CORRECTIONS AND DEADWOOD-RE-**  
4                   **LATED PROVISIONS.**

5                   (a) *CLERICAL CORRECTIONS.*—

6                   (1) *The table of subchapters for chapter 1 is*  
7                   *amended by moving the item relating to subchapter R*  
8                   *before the item relating to subchapter S.*

9                   (2)(A) *Sections 22(c)(3)(A)(i)(III), 104(b)(2)(D),*  
10                   *140(a)(3), and 149(b)(3)(A)(i) are each amended by*  
11                   *striking “Veterans’ Administration” and inserting*  
12                   *“Department of Veterans Affairs”.*

13                   (B) *The heading of section 4980H(c)(2)(F) is*  
14                   *amended by striking “VETERANS ADMINISTRATION”*  
15                   *and inserting “DEPARTMENT OF VETERANS AFFAIRS”.*

16                   (C) *Section 6050H(h)(3)(B)(i) is amended by*  
17                   *striking “Veterans Administration” and inserting*  
18                   *“Department of Veterans Affairs”.*

19                   (3) *Section 24(d) is amended by redesignating*  
20                   *paragraph (5) as paragraph (3).*

21                   (4) *Section 25C(b)(2) is amended by striking*  
22                   *“subsection (c)(2)(B)” and inserting “subsection*  
23                   *(c)(3)(B)”.*

24                   (5) *Section 25C(d)(3) is amended—*

1           (A) by striking the period at the end of sub-  
2 paragraph (B) and inserting a comma, and

3           (B) by striking the period at the end of sub-  
4 paragraph (D) and inserting “, and”.

5           (6) Section 25C(g)(2) is amended by striking  
6 “2017..” and inserting “2017.”.

7           (7) The table of sections for subpart D of part  
8 IV of subchapter A of chapter 1 is amended—

9           (A) by striking the item relating to section  
10 41 which relates to the employee stock ownership  
11 credit, and

12           (B) by moving the item relating to section  
13 45K after the item relating to section 45J.

14           (8) Section 38(b)(34) is amended by adding a  
15 comma at the end.

16           (9) The heading of section 40(g)(2) is amended  
17 by striking “AGGREGATION” and inserting “AGGRE-  
18 GATION”.

19           (10) The heading of section 42(e)(2)(B) is  
20 amended by striking “ETC,” and inserting “ETC.,”.

21           (11)(A) Section 42(d)(4)(C)(i) is amended by  
22 striking “as defined in paragraph (5)(C)” and insert-  
23 ing “as defined in paragraph (5)(B)(ii)”.

24           (B) Section 42(f)(5)(B)(ii)(I) is amended by  
25 striking “(d)(6)(C)” and inserting “(d)(6)(B)”.

1           (C) Section 42(k)(2)(B) is amended—

2                 (i) by striking “(d)(6)(B)” and inserting

3                 “(d)(6)(C)”, and

4                 (ii) by striking “building..” in clause (ii)

5                 and inserting “building.”.

6           (D) Section 42(m)(1)(B)(ii)(III) is amended by

7                 striking “as defined in subsection (d)(5)(C)” and in-

8                 serting “as defined in subsection (d)(5)(B)(ii)”.

9           (12) Section 42(h)(5)(C)(ii) is amended by strik-

10                 ing “; and” and inserting “, and”.

11           (13) Section 42(i)(3)(D)(ii)(I) is amended by

12                 striking the period at the end.

13           (14) Section 45(c)(6) is amended by striking

14                 “section 2(27)” and inserting “section 1004(27)”.

15           (15) Section 45(c)(7)(A)(i)(II) is amended by

16                 striking “for purpose” and inserting “for the pur-

17                 pose”.

18           (16) Section 45(c)(7)(A)(i)(III) is amended by

19                 striking the period at the end and inserting “, or”.

20           (17) Section 45C(b)(2)(A)(ii)(II) is amended by

21                 striking “; and” and inserting “, and”.

22           (18) Section 45D(f)(1)(F) is amended by adding

23                 “; and” at the end.

24           (19) Section 45H(d) is amended by striking

25                 “purposes this” and inserting “purposes of this”.

1           (20) Section 48(a)(1) is amended by striking  
2           “(3)(B), and (4)(B)” and inserting “and (3)(B)”.

3           (21) Section 48(a)(6)(B) is amended by striking  
4           “property energy property” and inserting “energy  
5           property”.

6           (22) Section 48(c)(2)(B) is amended by striking  
7           “equal \$200” and inserting “equal to \$200”.

8           (23) Section 48(d)(3) is amended—

9                   (A) by striking “shall” in the matter that  
10                   precedes subparagraph (A), and

11                   (B) by inserting “shall” before “not” in  
12                   subparagraph (A).

13           (24) Section 49(a)(1)(D)(iii) is amended by  
14           striking “share-holder” in the last sentence and in-  
15           serting “shareholder”.

16           (25) Section 50(b)(2)(A) is amended by striking  
17           the period at the end and inserting a semicolon.

18           (26) Section 51(c)(4) is amended by adding a  
19           period at the end.

20           (27) Section 51(d)(3)(A)(ii)(II) is amended by  
21           adding a comma at the end.

22           (28) Section 51(d)(8) is amended by striking  
23           “FOOD STAMP RECIPIENT” in the heading thereof and  
24           inserting “SUPPLEMENTAL NUTRITION ASSISTANCE  
25           PROGRAM BENEFITS RECIPIENT”.

1           (29) Section 51(i)(1)(A) is amended by striking  
2           “entity,” and inserting “entity”.

3           (30) Section 58(a)(2)(A) is amended by striking  
4           “461(j)” and inserting “461(k)”.

5           (31) Section 62(a)(20) is amended by inserting  
6           a comma after “United States Code”.

7           (32) Section 62(e)(1) is amended by striking “(2  
8           U.S.C. 1202)” and inserting “(42 U.S.C. 2000e–  
9           16b)”.

10          (33) Section 68(b)(2) is amended by striking  
11          “shall be shall be” and inserting “shall be”.

12          (34) The heading of section 82 is amended by  
13          striking “**FOR EXPENSES OF MOVING**” and insert-  
14          ing “**OF MOVING EXPENSES**”.

15          (35) The heading of section 84 is amended by  
16          striking “**POLITICAL ORGANIZATION**” and insert-  
17          ing “**POLITICAL ORGANIZATIONS**”.

18          (36) Section 105(h)(7)(B) is amended by strik-  
19          ing “subparagraph (A)” and inserting “subparagraph  
20          (A)”.

21          (37) Section 125(e)(2) is amended by striking  
22          “subparagraphs” and inserting “subparagraph”.

23          (38) Section 132(c)(4) is amended by striking  
24          “peforming” and inserting “performing”.

1           (39) Section 134(b)(6) is amended by striking  
2           “an combat” and inserting “a combat”.

3           (40) Section 137(c) is amended by striking “sec-  
4           tion 514” in the second sentence and inserting “sec-  
5           tion 541”.

6           (41) Section 139(c)(2) is amended by striking  
7           “federally” and inserting “a federally”.

8           (42) Section 139E(c)(1) is amended by striking  
9           “(43 U.S.C. 1601, et seq.)” and inserting “(43 U.S.C.  
10          1601 et seq.)”.

11          (43) Section 139E(c)(3) is amended by striking  
12          “2013” and inserting “2014”.

13          (44) Section 3(a) of the Tribal General Welfare  
14          Exclusion Act of 2014 is amended by striking “sub-  
15          section” and inserting “section”.

16          (45) Section 4(c) of such Act is amended by  
17          striking “subsection” and inserting “section”.

18          (46) The item relating to section 143 in the table  
19          of sections for subpart A of part IV of subchapter B  
20          of chapter 1 is amended to read as follows:

          “Sec. 143. Mortgage revenue bonds; qualified mortgage bond and qualified vet-  
          erans’ mortgage bond.”.

21          (47) Section 142(d)(2)(C) is amended by insert-  
22          ing “section” before “42(i)(3)(D)”.

23          (48) Section 163(e)(5)(C)(ii) is amended by in-  
24          serting “in” before “subsection (i)(1)(B)”.



1           (49) *Section 168(d)(3)(B)(i) is amended by in-*  
2           *serting a comma after “real property”.*

3           (50) *Section 168(e)(3)(C)(i) is amended by strik-*  
4           *ing “and”.*

5           (51) *Section 169(d)(5)(B) is amended by insert-*  
6           *ing “a” before “facility”.*

7           (52) *Section 170(b)(1)(A)(ix) is amended by in-*  
8           *serting “National” before “Agricultural”.*

9           (53) *Section 172(d)(5) is amended by striking*  
10          *“section 243” and inserting “sections 243”.*

11          (54) *Section 179D(d)(1)(B) is amended by strik-*  
12          *ing “which” and inserting “such that”.*

13          (55) *Section 219(f)(1) is amended by striking*  
14          *“term compensation includes” in the last sentence*  
15          *and inserting “term ‘compensation’ includes”.*

16          (56) *Section 219(g)(8) is amended by striking*  
17          *“shall each be” and inserting “shall be”.*

18          (57) *Section 223(c)(2)(C) is amended by striking*  
19          *“section 1871” and inserting “section 1861”.*

20          (58) *Section 223(d)(2)(A) is amended by striking*  
21          *“section 213(d)” and inserting “section 213(d)”.*

22          (59) *The item relating to section 280H in the*  
23          *table of sections for part IX of subchapter B of chap-*  
24          *ter 1 is amended to read as follows:*

*“Sec. 280H. Limitation on certain amounts paid to employee-owners by personal  
service corporations electing alternative taxable years.”.*

1           (60) Subparagraphs (F) and (G) of section  
2           263(a)(1) are each amended by striking the semicolon  
3           at the end and inserting a comma.

4           (61) Section 263(a)(1) is amended by redesignig-  
5           nating subparagraphs (I) through (L) as subpara-  
6           graphs (H) through (K), respectively.

7           (62) Section 280C(a) is amended by striking  
8           “and 1396(a),” and inserting “1396(a),”.

9           (63) The heading of section 331 is amended by  
10          striking “**SHAREHOLDERS**” and inserting “**SHARE-**  
11          **HOLDER**”.

12          (64) Section 338(h)(3)(A)(iii) is amended by  
13          striking “paragaraph” and inserting “paragraph”.

14          (65) The second sentence of section 355(h)(2)(B)  
15          is amended by striking “of assets”.

16          (66) The heading of subpart C of part III of sub-  
17          chapter C of chapter 1 is amended by striking “**Cor-**  
18          **poration**” and inserting “**Corporations**”.

19          (67) Section 362(a) is amended by striking the  
20          comma after “acquired”.

21          (68) Section 368(a)(2)(F)(vii) is amended by  
22          striking “(15 U.S.C. 80a-2(36))” and inserting “(15  
23          U.S.C. 80a-2(a)(36))”.

24          (69) Section 401(a)(2) is amended by striking  
25          “determination).;” and inserting “determination));”.

1           (70) Section 401(a)(15) is amended by striking  
2           “a trust” and inserting “A trust”.

3           (71) Section 401(a)(32)(A) is amended by strik-  
4           ing “section section” both places it appears and in-  
5           serting “section”.

6           (72) Section 401(c)(2)(A)(iii) is amended by  
7           striking “sections 3121(d)(3)(A), (C), or (D), without  
8           regard to paragraph (2) of section 1402(c)” and in-  
9           serting “subparagraph (A), (C), or (D) of section  
10          3121(d)(3), without regard to section 1402(c)(2)”.

11          (73) Section 402(i) is amended by striking “sub-  
12          paragraph (A) of subsection (d)(4)” and inserting  
13          “subsection (e)(4)(D)(i)”.

14          (74) Section 404A(c)(4)(B) is amended by strik-  
15          ing “and” at the end.

16          (75) Section 408(a)(1) is amended by inserting  
17          “or” after “subsection (d)(3)”.

18          (76) Section 408(m)(3)(B) is amended by strik-  
19          ing “section 7” and inserting “section 5”.

20          (77) Section 408A(d)(3)(B) is amended by add-  
21          ing a period at the end.

22          (78) Section 408A(e)(2)(B) is amended by strik-  
23          ing “the subparagraph (A)” and inserting “subpara-  
24          graph (A)”.

1           (79) Section 409(n)(1)(A)(i) is amended by  
2 striking “securities,,,” and inserting “securities,”.

3           (80) Section 409A(b)(3)(B)(i) is amended by  
4 striking the semicolon at the end and inserting a  
5 comma.

6           (81) The item relating to section 413 in the table  
7 of sections for subpart B of part I of subchapter D  
8 of chapter 1 is amended to read as follows:

“Sec. 413. Collectively bargained plans, etc.”.

9           (82) Section 411(a)(4)(A) is amended by striking  
10 the comma at the end and inserting a semicolon.

11           (83) Section 412(c)(1)(A) is amended by adding  
12 a period at the end.

13           (84) Section 412(c)(4)(B) is amended by insert-  
14 ing “section” before “433(d)”.

15           (85) Section 412(c)(7)(B)(iii) is amended by  
16 striking the comma after “subchapter D”.

17           (86) Section 413(b)(6) is amended by striking  
18 “and the last sentence of section 4971(a)” in the last  
19 sentence and inserting “and section 4971(e)”.

20           (87) Section 414(l)(2)(G) is amended by striking  
21 “BANKS” in the heading thereof and inserting “DE-  
22 POSITORY INSTITUTIONS”.

23           (88) Section 414(u)(6) is amended by striking  
24 “section 457(b))” and inserting “section 457(b))”.

1           (89) Section 414(x)(1) is amended by striking  
2           “are” and inserting “is”.

3           (90) Section 414(y)(1)(C)(i) is amended by strik-  
4           ing “of such Code”.

5           (91) Section 414(y)(2) is amended by striking  
6           “subparagraph” and inserting “subparagraphs”.

7           (92) Section 418E is amended by striking “sub-  
8           section 432(b)(2)” each place it appears and inserting  
9           “section 432(b)(2)”.

10          (93) Section 418E(d)(1), as amended by the pre-  
11          ceding paragraph, is amended—

12                 (A) by striking “section 432(b)(2),,” and in-  
13                 serting “section 432(b)(2),”;

14                 (B) by striking “section 432(b)(2),)” and  
15                 inserting “section 432(b)(2))”, and

16                 (C) by striking “compare the value of plan  
17                 assets” and all that follows through “for that  
18                 plan year with” and inserting “compare the  
19                 value of plan assets for that plan year with”.

20          (94) Section 418E(e)(1)(A) is amended to read  
21          as follows:

22                 “(A) notify the Secretary and the parties  
23                 described in section 101(f)(1) of the Employee  
24                 Retirement Income Security Act of 1974 of that  
25                 determination, and”.

1           (95) *The table of subparts for part I of sub-*  
2 *chapter D of chapter 1 is amended by striking the*  
3 *item relating to subpart C and inserting the fol-*  
4 *lowing:*

“SUBPART C—INSOLVENT PLANS”.

5           (96) *Section 419A(c)(6)(B) is amended by strik-*  
6 *ing “(42 U.S.C. 300gg-91(d)(3))” and inserting “(42*  
7 *U.S.C. 300gg-91(d)(3))”.*

8           (97) *Section 420(c)(1)(A) is amended by striking*  
9 *“subsection (e)(1)(D)” and inserting “subsection*  
10 *(e)(1)(E)”.*

11           (98) *Section 424(g) is amended by striking “sec-*  
12 *tion 422(a)(2)” and inserting “sections 422(a)(2)”.*

13           (99) *Section 430(c)(7)(E)(v)(II) is amended by*  
14 *inserting “the” after “title I of”.*

15           (100) *Section 430(h)(2)(F) is amended by strik-*  
16 *ing “section 417(e)(3)(D)(i)” and inserting “section*  
17 *417(e)(3)(D)”.*

18           (101) *Section 431(d)(2)(B)(i) is amended by*  
19 *striking “this Act” and inserting “the Pension Protec-*  
20 *tion Act of 2006”.*

21           (102) *Section 432(b)(3)(A)(i) is amended by*  
22 *striking “in endangered status for such plan year”*  
23 *and all that follows through “, whether or not” and*  
24 *inserting the following: “in endangered status for such*

1        *plan year, or would be in endangered status for such*  
2        *plan year but for paragraph (5), whether or not”.*

3            (103) *Section 432(b)(3)(B) is amended by redesi-*  
4        *gnating the clause (iv) relating to projections of crit-*  
5        *ical and declining status as clause (v).*

6            (104) *Section 432(b)(3)(D)(iv) is amended by in-*  
7        *serting a comma after “Labor”.*

8            (105) *Section 432(e)(8)(C)(iii) is amended by*  
9        *striking “the Secretary shall” and inserting “The Sec-*  
10       *retary shall”.*

11           (106) *So much of the text of section 432(f)(3) as*  
12       *precedes subparagraph (A) is amended to read as fol-*  
13       *lows: “During the period beginning on the date of the*  
14       *certification under subsection (b)(3)(A) for the initial*  
15       *critical year and ending on the date of the adoption*  
16       *of a rehabilitation plan—”.*

17           (107) *Section 432(g)(1) is amended by striking*  
18       *“subsection (e)(9))” and inserting “subsection (e)(9)”.*

19           (108) *Section 433(c)(5)(C)(ii)(II) is amended by*  
20       *inserting “of such Act” after “title IV”.*

21           (109)(A) *The heading for section 433 is amended*  
22       *by inserting “**FOR CSEC PLANS**” after “**FUNDING***  
23       ***STANDARDS**”.*

1           (B) *The table of sections for subpart A of part*  
2           *III of subchapter D of chapter 1 is amended by add-*  
3           *ing at the end the following new item:*

*“Sec. 433. Minimum funding standards for CSEC plans.”.*

4           (110) *The item relating to section 436 in the*  
5           *table of sections for subpart B of part III of sub-*  
6           *chapter D of chapter 1 is amended to read as follows:*

*“Sec. 436. Funding-based limits on benefits and benefit accruals under single-em-*  
*ployer plans.”.*

7           (111) *The heading of section 453B is amended*  
8           *by striking “LOSS DISPOSITION” and inserting*  
9           *“LOSS ON DISPOSITION”.*

10          (112) *Section 457(f)(4)(C)(i) is amended—*

11               (A) *by striking “section 9101” and insert-*  
12               *ing “section 8101”, and*

13               (B) *by striking “7801),” and inserting*  
14               *“7801)),”.*

15          (113) *Section 457A(d)(4) is amended—*

16               (A) *by striking “case a foreign” and insert-*  
17               *ing “case of a foreign”, and*

18               (B) *by striking “had been” and inserting*  
19               *“been”.*

20          (114) *Section 458(b)(9) is amended by striking*  
21               *“REPURCHASED” in the heading thereof and inserting*  
22               *“REPURCHASE”.*



1           (115) Section 458(c)(1) is amended by striking  
2           “regulations prescribed” and inserting “regulations  
3           prescribe”.

4           (116) Section 460(b)(2)(A) is amended by insert-  
5           ing a comma after “first”.

6           (117)(A) Section 461 is amended by redesignig-  
7           nating the second subsection (j) (relating to farming  
8           syndicate defined) as subsection (k).

9           (B) Section 461(i)(4) is amended by striking  
10          “subsection (j)” and inserting “subsection (k)”.

11          (118) The heading of section 464 is amended by  
12          inserting “**EXPENSES**” after “**FARMING**”.

13          (119) Section 464(d)(2)(B)(iii) is amended by  
14          striking “subsection (c)(2)(E)” and inserting “section  
15          461(k)(2)(E)”.

16          (120) Section 470(d)(2)(B) is amended by strik-  
17          ing “clause (ii)” and inserting “subparagraph  
18          (A)(ii)”.

19          (121) The item relating to part VIII in the table  
20          of parts for subchapter F of chapter 1 is amended to  
21          read as follows:

“PART VIII. CERTAIN SAVINGS ENTITIES”.

22          (122) Section 501(c)(14)(B)(iv) is amended by  
23          adding a period at the end.

24          (123) Section 501(c)(19)(B) is amended by strik-  
25          ing “widows,,” and inserting “widows,”.

1           (124) *Section 501(f)(3)(B) is amended by strik-*  
2           *ing “section 115(a)” and inserting “section 115”.*

3           (125) *The item relating to section 511 in the*  
4           *table of sections for part III of subchapter F of chap-*  
5           *ter 1 is amended to read as follows:*

*“Sec. 511. Imposition of tax on unrelated business income of charitable, etc., or-*  
*ganizations.”.*

6           (126) *Section 512(b)(19)(H)(iii) is amended by*  
7           *striking “clause (i)(II)” and inserting “clause (i)”.*

8           (127) *Section 529(c)(6) is amended by striking*  
9           *“an Coverdell” and inserting “a Coverdell”.*

10          (128) *Section 529(e)(3)(A) is amended—*

11                 *(A) by striking the semicolon at the end of*  
12                 *clause (i) and inserting a comma, and*

13                 *(B) by adding “, and” at the end of clause*  
14                 *(ii).*

15          (129) *Section 529A(d)(4) is amended by striking*  
16           *“Achieving a Better Life Experience Act of 2014” and*  
17           *inserting “Stephen Beck, Jr., ABLE Act of 2014”.*

18          (130) *Section 529A(e)(4) is amended by striking*  
19           *“subparagraph section” and inserting “section”.*

20          (131) *Section 530(d)(9)(B) is amended by strik-*  
21           *ing “by the” and inserting “by”.*

22          (132) *Section 542(c)(5) is amended by striking*  
23           *the comma at the end and inserting a semicolon.*

1           (133) Section 542(c)(7) is amended by striking  
2           “A small” and inserting “a small”.

3           (134) Section 543(a)(2)(B)(ii) is amended by  
4           striking “section 563(d)” and inserting “section  
5           563(c)”.

6           (135) Section 543(d)(5)(A)(ii) is amended by  
7           striking “section 563(d)” and inserting “section  
8           563(c)”.

9           (136) Section 613A(c)(7)(B) is amended by  
10          striking “taxpayers” and inserting “taxpayer’s”.

11          (137) Section 642(c)(1) is amended by striking  
12          “other than” and inserting “other than”.

13          (138) The item relating to section 661 in the  
14          table of sections for subpart C of part I of subchapter  
15          J of chapter 1 is amended to read as follows:

          “Sec. 661. Deduction for estates and trusts accumulating income or distributing  
          corpus.”.

16          (139) Section 706(b)(5) is amended by striking  
17          “section 584(h)” and inserting “section 584(i)”.

18          (140) Section 751(c) is amended by striking  
19          “and, sections” both places it appears and inserting  
20          “and sections”.

21          (141) Section 807(e)(5)(A)(i) is amended by  
22          striking “subparagraph (C)” and inserting “subpara-  
23          graph (B)”.

1           (142) Section 831(c) is amended by striking  
2           “section 816(a).” and inserting “section 816(a).”.

3           (143) Section 832(b)(7)(E)(ii)(II) is amended by  
4           striking the comma at the end and inserting a period.

5           (144) Section 852(a)(1)(B) is amended by strik-  
6           ing “265,” and inserting “265 and”.

7           (145) Section 852(b)(2)(D) is amended by strik-  
8           ing “the deduction” and inserting “The deduction”.

9           (146) Subparagraphs (A) and (B) of section  
10          856(c)(7) are each amended by striking “paragraph  
11          (4)(B)(iii)” and inserting “paragraph (4)(B)(iv)”.

12          (147) Paragraphs (1), (3), (4), and (5) of section  
13          856(m) are each amended by striking “subsection  
14          (c)(4)(B)(iii)” and inserting “subsection  
15          (c)(4)(B)(iv)”.

16          (148) Section 857(b)(6)(J) is amended by strik-  
17          ing “section 856(c)(8)” and inserting “section  
18          856(c)(10)”.

19          (149) Section 860(f)(2)(A)(ii) is amended by  
20          striking “decreased” and inserting “decrease”.

21          (150) Section 860(i) is amended by striking  
22          “willfull” and inserting “willful”.

23          (151) Section 860G(a)(3)(A)(iii)(III) is amended  
24          by striking the period at the end and inserting a  
25          comma.

1           (152) Section 864(d)(8) is amended by striking  
2           “section 956(b)(3)” and inserting “section 956(c)(3)”.

3           (153) Section 877(d)(4)(B)(i) is amended by  
4           striking “in 957” and inserting “in section 957”.

5           (154) Section 877A(g)(6) is amended by striking  
6           “220(e)(4)” and inserting “220(f)(4)”.

7           (155) Section 897(a)(1)(A) is amended by strik-  
8           ing “section 871(B)(1)” and inserting “section  
9           871(b)(1)”.

10          (156) The heading of section 897(k)(2) is amend-  
11          ed by striking “USRPI” and inserting “UNITED  
12          STATES REAL PROPERTY INTEREST”.

13          (157) Section 904(d)(2)(B)(ii) is amended—  
14                 (A) by striking “, except as provided in sub-  
15                 paragraph (E)(iii) or paragraph (3)(I),” and  
16                 (B) by inserting “subparagraph (E)(ii), or  
17                 paragraph (3)(H),” after “Except as provided in  
18                 clause (iii),”

19          (158) Section 907(c)(3)(C) is amended by strik-  
20          ing the period after “partnerships” and inserting a  
21          comma.

22          (159) Section 907(f)(1) is amended by striking  
23          “year,” and inserting “years,”.

1           (160) Section 911(d)(8)(B)(i) is amended by  
2 striking “(50 U.S.C. App. 1 et seq.)” and inserting  
3 “(50 U.S.C. 4301 et seq.)”.

4           (161) Section 912(1)(B) is amended by striking  
5 “(50 U.S.C., sec. 403e)” and inserting “(50 U.S.C.  
6 3505)”.

7           (162) Section 956(c)(2)(E) is amended by strik-  
8 ing “which are not contracts described in section  
9 953(a)(1)” and inserting “which are contracts de-  
10 scribed in section 953(e)(2)”.

11           (163) Section 956(e) is amended by striking  
12 “provisons” and inserting “provisions”.

13           (164) Section 957(b) is amended by striking  
14 “contracts described in section 953(a)(1)” and insert-  
15 ing “contracts not described in section 953(e)(2)”.

16           (165) The heading of section 993 is amended by  
17 inserting “**AND SPECIAL RULES**” after “**DEFINI-**  
18 **TIONS**”.

19           (166) Section 1016(a)(3)(D) is amended by in-  
20 sserting “as in effect prior to its repeal by the Tax Re-  
21 form Act of 1986” before “(or the corresponding pro-  
22 visions of prior income tax laws)”.

23           (167) Section 1033(h)(2) is amended by insert-  
24 ing “is” before “located”.

1           (168) Section 1035(a)(1) is amended by striking  
2           “; or” and inserting a semicolon.

3           (169) Section 1059(d)(3) is amended by striking  
4           “; except that” and all that follows and inserting  
5           “and there shall not be taken into account any day  
6           which is more than 2 years after the date on which  
7           such share becomes ex-dividend.”.

8           (170) Section 1092(a)(2)(B) is amended by strik-  
9           ing “with respect other” in the last sentence and in-  
10          serting “with respect to other”.

11          (171) Section 1092(c)(4)(E) is amended by strik-  
12          ing “(other than subparagraph (B) thereof)”.

13          (172) The item relating to section 1222 in the  
14          table of sections for part III of subchapter P of chap-  
15          ter 1 is amended to read as follows:

“Sec. 1222. Other terms relating to capital gains and losses.”.

16          (173) The item relating to section 1252 in the  
17          table of sections for part IV of subchapter P of chap-  
18          ter 1 is amended to read as follows:

“Sec. 1252. Gain from disposition of farm land.”.

19          (174) Section 1250(d)(3) is amended by striking  
20          “paragraph (9)” and inserting “paragraph (6)”.

21          (175) Section 1255(b)(2) is amended by striking  
22          “170(e),” and inserting “170(e)”.

1           (176)(A) *Subparagraphs (B) and (C) of section*  
2           *1256(e)(3) are each amended by striking “section*  
3           *464(e)(2)” and inserting “section 461(k)(4)”.*

4           (B) *Section 1258(d)(5)(C) is amended by strik-*  
5           *ing “section 464(e)(2)” and inserting “section*  
6           *461(k)(4)”.*

7           (177) *Section 1257(c)(1) is amended—*

8           (A) *by striking “section 1201(4)” and in-*  
9           *serting “section 1201(a)(7)”, and*

10           (B) *by striking “16 U.S.C. 3801(4)” and*  
11           *inserting “16 U.S.C. 3801(7)”.*

12           (178) *Section 1257(c)(2) is amended—*

13           (A) *by striking “section 1201(6)” and in-*  
14           *serting “section 1201(a)(10)”, and*

15           (B) *by striking “16 U.S.C. 3801(6)” and*  
16           *inserting “16 U.S.C. 3801(10)”.*

17           (179) *Section 1274(b)(3)(B)(i) is amended by*  
18           *striking “section 6662(d)(2)(C)(iii)” and inserting*  
19           *“section 6662(d)(2)(C)(ii)”.*

20           (180) *Section 1276(a)(4) is amended by striking*  
21           *“871(a),,” and inserting “871(a),”.*

22           (181) *Section 1278(b)(1) is amended by striking*  
23           *“871(a),,” and inserting “871(a),”.*

24           (182) *Section 1286(f) is amended by striking*  
25           *“and 305(e),” and inserting “and section 305(e),”.*



1           (183) Section 1291(e) is amended by striking  
2           “subsections (c) and (d) (e),” and inserting “sub-  
3           sections (c), (d), and (e)”.

4           (184) Section 1298(b)(5)(B) is amended by strik-  
5           ing “section 951(f)” and inserting “section 951(c)”.

6           (185) Section 1298(d)(2)(A) is amended by strik-  
7           ing “section 1296(a)(2)” and inserting “section  
8           1297(a)(2)”.

9           (186) Section 1298(e)(2)(B)(ii) is amended by  
10          striking “provisons” and inserting “provisions”.

11          (187) Section 1355(f)(3) is amended by striking  
12          “of which” and inserting “on which”.

13          (188) Section 1358(b)(1) is amended by striking  
14          “section 1352(a)(2)” and inserting “section 1352(2)”.

15          (189) Section 1358(c)(2) is amended by striking  
16          “an person’s” and inserting “a person’s”.

17          (190) Sections 1361(f)(2), 1362(d)(3)(C)(v), and  
18          4975(d)(16)(A) are each amended by striking  
19          “1813(w)(1),” and inserting “1813(w)(1)),”.

20          (191) Section 1362(f) is amended by striking  
21          “may be during” and inserting “may be, during”.

22          (192) Section 1366(e) is amended by striking  
23          “section 704(e)(3)” and inserting “section 704(e)(2)”.

24          (193) Section 1368(f)(2) is amended by striking  
25          “in included” and inserting “is included”.

1           (194) Section 1391(g)(3)(E)(ii) is amended by  
2 striking “Interior” and inserting “the Interior”.

3           (195) Section 1394(b)(3)(B)(i)(II) is amended by  
4 striking “subsection” and inserting “subsections”.

5           (196) Section 1397C(d)(5)(B) is amended by  
6 striking “subparagraphs (A) or (B)” and inserting  
7 “subparagraph (A) or (B)”.

8           (197) Section 1402(a)(1) is amended—

9                 (A) by striking “section 1233(2)” and in-  
10serting “section 1233(a)(2)”, and

11                 (B) by striking “16 U.S.C. 3833(2)” and  
12inserting “16 U.S.C. 3833(a)(2)”.

13           (198) Section 1402(b) is amended by striking  
14 “3211,.” and inserting “3211.”.

15           (199) The heading of section 1446 is amended by  
16 striking “**WITHHOLDING TAX**” in the heading and  
17 inserting “**WITHHOLDING OF TAX**”.

18           (200) Section 2031(c)(1) is amended by striking  
19 all that follows subparagraph (A) and inserting the  
20 following:

21                 “(B) \$500,000.”.

22           (201) Section 2031(c)(2) is amended by striking  
23 “paragraph (5).” and inserting “paragraph (5)).”.

1           (202) Section 2055(e)(3)(G) is amended by strik-  
2           ing “subparagraph (J)” and inserting “subparagraph  
3           (J)”.

4           (203) Section 2106(a)(4) is amended by insert-  
5           ing “section” before “2058(a)”.

6           (204) Section 2522(c)(1) is amended by striking  
7           “to of for” and inserting “to or for”.

8           (205) Section 2523(g)(1) is amended by striking  
9           “noncharitable beneficiary” and inserting “bene-  
10          ficiary who is not a charitable beneficiary”.

11          (206) Section 2523(g)(2) is amended by striking  
12          “noncharitable” and inserting “charitable”.

13          (207) Section 3101(a) is amended by adding a  
14          period at the end.

15          (208) Section 3111(e)(5)(B) is amended by in-  
16          serting “the” before “meaning”.

17          (209) Section 3121(b)(5)(B)(i)(V) is amended by  
18          striking “section 105(e)(2)” and inserting “section  
19          104(e)(2)”.

20          (210) Section 3121(b)(5)(H)(i) is amended by  
21          striking “1997” and inserting “1997,”.

22          (211) Section 3304(a)(4)(G)(ii) is amended by  
23          striking “section 6402(f)(4)(B)” and inserting “sec-  
24          tion 6402(f)(4)(C)”.

1           (212) Section 3306(b)(5)(F) is amended by strik-  
2           ing the semicolon at the end and inserting a comma.

3           (213) Section 3306(c)(19) is amended by striking  
4           “Service” and inserting “service”.

5           (214) Section 3306(u) is amended by striking  
6           “25 U.S.C. 450b(e)” and inserting “25 U.S.C.  
7           5304(e)”.

8           (215) Section 3306(v) is amended by striking  
9           “this part” and inserting “this section”.

10          (216) Section 3309(d) is amended by striking  
11          “25 U.S.C. 450b(e)” and inserting “25 U.S.C.  
12          5304(e)”.

13          (217)(A) Paragraphs (1), (2), (3), (4)(B), (5),  
14          (6), (8)(A)(ii), (8)(B), (8)(D), (9), (10)(B), (11),  
15          (12)(A), (12)(B), (12)(C), (13), (14), and (15) of sec-  
16          tion 3401(a) are each amended by striking “; or” at  
17          the end and inserting a comma.

18          (B) Paragraphs (4)(A), (8)(A)(i), (8)(C),  
19          (10)(A), (12)(D), and (22) of section 3401(a) are each  
20          amended by striking “; or” at the end and inserting  
21          “; or”.

22          (C) Section 3401(a)(12)(E) is amended by strik-  
23          ing “; or” at the end and inserting a comma.

24          (D) Paragraphs (16)(A), (16)(B), (17), (18),  
25          (19), (20), and (21) of section 3401(a) are each

1        *amended by striking the semicolon at the end and in-*  
2        *serting a comma.*

3            (218) *Section 3509(d)(1)(C) is amended by strik-*  
4        *ing “sections” and inserting “section”.*

5            (219) *Section 4051(a)(3) is amended by striking*  
6        *“Secretary.” and inserting “Secretary).”.*

7            (220) *Section 4104(a)(1) is amended by striking*  
8        *“section” and inserting “sections”.*

9            (221) *Section 4221(a) is amended by striking*  
10       *“section 4051,” and inserting “section 4051”.*

11           (222) *The item relating to part III in the table*  
12       *of parts for subchapter C of chapter 33 is amended*  
13       *by striking “relating” and inserting “applicable”.*

14           (223) *Section 4612(e)(2)(B)(ii)(I) is amended by*  
15       *striking “tranferred” and inserting “transferred”.*

16           (224) *Section 4958(f)(1)(D) is amended by strik-*  
17       *ing the period at the end and inserting a comma.*

18           (225) *Section 4971(b) is amended by striking*  
19       *“minimum required contribution,” and all that fol-*  
20       *lows through “whichever is applicable” and inserting*  
21       *the following: “minimum required contribution, accu-*  
22       *mulated funding deficiency, or CSEC accumulated*  
23       *funding deficiency, whichever is applicable”.*

24           (226) *Section 4971(c)(3) is amended by striking*  
25       *“applicable and” and inserting “applicable, and”.*

1           (227) *Section 4971(f) is amended by striking*  
2           *“applicable for” and inserting “applicable, for”.*

3           (228) *Section 4971(g)(4)(C)(ii) is amended by*  
4           *striking “section 432(i)(9)” and inserting “section*  
5           *432(j)(9)”.*

6           (229) *Section 4975(d)(3) is amended by striking*  
7           *“an leveraged” and inserting “a leveraged”.*

8           (230) *Section 4975(d)(17) is amended by strik-*  
9           *ing “Any” and inserting “any”.*

10          (231) *Section 4975(d)(21) is amended by strik-*  
11          *ing “person person” and inserting “person”.*

12          (232) *Section 4975(f)(8)(C)(iv)(II) is amended*  
13          *by inserting “subsection” before “(d)(17)(A)(ii)”.*

14          (233) *Section 4975(f)(8)(F)(i)(I) is amended by*  
15          *striking “adviser,” and inserting “adviser”.*

16          (234) *Section 4975(f)(8)(F)(i)(V) is amended by*  
17          *inserting “of” before “the manner”.*

18          (235) *Section 4980B(f)(1) is amended by strik-*  
19          *ing “section 2162 of the Public Health Service Act”*  
20          *and inserting “section 1928(h)(6) of the Social Secu-*  
21          *urity Act (42 U.S.C. 1396s(h)(6))”.*

22          (236) *Section 4980B(f)(5)(C)(iii) is amended by*  
23          *striking “section 2701(c)(2)” and inserting “section*  
24          *2704(c)(2)”.*

1           (237) Section 4980I(b)(3)(C)(iv) is amended by  
2           striking the comma at the end and inserting a period.

3           (238) Section 4980I(b)(3)(C)(v) is amended by  
4           striking “for for” and inserting “for”.

5           (239) Section 5054(a)(3)(B) is amended by strik-  
6           ing “sections” and inserting “section”.

7           (240) Section 5066(d) is amended by striking  
8           “section 5001(a)(5)” and inserting “section  
9           5001(a)(4)”.

10           (241) The item relating to subpart C in the table  
11           of subparts for part II of subchapter A of chapter 51  
12           is amended to read as follows:

          “SUBPART C. RECORDKEEPING AND REGISTRATION BY DEALERS”.

13           (242) The item relating to section 5178 in the  
14           table of sections for subchapter B of chapter 51 is  
15           amended to read as follows:

          “Sec. 5178. Premises of distilled spirits plants.”.

16           (243) Section 5182 is amended by striking “sec-  
17           tion 5112” and inserting “section 5121”.

18           (244) Section 5273(e)(2) is amended by striking  
19           “section 5001(a)(6)” and inserting “section  
20           5001(a)(5)”.

21           (245) Section 5314(a)(2) is amended by striking  
22           “section 5001(a)(10)” and inserting “section  
23           5001(a)(9)”.

1           (246) Section 5392(f) is amended by striking  
2           “section 17(a)(5)” and inserting “section 117(a)(5)”.

3           (247) Section 5512 is amended by striking “sec-  
4           tion 5001(a)(7)” and inserting “section 5001(a)(6)”.

5           (248) Section 5601(a)(15) is amended by strik-  
6           ing “Withdraws,” and inserting “withdraws,”.

7           (249) The heading of section 5603 is amended by  
8           inserting a comma after “**RETURNS**”.

9           (250) Section 5701(e) is amended by striking  
10          “manufactured” and inserting “manufactured”.

11          (251) The item relating to section 5847 in the  
12          table of sections for part I of subchapter B of chapter  
13          53 is amended to read as follows:

“Sec. 5847. Effect on other laws.”.

14          (252) Section 5847 is amended by striking “sec-  
15          tion 414 of the Mutual Security Act of 1954” and in-  
16          serting “section 38 of the Arms Export Control Act  
17          (22 U.S.C. 2778)”.

18          (253) The item relating to section 5852 in the  
19          table of sections for part II of subchapter B of chapter  
20          53 is amended to read as follows:

“Sec. 5852. General transfer and making tax exemption.”.

21          (254) The item relating to section 5853 in the  
22          table of sections for part II of subchapter B of chapter  
23          53 is amended to read as follows:



*“Sec. 5853. Transfer and making tax exemption available to certain governmental entities.”.*

1           (255) Section 6012(a)(6) is amended by striking  
2           “and” at the end.

3           (256) Section 6012(a)(7) is amended by striking  
4           the period at the end and inserting “; and”.

5           (257) Section 6012(a)(8) is amended by striking  
6           “section 63(c)(2)(D).” and inserting “section  
7           63(c)(2)(C);”.

8           (258) Section 6033(b)(15) is amended by strik-  
9           ing the period at the end and inserting “, and”.

10          (259) Section 6039(d)(2) is amended to read as  
11          follows:

12                 “(2) the term ‘employee stock purchase plan’, see  
13                 section 423(b).”.

14          (260) The table of sections for subpart B of part  
15          III of subchapter A of chapter 61 is amended by in-  
16          serting after the item relating to section 6041 the fol-  
17          lowing new item:

*“Sec. 6041A. Returns regarding payments of remuneration for services and direct sales.”.*

18          (261) The item relating to section 6050I in the  
19          table of sections for subpart B of part III of sub-  
20          chapter A of chapter 61 is amended to read as follows:

*“Sec. 6050I. Returns relating to cash received in trade or business, etc.”.*

1           (262) *The item relating to section 6050W in the*  
2           *table of sections for subpart B of part III of sub-*  
3           *chapter A of chapter 61 is amended to read as follows:*

*“Sec. 6050W. Returns relating to payments made in settlement of payment card*  
*and third party network transactions.”.*

4           (263) *Section 6050H(h)(3)(B)(i) is amended by*  
5           *striking “Rural Housing Administration” and insert-*  
6           *ing “Rural Housing Service”.*

7           (264) *Section 6058(e) is amended by striking*  
8           *paragraph (1) and by redesignating paragraphs (2)*  
9           *and (3) as paragraphs (1) and (2), respectively.*

10          (265) *Section 6059(b)(3)(B) is amended—*

11                 *(A) by striking “the requirements” and in-*  
12                 *serting “that the requirements”, and*

13                 *(B) by striking the period at the end and*  
14                 *inserting a comma.*

15          (266) *Section 6091(b)(2)(B)(ii) is amended by*  
16           *striking “and” at the end.*

17          (267) *Section 6103(l)(7) is amended by striking*  
18           *“OF 1977” in the heading thereof.*

19          (268) *Section 6103(l)(10)(A) is amended by*  
20           *striking “request made under subsection (f)(5)” and*  
21           *inserting “notice submitted under subsection*  
22           *(f)(5)(C)”.*

1           (269) Section 6103(l)(10) is amended by striking  
2           so much of subparagraph (B) as precedes “Any” and  
3           inserting the following:

4                   “(B) RESTRICTION ON USE OF DISCLOSED  
5           INFORMATION.—(i)”.

6           (270) Section 6103(l)(16)(A) is amended by  
7           striking “subsection 6103(b)(6)” and inserting “sec-  
8           tion 6103(b)(6)”.

9           (271) Section 6103(p)(3)(A) is amended by strik-  
10          ing “subsections” and inserting “subsection”.

11          (272) Section 6103(p)(3)(C)(ii) is amended by  
12          striking the comma at the end and inserting a period.

13          (273) Section 6103(p)(4) is amended by striking  
14          “7(A)(ii)” in the matter preceding subparagraph (A)  
15          and inserting “(7)(A)(ii)”.

16          (274) Section 6103(p)(4)(F)(ii) is amended—

17                  (A) by striking “subsections” and inserting  
18                  “subsection”, and

19                  (B) by striking “subsection (l)(21),,” and  
20                  inserting “subsection (l)(21),”.

21          (275) Section 6103(p)(4) is amended by striking  
22          “subsection (l)(21),,” both places it appears in the  
23          flush matter at the end and inserting “subsection  
24          (l)(21),”.

1           (276) *Section 6109(f) is amended by striking*  
2           *“OF 1977” in the heading thereof.*

3           (277) *Section 6213(g)(2)(O) is amended by add-*  
4           *ing a comma at the end.*

5           (278) *Section 6213(g)(2)(P) is amended—*

6                 (A) *by striking “section 24(h)(2)” and in-*  
7                 *serting “section 24(g)(2)”, and*

8                 (B) *by striking “subsection (h)(1)” and in-*  
9                 *serting “subsection (g)(1)”.*

10          (279) *Section 6302(e)(2)(A) is amended by strik-*  
11          *ing “sections” and inserting “section”.*

12          (280) *Section 6311(d)(3)(D) is amended—*

13                 (A) *by striking “section 103(f)” and insert-*  
14                 *ing “section 103(g)”, and*

15                 (B) *by striking “1602(f)” and inserting*  
16                 *“1602(g)”.*

17          (281) *Section 6330(c) is amended by striking*  
18          *“subsection (d)(2)(B)” in the last sentence and insert-*  
19          *ing “subsection (d)(3)(B)”.*

20          (282) *Section 6330(d)(2) is amended by striking*  
21          *“, and” at the end and inserting a period.*

22          (283) *Section 6334(a)(10)(A) is amended by*  
23          *striking “V,,” and inserting “V,”.*

24          (284) *Section 6342(a) is amended by striking*  
25          *“subsection (c)(2)” and inserting “subsection (d)(2)”.*

1           (285) Section 6402(a) is amended by striking  
2           “(f) refund” and inserting “(f), refund”.

3           (286) Section 6402(c) is amended by striking “of  
4           of” and inserting “of”.

5           (287) Section 6402(d)(2) is amended by striking  
6           “section 402(a)(26) of the Social Security Act” and  
7           inserting “section 408(a)(3) of the Social Security Act  
8           (42 U.S.C. 608(a)(3))”.

9           (288) Section 6404(g)(2)(E) is amended by strik-  
10          ing “section 6664(d)(2)(A)” and inserting “section  
11          6664(d)(3)(A)”.

12          (289) Section 6420(i)(4) is amended by striking  
13          “State and” and inserting “State (and”.

14          (290) Section 6421(c) is amended by striking  
15          “(4) (5)” and inserting “(4), (5)”.

16          (291) Section 6421(j)(3) is amended by striking  
17          “State and” and inserting “State (and”.

18          (292) Section 6422 is amended—

19                 (A) by striking paragraph (7),

20                 (B) by redesignating paragraphs (8)  
21                 through (12) as paragraphs (7) through (11), re-  
22                 spectively, and

23                 (C) by striking “for credit” in paragraph  
24                 (10) as so redesignated and inserting “For cred-  
25                 it”.

1           (293) Section 6425(c)(1)(A) is amended by strik-  
2           ing “The sum” and inserting “the sum”.

3           (294) Section 6426(b)(2)(A)(ii) is amended by  
4           striking “cents..” and inserting “cents.”.

5           (295) Section 6501(m) is amended by striking  
6           “any election” and all that follows through “(or any”  
7           and inserting the following: “any election under sec-  
8           tion 30B(h)(9), 30C(e)(4), 30D(e)(4), 35(g)(11), 40(f),  
9           43, 45B, 45C(d)(4), 45H(g), or 51(j) (or any”.

10          (296) Section 6503(a)(1) is amended by striking  
11          “section 6230(a).” and inserting “section 6230(a)”.

12          (297) Section 6612(c) is amended—

13                 (A) by inserting “sections” before “2014(e)”,  
14                 and

15                 (B) by striking “and 6420” and inserting  
16                 “6420”.

17          (298) The item relating to section 6651 in the  
18          table of sections for part I of subchapter A of chapter  
19          68 is amended to read as follows:

“Sec. 6651. Failure to file tax return or to pay tax.”.

20          (299) Each of the following sections are amended  
21          by inserting “an amount equal to” after “increased  
22          by” and by inserting “for the calendar year” after  
23          “section 1(f)(3)”:

24                 (A) Section 6651(i).

25                 (B) Section 6652(c)(7)(A).

1           (C) Section 6695(h)(1).

2           (D) Section 6698(e)(1).

3           (E) Section 6699(e)(1).

4           (F) Section 6721(f)(1).

5           (G) Section 6722(f)(1).

6           (300) Section 6652(e) is amended by striking  
7           “section 6724(d)(2)(Y)” in the last sentence and in-  
8           serting “section 6724(d)(2)(AA)”.

9           (301) Section 6654(a) is amended by striking  
10          “chapter 1 the tax” and inserting “chapter 1, the  
11          tax”.

12          (302) Section 6654(f)(3) is amended by striking  
13          “taxes” and inserting “tax”.

14          (303) Section 6662(d)(3) is amended by striking  
15          “section 6664(d)(2)” and inserting “section  
16          6664(d)(3)”.

17          (304) Section 6662 is amended by moving sub-  
18          section (i) before subsection (j).

19          (305) The heading of section 6676(c) is amended  
20          by striking “REASONABLE BASIS” and inserting  
21          “REASONABLE CAUSE”.

22          (306) The item relating to section 6684 in the  
23          table of sections for part I of subchapter B of chapter  
24          68 is amended to read as follows:

“Sec. 6684. Assessable penalties with respect to liability for tax under chapter  
42.”.

1           (307) *The item relating to section 6686 in the*  
2           *table of sections for part I of subchapter B of chapter*  
3           *68 is amended to read as follows:*

*“Sec. 6686. Failure to file returns or supply information by DISC or former FSC.”.*

4           (308) *Section 6679(a)(1) is amended by striking*  
5           *“section 6046 and 6046A” and inserting “section*  
6           *6046 or 6046A”.*

7           (309) *Section 6695(h)(2) is amended by striking*  
8           *“subparagraph (A)” and inserting “paragraph (1)”.*

9           (310) *Section 6695(h)(2)(B) is amended by strik-*  
10          *ing “clause (i)” and inserting “subparagraph (A)”.*

11          (311) *Section 6696(a) is amended by striking*  
12          *“section 6694,” and inserting “sections 6694,”.*

13          (312) *Section 6696(d)(1) is amended by striking*  
14          *“section 6695,” and inserting “6695,”.*

15          (313) *Section 6698(b)(2) is amended by adding*  
16          *a period at the end.*

17          (314) *Section 6700(a) is amended by striking*  
18          *“the \$1,000” and inserting “\$1,000”.*

19          (315) *Section 6724(d)(1)(B)(xx) is amended by*  
20          *striking “or” at the end.*

21          (316) *Section 6724(d)(1)(B)(xxi) is amended by*  
22          *striking “and” at the end.*



1           (317) Section 6724(d)(1) is amended by striking  
2           “Such term also includes” and inserting the fol-  
3           lowing:

4           “Such term also includes”.

5           (318) Section 6724(d)(2)(F) is amended by strik-  
6           ing the period at the end and inserting a comma.

7           (319) Section 6724(d)(2)(M) is amended by  
8           striking “(h)(2) relating” and inserting “(h)(2) (re-  
9           lating”.

10          (320) Section 6724(d)(2)(DD) is amended by  
11          adding a comma at the end.

12          (321) Section 6863(a) is amended by striking  
13          “6852,” and inserting “6852,”.

14          (322) Section 6901(a)(1)(B) is amended by strik-  
15          ing “Code in” and inserting “Code, in”.

16          (323) Section 7275(b)(2) is amended by striking  
17          “taxes, shall” and inserting “taxes,”.

18          (324) Section 7421(b)(2) is amended by striking  
19          “Code in” and inserting “Code, in”.

20          (325)(A) Subsections (e) and (i) of section 7422  
21          and sections 3121(b)(5)(E), 6110(j)(1)(B), 7428(a),  
22          and 7430(c)(6) are each amended by striking “United  
23          States Claims Court” and inserting “United States  
24          Court of Federal Claims”.

1           (B) Subsections (a), (b), and (c)(1)(C)(iii) of sec-  
2           tion 7428 are each amended by striking “Claims  
3           Court” and inserting “Court of Federal Claims”.

4           (C) The heading of section 4961(c)(1) is amended  
5           by striking “UNITED STATES CLAIMS COURT” and in-  
6           serting “UNITED STATES COURT OF FEDERAL  
7           CLAIMS”.

8           (D) Section 6672(c)(2) is amended by striking  
9           “Court of Claims” and inserting “Court of Federal  
10          Claims”.

11          (326) The item relating to section 7448 in the  
12          table of sections for part I of subchapter C of chapter  
13          76 is amended to read as follows:

          “Sec. 7448. Annuities to surviving spouses and dependent children of judges and  
          special trial judges.”.

14          (327) Section 7448(j)(1)(A) is amended by strik-  
15          ing “Code,)” and inserting “Code),”.

16          (328) Section 7448(m) is amended by striking  
17          “Code,” and inserting “Code),”.

18          (329) Section 7454(b) is amended by striking  
19          “4955),,” and inserting “4955),”.

20          (330) Section 7654(d)(1) is amended by striking  
21          “50 App. U.S.C. 501 et seq.” and inserting “50  
22          U.S.C. 3901 et seq.”.

23          (331) Section 7701(a)(36)(B) is amended by  
24          striking “an ‘tax’” and inserting “a ‘tax’”.

1           (332) Section 7701(e)(5)(B) is amended by strik-  
2           ing “Reconciliation” and inserting “Reconciliation”.

3           (333) Section 7801(a)(2)(B) is amended—

4                   (A) by striking “this Act” and inserting  
5                   “the Homeland Security Act of 2002”, and

6                   (B) by striking “effective date of the Home-  
7                   land Security Act of 2002” and inserting “effec-  
8                   tive date of such Act”.

9           (334) Section 7809(c)(1) is amended by striking  
10           “Work” and inserting “work”.

11           (335) Section 7851(a)(1)(A) is amended by strik-  
12           ing “, 4”.

13           (336) Section 7851(a)(1)(B) is amended by strik-  
14           ing “Chapters 3 and 5” and inserting “Chapter 3”.

15           (337) Section 7871(c)(3)(D)(ii)(II) is amended  
16           by striking “calender” and inserting “calendar”.

17           (338) Section 9003(b)(2) is amended by striking  
18           “section 9006(d)” and inserting “section 9006(c)”.

19           (339) Section 9011(b)(1) is amended by striking  
20           “contrue” and inserting “construe”.

21           (340) Section 9502(d)(2) is amended by striking  
22           “farms,” and inserting “farms),”.

23           (341) Section 9503(c)(5) is amended by striking  
24           “and before October 1, 2011,”.

1           (342) Section 9508(c)(1) is amended by striking  
2           “the Public” and inserting “Public”.

3           (343) Section 9701(a)(4) is amended by striking  
4           “section 9713A” and inserting “section 9712”.

5           (344) Section 9704(d)(2)(B) is amended by strik-  
6           ing “1232)),” and inserting “1232),”.

7           (345) Section 9705(b)(1) is amended by striking  
8           “1232(h)” and inserting “1232”.

9           (346) Section 9705(b)(2) is amended by striking  
10          “Acts” and inserting “Act”.

11          (347) Section 9711(c)(4)(B) is amended by strik-  
12          ing “paragraph (4)(C)” and inserting “paragraph  
13          (3)(C)”.

14          (348) Section 9712(a)(4)(A) is amended by in-  
15          serting “section 402 of” after “subsections (h) and (i)  
16          of”.

17          (349) Section 9812(a)(3)(B)(i) is amended by  
18          striking the comma at the end and inserting a period.

19          (350) Section 302 of division P of the Consoli-  
20          dated Appropriations Act, 2016 is amended—

21                 (A) in subsection (a), by inserting “of the  
22                 Internal Revenue Code of 1986” after “section  
23                 48(a)(5)(C)”, and

24                 (B) in subsection (b), by inserting “of such  
25                 Code” after “section 48(a)”.

1           (351) *Section 32103(a) of the Fixing America’s*  
2 *Surface Transportation Act is amended by striking*  
3 *“section 52106” and inserting “section 32102”.*

4           (352) *Section 7518(i) is amended—*

5                 (A) *by striking “section 607(k) of the Mer-*  
6 *chant Marine Act, 1936” and inserting “chapter*  
7 *535 of title 46, United States Code,” and*

8                 (B) *by striking “such section 607(k)” and*  
9 *inserting “such chapter”.*

10         (b) *GENERAL DEADWOOD-RELATED PROVISIONS.—*

11                 (1) *Section 25A(c)(1) is amended by striking*  
12 *“(\$5,000 in the case of taxable years beginning before*  
13 *January 1, 2003)”.*

14                 (2) *Section 26(b)(2) is amended by striking sub-*  
15 *paragraph (P).*

16                 (3) *Section 30C(e) is amended by striking para-*  
17 *graph (6) and redesignating paragraph (7) as para-*  
18 *graph (6).*

19                 (4) *Section 32(l) is amended by striking “, and*  
20 *any payment made to such individual (or such*  
21 *spouse) by an employer under section 3507,”.*

22                 (5)(A) *Section 38(c)(5) is amended—*

23                         (i) *by striking all that precedes subpara-*  
24 *graph (C) thereof and inserting the following:*

1           “(5) *RULES RELATED TO ELIGIBLE SMALL BUSI-*  
2           *NESSES.—*”

3           *(ii) by redesignating subparagraphs (C)*  
4           *and (D) as subparagraphs (A) and (B), respec-*  
5           *tively, and*

6           *(iii) by amending subparagraph (B) (as so*  
7           *redesignated) to read as follows:*

8           “(B) *TREATMENT OF PARTNERS AND S COR-*  
9           *PORATION SHAREHOLDERS.—For purposes of*  
10           *paragraph (4)(B)(ii), any credit determined*  
11           *under section 41 with respect to a partnership or*  
12           *S corporation shall not be treated as a specified*  
13           *credit by any partner or shareholder unless such*  
14           *partner or shareholder meets the gross receipts*  
15           *test under subparagraph (A) for the taxable year*  
16           *in which such credit is treated as a current year*  
17           *business credit.”.*

18           *(B) Section 38(c)(2)(A)(ii)(II) is amended by*  
19           *striking “the eligible small business credits.”.*

20           *(C) Section 38(c)(4)(A)(ii)(II) is amended by*  
21           *striking “the eligible small business credits and”.*

22           *(D) Section 38(c)(4)(B)(ii) is amended by strik-*  
23           *ing “(as defined in paragraph (5)(C), after applica-*  
24           *tion of rules similar to the rules of paragraph*  
25           *(5)(D))” and inserting “(as defined in paragraph*

1       (5)(A) after application of the rules of paragraph  
2       (5)(B))”.

3           (E) Section 39(a) is amended by striking para-  
4       graph (4).

5           (F) Section 39(a)(3)(A) is amended by striking  
6       “or the eligible small business credits”.

7           (6) Section 41(c)(4)(A), as amended by the pre-  
8       ceding provisions of this Act, is amended by striking  
9       “(12 percent in the case of taxable years ending before  
10      January 1, 2009)”.

11          (7) Section 56(b)(1)(E) is amended by striking  
12      the last sentence.

13          (8) Section 56(d)(1)(A)(ii)(I) is amended by in-  
14      serting “(as in effect before its repeal by the Tax In-  
15      crease Prevention Act of 2014)” after “section  
16      172(b)(1)(H)”.

17          (9) Section 126(a) is amended by striking para-  
18      graph (7) and by redesignating paragraphs (8) and  
19      (9) as paragraphs (7) and (8), respectively.

20          (10)(A) Section 139(c)(2) is amended by striking  
21      “section 165(h)(3)(C)(i)” and inserting “section  
22      165(i)(5)(A)”.

23          (B) Section 7508A(a) is amended by striking  
24      “section 165(h)(3)(C)(i)” and inserting “section  
25      165(i)(5)(A)”.

1           (11) Section 140(a) is amended by striking  
2           paragraph (2) and by redesignating paragraphs (3)  
3           through (6) as paragraphs (2) through (5), respec-  
4           tively.

5           (12) Section 163(d)(4) is amended by striking  
6           subparagraph (E).

7           (13)(A) Section 168 is amended by striking sub-  
8           section (n).

9           (B) The amendment made by this paragraph  
10          shall not apply to property placed in service before  
11          the date of the enactment of this Act.

12          (14) Section 170(e)(3) is amended by striking  
13          subparagraph (D) and redesignating subparagraph  
14          (E) as subparagraph (D).

15          (15)(A) Section 179 is amended by striking sub-  
16          section (e) and redesignating subsection (f) as sub-  
17          section (e).

18          (B) Section 179(d)(1)(B)(ii) is amended by  
19          striking “subsection (f)” and inserting “subsection  
20          (e)”.

21          (C) The amendments made by this paragraph  
22          shall not apply to property placed in service before  
23          the date of the enactment of this Act.

24          (16) Section 196(d) is amended—



1           (A) by striking “in the case of—” and all  
2 that follows and inserting “in the case of the in-  
3 vestment credit determined under section 46  
4 (other than the rehabilitation credit).”, and

5           (B) by striking “AND RESEARCH CREDIT”  
6 in the heading thereof.

7           (17) Section 246A(b)(1) is amended by striking  
8 “without regard to section 243(d)(4)”.

9           (18) Section 381(c)(16) is amended by striking  
10 the second sentence.

11           (19) Section 411(a)(3)(F)(i) is amended by strik-  
12 ing “under section 418D or”.

13           (20) Section 415(g) is amended by striking “sub-  
14 section (f)(3)” and inserting “subsection (f)(2)”.

15           (21)(A) Section 419(e)(3)(A) is amended by  
16 striking “(17), or (20)” and inserting “or (17)”.

17           (B) Section 419A(g)(1) is amended by striking  
18 “(17), or (20)” and inserting “or (17)”.

19           (C) Section 419A(g)(2) is amended by striking  
20 “(17), or (20)” and inserting “or (17)”.

21           (D) Section 505 is amended—

22           (i) in the heading thereof, by striking  
23 “**PARAGRAPH (9), (17), OR (20)**” and inserting  
24 “**PARAGRAPH (9) OR (17)**”,

1           (ii) in the heading of subsection (a), by  
2 striking “PARAGRAPH (9) OR (20) OF SECTION  
3 501(c)” and inserting “SECTION 501(c)(9)”,

4           (iii) in subsection (a)(1), by striking “para-  
5 graph (9) or (20) of subsection (c) of section  
6 501” and inserting “section 501(c)(9)”, and

7           (iv) in subsection (c)(1), by striking “para-  
8 graph (9), (17), or (20)” and inserting “para-  
9 graph (9) or (17)”.

10          (E) Subparagraphs (A), (C), and (D) of section  
11 512(a)(3) are each amended in the text thereof by  
12 striking “(17), or (20)” and inserting “or (17)”.

13          (F) Subparagraphs (B)(ii) and (E) of section  
14 512(a)(3) are each amended in the text thereof by  
15 striking “, (17), or (20)” and inserting “or (17)”.

16          (G) The heading of section 512(a)(3) is amended  
17 by striking “(17), OR (20)” and inserting “OR (17)”.

18          (H) The heading of section 512(a)(3)(E) is  
19 amended by striking “, (17), OR (20)” and inserting  
20 “OR (17)”.

21          (I) The item relating to section 505 in the table  
22 of sections for part I of subchapter F of chapter 1 is  
23 amended to read as follows:

“Sec. 505. Additional requirements for organizations described in paragraph (9)  
or (17) of section 501(c).”

1           (22) Section 501(p)(4) is amended by striking “,  
2           556(b)(2)”.

3           (23) Section 530(b)(3) is amended—

4                 (A) by striking “(as defined in section  
5                 170(e)(6)(F)(i))” in subparagraph (A)(iii), and

6                 (B) by adding at the end the following new  
7                 subparagraph:

8                         “(C) *COMPUTER TECHNOLOGY OR EQUIP-*  
9                         *MENT.—The term ‘computer technology or equip-*  
10                         *ment’ means computer software (as defined by*  
11                         *section 197(e)(3)(B)), computer or peripheral*  
12                         *equipment (as defined by section 168(i)(2)(B)),*  
13                         *and fiber optic cable related to computer use.”.*

14           (24) Section 593(b)(2)(D)(iv) is amended by  
15           striking “(determined without regard to section 596)”.

16           (25) Section 597(c)(1) is amended by striking  
17           “or section 21A of the Federal Home Loan Bank  
18           Act”.

19           (26) Section 613A(c)(6) is amended by striking  
20           subparagraph (H).

21           (27) Section 664(g)(3)(E) is amended by striking  
22           “limitations under sections 415(c) and (e)” and in-  
23           serting “limitation under section 415(c)”.

24           (28) Section 856(m) is amended by striking  
25           paragraph (6).

1           (29) Section 871(a)(3) is amended by striking  
2           the last sentence thereof.

3           (30) Section 992(d) is amended by striking  
4           paragraph (6), by inserting “or” at the end of para-  
5           graph (5), and by redesignating paragraph (7) as  
6           paragraph (6).

7           (31) Section 1245(a)(3)(C) is amended by strik-  
8           ing “, 185”.

9           (32)(A) Section 1252(a)(1) is amended by strik-  
10          ing “during a taxable year beginning”.

11          (B) Section 1252(a)(1)(A) is amended—

12               (i) by striking “sections” and inserting  
13               “section”, and

14               (ii) by striking “and 182” and all that fol-  
15               lows through “for expenditures” and inserting  
16               “for expenditures”.

17          (C) Section 1252(a)(2) is amended—

18               (i) by striking “sections” and inserting  
19               “section”, and

20               (ii) by striking “or 182” and all that fol-  
21               lows and inserting a period.

22          (33) Section 1374(d)(2)(B) is amended by strik-  
23          ing the last sentence.

24          (34) Section 3111 is amended by striking sub-  
25          section (d).

1           (35) *Section 3127(b)(3) is amended by striking*  
2           *“or 222(b)”.*

3           (36) *Section 3221 is amended by striking sub-*  
4           *section (c) and by redesignating subsection (d) as sub-*  
5           *section (c).*

6           (37) *Section 3301 is amended by striking “equal*  
7           *to—” and all that follows and inserting “equal to 6*  
8           *percent of the total wages (as defined in section*  
9           *3306(b)) paid by such employer during the calendar*  
10           *year with respect to employment (as defined in sec-*  
11           *tion 3306(c)).”.*

12           (38) *Section 3302(c)(2) is amended by striking*  
13           *the next to last sentence.*

14           (39) *Section 3302(f)(2) is amended—*

15                   (A) *by striking “(or, for purposes of apply-*  
16                   *ing this subparagraph to taxable year 1983, Sep-*  
17                   *tember 30, 1981)” in subparagraph (D), and*

18                   (B) *by striking the last sentence.*

19           (40) *Section 4042(b)(1) is amended by adding*  
20           *“and” at the end of subparagraph (A), by striking “,*  
21           *and” at the end of subparagraph (B) and inserting*  
22           *a period, and by striking subparagraph (C).*

23           (41) *Section 4042(b)(2) is amended by striking*  
24           *subparagraph (C).*

1           (42) Section 4261(b)(1) is amended by striking  
2           “a tax in the amount” and all that follows and in-  
3           serting “a tax in the amount of \$3.00.”.

4           (43) Section 4481(d) is amended to read as fol-  
5           lows:

6           “(d) ONE TAX LIABILITY PER PERIOD.—To the extent  
7           that the tax imposed by this section is paid with respect  
8           to any highway motor vehicle for any taxable period, no  
9           further tax shall be imposed by this section for such taxable  
10          period with respect to such vehicle.”.

11          (44) Section 4971(d) is amended by striking the  
12          last sentence.

13          (45) Section 6050G(a)(2) is amended by striking  
14          “(to the extent not previously taken into account  
15          under section 72(d)(1))”.

16          (46) Section 6215(b) is amended by striking  
17          paragraph (5) and by redesignating paragraphs (6)  
18          and (7) as paragraphs (5) and (6), respectively.

19          (47) Section 6601(b) is amended by striking  
20          paragraph (2) and by redesignating paragraphs (3)  
21          through (5) as paragraphs (2) through (4), respec-  
22          tively.

23          (48) Section 6654(d)(1)(C)(i) is amended by  
24          striking “by substituting” and all that follows and

1        *inserting “by substituting ‘110 percent’ for ‘100 per-*  
2        *cent’.”.*

3            *(49) Section 6654(d)(1) is amended by striking*  
4        *subparagraph (D).*

5            *(50) Part II of subchapter C of chapter 75 is*  
6        *amended by striking section 7326 (and by striking the*  
7        *item relating to such section in the table of sections*  
8        *for such part).*

9            *(51) Section 7448(a)(5) is amended by striking*  
10       *“, whether or not performing judicial duties under*  
11       *section 7443B”.*

12           *(52) Section 7448(a)(6) is amended by striking*  
13       *“, and compensation received under section 7443B”.*

14           *(53) Section 7448(d) is amended by striking “at*  
15       *4 percent per annum to December 31, 1947, and 3*  
16       *percent per annum thereafter” and inserting “at 3*  
17       *percent per annum”.*

18           *(54) Section 7701(a)(19)(A) is amended by strik-*  
19       *ing “either (i)” and all that follows through “(ii)”.*

20           *(55) Section 7701(a)(32)(A) is amended to read*  
21       *as follows:*

22                    *“(A) is subject by law to supervision and*  
23                    *examination by State or Federal authority hav-*  
24                    *ing supervision over such institutions, and”.*

1           (56) *Section 8021 is amended by striking sub-*  
2           *section (f).*

3           (57) *Section 8022(3) is amended by striking sub-*  
4           *paragraph (C).*

5           (c) *REPEAL OF CERTAIN OBSOLETE BOND PROVI-*  
6           *SIONS.—*

7           (1) *CERTAIN RULES WITH RESPECT TO BONDS*  
8           *ISSUED BEFORE JULY 2, 1982.—*

9           (A) *Section 1271 is amended—*

10                   (i) *by striking subsection (c) and by*  
11                   *redesignating subsection (d) as subsection*  
12                   *(c), and*

13                   (ii) *by striking “(and paragraph (2) of*  
14                   *subsection (c))” in subsection (a)(2)(B).*

15           (B) *Section 1272 is amended by striking*  
16           *subsection (b) and by redesignating subsections*  
17           *(c) and (d) as subsections (b) and (c), respec-*  
18           *tively.*

19           (C) *Section 163(e)(1) is amended by strik-*  
20           *ing “In the case of any debt instrument issued*  
21           *after July 1, 1982, the portion of the original*  
22           *issue discount with respect to such debt instru-*  
23           *ment which is” and inserting “The portion of*  
24           *the original issue discount with respect to any*  
25           *debt instrument which is”.*



1           (D) Section 1271(a)(2)(A)(ii) is amended  
2           by striking “subsection (a)(7) or (b)(4) of section  
3           1272” and inserting “section 1272(a)(7)”.

4           (E) Section 1271(b)(1) is amended to read  
5           as follows:

6           “(1) *IN GENERAL.*—This section shall not apply  
7           to any obligation issued by a natural person before  
8           June 9, 1997.”.

9           (F) Section 1272(a) is amended—

10           (i) by striking “ON DEBT INSTRU-  
11           MENTS ISSUED AFTER JULY 1, 1982,” in  
12           the heading, and

13           (ii) by striking “issued after July 1,  
14           1982” in paragraph (1).

15           (G) Section 1278(a)(4)(B) is amended by  
16           striking “or (b)(4)”.

17           (H) The amendments made by this para-  
18           graph shall apply to debt instruments issued on  
19           or after July 2, 1982.

20           (2) *CERTAIN RULES WITH RESPECT TO STRIPPED*  
21           *BONDS PURCHASED BEFORE JULY 2, 1982.*—

22           (A) Section 1286, as amended by this sec-  
23           tion, is amended by striking subsection (c) and  
24           by redesignating subsections (d), (e), (f), and (g)  
25           as subsections (c), (d), (e), and (f), respectively.

1           (B) Subsections (a) and (b) of section 1286  
2           are each amended by striking “after July 1,  
3           1982,”.

4           (C) Section 1286(d)(5), as redesignated by  
5           subparagraph (A), is amended by striking the  
6           last sentence.

7           (D) Section 305(e)(7) is amended by strik-  
8           ing “1286(f)” and inserting “1286(e)”.

9           (E) The amendments made by this para-  
10          graph shall apply to bonds purchased on or after  
11          July 2, 1982.

12          (3) CERTAIN RULES WITH RESPECT TO OBLIGA-  
13          TIONS ISSUED BEFORE MARCH 2, 1984.—

14           (A) Section 1272(a)(2) is amended by strik-  
15           ing subparagraph (D) and by redesignating sub-  
16           paragraph (E) as subparagraph (D).

17           (B) Section 163(e)(4) is amended to read as  
18           follows:

19           “(4) EXCEPTION.—This subsection shall not  
20           apply to any debt instrument described in section  
21           1272(a)(2)(D) (relating to loans between natural per-  
22           sons).”.

23           (C) The amendments made by this para-  
24           graph shall apply to obligations issued on or  
25           after March 2, 1984.

1           (d) *DEADWOOD PROVISIONS INVOLVING REPEAL OF*  
2 *ONE OR MORE SECTIONS.*—

3                   (1) *PUERTO RICO ECONOMIC ACTIVITY CREDIT;*  
4 *PUERTO RICO AND POSSESSION TAX CREDIT.*—

5                           (A) *POSSESSION TAX CREDIT.*—*Section 27*  
6 *is amended to read as follows:*

7 **“SEC. 27. TAXES OF FOREIGN COUNTRIES AND POSSES-**  
8 **SIONS OF THE UNITED STATES.**

9           *“The amount of taxes imposed by foreign countries*  
10 *and possessions of the United States shall be allowed as a*  
11 *credit against the tax imposed by this chapter to the extent*  
12 *provided in section 901”.*

13                           (B) *PUERTO RICO ECONOMIC ACTIVITY*  
14 *CREDIT.*—*Subpart C of part IV of subchapter A*  
15 *of chapter 1 is amended by striking section 30A*  
16 *(and by striking the item relating to such section*  
17 *in the table of sections for such subpart).*

18                           (C) *PUERTO RICO AND POSSESSION TAX*  
19 *CREDIT.*—*Subpart C of part III of subchapter N*  
20 *of chapter 1 is amended by striking section 936*  
21 *(and by striking the item relating to such section*  
22 *in the table of sections for such subpart).*

23                           (D) *CONFORMING AMENDMENTS.*—

24                                   (i) *The item relating to section 27 in*  
25 *the table of sections for subpart B of part*

1                    *IV of subchapter A of chapter 1 is amended*  
2                    *to read as follows:*

          “*Sec. 27. Taxes of foreign countries and possessions of the United States.*”

3                    *(ii) Sections 26(a)(1), 59(a)(1),*  
4                    *469(c)(3)(B), and 469(d)(2)(A)(ii) are each*  
5                    *amended by striking “27(a)” and inserting*  
6                    *“27”.*

7                    *(iii) Section 45C(d)(2) is amended—*  
8                                *(I) by striking subparagraph (B),*  
9                                *(II) by redesignating clauses (i)*  
10                              *and (ii) of subparagraph (A) as sub-*  
11                              *paragraphs (A) and (B), respectively,*  
12                              *and moving such subparagraphs (as so*  
13                              *redesignated) 2 ems to the left, and*  
14                              *(III) by striking “IN GENERAL.—*  
15                              *” and all that precedes it and inserting*  
16                              *the following:*

17                    *“(2) SPECIAL LIMITATIONS ON FOREIGN TEST-*  
18                    *ING.—”.*

19                    *(iv) Section 168(g)(4)(G) is amended*  
20                    *by striking “(other than a corporation*  
21                    *which has an election in effect under section*  
22                    *936)”.*

23                    *(v) Section 243(b)(1)(B) is amended to*  
24                    *read as follows:*

1           “(B) if such dividend is distributed out of  
2           the earnings and profits of a taxable year of the  
3           distributing corporation which ends after Decem-  
4           ber 31, 1963, and on each day of which the dis-  
5           tributing corporation and the corporation receiv-  
6           ing the dividend were members of such affiliated  
7           group.”.

8           (vi) Section 246 is amended by strik-  
9           ing subsection (e).

10          (vii) Section 338(h)(6)(B)(i) is amend-  
11          ed by striking “, a DISC, or a corporation  
12          to which an election under section 936 ap-  
13          plies” and inserting “or a DISC”.

14          (viii)(I) Section 367(d) is amended by  
15          adding at the end the following new para-  
16          graph:

17          “(4) *INTANGIBLE PROPERTY.*—For purposes of  
18          this subsection, the term ‘intangible property’ means  
19          any—

20                 “(A) patent, invention, formula, process, de-  
21                 sign, pattern, or know-how,

22                 “(B) copyright, literary, musical, or artistic  
23                 composition,

24                 “(C) trademark, trade name, or brand  
25                 name,

1           “(D) franchise, license, or contract,

2           “(E) method, program, system, procedure,  
3           campaign, survey, study, forecast, estimate, cus-  
4           tomer list, or technical data,

5           “(F) goodwill, going concern value, or work-  
6           force in place (including its composition and  
7           terms and conditions (contractual or otherwise)  
8           of its employment), or

9           “(G) other item the value or potential value  
10          of which is not attributable to tangible property  
11          or the services of any individual.”.

12           (II) Section 367(d)(1) is amended by  
13          striking “(within the meaning of section  
14          936(h)(3)(B))”.

15           (III) Sections 482 and 1298(e)(2)(A)  
16          are each amended by striking “section  
17          936(h)(3)(B)” and inserting “section  
18          367(d)(4)”.

19           (ix) Section 861(a)(2)(A) is amended  
20          by striking “other than a corporation which  
21          has an election in effect under section 936”.

22           (x) Section 864(d)(5) is amended to  
23          read as follows:

1           “(5) *CERTAIN PROVISIONS NOT TO APPLY.—The*  
2 *following provisions shall not apply to any amount*  
3 *treated as interest under paragraph (1) or (6):*

4           “(A) *Section 904(d)(2)(B)(iii)(I) (relating*  
5 *to exceptions for export financing interest).*

6           “(B) *Subparagraph (A) of section 954(b)(3)*  
7 *(relating to exception where foreign base com-*  
8 *pany income is less than 5 percent or*  
9 *\$1,000,000).*

10          “(C) *Subparagraph (B) of section 954(c)(2)*  
11 *(relating to certain export financing).*

12          “(D) *Clause (i) of section 954(c)(3)(A) (re-*  
13 *lating to certain income received from related*  
14 *persons).”.*

15           *(xi) Section 865(j)(3) is amended by*  
16 *striking “, 933, and 936” and inserting*  
17 *“and 933”.*

18           *(xii) Section 901(g)(2) is amended by*  
19 *inserting “(as in effect on the day before the*  
20 *date of the enactment of the Tax Technical*  
21 *Corrections Act of 2018)” after “section*  
22 *936”.*

23           *(xiii) Section 904(b) is amended by*  
24 *striking paragraph (4) and by redesign-*  
25 *ating paragraph (5) as paragraph (4).*

1                    *(xiv) Section 904(f)(1) is amended by*  
2                    *striking “and section 936”.*

3                    *(xv) Section 1202(e)(4) is amended by*  
4                    *striking subparagraph (B) and by redesignig-*  
5                    *ating subparagraphs (C) and (D) as sub-*  
6                    *paragraphs (B) and (C), respectively.*

7                    *(xvi) Section 1361(b)(2) is amended by*  
8                    *adding “or” at the end of subparagraph*  
9                    *(B), by striking subparagraph (C), and by*  
10                   *redesignating subparagraph (D) as sub-*  
11                   *paragraph (C).*

12                   *(xvii)(I) Section 1504(b) is amended*  
13                   *by striking paragraph (4) and by redesignig-*  
14                   *ating paragraphs (6), (7), and (8) as*  
15                   *paragraphs (4), (5), and (6), respectively.*

16                   *(II) Section 243(b)(2) is amended by*  
17                   *striking “, 1504(b)(4),”.*

18                   *(III) Section 332(d)(2)(B) is amended*  
19                   *by striking “paragraphs (2) and (4)” and*  
20                   *inserting “paragraph (2)”.*

21                   *(IV) Section 864(e)(5)(A) is amended*  
22                   *by striking “(determined without regard to*  
23                   *paragraph (4) of section 1504(b))”.*

24                   *(V) Section 864(f) is amended in para-*  
25                   *graphs (1)(C)(i) and (2) by striking “para-*



1            *graphs (2) and (4)” and inserting “para-*  
2            *graph (2)”.*

3            *(xviii) Section 6091(b)(2)(B) is*  
4            *amended by striking clause (ii) and by re-*  
5            *designating clauses (iii) and (iv) as clauses*  
6            *(ii) and (iii), respectively.*

7            *(xix) Section 6654(d)(2)(D) is amend-*  
8            *ed—*

9                    *(I) by striking “936(h) or” in*  
10                   *clause (i), and*

11                   *(II) by striking “AND SECTION*  
12                   *936” in the heading.*

13            *(xx) Section 6655(e)(4) is amended—*

14                   *(I) by striking “936(h) or” in*  
15                   *subparagraph (A), and*

16                   *(II) by striking “AND SECTION*  
17                   *936” in the heading.*

18            *(2) ENERGY EFFICIENT APPLIANCE CREDIT.—*

19                   *(A) IN GENERAL.—Subpart D of part IV of*  
20                   *subchapter A of chapter 1 is amended by striking*  
21                   *section 45M (and by striking the item relating to*  
22                   *such section in the table of sections for such sub-*  
23                   *part).*

24                   *(B) CONFORMING AMENDMENT.—Section*  
25                   *38(b), as amended by the preceding provisions of*

1           *this Act, is amended by striking paragraph (24)*  
2           *and by redesignating paragraphs (25) through*  
3           *(37) as paragraphs (24) through (36), respec-*  
4           *tively.*

5           (3) *QUALIFYING THERAPEUTIC DISCOVERY*  
6           *PROJECT CREDIT.—*

7                   (A) *IN GENERAL.—Subpart E of part IV of*  
8                   *subchapter A of chapter 1 is amended by striking*  
9                   *section 48D (and by striking the item relating to*  
10                   *such section in the table of sections for such sub-*  
11                   *part).*

12                   (B) *CONFORMING AMENDMENTS.—*

13                           (i) *Section 49(a)(1)(C) is amended by*  
14                           *adding “and” at the end of clause (iv), by*  
15                           *striking “, and” at the end of clause (v) and*  
16                           *inserting a period, and by striking clause*  
17                           *(vi).*

18                           (ii) *Section 50(a)(2)(E) is amended by*  
19                           *striking “48C(b)(2), or 48D(b)(4)” and in-*  
20                           *serting “or 48C(b)(2)”.*

21                           (iii) *Section 280C is amended by strik-*  
22                           *ing the subsection (g) which relates to the*  
23                           *qualifying therapeutic discovery project*  
24                           *credit.*

1           (C) *SAVINGS PROVISION.*—*In the case of the*  
2 *repeal of section 48D(e)(1) of the Internal Rev-*  
3 *enue Code of 1986, the amendments made by this*  
4 *paragraph shall not apply to expenditures made*  
5 *in taxable years beginning before January 1,*  
6 *2011.*

7           (4) *DC ZONE PROVISIONS.*—

8           (A) *IN GENERAL.*—*Chapter 1 is amended by*  
9 *striking subchapter W (and by striking the item*  
10 *relating to such subchapter in the table of sub-*  
11 *chapters for such chapter).*

12           (B) *CONFORMING AMENDMENTS.*—

13           (i) *Section 23(c)(1) is amended by*  
14 *striking “sections 25D and 1400C” and in-*  
15 *serting “section 25D”.*

16           (ii) *Section 25(e)(1)(C) is amended by*  
17 *striking “sections 23, 25D, and 1400C” and*  
18 *inserting “sections 23 and 25D”.*

19           (iii) *Section 45D(h) is amended by*  
20 *striking “sections 1202, 1400B, and 1400F”*  
21 *and inserting “section 1202”.*

22           (iv) *Section 1016(a) is amended by*  
23 *striking paragraph (27).*

1           (v) Section 1202(a)(2)(B) is amended  
2           by inserting “(as in effect before its repeal)”  
3           after “1400B(b)”.

4           (vi) Section 1223(13) is amended by  
5           striking “sections 1202(a)(2), 1202(c)(2)(A),  
6           1400B(b), and 1400F(b)” and inserting  
7           “subsections (a)(2) and (c)(2)(A) of section  
8           1202”.

9           (vii) Section 1397B(b)(1) is amended  
10          by striking subparagraph (B).

11          (C) SAVINGS PROVISIONS.—The amend-  
12          ments made by this paragraph shall not apply  
13          to—

14               (i) in the case of the repeal of section  
15               1400A of the Internal Revenue Code of  
16               1986, obligations described in section 1394  
17               of such Code (as in effect before its repeal)  
18               which were issued before January 1, 2012,

19               (ii) in the case of the repeal of section  
20               1400B of such Code, DC Zone assets (as de-  
21               fined in such section, as in effect before its  
22               repeal) which were acquired by the taxpayer  
23               before January 1, 2012, and

1                   (iii) in the case of the repeal of section  
2                   1400C of such Code, principal residences ac-  
3                   quired before January 1, 2012.

4                   (5) *RENEWAL COMMUNITY PROVISIONS.*—

5                   (A) *IN GENERAL.*—Chapter 1 is amended by  
6                   striking subchapter X (and by striking the item  
7                   relating to such subchapter in the table of sub-  
8                   chapters for such chapter).

9                   (B) *CONFORMING AMENDMENTS.*—

10                   (i) Section 469(i)(3) is amended by  
11                   striking subparagraph (C) and by redesignig-  
12                   nating subparagraphs (D), (E), and (F) as  
13                   subparagraphs (C), (D), and (E), respec-  
14                   tively.

15                   (ii) Section 469(i)(3)(D), as so redesignig-  
16                   nated, is amended to read as follows:

17                   “(D) *ORDERING RULE.*—Paragraph (1)  
18                   shall be applied for any taxable year—

19                   “(i) first, to the passive activity loss,

20                   “(ii) second, to the portion of the pas-  
21                   sive activity credit to which subparagraph  
22                   (B) and (C) does not apply,

23                   “(iii) third, to the portion of such cred-  
24                   it to which subparagraph (B) applies, and

1           “(iv) then, to the portion of such credit  
2           to which subparagraph (C) applies.”.

3           (iii) Section 469(i)(6)(B) is amend-  
4           ed—

5                   (I) by striking “, REHABILITATION  
6                   CREDIT, OR COMMERCIAL REVITALIZA-  
7                   TION DEDUCTION” in the heading and  
8                   inserting “OR REHABILITATION CRED-  
9                   IT”,

10                   (II) by adding “or” at the end of  
11                   clause (i),

12                   (III) by striking “, or” at the end  
13                   of clause (ii) and inserting a comma,  
14                   and

15                   (IV) by striking clause (iii).

16           (iv) Section 1397B(b)(1), as amended  
17           by the preceding provisions of this Act, is  
18           amended by adding at the end the following  
19           new subparagraph:

20                   “(B) REFERENCES.—Any reference in this  
21                   paragraph to section 1400F shall be treated as  
22                   reference to such section before its repeal.”.

23                   (v) Section 1397B(b)(5) is amended by  
24                   striking “which is sold—” and all that fol-  
25                   lows and inserting “which is sold, the tax-

1           payer's holding period for such asset and  
2           the asset referred to in subsection (a)(1)  
3           shall be determined without regard to sec-  
4           tion 1223.”

5           (C) SAVINGS PROVISIONS.—The amend-  
6           ments made by this paragraph shall not apply  
7           to—

8                   (i) in the case of the repeal of section  
9                   1400F of the Internal Revenue Code of  
10                  1986, qualified community assets (as de-  
11                  fined in such section, as in effect before its  
12                  repeal) which were acquired by the taxpayer  
13                  before January 1, 2010,

14                  (ii) in the case of the repeal section  
15                  1400H of such Code, wages paid or in-  
16                  curred before January 1, 2010,

17                  (iii) in the case of the repeal of section  
18                  1400I of such Code, qualified revitalization  
19                  buildings (as defined in such section, as in  
20                  effect before its repeal) which were placed in  
21                  service before January 1, 2010, and

22                  (iv) in the case of the repeal of section  
23                  1400J of such Code, property acquired be-  
24                  fore January 1, 2010.

25           (6) SHORT-TERM REGIONAL BENEFITS.—

1           (A) *IN GENERAL.*—Chapter 1 is amended by  
2 striking subchapter Y (and by striking the item  
3 relating to such subchapter in the table of sub-  
4 chapters for such chapter).

5           (B) *CONFORMING AMENDMENTS.*—

6           (i) Section 38(b), as amended by the  
7 preceding provisions of this Act, is amended  
8 by striking paragraphs (26), (27), (28), and  
9 (29) and by redesignating paragraphs (30)  
10 through (36) as paragraphs (26) through  
11 (32), respectively.

12           (ii) Section 38(c)(2)(A)(ii)(II), as  
13 amended by the preceding provisions of this  
14 Act, is amended by striking “, the New York  
15 Liberty Zone business employee credit,”.

16           (iii) Section 38(c) is amended by strik-  
17 ing paragraph (3).

18           (iv) Section 280C(a), as amended by  
19 the preceding provisions of this Act, is  
20 amended by striking “1396(a), 1400P(b),  
21 and 1400R” and inserting “and 1396(a)”.

22           (v) Section 6033(b)(14) is amended by  
23 striking “including the amount and use of  
24 qualified contributions to which section  
25 1400S(a) applies,”.



1                   (vi) Section 6049(d)(8)(A) is amend-  
2                   ed—

3                   (I) by striking “or 1400N(l)(6)”,

4                   and

5                   (II) by striking “or  
6                   1400N(l)(2)(D), as the case may be”.

7                   (C) SAVINGS PROVISIONS.—The amend-  
8                   ments made by this paragraph shall not apply  
9                   to—

10                   (i) in the case of the repeal of section  
11                   1400L(a) of the Internal Revenue Code of  
12                   1986, qualified wages (as defined in such  
13                   section, as in effect before its repeal) which  
14                   were paid or incurred before January 1,  
15                   2004,

16                   (ii) in the case of the repeal of sub-  
17                   sections (b) and (f) of section 1400L of such  
18                   Code, qualified New York Liberty Zone  
19                   property (as defined in section 1400L(b) of  
20                   such Code, as in effect before its repeal)  
21                   placed in service before January 1, 2010,

22                   (iii) in the case of the repeal of section  
23                   1400L(c) of such Code, qualified New York  
24                   Liberty Zone leasehold improvement prop-  
25                   erty (as defined in such section, as in effect

1           *before its repeal) placed in service before*  
2           *January 1, 2007,*

3           *(iv) in the case of the repeal of section*  
4           *1400L(d) of such Code, qualified New York*  
5           *Liberty bonds (as defined in such section, as*  
6           *in effect before its repeal) issued before Jan-*  
7           *uary 1, 2014,*

8           *(v) in the case of the repeal of section*  
9           *1400L(e) of such Code, advanced refundings*  
10          *before January 1, 2006,*

11          *(vi) in the case of the repeal of section*  
12          *1400L(g) of such Code, property which is*  
13          *compulsorily or involuntarily converted as*  
14          *a result of the terrorist attacks on Sep-*  
15          *tember 11, 2001,*

16          *(vii) in the case of the repeal of section*  
17          *1400N(a) of such Code, obligations issued*  
18          *before January 1, 2012,*

19          *(viii) in the case of the repeal of sec-*  
20          *tion 1400N(b) of such Code, advanced*  
21          *refundings before January 1, 2011,*

22          *(ix) in the case of the repeal of section*  
23          *1400N(d) of such Code, property placed in*  
24          *service before January 1, 2012,*

1           *(x) in the case of the repeal of section*  
2           *1400N(e) of such Code, property placed in*  
3           *service before January 1, 2009,*

4           *(xi) in the case of the repeal of sub-*  
5           *sections (f) and (g) of section 1400N of such*  
6           *Code, amounts paid or incurred before Jan-*  
7           *uary 1, 2008,*

8           *(xii) in the case of the repeal of section*  
9           *1400N(h) of such Code, amounts paid or in-*  
10          *curring before January 1, 2012,*

11          *(xiii) in the case of the repeal of sec-*  
12          *tion 1400N(k)(1)(B) of such Code, losses*  
13          *arising in taxable years beginning before*  
14          *January 1, 2008,*

15          *(xiv) in the case of the repeal of section*  
16          *1400N(l) of such Code, bonds issued before*  
17          *January 1, 2007,*

18          *(xv) in the case of the repeal of section*  
19          *1400Q(a) of such Code, distributions before*  
20          *January 1, 2007,*

21          *(xvi) in the case of the repeal of section*  
22          *1400Q(b) of such Code, contributions before*  
23          *March 1, 2006,*

1           *(xvii) in the case of the repeal of sec-*  
2           *tion 1400Q(c) of such Code, loans made be-*  
3           *fore January 1, 2007,*

4           *(xviii) in the case of the repeal of sec-*  
5           *tion 1400R of such Code, wages paid or in-*  
6           *curring before January 1, 2006,*

7           *(xix) in the case of the repeal of section*  
8           *1400S(a) of such Code, contributions paid*  
9           *before January 1, 2006,*

10           *(xx) in the case of the repeal of section*  
11           *1400T of such Code, financing provided be-*  
12           *fore January 1, 2011, and*

13           *(xxi) in the case of the repeal of part*  
14           *III of subchapter Y of chapter 1 of such*  
15           *Code, obligations issued before January 1,*  
16           *2011.*

17           (7) *PROVISIONS RELATED TO COBRA PREMIUM*  
18           *ASSISTANCE.—*

19           (A) *IN GENERAL.—Subchapter B of chapter*  
20           *65 is amended by striking section 6432 (and by*  
21           *striking the item relating to such section in the*  
22           *table of sections for such subchapter).*

23           (B) *NOTIFICATION REQUIREMENT.—Part I*  
24           *of subchapter B of chapter 68 is amended by*  
25           *striking section 6720C (and by striking the item*

1           *relating to such section in the table of sections*  
2           *for such part).*

3           (C) *EXCLUSION FROM GROSS INCOME.—*  
4           *Part III of subchapter B of chapter 1 is amended*  
5           *by striking section 139C (and by striking the*  
6           *item relating to such section in the table of sec-*  
7           *tions for such part).*

8           (8) *EFFECTIVE DATE OF PRESIDENTIAL ELEC-*  
9           *TION CAMPAIGN FUND.—Chapter 95 is amended by*  
10           *striking section 9013 (and by striking the item relat-*  
11           *ing to such section in the table of sections for such*  
12           *chapter).*

13           (e) *GENERAL SAVINGS PROVISION WITH RESPECT TO*  
14           *DEADWOOD PROVISIONS.—If—*

15           (1) *any provision amended or repealed by the*  
16           *amendments made by subsection (b) or (d) applied*  
17           *to—*

18                   (A) *any transaction occurring before the*  
19                   *date of the enactment of this Act,*

20                   (B) *any property acquired before such date*  
21                   *of enactment, or*

22                   (C) *any item of income, loss, deduction, or*  
23                   *credit taken into account before such date of en-*  
24                   *actment, and*

1           (2) *the treatment of such transaction, property,*  
2           *or item under such provision would (without regard*  
3           *to the amendments or repeals made by such sub-*  
4           *section) affect the liability for tax for periods ending*  
5           *after such date of enactment,*  
6           *nothing in the amendments or repeals made by this section*  
7           *shall be construed to affect the treatment of such trans-*  
8           *action, property, or item for purposes of determining liabil-*  
9           *ity for tax for periods ending after such date of enactment.*

## 10           ***DIVISION V—CLOUD ACT***

### 11           ***SEC. 101. SHORT TITLE.***

12           *This division may be cited as the “Clarifying Lawful*  
13           *Overseas Use of Data Act” or the “CLOUD Act”.*

### 14           ***SEC. 102. CONGRESSIONAL FINDINGS.***

15           *Congress finds the following:*

16           (1) *Timely access to electronic data held by com-*  
17           *munications-service providers is an essential compo-*  
18           *nent of government efforts to protect public safety and*  
19           *combat serious crime, including terrorism.*

20           (2) *Such efforts by the United States Govern-*  
21           *ment are being impeded by the inability to access*  
22           *data stored outside the United States that is in the*  
23           *custody, control, or possession of communications-*  
24           *service providers that are subject to jurisdiction of the*  
25           *United States.*

1           (3) *Foreign governments also increasingly seek*  
2 *access to electronic data held by communications-serv-*  
3 *ice providers in the United States for the purpose of*  
4 *combating serious crime.*

5           (4) *Communications-service providers face poten-*  
6 *tial conflicting legal obligations when a foreign gov-*  
7 *ernment orders production of electronic data that*  
8 *United States law may prohibit providers from dis-*  
9 *closing.*

10          (5) *Foreign law may create similarly conflicting*  
11 *legal obligations when chapter 121 of title 18, United*  
12 *States Code (commonly known as the “ Stored Com-*  
13 *munications Act”), requires disclosure of electronic*  
14 *data that foreign law prohibits communications-serv-*  
15 *ice providers from disclosing.*

16          (6) *International agreements provide a mecha-*  
17 *nism for resolving these potential conflicting legal ob-*  
18 *ligations where the United States and the relevant*  
19 *foreign government share a common commitment to*  
20 *the rule of law and the protection of privacy and civil*  
21 *liberties.*

22 **SEC. 103. PRESERVATION OF RECORDS; COMITY ANALYSIS**  
23 **OF LEGAL PROCESS.**

24          (a) *REQUIRED PRESERVATION AND DISCLOSURE OF*  
25 *COMMUNICATIONS AND RECORDS.—*





1           “(1) *DEFINITIONS.—In this subsection—*

2                   “(A) *the term ‘qualifying foreign govern-*  
3                   *ment’ means a foreign government—*

4                           “(i) *with which the United States has*  
5                           *an executive agreement that has entered*  
6                           *into force under section 2523; and*

7                           “(ii) *the laws of which provide to elec-*  
8                           *tronic communication service providers and*  
9                           *remote computing service providers sub-*  
10                           *stantive and procedural opportunities simi-*  
11                           *lar to those provided under paragraphs (2)*  
12                           *and (5); and*

13                           “(B) *the term ‘United States person’ has the*  
14                           *meaning given the term in section 2523.*

15           “(2) *MOTIONS TO QUASH OR MODIFY.—(A) A*  
16           *provider of electronic communication service to the*  
17           *public or remote computing service, including a for-*  
18           *ign electronic communication service or remote com-*  
19           *puting service, that is being required to disclose pur-*  
20           *suant to legal process issued under this section the*  
21           *contents of a wire or electronic communication of a*  
22           *subscriber or customer, may file a motion to modify*  
23           *or quash the legal process where the provider reason-*  
24           *ably believes—*

1           “(i) that the customer or subscriber is not  
2 a United States person and does not reside in  
3 the United States; and

4           “(ii) that the required disclosure would cre-  
5 ate a material risk that the provider would vio-  
6 late the laws of a qualifying foreign government.  
7 Such a motion shall be filed not later than 14  
8 days after the date on which the provider was  
9 served with the legal process, absent agreement  
10 with the government or permission from the  
11 court to extend the deadline based on an applica-  
12 tion made within the 14 days. The right to move  
13 to quash is without prejudice to any other  
14 grounds to move to quash or defenses thereto, but  
15 it shall be the sole basis for moving to quash on  
16 the grounds of a conflict of law related to a  
17 qualifying foreign government.

18           “(B) Upon receipt of a motion filed pursuant to  
19 subparagraph (A), the court shall afford the govern-  
20 mental entity that applied for or issued the legal  
21 process under this section the opportunity to respond.  
22 The court may modify or quash the legal process, as  
23 appropriate, only if the court finds that—

1           “(i) the required disclosure would cause the  
2 provider to violate the laws of a qualifying for-  
3 eign government;

4           “(ii) based on the totality of the cir-  
5 cumstances, the interests of justice dictate that  
6 the legal process should be modified or quashed;  
7 and

8           “(iii) the customer or subscriber is not a  
9 United States person and does not reside in the  
10 United States.

11           “(3) COMITY ANALYSIS.—For purposes of making  
12 a determination under paragraph (2)(B)(ii), the  
13 court shall take into account, as appropriate—

14           “(A) the interests of the United States, in-  
15 cluding the investigative interests of the govern-  
16 mental entity seeking to require the disclosure;

17           “(B) the interests of the qualifying foreign  
18 government in preventing any prohibited disclo-  
19 sure;

20           “(C) the likelihood, extent, and nature of  
21 penalties to the provider or any employees of the  
22 provider as a result of inconsistent legal require-  
23 ments imposed on the provider;

24           “(D) the location and nationality of the  
25 subscriber or customer whose communications

1           *are being sought, if known, and the nature and*  
2           *extent of the subscriber or customer's connection*  
3           *to the United States, or if the legal process has*  
4           *been sought on behalf of a foreign authority pur-*  
5           *suant to section 3512, the nature and extent of*  
6           *the subscriber or customer's connection to the for-*  
7           *ign authority's country;*

8           *“(E) the nature and extent of the provider's*  
9           *ties to and presence in the United States;*

10           *“(F) the importance to the investigation of*  
11           *the information required to be disclosed;*

12           *“(G) the likelihood of timely and effective*  
13           *access to the information required to be disclosed*  
14           *through means that would cause less serious neg-*  
15           *ative consequences; and*

16           *“(H) if the legal process has been sought on*  
17           *behalf of a foreign authority pursuant to section*  
18           *3512, the investigative interests of the foreign au-*  
19           *thority making the request for assistance.*

20           *“(4) DISCLOSURE OBLIGATIONS DURING PEND-*  
21           *ENCY OF CHALLENGE.—A service provider shall pre-*  
22           *serve, but not be obligated to produce, information*  
23           *sought during the pendency of a motion brought*  
24           *under this subsection, unless the court finds that im-*

1       mediate production is necessary to prevent an adverse  
2       result identified in section 2705(a)(2).

3               “(5) *DISCLOSURE TO QUALIFYING FOREIGN GOV-*  
4       *ERNMENT.—(A) It shall not constitute a violation of*  
5       *a protective order issued under section 2705 for a*  
6       *provider of electronic communication service to the*  
7       *public or remote computing service to disclose to the*  
8       *entity within a qualifying foreign government, des-*  
9       *ignated in an executive agreement under section 2523,*  
10       *the fact of the existence of legal process issued under*  
11       *this section seeking the contents of a wire or electronic*  
12       *communication of a customer or subscriber who is a*  
13       *national or resident of the qualifying foreign govern-*  
14       *ment.*

15               “(B) *Nothing in this paragraph shall be con-*  
16       *strued to modify or otherwise affect any other author-*  
17       *ity to make a motion to modify or quash a protective*  
18       *order issued under section 2705.”.*

19       (c) *RULE OF CONSTRUCTION.—Nothing in this section,*  
20       *or an amendment made by this section, shall be construed*  
21       *to modify or otherwise affect the common law standards*  
22       *governing the availability or application of comity analysis*  
23       *to other types of compulsory process or to instances of com-*  
24       *pulsory process issued under section 2703 of title 18, United*

1 *States Code, as amended by this section, and not covered*  
2 *under subsection (h)(2) of such section 2703.*

3 **SEC. 104. ADDITIONAL AMENDMENTS TO CURRENT COMMU-**  
4 **NICATIONS LAWS.**

5 *Title 18, United States Code, is amended—*

6 *(1) in chapter 119—*

7 *(A) in section 2511(2), by adding at the end*  
8 *the following:*

9 *“(j) It shall not be unlawful under this chapter for a*  
10 *provider of electronic communication service to the public*  
11 *or remote computing service to intercept or disclose the con-*  
12 *tents of a wire or electronic communication in response to*  
13 *an order from a foreign government that is subject to an*  
14 *executive agreement that the Attorney General has deter-*  
15 *mined and certified to Congress satisfies section 2523.”; and*

16 *(B) in section 2520(d), by amending para-*  
17 *graph (3) to read as follows:*

18 *“(3) a good faith determination that section*  
19 *2511(3), 2511(2)(i), or 2511(2)(j) of this title per-*  
20 *mitted the conduct complained of;”;*

21 *(2) in chapter 121—*

22 *(A) in section 2702—*

23 *(i) in subsection (b)—*

1                   (I) in paragraph (8), by striking  
2                   the period at the end and inserting “;  
3                   or”; and

4                   (II) by adding at the end the fol-  
5                   lowing:

6                   “(9) to a foreign government pursuant to an  
7                   order from a foreign government that is subject to an  
8                   executive agreement that the Attorney General has de-  
9                   termined and certified to Congress satisfies section  
10                  2523.”; and

11                  (ii) in subsection (c)—

12                   (I) in paragraph (5), by striking  
13                   “or” at the end;

14                   (II) in paragraph (6), by striking  
15                   the period at the end and inserting “;  
16                   or”; and

17                   (III) by adding at the end the fol-  
18                   lowing:

19                  “(7) to a foreign government pursuant to an  
20                  order from a foreign government that is subject to an  
21                  executive agreement that the Attorney General has de-  
22                  termined and certified to Congress satisfies section  
23                  2523.”; and

24                  (B) in section 2707(e), by amending para-  
25                  graph (3) to read as follows:

1           “(3) a good faith determination that section  
2           2511(3), section 2702(b)(9), or section 2702(c)(7) of  
3           this title permitted the conduct complained of;” and

4           (3) in chapter 206—

5           (A) in section 3121(a), by inserting before  
6           the period at the end the following: “or an order  
7           from a foreign government that is subject to an  
8           executive agreement that the Attorney General  
9           has determined and certified to Congress satisfies  
10          section 2523”; and

11          (B) in section 3124—

12           (i) by amending subsection (d) to read  
13           as follows:

14          “(d) NO CAUSE OF ACTION AGAINST A PROVIDER DIS-  
15          CLOSING INFORMATION UNDER THIS CHAPTER.—No cause  
16          of action shall lie in any court against any provider of a  
17          wire or electronic communication service, its officers, em-  
18          ployees, agents, or other specified persons for providing in-  
19          formation, facilities, or assistance in accordance with a  
20          court order under this chapter, request pursuant to section  
21          3125 of this title, or an order from a foreign government  
22          that is subject to an executive agreement that the Attorney  
23          General has determined and certified to Congress satisfies  
24          section 2523.”; and



1                   (ii) by amending subsection (e) to read  
2                   as follows:

3           “(e) *DEFENSE.*—A good faith reliance on a court order  
4 under this chapter, a request pursuant to section 3125 of  
5 this title, a legislative authorization, a statutory authoriza-  
6 tion, or a good faith determination that the conduct com-  
7 plained of was permitted by an order from a foreign govern-  
8 ment that is subject to executive agreement that the Attor-  
9 ney General has determined and certified to Congress satis-  
10 fies section 2523, is a complete defense against any civil  
11 or criminal action brought under this chapter or any other  
12 law.”.

13 **SEC. 105. EXECUTIVE AGREEMENTS ON ACCESS TO DATA BY**  
14 **FOREIGN GOVERNMENTS.**

15           (a) *IN GENERAL.*—Chapter 119 of title 18, United  
16 States Code, is amended by adding at the end the following:

17 **“§2523. Executive agreements on access to data by**  
18 **foreign governments**

19           “(a) *DEFINITIONS.*—In this section—

20                   “(1) the term ‘lawfully admitted for permanent  
21 residence’ has the meaning given the term in section  
22 101(a) of the Immigration and Nationality Act (8  
23 U.S.C. 1101(a)); and

24                   “(2) the term ‘United States person’ means a cit-  
25 izen or national of the United States, an alien law-

1        *fully admitted for permanent residence, an unincor-*  
2        *porated association a substantial number of members*  
3        *of which are citizens of the United States or aliens*  
4        *lawfully admitted for permanent residence, or a cor-*  
5        *poration that is incorporated in the United States.*

6        “(b) *EXECUTIVE AGREEMENT REQUIREMENTS.*—*For*  
7        *purposes of this chapter, chapter 121, and chapter 206, an*  
8        *executive agreement governing access by a foreign govern-*  
9        *ment to data subject to this chapter, chapter 121, or chapter*  
10       *206 shall be considered to satisfy the requirements of this*  
11       *section if the Attorney General, with the concurrence of the*  
12       *Secretary of State, determines, and submits a written cer-*  
13       *tification of such determination to Congress, including a*  
14       *written certification and explanation of each consideration*  
15       *in paragraphs (1), (2), (3), and (4), that—*

16                “(1) *the domestic law of the foreign government,*  
17                *including the implementation of that law, affords ro-*  
18                *bust substantive and procedural protections for pri-*  
19                *vacy and civil liberties in light of the data collection*  
20                *and activities of the foreign government that will be*  
21                *subject to the agreement, if—*

22                        “(A) *such a determination under this sec-*  
23                        *tion takes into account, as appropriate, credible*  
24                        *information and expert input; and*

1           “(B) the factors to be met in making such  
2 a determination include whether the foreign gov-  
3 ernment—

4           “(i) has adequate substantive and pro-  
5 cedural laws on cybercrime and electronic  
6 evidence, as demonstrated by being a party  
7 to the Convention on Cybercrime, done at  
8 Budapest November 23, 2001, and entered  
9 into force January 7, 2004, or through do-  
10 mestic laws that are consistent with defini-  
11 tions and the requirements set forth in  
12 chapters I and II of that Convention;

13           “(ii) demonstrates respect for the rule  
14 of law and principles of nondiscrimination;

15           “(iii) adheres to applicable inter-  
16 national human rights obligations and com-  
17 mitments or demonstrates respect for inter-  
18 national universal human rights, includ-  
19 ing—

20           “(I) protection from arbitrary  
21 and unlawful interference with pri-  
22 vacy;

23           “(II) fair trial rights;

24           “(III) freedom of expression, asso-  
25 ciation, and peaceful assembly;

1                   “(IV) prohibitions on arbitrary  
2                   arrest and detention; and

3                   “(V) prohibitions against torture  
4                   and cruel, inhuman, or degrading  
5                   treatment or punishment;

6                   “(iv) has clear legal mandates and  
7                   procedures governing those entities of the  
8                   foreign government that are authorized to  
9                   seek data under the executive agreement, in-  
10                  cluding procedures through which those au-  
11                  thorities collect, retain, use, and share data,  
12                  and effective oversight of these activities;

13                  “(v) has sufficient mechanisms to pro-  
14                  vide accountability and appropriate trans-  
15                  parency regarding the collection and use of  
16                  electronic data by the foreign government;  
17                  and

18                  “(vi) demonstrates a commitment to  
19                  promote and protect the global free flow of  
20                  information and the open, distributed, and  
21                  interconnected nature of the Internet;

22                  “(2) the foreign government has adopted appro-  
23                  priate procedures to minimize the acquisition, reten-  
24                  tion, and dissemination of information concerning  
25                  United States persons subject to the agreement;

1           “(3) the terms of the agreement shall not create  
2           any obligation that providers be capable of decrypting  
3           data or limitation that prevents providers from  
4           decrypting data; and

5           “(4) the agreement requires that, with respect to  
6           any order that is subject to the agreement—

7                   “(A) the foreign government may not inten-  
8                   tionally target a United States person or a per-  
9                   son located in the United States, and shall adopt  
10                  targeting procedures designed to meet this re-  
11                  quirement;

12                  “(B) the foreign government may not target  
13                  a non-United States person located outside the  
14                  United States if the purpose is to obtain infor-  
15                  mation concerning a United States person or a  
16                  person located in the United States;

17                  “(C) the foreign government may not issue  
18                  an order at the request of or to obtain informa-  
19                  tion to provide to the United States Government  
20                  or a third-party government, nor shall the for-  
21                  eign government be required to share any infor-  
22                  mation produced with the United States Govern-  
23                  ment or a third-party government;

24                  “(D) an order issued by the foreign govern-  
25                  ment—

1           “(i) shall be for the purpose of obtain-  
2           ing information relating to the prevention,  
3           detection, investigation, or prosecution of se-  
4           rious crime, including terrorism;

5           “(ii) shall identify a specific person,  
6           account, address, or personal device, or any  
7           other specific identifier as the object of the  
8           order;

9           “(iii) shall be in compliance with the  
10          domestic law of that country, and any obli-  
11          gation for a provider of an electronic com-  
12          munications service or a remote computing  
13          service to produce data shall derive solely  
14          from that law;

15          “(iv) shall be based on requirements for  
16          a reasonable justification based on  
17          articulable and credible facts, particularity,  
18          legality, and severity regarding the conduct  
19          under investigation;

20          “(v) shall be subject to review or over-  
21          sight by a court, judge, magistrate, or other  
22          independent authority prior to, or in pro-  
23          ceedings regarding, enforcement of the order;  
24          and

1           “(vi) in the case of an order for the  
2           interception of wire or electronic commu-  
3           nications, and any extensions thereof, shall  
4           require that the interception order—

5                   “(I) be for a fixed, limited dura-  
6                   tion; and

7                   “(II) may not last longer than is  
8                   reasonably necessary to accomplish the  
9                   approved purposes of the order; and

10                  “(III) be issued only if the same  
11                  information could not reasonably be  
12                  obtained by another less intrusive  
13                  method;

14                  “(E) an order issued by the foreign govern-  
15                  ment may not be used to infringe freedom of  
16                  speech;

17                  “(F) the foreign government shall promptly  
18                  review material collected pursuant to the agree-  
19                  ment and store any unreviewed communications  
20                  on a secure system accessible only to those per-  
21                  sons trained in applicable procedures;

22                  “(G) the foreign government shall, using  
23                  procedures that, to the maximum extent possible,  
24                  meet the definition of minimization procedures  
25                  in section 101 of the Foreign Intelligence Sur-

1           *veillance Act of 1978 (50 U.S.C. 1801), segregate,*  
2           *seal, or delete, and not disseminate material*  
3           *found not to be information that is, or is nec-*  
4           *essary to understand or assess the importance of*  
5           *information that is, relevant to the prevention,*  
6           *detection, investigation, or prosecution of serious*  
7           *crime, including terrorism, or necessary to pro-*  
8           *tect against a threat of death or serious bodily*  
9           *harm to any person;*

10           *“(H) the foreign government may not dis-*  
11           *seminate the content of a communication of a*  
12           *United States person to United States authori-*  
13           *ties unless the communication may be dissemi-*  
14           *nated pursuant to subparagraph (G) and relates*  
15           *to significant harm, or the threat thereof, to the*  
16           *United States or United States persons, includ-*  
17           *ing crimes involving national security such as*  
18           *terrorism, significant violent crime, child exploi-*  
19           *tation, transnational organized crime, or signifi-*  
20           *cant financial fraud;*

21           *“(I) the foreign government shall afford re-*  
22           *ciprocal rights of data access, to include, where*  
23           *applicable, removing restrictions on communica-*  
24           *tions service providers, including providers sub-*  
25           *ject to United States jurisdiction, and thereby*



1           *allow them to respond to valid legal process*  
2           *sought by a governmental entity (as defined in*  
3           *section 2711) if foreign law would otherwise pro-*  
4           *hibit communications-service providers from dis-*  
5           *closing the data;*

6           *“(J) the foreign government shall agree to*  
7           *periodic review of compliance by the foreign gov-*  
8           *ernment with the terms of the agreement to be*  
9           *conducted by the United States Government; and*

10           *“(K) the United States Government shall*  
11           *reserve the right to render the agreement inappli-*  
12           *cable as to any order for which the United States*  
13           *Government concludes the agreement may not*  
14           *properly be invoked.*

15           *“(c) LIMITATION ON JUDICIAL REVIEW.—A deter-*  
16           *mination or certification made by the Attorney General*  
17           *under subsection (b) shall not be subject to judicial or ad-*  
18           *ministrative review.*

19           *“(d) EFFECTIVE DATE OF CERTIFICATION.—*

20           *“(1) NOTICE.—Not later than 7 days after the*  
21           *date on which the Attorney General certifies an execu-*  
22           *utive agreement under subsection (b), the Attorney*  
23           *General shall provide notice of the determination*  
24           *under subsection (b) and a copy of the executive*  
25           *agreement to Congress, including—*

1           “(A) *the Committee on the Judiciary and*  
2           *the Committee on Foreign Relations of the Sen-*  
3           *ate; and*

4           “(B) *the Committee on the Judiciary and*  
5           *the Committee on Foreign Affairs of the House*  
6           *of Representatives.*

7           “(2) *ENTRY INTO FORCE.—An executive agree-*  
8           *ment that is determined and certified by the Attorney*  
9           *General to satisfy the requirements of this section*  
10          *shall enter into force not earlier than the date that is*  
11          *180 days after the date on which notice is provided*  
12          *under paragraph (1), unless Congress enacts a joint*  
13          *resolution of disapproval in accordance with para-*  
14          *graph (4).*

15          “(3) *REQUESTS FOR INFORMATION.—Upon re-*  
16          *quest by the Chairman or Ranking Member of a con-*  
17          *gressional committee described in paragraph (1), the*  
18          *head of an agency shall promptly furnish a summary*  
19          *of factors considered in determining that the foreign*  
20          *government satisfies the requirements of this section.*

21          “(4) *CONGRESSIONAL REVIEW.—*

22                 “(A) *JOINT RESOLUTION DEFINED.—In this*  
23                 *paragraph, the term ‘joint resolution’ means*  
24                 *only a joint resolution—*

1           “(i) introduced during the 180-day pe-  
2           riod described in paragraph (2);

3           “(ii) which does not have a preamble;

4           “(iii) the title of which is as follows:  
5           ‘Joint resolution disapproving the executive  
6           agreement signed by the United States and  
7           \_\_\_\_.’, the blank space being appropriately  
8           filled in; and

9           “(iv) the matter after the resolving  
10          clause of which is as follows: ‘That Congress  
11          disapproves the executive agreement gov-  
12          erning access by \_\_\_\_\_ to certain elec-  
13          tronic data as submitted by the Attorney  
14          General on \_\_\_\_\_’, the blank spaces being  
15          appropriately filled in.

16          “(B) JOINT RESOLUTION ENACTED.—Not-  
17          withstanding any other provision of this section,  
18          if not later than 180 days after the date on  
19          which notice is provided to Congress under para-  
20          graph (1), there is enacted into law a joint reso-  
21          lution disapproving of an executive agreement  
22          under this section, the executive agreement shall  
23          not enter into force.

1           “(C) *INTRODUCTION.*—*During the 180-day*  
2           *period described in subparagraph (B), a joint*  
3           *resolution of disapproval may be introduced—*

4                     “(i) *in the House of Representatives,*  
5                     *by the majority leader or the minority lead-*  
6                     *er; and*

7                     “(ii) *in the Senate, by the majority*  
8                     *leader (or the majority leader’s designee) or*  
9                     *the minority leader (or the minority lead-*  
10                    *er’s designee).*

11           “(5) *FLOOR CONSIDERATION IN HOUSE OF REP-*  
12           *RESENTATIVES.*—*If a committee of the House of Rep-*  
13           *resentatives to which a joint resolution of disapproval*  
14           *has been referred has not reported the joint resolution*  
15           *within 120 days after the date of referral, that com-*  
16           *mittee shall be discharged from further consideration*  
17           *of the joint resolution.*

18           “(6) *CONSIDERATION IN THE SENATE.*—

19                     “(A) *COMMITTEE REFERRAL.*—*A joint reso-*  
20                     *lution of disapproval introduced in the Senate*  
21                     *shall be referred jointly—*

22                     “(i) *to the Committee on the Judici-*  
23                     *ary; and*

24                     “(ii) *to the Committee on Foreign Re-*  
25                     *lations.*

1           “(B) *REPORTING AND DISCHARGE.*—If a  
2           committee to which a joint resolution of dis-  
3           approval was referred has not reported the joint  
4           resolution within 120 days after the date of re-  
5           ferral of the joint resolution, that committee shall  
6           be discharged from further consideration of the  
7           joint resolution and the joint resolution shall be  
8           placed on the appropriate calendar.

9           “(C) *PROCEEDING TO CONSIDERATION.*—It  
10          is in order at any time after both the Committee  
11          on the Judiciary and the Committee on Foreign  
12          Relations report a joint resolution of disapproval  
13          to the Senate or have been discharged from con-  
14          sideration of such a joint resolution (even though  
15          a previous motion to the same effect has been  
16          disagreed to) to move to proceed to the consider-  
17          ation of the joint resolution, and all points of  
18          order against the joint resolution (and against  
19          consideration of the joint resolution) are waived.  
20          The motion is not debatable or subject to a mo-  
21          tion to postpone. A motion to reconsider the vote  
22          by which the motion is agreed to or disagreed to  
23          shall not be in order.

24          “(D) *CONSIDERATION IN THE SENATE.*—In  
25          the Senate, consideration of the joint resolution,

1           *and on all debatable motions and appeals in*  
2           *connection therewith, shall be limited to not*  
3           *more than 10 hours, which shall be divided*  
4           *equally between those favoring and those oppos-*  
5           *ing the joint resolution. A motion further to*  
6           *limit debate is in order and not debatable. An*  
7           *amendment to, or a motion to postpone, or a mo-*  
8           *tion to proceed to the consideration of other busi-*  
9           *ness, or a motion to recommit the joint resolu-*  
10          *tion is not in order.*

11           “(E) *CONSIDERATION OF VETO MES-*  
12          *SAGES.—Debate in the Senate of any veto mes-*  
13          *sage with respect to a joint resolution of dis-*  
14          *approval, including all debatable motions and*  
15          *appeals in connection with the joint resolution,*  
16          *shall be limited to 10 hours, to be equally di-*  
17          *vided between, and controlled by, the majority*  
18          *leader and the minority leader or their designees.*

19           “(7) *RULES RELATING TO SENATE AND HOUSE*  
20          *OF REPRESENTATIVES.—*

21           “(A) *TREATMENT OF SENATE JOINT RESO-*  
22          *LUTION IN HOUSE.—In the House of Representa-*  
23          *tives, the following procedures shall apply to a*  
24          *joint resolution of disapproval received from the*  
25          *Senate (unless the House has already passed a*

1           *joint resolution relating to the same proposed ac-*  
2           *tion):*

3                     “(i) *The joint resolution shall be re-*  
4                     *ferred to the appropriate committees.*

5                     “(ii) *If a committee to which a joint*  
6                     *resolution has been referred has not reported*  
7                     *the joint resolution within 7 days after the*  
8                     *date of referral, that committee shall be dis-*  
9                     *charged from further consideration of the*  
10                    *joint resolution.*

11                    “(iii) *Beginning on the third legisla-*  
12                    *tive day after each committee to which a*  
13                    *joint resolution has been referred reports the*  
14                    *joint resolution to the House or has been*  
15                    *discharged from further consideration there-*  
16                    *of, it shall be in order to move to proceed*  
17                    *to consider the joint resolution in the*  
18                    *House. All points of order against the mo-*  
19                    *tion are waived. Such a motion shall not be*  
20                    *in order after the House has disposed of a*  
21                    *motion to proceed on the joint resolution.*  
22                    *The previous question shall be considered as*  
23                    *ordered on the motion to its adoption with-*  
24                    *out intervening motion. The motion shall*  
25                    *not be debatable. A motion to reconsider the*

1           *vote by which the motion is disposed of shall*  
2           *not be in order.*

3           “(iv) *The joint resolution shall be con-*  
4           *sidered as read. All points of order against*  
5           *the joint resolution and against its consid-*  
6           *eration are waived. The previous question*  
7           *shall be considered as ordered on the joint*  
8           *resolution to final passage without inter-*  
9           *vening motion except 2 hours of debate*  
10           *equally divided and controlled by the spon-*  
11           *sor of the joint resolution (or a designee)*  
12           *and an opponent. A motion to reconsider*  
13           *the vote on passage of the joint resolution*  
14           *shall not be in order.*

15           “(B) *TREATMENT OF HOUSE JOINT RESOLU-*  
16           *TION IN SENATE.—*

17           “(i) *If, before the passage by the Senate*  
18           *of a joint resolution of disapproval, the Sen-*  
19           *ate receives an identical joint resolution*  
20           *from the House of Representatives, the fol-*  
21           *lowing procedures shall apply:*

22                   “(I) *That joint resolution shall*  
23                   *not be referred to a committee.*

24                   “(II) *With respect to that joint*  
25                   *resolution—*



1                   “(aa) *the procedure in the*  
2                   *Senate shall be the same as if no*  
3                   *joint resolution had been received*  
4                   *from the House of Representatives;*  
5                   *but*

6                   “(bb) *the vote on passage*  
7                   *shall be on the joint resolution*  
8                   *from the House of Representatives.*

9                   “(ii) *If, following passage of a joint*  
10                  *resolution of disapproval in the Senate, the*  
11                  *Senate receives an identical joint resolution*  
12                  *from the House of Representatives, that*  
13                  *joint resolution shall be placed on the ap-*  
14                  *propriate Senate calendar.*

15                  “(iii) *If a joint resolution of dis-*  
16                  *approval is received from the House, and no*  
17                  *companion joint resolution has been intro-*  
18                  *duced in the Senate, the Senate procedures*  
19                  *under this subsection shall apply to the*  
20                  *House joint resolution.*

21                  “(C) *APPLICATION TO REVENUE MEAS-*  
22                  *URES.—The provisions of this paragraph shall*  
23                  *not apply in the House of Representatives to a*  
24                  *joint resolution of disapproval that is a revenue*  
25                  *measure.*

1           “(8) *RULES OF HOUSE OF REPRESENTATIVES*  
2           *AND SENATE.*—*This subsection is enacted by Con-*  
3           *gress—*

4                   “(A) *as an exercise of the rulemaking power*  
5                   *of the Senate and the House of Representatives,*  
6                   *respectively, and as such is deemed a part of the*  
7                   *rules of each House, respectively, and supersedes*  
8                   *other rules only to the extent that it is incon-*  
9                   *sistent with such rules; and*

10                   “(B) *with full recognition of the constitu-*  
11                   *tional right of either House to change the rules*  
12                   *(so far as relating to the procedure of that*  
13                   *House) at any time, in the same manner, and*  
14                   *to the same extent as in the case of any other*  
15                   *rule of that House.*

16           “(e) *RENEWAL OF DETERMINATION.*—

17                   “(1) *IN GENERAL.*—*The Attorney General, with*  
18                   *the concurrence of the Secretary of State, shall review*  
19                   *and may renew a determination under subsection (b)*  
20                   *every 5 years.*

21                   “(2) *REPORT.*—*Upon renewing a determination*  
22                   *under subsection (b), the Attorney General shall file*  
23                   *a report with the Committee on the Judiciary and the*  
24                   *Committee on Foreign Relations of the Senate and the*  
25                   *Committee on the Judiciary and the Committee on*

1 *Foreign Affairs of the House of Representatives de-*  
2 *scribing—*

3 *“(A) the reasons for the renewal;*

4 *“(B) any substantive changes to the agree-*  
5 *ment or to the relevant laws or procedures of the*  
6 *foreign government since the original determina-*  
7 *tion or, in the case of a second or subsequent re-*  
8 *newal, since the last renewal; and*

9 *“(C) how the agreement has been imple-*  
10 *mented and what problems or controversies, if*  
11 *any, have arisen as a result of the agreement or*  
12 *its implementation.*

13 *“(3) NONRENEWAL.—If a determination is not*  
14 *renewed under paragraph (1), the agreement shall no*  
15 *longer be considered to satisfy the requirements of this*  
16 *section.*

17 *“(f) REVISIONS TO AGREEMENT.—A revision to an*  
18 *agreement under this section shall be treated as a new*  
19 *agreement for purposes of this section and shall be subject*  
20 *to the certification requirement under subsection (b), and*  
21 *to the procedures under subsection (d), except that for pur-*  
22 *poses of a revision to an agreement—*

23 *“(1) the applicable time period under para-*  
24 *graphs (2), (4)(A)(i), (4)(B), and (4)(C) of subsection*

1       (d) shall be 90 days after the date notice is provided  
2       under subsection (d)(1); and

3               “(2) the applicable time period under para-  
4       graphs (5) and (6)(B) of subsection (d) shall be 60  
5       days after the date notice is provided under sub-  
6       section (d)(1).

7       “(g) *PUBLICATION*.—Any determination or certifi-  
8       cation under subsection (b) regarding an executive agree-  
9       ment under this section, including any termination or re-  
10      newal of such an agreement, shall be published in the *Fed-*  
11      *eral Register* as soon as is reasonably practicable.

12      “(h) *MINIMIZATION PROCEDURES*.—A United States  
13      authority that receives the content of a communication de-  
14      scribed in subsection (b)(4)(H) from a foreign government  
15      in accordance with an executive agreement under this sec-  
16      tion shall use procedures that, to the maximum extent pos-  
17      sible, meet the definition of minimization procedures in sec-  
18      tion 101 of the *Foreign Intelligence Surveillance Act of 1978*  
19      (50 U.S.C. 1801) to appropriately protect nonpublicly  
20      available information concerning United States persons.”.

21      (b) *TABLE OF SECTIONS AMENDMENT*.—The table of  
22      sections for chapter 119 of title 18, United States Code, is  
23      amended by inserting after the item relating to section 2522  
24      the following:

“2523. *Executive agreements on access to data by foreign governments*.”.

1 **SEC. 106. RULE OF CONSTRUCTION.**

2       *Nothing in this division, or the amendments made by*  
3 *this division, shall be construed to preclude any foreign au-*  
4 *thority from obtaining assistance in a criminal investiga-*  
5 *tion or prosecution pursuant to section 3512 of title 18,*  
6 *United States Code, section 1782 of title 28, United States*  
7 *Code, or as otherwise provided by law.*

*Attest:*

*Clerk.*