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1ST SESSION**H. R. 3354**

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2017

Received

SEPTEMBER 26, 2017

Read the first time

SEPTEMBER 27, 2017

Read the second time and placed on the calendar

AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interior and Environ-
5 ment, Agriculture and Rural Development, Commerce,
6 Justice, Science, Financial Services and General Govern-
7 ment, Homeland Security, Labor, Health and Human

1 Services, Education, State and Foreign Operations,
2 Transportation, Housing and Urban Development, De-
3 fense, Military Construction and Veterans Affairs, Legis-
4 lative Branch, and Energy and Water Development Ap-
5 propriations Act, 2018”.

6 **SEC. 2. ADDITIONAL REFERENCE.**

7 This Act may also be referred to as the “Make Amer-
8 ica Secure and Prosperous Appropriations Act, 2018”.

9 **DIVISION A—DEPARTMENT OF THE INTE-**
10 **RIOR, ENVIRONMENT, AND RELATED**
11 **AGENCIES APPROPRIATIONS ACT, 2018**

12 The following sums are appropriated, out of any
13 money in the Treasury not otherwise appropriated, for the
14 Department of the Interior, environment, and related
15 agencies for the fiscal year ending September 30, 2018,
16 and for other purposes, namely:

17 **TITLE I**

18 **DEPARTMENT OF THE INTERIOR**

19 **BUREAU OF LAND MANAGEMENT**

20 **MANAGEMENT OF LANDS AND RESOURCES**

21 For necessary expenses for protection, use, improve-
22 ment, development, disposal, cadastral surveying, classi-
23 fication, acquisition of easements and other interests in
24 lands, and performance of other functions, including main-
25 tenance of facilities, as authorized by law, in the manage-

1 ment of lands and their resources under the jurisdiction
2 of the Bureau of Land Management, including the general
3 administration of the Bureau, and assessment of mineral
4 potential of public lands pursuant to section 1010(a) of
5 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,074,503,000
6 (increased by \$316,000), to remain available until ex-
7 pended, including all such amounts as are collected from
8 permit processing fees, as authorized but made subject to
9 future appropriation by section 35(d)(3)(A)(i) of the Min-
10 eral Leasing Act (30 U.S.C. 191), except that amounts
11 from permit processing fees may be used for any bureau-
12 related expenses associated with the processing of oil and
13 gas applications for permits to drill and related use of au-
14 thorizations.

15 In addition, \$39,696,000 is for Mining Law Adminis-
16 tration program operations, including the cost of admin-
17 istering the mining claim fee program, to remain available
18 until expended, to be reduced by amounts collected by the
19 Bureau and credited to this appropriation from mining
20 claim maintenance fees and location fees that are hereby
21 authorized for fiscal year 2018, so as to result in a final
22 appropriation estimated at not more than \$1,074,503,000,
23 and \$2,000,000, to remain available until expended, from
24 communication site rental fees established by the Bureau
25 for the cost of administering communication site activities.

1 LAND ACQUISITION
2 (INCLUDING RESCISSION OF FUNDS)

3 For expenses necessary to carry out sections 205,
4 206, and 318(d) of Public Law 94–579, including admin-
5 istrative expenses and acquisition of lands or waters, or
6 interests therein, \$12,800,000, to be derived from the
7 Land and Water Conservation Fund and to remain avail-
8 able until expended.

9 Of the unobligated balances available for this account
10 from prior appropriations, \$1,769,000 are permanently re-
11 scinded.

12 OREGON AND CALIFORNIA GRANT LANDS

13 For expenses necessary for management, protection,
14 and development of resources and for construction, oper-
15 ation, and maintenance of access roads, reforestation, and
16 other improvements on the revested Oregon and California
17 Railroad grant lands, on other Federal lands in the Or-
18 egon and California land-grant counties of Oregon, and
19 on adjacent rights-of-way; and acquisition of lands or in-
20 terests therein, including existing connecting roads on or
21 adjacent to such grant lands; \$104,256,000, to remain
22 available until expended: *Provided*, That 25 percent of the
23 aggregate of all receipts during the current fiscal year
24 from the revested Oregon and California Railroad grant
25 lands is hereby made a charge against the Oregon and

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

5 RANGE IMPROVEMENTS

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

20 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

1 MISCELLANEOUS TRUST FUNDS

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

10 ADMINISTRATIVE PROVISIONS

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

1 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
2 operative cost-sharing and partnership arrangements au-
3 thorized by law, procure printing services from cooperators
4 in connection with jointly produced publications for which
5 the cooperators share the cost of printing either in cash
6 or in services, and the Bureau determines the cooperator
7 is capable of meeting accepted quality standards: *Provided*
8 *further*, That projects to be funded pursuant to a written
9 commitment by a State government to provide an identi-
10 fied amount of money in support of the project may be
11 carried out by the Bureau on a reimbursable basis. Appro-
12 priations herein made shall not be available for the sale
13 of wild horses and burros that results in their destruction
14 for processing into commercial products, including for
15 human consumption.

16 UNITED STATES FISH AND WILDLIFE SERVICE

17 RESOURCE MANAGEMENT

18 For necessary expenses of the United States Fish and
19 Wildlife Service, as authorized by law, and for scientific
20 and economic studies, general administration, and for the
21 performance of other authorized functions related to such
22 resources, \$1,247,109,000 (reduced by \$500,000) (in-
23 creased by \$500,000) (reduced by \$1,200,000) to remain
24 available until September 30, 2019: *Provided*, That not
25 to exceed \$17,122,000 shall be used for implementing sub-

1 sections (a), (b), (c), and (e) of section 4 of the Endan-
2 gered Species Act of 1973 (16 U.S.C. 1533) (except for
3 processing petitions, developing and issuing proposed and
4 final regulations, and taking any other steps to implement
5 actions described in subsection (c)(2)(A), (c)(2)(B)(i), or
6 (c)(2)(B)(ii)); of which not to exceed \$3,270,000 shall be
7 used for any activity regarding the designation of critical
8 habitat, pursuant to subsection (a)(3), excluding litigation
9 support, for species listed pursuant to subsection (a)(1)
10 prior to October 1, 2015; of which not to exceed
11 \$1,498,000 shall be used for any activity regarding peti-
12 tions to list species that are indigenous to the United
13 States pursuant to subsections (b)(3)(A) and (b)(3)(B);
14 and, of which not to exceed \$501,000 shall be used for
15 implementing subsections (a), (b), (c), and (e) of section
16 4 of the Endangered Species Act of 1973 (16 U.S.C.
17 1533) for species that are not indigenous to the United
18 States.

19 CONSTRUCTION

20 For construction, improvement, acquisition, or re-
21 moval of buildings and other facilities required in the con-
22 servation, management, investigation, protection, and uti-
23 lization of fish and wildlife resources, and the acquisition
24 of lands and interests therein; \$16,540,000, to remain
25 available until expended.

1 LAND ACQUISITION

2 (INCLUDING RESCISSION OF FUNDS)

3 For expenses necessary to carry out chapter 2003 of
4 title 54, United States Code, including administrative ex-
5 penses, and for acquisition of land or waters, or interest
6 therein, in accordance with statutory authority applicable
7 to the United States Fish and Wildlife Service,
8 \$40,641,000, to be derived from the Land and Water Con-
9 servation Fund and to remain available until expended,
10 of which, notwithstanding section 200306 of title 54,
11 United States Code, not more than \$10,000,000 shall be
12 for land conservation partnerships authorized by the
13 Highlands Conservation Act of 2004, including not to ex-
14 ceed \$320,000 for administrative expenses: *Provided*, That
15 none of the funds appropriated for specific land acquisi-
16 tion projects may be used to pay for any administrative
17 overhead, planning or other management costs.

18 Of the unobligated balances available for this account
19 from prior appropriations, \$4,572,000 are permanently re-
20 scinded.

21 COOPERATIVE ENDANGERED SPECIES CONSERVATION

22 FUND

23 For expenses necessary to carry out section 6 of the
24 Endangered Species Act of 1973 (16 U.S.C. 1535),
25 \$53,495,000, to remain available until expended, of which

1 \$22,695,000 is to be derived from the Cooperative Endan-
2 gered Species Conservation Fund; and of which
3 \$30,800,000 is to be derived from the Land and Water
4 Conservation Fund.

5 Of the unobligated balances available for this account
6 from appropriations made for fiscal years prior to fiscal
7 year 2013, \$3,000,000 are permanently rescinded.

8 NATIONAL WILDLIFE REFUGE FUND

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

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

12 For expenses necessary to carry out the provisions
13 of the North American Wetlands Conservation Act (16
14 U.S.C. 4401 et seq.), \$38,145,000, to remain available
15 until expended.

16 NEOTROPICAL MIGRATORY BIRD CONSERVATION

17 For expenses necessary to carry out the Neotropical
18 Migratory Bird Conservation Act (16 U.S.C. 6101 et
19 seq.), \$3,900,000, to remain available until expended.

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-
22 phant Conservation Act (16 U.S.C. 4201 et seq.), the
23 Asian Elephant Conservation Act of 1997 (16 U.S.C.
24 4261 et seq.), the Rhinoceros and Tiger Conservation Act
25 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-

1 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
2 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
3 et seq.), \$11,061,000, to remain available until expended.

4 STATE AND TRIBAL WILDLIFE GRANTS

5 For wildlife conservation grants to States and to the
6 District of Columbia, Puerto Rico, Guam, the United
7 States Virgin Islands, the Northern Mariana Islands,
8 American Samoa, and Indian tribes under the provisions
9 of the Fish and Wildlife Act of 1956 and the Fish and
10 Wildlife Coordination Act, for the development and imple-
11 mentation of programs for the benefit of wildlife and their
12 habitat, including species that are not hunted or fished,
13 \$62,571,000, to remain available until expended: *Pro-*
14 *vided*, That of the amount provided herein, \$4,209,000 is
15 for a competitive grant program for Indian tribes not sub-
16 ject to the remaining provisions of this appropriation: *Pro-*
17 *vided further*, That \$6,362,000 is for a competitive grant
18 program to implement approved plans for States, terri-
19 tories, and other jurisdictions and at the discretion of af-
20 fected States, the regional Associations of fish and wildlife
21 agencies, not subject to the remaining provisions of this
22 appropriation: *Provided further*, That the Secretary shall,
23 after deducting \$10,571,000 and administrative expenses,
24 apportion the amount provided herein in the following
25 manner: (1) to the District of Columbia and to the Com-

1 monwealth of Puerto Rico, each a sum equal to not more
2 than one-half of 1 percent thereof; and (2) to Guam,
3 American Samoa, the United States Virgin Islands, and
4 the Commonwealth of the Northern Mariana Islands, each
5 a sum equal to not more than one-fourth of 1 percent
6 thereof: *Provided further*, That the Secretary shall appor-
7 tion the remaining amount in the following manner: (1)
8 one-third of which is based on the ratio to which the land
9 area of such State bears to the total land area of all such
10 States; and (2) two-thirds of which is based on the ratio
11 to which the population of such State bears to the total
12 population of all such States: *Provided further*, That the
13 amounts apportioned under this paragraph shall be ad-
14 justed equitably so that no State shall be apportioned a
15 sum which is less than 1 percent of the amount available
16 for apportionment under this paragraph for any fiscal year
17 or more than 5 percent of such amount: *Provided further*,
18 That the Federal share of planning grants shall not exceed
19 75 percent of the total costs of such projects and the Fed-
20 eral share of implementation grants shall not exceed 65
21 percent of the total costs of such projects: *Provided fur-*
22 *ther*, That the non-Federal share of such projects may not
23 be derived from Federal grant programs: *Provided further*,
24 That any amount apportioned in 2018 to any State, terri-
25 tory, or other jurisdiction that remains unobligated as of

1 September 30, 2019, shall be reapportioned, together with
2 funds appropriated in 2020, in the manner provided here-
3 in.

4 ADMINISTRATIVE PROVISIONS

5 The United States Fish and Wildlife Service may
6 carry out the operations of Service programs by direct ex-
7 penditure, contracts, grants, cooperative agreements and
8 reimbursable agreements with public and private entities.
9 Appropriations and funds available to the United States
10 Fish and Wildlife Service shall be available for repair of
11 damage to public roads within and adjacent to reservation
12 areas caused by operations of the Service; options for the
13 purchase of land at not to exceed \$1 for each option; facili-
14 ties incident to such public recreational uses on conserva-
15 tion areas as are consistent with their primary purpose;
16 and the maintenance and improvement of aquaria, build-
17 ings, and other facilities under the jurisdiction of the Serv-
18 ice and to which the United States has title, and which
19 are used pursuant to law in connection with management,
20 and investigation of fish and wildlife resources: *Provided,*
21 That notwithstanding 44 U.S.C. 501, the Service may,
22 under cooperative cost sharing and partnership arrange-
23 ments authorized by law, procure printing services from
24 cooperators in connection with jointly produced publica-
25 tions for which the cooperators share at least one-half the

1 cost of printing either in cash or services and the Service
2 determines the cooperator is capable of meeting accepted
3 quality standards: *Provided further*, That the Service may
4 accept donated aircraft as replacements for existing air-
5 craft: *Provided further*, That notwithstanding 31 U.S.C.
6 3302, all fees collected for non-toxic shot review and ap-
7 proval shall be deposited under the heading “United
8 States Fish and Wildlife Service—Resource Management”
9 and shall be available to the Secretary, without further
10 appropriation, to be used for expenses of processing of
11 such non-toxic shot type or coating applications and revis-
12 ing regulations as necessary, and shall remain available
13 until expended.

14 NATIONAL PARK SERVICE

15 OPERATION OF THE NATIONAL PARK SYSTEM

16 For expenses necessary for the management, oper-
17 ation, and maintenance of areas and facilities adminis-
18 tered by the National Park Service and for the general
19 administration of the National Park Service,
20 \$2,410,031,000 (reduced by \$300,000) (increased by
21 \$300,000) (increased by \$2,000,000) (increased by
22 \$9,692,000), of which \$10,032,000 for planning and
23 interagency coordination in support of Everglades restora-
24 tion and \$124,461,000 (increased by \$9,692,000) for
25 maintenance, repair, or rehabilitation projects for con-

1 structured assets shall remain available until September 30,
2 2019: *Provided*, That funds appropriated under this head-
3 ing in this Act are available for the purposes of section
4 5 of Public Law 95–348.

5 NATIONAL RECREATION AND PRESERVATION

6 For expenses necessary to carry out recreation pro-
7 grams, natural programs, cultural programs, heritage
8 partnership programs, environmental compliance and re-
9 view, international park affairs, and grant administration,
10 not otherwise provided for, \$59,629,000.

11 HISTORIC PRESERVATION FUND

12 For expenses necessary in carrying out the National
13 Historic Preservation Act (division A of subtitle III of title
14 54, United States Code), \$75,410,000 (increased by
15 \$2,000,000) (increased by \$5,500,000), to be derived from
16 the Historic Preservation Fund and to remain available
17 until September 30, 2019, of which \$5,000,000 shall be
18 for Save America’s Treasures grants for preservation of
19 national significant sites, structures, and artifacts as au-
20 thorized by section 7303 of the Omnibus Public Land
21 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
22 That an individual Save America’s Treasures grant shall
23 be matched by non-Federal funds: *Provided further*, That
24 individual projects shall only be eligible for one grant: *Pro-*
25 *vided further*, That all projects to be funded shall be ap-

1 proved by the Secretary of the Interior in consultation
2 with the House and Senate Committees on Appropria-
3 tions: *Provided further*, That of the funds provided for the
4 Historic Preservation Fund, \$500,000 is for competitive
5 grants for the survey and nomination of properties to the
6 National Register of Historic Places and as National His-
7 toric Landmarks associated with communities currently
8 underrepresented, as determined by the Secretary,
9 \$10,500,000 is for competitive grants to preserve the sites
10 and stories of the Civil Rights movement, and \$3,000,000
11 (increased by \$2,000,000) is for grants to Historically
12 Black Colleges and Universities: *Provided further*, That
13 such competitive grants shall be made without imposing
14 the matching requirements in section 302902(b)(3) of title
15 54, United States Code to States and Indian tribes as de-
16 fined in chapter 3003 of such title, Native Hawaiian orga-
17 nizations, local governments, including Certified Local
18 Governments, and nonprofit organizations.

19 CONSTRUCTION

20 For construction, improvements, repair, or replace-
21 ment of physical facilities, and compliance and planning
22 for programs and areas administered by the National
23 Park Service, \$219,844,000, to remain available until ex-
24 pended: *Provided*, That notwithstanding any other provi-
25 sion of law, for any project initially funded in fiscal year

1 2018 with a future phase indicated in the National Park
2 Service 5-Year Line Item Construction Plan, a single pro-
3 curement may be issued which includes the full scope of
4 the project: *Provided further*, That the solicitation and
5 contract shall contain the clause availability of funds
6 found at 48 CFR 52.232–18: *Provided further*, That Na-
7 tional Park Service Donations, Park Concessions Fran-
8 chise Fees, and Recreation Fees may be made available
9 for the cost of adjustments and changes within the origi-
10 nal scope of effort for projects funded by the National
11 Park Service Construction appropriation: *Provided further*,
12 That the Secretary of the Interior shall consult with the
13 Committees on Appropriations, in accordance with current
14 reprogramming thresholds, prior to making any charges
15 authorized by this section.

16 LAND AND WATER CONSERVATION FUND

17 (RESCISSION)

18 The contract authority provided for fiscal year 2018
19 by section 200308 of title 54, United States Code, is re-
20 scinded.

21 LAND ACQUISITION AND STATE ASSISTANCE

22 (INCLUDING RESCISSION OF FUNDS)

23 For expenses necessary to carry out chapter 2003 of
24 title 54, United States Code, including administrative ex-
25 penses, and for acquisition of lands or waters, or interest

1 therein, in accordance with the statutory authority appli-
2 cable to the National Park Service, \$120,575,000, to be
3 derived from the Land and Water Conservation Fund and
4 to remain available until expended, of which \$79,006,000
5 is for the State assistance program and of which
6 \$10,000,000 shall be for the American Battlefield Protec-
7 tion Program grants as authorized by chapter 3081 of title
8 54, United States Code.

9 Of the unobligated balances available for this account
10 from prior appropriations, \$4,500,000 are permanently re-
11 scinded.

12 CENTENNIAL CHALLENGE

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

22 ADMINISTRATIVE PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 In addition to other uses set forth in section
25 101917(c)(2) of title 54, United States Code, franchise

1 fees credited to a sub-account shall be available for ex-
2 penditure by the Secretary, without further appropriation,
3 for use at any unit within the National Park System to
4 extinguish or reduce liability for Possessory Interest or
5 leasehold surrender interest. Such funds may only be used
6 for this purpose to the extent that the benefitting unit an-
7 ticipated franchise fee receipts over the term of the con-
8 tract at that unit exceed the amount of funds used to ex-
9 tinguish or reduce liability. Franchise fees at the benefit-
10 ting unit shall be credited to the sub-account of the origi-
11 nating unit over a period not to exceed the term of a single
12 contract at the benefitting unit, in the amount of funds
13 so expended to extinguish or reduce liability.

14 For the costs of administration of the Land and
15 Water Conservation Fund grants authorized by section
16 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
17 of 2006 (Public Law 109–432), the National Park Service
18 may retain up to 3 percent of the amounts which are au-
19 thorized to be disbursed under such section, such retained
20 amounts to remain available until expended.

21 National Park Service funds may be transferred to
22 the Federal Highway Administration (FHWA), Depart-
23 ment of Transportation, for purposes authorized under
24 section 204 of title 23, United States Code. Transfers may

1 include a reasonable amount for FHWA administrative
2 support costs.

3 UNITED STATES GEOLOGICAL SURVEY
4 SURVEYS, INVESTIGATIONS, AND RESEARCH

5 For expenses necessary for the United States Geo-
6 logical Survey to perform surveys, investigations, and re-
7 search covering topography, geology, hydrology, biology,
8 and the mineral and water resources of the United States,
9 its territories and possessions, and other areas as author-
10 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
11 to their mineral and water resources; give engineering su-
12 pervision to power permittees and Federal Energy Regu-
13 latory Commission licensees; administer the minerals ex-
14 ploration program (30 U.S.C. 641); conduct inquiries into
15 the economic conditions affecting mining and materials
16 processing industries (30 U.S.C. 3, 21a, and 1603; 50
17 U.S.C. 98g(1)) and related purposes as authorized by law;
18 and to publish and disseminate data relative to the fore-
19 going activities; \$1,038,922,000 (increased by
20 \$1,000,000), to remain available until September 30,
21 2019; of which \$70,933,913 shall remain available until
22 expended for satellite operations; and of which \$7,266,000
23 shall be available until expended for deferred maintenance
24 and capital improvement projects that exceed \$100,000 in
25 cost: *Provided*, That none of the funds provided for the

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

8 ADMINISTRATIVE PROVISIONS

9 From within the amount appropriated for activities
10 of the United States Geological Survey such sums as are
11 necessary shall be available for contracting for the fur-
12 nishing of topographic maps and for the making of geo-
13 physical or other specialized surveys when it is administra-
14 tively determined that such procedures are in the public
15 interest; construction and maintenance of necessary build-
16 ings and appurtenant facilities; acquisition of lands for
17 water resources and natural hazards activities through
18 permits and licenses; expenses of the United States Na-
19 tional Committee for Geological Sciences; and payment of
20 compensation and expenses of persons employed by the
21 Survey duly appointed to represent the United States in
22 the negotiation and administration of interstate compacts:
23 *Provided*, That activities funded by appropriations herein
24 made may be accomplished through the use of contracts,
25 grants, or cooperative agreements as defined in section

1 6302 of title 31, United States Code: *Provided further*,
2 That the United States Geological Survey may enter into
3 contracts or cooperative agreements directly with individ-
4 uals or indirectly with institutions or nonprofit organiza-
5 tions, without regard to 41 U.S.C. 6101, for the tem-
6 porary or intermittent services of students or recent grad-
7 uates, who shall be considered employees for the purpose
8 of chapters 57 and 81 of title 5, United States Code, relat-
9 ing to compensation for travel and work injuries, and
10 chapter 171 of title 28, United States Code, relating to
11 tort claims, but shall not be considered to be Federal em-
12 ployees for any other purposes.

13 BUREAU OF OCEAN ENERGY MANAGEMENT

14 OCEAN ENERGY MANAGEMENT

15 (INCLUDING RESCISSION OF FUNDS)

16 For expenses necessary for granting leases, ease-
17 ments, rights-of-way and agreements for use for oil and
18 gas, other minerals, energy, and marine-related purposes
19 on the Outer Continental Shelf and approving operations
20 related thereto, as authorized by law; for environmental
21 studies, as authorized by law; for implementing other laws
22 and to the extent provided by Presidential or Secretarial
23 delegation; and for matching grants or cooperative agree-
24 ments, \$171,000,000, of which \$114,166,000 is to remain
25 available until September 30, 2019, and of which

1 \$56,834,000 is to remain available until expended: *Pro-*
 2 *vided*, That this total appropriation shall be reduced by
 3 amounts collected by the Secretary and credited to this
 4 appropriation from additions to receipts resulting from in-
 5 creases to lease rental rates in effect on August 5, 1993,
 6 and from cost recovery fees from activities conducted by
 7 the Bureau of Ocean Energy Management pursuant to the
 8 Outer Continental Shelf Lands Act, including studies, as-
 9 sessments, analysis, and miscellaneous administrative ac-
 10 tivities: *Provided further*, That the sum herein appro-
 11 priated shall be reduced as such collections are received
 12 during the fiscal year, so as to result in a final fiscal year
 13 2018 appropriation estimated at not more than
 14 \$114,166,000: *Provided further*, That not to exceed
 15 \$3,000 shall be available for reasonable expenses related
 16 to promoting volunteer beach and marine cleanup activi-
 17 ties.

18 Of the unobligated balances available for this ac-
 19 count, \$25,000,000 are permanently rescinded.

20 BUREAU OF SAFETY AND ENVIRONMENTAL
 21 ENFORCEMENT
 22 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
 23 (INCLUDING RESCISSION OF FUNDS)

24 For expenses necessary for the regulation of oper-
 25 ations related to leases, easements, rights-of-way and

1 agreements for use for oil and gas, other minerals, energy,
2 and marine-related purposes on the Outer Continental
3 Shelf, as authorized by law; for enforcing and imple-
4 menting laws and regulations as authorized by law and
5 to the extent provided by Presidential or Secretarial dele-
6 gation; and for matching grants or cooperative agree-
7 ments, \$136,411,000, of which \$108,540,000 is to remain
8 available until September 30, 2019, and of which
9 \$27,871,000 is to remain available until expended: *Pro-*
10 *vided*, That this total appropriation shall be reduced by
11 amounts collected by the Secretary and credited to this
12 appropriation from additions to receipts resulting from in-
13 creases to lease rental rates in effect on August 5, 1993,
14 and from cost recovery fees from activities conducted by
15 the Bureau of Safety and Environmental Enforcement
16 pursuant to the Outer Continental Shelf Lands Act, in-
17 cluding studies, assessments, analysis, and miscellaneous
18 administrative activities: *Provided further*, That the sum
19 herein appropriated shall be reduced as such collections
20 are received during the fiscal year, so as to result in a
21 final fiscal year 2018 appropriation estimated at not more
22 than \$108,540,000.

23 For an additional amount, \$50,000,000, to remain
24 available until expended, to be reduced by amounts col-
25 lected by the Secretary and credited to this appropriation,

1 which shall be derived from non-refundable inspection fees
2 collected in fiscal year 2018, as provided in this Act: *Pro-*
3 *vided*, That to the extent that amounts realized from such
4 inspection fees exceed \$50,000,000, the amounts realized
5 in excess of \$50,000,000 shall be credited to this appro-
6 priation and remain available until expended: *Provided*
7 *further*, That for fiscal year 2018, not less than 50 percent
8 of the inspection fees expended by the Bureau of Safety
9 and Environmental Enforcement will be used to fund per-
10 sonnel and mission-related costs to expand capacity and
11 expedite the orderly development, subject to environmental
12 safeguards, of the Outer Continental Shelf pursuant to the
13 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
14 seq.), including the review of applications for permits to
15 drill.

16 Of the unobligated balances available for this ac-
17 count, \$12,000,000 are permanently rescinded.

18 OIL SPILL RESEARCH

19 For necessary expenses to carry out title I, section
20 1016, title IV, sections 4202 and 4303, title VII, and title
21 VIII, section 8201 of the Oil Pollution Act of 1990,
22 \$12,700,000, which shall be derived from the Oil Spill Li-
23 ability Trust Fund, to remain available until expended.

1 ABANDONED MINE RECLAMATION FUND

2 For necessary expenses to carry out title IV of the
3 Surface Mining Control and Reclamation Act of 1977,
4 Public Law 95–87, \$24,672,000, to be derived from re-
5 ceipts of the Abandoned Mine Reclamation Fund and to
6 remain available until expended: *Provided*, That pursuant
7 to Public Law 97–365, the Department of the Interior is
8 authorized to use up to 20 percent from the recovery of
9 the delinquent debt owed to the United States Government
10 to pay for contracts to collect these debts: *Provided fur-*
11 *ther*, That funds made available under title IV of Public
12 Law 95–87 may be used for any required non-Federal
13 share of the cost of projects funded by the Federal Gov-
14 ernment for the purpose of environmental restoration re-
15 lated to treatment or abatement of acid mine drainage
16 from abandoned mines: *Provided further*, That such
17 projects must be consistent with the purposes and prior-
18 ities of the Surface Mining Control and Reclamation Act:
19 *Provided further*, That amounts provided under this head-
20 ing may be used for the travel and per diem expenses of
21 State and tribal personnel attending Office of Surface
22 Mining Reclamation and Enforcement sponsored training.

23 In addition, \$75,000,000 (increased by \$75,000,000)
24 (increased by \$32,491,000), to remain available until ex-
25 pended, for grants to States for reclamation of abandoned

1 mine lands and other related activities in accordance with
2 the terms and conditions in the report accompanying this
3 Act: *Provided*, That such additional amount shall be used
4 for economic and community development in conjunction
5 with the priorities in section 403(a) of the Surface Mining
6 Control and Reclamation Act of 1977 (30 U.S.C.
7 1233(a)): *Provided further*, That such additional amount
8 shall be distributed in equal amounts to the 6 Appalachian
9 States with the greatest amount of unfunded needs to
10 meet the priorities described in paragraphs (1) and (2)
11 of such section: *Provided further*, That such additional
12 amount shall be allocated to States within 60 days after
13 the date of enactment of this Act.

14 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
15 EDUCATION

16 OPERATION OF INDIAN PROGRAMS
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the operation of Indian
19 programs, as authorized by law, including the Snyder Act
20 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
21 termination and Education Assistance Act of 1975 (25
22 U.S.C. 5301 et seq.), the Education Amendments of 1978
23 (25 U.S.C. 2001–2019), and the Tribally Controlled
24 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
25 \$2,362,211,000, to remain available until September 30,

1 2019, except as otherwise provided herein; of which not
2 to exceed \$8,500 may be for official reception and rep-
3 resentation expenses; of which not to exceed \$74,650,000
4 shall be for welfare assistance payments: *Provided*, That
5 in cases of designated Federal disasters, the Secretary
6 may exceed such cap, from the amounts provided herein,
7 to provide for disaster relief to Indian communities af-
8 fected 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 fur-*
12 *ther*, That not to exceed \$662,570,000 for school oper-
13 ations costs of Bureau-funded schools and other education
14 programs shall become available on July 1, 2018, and
15 shall remain available until September 30, 2019: *Provided*
16 *further*, That not to exceed \$50,991,000 shall remain
17 available until expended for housing improvement, road
18 maintenance, attorney fees, litigation support, land
19 records improvement, and the Navajo-Hopi Settlement
20 Program: *Provided further*, That notwithstanding any
21 other provision of law, including but not limited to the
22 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
23 et seq.) and section 1128 of the Education Amendments
24 of 1978 (25 U.S.C. 2008), not to exceed \$80,168,000
25 within and only from such amounts made available for

1 school operations shall be available for administrative cost
2 grants associated with grants approved prior to July 1,
3 2018: *Provided further*, That any forestry funds allocated
4 to a federally recognized tribe which remain unobligated
5 as of September 30, 2019, may be transferred during fis-
6 cal year 2020 to an Indian forest land assistance account
7 established for the benefit of the holder of the funds within
8 the holder's trust fund account: *Provided further*, That
9 any such unobligated balances not so transferred shall ex-
10 pire on September 30, 2020: *Provided further*, That in
11 order to enhance the safety of Bureau field employees, the
12 Bureau may use funds to purchase uniforms or other iden-
13 tifying articles of clothing for personnel: *Provided further*,
14 That the Bureau of Indian Affairs may accept transfers
15 of funds from U.S. Customs and Border Protection to
16 supplement any other funding available for reconstruction
17 or repair of roads on the Tohono O'odham Nation.

18 CONTRACT SUPPORT COSTS

19 For payments to tribes and tribal organizations for
20 contract support costs associated with Indian Self-Deter-
21 mination and Education Assistance Act agreements with
22 the Bureau of Indian Affairs for fiscal year 2018, such
23 sums as may be necessary, which shall be available for
24 obligation through September 30, 2019: *Provided*, That
25 notwithstanding any other provision of law, no amounts

1 made available under this heading shall be available for
2 transfer to another budget account.

3 CONSTRUCTION

4 (INCLUDING TRANSFER OF FUNDS)

5 For construction, repair, improvement, and mainte-
6 nance of irrigation and power systems, buildings, utilities,
7 and other facilities, including architectural and engineer-
8 ing services by contract; acquisition of lands, and interests
9 in lands; and preparation of lands for farming, and for
10 construction of the Navajo Indian Irrigation Project pur-
11 suant to Public Law 87-483; \$202,213,000 (increased by
12 \$10,000,000), to remain available until expended: *Pro-*
13 *vided*, That such amounts as may be available for the con-
14 struction of the Navajo Indian Irrigation Project may be
15 transferred to the Bureau of Reclamation: *Provided fur-*
16 *ther*, That not to exceed 6 percent of contract authority
17 available to the Bureau of Indian Affairs from the Federal
18 Highway Trust Fund may be used to cover the road pro-
19 gram management costs of the Bureau: *Provided further*,
20 That any funds provided for the Safety of Dams program
21 pursuant to the Act of November 2, 1921 (25 U.S.C. 13),
22 shall be made available on a nonreimbursable basis: *Pro-*
23 *vided further*, That for fiscal year 2018, in implementing
24 new construction, replacement facilities construction, or
25 facilities improvement and repair project grants in excess

1 of \$100,000 that are provided to grant schools under Pub-
2 lic Law 100–297, the Secretary of the Interior shall use
3 the Administrative and Audit Requirements and Cost
4 Principles for Assistance Programs contained in part 12
5 of title 43, Code of Federal Regulations, as the regulatory
6 requirements: *Provided further*, That such grants shall not
7 be subject to section 12.61 of title 43, Code of Federal
8 Regulations; the Secretary and the grantee shall negotiate
9 and determine a schedule of payments for the work to be
10 performed: *Provided further*, That in considering grant ap-
11 plications, the Secretary shall consider whether such
12 grantee would be deficient in assuring that the construc-
13 tion projects conform to applicable building standards and
14 codes and Federal, tribal, or State health and safety
15 standards as required by section 1125(b) of Public Law
16 95–561 (25 U.S.C. 2005(b)), with respect to organiza-
17 tional and financial management capabilities: *Provided*
18 *further*, That if the Secretary declines a grant application,
19 the Secretary shall follow the requirements contained in
20 section 5205(f) of Public Law 100–296 (25 U.S.C.
21 2504(f)): *Provided further*, That any disputes between the
22 Secretary and any grantee concerning a grant shall be
23 subject to the disputes provision in section 2508 of Public
24 Law 100–297 (25 U.S.C. 2507(e)): *Provided further*, That
25 in order to ensure timely completion of construction

1 projects, the Secretary may assume control of a project
2 and all funds related to the project, if, within 18 months
3 of the date of enactment of this Act, any grantee receiving
4 funds appropriated in this Act or in any prior Act, has
5 not completed the planning and design phase of the
6 project and commenced construction: *Provided further*,
7 That this appropriation may be reimbursed from the Of-
8 fice of the Special Trustee for American Indians appro-
9 priation for the appropriate share of construction costs for
10 space expansion needed in agency offices to meet trust re-
11 form implementation.

12 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
13 MISCELLANEOUS PAYMENTS TO INDIANS

14 For payments and necessary administrative expenses
15 for implementation of Indian land and water claim settle-
16 ments pursuant to Public Laws 99-264, 100-580, 101-
17 618, 111-11, 111-291, and 114-322, and for implemen-
18 tation of other land and water rights settlements,
19 \$55,457,000, to remain available until expended.

20 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

21 For the cost of guaranteed loans and insured loans,
22 \$9,272,000, of which \$1,252,000 is for administrative ex-
23 penses, as authorized by the Indian Financing Act of
24 1974: *Provided*, That such costs, including the cost of
25 modifying such loans, shall be as defined in section 502

1 of the Congressional Budget Act of 1974: *Provided fur-*
2 *ther*, That these funds are available to subsidize total loan
3 principal, any part of which is to be guaranteed or insured,
4 not to exceed \$123,565,389.

5 ADMINISTRATIVE PROVISIONS

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
14 of 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
20 offices, 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-
25 413).

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
6 tribe, or that tribe's ability to access future appropria-
7 tions.

8 Notwithstanding any other provision of law, no funds
9 available to the Bureau of Indian Education, other than
10 the amounts provided herein for assistance to public
11 schools under 25 U.S.C. 452 et seq., shall be available to
12 support the operation of any elementary or secondary
13 school in the State of Alaska.

14 No funds available to the Bureau of Indian Edu-
15 cation shall be used to support expanded grades for any
16 school or dormitory beyond the grade structure in place
17 or approved by the Secretary of the Interior at each school
18 in the Bureau of Indian Education school system as of
19 October 1, 1995, except that the Secretary of the Interior
20 may waive this prohibition when the Secretary determines
21 such waiver is needed to support accomplishment of the
22 mission of the Bureau of Indian Education. Appropria-
23 tions made available in this or any prior Act for schools
24 funded by the Bureau shall be available, in accordance
25 with the Bureau's funding formula, only to the schools in

1 the Bureau school system as of September 1, 1996, and
2 to any school or school program that was reinstated in
3 fiscal year 2012. Funds made available under this Act
4 may not be used to establish a charter school at a Bureau-
5 funded school (as that term is defined in section 1141 of
6 the Education Amendments of 1978 (25 U.S.C. 2021)),
7 except that a charter school that is in existence on the
8 date of the enactment of this Act and that has operated
9 at a Bureau-funded school before September 1, 1999, may
10 continue to operate during that period, but only if the
11 charter school pays to the Bureau a pro rata share of
12 funds to reimburse the Bureau for the use of the real and
13 personal property (including buses and vans), the funds
14 of the charter school are kept separate and apart from
15 Bureau funds, and the Bureau does not assume any obli-
16 gation for charter school programs of the State in which
17 the school is located if the charter school loses such fund-
18 ing. Employees of Bureau-funded schools sharing a cam-
19 pus with a charter school and performing functions related
20 to the charter school's operation and employees of a char-
21 ter school shall not be treated as Federal employees for
22 purposes of chapter 171 of title 28, United States Code.

23 Notwithstanding any other provision of law, including
24 section 113 of title I of appendix C of Public Law 106-
25 113, if in fiscal year 2003 or 2004 a grantee received indi-

1 rect and administrative costs pursuant to a distribution
2 formula based on section 5(f) of Public Law 101–301, the
3 Secretary shall continue to distribute indirect and admin-
4 istrative cost funds to such grantee using the section 5(f)
5 distribution formula.

6 Funds available under this Act may not be used to
7 establish satellite locations of schools in the Bureau school
8 system as of September 1, 1996, except that the Secretary
9 may waive this prohibition in order for an Indian tribe
10 to provide language and cultural immersion educational
11 programs for non-public schools located within the juris-
12 dictional area of the tribal government which exclusively
13 serve tribal members, do not include grades beyond those
14 currently served at the existing Bureau-funded school,
15 provide an educational environment with educator pres-
16 ence and academic facilities comparable to the Bureau-
17 funded school, comply with all applicable Tribal, Federal,
18 or State health and safety standards, and the Americans
19 with Disabilities Act, and demonstrate the benefits of es-
20 tablishing operations at a satellite location in lieu of incur-
21 ring extraordinary costs, such as for transportation or
22 other impacts to students such as those caused by busing
23 students extended distances: *Provided*, That no funds
24 available under this Act may be used to fund operations,
25 maintenance, rehabilitation, construction or other facili-

1 ties-related costs for such assets that are not owned by
2 the Bureau: *Provided further*, That the term “satellite
3 school” means a school location physically separated from
4 the existing Bureau school by more than 50 miles but that
5 forms part of the existing school in all other respects.

6 DEPARTMENTAL OFFICES

7 OFFICE OF THE SECRETARY

8 DEPARTMENTAL OPERATIONS

9 For necessary expenses for management of the De-
10 partment of the Interior and for grants and cooperative
11 agreements, as authorized by law, \$122,940,000 (reduced
12 by \$2,000,000) (reduced by \$2,000,000) (reduced by
13 \$5,500,000) (reduced by \$10,000,000) (reduced by
14 \$995,000) (reduced by \$2,000,000), to remain available
15 until September 30, 2019; of which not to exceed \$15,000
16 may be for official reception and representation expenses;
17 and of which up to \$1,000,000 shall be available for work-
18 ers compensation payments and unemployment compensa-
19 tion payments associated with the orderly closure of the
20 United States Bureau of Mines; and of which \$9,000,000
21 for the Office of Valuation Services is to be derived from
22 the Land and Water Conservation Fund and shall remain
23 available until expended.

1 ADMINISTRATIVE PROVISIONS

2 For fiscal year 2018, up to \$400,000 of the payments
3 authorized by chapter 69 of title 31, United States Code,
4 may be retained for administrative expenses of the Pay-
5 ments in Lieu of Taxes Program: *Provided*, That the
6 amounts provided under this Act specifically for the Pay-
7 ments in Lieu of Taxes program are the only amounts
8 available for payments authorized under chapter 69 of
9 title 31, United States Code: *Provided further*, That in the
10 event the sums appropriated for any fiscal year for pay-
11 ments pursuant to this chapter are insufficient to make
12 the full payments authorized by that chapter to all units
13 of local government, then the payment to each local gov-
14 ernment shall be made proportionally: *Provided further*,
15 That the Secretary may make adjustments to payment to
16 individual units of local government to correct for prior
17 overpayments or underpayments: *Provided further*, That
18 no payment shall be made pursuant to that chapter to oth-
19 erwise eligible units of local government if the computed
20 amount of the payment is less than \$100.

21 INSULAR AFFAIRS

22 ASSISTANCE TO TERRITORIES

23 For expenses necessary for assistance to territories
24 under the jurisdiction of the Department of the Interior
25 and other jurisdictions identified in section 104(e) of Pub-

1 lie Law 108–188, \$90,930,000 (increased by \$995,000),
2 of which: (1) \$81,500,000 (increased by \$977,000) shall
3 remain available until expended for territorial assistance,
4 including general technical assistance, maintenance assist-
5 ance, disaster assistance, coral reef initiative activities,
6 and brown tree snake control and research; grants to the
7 judiciary in American Samoa for compensation and ex-
8 penses, as authorized by subsection (c) of the Act of Feb-
9 ruary 20, 1929 (48 U.S.C. 1661(c)); grants to the Govern-
10 ment of American Samoa, in addition to current local rev-
11 enues, for construction and support of governmental func-
12 tions; grants to the Government of the Virgin Islands, as
13 authorized by law; grants to the Government of Guam,
14 as authorized by law; and grants to the Government of
15 the Northern Mariana Islands, as authorized by Public
16 Law 94–241 (90 Stat. 272); and (2) \$9,430,000 (in-
17 creased by \$18,000) shall be available until September 30,
18 2019, for salaries and expenses of the Office of Insular
19 Affairs: *Provided*, That all financial transactions of the
20 territorial and local governments herein provided for, in-
21 cluding such transactions of all agencies or instrumental-
22 ities established or used by such governments, may be au-
23 dited by the Government Accountability Office, at its dis-
24 cretion, in accordance with chapter 35 of title 31, United
25 States Code: *Provided further*, That Northern Mariana Is-

1 lands Covenant grant funding shall be provided according
2 to those terms of the Agreement of the Special Represent-
3 atives on Future United States Financial Assistance for
4 the Northern Mariana Islands approved by Public Law
5 104–134: *Provided further*, That the funds for the pro-
6 gram of operations and maintenance improvement are ap-
7 propriated to institutionalize routine operations and main-
8 tenance improvement of capital infrastructure with terri-
9 torial participation and cost sharing to be determined by
10 the Secretary based on the grantee’s commitment to time-
11 ly maintenance of its capital assets: *Provided further*, That
12 any appropriation for disaster assistance under this head-
13 ing in this Act or previous appropriations Acts may be
14 used as non–Federal matching funds for the purpose of
15 hazard mitigation grants provided pursuant to section 404
16 of the Robert T. Stafford Disaster Relief and Emergency
17 Assistance Act (42 U.S.C. 5170e).

18 COMPACT OF FREE ASSOCIATION

19 For grants and necessary expenses, \$3,300,000, to
20 remain available until expended, as provided for in sec-
21 tions 221(a)(2) and 233 of the Compact of Free Associa-
22 tion for the Republic of Palau; and section 221(a)(2) of
23 the Compacts of Free Association for the Government of
24 the Republic of the Marshall Islands and the Federated

1 States of Micronesia, as authorized by Public Law 99–
2 658 and Public Law 108–188.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 At the request of the Governor of Guam, the Sec-
6 retary may transfer discretionary funds or mandatory
7 funds provided under section 104(e) of Public Law 108–
8 188 and Public Law 104–134, that are allocated for
9 Guam, to the Secretary of Agriculture for the subsidy cost
10 of direct or guaranteed loans, plus not to exceed three per-
11 cent of the amount of the subsidy transferred for the cost
12 of loan administration, for the purposes authorized by the
13 Rural Electrification Act of 1936 and section 306(a)(1)
14 of the Consolidated Farm and Rural Development Act for
15 construction and repair projects in Guam, and such funds
16 shall remain available until expended: *Provided*, That such
17 costs, including the cost of modifying such loans, shall be
18 as defined in section 502 of the Congressional Budget Act
19 of 1974: *Provided further*, That such loans or loan guaran-
20 tees may be made without regard to the population of the
21 area, credit elsewhere requirements, and restrictions on
22 the types of eligible entities under the Rural Electrifica-
23 tion Act of 1936 and section 306(a)(1) of the Consolidated
24 Farm and Rural Development Act: *Provided further*, That
25 any funds transferred to the Secretary of Agriculture shall

1 be in addition to funds otherwise made available to make
2 or guarantee loans under such authorities.

3 OFFICE OF THE SOLICITOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the Solicitor,
6 \$65,675,000 (reduced by \$1,911,000).

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of Inspector
10 General, \$49,952,000.

11 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

12 INDIANS

13 FEDERAL TRUST PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

15 For the operation of trust programs for Indians by
16 direct expenditure, contracts, cooperative agreements,
17 compacts, and grants, \$119,400,000, to remain available
18 until expended, of which not to exceed \$18,990,000 from
19 this or any other Act, may be available for historical ac-
20 counting: *Provided*, That funds for trust management im-
21 provements and litigation support may, as needed, be
22 transferred to or merged with the Bureau of Indian Af-
23 fairs and Bureau of Indian Education, "Operation of In-
24 dian Programs" account; the Office of the Solic-
25 itor, "Salaries and Expenses" account; and the Office of

1 the Secretary, “Departmental Operations” account: *Pro-*
2 *vided further*, That funds made available through con-
3 tracts or grants obligated during fiscal year 2018, as au-
4 thorized by the Indian Self-Determination Act of 1975 (25
5 U.S.C. 5301 et seq.), shall remain available until expended
6 by the contractor or grantee: *Provided further*, That not-
7 withstanding any other provision of law, the Secretary
8 shall not be required to provide a quarterly statement of
9 performance for any Indian trust account that has not had
10 activity for at least 15 months and has a balance of \$15
11 or less: *Provided further*, That the Secretary shall issue
12 an annual account statement and maintain a record of any
13 such accounts and shall permit the balance in each such
14 account to be withdrawn upon the express written request
15 of the account holder: *Provided further*, That not to exceed
16 \$50,000 is available for the Secretary to make payments
17 to correct administrative errors of either disbursements
18 from or deposits to Individual Indian Money or Tribal ac-
19 counts after September 30, 2002: *Provided further*, That
20 erroneous payments that are recovered shall be credited
21 to and remain available in this account for this purpose:
22 *Provided further*, That the Secretary shall not be required
23 to reconcile Special Deposit Accounts with a balance of
24 less than \$500 unless the Office of the Special Trustee
25 receives proof of ownership from a Special Deposit Ac-

1 counts claimant: *Provided further*, That notwithstanding
2 section 102 of the American Indian Trust Fund Manage-
3 ment Reform Act of 1994 (Public Law 103–412) or any
4 other provision of law, the Secretary may aggregate the
5 trust accounts of individuals whose whereabouts are un-
6 known for a continuous period of at least five years and
7 shall not be required to generate periodic statements of
8 performance for the individual accounts: *Provided further*,
9 That with respect to the eighth proviso, the Secretary shall
10 continue to maintain sufficient records to determine the
11 balance of the individual accounts, including any accrued
12 interest and income, and such funds shall remain available
13 to the individual account holders.

14 DEPARTMENT-WIDE PROGRAMS

15 WILDLAND FIRE MANAGEMENT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses for fire preparedness, fire
18 suppression operations, fire science and research, emer-
19 gency rehabilitation, fuels management activities, and
20 rural fire assistance by the Department of the Interior,
21 \$935,850,000, to remain available until expended, of
22 which not to exceed \$8,212,000 shall be for the renovation
23 or construction of fire facilities: *Provided*, That such funds
24 are also available for repayment of advances to other ap-
25 propriation accounts from which funds were previously

1 transferred for such purposes: *Provided further*, That of
2 the funds provided \$182,500,000 is for fuels management
3 activities: *Provided further*, That of the funds provided
4 \$19,948,000 is for burned area rehabilitation: *Provided*
5 *further*, That persons hired pursuant to 43 U.S.C. 1469
6 may be furnished subsistence and lodging without cost
7 from funds available from this appropriation: *Provided*
8 *further*, That notwithstanding 42 U.S.C. 1856d, sums re-
9 ceived by a bureau or office of the Department of the Inte-
10 rior for fire protection rendered pursuant to 42 U.S.C.
11 1856 et seq., protection of United States property, may
12 be credited to the appropriation from which funds were
13 expended to provide that protection, and are available
14 without fiscal year limitation: *Provided further*, That using
15 the amounts designated under this title of this Act, the
16 Secretary of the Interior may enter into procurement con-
17 tracts, grants, or cooperative agreements, for fuels man-
18 agement activities, and for training and monitoring associ-
19 ated with such fuels management activities on Federal
20 land, or on adjacent non-Federal land for activities that
21 benefit resources on Federal land: *Provided further*, That
22 the costs of implementing any cooperative agreement be-
23 tween the Federal Government and any non-Federal entity
24 may be shared, as mutually agreed on by the affected par-
25 ties: *Provided further*, That notwithstanding requirements

1 of the Competition in Contracting Act, the Secretary, for
2 purposes of fuels management activities, may obtain max-
3 imum practicable competition among: (1) local private,
4 nonprofit, or cooperative entities; (2) Youth Conservation
5 Corps crews, Public Lands Corps (Public Law 109–154),
6 or related partnerships with State, local, or nonprofit
7 youth groups; (3) small or micro-businesses; or (4) other
8 entities that will hire or train locally a significant percent-
9 age, defined as 50 percent or more, of the project work-
10 force to complete such contracts: *Provided further*, That
11 in implementing this section, the Secretary shall develop
12 written guidance to field units to ensure accountability
13 and consistent application of the authorities provided here-
14 in: *Provided further*, That funds appropriated under this
15 heading may be used to reimburse the United States Fish
16 and Wildlife Service and the National Marine Fisheries
17 Service for the costs of carrying out their responsibilities
18 under the Endangered Species Act of 1973 (16 U.S.C.
19 1531 et seq.) to consult and conference, as required by
20 section 7 of such Act, in connection with wildland fire
21 management activities: *Provided further*, That the Sec-
22 retary of the Interior may use wildland fire appropriations
23 to enter into leases of real property with local govern-
24 ments, at or below fair market value, to construct capital-
25 ized improvements for fire facilities on such leased prop-

1 erties, including but not limited to fire guard stations, re-
2 tardant stations, and other initial attack and fire support
3 facilities, and to make advance payments for any such
4 lease or for construction activity associated with the lease:
5 *Provided further*, That the Secretary of the Interior and
6 the Secretary of Agriculture may authorize the transfer
7 of funds appropriated for wildland fire management, in
8 an aggregate amount not to exceed \$50,000,000, between
9 the Departments when such transfers would facilitate and
10 expedite wildland fire management programs and projects:
11 *Provided further*, That funds provided for wildfire suppres-
12 sion shall be available for support of Federal emergency
13 response actions: *Provided further*, That funds appro-
14 priated under this heading shall be available for assistance
15 to or through the Department of State in connection with
16 forest and rangeland research, technical information, and
17 assistance in foreign countries, and, with the concurrence
18 of the Secretary of State, shall be available to support for-
19 estry, wildland fire management, and related natural re-
20 source activities outside the United States and its terri-
21 tories and possessions, including technical assistance, edu-
22 cation and training, and cooperation with United States
23 and international organizations.

1 remain available until expended: *Provided*, That none of
2 the funds appropriated in this Act or any other Act may
3 be used to establish reserves in the Working Capital Fund
4 account other than for accrued annual leave and deprecia-
5 tion of equipment without prior approval of the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate: *Provided further*, That the Secretary may
8 assess reasonable charges to State, local and tribal govern-
9 ment employees for training services provided by the Na-
10 tional Indian Program Training Center, other than train-
11 ing related to Public Law 93–638: *Provided further*, That
12 the Secretary may lease or otherwise provide space and
13 related facilities, equipment or professional services of the
14 National Indian Program Training Center to State, local
15 and tribal government employees or persons or organiza-
16 tions engaged in cultural, educational, or recreational ac-
17 tivities (as defined in section 3306(a) of title 40, United
18 States Code) at the prevailing rate for similar space, facili-
19 ties, equipment, or services in the vicinity of the National
20 Indian Program Training Center: *Provided further*, That
21 all funds received pursuant to the two preceding provisos
22 shall be credited to this account, shall be available until
23 expended, and shall be used by the Secretary for necessary
24 expenses of the National Indian Program Training Center:
25 *Provided further*, That the Secretary may enter into grants

1 and cooperative agreements to support the Office of Nat-
2 ural Resource Revenue's collection and disbursement of
3 royalties, fees, and other mineral revenue proceeds, as au-
4 thorized by law.

5 ADMINISTRATIVE PROVISION

6 There is hereby authorized for acquisition from avail-
7 able resources within the Working Capital Fund, aircraft
8 which may be obtained by donation, purchase or through
9 available excess surplus property: *Provided*, That existing
10 aircraft being replaced may be sold, with proceeds derived
11 or trade-in value used to offset the purchase price for the
12 replacement aircraft.

13 OFFICE OF NATURAL RESOURCES REVENUE

14 For necessary expenses for management of the collec-
15 tion and disbursement of royalties, fees, and other mineral
16 revenue proceeds, and for grants and cooperative agree-
17 ments, as authorized by law, \$137,757,000, to remain
18 available until September 30, 2019; of which \$41,727,000
19 shall remain available until expended for the purpose of
20 mineral revenue management activities: *Provided*, That
21 notwithstanding any other provision of law, \$15,000 shall
22 be available for refunds of overpayments in connection
23 with certain Indian leases in which the Secretary con-
24 curred with the claimed refund due, to pay amounts owed

1 to Indian allottees or tribes, or to correct prior unrecover-
2 able erroneous payments.

3 PAYMENTS IN LIEU OF TAXES

4 For necessary expenses for payments authorized by
5 chapter 69 of title 31, United States Code, \$465,000,000
6 shall be available for fiscal year 2018.

7 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

8 (INCLUDING TRANSFERS OF FUNDS)

9 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

10 SEC. 101. Appropriations made in this title shall be
11 available for expenditure or transfer (within each bureau
12 or office), with the approval of the Secretary, for the emer-
13 gency reconstruction, replacement, or repair of aircraft,
14 buildings, utilities, or other facilities or equipment dam-
15 aged or destroyed by fire, flood, storm, or other unavoid-
16 able causes: *Provided*, That no funds shall be made avail-
17 able under this authority until funds specifically made
18 available to the Department of the Interior for emer-
19 gencies shall have been exhausted: *Provided further*, That
20 all funds used pursuant to this section must be replenished
21 by a supplemental appropriation, which must be requested
22 as promptly as possible.

23 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

24 SEC. 102. The Secretary may authorize the expendi-
25 ture or transfer of any no year appropriation in this title,

1 in addition to the amounts included in the budget pro-
2 grams of the several agencies, for the suppression or emer-
3 gency prevention of wildland fires on or threatening lands
4 under the jurisdiction of the Department of the Interior;
5 for the emergency rehabilitation of burned-over lands
6 under its jurisdiction; for emergency actions related to po-
7 tential or actual earthquakes, floods, volcanoes, storms, or
8 other unavoidable causes; for contingency planning subse-
9 quent to actual oil spills; for response and natural resource
10 damage assessment activities related to actual oil spills or
11 releases of hazardous substances into the environment; for
12 the prevention, suppression, and control of actual or po-
13 tential grasshopper and Mormon cricket outbreaks on
14 lands under the jurisdiction of the Secretary, pursuant to
15 the authority in section 417(b) of Public Law 106–224
16 (7 U.S.C. 7717(b)); for emergency reclamation projects
17 under section 410 of Public Law 95–87; and shall trans-
18 fer, from any no year funds available to the Office of Sur-
19 face Mining Reclamation and Enforcement, such funds as
20 may be necessary to permit assumption of regulatory au-
21 thority in the event a primacy State is not carrying out
22 the regulatory provisions of the Surface Mining Act: *Pro-*
23 *vided*, That appropriations made in this title for wildland
24 fire operations shall be available for the payment of obliga-
25 tions incurred during the preceding fiscal year, and for

1 reimbursement to other Federal agencies for destruction
2 of vehicles, aircraft, or other equipment in connection with
3 their use for wildland fire operations, with such reimburse-
4 ment to be credited to appropriations currently available
5 at the time of receipt thereof: *Provided further*, That for
6 wildland fire operations, no funds shall be made available
7 under this authority until the Secretary determines that
8 funds appropriated for “wildland fire suppression” shall
9 be exhausted within 30 days: *Provided further*, That all
10 funds used pursuant to this section must be replenished
11 by a supplemental appropriation, which must be requested
12 as promptly as possible: *Provided further*, That such re-
13 plenishment funds shall be used to reimburse, on a pro
14 rata basis, accounts from which emergency funds were
15 transferred.

16 AUTHORIZED USE OF FUNDS

17 SEC. 103. Appropriations made to the Department
18 of the Interior in this title shall be available for services
19 as authorized by section 3109 of title 5, United States
20 Code, when authorized by the Secretary, in total amount
21 not to exceed \$500,000; purchase and replacement of
22 motor vehicles, including specially equipped law enforce-
23 ment vehicles; hire, maintenance, and operation of air-
24 craft; hire of passenger motor vehicles; purchase of re-
25 prints; payment for telephone service in private residences

1 distribution methodologies. No tribe shall receive a reduc-
2 tion in Tribal Priority Allocation funds of more than 10
3 percent in fiscal year 2018. Under circumstances of dual
4 enrollment, overlapping service areas or inaccurate dis-
5 tribution methodologies, the 10 percent limitation does not
6 apply.

7 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

8 SEC. 106. Notwithstanding any other provision of
9 law, the Secretary of the Interior is authorized to acquire
10 lands, waters, or interests therein including the use of all
11 or part of any pier, dock, or landing within the State of
12 New York and the State of New Jersey, for the purpose
13 of operating and maintaining facilities in the support of
14 transportation and accommodation of visitors to Ellis,
15 Governors, and Liberty Islands, and of other program and
16 administrative activities, by donation or with appropriated
17 funds, including franchise fees (and other monetary con-
18 sideration), or by exchange; and the Secretary is author-
19 ized to negotiate and enter into leases, subleases, conces-
20 sion contracts or other agreements for the use of such fa-
21 cilities on such terms and conditions as the Secretary may
22 determine reasonable.

23 OUTER CONTINENTAL SHELF INSPECTION FEES

24 SEC. 107. (a) In fiscal year 2018, the Secretary shall
25 collect a nonrefundable inspection fee, which shall be de-

1 posited in the “Offshore Safety and Environmental En-
2 forcement” account, from the designated operator for fa-
3 cilities subject to inspection under 43 U.S.C. 1348(c).

4 (b) Annual fees shall be collected for facilities that
5 are above the waterline, excluding drilling rigs, and are
6 in place at the start of the fiscal year. Fees for fiscal year
7 2018 shall be:

8 (1) \$10,500 for facilities with no wells, but with
9 processing equipment or gathering lines;

10 (2) \$17,000 for facilities with 1 to 10 wells,
11 with any combination of active or inactive wells; and

12 (3) \$31,500 for facilities with more than 10
13 wells, with any combination of active or inactive
14 wells.

15 (c) Fees for drilling rigs shall be assessed for all in-
16 spections completed in fiscal year 2018. Fees for fiscal
17 year 2018 shall be:

18 (1) \$30,500 per inspection for rigs operating in
19 water depths of 500 feet or more; and

20 (2) \$16,700 per inspection for rigs operating in
21 water depths of less than 500 feet.

22 (d) The Secretary shall bill designated operators
23 under subsection (b) within 60 days, with payment re-
24 quired within 30 days of billing. The Secretary shall bill
25 designated operators under subsection (c) within 30 days

1 of the end of the month in which the inspection occurred,
2 with payment required within 30 days of billing.

3 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
4 AND ENFORCEMENT REORGANIZATION

5 SEC. 108. The Secretary of the Interior, in order to
6 implement a reorganization of the Bureau of Ocean En-
7 ergy Management, Regulation and Enforcement, may
8 transfer funds among and between the successor offices
9 and bureaus affected by the reorganization only in con-
10 formance with the reprogramming guidelines described in
11 the report accompanying this Act.

12 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
13 BURRO HOLDING FACILITIES

14 SEC. 109. Notwithstanding any other provision of
15 this Act, the Secretary of the Interior may enter into
16 multiyear cooperative agreements with nonprofit organiza-
17 tions and other appropriate entities, and may enter into
18 multiyear contracts in accordance with the provisions of
19 section 3903 of title 41, United States Code (except that
20 the 5-year term restriction in subsection (a) shall not
21 apply), for the long-term care and maintenance of excess
22 wild free roaming horses and burros by such organizations
23 or entities on private land. Such cooperative agreements
24 and contracts may not exceed 10 years, subject to renewal
25 at the discretion of the Secretary.

1 SAGE-GROUSE

2 SEC. 113. None of the funds made available by this
3 or any other Act may be used by the Secretary of the Inte-
4 rior to write or issue pursuant to section 4 of the Endan-
5 gered Species Act of 1973 (16 U.S.C. 1533)—

6 (1) a proposed rule for greater sage-grouse
7 (Centrocercus urophasianus);

8 (2) a proposed rule for the Columbia basin dis-
9 tinct population segment of greater sage-grouse.

10 HUMANE TRANSFER OF EXCESS ANIMALS

11 SEC. 114. Notwithstanding any other provision of
12 law, the Secretary of the Interior may transfer excess wild
13 horses or burros that have been removed from the public
14 lands to other Federal, State, and local government agen-
15 cies for use as work animals: *Provided*, That the Secretary
16 may make any such transfer immediately upon request of
17 such Federal, State, or local government agency: *Provided*
18 *further*, That any excess animal transferred under this
19 provision shall lose its status as a wild free-roaming horse
20 or burro as defined in the Wild Free-Roaming Horses and
21 Burros Act: *Provided further*, That any Federal, State, or
22 local government agency receiving excess wild horses or
23 burros as authorized in this section shall not: destroy the
24 horses or burros in a way that results in their destruction
25 into commercial products; sell or otherwise transfer the

1 horses or burros in a way that results in their destruction
2 for processing into commercial products; or euthanize the
3 horses or burros except upon the recommendation of a li-
4 censed veterinarian, in cases of severe injury, illness, or
5 advanced age.

6 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC
7 DESIGNATION

8 SEC. 115. None of the funds made available by this
9 Act may be used to make a determination of eligibility
10 or to list the Trestles Historic District, San Diego County,
11 California, on the National Register of Historic Places.

12 REISSUANCE OF FINAL RULES

13 SEC. 116. Before the end of the 60-day period begin-
14 ning on the date of the enactment of this Act, the Sec-
15 retary of the Interior shall reissue the final rule published
16 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and
17 the final rule published on September 10, 2012 (77 Fed.
18 Reg. 55530 et seq.), without regard to any other provision
19 of statute or regulation that applies to issuance of such
20 rules. Such reissuances (including this section) shall not
21 be subject to judicial review.

22 GRAY WOLVES RANGE-WIDE

23 SEC. 117. None of the funds made available by this
24 Act may be used by the Secretary of the Interior to treat
25 any gray wolf in any of the 48 contiguous States or the

1 District of Columbia as an endangered species or threat-
2 ened species under the Endangered Species Act of 1973
3 (16 U.S.C. 1531 et seq.).

4 TITLE II

5 ENVIRONMENTAL PROTECTION AGENCY

6 SCIENCE AND TECHNOLOGY

7 (INCLUDING RESCISSION OF FUNDS)

8 For science and technology, including research and
9 development activities, which shall include research and
10 development activities under the Comprehensive Environ-
11 mental Response, Compensation, and Liability Act of
12 1980; necessary expenses for personnel and related costs
13 and travel expenses; procurement of laboratory equipment
14 and supplies; and other operating expenses in support of
15 research and development, \$629,238,000 (reduced by
16 \$5,399,000) (increased by \$1,086,000) (reduced by
17 \$979,000), to remain available until September 30, 2019:
18 *Provided*, That of the funds included under this heading,
19 \$4,100,000 shall be for Research: National Priorities as
20 specified in the report accompanying this Act: *Provided*
21 *further*, That of the unobligated balances from appropria-
22 tions made available under this heading, \$27,000,000 are
23 permanently rescinded.

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
6 passenger motor vehicles; hire, maintenance, and oper-
7 ation of aircraft; purchase of reprints; library member-
8 ships in societies or associations which issue publications
9 to members only or at a price to members lower than to
10 subscribers who are not members; administrative costs of
11 the brownfields program under the Small Business Liabil-
12 ity Relief and Brownfields Revitalization Act of 2002; and
13 not to exceed \$19,000 for official reception and represen-
14 tation expenses, \$2,398,840,000 (increased by
15 \$4,399,000) (reduced by \$1,086,000) (reduced by
16 \$468,000) (increased by \$468,000) (reduced by
17 \$1,000,000) (reduced by \$364,700) (reduced by
18 \$3,831,000) (reduced by \$12,078,000) (reduced by
19 \$80,000,000) (reduced by \$250,000,000) (reduced by
20 \$32,491,000), to remain available until September 30,
21 2019: *Provided*, That of the amounts provided under this
22 heading, the Chemical Risk Review and Reduction pro-
23 gram project shall be allocated for this fiscal year, exclud-
24 ing the amount of any fees made available, not less than
25 the amount of appropriations for that program project for

1 fiscal year 2014: *Provided further*, That of the funds in-
2 cluded under this heading, \$12,700,000 shall be for Envi-
3 ronmental Protection: National Priorities as specified in
4 the report accompanying this Act: *Provided further*, That
5 of the funds included under this heading, \$402,000,000
6 (increased by \$4,399,000) shall be for Geographic Pro-
7 grams specified in the report accompanying this Act: *Pro-*
8 *vided further*, That of the unobligated balances from ap-
9 propriations made available under this heading,
10 \$41,000,000 are permanently rescinded.

11 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM

12 FUND

13 For necessary expenses to carry out section 3024 of
14 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
15 ing the development, operation, maintenance, and upgrad-
16 ing of the hazardous waste electronic manifest system es-
17 tablished by such section, \$3,674,000, to remain available
18 until September 30, 2020: *Provided*, That the sum herein
19 appropriated from the general fund shall be reduced as
20 offsetting collections under such section 3024 are received
21 during fiscal year 2018, which shall remain available until
22 expended and be used for necessary expenses in this ap-
23 propriation, so as to result in a final fiscal year 2018 ap-
24 propriation from the general fund estimated at not more
25 than \$0: *Provided further*, That to the extent such offset-

1 ting collections received in fiscal year 2018 exceed
2 \$3,674,000, those excess amounts shall remain available
3 until expended and be used for necessary expenses in this
4 appropriation.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$40,000,000, to remain available
9 until September 30, 2019.

10 BUILDINGS AND FACILITIES

11 For construction, repair, improvement, extension, al-
12 teration, and purchase of fixed equipment or facilities of,
13 or for use by, the Environmental Protection Agency,
14 \$39,553,000, to remain available until expended.

15 HAZARDOUS SUBSTANCE SUPERFUND

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses to carry out the Comprehen-
18 sive Environmental Response, Compensation, and Liabil-
19 ity Act of 1980 (CERCLA), including sections 111(c)(3),
20 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
21 \$1,116,374,000, to remain available until expended, con-
22 sisting of such sums as are available in the Trust Fund
23 on September 30, 2017, as authorized by section 517(a)
24 of the Superfund Amendments and Reauthorization Act
25 of 1986 (SARA) and up to \$1,116,374,000 as a payment

1 from general revenues to the Hazardous Substance Super-
2 fund for purposes as authorized by section 517(b) of
3 SARA: *Provided*, That funds appropriated under this
4 heading may be allocated to other Federal agencies in ac-
5 cordance with section 111(a) of CERCLA: *Provided fur-*
6 *ther*, That of the funds appropriated under this heading,
7 \$7,778,000 shall be paid to the “Office of Inspector Gen-
8 eral” appropriation to remain available until September
9 30, 2019, and \$15,496,000 shall be paid to the “Science
10 and Technology” appropriation to remain available until
11 September 30, 2019.

12 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
13 PROGRAM

14 For necessary expenses to carry out leaking under-
15 ground storage tank cleanup activities authorized by sub-
16 title I of the Solid Waste Disposal Act, \$91,874,000, to
17 remain available until expended, of which \$66,505,000
18 shall be for carrying out leaking underground storage tank
19 cleanup activities authorized by section 9003(h) of the
20 Solid Waste Disposal Act; \$25,369,000 shall be for car-
21 rying out the other provisions of the Solid Waste Disposal
22 Act specified in section 9508(c) of the Internal Revenue
23 Code: *Provided*, That the Administrator is authorized to
24 use appropriations made available under this heading to
25 implement section 9013 of the Solid Waste Disposal Act

1 to provide financial assistance to federally recognized In-
2 dian tribes for the development and implementation of
3 programs to manage underground storage tanks.

4 INLAND OIL SPILL PROGRAMS

5 For expenses necessary to carry out the Environ-
6 mental Protection Agency's responsibilities under the Oil
7 Pollution Act of 1990, \$18,047,000, to be derived from
8 the Oil Spill Liability trust fund, to remain available until
9 expended.

10 STATE AND TRIBAL ASSISTANCE GRANTS

11 For environmental programs and infrastructure as-
12 sistance, including capitalization grants for State revolv-
13 ing funds and performance partnership grants,
14 \$3,288,161,000 (increased by \$1,000,000) (increased by
15 \$250,000,000) (increased by \$6,000,000) (reduced by
16 \$6,000,000), to remain available until expended, of
17 which—

18 (1) \$1,143,887,000 (increased by
19 \$250,000,000) shall be for making capitalization
20 grants for the Clean Water State Revolving Funds
21 under title VI of the Federal Water Pollution Con-
22 trol Act; and of which \$863,233,000 shall be for
23 making capitalization grants for the Drinking Water
24 State Revolving Funds under section 1452 of the
25 Safe Drinking Water Act: *Provided*, That for fiscal

1 year 2017, funds made available under this title to
2 each State for Clean Water State Revolving Fund
3 capitalization grants and for Drinking Water State
4 Revolving Fund capitalization grants may, at the
5 discretion of each State, be used for projects to ad-
6 dress green infrastructure, water or energy efficiency
7 improvements, or other environmentally innovative
8 activities: *Provided further*, That notwithstanding
9 section 603(d)(7) of the Federal Water Pollution
10 Control Act, the limitation on the amounts in a
11 State water pollution control revolving fund that
12 may be used by a State to administer the fund shall
13 not apply to amounts included as principal in loans
14 made by such fund in fiscal year 2018 and prior
15 years where such amounts represent costs of admin-
16 istering the fund to the extent that such amounts
17 are or were deemed reasonable by the Administrator,
18 accounted for separately from other assets in the
19 fund, and used for eligible purposes of the fund, in-
20 cluding administration: *Provided further*, That for
21 fiscal year 2018, notwithstanding the provisions of
22 subsections (g)(1), (h), and (l) of section 201 of the
23 Federal Water Pollution Control Act, grants made
24 under title II of such Act for American Samoa,
25 Guam, the commonwealth of the Northern Marianas,

1 the United States Virgin Islands, and the District of
2 Columbia may also be made for the purpose of pro-
3 viding assistance: (1) solely for facility plans, design
4 activities, or plans, specifications, and estimates for
5 any proposed project for the construction of treat-
6 ment works; and (2) for the construction, repair, or
7 replacement of privately owned treatment works
8 serving one or more principal residences or small
9 commercial establishments: *Provided further*, That
10 for fiscal year 2018, notwithstanding the provisions
11 of such subsections (g)(1), (h), and (l) of section
12 201 and section 518(c) of the Federal Water Pollu-
13 tion Control Act, funds reserved by the Adminis-
14 trator for grants under section 518(c) of the Federal
15 Water Pollution Control Act may also be used to
16 provide assistance: (1) solely for facility plans, de-
17 sign activities, or plans, specifications, and estimates
18 for any proposed project for the construction of
19 treatment works; and (2) for the construction, re-
20 pair, or replacement of privately owned treatment
21 works serving one or more principal residences or
22 small commercial establishments: *Provided further*,
23 That for fiscal year 2018, notwithstanding any pro-
24 vision of the Federal Water Pollution Control Act
25 and regulations issued pursuant thereof, up to a

1 total of \$2,000,000 of the funds reserved by the Ad-
2 ministrator for grants under section 518(c) of such
3 Act may also be used for grants for training, tech-
4 nical assistance, and educational programs relating
5 to the operation and management of the treatment
6 works specified in section 518(c) of such Act: *Pro-*
7 *vided further*, That for fiscal year 2018, funds re-
8 served 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
14 fiscal year 2018, notwithstanding the limitation on
15 amounts in section 518(c) of the Federal Water Pol-
16 lution 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
21 appropriated, or \$20,000,000, whichever is greater,
22 for State Revolving Funds under such Acts may be
23 reserved by the Administrator for grants under sec-
24 tion 518(c) and section 1452(i) of such Acts: *Pro-*
25 *vided further*, That for fiscal year 2018, notwith-

1 standing the amounts specified in section 205(e) of
2 the Federal Water Pollution Control Act, up to 1.5
3 percent of the aggregate funds appropriated for the
4 Clean Water State Revolving Fund program under
5 the Act less any sums reserved under section 518(e)
6 of the Act, may be reserved by the Administrator for
7 grants made under title II of the Federal Water Pol-
8 lution Control Act for American Samoa, Guam, the
9 Commonwealth of the Northern Marianas, and
10 United States Virgin Islands: *Provided further*, That
11 for fiscal year 2018, notwithstanding the limitations
12 on amounts specified in section 1452(j) of the Safe
13 Drinking Water Act, up to 1.5 percent of the funds
14 appropriated for the Drinking Water State Revolv-
15 ing Fund programs under the Safe Drinking Water
16 Act may be reserved by the Administrator for grants
17 made under section 1452(j) of the Safe Drinking
18 Water Act: *Provided further*, That 10 percent of the
19 funds made available under this title to each State
20 for Clean Water State Revolving Fund capitalization
21 grants and 20 percent of the funds made available
22 under this title to each State for Drinking Water
23 State Revolving Fund capitalization grants shall be
24 used by the State to provide additional subsidy to el-
25 igible recipients in the form of forgiveness of prin-

1 ciproal, negative interest loans, or grants (or any com-
2 bination of these), and shall be so used by the State
3 only where such funds are provided as initial financ-
4 ing for an eligible recipient or to buy, refinance, or
5 restructure the debt obligations of eligible recipients
6 only where such debt was incurred on or after the
7 date of enactment of this Act;

8 (2) \$10,000,000 shall be for grants to the State
9 of Alaska to address drinking water and wastewater
10 infrastructure needs of rural and Alaska Native Vil-
11 lages: *Provided*, That of these funds: (A) the State
12 of Alaska shall provide a match of 25 percent; (B)
13 no more than 5 percent of the funds may be used
14 for administrative and overhead expenses; and (C)
15 the State of Alaska shall make awards consistent
16 with the Statewide priority list established in con-
17 junction with the Agency and the U.S. Department
18 of Agriculture for all water, sewer, waste disposal,
19 and similar projects carried out by the State of Alas-
20 ka that are funded under section 221 of the Federal
21 Water Pollution Control Act (33 U.S.C. 1301) or
22 the Consolidated Farm and Rural Development Act
23 (7 U.S.C. 1921 et seq.) which shall allocate not less
24 than 25 percent of the funds provided for projects
25 in regional hub communities;

1 (3) \$90,000,000 shall be to carry out section
2 104(k) of the Comprehensive Environmental Re-
3 sponse, Compensation, and Liability Act of 1980
4 (CERCLA), including grants, interagency agree-
5 ments, and associated program support costs: *Pro-*
6 *vided*, That not more than 25 percent of the amount
7 appropriated to carry out section 104(k) of
8 CERCLA shall be used for site characterization, as-
9 sessment, and remediation of facilities described in
10 section 101(39)(D)(ii)(II) of CERCLA: *Provided*
11 *further*, That at least 10 percent shall be allocated
12 for assistance in persistent poverty counties: *Pro-*
13 *vided further*, That for purposes of this section, the
14 term “persistent poverty counties” means any coun-
15 ty that has had 20 percent or more of its population
16 living in poverty over the past 30 years, as measured
17 by the 1990 and 2000 decennial censuses and the
18 most recent Small Area Income and Poverty Esti-
19 mates;

20 (4) \$75,000,000 shall be for grants under title
21 VII, subtitle G of the Energy Policy Act of 2005;

22 (5) \$40,000,000 shall be for targeted airshed
23 grants in accordance with the terms and conditions
24 in the report accompanying this Act; and

1 (6) \$1,066,041,000 (increased by \$1,000,000)
2 shall be for grants, including associated program
3 support costs, to States, federally recognized tribes,
4 interstate agencies, tribal consortia, and air pollution
5 control agencies for multi-media or single media pol-
6 lution prevention, control and abatement and related
7 activities, including activities pursuant to the provi-
8 sions set forth under this heading in Public Law
9 104–134, and for making grants under section 103
10 of the Clean Air Act for particulate matter moni-
11 toring and data collection activities subject to terms
12 and conditions specified by the Administrator, of
13 which: \$47,745,000 shall be for carrying out section
14 128 of CERCLA; \$9,646,000 shall be for Environ-
15 mental Information Exchange Network grants, in-
16 cluding associated program support costs;
17 \$1,498,000 shall be for grants to States under sec-
18 tion 2007(f)(2) of the Solid Waste Disposal Act,
19 which shall be in addition to funds appropriated
20 under the heading “Leaking Underground Storage
21 Tank Trust Fund Program” to carry out the provi-
22 sions of the Solid Waste Disposal Act specified in
23 section 9508(c) of the Internal Revenue Code other
24 than section 9003(h) of the Solid Waste Disposal
25 Act; \$17,848,000 of the funds available for grants

1 under section 106 of the Federal Water Pollution
2 Control Act shall be for State participation in
3 national- and State-level statistical surveys of water
4 resources and enhancements to State monitoring
5 programs.

6 WATER INFRASTRUCTURE FINANCE AND INNOVATION
7 PROGRAM ACCOUNT

8 For the cost of direct loans and for the cost of guar-
9 anteed loans, as authorized by the Water Infrastructure
10 Finance and Innovation Act of 2014, \$25,000,000, to re-
11 main available until expended: *Provided*, That such costs,
12 including the cost of modifying such loans, shall be as de-
13 fined in section 502 of the Congressional Budget Act of
14 1974: *Provided further*, That these funds are available to
15 subsidize gross obligations for the principal amount of di-
16 rect loans, including capitalized interest, and total loan
17 principal, including capitalized interest, any part of which
18 is to be guaranteed, not to exceed \$3,049,000,000.

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

23 In addition, for administrative expenses to carry out
24 the direct and guaranteed loan programs, notwithstanding
25 section 5033 of the Water Infrastructure Finance and In-

1 novation Act of 2014, \$5,000,000, to remain available
2 until September 30, 2019.

3 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

4 PROTECTION AGENCY

5 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

6 For fiscal year 2018, notwithstanding 31 U.S.C.
7 6303(1) and 6305(1), the Administrator of the Environ-
8 mental Protection Agency, in carrying out the Agency’s
9 function to implement directly Federal environmental pro-
10 grams required or authorized by law in the absence of an
11 acceptable tribal program, may award cooperative agree-
12 ments to federally recognized Indian tribes or Intertribal
13 consortia, if authorized by their member tribes, to assist
14 the Administrator in implementing Federal environmental
15 programs for Indian tribes required or authorized by law,
16 except that no such cooperative agreements may be award-
17 ed from funds designated for State financial assistance
18 agreements.

19 The Administrator of the Environmental Protection
20 Agency is authorized to collect and obligate pesticide reg-
21 istration service fees in accordance with section 33 of the
22 Federal Insecticide, Fungicide, and Rodenticide Act, as
23 amended by Public Law 112–177, the Pesticide Registra-
24 tion Improvement Extension Act of 2012.

1 Notwithstanding section 33(d)(2) of the Federal In-
2 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
3 U.S.C. 136w-8(d)(2)), the Administrator of the Environ-
4 mental Protection Agency may assess fees under section
5 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2018.

6 Notwithstanding any other provision of law, in addi-
7 tion to the activities specified in section 33 of the Federal
8 Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7
9 U.S.C. 136w-8), fees collected in this and prior fiscal
10 years under such section shall be available for the fol-
11 lowing activities as they relate to pesticide licensing: proc-
12 essing and review of data submitted in association with
13 a registration, information submitted pursuant to section
14 6(a)(2) of FIFRA, supplemental distributor labels, trans-
15 fers of registrations and data compensation rights, addi-
16 tional uses registered by States under section 24(c) of
17 FIFRA, data compensation petitions, review of minor
18 amendments, and notifications; laboratory support and
19 audits; administrative support; development of policy and
20 guidance; rulemaking support; information collection ac-
21 tivities; and the portions of salaries related to work in
22 these areas.

23 The Administrator is authorized to transfer up to
24 \$300,000,000 of the funds appropriated for the Great
25 Lakes Restoration Initiative under the heading “Environ-

1 mental Programs and Management” to the head of any
2 Federal department or agency, with the concurrence of
3 such head, to carry out activities that would support the
4 Great Lakes Restoration Initiative and Great Lakes
5 Water Quality Agreement programs, projects, or activities;
6 to enter into an interagency agreement with the head of
7 such Federal department or agency to carry out these ac-
8 tivities; and to make grants to governmental entities, non-
9 profit organizations, institutions, and individuals for plan-
10 ning, research, monitoring, outreach, and implementation
11 in furtherance of the Great Lakes Restoration Initiative
12 and the Great Lakes Water Quality Agreement.

13 The Administrator of the Environmental Protection
14 Agency is authorized to collect and obligate fees in accord-
15 ance with section 26(b) of the Toxic Substances Control
16 Act (15 U.S.C. 2625(b)) for fiscal year 2018.

17 The Science and Technology, Environmental Pro-
18 grams and Management, Office of Inspector General, Haz-
19 ardous Substance Superfund, and Leaking Underground
20 Storage Tank Trust Fund Program Accounts, are avail-
21 able for the construction, alteration, repair, rehabilitation,
22 and renovation of facilities, provided that the cost does
23 not exceed \$150,000 per project.

24 For fiscal year 2018, and notwithstanding section
25 518(f) of the Federal Water Pollution Control Act (33

1 U.S.C. 1377(f)), the Administrator is authorized to use
2 the amounts appropriated for any fiscal year under section
3 319 of the Act to make grants to Indian tribes pursuant
4 to sections 319(h) and 518(e) of that Act.

5 Of the unobligated balances available for the “State
6 and Tribal Assistance Grants” account, \$60,000,000 are
7 permanently rescinded: *Provided*, That no amounts may
8 be rescinded from amounts that were designated by the
9 Congress as an emergency requirement pursuant to the
10 Concurrent Resolution on the Budget or the Balanced
11 Budget and Emergency Deficit Control Act of 1985.

12 Notwithstanding the limitations on amounts in sec-
13 tion 320(i)(2)(B) of the Federal Water Pollution Control
14 Act, not less than \$1,500,000 of the funds made available
15 under this title for the National Estuary Program shall
16 be for making competitive awards described in section
17 320(g)(4).

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 FOREST SERVICE
5 OFFICE OF THE UNDER SECRETARY FOR NATURAL
6 RESOURCES AND ENVIRONMENT
7 For necessary expenses of the Office of the Under
8 Secretary for Natural Resources and Environment,
9 \$875,000.

10 FOREST AND RANGELAND RESEARCH
11 For necessary expenses of forest and rangeland re-
12 search as authorized by law, \$278,368,000, to remain
13 available through September 30, 2021: *Provided*, That of
14 the funds provided, \$75,037,000 is for the forest inventory
15 and analysis program.

16 STATE AND PRIVATE FORESTRY
17 For necessary expenses of cooperating with and pro-
18 viding technical and financial assistance to States, terri-
19 tories, possessions, and others, and for forest health man-
20 agement and conducting an international program as au-
21 thorized, \$198,710,000 (reduced by \$9,500,000), to re-
22 main available through September 30, 2021, as authorized
23 by law; of which \$36,184,000 is to be derived from the
24 Land and Water Conservation Fund to be used for the

1 Forest Legacy Program, to remain available until ex-
2 pended.

3 NATIONAL FOREST SYSTEM

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, for management, protection, im-
6 provement, and utilization of the National Forest System,
7 and for hazardous fuels management on or adjacent to
8 such lands as authorized by law, \$1,885,827,000 (reduced
9 by \$12,371,000) (increased by \$3,000,000) (increased by
10 \$5,000,000), to remain available through September 30,
11 2021: *Provided*, That of the funds provided, \$370,305,000
12 (increased by \$5,000,000) shall be for forest products:
13 *Provided further*, That of the funds provided,
14 \$392,500,000 (increased by \$3,000,000) shall be for haz-
15 ardous fuels management activities, of which not to exceed
16 \$15,000,000 may be used to make grants, using any au-
17 thorities available to the Forest Service under the “State
18 and Private Forestry” appropriation, for the purpose of
19 creating incentives for increased use of biomass from Na-
20 tional Forest System lands: *Provided further*, That of the
21 funds provided, up to \$15,000,000 may be used by the
22 Secretary of Agriculture to enter into procurement con-
23 tracts or cooperative agreements or to issue grants for
24 hazardous fuels management activities, and for training
25 or monitoring associated with such hazardous fuels man-

1 agement activities on Federal land, or on non-Federal land
2 if the Secretary determines such activities benefit re-
3 sources on Federal land. *Provided further*, That notwith-
4 standing section 33 of the Bankhead-Jones Farm Tenant
5 Act (7 U.S.C. 1012), the Secretary of Agriculture, in cal-
6 culating a fee for grazing on a National Grassland, may
7 provide a credit of up to 50 percent of the calculated fee
8 to a Grazing Association or direct permittee for a con-
9 servation practice approved by the Secretary in advance
10 of the fiscal year in which the cost of the conservation
11 practice is incurred. And, that the amount credited shall
12 remain available to the Grazing Association or the direct
13 permittee, as appropriate, in the fiscal year in which the
14 credit is made and each fiscal year thereafter for use on
15 the project for conservation practices approved by the Sec-
16 retary.

17 In addition, \$4,500,000, to remain available through
18 September 30, 2021, from communication site rental fees
19 established by the Forest Service for the cost of admin-
20 istering communication site activities.

21 CAPITAL IMPROVEMENT AND MAINTENANCE

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of the Forest Service, not
24 otherwise provided for, \$354,733,000, to remain available
25 through September 30, 2021, for construction, capital im-

1 improvement, maintenance and acquisition of buildings and
2 other facilities and infrastructure; and for construction,
3 reconstruction, decommissioning of roads that are no
4 longer needed, including unauthorized roads that are not
5 part of the transportation system, and maintenance of for-
6 est roads and trails by the Forest Service as authorized
7 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
8 *vided*, That funds becoming available in fiscal year 2018
9 under the Act of March 4, 1913 (16 U.S.C. 501) shall
10 be transferred to the General Fund of the Treasury and
11 shall not be available for transfer or obligation for any
12 other purpose unless the funds are appropriated.

13 LAND ACQUISITION

14 For expenses necessary to carry out the provisions
15 of chapter 2003 of title 54, United States Code, including
16 administrative expenses, and for acquisition of land or
17 waters, or interest therein, in accordance with statutory
18 authority applicable to the Forest Service, \$25,000,000,
19 to be derived from the Land and Water Conservation
20 Fund and to remain available until expended.

21 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

22 ACTS

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

1 ges, San Bernardino, Sequoia, and Cleveland National
2 Forests, California; and the Ozark-St. Francis and
3 Ouachita National Forests, Arkansas; as authorized by
4 law, \$850,000, to be derived from forest receipts.

5 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

15 RANGE BETTERMENT FUND

16 For necessary expenses of range rehabilitation, pro-
17 tection, and improvement, 50 percent of all moneys re-
18 ceived during the prior fiscal year, as fees for grazing do-
19 mestic livestock on lands in National Forests in the 16
20 Western States, pursuant to section 401(b)(1) of the Fed-
21 eral Land Policy and Management Act of 1976 (43 U.S.C.
22 1751(b)(1)), to remain available through September 30,
23 2021, of which not to exceed 6 percent shall be available
24 for administrative expenses associated with on-the-ground
25 range rehabilitation, protection, and improvements.

1 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
2 RANGELAND RESEARCH

3 For expenses authorized by section 4(b) of the Forest
4 and Rangeland Renewable Resources Research Act of
5 1978 (16 U.S.C. 1643(b)), \$45,000, to remain available
6 through September 30, 2021, to be derived from the fund
7 established pursuant to such Act.

8 MANAGEMENT OF NATIONAL FOREST LANDS FOR
9 SUBSISTENCE USES

10 For necessary expenses of the Forest Service to man-
11 age Federal lands in Alaska for subsistence uses under
12 title VIII of the Alaska National Interest Lands Conserva-
13 tion Act (16 U.S.C. 3111 et seq.), \$2,225,000, to remain
14 available through September 30, 2021.

15 WILDLAND FIRE MANAGEMENT
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses for forest fire presuppression
18 activities on National Forest System lands, for emergency
19 wildland fire suppression on or adjacent to such lands or
20 other lands under fire protection agreement, emergency
21 rehabilitation of burned-over National Forest System
22 lands and water, and for State and volunteer fire assist-
23 ance, \$2,506,357,000 (increased by \$12,371,000), to re-
24 main available through September 30, 2021: *Provided*,
25 That such funds including unobligated balances under this

1 heading, are available for repayment of advances from
2 other appropriations accounts previously transferred for
3 such purposes: *Provided further*, That any unobligated
4 funds appropriated in a previous fiscal year for hazardous
5 fuels management may be transferred to the “National
6 Forest System” account: *Provided further*, That such
7 funds shall be available to reimburse State and other co-
8 operating entities for services provided in response to wild-
9 fire and other emergencies or disasters to the extent such
10 reimbursements by the Forest Service for non-fire emer-
11 gencies are fully repaid by the responsible emergency man-
12 agement agency: *Provided further*, That of the funds pro-
13 vided, \$19,290,000 is for research activities and to make
14 competitive research grants pursuant to the Forest and
15 Rangeland Renewable Resources Research Act, (16 U.S.C.
16 1641 et seq.), \$76,011,000 (increased by \$10,989,000) is
17 for State fire assistance, and \$14,618,000 (increased by
18 \$1,382,000) is for volunteer fire assistance under section
19 10 of the Cooperative Forestry Assistance Act of 1978 (16
20 U.S.C. 2106): *Provided further*, That amounts in this
21 paragraph may be transferred to the “Forest and Range-
22 land Research” account to fund forest and rangeland re-
23 search: *Provided further*, That the costs of implementing
24 any cooperative agreement between the Federal Govern-
25 ment and any non-Federal entity may be shared, as mutu-

1 ally agreed on by the affected parties: *Provided further*,
2 That funds made available to implement the Community
3 Forest Restoration Act, Public Law 106–393, title VI,
4 shall be available for use on non-Federal lands in accord-
5 ance with authorities made available to the Forest Service
6 under the “State and Private Forestry” appropriation:
7 *Provided further*, That the Secretary of the Interior and
8 the Secretary of Agriculture may authorize the transfer
9 of funds appropriated for wildland fire management, in
10 an aggregate amount not to exceed \$50,000,000, between
11 the Departments when such transfers would facilitate and
12 expedite wildland fire management programs and projects:
13 *Provided further*, That funds designated for wildfire sup-
14 pression, shall be assessed for cost pools on the same basis
15 as such assessments are calculated against other agency
16 programs.

17 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

18 (INCLUDING TRANSFERS OF FUNDS)

19 Appropriations to the Forest Service for the current
20 fiscal year shall be available for: (1) purchase of passenger
21 motor vehicles; acquisition of passenger motor vehicles
22 from excess sources, and hire of such vehicles; purchase,
23 lease, operation, maintenance, and acquisition of aircraft
24 to maintain the operable fleet for use in Forest Service
25 wildland fire programs and other Forest Service programs;

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

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

1 Notwithstanding any other provision of this Act, the
2 Forest Service may transfer unobligated balances of dis-
3 cretionary funds appropriated to the Forest Service by
4 this Act to or within the Wildland Fire Management Ac-
5 count, or reprogram funds within the Wildland Fire Man-
6 agement Account, to be used for the purposes of haz-
7 ardous fuels management and emergency rehabilitation of
8 burned-over National Forest System lands and water,
9 such transferred funds shall remain available through Sep-
10 tember 30, 2021: *Provided*, That none of the funds trans-
11 ferred pursuant to this section shall be available for obli-
12 gation without written notification to and the prior ap-
13 proval of the Committees on Appropriations of both
14 Houses of Congress: *Provided further*, That this section
15 does not apply to funds derived from the Land and Water
16 Conservation Fund.

17 Funds appropriated to the Forest Service shall be
18 available for assistance to or through the Agency for Inter-
19 national Development in connection with forest and range-
20 land research, technical information, and assistance in for-
21 eign countries, and shall be available to support forestry
22 and related natural resource activities outside the United
23 States and its territories and possessions, including tech-
24 nical assistance, education and training, and cooperation
25 with United States private and international organiza-

1 tions. The Forest Service, acting for the International
2 Program, may sign direct funding agreements with foreign
3 governments and institutions as well as other domestic
4 agencies (including the United States Agency for Inter-
5 national Development, the Department of State, and the
6 Millennium Challenge Corporation), United States private
7 sector firms, institutions and organizations to provide
8 technical assistance and training programs overseas on
9 forestry and rangeland management.

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

17 None of the funds made available to the Forest Serv-
18 ice in this Act or any other Act with respect to any fiscal
19 year shall be subject to transfer under the provisions of
20 section 702(b) of the Department of Agriculture Organic
21 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
22 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
23 Law 107–171 (7 U.S.C. 8316(b)).

24 None of the funds available to the Forest Service may
25 be reprogrammed without the advance approval of the

1 House and Senate Committees on Appropriations in ac-
2 cordance with the reprogramming procedures contained in
3 the report accompanying this Act.

4 Not more than \$82,000,000 of funds available to the
5 Forest Service shall be transferred to the Working Capital
6 Fund of the Department of Agriculture and not more than
7 \$14,500,000 of funds available to the Forest Service shall
8 be transferred to the Department of Agriculture for De-
9 partment Reimbursable Programs, commonly referred to
10 as Greenbook charges. Nothing in this paragraph shall
11 prohibit or limit the use of reimbursable agreements re-
12 quested by the Forest Service in order to obtain services
13 from the Department of Agriculture's National Informa-
14 tion Technology Center and the Department of Agri-
15 culture's International Technology Service.

16 Of the funds available to the Forest Service, up to
17 \$5,000,000 shall be available for priority projects within
18 the scope of the approved budget, which shall be carried
19 out by the Youth Conservation Corps and shall be carried
20 out under the authority of the Public Lands Corps Act
21 of 1993 (16 U.S.C. 1701 et seq.).

22 Of the funds available to the Forest Service, \$4,000
23 is available to the Chief of the Forest Service for official
24 reception and representation expenses.

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

19 Pursuant to section 2(b)(2) of Public Law 98–244,
20 up to \$3,000,000 of the funds available to the Forest
21 Service may be advanced to the National Fish and Wildlife
22 Foundation in a lump sum to aid cost-share conservation
23 projects, without regard to when expenses are incurred,
24 on or benefitting National Forest System lands or related
25 to Forest Service programs: *Provided*, That such funds

1 shall be matched on at least a one-for-one basis by the
2 Foundation or its sub-recipients: *Provided further*, That
3 the Foundation may transfer Federal funds to a Federal
4 or non-Federal recipient for a project at the same rate
5 that the recipient has obtained the non-Federal matching
6 funds.

7 Funds appropriated to the Forest Service shall be
8 available for interactions with and providing technical as-
9 sistance to rural communities and natural resource-based
10 businesses for sustainable rural development purposes.

11 Funds appropriated to the Forest Service shall be
12 available for payments to counties within the Columbia
13 River Gorge National Scenic Area, pursuant to section
14 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
15 663.

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

20 Funds available to the Forest Service, not to exceed
21 \$65,000,000, shall be assessed for the purpose of per-
22 forming fire, administrative and other facilities mainte-
23 nance and decommissioning. Such assessments shall occur
24 using a square foot rate charged on the same basis the

1 agency uses to assess programs for payment of rent, utili-
2 ties, and other support services.

3 Notwithstanding any other provision of law, of any
4 appropriations or funds available to the Forest Service,
5 not to exceed \$500,000 may be used to reimburse the Of-
6 fice of the General Counsel (OGC), Department of Agri-
7 culture, for travel and related expenses incurred as a re-
8 sult of OGC assistance or participation requested by the
9 Forest Service at meetings, training sessions, management
10 reviews, land purchase negotiations and similar matters
11 unrelated to civil litigation. Future budget justifications
12 for both the Forest Service and the Department of Agri-
13 culture should clearly display the sums previously trans-
14 ferred and the sums requested for transfer.

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

20 Notwithstanding any other provision of this Act,
21 through the Office of Budget and Program Analysis, the
22 Forest Service shall report not later than 30 business days
23 following the close of each fiscal quarter all current and
24 prior year unobligated balances, by fiscal year, budget line

1 item and account, to the House and Senate Committees
2 on Appropriations.

3 Any unobligated balance of funds appropriated in a
4 previous fiscal year in the FLAME Wildfire Suppression
5 Reserve Fund account shall remain available through Sep-
6 tember 30, 2020.

7 The Forest Service shall submit, through the Office
8 of Budget and Program Analysis, to the Office of Manage-
9 ment and Budget a proposed system of administrative
10 control of funds for its accounts, as described in 31 U.S.C.
11 1514, not later than December 31, 2017.

12 DEPARTMENT OF HEALTH AND HUMAN
13 SERVICES

14 INDIAN HEALTH SERVICE

15 INDIAN HEALTH SERVICES

16 For expenses necessary to carry out the Act of Au-
17 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
18 tion and Education Assistance Act, the Indian Health
19 Care Improvement Act, and titles II and III of the Public
20 Health Service Act with respect to the Indian Health Serv-
21 ice, \$3,867,260,000 (reduced by \$47,000,000) (increased
22 by \$47,000,000), together with payments received during
23 the fiscal year pursuant to sections 231(b) and 233 of the
24 Public Health Service Act (42 U.S.C. 238(b), 238b), for
25 services furnished by the Indian Health Service: *Provided,*

1 That funds made available to tribes and tribal organiza-
2 tions through contracts, grant agreements, or any other
3 agreements or compacts authorized by the Indian Self-De-
4 termination and Education Assistance Act of 1975 (25
5 U.S.C. 450), shall be deemed to be obligated at the time
6 of the grant or contract award and thereafter shall remain
7 available to the tribe or tribal organization without fiscal
8 year limitation: *Provided further*, That \$2,000,000 shall
9 be available for grants or contracts with public or private
10 institutions to provide alcohol or drug treatment services
11 to Indians, including alcohol detoxification services: *Pro-*
12 *vided further*, That \$928,830,000 for Purchased/Referred
13 Care, including \$53,000,000 for the Indian Catastrophic
14 Health Emergency Fund, shall remain available until ex-
15 pended: *Provided further*, That of the funds provided, up
16 to \$36,000,000 shall remain available until expended for
17 implementation of the loan repayment program under sec-
18 tion 108 of the Indian Health Care Improvement Act: *Pro-*
19 *vided further* That of the funds provided, \$11,000,000
20 shall remain available until expended to supplement funds
21 available for operational costs at tribal clinics operated
22 under an Indian Self-Determination and Education As-
23 sistance Act compact or contract where health care is de-
24 livered in space acquired through a full service lease,
25 which is not eligible for maintenance and improvement

1 and equipment funds from the Indian Health Service, and
2 \$29,000,000 shall be for costs related to or resulting from
3 accreditation emergencies, of which up to \$4,000,000 may
4 be used to supplement amounts otherwise available for
5 Purchased/Referred Care: *Provided further*, That the
6 amounts collected by the Federal Government as author-
7 ized by sections 104 and 108 of the Indian Health Care
8 Improvement Act (25 U.S.C. 1613a and 1616a) during
9 the preceding fiscal year for breach of contracts shall be
10 deposited to the Fund authorized by section 108A of that
11 Act (25 U.S.C. 1616a–1) and shall remain available until
12 expended and, notwithstanding section 108A(c) of that
13 Act (25 U.S.C. 1616a–1(e)), funds shall be available to
14 make new awards under the loan repayment and scholar-
15 ship programs under sections 104 and 108 of that Act
16 (25 U.S.C. 1613a and 1616a): *Provided further*, That the
17 amounts made available within this account for the Sub-
18 stance Abuse and Suicide Prevention Program, for the
19 Domestic Violence Prevention Program, for the Zero Sui-
20 cide Initiative, for aftercare pilot programs at Youth Re-
21 gional Treatment Centers, to improve collections from
22 public and private insurance at Indian Health Service and
23 tribally operated facilities, and for accreditation emer-
24 gencies shall be allocated at the discretion of the Director
25 of the Indian Health Service and shall remain available

1 until expended: *Provided further*, That funds provided in
2 this Act may be used for annual contracts and grants for
3 which the performance period falls within 2 fiscal years,
4 provided the total obligation is recorded in the year the
5 funds are appropriated: *Provided further*, That the
6 amounts collected by the Secretary of Health and Human
7 Services under the authority of title IV of the Indian
8 Health Care Improvement Act shall remain available until
9 expended for the purpose of achieving compliance with the
10 applicable conditions and requirements of titles XVIII and
11 XIX of the Social Security Act, except for those related
12 to the planning, design, or construction of new facilities:
13 *Provided further*, That funding contained herein for schol-
14 arship programs under the Indian Health Care Improve-
15 ment Act shall remain available until expended: *Provided*
16 *further*, That amounts received by tribes and tribal organi-
17 zations under title IV of the Indian Health Care Improve-
18 ment Act shall be reported and accounted for and available
19 to the receiving tribes and tribal organizations until ex-
20 pended: *Provided further*, That the Bureau of Indian Af-
21 fairs may collect from the Indian Health Service, and from
22 tribes and tribal organizations operating health facilities
23 pursuant to Public Law 93–638, such individually identifi-
24 able health information relating to disabled children as
25 may be necessary for the purpose of carrying out its func-

1 improvement Act, and for expenses necessary to carry out
2 such Acts and titles II and III of the Public Health Serv-
3 ice Act with respect to environmental health and facilities
4 support activities of the Indian Health Service,
5 \$551,643,000, to remain available until expended: *Pro-*
6 *vided*, That notwithstanding any other provision of law,
7 funds appropriated for the planning, design, construction,
8 renovation or expansion of health facilities for the benefit
9 of an Indian tribe or tribes may be used to purchase land
10 on which such facilities will be located: *Provided further*,
11 That not to exceed \$500,000 may be used by the Indian
12 Health Service to purchase TRANSAM equipment from
13 the Department of Defense for distribution to the Indian
14 Health Service and tribal facilities: *Provided further*, That
15 none of the funds appropriated to the Indian Health Serv-
16 ice may be used for sanitation facilities construction for
17 new homes funded with grants by the housing programs
18 of the United States Department of Housing and Urban
19 Development: *Provided further*, That not to exceed
20 \$2,700,000 from this account and the “Indian Health
21 Services” account may be used by the Indian Health Serv-
22 ice to obtain ambulances for the Indian Health Service
23 and tribal facilities in conjunction with an existing inter-
24 agency agreement between the Indian Health Service and
25 the General Services Administration: *Provided further*,

1 That not to exceed \$500,000 may be placed in a Demoli-
2 tion Fund, to remain available until expended, and be used
3 by the Indian Health Service for the demolition of Federal
4 buildings.

5 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

6 Appropriations provided in this Act to the Indian
7 Health Service shall be available for services as authorized
8 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
9 equivalent to the maximum rate payable for senior-level
10 positions under 5 U.S.C. 5376; hire of passenger motor
11 vehicles and aircraft; purchase of medical equipment; pur-
12 chase of reprints; purchase, renovation and erection of
13 modular buildings and renovation of existing facilities;
14 payments for telephone service in private residences in the
15 field, when authorized under regulations approved by the
16 Secretary of Health and Human Services; uniforms or al-
17 lowances therefor as authorized by 5 U.S.C. 5901–5902;
18 and for expenses of attendance at meetings that relate to
19 the functions or activities of the Indian Health Service:
20 *Provided*, That in accordance with the provisions of the
21 Indian Health Care Improvement Act, non-Indian patients
22 may be extended health care at all tribally administered
23 or Indian Health Service facilities, subject to charges, and
24 the proceeds along with funds recovered under the Federal
25 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall

1 be credited to the account of the facility providing the
2 service and shall be available without fiscal year limitation:
3 *Provided further*, That notwithstanding any other law or
4 regulation, funds transferred from the Department of
5 Housing and Urban Development to the Indian Health
6 Service shall be administered under Public Law 86–121,
7 the Indian Sanitation Facilities Act and Public Law 93–
8 638: *Provided further*, That funds appropriated to the In-
9 dian Health Service in this Act, except those used for ad-
10 ministrative and program direction purposes, shall not be
11 subject to limitations directed at curtailing Federal travel
12 and transportation: *Provided further*, That none of the
13 funds made available to the Indian Health Service in this
14 Act shall be used for any assessments or charges by the
15 Department of Health and Human Services unless identi-
16 fied in the budget justification and provided in this Act,
17 or approved by the House and Senate Committees on Ap-
18 propriations through the reprogramming process: *Pro-*
19 *vided further*, That notwithstanding any other provision
20 of law, funds previously or herein made available to a tribe
21 or tribal organization through a contract, grant, or agree-
22 ment authorized by title I or title V of the Indian Self-
23 Determination and Education Assistance Act of 1975 (25
24 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
25 be deobligated and reobligated to a self-determination con-

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

1 provided by the Indian Health Service will contain total
2 costs, including direct, administrative, and overhead costs
3 associated with the provision of goods, services, or tech-
4 nical assistance: *Provided further*, That the appropriation
5 structure for the Indian Health Service may not be altered
6 without advance notification to the House and Senate
7 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
15 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
16 Superfund Amendments and Reauthorization Act of 1986,
17 \$75,370,000 (increased by \$979,000).

18 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

19 REGISTRY

20 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

21 HEALTH

22 For necessary expenses for the Agency for Toxic Sub-
23 stances and Disease Registry (ATSDR) in carrying out
24 activities set forth in sections 104(i) and 111(c)(4) of the
25 Comprehensive Environmental Response, Compensation,

1 and Liability Act of 1980 (CERCLA) and section 3019
2 of the Solid Waste Disposal Act, \$72,780,000 (increased
3 by \$1,911,000): *Provided*, That notwithstanding any other
4 provision of law, in lieu of performing a health assessment
5 under section 104(i)(6) of CERCLA, the Administrator
6 of ATSDR may conduct other appropriate health studies,
7 evaluations, or activities, including, without limitation,
8 biomedical testing, clinical evaluations, medical moni-
9 toring, and referral to accredited healthcare providers:
10 *Provided further*, That in performing any such health as-
11 sessment or health study, evaluation, or activity, the Ad-
12 ministrator of ATSDR shall not be bound by the deadlines
13 in section 104(i)(6)(A) of CERCLA: *Provided further*,
14 That none of the funds appropriated under this heading
15 shall be available for ATSDR to issue in excess of 40 toxi-
16 cological profiles pursuant to section 104(i) of CERCLA
17 during fiscal year 2018, and existing profiles may be up-
18 dated as necessary.

19 OTHER RELATED AGENCIES

20 EXECUTIVE OFFICE OF THE PRESIDENT

21 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

22 ENVIRONMENTAL QUALITY

23 For necessary expenses to continue functions as-
24 signed to the Council on Environmental Quality and Office
25 of Environmental Quality pursuant to the National Envi-

1 ronmental Policy Act of 1969, the Environmental Quality
2 Improvement Act of 1970, and Reorganization Plan No.
3 1 of 1977, and not to exceed \$750 for official reception
4 and representation expenses, \$2,994,000: *Provided*, That
5 notwithstanding section 202 of the National Environ-
6 mental Policy Act of 1970, the Council shall consist of
7 one member, appointed by the President, by and with the
8 advice and consent of the Senate, serving as chairman and
9 exercising all powers, functions, and duties of the Council.

10 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
11 SALARIES AND EXPENSES

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

1 position of Inspector General of the Board: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law, the
3 Inspector General of the Board shall utilize personnel of
4 the Office of Inspector General of EPA in performing the
5 duties of the Inspector General of the Board, and shall
6 not appoint any individuals to positions within the Board.

7 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of Navajo and
11 Hopi Indian Relocation as authorized by Public Law 93–
12 531, \$15,431,000, to remain available until expended:
13 *Provided*, That funds provided in this or any other appro-
14 priations Act are to be used to relocate eligible individuals
15 and groups including evictees from District 6, Hopi-parti-
16 tioned lands residents, those in significantly substandard
17 housing, and all others certified as eligible and not in-
18 cluded in the preceding categories: *Provided further*, That
19 none of the funds contained in this or any other Act may
20 be used by the Office of Navajo and Hopi Indian Reloca-
21 tion to evict any single Navajo or Navajo family who, as
22 of November 30, 1985, was physically domiciled on the
23 lands partitioned to the Hopi Tribe unless a new or re-
24 placement home is provided for such household: *Provided*
25 *further*, That no relocatee will be provided with more than

1 one new or replacement home: *Provided further*, That the
2 Office shall relocate any certified eligible relocatees who
3 have selected and received an approved homesite on the
4 Navajo reservation or selected a replacement residence off
5 the Navajo reservation or on the land acquired pursuant
6 to section 11 of Public Law 93–531 (88 Stat. 1716): *Pro-*
7 *vided further*, That \$200,000 shall be transferred to the
8 Office of Inspector General of the Department of the Inte-
9 rior, to remain available until expended, for audits and
10 investigations of the Office of Navajo and Hopi Indian Re-
11 location, consistent with the Inspector General Act of
12 1978 (5 U.S.C. App.).

13 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
14 CULTURE AND ARTS DEVELOPMENT

15 PAYMENT TO THE INSTITUTE

16 For payment to the Institute of American Indian and
17 Alaska Native Culture and Arts Development, as author-
18 ized by part A of title XV of Public Law 99–498 (20
19 U.S.C. 4411 et seq.), \$9,835,000, which shall become
20 available on July 1, 2018, and shall remain available until
21 September 30, 2019.

22 SMITHSONIAN INSTITUTION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Smithsonian Institu-
25 tion, as authorized by law, including research in the fields

1 of art, science, and history; development, preservation, and
2 documentation of the National Collections; presentation of
3 public exhibits and performances; collection, preparation,
4 dissemination, and exchange of information and publica-
5 tions; conduct of education, training, and museum assist-
6 ance programs; maintenance, alteration, operation, lease
7 agreements of no more than 30 years, and protection of
8 buildings, facilities, and approaches; not to exceed
9 \$100,000 for services as authorized by 5 U.S.C. 3109; and
10 purchase, rental, repair, and cleaning of uniforms for em-
11 ployees, \$716,600,000 (increased by \$2,000,000), to re-
12 main available until September 30, 2019, except as other-
13 wise provided herein; of which not to exceed \$6,908,000
14 for the instrumentation program, collections acquisition,
15 exhibition reinstallation, and the repatriation of skeletal
16 remains program shall remain available until expended;
17 and including such funds as may be necessary to support
18 American overseas research centers: *Provided*, That funds
19 appropriated herein are available for advance payments to
20 independent contractors performing research services or
21 participating in official Smithsonian presentations.

22 FACILITIES CAPITAL

23 For necessary expenses of repair, revitalization, and
24 alteration of facilities owned or occupied by the Smithso-
25 nian Institution, by contract or otherwise, as authorized

1 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
2 and for construction, including necessary personnel,
3 \$168,500,000, including support for revitalization of the
4 National Air and Space Museum, to remain available until
5 expended, of which not to exceed \$10,000 shall be for serv-
6 ices as authorized by 5 U.S.C. 3109.

7 NATIONAL GALLERY OF ART

8 SALARIES AND EXPENSES

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

1 and grounds; and purchase of services for restoration and
2 repair of works of art for the National Gallery of Art by
3 contracts made, without advertising, with individuals,
4 firms, or organizations at such rates or prices and under
5 such terms and conditions as the Gallery may deem prop-
6 er, \$132,961,000, to remain available until September 30,
7 2019, of which not to exceed \$3,620,000 for the special
8 exhibition program shall remain available until expended.

9 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

10 For necessary expenses of repair, restoration and
11 renovation of buildings, grounds and facilities owned or
12 occupied by the National Gallery of Art, by contract or
13 otherwise, for operating lease agreements of no more than
14 10 years, with no extensions or renewals beyond the 10
15 years, that address space needs created by the ongoing
16 renovations in the Master Facilities Plan, as authorized,
17 \$22,564,000, to remain available until expended: *Pro-*
18 *vided*, That contracts awarded for environmental systems,
19 protection systems, and exterior repair or renovation of
20 buildings of the National Gallery of Art may be negotiated
21 with selected contractors and awarded on the basis of con-
22 tractor qualifications as well as price.

1 JOHN F. KENNEDY CENTER FOR THE PERFORMING
2 ARTS
3 OPERATIONS AND MAINTENANCE

4 For necessary expenses for the operation, mainte-
5 nance and security of the John F. Kennedy Center for
6 the Performing Arts, \$23,740,000.

7 CAPITAL REPAIR AND RESTORATION

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

12 WOODROW WILSON INTERNATIONAL CENTER FOR
13 SCHOLARS

14 SALARIES AND EXPENSES

15 For expenses necessary in carrying out the provisions
16 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
17 1356) including hire of passenger vehicles and services as
18 authorized by 5 U.S.C. 3109, \$10,000,000, to remain
19 available until September 30, 2019.

20 NATIONAL FOUNDATION ON THE ARTS AND THE
21 HUMANITIES

22 NATIONAL ENDOWMENT FOR THE ARTS
23 GRANTS AND ADMINISTRATION

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

1 \$145,000,000 shall be available to the National Endow-
2 ment for the Arts for the support of projects and produc-
3 tions in the arts, including arts education and public out-
4 reach activities, through assistance to organizations and
5 individuals pursuant to section 5 of the Act, for program
6 support, and for administering the functions of the Act,
7 to remain available until expended.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National
11 Foundation on the Arts and the Humanities Act of 1965,
12 \$145,000,000 to remain available until expended, of which
13 \$134,000,000 shall be available for support of activities
14 in the humanities, pursuant to section 7(c) of the Act and
15 for administering the functions of the Act; and
16 \$11,000,000 shall be available to carry out the matching
17 grants program pursuant to section 10(a)(2) of the Act,
18 including \$8,700,000 for the purposes of section 7(h):
19 *Provided*, That appropriations for carrying out section
20 10(a)(2) shall be available for obligation only in such
21 amounts as may be equal to the total amounts of gifts,
22 bequests, devises of money, and other property accepted
23 by the chairman or by grantees of the National Endow-
24 ment for the Humanities under the provisions of sections
25 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-

1 ceding fiscal years for which equal amounts have not pre-
2 viously been appropriated.

3 ADMINISTRATIVE PROVISIONS

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

21 COMMISSION OF FINE ARTS

22 SALARIES AND EXPENSES

23 For expenses of the Commission of Fine Arts under
24 chapter 91 of title 40, United States Code, \$2,600,000:
25 *Provided*, That the Commission is authorized to charge

1 fees to cover the full costs of its publications, and such
 2 fees shall be credited to this account as an offsetting col-
 3 lection, to remain available until expended without further
 4 appropriation: *Provided further*, That the Commission is
 5 authorized to accept gifts, including objects, papers, art-
 6 work, drawings and artifacts, that pertain to the history
 7 and design of the Nation's Capital or the history and ac-
 8 tivities of the Commission of Fine Arts, for the purpose
 9 of artistic display, study, or education: *Provided further*,
 10 That one-tenth of one percent of the funds provided under
 11 this heading may be used for official reception and rep-
 12 resentation expenses.

13 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

14 For necessary expenses as authorized by Public Law
 15 99–190 (20 U.S.C. 956a), \$2,000,000.

16 ADVISORY COUNCIL ON HISTORIC PRESERVATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Advisory Council on
 19 Historic Preservation (Public Law 89–665), \$6,400,000.

20 NATIONAL CAPITAL PLANNING COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Capital Plan-
 23 ning Commission under chapter 87 of title 40, United
 24 States Code, including services as authorized by 5 U.S.C.
 25 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-

1 cent of the funds provided under this heading may be used
2 for official reception and representational expenses associ-
3 ated with hosting international visitors engaged in the
4 planning and physical development of world capitals.

5 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
6 HOLOCAUST MEMORIAL MUSEUM

7 For expenses of the Holocaust Memorial Museum, as
8 authorized by Public Law 106–292 (36 U.S.C. 2301–
9 2310), \$57,000,000, of which \$1,215,000 shall remain
10 available until September 30, 2020, for the Museum’s
11 equipment replacement program; and of which \$2,500,000
12 for the Museum’s repair and rehabilitation program and
13 \$1,264,000 for the Museum’s outreach initiatives program
14 shall remain available until expended.

15 DWIGHT D. EISENHOWER MEMORIAL COMMISSION
16 SALARIES AND EXPENSES

17 For necessary expenses of the Dwight D. Eisenhower
18 Memorial Commission, \$1,600,000, to remain available
19 until expended.

20 CAPITAL CONSTRUCTION

21 For necessary expenses of the Dwight D. Eisenhower
22 Memorial Commission for design and construction of a
23 memorial in honor of Dwight D. Eisenhower, as author-
24 ized by Public Law 106–79, \$15,000,000, to remain avail-
25 able until expended: *Provided*, That the contract with re-

1 spect to the procurement shall contain the “availability of
2 funds” clause described in section 52.232.18 of title 48,
3 Code of Federal Regulations: *Provided further*, That the
4 funds appropriated herein shall be deemed to satisfy the
5 criteria for issuing a permit contained in 40 U.S.C.
6 8906(a)(4) and (b).

7 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Women’s Suffrage
10 Centennial Commission, as authorized by Public Law
11 115–31, \$1,000,000, to remain available until expended.

12 WORLD WAR I CENTENNIAL COMMISSION

13 SALARIES AND EXPENSES

14 For activities of the World War I Centennial Com-
15 mission as authorized by the World War I Centennial
16 Commission Act (Public Law 112–272) and the Carl
17 Levin and Howard P. “Buck” McKeon National Defense
18 Authorization Act for Fiscal Year 2015 (Public Law 113–
19 291), \$3,000,000: *Provided*, That the Commission may ac-
20 cept money, in-kind personnel services, contractual sup-
21 port, or any appropriate support from any executive
22 branch agency for activities of the Commission.

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TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

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

3 MINING APPLICATIONS

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

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

20 (c) REPORT.—On September 30, 2019, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Natural
23 Resources of the House and the Committee on Energy and
24 Natural Resources of the Senate a report on actions taken
25 by the Department under the plan submitted pursuant to

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

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

17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

18 SEC. 405. Sections 405 and 406 of division F of the
19 Consolidated and Further Continuing Appropriations Act,
20 2015 (Public Law 113–235) shall continue in effect in fis-
21 cal year 2018.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2018

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
25 year 2018 under the headings “Department of Health and

1 Human Services, Indian Health Service, Contract Support
2 Costs” and “Department of the Interior, Bureau of Indian
3 Affairs and Bureau of Indian Education, Contract Sup-
4 port Costs” are the only amounts available for contract
5 support costs arising out of self-determination or self-gov-
6 ernance contracts, grants, compacts, or annual funding
7 agreements for fiscal year 2018 with the Bureau of Indian
8 Affairs or the Indian Health Service: *Provided*, That such
9 amounts provided by this Act are not available for pay-
10 ment of claims for contract support costs for prior years,
11 or for repayments of payments for settlements or judg-
12 ments awarding contract support costs for prior years.

13 FOREST MANAGEMENT PLANS

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

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

4 PROHIBITION WITHIN NATIONAL MONUMENTS

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

15 LIMITATION ON TAKINGS

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

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

3 TIMBER SALE REQUIREMENTS

4 SEC. 410. No timber sale in Alaska's Region 10 shall
5 be advertised if the indicated rate is deficit (defined as
6 the value of the timber is not sufficient to cover all logging
7 and stumpage costs and provide a normal profit and risk
8 allowance under the Forest Service's appraisal process)
9 when appraised using a residual value appraisal. The west-
10 ern red cedar timber from those sales which is surplus
11 to the needs of the domestic processors in Alaska, shall
12 be made available to domestic processors in the contiguous
13 48 United States at prevailing domestic prices. All addi-
14 tional western red cedar volume not sold to Alaska or con-
15 tiguous 48 United States domestic processors may be ex-
16 ported to foreign markets at the election of the timber sale
17 holder. All Alaska yellow cedar may be sold at prevailing
18 export prices at the election of the timber sale holder.

19 PROHIBITION ON NO-BID CONTRACTS

20 SEC. 411. None of the funds appropriated or other-
21 wise made available by this Act to executive branch agen-
22 cies may be used to enter into any Federal contract unless
23 such contract is entered into in accordance with the re-
24 quirements of Chapter 33 of title 41, United States Code,

1 or Chapter 137 of title 10, United States Code, and the
2 Federal Acquisition Regulation, unless—

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

7 (2) such contract is authorized by the Indian
8 Self-Determination and Education Assistance Act
9 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
10 any other Federal laws that specifically authorize a
11 contract within an Indian tribe as defined in section
12 4(e) of that Act (25 U.S.C. 450b(e)); or

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

15 POSTING OF REPORTS

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

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

23 (1) the public posting of the report com-
24 promises national security; or

25 (2) the report contains proprietary information.

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

5 NATIONAL ENDOWMENT FOR THE ARTS GRANT

6 GUIDELINES

7 SEC. 413. Of the funds provided to the National En-
8 dowment for the Arts—

9 (1) The Chairperson shall only award a grant
10 to an individual if such grant is awarded to such in-
11 dividual for a literature fellowship, National Herit-
12 age Fellowship, or American Jazz Masters Fellow-
13 ship.

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

22 (3) No grant shall be used for seasonal support
23 to a group, unless the application is specific to the
24 contents of the season, including identified programs
25 or projects.

1 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM
2 PRIORITIES

3 SEC. 414. (a) In providing services or awarding fi-
4 nancial assistance under the National Foundation on the
5 Arts and the Humanities Act of 1965 from funds appro-
6 priated under this Act, the Chairperson of the National
7 Endowment for the Arts shall ensure that priority is given
8 to providing services or awarding financial assistance for
9 projects, productions, workshops, or programs that serve
10 underserved populations.

11 (b) In this section:

12 (1) The term “underserved population” means
13 a population of individuals, including urban minori-
14 ties, who have historically been outside the purview
15 of arts and humanities programs due to factors such
16 as a high incidence of income below the poverty line
17 or to geographic isolation.

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

24 (c) In providing services and awarding financial as-
25 sistance under the National Foundation on the Arts and

1 Humanities Act of 1965 with funds appropriated by this
2 Act, the Chairperson of the National Endowment for the
3 Arts shall ensure that priority is given to providing serv-
4 ices or awarding financial assistance for projects, produc-
5 tions, workshops, or programs that will encourage public
6 knowledge, education, understanding, and appreciation of
7 the arts.

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

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

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

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

23 (4) the Chairperson shall encourage the use of
24 grants to improve and support community-based
25 music performance and education.

1 STATUS OF BALANCES OF APPROPRIATIONS

2 SEC. 415. The Department of the Interior, the Envi-
3 ronmental Protection Agency, the Forest Service, and the
4 Indian Health Service shall provide the Committees on
5 Appropriations of the House of Representatives and Sen-
6 ate quarterly reports on the status of balances of appro-
7 priations including all uncommitted, committed, and unob-
8 ligated funds in each program and activity.

9 RECREATION FEE

10 SEC. 416. Section 810 of the Federal Lands Recre-
11 ation Enhancement Act (16 U.S.C. 6809) is amended by
12 striking “September 30, 2018” and inserting “September
13 30, 2019”.

14 PROHIBITION ON USE OF FUNDS

15 SEC. 417. Notwithstanding any other provision of
16 law, none of the funds made available in this Act or any
17 other Act may be used to promulgate or implement any
18 regulation requiring the issuance of permits under title V
19 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
20 dioxide, nitrous oxide, water vapor, or methane emissions
21 resulting from biological processes associated with live-
22 stock production.

23 GREENHOUSE GAS REPORTING RESTRICTIONS

24 SEC. 418. Notwithstanding any other provision of
25 law, none of the funds made available in this or any other

1 Act may be used to implement any provision in a rule,
2 if that provision requires mandatory reporting of green-
3 house gas emissions from manure management systems.

4 MODIFICATION OF AUTHORITIES

5 SEC. 419. Section 8162(m)(3) of the Department of
6 Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;
7 Public Law 106–79) is amended by striking “September
8 30, 2017” and inserting “September 30, 2018”.

9 FUNDING PROHIBITION

10 SEC. 420. None of the funds made available by this
11 or any other Act may be used to regulate the lead content
12 of ammunition, ammunition components, or fishing tackle
13 under the Toxic Substances Control Act (15 U.S.C. 2601
14 et seq.) or any other law.

15 CONTRACTING AUTHORITIES

16 SEC. 421. Section 412 of Division E of Public Law
17 112–74 is amended by striking “fiscal year 2017” and in-
18 serting “fiscal year 2019”.

19 CHESAPEAKE BAY INITIATIVE

20 SEC. 422. Section 502(c) of the Chesapeake Bay Ini-
21 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
22 note) is amended by striking “2017” and inserting
23 “2019”.

1 EXTENSION OF GRAZING PERMITS

2 SEC. 423. The terms and conditions of section 325
3 of Public Law 108–108 (117 Stat. 1307), regarding graz-
4 ing permits issued by the Forest Service on any lands not
5 subject to administration under section 402 of the Federal
6 Lands Policy and Management Act (43 U.S.C. 1752),
7 shall remain in effect for fiscal year 2018.

8 FUNDING PROHIBITION

9 SEC. 424. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network is designed to block access
12 to pornography websites.

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

17 FOREST SERVICE FACILITY REALIGNMENT AND
18 ENHANCEMENT ACT

19 SEC. 425. Section 503(f) of the Forest Service Facil-
20 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
21 580d note; Public Law 109–54) is amended by striking
22 “2016” and inserting “2018”.

23 USE OF AMERICAN IRON AND STEEL

24 SEC. 426. (a)(1) None of the funds made available
25 by a State water pollution control revolving fund as au-

1 thorized by section 1452 of the Safe Drinking Water Act
2 (42 U.S.C. 300j–12) shall be used for a project for the
3 construction, alteration, maintenance, or repair of a public
4 water system or treatment works unless all of the iron and
5 steel products used in the project are produced in the
6 United States.

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

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

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

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

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

1 POLICIES RELATING TO BIOMASS ENERGY

2 SEC. 428. For fiscal year 2018 and each fiscal year
3 thereafter, to support the key role that forests in the
4 United States can play in addressing the energy needs of
5 the United States, the Secretary of Energy, the Secretary
6 of Agriculture, and the Administrator of the Environ-
7 mental Protection Agency shall, consistent with their mis-
8 sions, jointly—

9 (1) ensure that Federal policy relating to forest
10 bioenergy—

11 (A) is consistent across all Federal depart-
12 ments and agencies; and

13 (B) recognizes the full benefits of the use
14 of forest biomass for energy, conservation, and
15 responsible forest management; and

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

19 (A) reflect the carbon-neutrality of forest
20 bioenergy and recognize biomass as a renewable
21 energy source, provided the use of forest bio-
22 mass for energy production does not cause con-
23 version 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 JOHN F. KENNEDY CENTER REAUTHORIZATION

15 SEC. 429. Section 13 of the John F. Kennedy Center
16 Act (20 U.S.C. 76r) is amended by striking subsections
17 (a) and (b) and inserting the following:

18 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
19 There is authorized to be appropriated to the Board to
20 carry out section 4(a)(1)(H), \$24,000,000 for fiscal year
21 2018.

22 “(b) CAPITAL PROJECTS.—There is authorized to be
23 appropriated to the Board to carry out subparagraphs (F)
24 and (G) of section 4(a)(1), \$13,000,000 for fiscal year
25 2018.”.

1 CLARIFICATION OF EXEMPTIONS

2 SEC. 430. Notwithstanding section 404(f)(2) of the
3 Federal Water Pollution Control Act (33 U.S.C.
4 1344(f)(2)), none of the funds made available by this Act
5 may be used to require a permit for the discharge of
6 dredged or fill material under the Federal Water Pollution
7 Control Act (33 U.S.C. 1251 et seq.) for the activities
8 identified in subparagraphs (A) and (C) of section
9 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

10 WATERS OF THE UNITED STATES

11 SEC. 431. (a) AUTHORIZATION.—The Administrator
12 of the Environmental Protection Agency and the Secretary
13 of the Army may withdraw the Waters of the United
14 States rule without regard to any provision of statute or
15 regulation that establishes a requirement for such with-
16 drawal.

17 (b) EFFECT OF WITHDRAWAL.—Except as otherwise
18 provided by any Act or rule that takes effect after the date
19 of enactment of this Act, if the Administrator of the Envi-
20 ronmental Protection Agency and the Secretary of the
21 Army withdraw the Waters of the United States rule
22 under subsection (a), the Administrator and Secretary
23 shall implement the provisions of law under which such
24 rule was issued in accordance with the regulations and

1 guidance in effect under such provisions immediately be-
2 fore the effective date of such rule.

3 (c) DEFINITIONS.—In this section the term “Waters
4 of the United States rule” means the final rule issued by
5 the Administrator of the Environmental Protection Agen-
6 cy and the Secretary of the Army entitled “Clean Water
7 Rule: Definition of ‘Waters of the United States’” on
8 June 29, 2015 (80 Fed. Reg. 37053).

9 OZONE

10 SEC. 432. To implement the national ambient air
11 quality standards for ozone published in the Federal Reg-
12 ister on October 26, 2015 (80 Fed. Reg. 65292):

13 (1) the Governor of each State shall designate
14 areas of the State as attainment, nonattainment, or
15 unclassifiable with respect to the standards not later
16 than October 26, 2024;

17 (2) the Administrator of the Environmental
18 Protection Agency shall promulgate final designa-
19 tions for all areas in all States with respect to the
20 standards not later than October 26, 2025;

21 (3) each State shall submit the plan required by
22 section 110(a)(1) of the Clean Air Act (42 U.S.C.
23 7410(a)(1)) for the standards not later than October
24 26, 2026;

1 (16 U.S.C. 6502)) for hunting, fishing, or recreational
2 shooting if such use or access—

3 (1) was not prohibited on such Federal land as
4 of January 1, 2013; and

5 (2) was conducted in compliance with the re-
6 source management plan (as defined in section 101
7 of such Act (16 U.S.C. 6511)) applicable to such
8 Federal land as of January 1, 2013.

9 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-
10 standing subsection (a), the Secretary of the Interior or
11 the Secretary of Agriculture may temporarily close, for a
12 period not to exceed 30 days, Federal land managed by
13 the Secretary to hunting, fishing, or recreational shooting
14 if the Secretary determines that the temporary closure is
15 necessary to accommodate a special event or for public
16 safety reasons. The Secretary may extend a temporary clo-
17 sure for one additional 90-day period only if the Secretary
18 determines the extension is necessary because of extraor-
19 dinary weather conditions or for public safety reasons.

20 (c) AUTHORITY OF STATES.—Nothing in this section
21 shall be construed as affecting the authority, jurisdiction,
22 or responsibility of the several States to manage, control,
23 or regulate fish and resident wildlife under State law or
24 regulations.

1 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

2 SEC. 437. The Secretary of the Interior, with respect
3 to public lands administered by the Bureau of Land Man-
4 agement, and the Secretary of Agriculture, with respect
5 to the National Forest System lands, shall make vacant
6 grazing allotments available to a holder of a grazing per-
7 mit or lease issued by either Secretary if the lands covered
8 by the permit or lease or other grazing lands used by the
9 holder of the permit or lease are unusable because of
10 drought or wildfire, as determined by the Secretary con-
11 cerned. The terms and conditions contained in a permit
12 or lease made available pursuant to this section shall be
13 the same as the terms and conditions of the most recent
14 permit or lease that was applicable to the vacant grazing
15 allotment made available. Section 102 of the National En-
16 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall
17 not apply with respect to any Federal agency action under
18 this section.

19 WIND TURBINE FUNDING LIMITATION

20 SEC. 438. None of the funds made available by this
21 Act may be used to conduct reviews of site assessment
22 or construction and operation plans for any project that
23 would entail the construction or location of wind turbines
24 less than 24 nautical miles from the State of Maryland
25 shoreline.

1 REFERENCES TO ACT

2 SEC. 439. Except as expressly provided otherwise,
3 any reference to “this Act” contained in this division shall
4 be treated as referring only to the provisions of this divi-
5 sion.

6 REFERENCE TO REPORT

7 SEC. 440. Any reference to a “report accompanying
8 this Act” contained in this division shall be treated as a
9 reference to House Report 115–238. The effect of such
10 Report shall be limited to this division and shall apply for
11 purposes of determining the allocation of funds provided
12 by, and the implementation of, this division.

13 SPENDING REDUCTION ACCOUNT

14 SEC. 441. \$0.

15 SEC. 442. None of the funds made available by this
16 Act may be used to limit outreach programs administered
17 by the Smithsonian Institution.

18 SEC. 443. None of the funds made available by this
19 Act for the “DEPARTMENT OF INTERIOR—NA-
20 TIONAL PARK SERVICE—NATIONAL RECREATION AND
21 PRESERVATION” may be used in contravention of section
22 320101 of title 54, United States Code.

23 SEC. 444. None of the funds made available in this
24 Act may be used may be used to eliminate the Urban
25 Wildlife Refuge Partnership.

1 SEC. 445. None of the funds made available under
2 this Act may be used to enforce the export permission re-
3 quirements of section 9(d)(1) of the Endangered Species
4 Act of 1973 (16 U.S.C. 1538(d)(1)) for members of the
5 phylum Echinodermata commonly known as sea urchins
6 and sea cucumbers.

7 LIMITATION ON USE OF FUNDS

8 SEC. 446. None of the funds made available by this
9 Act may be used to finalize, implement, administer, or en-
10 force the proposed rule entitled “Special Regulations,
11 Areas of the National Park Service, Golden Gate National
12 Recreation Area, Dog Management” published by the Na-
13 tional Park Service in the Federal Register on February
14 24, 2016 (81 Fed. Reg. 9139 et seq.; Regulation Identifier
15 No. 1024–AE16).

16 SEC. 447. None of the funds made available by this
17 Act may be used to propose to repeal section 105(a)(2)
18 or section 105(b) of the Gulf of Mexico Energy Security
19 Act of 2006 (43 U.S.C. 1331 note).

20 SEC. 448. None of the funds made available by this
21 Act may be used by the Administrator of the Environ-
22 mental Protection Agency to hire or pay the salary of any
23 officer or employee of the Environmental Protection Agen-
24 cy under subsection (f) or (g) of section 207 of the Public
25 Health Service Act (42 U.S.C. 209) who is not already

1 receiving pay under either such subsection on the date of
2 enactment of this Act.

3 SEC. 449. None of the funds made available by this
4 Act may be used to withdraw National Forest System
5 lands within the Rainy River Watershed on the Superior
6 National Forest from disposition under United States
7 mineral and geothermal leasing laws.

8 SEC. 450. None of the funds made available by this
9 Act may be used by the Environmental Protection Agency
10 to enforce notification requirements respecting released
11 substances under subsections (a) through (d) of section
12 103 of the Comprehensive Environmental Response, Com-
13 pensation, and Liability Act of 1980 (42 U.S.C. 9603) or
14 subsections (a) through (c) of section 304 of the Emer-
15 gency Planning and Community Right-To-Know Act of
16 1986 (42 U.S.C. 11004) with respect to releases of haz-
17 ardous substances from animal waste at farms.

18 SEC. 451. None of the funds made available under
19 this Act may be used to enter into a cooperative agreement
20 with or make any grant or loan to an entity to establish
21 in any of Baca, Bent, Crowley, Huerfano, Kiowa, Las
22 Animas, Otero, Prowers, and Pueblo counties, Colorado,
23 a national heritage area, national heritage corridor, na-
24 tional heritage canal way, national heritage tour route, na-

1 tional historic district, cultural heritage corridor, or other
2 heritage partnership program.

3 SEC. 452. None of the funds made available under
4 this Act may be used to require changes to an existing
5 placer mining plan of operations with regard to reclama-
6 tion activities, including revegetation, or to modify the
7 bond requirements for the mining operation.

8 LIMITATION ON USE OF FUNDS

9 SEC. 453. None of the funds made available by this
10 Act may be used to enforce the final rule entitled “On-
11 shore Oil and Gas Operations; Federal and Indian Oil and
12 Gas Leases; Measurement of Oil” and published by the
13 Bureau of Land Management on November 17, 2016 (81
14 Fed. Reg. 81462).

15 LIMITATION ON USE OF FUNDS

16 SEC. 454. None of the funds made available by this
17 Act may be used by the Secretary of Interior to implement
18 the final rule entitled “Alaska; Hunting and Trapping in
19 National Preserves” (80 Fed. Reg. 64325 (October 23,
20 2015)), or to develop, issue, or implement any other rule
21 of the same substance.

22 SEC. 455. None of the funds made available by this
23 Act may be used by the Environmental Protection Agency
24 to take any of the actions described as a “backstop” in
25 the December 29, 2009, letter from EPA’s Regional Ad-
26 ministrator to the States in the Watershed and the Dis-

1 triet of Columbia in response to the development or imple-
2 mentation of a State’s watershed implementation and re-
3 ferred to in enclosure B of such letter.

4 SEC. 456. None of the funds made available by this
5 Act shall be used to give formal notification under, or pre-
6 pare, propose, implement, administer, or enforce any rule
7 or recommendation pursuant to, section 115 of the Clean
8 Air Act (42 U.S.C. 7415).

9 SEC. 457. None of the funds made available by this
10 Act may be used to finalize, implement, or enforce the rule
11 submitted by the Bureau of Land Management relating
12 to “Onshore Oil and Gas Operations; Federal and Indian
13 Oil and Gas Leases; Site Security”, published at 81 Fed.
14 Reg. 81356 (November 17, 2016).

15 LIMITATION ON USE OF FUNDS

16 SEC. 458. None of the funds made available by this
17 Act may be used to implement or enforce the threatened
18 species or endangered species listing of any plant or wild-
19 life that has not undergone a review as required by section
20 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C.
21 1533(c)(2)).

22 LIMITATION ON USE OF FUNDS

23 SEC. 459. None of the funds made available by this
24 Act may be used to implement or enforce the threatened
25 species listing of the Preble’s meadow jumping mouse

1 under the Endangered Species Act of 1973 (16 U.S.C.
2 1531 et seq.).

3 SEC. 460. None of the funds made available by this
4 Act may be used to finalize, implement, or enforce the rule
5 submitted by the Bureau of Land Management relating
6 to “Waste Prevention, Production Subject to Royalties,
7 and Resource Conservation”, published at 81 Fed. Reg.
8 83008 (November 18, 2016).

9 SEC. 461. None of the funds made available under
10 this Act may be used to pay legal fees pursuant to a settle-
11 ment in any case in which the Federal Government is a
12 party that arises under—

13 (1) the Clean Air Act (42 U.S.C. 7401 et seq.);

14 (2) the Federal Water Pollution Control Act
15 (33 U.S.C. 1251 et seq.); or

16 (3) the Endangered Species Act of 1973 (16
17 U.S.C. 1531 et seq.).

18 SEC. 462. None of the funds made available by this
19 Act may be used to enforce the final rule entitled “Oil
20 and Natural Gas Sector: Emission Standards for New, Re-
21 constructed, and Modified Sources” published by the En-
22 vironmental Protection Agency in the Federal Register on
23 June 3, 2016 (81 Fed. Reg. 35824).

24 SEC. 463. None of the funds made available by this
25 Act may be used to prepare, propose, or promulgate any

1 regulation or guidance that references or relies on the
2 analysis contained in—

3 (1) “Technical Support Document: Social Cost
4 of Carbon for Regulatory Impact Analysis Under
5 Executive Order 12866”, published by the Inter-
6 agency Working Group on Social Cost of Carbon,
7 United States Government, in February 2010;

8 (2) “Technical Support Document: Technical
9 Update of the Social Cost of Carbon for Regulatory
10 Impact Analysis Under Executive Order 12866”,
11 published by the Interagency Working Group on So-
12 cial Cost of Carbon, United States Government, in
13 May 2013 and revised in November 2013;

14 (3) “Revised Draft Guidance for Federal De-
15 partments and Agencies on Consideration of Green-
16 house Gas Emissions and the Effects of Climate
17 Change in NEPA Reviews”, published by the Coun-
18 cil on Environmental Quality on December 24, 2014
19 (79 Fed. Reg. 77802);

20 (4) “Technical Support Document: Technical
21 Update of the Social Cost of Carbon for Regulatory
22 Impact Analysis Under Executive Order 12866”,
23 published by the Interagency Working Group on So-
24 cial Cost of Carbon, United States Government, in
25 July 2015;

1 (5) “Addendum to the Technical Support Docu-
2 ment on Social Cost of Carbon for Regulatory Im-
3 pact Analysis Under Executive Order 12866: Appli-
4 cation of the Methodology to Estimate the Social
5 Cost of Methane and the Social Cost of Nitrous
6 Oxide”, published by the Interagency Working
7 Group on Social Cost of Greenhouse Gases, United
8 States Government, in August 2016; or

9 (6) “Technical Support Document: Technical
10 Update of the Social Cost of Carbon for Regulatory
11 Impact Analysis Under Executive Order 12866”,
12 published by the Interagency Working Group on So-
13 cial Cost of Greenhouse Gases, United States Gov-
14 ernment, in August 2016.

15 This division may be cited as the “Department of the
16 Interior, Environment, and Related Agencies Appropria-
17 tions Act, 2018”.

18 **DIVISION B—AGRICULTURE, RURAL DE-**
19 **VELOPMENT, FOOD AND DRUG ADMIN-**
20 **ISTRATION, AND RELATED AGENCIES**
21 **APPROPRIATIONS ACT, 2018**

22 The following sums are appropriated, out of any
23 money in the Treasury not otherwise appropriated, for Ag-
24 riculture, Rural Development, Food and Drug Administra-

1 tion, and Related Agencies programs for fiscal year ending
2 September 30, 2018, and for other purposes, namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PROCESSING, RESEARCH, AND MARKETING

6 OFFICE OF THE SECRETARY

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Office of the Secretary,
9 \$21,703,000 (reduced by \$1,500,000) (reduced by
10 \$400,000) (reduced by \$600,000), of which not to exceed
11 \$4,850,000 shall be available for the immediate Office of
12 the Secretary; not to exceed \$501,000 shall be available
13 for the Office of Tribal Relations; not to exceed \$800,000
14 shall be available for the Assistant to the Secretary for
15 Rural Development: *Provided*, That funds made available
16 by this Act to an agency in the Rural Development mission
17 area for salaries and expenses are available to pay the sal-
18 aries and expenses of up to one administrative support
19 staff for the Assistant; not to exceed \$1,448,000 shall be
20 available for the Office of Homeland Security and Emer-
21 gency Coordination; not to exceed \$1,171,000 shall be
22 available for the Office of Advocacy and Outreach; not to
23 exceed \$3,581,000 (reduced by \$1,500,000) (reduced by
24 \$400,000) shall be available for the Office of the Assistant
25 Secretary for Administration, of which \$2,781,000 (re-

1 duced by \$1,500,000) (reduced by \$400,000) shall be
2 available for Departmental Administration to provide for
3 necessary expenses for management support services to of-
4 fices of the Department and for general administration,
5 security, repairs and alterations, and other miscellaneous
6 supplies and expenses not otherwise provided for and nec-
7 essary for the practical and efficient work of the Depart-
8 ment; not to exceed \$3,091,000 (reduced by \$600,000)
9 shall be available for the Office of Assistant Secretary for
10 Congressional Relations to carry out the programs funded
11 by this Act, including programs involving intergovern-
12 mental affairs and liaison within the executive branch; and
13 not to exceed \$6,261,000 shall be available for the Office
14 of Communications: *Provided further*, That the Secretary
15 of Agriculture is authorized to transfer funds appropriated
16 for any office of the Office of the Secretary to any other
17 office of the Office of the Secretary: *Provided further*, That
18 no appropriation for any office shall be increased or de-
19 creased by more than 5 percent: *Provided further*, That
20 not to exceed \$11,000 of the amount made available under
21 this paragraph for the immediate Office of the Secretary
22 shall be available for official reception and representation
23 expenses, not otherwise provided for, as determined by the
24 Secretary: *Provided further*, That the amount made avail-
25 able under this heading for Departmental Administration

1 shall be reimbursed from applicable appropriations in this
2 Act for travel expenses incident to the holding of hearings
3 as required by 5 U.S.C. 551–558: *Provided further*, That
4 funds made available under this heading for the Office of
5 the Assistant Secretary for Congressional Relations may
6 be transferred to agencies of the Department of Agri-
7 culture funded by this Act to maintain personnel at the
8 agency level: *Provided further*, That no funds made avail-
9 able under this heading for the Office of Assistant Sec-
10 retary for Congressional Relations may be obligated after
11 30 days from the date of enactment of this Act, unless
12 the Secretary has notified the Committees on Appropria-
13 tions of both Houses of Congress on the allocation of these
14 funds by USDA agency.

15 EXECUTIVE OPERATIONS

16 OFFICE OF THE CHIEF ECONOMIST

17 For necessary expenses of the Office of the Chief
18 Economist, \$16,777,000 (reduced by \$1,000,000), of
19 which \$4,000,000 shall be for grants or cooperative agree-
20 ments for policy research under 7 U.S.C. 3155.

21 OFFICE OF HEARINGS AND APPEALS

22 For necessary expenses of the Office of Hearings and
23 Appeals, \$13,399,000.

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and
3 Program Analysis, \$9,093,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$49,538,000, of which not less than
7 \$33,000,000 is for cybersecurity requirements of the De-
8 partment.

9 OFFICE OF THE CHIEF FINANCIAL OFFICER

10 For necessary expenses of the Office of the Chief Fi-
11 nancial Officer, \$5,836,000.

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, \$800,000: *Provided*, That
16 funds made available by this Act to an agency in the Civil
17 Rights mission area for salaries and expenses are available
18 to pay the salaries and expenses of up to one administra-
19 tive support staff for the Office.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
22 \$23,304,000.

1 HAZARDOUS MATERIALS MANAGEMENT

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses of the Department of Agri-
4 culture, to comply with the Comprehensive Environmental
5 Response, Compensation, and Liability Act (42 U.S.C.
6 9601 et seq.) and the Resource Conservation and Recovery
7 Act (42 U.S.C. 6901 et seq.), \$3,503,000, to remain avail-
8 able until expended: *Provided*, That appropriations and
9 funds available herein to the Department for Hazardous
10 Materials Management may be transferred to any agency
11 of the Department for its use in meeting all requirements
12 pursuant to the above Acts on Federal and non-Federal
13 lands.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General, including employment pursuant to the Inspector
17 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
18 \$95,628,000, including such sums as may be necessary for
19 contracting and other arrangements with public agencies
20 and private persons pursuant to section 6(a)(9) of the In-
21 spector General Act of 1978 (Public Law 95–452; 5
22 U.S.C. App.), and including not to exceed \$125,000 for
23 certain confidential operational expenses, including the
24 payment of informants, to be expended under the direction
25 of the Inspector General pursuant to the Inspector Gen-

1 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
2 section 1337 of the Agriculture and Food Act of 1981
3 (Public Law 97–98).

4 OFFICE OF THE GENERAL COUNSEL

5 For necessary expenses of the Office of the General
6 Counsel, \$42,970,000 (reduced by \$2,000,000).

7 OFFICE OF ETHICS

8 For necessary expenses of the Office of Ethics,
9 \$3,945,000.

10 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

11 EDUCATION, AND ECONOMICS

12 For necessary expenses of the Office of the Under
13 Secretary for Research, Education, and Economics,
14 \$800,000: *Provided*, That funds made available by this
15 Act to an agency in the Research, Education, and Eco-
16 nomics mission area for salaries and expenses are avail-
17 able to pay the salaries and expenses of up to one adminis-
18 trative support staff for the Office.

19 ECONOMIC RESEARCH SERVICE

20 For necessary expenses of the Economic Research
21 Service, \$76,788,000.

22 NATIONAL AGRICULTURAL STATISTICS SERVICE

23 For necessary expenses of the National Agricultural
24 Statistics Service, \$183,781,000 (reduced by \$5,563,000),
25 of which up to \$63,350,000 shall be available until ex-

1 pended for the Census of Agriculture: *Provided*, That
2 amounts made available for the Census of Agriculture may
3 be used to conduct Current Industrial Report surveys sub-
4 ject to 7 U.S.C. 2204g(d) and (f).

5 AGRICULTURAL RESEARCH SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the Agricultural Research
8 Service and for acquisition of lands by donation, exchange,
9 or purchase at a nominal cost not to exceed \$100, and
10 for land exchanges where the lands exchanged shall be of
11 equal value or shall be equalized by a payment of money
12 to the grantor which shall not exceed 25 percent of the
13 total value of the land or interests transferred out of Fed-
14 eral ownership, \$1,132,625,000 (increased by
15 \$1,500,000): *Provided*, That appropriations hereunder
16 shall be available for the operation and maintenance of
17 aircraft and the purchase of not to exceed one for replace-
18 ment only: *Provided further*, That appropriations here-
19 under shall be available pursuant to section 703 of the
20 Act of September 21, 1944 (7 U.S.C. 2250) for the con-
21 struction, alteration, and repair of buildings and improve-
22 ments, but unless otherwise provided, the cost of con-
23 structing any one building shall not exceed \$500,000, ex-
24 cept for headhouses or greenhouses which shall each be
25 limited to \$1,800,000, except for 10 buildings to be con-

1 structed or improved at a cost not to exceed \$1,100,000
2 each, and except for two buildings to be constructed at
3 a cost not to exceed \$3,000,000 each, and the cost of alter-
4 ing any one building during the fiscal year shall not exceed
5 10 percent of the current replacement value of the build-
6 ing or \$500,000, whichever is greater: *Provided further,*
7 That appropriations hereunder shall be available for enter-
8 ing into lease agreements at any Agricultural Research
9 Service location for the construction of a research facility
10 by a non-Federal entity for use by the Agricultural Re-
11 search Service and a condition of the lease shall be that
12 any facility shall be owned, operated, and maintained by
13 the non-Federal entity and shall be removed upon the ex-
14 piration or termination of the lease agreement: *Provided*
15 *further,* That the limitations on alterations contained in
16 this Act shall not apply to modernization or replacement
17 of existing facilities at Beltsville, Maryland: *Provided fur-*
18 *ther,* That appropriations hereunder shall be available for
19 granting easements at the Beltsville Agricultural Research
20 Center: *Provided further,* That the foregoing limitations
21 shall not apply to replacement of buildings needed to carry
22 out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided*
23 *further,* That appropriations hereunder shall be available
24 for granting easements at any Agricultural Research Serv-
25 ice location for the construction of a research facility by

1 a non-Federal entity for use by, and acceptable to, the
2 Agricultural Research Service and a condition of the ease-
3 ments shall be that upon completion the facility shall be
4 accepted by the Secretary, subject to the availability of
5 funds herein, if the Secretary finds that acceptance of the
6 facility is in the interest of the United States: *Provided*
7 *further*, That funds may be received from any State, other
8 political subdivision, organization, or individual for the
9 purpose of establishing or operating any research facility
10 or research project of the Agricultural Research Service,
11 as authorized by law.

12 BUILDINGS AND FACILITIES

13 For the acquisition of land, construction, repair, im-
14 provement, extension, alteration, and purchase of fixed
15 equipment or facilities as necessary to carry out the agri-
16 cultural research programs of the Department of Agri-
17 culture, where not otherwise provided, \$60,000,000 to re-
18 main available until expended.

19 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

20 RESEARCH AND EDUCATION ACTIVITIES

21 For payments to agricultural experiment stations, for
22 cooperative forestry and other research, for facilities, and
23 for other expenses, \$830,402,000 (increased by
24 \$2,000,000), which shall be for the purposes, and in the
25 amounts, specified in the table titled “National Institute

1 of Food and Agriculture, Research and Education Activi-
2 ties” in the report accompanying this Act: *Provided*, That
3 funds for research grants for 1994 institutions, education
4 grants for 1890 institutions, the agriculture and food re-
5 search initiative, veterinary medicine loan repayment,
6 multicultural scholars, graduate fellowship and institution
7 challenge grants, and grants management systems shall
8 remain available until expended: *Provided further*, That
9 each institution eligible to receive funds under the Evans-
10 Allen program receives no less than \$1,000,000: *Provided*
11 *further*, That funds for education grants for Alaska Native
12 and Native Hawaiian-serving institutions be made avail-
13 able to individual eligible institutions or consortia of eligi-
14 ble institutions with funds awarded equally to each of the
15 States of Alaska and Hawaii: *Provided further*, That funds
16 for education grants for 1890 institutions shall be made
17 available to institutions eligible to receive funds under 7
18 U.S.C. 3221 and 3222: *Provided further*, That not more
19 than 5 percent of the amounts made available by this or
20 any other Act to carry out the Agriculture and Food Re-
21 search Initiative under 7 U.S.C. 450i(b) may be retained
22 by the Secretary of Agriculture to pay administrative costs
23 incurred by the Secretary in carrying out that Act.

1 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
8 Northern Marianas, and American Samoa, \$475,876,000,
9 which shall be for the purposes, and in the amounts, speci-
10 fied in the table titled “National Institute of Food and
11 Agriculture, Extension Activities” in the report accom-
12 panying this Act: *Provided*, That funds for facility im-
13 provements at 1890 institutions shall remain available
14 until expended: *Provided further*, That institutions eligible
15 to receive funds under 7 U.S.C. 3221 for cooperative ex-
16 tension receive no less than \$1,000,000: *Provided further*,
17 That funds for cooperative extension under sections 3(b)
18 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
19 and section 209 of the District of Columbia Public Post-
20 secondary Education Reorganization Act (38–1202.09,
21 D.C. Official Code) shall be available for retirement and
22 employees’ compensation costs for extension agents.

23 INTEGRATED ACTIVITIES

24 For the integrated research, education, and extension
25 grants programs, including necessary administrative ex-

1 penses, \$35,000,000, which shall be for the purposes, and
2 in the amounts, specified in the table titled “National In-
3 stitute of Food and Agriculture, Integrated Activities” in
4 the report accompanying this Act: *Provided*, That funds
5 for the Food and Agriculture Defense Initiative shall re-
6 main available until September 30, 2019: *Provided further*,
7 That notwithstanding any other provision of law, indirect
8 costs shall not be charged against any Extension Imple-
9 mentation Program Area grant awarded under the Inte-
10 grated research, education, and extension competitive
11 grants program under section 406 of the Agricultural Re-
12 search, Extension, and Education Reform Act of 1998.

13 OFFICE OF THE UNDER SECRETARY FOR MARKETING
14 AND REGULATORY PROGRAMS

15 For necessary expenses of the Office of the Under
16 Secretary for Marketing and Regulatory Programs,
17 \$800,000: *Provided*, That funds made available by this
18 Act to an agency in the Marketing and Regulatory Pro-
19 grams mission area for salaries and expenses are available
20 to pay the salaries and expenses of up to one administra-
21 tive support staff for the Office.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Animal and Plant
5 Health Inspection Service, including up to \$30,000 for
6 representation allowances and for expenses pursuant to
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),
8 \$906,400,000 (increased by \$400,000) (increased by
9 \$1,000,000), of which \$450,000 (increased by \$400,000),
10 to remain available until expended, shall be available for
11 the control of outbreaks of insects, plant diseases, animal
12 diseases and for control of pest animals and birds (“con-
13 tingency fund”) to the extent necessary to meet emergency
14 conditions; of which \$11,520,000, to remain available until
15 expended, shall be used for the cotton pests program for
16 cost share purposes or for debt retirement for active eradi-
17 cation zones; of which \$35,250,000, to remain available
18 until expended, shall be for Animal Health Technical Serv-
19 ices; of which \$700,000 shall be for activities under the
20 authority of the Horse Protection Act of 1970, as amend-
21 ed (15 U.S.C. 1831); of which \$55,340,000, to remain
22 available until expended, shall be used to support avian
23 health; of which \$4,200,000, to remain available until ex-
24 pended, shall be for information technology infrastructure;
25 of which \$160,000,000 (increased by \$1,000,000), to re-

1 main available until expended, shall be for specialty crop
2 pests; of which, \$8,800,000, to remain available until ex-
3 pended, shall be for field crop and rangeland ecosystem
4 pests; of which \$14,500,000, to remain available until ex-
5 pended, shall be for zoonotic disease management; of
6 which \$36,500,000, to remain available until expended,
7 shall be for emergency preparedness and response; of
8 which \$38,000,000, to remain available until expended,
9 shall be for tree and wood pests; of which \$5,725,000, to
10 remain available until expended, shall be for the National
11 Veterinary Stockpile; of which up to \$1,500,000, to re-
12 main available until expended, shall be for the scrapie pro-
13 gram for indemnities; of which \$2,500,000, to remain
14 available until expended, shall be for the wildlife damage
15 management program for aviation safety: *Provided*, That
16 of amounts available under this heading for wildlife serv-
17 ices methods development, \$1,000,000 shall remain avail-
18 able until expended: *Provided further*, That of amounts
19 available under this heading for the screwworm program,
20 \$4,990,000 shall remain available until expended: *Pro-*
21 *vided further*, That no funds shall be used to formulate
22 or administer a brucellosis eradication program for the
23 current fiscal year that does not require minimum match-
24 ing by the States of at least 40 percent: *Provided further*,
25 That this appropriation shall be available for the operation

1 and maintenance of aircraft and the purchase of not to
2 exceed five, of which two shall be for replacement only:
3 *Provided further*, That in addition, in emergencies which
4 threaten any segment of the agricultural production indus-
5 try of the United States, the Secretary may transfer from
6 other appropriations or funds available to the agencies or
7 corporations of the Department such sums as may be
8 deemed necessary, to be available only in such emergencies
9 for the arrest and eradication of contagious or infectious
10 disease or pests of animals, poultry, or plants, and for ex-
11 penses in accordance with sections 10411 and 10417 of
12 the Animal Health Protection Act (7 U.S.C. 8310 and
13 8316) and sections 431 and 442 of the Plant Protection
14 Act (7 U.S.C. 7751 and 7772), and any unexpended bal-
15 ances of funds transferred for such emergency purposes
16 in the preceding fiscal year shall be merged with such
17 transferred amounts: *Provided further*, That appropria-
18 tions hereunder shall be available pursuant to law (7
19 U.S.C. 2250) for the repair and alteration of leased build-
20 ings and improvements, but unless otherwise provided, the
21 cost of altering any one building during the fiscal year
22 shall not exceed 10 percent of the current replacement
23 value of the building.

24 In fiscal year 2018, the agency is authorized to collect
25 fees to cover the total costs of providing technical assist-

1 ance, goods, or services requested by States, other political
2 subdivisions, domestic and international organizations,
3 foreign governments, or individuals, provided that such
4 fees are structured such that any entity's liability for such
5 fees is reasonably based on the technical assistance, goods,
6 or services provided to the entity by the agency, and such
7 fees shall be reimbursed to this account, to remain avail-
8 able until expended, without further appropriation, for
9 providing such assistance, goods, or services.

10 AGRICULTURAL MARKETING SERVICE

11 MARKETING SERVICES

12 For necessary expenses of the Agricultural Marketing
13 Service, \$77,573,000 (reduced by \$2,000,000): *Provided*,
14 That this appropriation shall be available pursuant to law
15 (7 U.S.C. 2250) for the alteration and repair of buildings
16 and improvements, but the cost of altering any one build-
17 ing during the fiscal year shall not exceed 10 percent of
18 the current replacement value of the building.

19 Fees may be collected for the cost of standardization
20 activities, as established by regulation pursuant to section
21 9701 of title 31, United States Code.

22 LIMITATION ON ADMINISTRATIVE EXPENSES

23 Not to exceed \$61,227,000 (from fees collected) shall
24 be obligated during the current fiscal year for administra-
25 tive expenses: *Provided*, That if crop size is understated

1 and/or other uncontrollable events occur, the agency may
2 exceed this limitation by up to 10 percent with notification
3 to the Committees on Appropriations of both Houses of
4 Congress.

5 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

6 SUPPLY (SECTION 32)

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds available under section 32 of the Act of Au-
9 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
10 modity program expenses as authorized therein, and other
11 related operating expenses, except for: (1) transfers to the
12 Department of Commerce as authorized by the Fish and
13 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
14 fers otherwise provided in this Act; and (3) not more than
15 \$20,705,000 for formulation and administration of mar-
16 keting agreements and orders pursuant to the Agricultural
17 Marketing Agreement Act of 1937 and the Agricultural
18 Act of 1961 (Public Law 87-128).

19 PAYMENTS TO STATES AND POSSESSIONS

20 For payments to departments of agriculture, bureaus
21 and departments of markets, and similar agencies for
22 marketing activities under section 204(b) of the Agricul-
23 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
24 \$1,109,000.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,
5 Packers and Stockyards Administration, \$42,888,000:
6 *Provided*, That this appropriation shall be available pursu-
7 ant to law (7 U.S.C. 2250) for the alteration and repair
8 of buildings and improvements, but the cost of altering
9 any one building during the fiscal year shall not exceed
10 10 percent of the current replacement value of the build-
11 ing.

12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

13 EXPENSES

14 Not to exceed \$60,000,000 (from fees collected) shall
15 be obligated during the current fiscal year for inspection
16 and weighing services: *Provided*, That if grain export ac-
17 tivities require additional supervision and oversight, or
18 other uncontrollable factors occur, this limitation may be
19 exceeded by up to 10 percent with notification to the Com-
20 mittees on Appropriations of both Houses of Congress.

21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under
23 Secretary for Food Safety, \$800,000: *Provided*, That
24 funds made available by this Act to an agency in the Food
25 Safety mission area for salaries and expenses are available

1 to pay the salaries and expenses of up to one administra-
2 tive support staff for the Office.

3 FOOD SAFETY AND INSPECTION SERVICE

4 For necessary expenses to carry out services author-
5 ized by the Federal Meat Inspection Act, the Poultry
6 Products Inspection Act, and the Egg Products Inspection
7 Act, including not to exceed \$50,000 for representation
8 allowances and for expenses pursuant to section 8 of the
9 Act approved August 3, 1956 (7 U.S.C. 1766),
10 \$1,038,069,000; and in addition, \$1,000,000 may be cred-
11 ited to this account from fees collected for the cost of lab-
12 oratory accreditation as authorized by section 1327 of the
13 Food, Agriculture, Conservation and Trade Act of 1990
14 (7 U.S.C. 138f): *Provided*, That funds provided for the
15 Public Health Data Communication Infrastructure system
16 shall remain available until expended: *Provided further*,
17 That no fewer than 148 full-time equivalent positions shall
18 be employed during fiscal year 2018 for purposes dedi-
19 cated solely to inspections and enforcement related to the
20 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
21 seq.): *Provided further*, That the Food Safety and Inspec-
22 tion Service shall continue implementation of section
23 11016 of the Food, Conservation, and Energy Act of 2008
24 (Public Law 110–246) as further clarified by the amend-
25 ments made in section 12106 of the Agricultural Act of

1 2014 (Public Law 113–79): *Provided further*, That this
2 appropriation shall be available pursuant to law (7 U.S.C.
3 2250) for the alteration and repair of buildings and im-
4 provements, but the cost of altering any one building dur-
5 ing the fiscal year shall not exceed 10 percent of the cur-
6 rent replacement value of the building.

7 TITLE II

8 FARM PRODUCTION AND CONSERVATION

9 PROGRAMS

10 OFFICE OF THE UNDER SECRETARY FOR FARM

11 PRODUCTION AND CONSERVATION

12 For necessary expenses of the Office of the Under
13 Secretary for Farm Production and Conservation,
14 \$875,000: *Provided*, That funds made available by this
15 Act to an agency in the Farm Production and Conserva-
16 tion mission area for salaries and expenses are available
17 to pay the salaries and expenses of up to one administra-
18 tive support staff for the Office.

19 FARM SERVICE AGENCY

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Farm Service Agency,
23 \$1,166,317,000: *Provided*, That not more than 50 percent
24 of the \$78,013,000 made available under this heading for
25 information technology related to farm program delivery,

1 including the Modernize and Innovate the Delivery of Ag-
2 ricultural Systems and other farm program delivery sys-
3 tems, may be obligated until the Secretary submits to the
4 Committees on Appropriations of both Houses of Con-
5 gress, and receives written or electronic notification of re-
6 ceipt from such Committees of, a plan for expenditure that
7 (1) identifies for each project/investment over \$25,000 (a)
8 the functional and performance capabilities to be delivered
9 and the mission benefits to be realized, (b) the estimated
10 lifecycle cost, including estimates for development as well
11 as maintenance and operations, and (c) key milestones to
12 be met; (2) demonstrates that each project/investment is
13 (a) consistent with the Farm Service Agency Information
14 Technology Roadmap, (b) being managed in accordance
15 with applicable lifecycle management policies and guid-
16 ance, and (c) subject to the applicable Department's cap-
17 ital planning and investment control requirements; and (3)
18 has been reviewed by the Government Accountability Of-
19 fice: *Provided further*, That the agency shall submit a re-
20 port by the end of the fourth quarter of fiscal year 2018
21 to the Committees on Appropriations and the Government
22 Accountability Office, that identifies for each project/in-
23 vestment that is operational (a) current performance
24 against key indicators of customer satisfaction, (b) current
25 performance of service level agreements or other technical

1 metrics, (c) current performance against a pre-established
2 cost baseline, (d) a detailed breakdown of current and
3 planned spending on operational enhancements or up-
4 grades, and (e) an assessment of whether the investment
5 continues to meet business needs as intended as well as
6 alternatives to the investment: *Provided further*, That the
7 Secretary is authorized to use the services, facilities, and
8 authorities (but not the funds) of the Commodity Credit
9 Corporation to make program payments for all programs
10 administered by the Agency: *Provided further*, That other
11 funds made available to the Agency for authorized activi-
12 ties may be advanced to and merged with this account:
13 *Provided further*, That funds made available to county
14 committees shall remain available until expended: *Pro-*
15 *vided further*, That none of the funds available to the
16 Farm Service Agency shall be used to close Farm Service
17 Agency county offices: *Provided further*, That none of the
18 funds available to the Farm Service Agency shall be used
19 to permanently relocate county based employees that
20 would result in an office with two or fewer employees with-
21 out prior notification and approval of the Committees on
22 Appropriations of both Houses of Congress.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$3,398,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 12400 of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
9 \$6,000,000 (increased by \$500,000), to remain available
10 until expended.

11 DAIRY INDEMNITY PROGRAM

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses involved in making indemnity
14 payments to dairy farmers and manufacturers of dairy
15 products under a dairy indemnity program, such sums as
16 may be necessary, to remain available until expended: *Pro-*
17 *vided*, That such program is carried out by the Secretary
18 in the same manner as the dairy indemnity program de-
19 scribed in the Agriculture, Rural Development, Food and
20 Drug Administration, and Related Agencies Appropria-
21 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
22 12).

1 in section 502 of the Congressional Budget Act of 1974,
2 as follows: farm operating loans, \$52,716,000 for direct
3 operating loans, \$17,687,000 for unsubsidized guaranteed
4 operating loans, emergency loans, \$1,260,000, to remain
5 available until expended; and \$2,272,000 for Indian highly
6 fractionated land loans.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$305,291,000, of which \$297,386,000 shall be transferred
10 to and merged with the appropriation for “Farm Service
11 Agency, Salaries and Expenses”.

12 Funds appropriated by this Act to the Agricultural
13 Credit Insurance Program Account for farm ownership,
14 operating and conservation direct loans and guaranteed
15 loans may be transferred among these programs: *Pro-*
16 *vided*, That the Committees on Appropriations of both
17 Houses of Congress are notified at least 15 days in ad-
18 vance of any transfer.

19 RISK MANAGEMENT AGENCY

20 SALARIES AND EXPENSES

21 For necessary expenses of the Risk Management
22 Agency, \$55,000,000: *Provided*, That not to exceed
23 \$1,000 shall be available for official reception and rep-
24 resentation expenses, as authorized by 7 U.S.C. 1506(i).

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$858,911,000 (increased by \$5,563,000), to remain avail-
20 able until September 30, 2019: *Provided*, That appropria-
21 tions hereunder shall be available pursuant to 7 U.S.C.
22 2250 for construction and improvement of buildings and
23 public improvements at plant materials centers, except
24 that the cost of alterations and improvements to other
25 buildings and other public improvements shall not exceed

1 \$250,000: *Provided further*, That when buildings or other
2 structures are erected on non-Federal land, that the right
3 to use such land is obtained as provided in 7 U.S.C.
4 2250a.

5 WATERSHED AND FLOOD PREVENTION OPERATIONS

6 For necessary expenses to carry out preventive meas-
7 ures, including but not limited to surveys and investiga-
8 tions, engineering operations, works of improvement, and
9 changes in use of land, in accordance with the Watershed
10 Protection and Flood Prevention Act (16 U.S.C. 1001–
11 1005 and 1007–1009) and in accordance with the provi-
12 sions of laws relating to the activities of the Department,
13 \$40,000,000 (increased by \$2,000,000), to remain avail-
14 able until expended: *Provided*, That of the amounts made
15 available under this heading, \$20,000,000 shall be allo-
16 cated to projects and activities that can commence
17 promptly following enactment; that address regional prior-
18 ities for flood prevention, agricultural water management,
19 inefficient irrigation systems, fish and wildlife habitat, or
20 watershed protection; or that address authorized ongoing
21 projects under the authorities of section 13 of the Flood
22 Control Act of December 22, 1944 (Public Law 78–534)
23 with a primary purpose of watershed protection by pre-
24 venting floodwater damage and stabilizing stream chan-

1 nels, tributaries, and banks to reduce erosion and sedi-
2 ment transport.

3 WATERSHED REHABILITATION PROGRAM

4 Under the authorities of section 14 of the Watershed
5 Protection and Flood Prevention Act, \$10,000,000 is pro-
6 vided: *Provided*, That of the amounts made available
7 under this heading, \$5,000,000 shall remain available
8 until expended for watershed rehabilitation projects in
9 states with high-hazard dams and other watershed struc-
10 tures and that have recently incurred flooding events
11 which caused fatalities.

12 CORPORATIONS

13 The following corporations and agencies are hereby
14 authorized to make expenditures, within the limits of
15 funds and borrowing authority available to each such cor-
16 poration or agency and in accord with law, and to make
17 contracts and commitments without regard to fiscal year
18 limitations as provided by section 104 of the Government
19 Corporation Control Act as may be necessary in carrying
20 out the programs set forth in the budget for the current
21 fiscal year for such corporation or agency, except as here-
22 inafter provided.

1 FEDERAL CROP INSURANCE CORPORATION FUND

2 For payments as authorized by section 516 of the
3 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
4 as may be necessary, to remain available until expended.

5 COMMODITY CREDIT CORPORATION FUND

6 REIMBURSEMENT FOR NET REALIZED LOSSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For the current fiscal year, such sums as may be nec-
9 essary to reimburse the Commodity Credit Corporation for
10 net realized losses sustained, but not previously reim-
11 bursed, pursuant to section 2 of the Act of August 17,
12 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
13 available to the Commodity Credit Corporation under sec-
14 tion 11 of the Commodity Credit Corporation Charter Act
15 (15 U.S.C. 714i) for the conduct of its business with the
16 Foreign Agricultural Service, up to \$5,000,000 may be
17 transferred to and used by the Foreign Agricultural Serv-
18 ice for information resource management activities of the
19 Foreign Agricultural Service that are not related to Com-
20 modity Credit Corporation business.

21 HAZARDOUS WASTE MANAGEMENT

22 (LIMITATION ON EXPENSES)

23 For the current fiscal year, the Commodity Credit
24 Corporation shall not expend more than \$5,000,000 for
25 site investigation and cleanup expenses, and operations

1 and maintenance expenses to comply with the requirement
2 of section 107(g) of the Comprehensive Environmental
3 Response, Compensation, and Liability Act (42 U.S.C.
4 9607(g)), and section 6001 of the Resource Conservation
5 and Recovery Act (42 U.S.C. 6961).

6

TITLE III

7

RURAL DEVELOPMENT PROGRAMS

8

RURAL DEVELOPMENT

9

SALARIES AND EXPENSES

10

(INCLUDING TRANSFERS OF FUNDS)

11

For necessary expenses for carrying out the adminis-
12 tration and implementation of Rural Development pro-
13 grams, including activities with institutions concerning the
14 development and operation of agricultural cooperatives;
15 and for cooperative agreements; \$220,835,000 (reduced
16 by \$479,000): *Provided*, That notwithstanding any other
17 provision of law, funds appropriated under this heading
18 may be used for advertising and promotional activities
19 that support Rural Development programs.

20

RURAL HOUSING SERVICE

21

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

22

(INCLUDING TRANSFERS OF FUNDS)

23

For gross obligations for the principal amount of di-
24 rect and guaranteed loans as authorized by title V of the
25 Housing Act of 1949, to be available from funds in the

1 rural housing insurance fund, as follows: \$900,000,000
2 shall be for direct loans and \$24,000,000,000 shall be for
3 unsubsidized guaranteed loans; \$24,000,000 for section
4 504 housing repair loans; \$28,398,000 for section 515
5 rental housing; \$230,000,000 for section 538 guaranteed
6 multi-family housing loans; \$10,000,000 for credit sales
7 of single family housing acquired property; \$5,000,000 for
8 section 523 self-help housing land development loans; and
9 \$5,000,000 for section 524 site development loans: *Pro-*
10 *vided*, That section 514(f)(3)(A) of the Housing Act of
11 1949 (42 U.S.C. 1484(f)(3)(A)) is amended by striking
12 “United States” and inserting “United States,” and by
13 inserting before the semicolon the following: “, or a person
14 legally admitted to the United States and authorized to
15 work in agriculture”.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans, as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: section
19 502 loans, \$34,650,000 shall be for direct loans; section
20 504 housing repair loans, \$2,959,000; section 523 self-
21 help housing land development loans, \$368,000; section
22 524 site development loans, \$58,000; and repair, rehabili-
23 tation, and new construction of section 515 rental housing,
24 \$7,472,000: *Provided*, That to support the loan program
25 level for section 538 guaranteed loans made available

1 under this heading the Secretary may charge or adjust
2 any fees to cover the projected cost of such loan guaran-
3 tees pursuant to the provisions of the Credit Reform Act
4 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
5 loans may not be subsidized: *Provided further*, That appli-
6 cants in communities that have a current rural area waiv-
7 er under section 541 of the Housing Act of 1949 (42
8 U.S.C. 1490q) shall be treated as living in a rural area
9 for purposes of section 502 guaranteed loans provided
10 under this heading: *Provided further*, That of the amounts
11 available under this paragraph for section 502 direct
12 loans, no less than \$5,000,000 shall be available for direct
13 loans for individuals whose homes will be built pursuant
14 to a program funded with a mutual and self-help housing
15 grant authorized by section 523 of the Housing Act of
16 1949 until June 1, 2018: *Provided further*, That the Sec-
17 retary shall implement provisions to provide incentives to
18 nonprofit organizations and public housing authorities to
19 facilitate the acquisition of Rural Housing Service (RHS)
20 multifamily housing properties by such nonprofit organi-
21 zations and public housing authorities that commit to keep
22 such properties in the RHS multifamily housing program
23 for a period of time as determined by the Secretary, with
24 such incentives to include, but not be limited to, the fol-
25 lowing: allow such nonprofit entities and public housing

1 in lieu of debt forgiveness or payments for eligible house-
2 holds as authorized by section 502(c)(5)(D) of the Hous-
3 ing Act of 1949, \$1,345,293,000, of which \$40,000,000
4 shall be available until September 30, 2019; and in addi-
5 tion such sums as may be necessary, as authorized by sec-
6 tion 521(c) of the Act, to liquidate debt incurred prior to
7 fiscal year 1992 to carry out the rental assistance program
8 under section 521(a)(2) of the Act: *Provided*, That rental
9 assistance agreements entered into or renewed during the
10 current fiscal year shall be funded for a one-year period:
11 *Provided further*, That any unexpended balances remain-
12 ing at the end of such one-year agreements may be trans-
13 ferred and used for purposes of any debt reduction; main-
14 tenance, repair, or rehabilitation of any existing projects;
15 preservation; and rental assistance activities authorized
16 under title V of the Act: *Provided further*, That rental as-
17 sistance provided under agreements entered into prior to
18 fiscal year 2018 for a farm labor multi-family housing
19 project financed under section 514 or 516 of the Act may
20 not be recaptured for use in another project until such
21 assistance has remained unused for a period of 12 con-
22 secutive months, if such project has a waiting list of ten-
23 ants seeking such assistance or the project has rental as-
24 sistance eligible tenants who are not receiving such assist-
25 ance: *Provided further*, That such recaptured rental assist-

1 ance shall, to the extent practicable, be applied to another
2 farm labor multi-family housing project financed under
3 section 514 or 516 of the Act: *Provided further*, That ex-
4 cept as provided in the third proviso under this heading
5 and notwithstanding any other provision of the Act, the
6 Secretary may recapture rental assistance provided under
7 agreements entered into prior to fiscal year 2018 for a
8 project that the Secretary determines no longer needs
9 rental assistance and use such recaptured funds for cur-
10 rent needs.

11 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

12 ACCOUNT

13 For the rural housing voucher program as authorized
14 under section 542 of the Housing Act of 1949, but not-
15 withstanding subsection (b) of such section, and for addi-
16 tional costs to conduct a demonstration program for the
17 preservation and revitalization of multi-family rental hous-
18 ing properties described in this paragraph, \$35,000,000,
19 to remain available until expended: *Provided*, That of the
20 funds made available under this heading, \$20,000,000,
21 shall be available for rural housing vouchers to any low-
22 income household (including those not receiving rental as-
23 sistance) residing in a property financed with a section
24 515 loan which has been prepaid after September 30,
25 2005: *Provided further*, That the amount of such voucher

1 shall be the difference between comparable market rent
2 for the section 515 unit and the tenant paid rent for such
3 unit: *Provided further*, That funds made available for such
4 vouchers shall be subject to the availability of annual ap-
5 propriations: *Provided further*, That the Secretary shall,
6 to the maximum extent practicable, administer such
7 vouchers with current regulations and administrative guid-
8 ance applicable to section 8 housing vouchers administered
9 by the Secretary of the Department of Housing and Urban
10 Development: *Provided further*, That if the Secretary de-
11 termines that the amount made available for vouchers in
12 this or any other Act is not needed for vouchers, the Sec-
13 retary may use such funds for the demonstration program
14 for the preservation and revitalization of multi-family
15 rental housing properties described in this paragraph: *Pro-*
16 *vided further*, That of the funds made available under this
17 heading, \$15,000,000 shall be available for a demonstra-
18 tion program for the preservation and revitalization of the
19 sections 514, 515, and 516 multi-family rental housing
20 properties to restructure existing USDA multi-family
21 housing loans, as the Secretary deems appropriate, ex-
22 pressly for the purposes of ensuring the project has suffi-
23 cient resources to preserve the project for the purpose of
24 providing safe and affordable housing for low-income resi-
25 dents and farm laborers including reducing or eliminating

1 interest; deferring loan payments, subordinating, reducing
2 or reamortizing loan debt; and other financial assistance
3 including advances, payments and incentives (including
4 the ability of owners to obtain reasonable returns on in-
5 vestment) required by the Secretary: *Provided further,*
6 That the Secretary shall as part of the preservation and
7 revitalization agreement obtain a restrictive use agreement
8 consistent with the terms of the restructuring: *Provided*
9 *further,* That if the Secretary determines that additional
10 funds for vouchers described in this paragraph are needed,
11 funds for the preservation and revitalization demonstra-
12 tion program may be used for such vouchers: *Provided fur-*
13 *ther,* That if Congress enacts legislation to permanently
14 authorize a multi-family rental housing loan restructuring
15 program similar to the demonstration program described
16 herein, the Secretary may use funds made available for
17 the demonstration program under this heading to carry
18 out such legislation with the prior approval of the Commit-
19 tees on Appropriations of both Houses of Congress: *Pro-*
20 *vided further,* That in addition to any other available
21 funds, the Secretary may expend not more than
22 \$1,000,000 total, from the program funds made available
23 under this heading, for administrative expenses for activi-
24 ties funded under this heading.

1 MUTUAL AND SELF-HELP HOUSING GRANTS

2 For grants and contracts pursuant to section
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4 1490c), \$25,000,000, to remain available until expended.

5 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For gross obligations for the principal amount of di-
8 rect and guaranteed loans as authorized by section 306
9 and described in section 381E(d)(1) of the Consolidated
10 Farm and Rural Development Act, \$2,600,000,000 for di-
11 rect loans and \$148,305,000 for guaranteed loans.

12 For the cost of guaranteed loans, including the cost
13 of modifying loans, as defined in section 502 of the Con-
14 gressional Budget Act of 1974, \$4,849,000, to remain
15 available until expended.

16 RURAL BUSINESS—COOPERATIVE SERVICE

17 RURAL BUSINESS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the cost of loan guarantees and grants, for the
20 rural business development programs authorized by sec-
21 tion 310B and described in subsections (a), (c), (f) and
22 (g) of section 310B of the Consolidated Farm and Rural
23 Development Act, \$58,251,000, to remain available until
24 expended: *Provided*, That of the amount appropriated
25 under this heading, not to exceed \$500,000 shall be made

1 available for one grant to a qualified national organization
2 to provide technical assistance for rural transportation in
3 order to promote economic development and \$5,000,000
4 shall be for grants to the Delta Regional Authority (7
5 U.S.C. 2009aa et seq.) and the Appalachian Regional
6 Commission (40 U.S.C. 14101 et seq.) for any Rural Com-
7 munity Advancement Program purpose as described in
8 section 381E(d) of the Consolidated Farm and Rural De-
9 velopment Act, of which not more than 5 percent may be
10 used for administrative expenses: *Provided further*, That
11 \$4,000,000 of the amount appropriated under this head-
12 ing shall be for business grants to benefit Federally Recog-
13 nized Native American Tribes, including \$250,000 for a
14 grant to a qualified national organization to provide tech-
15 nical assistance for rural transportation in order to pro-
16 mote economic development: *Provided further*, That sec-
17 tions 381E–H and 381N of the Consolidated Farm and
18 Rural Development Act are not applicable to funds made
19 available under this heading.

20 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the principal amount of direct loans, as author-
23 ized by the Intermediary Relending Program Fund Ac-
24 count (7 U.S.C. 1936b), \$17,500,000.

1 For the cost of direct loans, \$4,041,000, as author-
2 ized by the Intermediary Relending Program Fund Ac-
3 count (7 U.S.C. 1936b), of which \$404,100 shall be avail-
4 able through June 30, 2018, for Federally Recognized Na-
5 tive American Tribes; and of which \$606,150 shall be
6 available through June 30, 2018, for Mississippi Delta Re-
7 gion counties (as determined in accordance with Public
8 Law 100–460): *Provided*, That such costs, including the
9 cost of modifying such loans, shall be as defined in section
10 502 of the Congressional Budget Act of 1974.

11 In addition, for administrative expenses to carry out
12 the direct loan programs, \$4,230,000 shall be transferred
13 to and merged with the appropriation for “Rural Develop-
14 ment, Salaries and Expenses”.

15 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

16 ACCOUNT

17 (INCLUDING RESCISSION OF FUNDS)

18 For the principal amount of direct loans, as author-
19 ized under section 313 of the Rural Electrification Act,
20 for the purpose of promoting rural economic development
21 and job creation projects, \$33,077,000.

22 Of the funds derived from interest on the cushion of
23 credit payments, as authorized by section 313 of the Rural
24 Electrification Act of 1936, \$196,000,000 shall not be ob-
25 ligated and \$196,000,000 are rescinded.

1 The cost of grants authorized under section 313 of
2 the Rural Electrification Act, for the purpose of promoting
3 rural economic development and job creation projects shall
4 not exceed \$10,000,000.

5 RURAL COOPERATIVE DEVELOPMENT GRANTS

6 For rural cooperative development grants authorized
7 under section 310B(e) of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 1932), \$21,000,000, of
9 which \$2,500,000 shall be for cooperative agreements for
10 the appropriate technology transfer for rural areas pro-
11 gram: *Provided*, That not to exceed \$3,000,000 shall be
12 for grants for cooperative development centers, individual
13 cooperatives, or groups of cooperatives that serve socially
14 disadvantaged groups and a majority of the boards of di-
15 rectors or governing boards of which are comprised of in-
16 dividuals who are members of socially disadvantaged
17 groups; and of which \$10,000,000, to remain available
18 until expended, shall be for value-added agricultural prod-
19 uct market development grants, as authorized by section
20 231 of the Agricultural Risk Protection Act of 2000 (7
21 U.S.C. 1632a).

22 RURAL ENERGY FOR AMERICA PROGRAM

23 For the cost of a program of loan guarantees, under
24 the same terms and conditions as authorized by section
25 9007 of the Farm Security and Rural Investment Act of

1 2002 (7 U.S.C. 8107), \$291,000: *Provided*, That the cost
2 of loan guarantees, including the cost of modifying such
3 loans, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974.

5 RURAL UTILITIES SERVICE

6 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
7 (INCLUDING TRANSFERS OF FUNDS)

8 For the cost of direct loans, loan guarantees, and
9 grants for the rural water, waste water, waste disposal,
10 and solid waste management programs authorized by sec-
11 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
12 scribed in sections 306C(a)(2), 306D, 306E, and
13 381E(d)(2) of the Consolidated Farm and Rural Develop-
14 ment Act, \$472,700,000, to remain available until ex-
15 pended, of which not to exceed \$1,000,000 shall be avail-
16 able for the rural utilities program described in section
17 306(a)(2)(B) of such Act, and of which not to exceed
18 \$993,000 shall be available for the rural utilities program
19 described in section 306E of such Act: *Provided*, That
20 \$45,000,000 of the amount appropriated under this head-
21 ing shall be for loans and grants including water and
22 waste disposal systems grants authorized by section
23 306C(a)(2)(B) and section 306D of the Consolidated
24 Farm and Rural Development Act, and Federally Recog-
25 nized Native American Tribes authorized by 306C(a)(1)

1 of such Act: *Provided further*, That funding provided for
2 section 306D of the Consolidated Farm and Rural Devel-
3 opment Act may be provided to a consortium formed pur-
4 suant to section 325 of Public Law 105–83: *Provided fur-*
5 *ther*, That not more than 2 percent of the funding pro-
6 vided for section 306D of the Consolidated Farm and
7 Rural Development Act may be used by the State of Alas-
8 ka for training and technical assistance programs and not
9 more than 2 percent of the funding provided for section
10 306D of the Consolidated Farm and Rural Development
11 Act may be used by a consortium formed pursuant to sec-
12 tion 325 of Public Law 105–83 for training and technical
13 assistance programs: *Provided further*, That not to exceed
14 \$20,000,000 of the amount appropriated under this head-
15 ing shall be for technical assistance grants for rural water
16 and waste systems pursuant to section 306(a)(14) of such
17 Act, unless the Secretary makes a determination of ex-
18 treme need, of which \$6,500,000 shall be made available
19 for a grant to a qualified nonprofit multi-State regional
20 technical assistance organization, with experience in work-
21 ing with small communities on water and waste water
22 problems, the principal purpose of such grant shall be to
23 assist rural communities with populations of 3,300 or less,
24 in improving the planning, financing, development, oper-
25 ation, and management of water and waste water systems,

1 and of which not less than \$800,000 shall be for a quali-
2 fied national Native American organization to provide
3 technical assistance for rural water systems for tribal com-
4 munities: *Provided further*, That not to exceed
5 \$16,897,000 of the amount appropriated under this head-
6 ing shall be for contracting with qualified national organi-
7 zations for a circuit rider program to provide technical as-
8 sistance for rural water systems: *Provided further*, That
9 not to exceed \$4,000,000 shall be for solid waste manage-
10 ment grants: *Provided further*, That sections 381E–H and
11 381N of the Consolidated Farm and Rural Development
12 Act are not applicable to the funds made available under
13 this heading.

14 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

15 LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 The principal amount of direct and guaranteed loans
18 as authorized by sections 305 and 306 of the Rural Elec-
19 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
20 made as follows: loans made pursuant to section 306 of
21 that Act, rural electric, \$5,500,000,000; guaranteed un-
22 derwriting loans pursuant to section 313A, \$750,000,000;
23 5 percent rural telecommunications loans, cost of money
24 rural telecommunications loans, and for loans made pursu-
25 ant to section 306 of that Act, rural telecommunications

1 loans, \$690,000,000: *Provided*, That up to
2 \$2,000,000,000 shall be used for the construction, acquisi-
3 tion, or improvement of fossil-fueled electric generating
4 plants (whether new or existing) that utilize carbon se-
5 questration systems.

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

11 In addition, for administrative expenses necessary to
12 carry out the direct and guaranteed loan programs,
13 \$30,750,000, which shall be transferred to and merged
14 with the appropriation for “Rural Development, Salaries
15 and Expenses”.

16 BROADBAND PROGRAM

17 For the principal amount of broadband telecommuni-
18 cation loans, \$26,991,000.

19 For the cost of broadband loans, as authorized by
20 section 601 of the Rural Electrification Act, \$4,521,000
21 (increased by \$479,000), to remain available until ex-
22 pended: *Provided*, That the cost of direct loans shall be
23 as defined in section 502 of the Congressional Budget Act
24 of 1974.

1 RURAL ECONOMIC INFRASTRUCTURE ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For grants for very low-income housing repair and
4 rural housing preservation made by the Rural Housing
5 Service, as authorized by 42 U.S.C. 1474 and 1490m; for
6 rural community facilities, as authorized by section 306
7 and described in section 381E(d)(1) of the Consolidated
8 Farm and Rural Development Act; for grants for telemedi-
9 cine distance learning services in rural areas, as author-
10 ized by 7 U.S.C 950aaa et seq.; and for grants to finance
11 broadband transmission in rural areas eligible for Dis-
12 tance Learning and Telemedicine Program benefits, as au-
13 thorized by 7 U.S.C. 950aaa; \$122,692,000, to remain
14 available until expended:

15 *Provided*, That sections 381E–H and 381N of the
16 Consolidated Farm and Rural Development Act are not
17 applicable to the funds made available under this heading:

18 *Provided further*, That any balances available for the very
19 low-income housing repair and rural housing preservation
20 grants in the “Rural Housing Assistance Grant” account,
21 the rural community facilities grants in the “Rural Com-
22 munity Facilities Program Account”, and the telemedicine
23 and distance learning grants and broadband grants in the
24 “Distance Learning, Telemedicine and Broadband Pro-
25 gram” account shall be transferred to and merged with

1 funds made available under this heading: *Provided further*,
2 That of the amounts provided under this heading, not
3 more than \$60,000,000 shall be made available through
4 June 30, 2018, for jurisdictions in the Appalachian region,
5 as defined by 40 U.S.C. 14102(a)(1): *Provided further*,
6 That eligible activities under each of the Rural Housing
7 Assistance Grants program, Rural Community Facilities
8 program, and Distance Learning, Telemedicine and
9 Broadband program accounts shall receive not less than
10 15 percent of the amounts provided under this heading.

11 TITLE IV

12 DOMESTIC FOOD PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR FOOD,

14 NUTRITION, AND CONSUMER SERVICES

15 For necessary expenses of the Office of the Under
16 Secretary for Food, Nutrition, and Consumer Services,
17 \$800,000: *Provided*, That funds made available by this
18 Act to an agency in the Food, Nutrition, and Consumer
19 services mission area for salaries and expenses are avail-
20 able to pay the salaries and expenses of up to one adminis-
21 trative 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
6 seq.), except section 21, and the Child Nutrition Act of
7 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
8 21; \$24,280,944,000 to remain available through Sep-
9 tember 30, 2019, of which such sums as are made avail-
10 able under section 14222(b)(1) of the Food, Conservation,
11 and Energy Act of 2008 (Public Law 110–246), as
12 amended by this Act, shall be merged with and available
13 for the same time period and purposes as provided herein:
14 *Provided*, That of the total amount available, \$17,004,000
15 shall be available to carry out section 19 of the Child Nu-
16 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
17 *further*, That of the total amount available, \$25,000,000
18 shall be available to provide competitive grants to State
19 agencies for subgrants to local educational agencies and
20 schools to purchase the equipment, with a value of greater
21 than \$1,000, needed to serve healthier meals, improve food
22 safety, and to help support the establishment, mainte-
23 nance, or expansion of the school breakfast program: *Pro-*
24 *vided further*, That of the total amount available,
25 \$23,000,000 shall remain available until expended to carry

1 out section 749(g) of the Agriculture Appropriations Act
2 of 2010 (Public Law 111–80): *Provided further*, That sec-
3 tion 26(d) of the Richard B. Russell National School
4 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
5 sentence by striking “2010 through 2017” and inserting
6 “2010 through 2018”: *Provided further*, That section
7 9(h)(3) of the Richard B. Russell National School Lunch
8 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
9 tence by striking “for fiscal year 2017” and inserting “for
10 fiscal year 2018”: *Provided further*, That section 9(h)(4)
11 of the Richard B. Russell National School Lunch Act (42
12 U.S.C. 1758(h)(4)) is amended in the first sentence by
13 striking “for fiscal year 2017” and inserting “for fiscal
14 year 2018”.

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

17 For necessary expenses to carry out the special sup-
18 plemental nutrition program as authorized by section 17
19 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
20 \$6,150,000,000, to remain available through September
21 30, 2019: *Provided*, That notwithstanding section
22 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
23 1786(h)(10)), not less than \$60,000,000 shall be used for
24 breastfeeding peer counselors and other related activities,
25 and \$13,600,000 shall be used for infrastructure: *Pro-*

1 *vided further*, That none of the funds provided in this ac-
2 count shall be available for the purchase of infant formula
3 except in accordance with the cost containment and com-
4 petitive bidding requirements specified in section 17 of
5 such Act: *Provided further*, That none of the funds pro-
6 vided shall be available for activities that are not fully re-
7 imbursed by other Federal Government departments or
8 agencies unless authorized by section 17 of such Act: *Pro-*
9 *vided further*, That upon termination of a federally man-
10 dated vendor moratorium and subject to terms and condi-
11 tions established by the Secretary, the Secretary may
12 waive the requirement at 7 CFR 246.12(g)(6) at the re-
13 quest of a State agency.

14 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

15 For necessary expenses to carry out the Food and
16 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
17 \$73,609,950,000, of which \$3,000,000,000, to remain
18 available through December 31, 2019, shall be placed in
19 reserve for use only in such amounts and at such times
20 as may become necessary to carry out program operations:
21 *Provided*, That funds provided herein shall be expended
22 in accordance with section 16 of the Food and Nutrition
23 Act of 2008: *Provided further*, That of the funds made
24 available under this heading, \$998,000 may be used to
25 provide nutrition education services to State agencies and

1 Federally Recognized Tribes participating in the Food
2 Distribution Program on Indian Reservations: *Provided*
3 *further*, That this appropriation shall be subject to any
4 work registration or workfare requirements as may be re-
5 quired by law: *Provided further*, That funds made available
6 for Employment and Training under this heading shall re-
7 main available through September 30, 2019: *Provided fur-*
8 *ther*, That funds made available under this heading for
9 section 28(d)(1), section 4(b), and section 27(a) of the
10 Food and Nutrition Act of 2008 shall remain available
11 through September 30, 2019: *Provided further*, That none
12 of the funds made available under this heading may be
13 obligated or expended in contravention of section 213A of
14 the Immigration and Nationality Act (8 U.S.C. 1183A):
15 *Provided further*, That, subject to section 731 of this Act,
16 funds made available under this heading may be used to
17 enter into contracts and employ staff to conduct studies,
18 evaluations, or to conduct activities related to program in-
19 tegrity provided that such activities are authorized by the
20 Food and Nutrition Act of 2008.

21 COMMODITY ASSISTANCE PROGRAM

22 For necessary expenses to carry out disaster assist-
23 ance and the Commodity Supplemental Food Program as
24 authorized by section 4(a) of the Agriculture and Con-
25 sumer Protection Act of 1973 (7 U.S.C. 612c note); the

1 Emergency Food Assistance Act of 1983; special assist-
2 ance for the nuclear affected islands, as authorized by sec-
3 tion 103(f)(2) of the Compact of Free Association Amend-
4 ments Act of 2003 (Public Law 108–188); and the Farm-
5 ers’ Market Nutrition Program, as authorized by section
6 17(m) of the Child Nutrition Act of 1966, \$317,139,000,
7 to remain available through September 30, 2019: *Pro-*
8 *vided*, That none of these funds shall be available to reim-
9 burse the Commodity Credit Corporation for commodities
10 donated to the program: *Provided further*, That notwith-
11 standing any other provision of law, effective with funds
12 made available in fiscal year 2018 to support the Seniors
13 Farmers’ Market Nutrition Program, as authorized by
14 section 4402 of the Farm Security and Rural Investment
15 Act of 2002, such funds shall remain available through
16 September 30, 2019: *Provided further*, That of the funds
17 made available under section 27(a) of the Food and Nutri-
18 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
19 use up to 10 percent for costs associated with the distribu-
20 tion of commodities.

21 NUTRITION PROGRAMS ADMINISTRATION

22 For necessary administrative expenses of the Food
23 and Nutrition Service for carrying out any domestic nutri-
24 tion assistance program, \$148,541,000: *Provided*, That of
25 the funds provided herein, \$2,000,000 shall be used for

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

3 TITLE V

4 FOREIGN ASSISTANCE AND RELATED
5 PROGRAMS

6 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
7 FOREIGN AGRICULTURAL AFFAIRS

8 For necessary expenses of the Office of the Under
9 Secretary for Trade and Foreign Agricultural Affairs,
10 \$875,000: *Provided*, That funds made available by this
11 Act to an agency in the Trade and Foreign Agricultural
12 Affairs mission area for salaries and expenses are avail-
13 able to pay the salaries and expenses of up to one adminis-
14 trative support staff for the Office.

15 FOREIGN AGRICULTURAL SERVICE

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Foreign Agricultural
19 Service, including not to exceed \$250,000 for representa-
20 tion allowances and for expenses pursuant to section 8 of
21 the Act approved August 3, 1956 (7 U.S.C. 1766),
22 \$195,268,000: *Provided*, That the Service may utilize ad-
23 vances of funds, or reimburse this appropriation for ex-
24 penditures made on behalf of Federal agencies, public and
25 private organizations and institutions under agreements

1 executed pursuant to the agricultural food production as-
2 sistance programs (7 U.S.C. 1737) and the foreign assist-
3 ance programs of the United States Agency for Inter-
4 national Development: *Provided further*, That funds made
5 available for middle-income country training programs,
6 funds made available for the Borlaug International Agri-
7 cultural Science and Technology Fellowship program, and
8 up to \$2,000,000 of the Foreign Agricultural Service ap-
9 propriation solely for the purpose of offsetting fluctuations
10 in international currency exchange rates, subject to docu-
11 mentation by the Foreign Agricultural Service, shall re-
12 main available until expended.

13 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
14 FOR PROGRESS PROGRAM ACCOUNT
15 (INCLUDING TRANSFER OF FUNDS)

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

21 FOOD FOR PEACE TITLE II GRANTS

22 For expenses during the current fiscal year, not oth-
23 erwise recoverable, and unrecovered prior years’ costs, in-
24 cluding interest thereon, under the Food for Peace Act
25 (Public Law 83-480), for commodities supplied in connec-

1 tion with dispositions abroad under title II of said Act,
2 \$1,400,000,000, to remain available until expended: *Pro-*
3 *vided*, That the Administrator of the United States Agen-
4 cy for International Development shall in each instance
5 notify in writing the Committees on Appropriations of
6 both Houses of Congress, the Committee on Agriculture
7 of the House, and the Committee on Agriculture, Nutri-
8 tion, and Forestry of the Senate and make publicly avail-
9 able online the amount and use of authority in section
10 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to
11 notwithstanding the minimum level of nonemergency assist-
12 ance required by section 412(e)(2) of the Food for Peace
13 Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after
14 the date of such action.

15 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
16 AND CHILD NUTRITION PROGRAM GRANTS

17 For necessary expenses to carry out the provisions
18 of section 3107 of the Farm Security and Rural Invest-
19 ment Act of 2002 (7 U.S.C. 1736o–1), \$201,626,000, to
20 remain available until expended: *Provided*, That the Com-
21 modity Credit Corporation is authorized to provide the
22 services, facilities, and authorities for the purpose of im-
23 plementing such section, subject to reimbursement from
24 amounts provided herein.

1 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
2 CREDIT GUARANTEE PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's Export Guarantee Program,
6 GSM 102 and GSM 103, \$6,735,000; to cover common
7 overhead expenses as permitted by section 11 of the Com-
8 modity Credit Corporation Charter Act and in conformity
9 with the Federal Credit Reform Act of 1990, of which
10 \$6,382,000 shall be transferred to and merged with the
11 appropriation for "Foreign Agricultural Service, Salaries
12 and Expenses", and of which \$353,000 shall be trans-
13 ferred to and merged with the appropriation for "Farm
14 Service Agency, Salaries and Expenses".

15 TITLE VI
16 RELATED AGENCIES AND FOOD AND DRUG
17 ADMINISTRATION
18 DEPARTMENT OF HEALTH AND HUMAN SERVICES
19 FOOD AND DRUG ADMINISTRATION
20 SALARIES AND EXPENSES

21 For necessary expenses of the Food and Drug Ad-
22 ministration, including hire and purchase of passenger
23 motor vehicles; for payment of space rental and related
24 costs pursuant to Public Law 92-313 for programs and
25 activities of the Food and Drug Administration that are

1 funded by this Act; for rental of special purpose space in
2 the District of Columbia or elsewhere; in addition to
3 amounts appropriated to the FDA Innovation Account, for
4 carrying out the activities described in section 1002(b)(4)
5 of the 21st Century Cures Act (Public Law 114–255); for
6 miscellaneous and emergency expenses of enforcement ac-
7 tivities, authorized and approved by the Secretary and to
8 be accounted for solely on the Secretary’s certificate, not
9 to exceed \$25,000; and notwithstanding section 521 of
10 Public Law 107–188; \$5,145,945,000: *Provided*, That of
11 the amount provided under this heading, \$937,434,000
12 shall be derived from prescription drug user fees author-
13 ized by 21 U.S.C. 379h, and shall be credited to this ac-
14 count and remain available until expended; \$193,291,000
15 shall be derived from medical device user fees authorized
16 by 21 U.S.C. 379j, and shall be credited to this account
17 and remain available until expended; \$493,600,000 shall
18 be derived from human generic drug user fees authorized
19 by 21 U.S.C. 379j–42, and shall be credited to this ac-
20 count and remain available until expended; \$54,000,000
21 shall be derived from biosimilar biological product user
22 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
23 ited to this account and remain available until expended;
24 \$24,142,000 shall be derived from animal drug user fees
25 authorized by 21 U.S.C. 379j–12, and shall be credited

1 to this account and remain available until expended;
2 \$12,100,000 shall be derived from generic new animal
3 drug user fees authorized by 21 U.S.C. 379j–21, and shall
4 be credited to this account and remain available until ex-
5 pended; \$672,000,000 shall be derived from tobacco prod-
6 uct user fees authorized by 21 U.S.C. 387s, and shall be
7 credited to this account and remain available until ex-
8 pended: *Provided further*, That in addition to and notwith-
9 standing any other provision under this heading, amounts
10 collected for prescription drug user fees, medical device
11 user fees, human generic drug user fees, biosimilar biologi-
12 cal product user fees, animal drug user fees, and generic
13 new animal drug user fees that exceed the respective fiscal
14 year 2018 limitations are appropriated and shall be cred-
15 ited to this account and remain available until expended:
16 *Provided further*, That fees derived from prescription drug,
17 medical device, human generic drug, biosimilar biological
18 product, animal drug, and generic new animal drug as-
19 sessments for fiscal year 2018, including any such fees
20 collected prior to fiscal year 2018 but credited for fiscal
21 year 2018, shall be subject to the fiscal year 2018 limita-
22 tions: *Provided further*, That the Secretary may accept
23 payment during fiscal year 2018 of user fees specified
24 under this heading and authorized for fiscal year 2019,
25 prior to the due date for such fees, and that amounts of

1 such fees assessed for fiscal year 2019 for which the Sec-
2 retary accepts payment in fiscal year 2018 shall not be
3 included in amounts under this heading: *Provided further*,
4 That none of these funds shall be used to develop, estab-
5 lish, or operate any program of user fees authorized by
6 31 U.S.C. 9701: *Provided further*, That of the total
7 amount appropriated: (1) \$1,026,803,000 (increased by
8 \$1,500,000) shall be for the Center for Food Safety and
9 Applied Nutrition and related field activities in the Office
10 of Regulatory Affairs; (2) \$1,634,578,000 shall be for the
11 Center for Drug Evaluation and Research and related
12 field activities in the Office of Regulatory Affairs; (3)
13 \$374,233,000 shall be for the Center for Biologics Evalua-
14 tion and Research and for related field activities in the
15 Office of Regulatory Affairs; (4) \$195,349,000 shall be
16 for the Center for Veterinary Medicine and for related
17 field activities in the Office of Regulatory Affairs; (5)
18 \$487,836,000 shall be for the Center for Devices and Ra-
19 diological Health and for related field activities in the Of-
20 fice of Regulatory Affairs; (6) \$63,331,000 (reduced by
21 \$1,500,000) shall be for the National Center for Toxi-
22 cological Research; (7) \$625,646,000 shall be for the Cen-
23 ter for Tobacco Products and for related field activities
24 in the Office of Regulatory Affairs; (8) not to exceed
25 \$178,785,000 shall be for Rent and Related activities, of

1 which \$51,973,000 is for White Oak Consolidation, other
2 than the amounts paid to the General Services Adminis-
3 tration for rent; (9) not to exceed \$237,871,000 shall be
4 for payments to the General Services Administration for
5 rent; and (10) \$321,513,000 shall be for other activities,
6 including the Office of the Commissioner of Food and
7 Drugs, the Office of Foods and Veterinary Medicine, the
8 Office of Medical and Tobacco Products, the Office of
9 Global and Regulatory Policy, the Office of Operations,
10 the Office of the Chief Scientist, and central services for
11 these offices: *Provided further*, That not to exceed \$25,000
12 of this amount shall be for official reception and represen-
13 tation expenses, not otherwise provided for, as determined
14 by the Commissioner of Food and Drugs: *Provided further*,
15 That any transfer of funds pursuant to section 770(n) of
16 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
17 379dd(n)) shall only be from amounts made available
18 under this heading for other activities: *Provided further*,
19 That of the amounts that are made available under this
20 heading for “other activities”, and that are not derived
21 from user fees, \$1,500,000 shall be transferred to and
22 merged with the appropriation for “Department of Health
23 and Human Services—Office of Inspector General” for
24 oversight of the programs and operations of the Food and
25 Drug Administration and shall be in addition to funds oth-

1 erwise made available for oversight of the Food and Drug
2 Administration: *Provided further*, That of the total amount
3 made available under this heading, \$1,500,000 shall be
4 used by the Commissioner of Food and Drugs, in coordi-
5 nation with the Secretary of Agriculture, for consumer
6 outreach and education regarding agricultural bio-
7 technology and biotechnology-derived food products and
8 animal feed, including through publication and distribu-
9 tion of science-based educational information on the envi-
10 ronmental, nutritional, food safety, economic, and humani-
11 tarian impacts of such biotechnology, food products, and
12 feed: *Provided further*, That funds may be transferred
13 from one specified activity to another with the prior ap-
14 proval of the Committees on Appropriations of both
15 Houses of Congress.

16 In addition, mammography user fees authorized by
17 42 U.S.C. 263b, export certification user fees authorized
18 by 21 U.S.C. 381, priority review user fees authorized by
19 21 U.S.C. 360n and 360ff, food and feed recall fees, food
20 reinspection fees, and voluntary qualified importer pro-
21 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
22 facility fees authorized by 21 U.S.C. 379j–62, prescription
23 drug wholesale distributor licensing and inspection fees
24 authorized by 21 U.S.C. 353(e)(3), third-party logistics
25 provider licensing and inspection fees authorized by 21

1 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
2 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
3 ority review voucher user fees authorized by 21 U.S.C.
4 360bbb–4a, shall be credited to this account, to remain
5 available until expended.

6 BUILDINGS AND FACILITIES

7 For plans, construction, repair, improvement, exten-
8 sion, alteration, demolition, and purchase of fixed equip-
9 ment or facilities of or used by the Food and Drug Admin-
10 istration, where not otherwise provided, \$8,771,000, to re-
11 main available until expended.

12 INDEPENDENT AGENCIES

13 COMMODITY FUTURES TRADING COMMISSION

14 For necessary expenses to carry out the provisions
15 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
16 cluding the purchase and hire of passenger motor vehicles,
17 and the rental of space (to include multiple year leases),
18 in the District of Columbia and elsewhere, \$248,000,000,
19 including not to exceed \$3,000 for official reception and
20 representation expenses, and not to exceed \$25,000 for the
21 expenses for consultations and meetings hosted by the
22 Commission with foreign governmental and other regu-
23 latory officials, of which not less than \$49,000,000, to re-
24 main available until September 30, 2019, shall be for the
25 purchase of information technology and of which not less

1 than \$2,700,000 shall be for expenses of the Office of the
2 Inspector General: *Provided*, That notwithstanding the
3 limitations in 31 U.S.C. 1553, amounts provided under
4 this heading are available for the liquidation of obligations
5 equal to current year payments on leases entered into
6 prior to the date of enactment of this Act: *Provided fur-*
7 *ther*, That for the purpose of recording and liquidating any
8 lease obligations that should have been recorded and liq-
9 uidated against accounts closed pursuant to 31 U.S.C.
10 1552, and consistent with the preceding proviso, such
11 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 liq-
14 uidating such unpaid obligations: *Provided further*, That
15 notwithstanding any other provision of law, the Chairman
16 of the Commodity Futures Trading Commission may ad-
17 just the schedule of compensation and benefits for employ-
18 ees if the Chairman determines that furloughs or reduc-
19 tions-in-force may result from a collective bargaining
20 agreement.

21 FARM CREDIT ADMINISTRATION

22 LIMITATION ON ADMINISTRATIVE EXPENSES

23 Not to exceed \$68,600,000 (from assessments col-
24 lected from farm credit institutions, including the Federal
25 Agricultural Mortgage Corporation) shall be obligated

1 during the current fiscal year for administrative expenses
2 as authorized under 12 U.S.C. 2249: *Provided*, That this
3 limitation shall not apply to expenses associated with re-
4 ceiverships: *Provided further*, That the agency may exceed
5 this limitation by up to 10 percent with notification to the
6 Committees on Appropriations of both Houses of Con-
7 gress.

8 TITLE VII

9 GENERAL PROVISIONS

10 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

11 SEC. 701. Within the unit limit of cost fixed by law,
12 appropriations and authorizations made for the Depart-
13 ment of Agriculture for the current fiscal year under this
14 Act shall be available for the purchase, in addition to those
15 specifically provided for, of not to exceed 71 passenger
16 motor vehicles of which 68 shall be for replacement only,
17 and for the hire of such vehicles: *Provided*, That notwith-
18 standing this section, the only purchase of new passenger
19 vehicles shall be for those determined by the Secretary to
20 be necessary for transportation safety, to reduce oper-
21 ational costs, and for the protection of life, property, and
22 public safety.

23 SEC. 702. Notwithstanding any other provision of
24 this Act, the Secretary of Agriculture may transfer unobli-
25 gated balances of discretionary funds appropriated by this

1 Act or any other available unobligated discretionary bal-
2 ances that are remaining available of the Department of
3 Agriculture to the Working Capital Fund for the acquisi-
4 tion of plant and capital equipment necessary for the deliv-
5 ery of financial, administrative, and information tech-
6 nology services of primary benefit to the agencies of the
7 Department of Agriculture, such transferred funds to re-
8 main available until expended: *Provided*, That none of the
9 funds made available by this Act or any other Act shall
10 be transferred to the Working Capital Fund without the
11 prior approval of the agency administrator: *Provided fur-*
12 *ther*, That none of the funds transferred to the Working
13 Capital Fund pursuant to this section shall be available
14 for obligation without written notification to and the prior
15 approval of the Committees on Appropriations of both
16 Houses of Congress: *Provided further*, That none of the
17 funds appropriated by this Act or made available to the
18 Department's Working Capital Fund shall be available for
19 obligation or expenditure to make any changes to the De-
20 partment's National Finance Center without written noti-
21 fication to and prior approval of the Committees on Ap-
22 propriations of both Houses of Congress as required by
23 section 717 of this Act: *Provided further*, That none of
24 the funds appropriated by this Act or made available to
25 the Department's Working Capital Fund shall be available

1 for obligation or expenditure to initiate, plan, develop, im-
2 plement, or make any changes to remove or relocate any
3 systems, missions, or offices of the Chief Financial Officer
4 or any personnel from the National Finance Center prior
5 to written notification to and prior approval of the Com-
6 mittee on Appropriations of both Houses of Congress and
7 in accordance with the requirements of section 717 of this
8 Act: *Provided further*, That of annual income amounts in
9 the Working Capital Fund of the Department of Agri-
10 culture allocated for the National Finance Center, the Sec-
11 retary may reserve not more than 4 percent for the re-
12 placement or acquisition of capital equipment, including
13 equipment for the improvement and implementation of a
14 financial management plan, information technology, and
15 other systems of the National Finance Center or to pay
16 any unforeseen, extraordinary cost of the National Fi-
17 nance Center: *Provided further*, That none of the amounts
18 reserved shall be available for obligation unless the Sec-
19 retary submits written notification of the obligation to the
20 Committees on Appropriations of both Houses of Con-
21 gress: *Provided further*, That the limitations on the obliga-
22 tion of funds pending notification to Congressional Com-
23 mittees shall not apply to any obligation that, as deter-
24 mined by the Secretary, is necessary to respond to a de-
25 clared state of emergency that significantly impacts the

1 operations of the National Finance Center; or to evacuate
2 employees of the National Finance Center to a safe haven
3 to continue operations of the National Finance Center.

4 SEC. 703. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 704. No funds appropriated by this Act may be
8 used to pay negotiated indirect cost rates on cooperative
9 agreements or similar arrangements between the United
10 States Department of Agriculture and nonprofit institu-
11 tions in excess of 10 percent of the total direct cost of
12 the agreement when the purpose of such cooperative ar-
13 rangements is to carry out programs of mutual interest
14 between the two parties. This does not preclude appro-
15 priate payment of indirect costs on grants and contracts
16 with such institutions when such indirect costs are com-
17 puted on a similar basis for all agencies for which appro-
18 priations are provided in this Act.

19 SEC. 705. Appropriations to the Department of Agri-
20 culture for the cost of direct and guaranteed loans made
21 available in the current fiscal year shall remain available
22 until expended to disburse obligations made in the current
23 fiscal year for the following accounts: the Rural Develop-
24 ment Loan Fund program account, the Rural Electrifica-

1 tion and Telecommunication Loans program account, and
2 the Rural Housing Insurance Fund program account.

3 SEC. 706. None of the funds made available to the
4 Department of Agriculture by this Act may be used to ac-
5 quire new information technology systems or significant
6 upgrades, as determined by the Office of the Chief Infor-
7 mation Officer, without the approval of the Chief Informa-
8 tion Officer and the concurrence of the Executive Informa-
9 tion Technology Investment Review Board: *Provided*, That
10 notwithstanding any other provision of law, none of the
11 funds appropriated or otherwise made available by this
12 Act may be transferred to the Office of the Chief Informa-
13 tion Officer without written notification to and the prior
14 approval of the Committees on Appropriations of both
15 Houses of Congress: *Provided further*, That, notwith-
16 standing section 11319 of title 40, United States Code,
17 none of the funds available to the Department of Agri-
18 culture for information technology shall be obligated for
19 projects, contracts, or other agreements over \$25,000
20 prior to receipt of written approval by the Chief Informa-
21 tion Officer: *Provided further*, That the Chief Information
22 Officer may authorize an agency to obligate funds without
23 written approval from the Chief Information Officer for
24 projects, contracts, or other agreements up to \$250,000
25 based upon the performance of an agency measured

1 against the performance plan requirements described in
2 the explanatory statement accompanying Public Law 113–
3 235.

4 SEC. 707. Funds made available under section 524(b)
5 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
6 the current fiscal year shall remain available until ex-
7 pended to disburse obligations made in the current fiscal
8 year.

9 SEC. 708. Notwithstanding any other provision of
10 law, any former RUS borrower that has repaid or prepaid
11 an insured, direct or guaranteed loan under the Rural
12 Electrification Act of 1936, or any not-for-profit utility
13 that is eligible to receive an insured or direct loan under
14 such Act, shall be eligible for assistance under section
15 313(b)(2)(B) of such Act in the same manner as a bor-
16 rower under such Act.

17 SEC. 709. Except as otherwise specifically provided
18 by law, not more than \$20,000,000 in unobligated bal-
19 ances from appropriations made available for salaries and
20 expenses in this Act for the Farm Service Agency shall
21 remain available through September 30, 2019, for infor-
22 mation technology expenses: *Provided*, That except as oth-
23 erwise specifically provided by law, unobligated balances
24 from appropriations made available for salaries and ex-
25 penses in this Act for the Rural Development mission area

1 shall remain available through September 30, 2019, for
2 information technology expenses.

3 SEC. 710. None of the funds appropriated or other-
4 wise made available by this Act may be used for first-class
5 travel by the employees of agencies funded by this Act in
6 contravention of sections 301–10.122 through 301–10.124
7 of title 41, Code of Federal Regulations.

8 SEC. 711. In the case of each program established
9 or amended by the Agricultural Act of 2014 (Public Law
10 113–79), other than by title I or subtitle A of title III
11 of such Act, or programs for which indefinite amounts
12 were provided in that Act, that is authorized or required
13 to be carried out using funds of the Commodity Credit
14 Corporation—

15 (1) such funds shall be available for salaries
16 and related administrative expenses, including tech-
17 nical assistance, associated with the implementation
18 of the program, without regard to the limitation on
19 the total amount of allotments and fund transfers
20 contained in section 11 of the Commodity Credit
21 Corporation Charter Act (15 U.S.C. 714i); and

22 (2) the use of such funds for such purpose shall
23 not be considered to be a fund transfer or allotment
24 for purposes of applying the limitation on the total

1 amount of allotments and fund transfers contained
2 in such section.

3 SEC. 712. Of the funds made available by this Act,
4 not more than \$2,900,000 shall be used to cover necessary
5 expenses of activities related to all advisory committees,
6 panels, commissions, and task forces of the Department
7 of Agriculture, except for panels used to comply with nego-
8 tiated rule makings and panels used to evaluate competi-
9 tively awarded grants.

10 SEC. 713. None of the funds in this Act shall be avail-
11 able to pay indirect costs charged against any agricultural
12 research, education, or extension grant awards issued by
13 the National Institute of Food and Agriculture that exceed
14 30 percent of total Federal funds provided under each
15 award: *Provided*, That notwithstanding section 1462 of
16 the National Agricultural Research, Extension, and
17 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
18 vided by this Act for grants awarded competitively by the
19 National Institute of Food and Agriculture shall be avail-
20 able to pay full allowable indirect costs for each grant
21 awarded under section 9 of the Small Business Act (15
22 U.S.C. 638).

23 SEC. 714. None of the funds appropriated or other-
24 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to carry out
2 the following:

3 (1) The program authorized by section 14(h)(1)
4 of the Watershed Protection and Flood Prevention
5 Act (16 U.S.C. 1012(h)(1)): *Provided*, That the
6 funds appropriated by section 14(h)(1) of such Act
7 are hereby permanently cancelled;

8 (2) The program authorized by section 9007 of
9 the Farm Security and Rural Investment Act of
10 2002 (7 U.S.C. 8107) in excess of \$1,000,000;

11 (3) The program authorized by section 9011 of
12 the Farm Security and Rural Investment Act of
13 2002 (7 U.S.C. 8111);

14 (4) The program authorized by section 9003 of
15 the Farm Security and Rural Investment Act of
16 2002 (7 U.S.C. 8103); and

17 (5) The program authorized by section 524(b)
18 of the Federal Crop Insurance Act, as amended (7
19 U.S.C. 1524(b)): *Provided*, That the funds made
20 available by section 524(b) of such Act for fiscal
21 year 2018 are hereby permanently cancelled.

22 SEC. 715. Notwithstanding subsection (b) of section
23 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
24 section referred to as “section 14222”), none of the funds
25 appropriated or otherwise made available by this or any

1 other Act shall be used to pay the salaries and expenses
2 of personnel to carry out a program under section 32 of
3 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
4 referred to as “section 32”) in excess of \$878,255,000 (ex-
5 clusive of carryover appropriations from prior fiscal
6 years), as follows: Child Nutrition Programs Entitlement
7 Commodities—\$465,000,000; State Option Contracts—
8 \$5,000,000; Removal of Defective Commodities—
9 \$2,500,000; Administration of Section 32 Commodity
10 Purchases—\$35,853,000: *Provided*, That of the total
11 funds made available in the matter preceding this proviso
12 that remain unobligated on October 1, 2018, such unobli-
13 gated balances shall carryover into the next fiscal year and
14 shall remain available until expended for any of the three
15 stated purposes of section 32, except that any such carry-
16 over funds used in accordance with clause (3) of section
17 32 may not exceed \$75,000,000 and may not be obligated
18 until the Secretary of Agriculture provides written notifi-
19 cation of the expenditures to the Committees on Appro-
20 priations of both Houses of Congress at least two weeks
21 in advance: *Provided further*, That none of the funds made
22 available in this Act or any other Act shall be used for
23 salaries and expenses to carry out in this fiscal year sub-
24 section (i)(1)(E) of section 19 of the Richard B. Russell
25 National School Lunch Act (42 U.S.C. 1769a), except in

1 an amount that excludes the transfer of \$125,000,000 of
2 the funds to be transferred under subsection (e) of section
3 14222, until October 1, 2018: *Provided further*, That
4 \$125,000,000 made available on October 1, 2018, to carry
5 out such section 19 shall be excluded from the limitation
6 described in subsection (b)(2)(A)(x) of section 14222: *Pro-*
7 *vided further*, That, with the exception of any available
8 carryover funds authorized in the first proviso of this sec-
9 tion to be used for the purposes of clause (3) of section
10 32, none of the funds appropriated or otherwise made
11 available by this or any other Act shall be used to pay
12 the salaries or expenses of any employee of the Depart-
13 ment of Agriculture or officer of the Commodity Credit
14 Corporation to carry out clause (3) of section 32, or for
15 any surplus removal activities or price support activities
16 under section 5 of the Commodity Credit Corporation
17 Charter Act (15 U.S.C. 714e): *Provided further*, That the
18 available unobligated balances under (b)(2)(A)(x) of sec-
19 tion 14222 in excess of the limitation set forth in this sec-
20 tion, excluding amounts to be transferred pursuant to the
21 second proviso of this section, are hereby permanently re-
22 scinded.

23 SEC. 716. None of the funds appropriated by this or
24 any other Act shall be used to pay the salaries and ex-
25 penses of personnel who prepare or submit appropriations

1 language as part of the President’s budget submission to
2 the Congress for programs under the jurisdiction of the
3 Appropriations Subcommittees on Agriculture, Rural De-
4 velopment, Food and Drug Administration, and Related
5 Agencies that assumes revenues or reflects a reduction
6 from the previous year due to user fees proposals that
7 have not been enacted into law prior to the submission
8 of the budget unless such budget submission identifies
9 which additional spending reductions should occur in the
10 event the user fees proposals are not enacted prior to the
11 date of the convening of a committee of conference for
12 the fiscal year 2018 appropriations Act.

13 SEC. 717. (a) None of the funds provided by this Act,
14 or provided by previous appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in the current fiscal year, or provided from
17 any accounts in the Treasury derived by the collection of
18 fees available to the agencies funded by this Act, shall be
19 available for obligation or expenditure through a re-
20 programming, transfer of funds, or reimbursements as au-
21 thorized by the Economy Act, or in the case of the Depart-
22 ment of Agriculture, through use of the authority provided
23 by section 702(b) of the Department of Agriculture Or-
24 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
25 Law 89–106 (7 U.S.C. 2263), that—

1 (1) creates new programs;

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

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

6 (4) relocates an office or employees;

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

8 or

9 (6) contracts out or privatizes any functions or
10 activities presently performed by Federal employees;
11 unless the Secretary of Agriculture, the Chairman of the
12 Commodity Futures Trading Commission, or the Sec-
13 retary of Health and Human Services (as the case may
14 be) notifies in writing and receives approval from the Com-
15 mittees on Appropriations of both Houses of Congress at
16 least 30 days in advance of the reprogramming of such
17 funds or the use of such authority.

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

1 authorities referred to in subsection (a) involving funds
2 in excess of \$500,000 or 10 percent, whichever is less,
3 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
16 writing and receives approval from the Committees
17 on Appropriations of both Houses of Congress at
18 least 30 days in advance of the reprogramming or
19 transfer of 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 Sec-
22 retary of Health and Human Services shall notify in writ-
23 ing and receive approval from the Committees on Appro-
24 priations of both Houses of Congress before implementing
25 any program or activity not carried out during the pre-

1 vious fiscal year unless the program or activity is funded
2 by this Act or specifically funded by any other Act.

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

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

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

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

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 Commis-
4 sion, or the Secretary of Health and Human Services re-
5 ceives from the Committee on Appropriations of both
6 Houses of Congress written or electronic mail confirma-
7 tion of receipt of the notification as required in this sec-
8 tion.

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

15 SEC. 719. None of the funds appropriated or other-
16 wise made available to the Department of Agriculture, the
17 Food and Drug Administration, the Commodity Futures
18 Trading Commission, or the Farm Credit Administration
19 shall be used to transmit or otherwise make available re-
20 ports, questions, or responses to questions that are a re-
21 sult of information requested for the appropriations hear-
22 ing process to any non-Department of Agriculture, non-
23 Department of Health and Human Services, non-Com-
24 modity Futures Trading Commission, or non-Farm Credit
25 Administration employee.

1 SEC. 720. Unless otherwise authorized by existing
2 law, none of the funds provided in this Act, may be used
3 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 noti-
6 fication 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. 721. No employee of the Department of Agri-
10 culture may be detailed or assigned from an agency or
11 office funded by this Act or any other Act to any other
12 agency or office of the Department for more than 60 days
13 in a fiscal year unless the individual's employing agency
14 or office is fully reimbursed by the receiving agency or
15 office for the salary and expenses of the employee for the
16 period of assignment.

17 SEC. 722. (a) Unless the Secretary of Agriculture no-
18 tifies the Committees on Appropriations of both Houses
19 of Congress at least 3 full business days in advance, none
20 of the funds made available in this Act may be used to—

21 (1) make a grant allocation of discretionary
22 grant award totaling \$1,000,000 or more;

23 (2) make a discretionary contract award total-
24 ing \$1,000,000 or more;

1 (3) issue a letter of intent to make an allocation
2 or award in excess of the limits in subparagraph (1)
3 or (2); or

4 (4) announce publicly the intention to make an
5 allocation or award in excess of the limits in sub-
6 paragraph (1) or (2).

7 (b) The Secretary of Agriculture shall submit to the
8 Committees on Appropriations of both Houses of Congress
9 within 15 days of the conclusion of each quarter a report
10 detailing each grant allocation or discretionary grant
11 award totaling less than \$1,000,000 provided during the
12 previous quarter.

13 (c) The notification required by paragraph (a) and
14 the report required by paragraph (b) shall include the re-
15 cipient of the award, the amount of the award, the fiscal
16 year for which the funds for the award were appropriated,
17 the account and program, project, or activity from which
18 the funds are being drawn, the title of the award, and
19 a brief description of the activity for which the award is
20 made.

21 SEC. 723. Not later than 30 days after the date of
22 enactment of this Act, the Secretary of Agriculture, the
23 Commissioner of the Food and Drug Administration, the
24 Chairman of the Commodity Futures Trading Commis-
25 sion, and the Chairman of the Farm Credit Administra-

1 tion shall submit to the Committees on Appropriations of
2 both Houses of Congress a detailed spending plan by pro-
3 gram, project, and activity for all the funds made available
4 under this Act including appropriated user fees, as defined
5 in the report accompanying this Act.

6 SEC. 724. Funds made available under title II of the
7 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
8 used to provide assistance to recipient nations if adequate
9 monitoring and controls, as determined by the Adminis-
10 trator, are in place to ensure that emergency food aid is
11 received by the intended beneficiaries in areas affected by
12 food shortages and not diverted for unauthorized or inap-
13 propriate purposes.

14 SEC. 725. The Secretary shall establish an inter-
15 mediary loan packaging program based on the pilot pro-
16 gram in effect for fiscal year 2013 for packaging and re-
17 viewing section 502 single family direct loans. The Sec-
18 retary shall enter into agreements with current inter-
19 mediary organizations and with additional qualified inter-
20 mediary organizations. The Secretary shall work with
21 these organizations to increase effectiveness of the section
22 502 single family direct loan program in rural commu-
23 nities and shall set aside and make available from the na-
24 tional reserve section 502 loans an amount necessary to

1 support the work of such intermediaries and provide a pri-
2 ority for review of such loans.

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

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)
17 shall be available for obligation without written notifica-
18 tion to, and the prior approval of, the Committees on Ap-
19 propriations of both Houses of Congress: *Provided*, That
20 the refunds or rebates so transferred shall be available for
21 obligation only for the acquisition of plant and capital
22 equipment necessary for the delivery of financial, adminis-
23 trative, and information technology services of primary
24 benefit to the agencies of the Department of Agriculture.

1 SEC. 728. None of the funds made available by this
2 Act may be used to procure raw or processed poultry prod-
3 ucts imported into the United States from the People's
4 Republic of China for use in the school lunch program
5 under the Richard B. Russell National School Lunch Act
6 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
7 Program under section 17 of such Act (42 U.S.C. 1766),
8 the Summer Food Service Program for Children under
9 section 13 of such Act (42 U.S.C. 1761), or the school
10 breakfast program under the Child Nutrition Act of 1966
11 (42 U.S.C. 1771 et seq.).

12 SEC. 729. In response to an eligible community where
13 the drinking water supplies are inadequate due to a nat-
14 ural disaster, as determined by the Secretary, including
15 drought or severe weather, the Secretary may provide po-
16 table water through the Emergency Community Water As-
17 sistance Grant Program for an additional period of time
18 not to exceed 120 days beyond the established period pro-
19 vided under the Program in order to protect public health.

20 SEC. 730. Funds provided by this or any prior Appro-
21 priations Act for the Agriculture and Food Research Ini-
22 tiative under 7 U.S.C. 450i(b) shall be made available
23 without regard to section 7128 of the Agricultural Act of
24 2014 (7 U.S.C. 3371 note), under the matching require-
25 ments in laws in effect on the date before the date of en-

1 actment of such section: *Provided*, That the requirements
2 of 7 U.S.C. 450i(b)(9) shall continue to apply.

3 SEC. 731. None of the funds made available by this
4 Act may be used by the Secretary of Agriculture, acting
5 through the Food and Nutrition Service, to commence any
6 new research and evaluation projects until the Secretary
7 submits to the Committees on Appropriations of both
8 Houses of Congress a research and evaluation plan for fis-
9 cal year 2018, prepared in coordination with the Research,
10 Education, and Economics mission area of the Depart-
11 ment of Agriculture, and a period of 30 days beginning
12 on the date of the submission of the plan expires to permit
13 Congressional review of the plan.

14 SEC. 732. In carrying out subsection (h) of section
15 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
16 Secretary of Agriculture shall have the same authority
17 with respect to loans guaranteed under such section and
18 eligible lenders for such loans as the Secretary has under
19 subsections (h) and (j) of section 538 of such Act (42
20 U.S.C. 1490p-2) with respect to loans guaranteed under
21 such section 538 and eligible lenders for such loans.

22 SEC. 733. None of the funds made available by this
23 Act may be used to propose, promulgate, or implement
24 any rule, or take any other action with respect to, allowing
25 or requiring information intended for a prescribing health

1 care professional, in the case of a drug or biological prod-
2 uct subject to section 503(b)(1) of the Federal Food,
3 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
4 tributed to such professional electronically (in lieu of in
5 paper form) unless and until a Federal law is enacted to
6 allow or require such distribution.

7 SEC. 734. None of the funds made available by this
8 Act may be used to notify a sponsor or otherwise acknowl-
9 edge receipt of a submission for an exemption for inves-
10 tigational use of a drug or biological product under section
11 505(i) of the Federal Food, Drug, and Cosmetic Act (21
12 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
13 Service Act (42 U.S.C. 262(a)(3)) in research in which
14 a human embryo is intentionally created or modified to
15 include a heritable genetic modification. Any such submis-
16 sion shall be deemed to have not been received by the Sec-
17 retary, and the exemption may not go into effect.

18 SEC. 735. None of the funds made available by this
19 or any other Act may be used to carry out the final rule
20 promulgated by the Food and Drug Administration and
21 put into effect November 16, 2015, in regards to the haz-
22 ard analysis and risk-based preventive control require-
23 ments of the current good manufacturing practice, hazard
24 analysis, and risk-based preventive controls for food for
25 animals rule with respect to the regulation of the produc-

1 tion, distribution, sale, or receipt of dried spent grain by-
2 products of the alcoholic beverage production process.

3 SEC. 736. (a) The Secretary of Agriculture shall—

4 (1) conduct audits in a manner that evaluates
5 the following factors in the country or region being
6 audited, as applicable—

7 (A) veterinary control and oversight;

8 (B) disease history and vaccination prac-
9 tices;

10 (C) livestock demographics and
11 traceability;

12 (D) epidemiological separation from poten-
13 tial sources of infection;

14 (E) surveillance practices;

15 (F) diagnostic laboratory capabilities; and

16 (G) emergency preparedness and response;

17 and

18 (2) promptly make publicly available the final
19 reports of any audits or reviews conducted pursuant
20 to subsection (1).

21 (b) This section shall be applied in a manner con-
22 sistent with United States obligations under its inter-
23 national trade agreements.

24 SEC. 737. None of the funds made available by this
25 Act may be used to carry out any activities or incur any

1 expense related to the issuance of licenses under section
2 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
3 newal of such licenses, to class B dealers who sell dogs
4 and cats for use in research, experiments, teaching, or
5 testing.

6 SEC. 738. No partially hydrogenated oils as defined
7 in the order published by the Food and Drug Administra-
8 tion in the Federal Register on June 17, 2015 (80 Fed.
9 Reg. 34650 et seq.) shall be deemed unsafe within the
10 meaning of section 409(a) of the Federal Food, Drug, and
11 Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-
12 duced or delivered for introduction into interstate com-
13 merce that bears or contains a partially hydrogenated oil
14 shall be deemed adulterated under sections 402(a)(1) or
15 402(a)(2)(C)(i) of this Act by virtue of bearing or con-
16 taining a partially hydrogenated oil until the compliance
17 date as specified in such order (June 18, 2018).

18 SEC. 739. The Secretary may charge a fee for lenders
19 to access Department loan guarantee systems in connec-
20 tion with such lenders' participation in loan guarantee
21 programs of the Rural Housing Service: *Provided*, That
22 the funds collected from such fees shall be made available
23 to the Secretary without further appropriation and such
24 funds shall be deposited into the Rural Development Sala-
25 ries and Expense Account and shall remain available until

1 expended for obligation and expenditure by the Secretary
2 for administrative expenses of the Rural Housing Service
3 Loan Guarantee Program in addition to other available
4 funds: *Provided further*, That such fees collected shall not
5 exceed \$50 per loan.

6 SEC. 740. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

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

14 SEC. 741. Of the unobligated balances from amounts
15 made available for the special supplemental nutrition pro-
16 gram as authorized by section 17 of the Child Nutrition
17 Act of 1966 (42 U.S.C. 1786), \$600,000,000 are re-
18 scinded.

19 SEC. 742. (a)(1) No Federal funds made available for
20 this fiscal year for the rural water, waste water, waste dis-
21 posal, and solid waste management programs authorized
22 by sections 306, 306A, 306C, 306D, 306E, and 310B of
23 the Consolidated Farm and Rural Development Act (7
24 U.S.C. 1926 et seq.) shall be used for a project for the
25 construction, alteration, maintenance, or repair of a public

1 water or wastewater system unless all of the iron and steel
2 products used in the project are produced in the United
3 States.

4 (2) In this section, the term “iron and steel products”
5 means the following products made primarily of iron or
6 steel: lined or unlined pipes and fittings, manhole covers
7 and other municipal castings, hydrants, tanks, flanges,
8 pipe clamps and restraints, valves, structural steel, rein-
9 forced precast concrete, and construction materials.

10 (b) Subsection (a) shall not apply in any case or cat-
11 egory of cases in which the Secretary of Agriculture (in
12 this section referred to as the “Secretary”) or the designee
13 of the Secretary finds that—

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

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

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

22 (c) If the Secretary or the designee receives a request
23 for a waiver under this section, the Secretary or the des-
24 ignee shall make available to the public on an informal
25 basis a copy of the request and information available to

1 the Secretary or the designee concerning the request, and
2 shall allow for informal public input on the request for
3 at least 15 days prior to making a finding based on the
4 request. The Secretary or the designee shall make the re-
5 quest and accompanying information available by elec-
6 tronic means, including on the official public Internet Web
7 site of the Department.

8 (d) This section shall be applied in a manner con-
9 sistent with United States obligations under international
10 agreements.

11 (e) The Secretary may retain up to 0.25 percent of
12 the funds appropriated in this Act for “Rural Utilities
13 Service—Rural Water and Waste Disposal Program Ac-
14 count” for carrying out the provisions described in sub-
15 section (a)(1) for management and oversight of the re-
16 quirements of this section.

17 (f) Subsection (a) shall not apply with respect to a
18 project for which the engineering plans and specifications
19 include use of iron and steel products otherwise prohibited
20 by such subsection if the plans and specifications have re-
21 ceived required approvals from State agencies prior to the
22 date of enactment of this Act.

23 (g) For purposes of this section, the terms “United
24 States” and “State” shall include each of the several

1 States, the District of Columbia, and each federally recog-
2 nized Indian tribe.

3 SEC. 743. (a) For the period beginning on the date
4 of enactment of this Act through school year 2018–2019,
5 with respect to the school lunch program established under
6 the Richard B. Russell National School Lunch Act (42
7 U.S.C. 1751 et seq.) or the school breakfast program es-
8 tablished under the Child Nutrition Act of 1966 (42
9 U.S.C. 1771 et seq.) and final regulations published by
10 the Department of Agriculture in the Federal Register on
11 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-
12 retary of Agriculture shall allow States to grant an exemp-
13 tion from the whole grain requirements that took effect
14 on or after July 1, 2014, and the States shall establish
15 a process for evaluating and responding, in a reasonable
16 amount of time, to requests for an exemption: *Provided*,
17 That school food authorities demonstrate hardship, includ-
18 ing financial hardship, in procuring specific whole grain
19 products which are acceptable to the students and compli-
20 ant with the whole grain-rich requirements: *Provided fur-*
21 *ther*, That school food authorities shall comply with the
22 applicable grain component or standard with respect to
23 the school lunch or school breakfast program that was in
24 effect prior to July 1, 2014.

1 (b) For the period beginning on the date of enact-
2 ment of this Act through school year 2018–2019, none
3 of the funds appropriated or otherwise made available by
4 this or any other Act shall be used to pay the salaries
5 and expenses of personnel to implement any regulations
6 under the Richard B. Russell National School Lunch Act
7 (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966
8 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids
9 Act of 2010 (Public Law 111–296), or any other law that
10 would require a reduction in the quantity of sodium con-
11 tained in federally reimbursed meals, foods, and snacks
12 sold in schools below Target 1 (as described in section
13 220.8(f)(3) of title 7, Code of Federal Regulations (or suc-
14 cessor regulations)).

15 (c) For the period beginning on the date of enactment
16 of this Act through school year 2018–2019, notwith-
17 standing any other provision of law, the Secretary shall
18 allow States to grant special exemptions for the service
19 of flavored, low-fat fluid milk in the school lunch program
20 established under the Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1751 et seq.) and the school break-
22 fast program established under the Child Nutrition Act
23 of 1966 (42 U.S.C. 1771 et seq.), and as a competitive
24 food available on campus during the school day, to schools

1 which demonstrate a reduction in student milk consump-
2 tion or an increase in school milk waste.

3 SEC. 744. Of the total amounts made available by
4 this Act for direct loans and grants in the following head-
5 ings: “Rural Housing Service—Rural Housing Insurance
6 Fund Program Account”; “Rural Housing Service—Mu-
7 tual and Self-Help Housing Grants”; “Rural Economic
8 Infrastructure Grants”; “Rural Housing Service—Rural
9 Community Facilities Program Account”; “Rural Busi-
10 ness-Cooperative Service—Rural Business Program Ac-
11 count”; “Rural Business-Cooperative Service—Rural Eco-
12 nomic Development Loans Program Account”; “Rural
13 Business-Cooperative Service—Rural Cooperative Devel-
14 opment Grants”; “Rural Utilities Service—Rural Water
15 and Waste Disposal Program Account”; and “Rural Utili-
16 ties Service—Rural Electrification and Telecommuni-
17 cations Loans Program Account”, at least 10 percent of
18 the funds shall be allocated for assistance in persistent
19 poverty counties under this section, including, notwith-
20 standing any other provision regarding population limits,
21 any county seat of such a persistent poverty county that
22 has a population that does not exceed the authorized popu-
23 lation limit by more than 10 percent: *Provided*, That for
24 purposes of this section, the term “persistent poverty
25 counties” means any county that has had 20 percent or

1 more of its population living in poverty over the past 30
2 years, as measured by the 1980, 1990, and 2000 decennial
3 censuses, and 2007–2011 American Community Survey 5-
4 year average: *Provided further*, That with respect to spe-
5 cific activities for which program levels have been made
6 available by this Act that are not supported by budget au-
7 thority, the requirements of this section shall be applied
8 to such program level.

9 SEC. 745. For the purposes of determining eligibility
10 or level of program assistance for Rural Development pro-
11 grams the Secretary shall not include incarcerated prison
12 populations.

13 SEC. 746. None of the funds appropriated by this Act
14 may be used in any way, directly or indirectly, to influence
15 congressional action on any legislation or appropriation
16 matters pending before Congress, other than to commu-
17 nicate to Members of Congress as described in 18 U.S.C.
18 1913.

19 SEC. 747. None of the funds made available by this
20 Act may be used to implement, administer, or enforce the
21 “variety” requirements of the final rule entitled “Enhanc-
22 ing Retailer Standards in the Supplemental Nutrition As-
23 sistance Program (SNAP)” published by the Department
24 of Agriculture in the Federal Register on December 15,
25 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-

1 culture amends the definition of the term “variety” as de-
2 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
3 eral Regulations, and “variety” as applied in the definition
4 of the term “staple food” as defined in section 271.2 of
5 title 7, Code of Federal Regulations, to increase the num-
6 ber of items that qualify as acceptable varieties in each
7 staple food category so that the total number of such items
8 in each staple food category exceeds the number of such
9 items in each staple food category included in the final
10 rule as published on December 15, 2016: *Provided*, That
11 until the Secretary promulgates such regulatory amend-
12 ments, the Secretary shall apply the requirements regard-
13 ing acceptable varieties and breadth of stock to Supple-
14 mental Nutrition Assistance Program retailers that were
15 in effect on the day before the date of the enactment of
16 the Agricultural Act of 2014 (Public Law 113–79).

17 SEC. 748. None of the funds made available by this
18 Act may be used by the Food and Drug Administration
19 to develop, issue, promote, or advance any regulations ap-
20 plicable to food manufacturers for population-wide sodium
21 reduction actions or to develop, issue, promote or advance
22 final guidance applicable to food manufacturers for long
23 term population-wide sodium reduction actions until the
24 date on which a dietary reference intake report with re-
25 spect to sodium is completed.

1 SEC. 749. The Secretary of Agriculture and the Sec-
2 retary's designees are hereby granted the same access to
3 information and subject to the same requirements applica-
4 ble to the Secretary of Housing and Urban Development
5 as provided in section 453 of the Social Security Act (42
6 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
7 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
8 verify the income for individuals participating in sections
9 502, 504, 521, and 524 of the Housing Act of 1949 (42
10 U.S.C. 1972, 1474, 1490a, and 1490r), notwithstanding
11 section 453(l)(1) of the Social Security Act.

12 SEC. 750. Of the unobligated balances from amounts
13 made available to carry out section 6407 of the Farm Se-
14 curity and Rural Investment Act of 2002 (7 U.S.C.
15 8107a), \$8,000,000 are rescinded.

16 SEC. 751. None of the funds made available to the
17 Commodity Futures Trading Commission by this Act or
18 any other Act in the current fiscal year or any other fiscal
19 year may be used to pay the salaries and expenses of per-
20 sonnel to lower the de minimis quantity of swap dealing
21 established under section 1a(49)(D) of the Commodity Ex-
22 change Act (7 U.S.C. 1a(49)(D)) to less than
23 \$8,000,000,000.

24 SEC. 752. None of the funds made available by this
25 Act or any other Act in the current fiscal year or any other

1 fiscal year may be used to implement, administer, or en-
2 force the final rule with the regulation identifier number
3 0910–AG38 published by the Food and Drug Administra-
4 tion in the Federal Register on May 10, 2016 (81 Fed.
5 Reg. 28974) with respect to traditional large and premium
6 cigars. For the purposes of this section, the term “tradi-
7 tional large and premium cigar” means—

8 (1) any roll of tobacco that is wrapped in 100
9 percent leaf tobacco, is bunched with 100 percent to-
10 bacco filler, contains no filter, tip, or non-tobacco
11 mouthpiece, weighs at least 6 pounds per 1,000
12 count, and—

13 (A) has a 100 percent leaf tobacco binder
14 and is hand rolled;

15 (B) has a 100 percent leaf tobacco binder
16 and is made using human hands to lay the leaf
17 tobacco wrapper or binder onto only one ma-
18 chine that bunches, wraps, and caps each indi-
19 vidual cigar; or

20 (C) has a homogenized tobacco leaf binder
21 and is made in the United States using human
22 hands to lay the 100 percent leaf tobacco wrap-
23 per onto only one machine that bunches, wraps,
24 and caps each individual cigar; and

1 (2) is not a cigarette or a little cigar (as such
2 terms are defined in paragraphs (3) and (11), re-
3 spectively, of section 900 of the Federal Food, Drug,
4 and Cosmetic Act (21 U.S.C. 387)).

5 SEC. 753. (a) None of the funds appropriated or oth-
6 erwise made available by this Act or any other Act with
7 respect to any fiscal year may, for each tobacco product
8 which the Secretary of Health and Human Services by
9 regulation under section 901(b) of the Federal Food,
10 Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to
11 be subject to chapter IX of such Act, be used to treat—

12 (1) any reference in sections 905(j) or 910(a)
13 of such Act (21 U.S.C. 387e(j), 387j(a)) to Feb-
14 ruary 15, 2007, as other than a reference to the ef-
15 fective date of the regulation under which the to-
16 bacco product is deemed to be subject to the require-
17 ments of such chapter pursuant to section 901(b) of
18 such Act (21 U.S.C. 387a(b)); and

19 (2) any reference in such sections to 21 months
20 after the date of enactment of the Family Smoking
21 Prevention and Tobacco Control Act as other than
22 a reference to 21 months after the effective date of
23 such deeming regulation.

24 (b)(1) Notwithstanding any other provision of law,
25 not later than 21 months after the date of enactment of

1 this Act, the Secretary of Health and Human Services
2 shall issue a notice of proposed rulemaking to establish
3 a product standard for vapor products pursuant to section
4 907 of the Federal Food, Drug, and Cosmetic Act (21
5 U.S.C. 387g) to include but not limited to—

6 (A) characterizing flavors; and

7 (B) batteries.

8 (2) Notwithstanding any other provision of law, not
9 later than 36 months after the date of enactment of this
10 Act, the Secretary shall promulgate a final rule pursuant
11 to such notice.

12 (c) A vapor product shall be deemed to be misbranded
13 under section 903(a) of the Federal Food, Drug, and Cos-
14 metic Act (21 U.S.C. 387c(a)) if the advertising with re-
15 spect to the vapor product is disseminated by a manufac-
16 turer, distributor, or retailer of the product in a news-
17 paper, magazine, periodical, or other publication (includ-
18 ing any publication of periodic or limited distribution)
19 other than an adult publication.

20 (d)(1) A retailer may only sell any vapor product in
21 a direct face-to-face exchange without the assistance of
22 any electronic or mechanical device (such as a vending ma-
23 chine).

24 (2) This subsection shall not apply with respect to
25 sales of vapor products conducted through—

1 (A) mail-order; or

2 (B) a vending machine or self-service display if,
3 with respect to the facility in which such vending
4 machine or display is located, the retailer of such
5 products ensures that no person under 18 years of
6 age is present or permitted to enter.

7 (3) A violation of this section is deemed to constitute
8 a violation of the Federal Food, Drug, and Cosmetic Act
9 relating to a tobacco product for purposes of section
10 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

11 (e)(1) Not later than 12 months after the date of en-
12 actment of this Act, the Secretary of Health and Human
13 Services shall promulgate final regulations to require that
14 the labeling of vapor products contain—

15 (A) the phrase “Keep Out of Reach of
16 Children”;

17 (B) the phrase “Underage Sale Prohib-
18 ited”; and

19 (C) an accurate statement of the nicotine
20 content of the vapor product.

21 (2) A vapor product whose label is in violation
22 of the regulations required by paragraph (1) is
23 deemed to be misbranded under section 903 of the
24 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
25 387e).

1 (f)(1) Every person who owns or operates an estab-
2 lishment in any State engaged in the retail sale of a vapor
3 product shall register that establishment with the Sec-
4 retary of Health and Human Services within the later of
5 60 days after the date of enactment of this Act, or 30
6 days after first engaging in such retail sale.

7 (2) The requirements of this subsection do not
8 apply with respect to any establishment subject to
9 an active registration under—

10 (A) any State law relating to tobacco prod-
11 ucts; or

12 (B) section 905 of the Federal Food,
13 Drug, and Cosmetic Act (21 U.S.C. 387e).

14 (3) The Secretary shall make available for in-
15 spection, to any person so requesting, any registra-
16 tion filed under this section.

17 (g) In this section:

18 (1) The term “adult publication” means any
19 newspaper, magazine, periodical, or other publica-
20 tion—

21 (A) whose readers younger than 18 years
22 of age constitute 15 percent or less of the total
23 readership as measured by competent and reli-
24 able survey evidence; and

1 (B) that is read by fewer than 2 million
2 persons younger than 18 years of age as meas-
3 ured by competent and reliable survey evidence.

4 (2) The terms “label” and “labeling” have the
5 meanings given to such terms in section 201 of the
6 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
7 321).

8 (3) The term “tobacco product” has the mean-
9 ing given to such term in section 201 of the Federal
10 Food, Drug, and Cosmetic Act (21 U.S.C. 321).

11 (4) The term “vapor product”—

12 (A) means any non-combustible product
13 that employs a heating element, power source,
14 electronic circuit, or other electronic, chemical,
15 or mechanical means, regardless of shape or
16 size, to produce vapor from nicotine in a solu-
17 tion or other form;

18 (B) includes any electronic cigarette, elec-
19 tronic cigar, electronic cigarillo, electronic pipe,
20 or similar product or device, and any vapor car-
21 tridge or other container of nicotine in a solu-
22 tion or other form; and

23 (C) does not include any product regulated
24 as a drug or device by the Food and Drug Ad-
25 ministration under chapter V of the Federal

1 Food, Drug, and Cosmetic Act (21 U.S.C. 351
2 et. seq.).

3 SEC. 754. (a) No funds shall be used to finalize the
4 proposed rule entitled “Eligibility of the People’s Republic
5 of China (PRC) to Export to the United States Poultry
6 Products from Birds Slaughtered in the PRC” published
7 in the Federal Register by the Department of Agriculture
8 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
9 retary of Agriculture shall—

10 (1) ensure that the poultry slaughter inspection
11 system for the PRC is equivalent to that of the
12 United States;

13 (2) ensure that, before any poultry products
14 can enter the United States from any such poultry
15 plant, such poultry products comply with all other
16 applicable requirements for poultry products in
17 interstate commerce in the United States;

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

22 (4) conduct re-inspection of such poultry prod-
23 ucts at United States ports-of-entry to check the
24 general condition of such products, for the proper
25 certification and labeling of such products, and for

1 any damage to such products that may have oc-
2 curred during transportation; and

3 (5) ensure that shipments of any such poultry
4 products selected to enter the United States are sub-
5 ject to additional re-inspection procedures at appro-
6 priate levels to verify that the products comply with
7 relevant Federal regulations or standards, including
8 examinations for product defects and laboratory
9 analyses to detect harmful chemical residues or
10 pathogen testing appropriate for the products in-
11 volved.

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

15 SEC. 755. For necessary expenses to carry out the
16 activities described in section 1002(b)(4) of the 21st Cen-
17 tury Cures Act (Public Law 114–255), in addition to
18 amounts available for such activities under the heading
19 “Salaries and Expenses”, \$60,000,000, to remain avail-
20 able until expended, is provided for Department of Health
21 and Human Services—Food and Drug Administration—
22 FDA Innovation Account: *Provided*, That amounts appro-
23 priated by this section are appropriated pursuant to sec-
24 tion 1002(b)(3) of such Act, are to be derived from
25 amounts transferred under section 1002(b)(2)(A) of such

1 Act, and may be transferred by the Secretary of Health
2 and Human Services to other accounts of the Department
3 of Health and Human Services solely for the activities de-
4 scribed in section 1002(b)(4) such Act: *Provided further*,
5 That such transfer authority is in addition to any other
6 transfer authority provided by law.

7 SEC. 756. For an additional amount for “Animal and
8 Plant Health Inspection Service—Salaries and Expenses”,
9 \$5,500,000, to remain available until September 30, 2019,
10 for one-time control and management and associate activi-
11 ties directly related to the multiple-agency response to cit-
12 rus greening.

13 SEC. 757. There is hereby appropriated \$1,000,000,
14 to remain available until September 30, 2019, for the cost
15 of loans and grants consistent with section 243 of the De-
16 partment of Agriculture Reorganization Act of 1994 (7
17 U.S.C. 6953), for necessary expenses of the Secretary to
18 support projects under the healthy food financing initia-
19 tive that provide access to healthy food in underserved
20 areas, to create and preserve quality jobs, and to revitalize
21 low-income communities.

22 SEC. 758. The provisions of sections 202 and 320 of
23 H.R. 238, One Hundred Fifteenth Congress (the “Com-
24 modity End-User Relief Act”), as passed by the House
25 of Representatives on January 12, 2017, are hereby en-

1 acted into law, except that the amendment made by such
2 section 320 shall be added at the end of paragraph (47)
3 rather than (48).

4 REFERENCES TO ACT

5 SEC. 759. Except as expressly provided otherwise,
6 any reference to “this Act” contained in this division shall
7 be treated as referring only to the provisions of this divi-
8 sion.

9 REFERENCE TO REPORT

10 SEC. 760. Any reference to a “report accompanying
11 this Act” contained in this division shall be treated as a
12 reference to House Report 115–232. The effect of such
13 Report shall be limited to this division and shall apply for
14 purposes of determining the allocation of funds provided
15 by, and the implementation of, this division.

16 SPENDING REDUCTION ACCOUNT

17 SEC. 761. \$0.

18 SEC. 762. For an additional amount for “Department
19 of Agriculture—National Institute of Food and Agri-
20 culture—Research and Education Activities”, for the
21 award of teaching, research, and extension capacity build-
22 ing grants at certain colleges and universities, as author-
23 ized by section 1417(b)(4) of the National Agricultural
24 Research, Extension, and Teaching Policy Act of 1977 (7
25 U.S.C. 3152(b)(4)), there is hereby appropriated, and the

1 amount otherwise provided by this Act for “Department
2 of Agriculture—Office of the Chief Information Officer”
3 is hereby reduced by, \$500,000.

4 SEC. 763. None of the funds made available by this
5 Act may be used in contravention of—

6 (1) section 9(b)(10) of the Richard B. Russell
7 National School Lunch Act (42 U.S.C.
8 1758(b)(10)); or

9 (2) section 245.8 of title 7, Code of Federal
10 Regulations.

11 SEC. 764. None of the funds made available by this
12 Act may be used to revoke an exception made—

13 (1) pursuant to the rule entitled “Exceptions to
14 Geographic Areas for Official Agencies Under the
15 USGSA” published by the Department of Agri-
16 culture in the Federal Register on April 18, 2003
17 (68 Fed. Reg. 19139); and

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

19 SEC. 765. None of the funds made available by this
20 Act may be used to carry out subsection (p) of section
21 12 of the Richard B. Russell National School Lunch Act
22 (42 U.S.C. 1760).

23 SEC. 766. None of the funds made available by this
24 Act may be used for a new hire who has not been verified
25 through the E-Verify program, except for an employee

1 compensated under a local compensation plan established
2 under section 408 of the Foreign Service Act of 1980.

3 This division may be cited as the “Agriculture, Rural
4 Development, Food and Drug Administration, and Re-
5 lated Agencies Appropriations Act, 2018”.

6 **DIVISION C—COMMERCE, JUSTICE,**
7 **SCIENCE, AND RELATED AGENCIES**
8 **APPROPRIATIONS ACT, 2018**

9 The following sums are appropriated, out of any
10 money in the Treasury not otherwise appropriated, for the
11 fiscal year ending September 30, 2018, and for other pur-
12 poses, namely:

13 **TITLE I**

14 **DEPARTMENT OF COMMERCE**

15 **INTERNATIONAL TRADE ADMINISTRATION**

16 **OPERATIONS AND ADMINISTRATION**

17 For necessary expenses for international trade activi-
18 ties of the Department of Commerce provided for by law,
19 and for engaging in trade promotional activities abroad,
20 including expenses of grants and cooperative agreements
21 for the purpose of promoting exports of United States
22 firms, without regard to sections 3702 and 3703 of title
23 44, United States Code; full medical coverage for depend-
24 ent members of immediate families of employees stationed
25 overseas and employees temporarily posted overseas; travel

1 and transportation of employees of the International
2 Trade Administration between two points abroad, without
3 regard to section 40118 of title 49, United States Code;
4 employment of citizens of the United States and aliens by
5 contract for services; rental of space abroad for periods
6 not exceeding 10 years, and expenses of alteration, repair,
7 or improvement; purchase or construction of temporary
8 demountable exhibition structures for use abroad; pay-
9 ment of tort claims, in the manner authorized in the first
10 paragraph of section 2672 of title 28, United States Code,
11 when such claims arise in foreign countries; not to exceed
12 \$294,300 for official representation expenses abroad; pur-
13 chase of passenger motor vehicles for official use abroad,
14 not to exceed \$45,000 per vehicle; obtaining insurance on
15 official motor vehicles; and rental of tie lines,
16 \$480,000,000 (reduced by \$1), to remain available until
17 September 30, 2019, of which \$13,000,000 is to be de-
18 rived from fees to be retained and used by the Inter-
19 national Trade Administration, notwithstanding section
20 3302 of title 31, United States Code: *Provided*, That, of
21 amounts provided under this heading, not less than
22 \$16,400,000 shall be for China antidumping and counter-
23 vailing duty enforcement and compliance activities: *Pro-*
24 *vided further*, That the provisions of the first sentence of
25 section 105(f) and all of section 108(c) of the Mutual Edu-

1 cational and Cultural Exchange Act of 1961 (22 U.S.C.
2 2455(f) and 2458(c)) shall apply in carrying out these ac-
3 tivities; and that for the purpose of this Act, contributions
4 under the provisions of the Mutual Educational and Cul-
5 tural Exchange Act of 1961 shall include payment for as-
6 sessments for services provided as part of these activities.

7 BUREAU OF INDUSTRY AND SECURITY

8 OPERATIONS AND ADMINISTRATION

9 For necessary expenses for export administration and
10 national security activities of the Department of Com-
11 merce, including costs associated with the performance of
12 export administration field activities both domestically and
13 abroad; full medical coverage for dependent members of
14 immediate families of employees stationed overseas; em-
15 ployment of citizens of the United States and aliens by
16 contract for services abroad; payment of tort claims, in
17 the manner authorized in the first paragraph of section
18 2672 of title 28, United States Code, when such claims
19 arise in foreign countries; not to exceed \$13,500 for offi-
20 cial representation expenses abroad; awards of compensa-
21 tion to informers under the Export Administration Act of
22 1979, and as authorized by section 1(b) of the Act of June
23 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
24 of passenger motor vehicles for official use and motor vehi-
25 cles for law enforcement use with special requirement vehi-

1 cles eligible for purchase without regard to any price limi-
2 tation otherwise established by law, \$112,500,000 (in-
3 creased by \$1), to remain available until expended: *Pro-*
4 *vided*, That the provisions of the first sentence of section
5 105(f) and all of section 108(c) of the Mutual Educational
6 and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f)
7 and 2458(c)) shall apply in carrying out these activities:
8 *Provided further*, That payments and contributions col-
9 lected and accepted for materials or services provided as
10 part of such activities may be retained for use in covering
11 the cost of such activities, and for providing information
12 to the public with respect to the export administration and
13 national security activities of the Department of Com-
14 merce and other export control programs of the United
15 States and other governments.

16 ECONOMIC DEVELOPMENT ADMINISTRATION

17 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

18 For grants for economic development assistance as
19 provided by the Public Works and Economic Development
20 Act of 1965, for trade adjustment assistance, and for
21 grants authorized by section 27 of the Stevenson-Wydler
22 Technology Innovation Act of 1980 (15 U.S.C. 3722),
23 \$140,000,000 (reduced by \$13,000,000) (increased by
24 \$13,000,000), to remain available until expended, of which
25 \$17,000,000 shall be for grants under such section 27.

1 SALARIES AND EXPENSES

2 For necessary expenses of administering the eco-
3 nomic development assistance programs as provided for by
4 law, \$36,000,000: *Provided*, That these funds may be used
5 to monitor projects approved pursuant to title I of the
6 Public Works Employment Act of 1976, title II of the
7 Trade Act of 1974, section 27 of the Stevenson-Wydler
8 Technology Innovation Act of 1980 (15 U.S.C. 3722), and
9 the Community Emergency Drought Relief Act of 1977.

10 MINORITY BUSINESS DEVELOPMENT AGENCY

11 MINORITY BUSINESS DEVELOPMENT

12 For necessary expenses of the Department of Com-
13 merce in fostering, promoting, and developing minority
14 business enterprise, including expenses of grants, con-
15 tracts, and other agreements with public or private organi-
16 zations, \$34,000,000 (increased by \$5,000,000).

17 BUREAU OF ECONOMIC ANALYSIS

18 SALARIES AND EXPENSES

19 For necessary expenses, as authorized by law, of eco-
20 nomic and statistical analysis programs of the Department
21 of Commerce, \$96,000,000, to remain available until Sep-
22 tember 30, 2019.

1 BUREAU OF THE CENSUS

2 CURRENT SURVEYS AND PROGRAMS

3 For necessary expenses for collecting, compiling, ana-
4 lyzing, preparing and publishing statistics, provided for by
5 law, \$256,000,000: *Provided*, That, from amounts pro-
6 vided herein, funds may be used for promotion, outreach,
7 and marketing activities: *Provided further*, That the Bu-
8 reau of the Census shall collect and analyze data for the
9 Annual Social and Economic Supplement to the Current
10 Population Survey using the same health insurance ques-
11 tions included in previous years, in addition to the revised
12 questions implemented in the Current Population Survey
13 beginning in February 2014.

14 PERIODIC CENSUSES AND PROGRAMS

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for collecting, compiling, ana-
17 lyzing, preparing and publishing statistics for periodic cen-
18 suses and programs provided for by law, \$1,251,000,000,
19 to remain available until September 30, 2019: *Provided*,
20 That, from amounts provided herein, funds may be used
21 for promotion, outreach, and marketing activities: *Pro-*
22 *vided further*, That within the amounts appropriated,
23 \$2,580,000 shall be transferred to the “Office of Inspector
24 General” account for activities associated with carrying
25 out investigations and audits related to the Bureau of the

1 Census: *Provided further*, That not more than 50 percent
2 of the amounts made available under this heading for in-
3 formation technology related to 2020 census delivery, in-
4 cluding the Census Enterprise Data Collection and Proc-
5 essing (CEDCaP) program, may be obligated until the
6 Secretary submits to the Committees on Appropriations
7 of the House of Representatives and the Senate a plan
8 for expenditure that: (1) identifies for each CEDCaP
9 project/investment over \$25,000: (A) the functional and
10 performance capabilities to be delivered and the mission
11 benefits to be realized; (B) the estimated lifecycle cost, in-
12 cluding estimates for development as well as maintenance
13 and operations; and (C) key milestones to be met; (2) de-
14 tails for each project/investment: (A) reasons for any cost
15 and schedule variances; and (B) top risks and mitigation
16 strategies; and (3) has been submitted to the Government
17 Accountability Office.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of
22 the National Telecommunications and Information Ad-
23 ministration (NTIA), \$30,000,000: *Provided*, That, not-
24 withstanding 31 U.S.C. 1535(d), the Secretary of Com-
25 merce shall charge Federal agencies for costs incurred in

1 spectrum management, analysis, operations, and related
2 services, and such fees shall be retained and used as off-
3 setting collections for costs of such spectrum services, to
4 remain available until expended: *Provided further*, That
5 the Secretary of Commerce is authorized to retain and use
6 as offsetting collections all funds transferred, or previously
7 transferred, from other Government agencies for all costs
8 incurred in telecommunications research, engineering, and
9 related activities by the Institute for Telecommunication
10 Sciences of NTIA, in furtherance of its assigned functions
11 under this paragraph, and such funds received from other
12 Government agencies shall remain available until ex-
13 pended.

14 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
15 AND CONSTRUCTION

16 For the administration of prior-year grants, recov-
17 eries and unobligated balances of funds previously appro-
18 priated are available for the administration of all open
19 grants until their expiration.

20 UNITED STATES PATENT AND TRADEMARK OFFICE

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the United States Patent
24 and Trademark Office (USPTO) provided for by law, in-
25 cluding defense of suits instituted against the Under Sec-

1 retary of Commerce for Intellectual Property and Director
2 of the USPTO, \$3,500,000,000, to remain available until
3 expended: *Provided*, That the sum herein appropriated
4 from the general fund shall be reduced as offsetting collec-
5 tions of fees and surcharges assessed and collected by the
6 USPTO under any law are received during fiscal year
7 2018, so as to result in a fiscal year 2018 appropriation
8 from the general fund estimated at \$0: *Provided further*,
9 That during fiscal year 2018, should the total amount of
10 such offsetting collections be less than \$3,500,000,000
11 this amount shall be reduced accordingly: *Provided fur-*
12 *ther*, That any amount received in excess of
13 \$3,500,000,000 in fiscal year 2018 and deposited in the
14 Patent and Trademark Fee Reserve Fund shall remain
15 available until expended: *Provided further*, That the Direc-
16 tor of USPTO shall submit a spending plan to the Com-
17 mittees on Appropriations of the House of Representatives
18 and the Senate for any amounts made available by the
19 preceding proviso and such spending plan shall be treated
20 as a reprogramming under section 505 of this Act and
21 shall not be available for obligation or expenditure except
22 in compliance with the procedures set forth in that section:
23 *Provided further*, That any amounts reprogrammed in ac-
24 cordance with the preceding proviso shall be transferred
25 to the United States Patent and Trademark Office “Sala-

1 ries and Expenses” account: *Provided further*, That from
2 amounts provided herein, not to exceed \$900 shall be
3 made available in fiscal year 2018 for official reception
4 and representation expenses: *Provided further*, That in fis-
5 cal year 2018 from the amounts made available for “Sala-
6 ries and Expenses” for the USPTO, the amounts nec-
7 essary to pay (1) the difference between the percentage
8 of basic pay contributed by the USPTO and employees
9 under section 8334(a) of title 5, United States Code, and
10 the normal cost percentage (as defined by section
11 8331(17) of that title) as provided by the Office of Per-
12 sonnel Management (OPM) for USPTO’s specific use, of
13 basic pay, of employees subject to subchapter III of chap-
14 ter 83 of that title, and (2) the present value of the other-
15 wise unfunded accruing costs, as determined by OPM for
16 USPTO’s specific use of post-retirement life insurance
17 and post-retirement health benefits coverage for all
18 USPTO employees who are enrolled in Federal Employees
19 Health Benefits (FEHB) and Federal Employees Group
20 Life Insurance (FEGLI), shall be transferred to the Civil
21 Service Retirement and Disability Fund, the FEGLI
22 Fund, and the FEHB Fund, as appropriate, and shall be
23 available for the authorized purposes of those accounts:
24 *Provided further*, That any differences between the present
25 value factors published in OPM’s yearly 300 series benefit

1 letters and the factors that OPM provides for USPTO's
2 specific use shall be recognized as an imputed cost on
3 USPTO's financial statements, where applicable: *Provided*
4 *further*, That, notwithstanding any other provision of law,
5 all fees and surcharges assessed and collected by USPTO
6 are available for USPTO only pursuant to section 42(c)
7 of title 35, United States Code, as amended by section
8 22 of the Leahy-Smith America Invents Act (Public Law
9 112–29): *Provided further*, That within the amounts ap-
10 propriated, \$2,000,000 shall be transferred to the “Office
11 of Inspector General” account for activities associated
12 with carrying out investigations and audits related to the
13 USPTO.

14 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
15 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the National Institute of
18 Standards and Technology (NIST), \$660,000,000 (re-
19 duced by \$1,000,000) (increased by \$1,000,000), to re-
20 main available until expended, of which not to exceed
21 \$9,000,000 may be transferred to the “Working Capital
22 Fund”: *Provided*, That not to exceed \$5,000 shall be for
23 official reception and representation expenses: *Provided*
24 *further*, That NIST may provide local transportation for

1 summer undergraduate research fellowship program par-
2 ticipants.

3 INDUSTRIAL TECHNOLOGY SERVICES

4 For necessary expenses for industrial technology
5 services, \$105,000,000 (increased by \$5,000,000), to re-
6 main available until expended, of which \$100,000,000 (in-
7 creased by \$5,000,000) shall be for the Hollings Manufac-
8 turing Extension Partnership, and of which \$5,000,000
9 shall be for the National Network for Manufacturing Inno-
10 vation.

11 CONSTRUCTION OF RESEARCH FACILITIES

12 For construction of new research facilities, including
13 architectural and engineering design, and for renovation
14 and maintenance of existing facilities, not otherwise pro-
15 vided for the National Institute of Standards and Tech-
16 nology, as authorized by sections 13 through 15 of the
17 National Institute of Standards and Technology Act (15
18 U.S.C. 278c–278e), \$100,000,000, to remain available
19 until expended: *Provided*, That the Secretary of Commerce
20 shall include in the budget justification materials that the
21 Secretary submits to Congress in support of the Depart-
22 ment of Commerce budget (as submitted with the budget
23 of the President under section 1105(a) of title 31, United
24 States Code) an estimate for each National Institute of
25 Standards and Technology construction project having a

1 total multi-year program cost of more than \$5,000,000,
2 and simultaneously the budget justification materials shall
3 include an estimate of the budgetary requirements for
4 each such project for each of the 5 subsequent fiscal years.

5 NATIONAL OCEANIC AND ATMOSPHERIC
6 ADMINISTRATION
7 OPERATIONS, RESEARCH, AND FACILITIES
8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of activities authorized by law
10 for the National Oceanic and Atmospheric Administration,
11 including maintenance, operation, and hire of aircraft and
12 vessels; grants, contracts, or other payments to nonprofit
13 organizations for the purposes of conducting activities
14 pursuant to cooperative agreements; and relocation of fa-
15 cilities, \$3,240,199,000 (reduced by \$10,100,000) (in-
16 creased by \$10,100,000) (reduced by \$1,200,000) (in-
17 creased by \$1,200,000) (increased by \$21,775,000) (re-
18 duced by \$21,775,000) (reduced by \$5,000,000) (in-
19 creased by \$5,000,000) (increased by \$8,000,000) (in-
20 creased by \$10,000,000) (reduced by \$10,000,000), to re-
21 main available until September 30, 2019, except that
22 funds provided for cooperative enforcement shall remain
23 available until September 30, 2020: *Provided*, That fees
24 and donations received by the National Ocean Service for
25 the management of national marine sanctuaries may be

1 retained and used for the salaries and expenses associated
2 with those activities, notwithstanding section 3302 of title
3 31, United States Code: *Provided further*, That in addi-
4 tion, \$144,000,000 shall be derived by transfer from the
5 fund entitled “Promote and Develop Fishery Products and
6 Research Pertaining to American Fisheries”, which shall
7 only be used for fishery activities related to the
8 Saltonstall-Kennedy Grant Program, Cooperative Re-
9 search, Annual Stock Assessments, Survey and Moni-
10 toring Projects, Interjurisdictional Fisheries Grants, and
11 Fish Information Networks: *Provided further*, That of the
12 \$3,411,699,000 provided for in direct obligations under
13 this heading, \$3,240,199,000 is appropriated from the
14 general fund, \$144,000,000 is provided by transfer and
15 \$27,500,000 is derived from recoveries of prior year obli-
16 gations: *Provided further*, That any deviation from the
17 amounts designated for specific activities in the report ac-
18 companying this Act, or any use of deobligated balances
19 of funds provided under this heading in previous years,
20 shall be subject to the procedures set forth in section 505
21 of this Act: *Provided further*, That in addition, for nec-
22 essary retired pay expenses under the Retired Service-
23 man’s Family Protection and Survivor Benefits Plan, and
24 for payments for the medical care of retired personnel and

1 their dependents under the Dependents' Medical Care Act
2 (10 U.S.C. ch. 55), such sums as may be necessary.

3 PROCUREMENT, ACQUISITION AND CONSTRUCTION
4 (INCLUDING TRANSFER OF FUNDS)

5 For procurement, acquisition and construction of
6 capital assets, including alteration and modification costs,
7 of the National Oceanic and Atmospheric Administration,
8 \$1,643,110,000, to remain available until September 30,
9 2020, except that funds provided for acquisition and con-
10 struction of vessels and construction of facilities shall re-
11 main available until expended: *Provided*, That of the
12 \$1,656,110,000 provided for in direct obligations under
13 this heading, \$1,643,110,000 is appropriated from the
14 general fund and \$13,000,000 is provided from recoveries
15 of prior year obligations: *Provided further*, That any devi-
16 ation from the amounts designated for specific activities
17 in the report accompanying this Act, or any use of
18 deobligated balances of funds provided under this heading
19 in previous years, shall be subject to the procedures set
20 forth in section 505 of this Act: *Provided further*, That
21 the Secretary of Commerce shall include in budget jus-
22 tification materials that the Secretary submits to Congress
23 in support of the Department of Commerce budget (as
24 submitted with the budget of the President under section
25 1105(a) of title 31, United States Code) an estimate for

1 each National Oceanic and Atmospheric Administration
2 procurement, acquisition or construction project having a
3 total of more than \$5,000,000 and simultaneously the
4 budget justification shall include an estimate of the budg-
5 etary requirements for each such project for each of the
6 5 subsequent fiscal years: *Provided further*, That, within
7 the amounts appropriated, \$1,302,000 shall be transferred
8 to the “Office of Inspector General” account for activities
9 associated with carrying out investigations and audits re-
10 lated to satellite procurement, acquisition and construc-
11 tion.

12 PACIFIC COASTAL SALMON RECOVERY

13 For necessary expenses associated with the restora-
14 tion of Pacific salmon populations, \$65,000,000, to re-
15 main available until September 30, 2019: *Provided*, That,
16 of the funds provided herein, the Secretary of Commerce
17 may issue grants to the States of Washington, Oregon,
18 Idaho, Nevada, California, and Alaska, and to the Feder-
19 ally recognized tribes of the Columbia River and Pacific
20 Coast (including Alaska), for projects necessary for con-
21 servation of salmon and steelhead populations that are
22 listed as threatened or endangered, or that are identified
23 by a State as at-risk to be so listed, for maintaining popu-
24 lations necessary for exercise of tribal treaty fishing rights
25 or native subsistence fishing, or for conservation of Pacific

1 coastal salmon and steelhead habitat, based on guidelines
2 to be developed by the Secretary of Commerce: *Provided*
3 *further*, That all funds shall be allocated based on sci-
4 entific and other merit principles and shall not be available
5 for marketing activities: *Provided further*, That funds dis-
6 bursed to States shall be subject to a matching require-
7 ment of funds or documented in-kind contributions of at
8 least 33 percent of the Federal funds.

9 FISHERMEN'S CONTINGENCY FUND

10 For carrying out the provisions of title IV of Public
11 Law 95-372, not to exceed \$350,000, to be derived from
12 receipts collected pursuant to that Act, to remain available
13 until expended.

14 FISHERIES DISASTER ASSISTANCE

15 For the necessary expenses associated with the miti-
16 gation of fishery disasters, \$20,000,000 to remain avail-
17 able until expended: *Provided*, That funds shall be used
18 for mitigating the effects of commercial fishery failures
19 and fishery resource disasters as declared by the Secretary
20 of Commerce in 2017.

21 FISHERIES FINANCE PROGRAM ACCOUNT

22 Subject to section 502 of the Congressional Budget
23 Act of 1974, during fiscal year 2018, obligations of direct
24 loans may not exceed \$24,000,000 for Individual Fishing
25 Quota loans and not to exceed \$100,000,000 for tradi-

1 tional direct loans as authorized by the Merchant Marine
2 Act of 1936.

3 DEPARTMENTAL MANAGEMENT

4 SALARIES AND EXPENSES

5 For necessary expenses for the management of the
6 Department of Commerce provided for by law, including
7 not to exceed \$4,500 for official reception and representa-
8 tion, \$58,000,000 (reduced by \$5,000,000) (reduced by
9 \$8,000,000).

10 RENOVATION AND MODERNIZATION

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for the renovation and mod-
13 ernization of the Herbert C. Hoover Building, \$1,000,000,
14 to remain available until expended: *Provided*, That the
15 Secretary of Commerce may transfer up to \$8,224,000 to
16 this account from funds available to the Department of
17 Commerce: *Provided further*, That the transfer authority
18 provided in the first proviso is in addition to any other
19 transfer authority contained in this Act: *Provided further*,
20 That any transfer pursuant to the authority provided
21 under this heading shall be treated as a reprogramming
22 under section 505 of this Act and shall not be available
23 for obligation or expenditure except in compliance with the
24 procedures set forth in that section.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978 (5 U.S.C. App.), \$32,744,000.

5 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE
6 (INCLUDING TRANSFER OF FUNDS)

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

17 SEC. 102. During the current fiscal year, appropria-
18 tions made available to the Department of Commerce by
19 this Act for salaries and expenses shall be available for
20 hire of passenger motor vehicles as authorized by 31
21 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
22 3109; and uniforms or allowances therefor, as authorized
23 by law (5 U.S.C. 5901–5902).

24 SEC. 103. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the De-

1 partment of Commerce in this Act may be transferred be-
2 tween such appropriations, but no such appropriation shall
3 be increased by more than 10 percent by any such trans-
4 fers: *Provided*, That any transfer pursuant to this section
5 shall be treated as a reprogramming of funds under sec-
6 tion 505 of this Act and shall not be available for obliga-
7 tion or expenditure except in compliance with the proce-
8 dures set forth in that section: *Provided further*, That the
9 Secretary of Commerce shall notify the Committees on Ap-
10 propriations at least 15 days in advance of the acquisition
11 or disposal of any capital asset (including land, structures,
12 and equipment) not specifically provided for in this Act
13 or any other law appropriating funds for the Department
14 of Commerce.

15 SEC. 104. The requirements set forth by section 105
16 of the Commerce, Justice, Science, and Related Agencies
17 Appropriations Act, 2012 (Public Law 112–55), as
18 amended by section 105 of title I of division B of Public
19 Law 113–6, are hereby adopted by reference and made
20 applicable with respect to fiscal year 2018: *Provided*, That
21 the life cycle cost for the Joint Polar Satellite System is
22 \$11,322,125,000 and the life cycle cost for the Geo-
23 stationary Operational Environmental Satellite R-Series
24 Program is \$10,828,059,000.

1 SEC. 105. Notwithstanding any other provision of
2 law, the Secretary may furnish services (including but not
3 limited to utilities, telecommunications, and security serv-
4 ices) necessary to support the operation, maintenance, and
5 improvement of space that persons, firms, or organizations
6 are authorized, pursuant to the Public Buildings Coopera-
7 tive Use Act of 1976 or other authority, to use or occupy
8 in the Herbert C. Hoover Building, Washington, DC, or
9 other buildings, the maintenance, operation, and protec-
10 tion of which has been delegated to the Secretary from
11 the Administrator of General Services pursuant to the
12 Federal Property and Administrative Services Act of 1949
13 on a reimbursable or non-reimbursable basis. Amounts re-
14 ceived as reimbursement for services provided under this
15 section or the authority under which the use or occupancy
16 of the space is authorized, up to \$200,000, shall be cred-
17 ited to the appropriation or fund which initially bears the
18 costs of such services.

19 SEC. 106. Nothing in this title shall be construed to
20 prevent a grant recipient from deterring child pornog-
21 raphy, copyright infringement, or any other unlawful ac-
22 tivity over its networks.

23 SEC. 107. The Administrator of the National Oceanic
24 and Atmospheric Administration is authorized to use, with
25 their consent, with reimbursement and subject to the lim-

1 its of available appropriations, the land, services, equip-
2 ment, personnel, and facilities of any department, agency,
3 or instrumentality of the United States, or of any State,
4 local government, Indian tribal government, Territory, or
5 possession, or of any political subdivision thereof, or of
6 any foreign government or international organization, for
7 purposes related to carrying out the responsibilities of any
8 statute administered by the National Oceanic and Atmos-
9 pheric Administration.

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

20 SEC. 109. To carry out the responsibilities of the Na-
21 tional Oceanic and Atmospheric Administration (NOAA),
22 the Administrator of NOAA is authorized to: (1) enter
23 into grants and cooperative agreements with; (2) use on
24 a non-reimbursable basis land, services, equipment, per-
25 sonnel, and facilities provided by; and (3) receive and ex-

1 pend funds made available on a consensual basis from: a
2 Federal agency, State or subdivision thereof, local govern-
3 ment, tribal government, territory, or possession or any
4 subdivisions thereof: *Provided*, That funds received for
5 permitting and related regulatory activities pursuant to
6 this section shall be deposited under the heading “Na-
7 tional Oceanic and Atmospheric Administration—Oper-
8 ations, Research, and Facilities” and shall remain avail-
9 able until September 30, 2020, for such purposes: *Pro-*
10 *vided further*, That all funds within this section and their
11 corresponding uses are subject to section 505 of this Act.

12 This title may be cited as the “Department of Com-
13 merce Appropriations Act, 2018”.

14 TITLE II

15 DEPARTMENT OF JUSTICE

16 GENERAL ADMINISTRATION

17 SALARIES AND EXPENSES

18 For expenses necessary for the administration of the
19 Department of Justice, \$89,000,000 (reduced by
20 \$10,000,000) (reduced by \$5,000,000) (reduced by
21 \$5,000,000) (reduced by \$2,500,000) (reduced by
22 \$7,000,000) (reduced by \$10,000,000) (reduced by
23 \$5,000,000), of which not to exceed \$4,000,000 for secu-
24 rity and construction of Department of Justice facilities
25 shall remain available until expended.

1 JUSTICE INFORMATION SHARING TECHNOLOGY

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for information sharing tech-
4 nology, including planning, development, deployment and
5 departmental direction, \$30,941,000, to remain available
6 until expended: *Provided*, That the Attorney General may
7 transfer up to \$35,400,000 to this account, from funds
8 available to the Department of Justice for information
9 technology, to remain available until expended, for enter-
10 prise-wide information technology initiatives: *Provided fur-*
11 *ther*, That the transfer authority in the preceding proviso
12 is in addition to any other transfer authority contained
13 in this Act: *Provided further*, That any transfer pursuant
14 to the first proviso shall be treated as a reprogramming
15 under section 505 of this Act and shall not be available
16 for obligation or expenditure except in compliance with the
17 procedures set forth in that section.

18 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the administration of im-
21 migration-related activities of the Executive Office for Im-
22 migration Review, \$504,500,000, of which \$4,000,000
23 shall be derived by transfer from the Executive Office for
24 Immigration Review fees deposited in the “Immigration
25 Examinations Fee” account: *Provided*, That not to exceed

1 \$35,000,000 of the total amount made available under
2 this heading shall remain available until expended.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, \$95,583,000, including not to exceed \$10,000 to
6 meet unforeseen emergencies of a confidential character.

7 UNITED STATES PAROLE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Parole
10 Commission as authorized, \$13,000,000: *Provided*, That,
11 notwithstanding any other provision of law, upon the expi-
12 ration of a term of office of a Commissioner, the Commis-
13 sioner may continue to act until a successor has been ap-
14 pointed.

15 LEGAL ACTIVITIES

16 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

17 For expenses necessary for the legal activities of the
18 Department of Justice, not otherwise provided for, includ-
19 ing not to exceed \$20,000 for expenses of collecting evi-
20 dence, to be expended under the direction of, and to be
21 accounted for solely under the certificate of, the Attorney
22 General; the administration of pardon and clemency peti-
23 tions; and rent of private or Government-owned space in
24 the District of Columbia, \$897,500,000, of which not to
25 exceed \$20,000,000 for litigation support contracts shall

1 remain available until expended: *Provided*, That of the
2 amount provided for INTERPOL Washington dues pay-
3 ments, not to exceed \$685,000 shall remain available until
4 expended: *Provided further*, That of the total amount ap-
5 propriated, not to exceed \$9,000 shall be available to
6 INTERPOL Washington for official reception and rep-
7 resentation expenses: *Provided further*, That of the
8 amount appropriated, such sums as may be necessary
9 shall be available to the Civil Rights Division for salaries
10 and expenses associated with the election monitoring pro-
11 gram under section 8 of the Voting Rights Act of 1965
12 (52 U.S.C. 10305) and to reimburse the Office of Per-
13 sonnel Management for such salaries and expenses: *Pro-*
14 *vided further*, That of the amounts provided under this
15 heading for the election monitoring program, \$3,390,000
16 shall remain available until expended.

17 In addition, for reimbursement of expenses of the De-
18 partment of Justice associated with processing cases
19 under the National Childhood Vaccine Injury Act of 1986,
20 not to exceed \$10,000,000, to be appropriated from the
21 Vaccine Injury Compensation Trust Fund.

22 SALARIES AND EXPENSES, ANTITRUST DIVISION

23 For expenses necessary for the enforcement of anti-
24 trust and kindred laws, \$163,980,000, to remain available
25 until expended: *Provided*, That notwithstanding any other

1 provision of law, fees collected for premerger notification
2 filings under the Hart-Scott-Rodino Antitrust Improve-
3 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
4 of collection (and estimated to be \$126,000,000 in fiscal
5 year 2018), shall be retained and used for necessary ex-
6 penses in this appropriation, and shall remain available
7 until expended: *Provided further*, That the sum herein ap-
8 propriated from the general fund shall be reduced as such
9 offsetting collections are received during fiscal year 2018,
10 so as to result in a final fiscal year 2018 appropriation
11 from the general fund estimated at \$37,980,000.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For necessary expenses of the Offices of the United
14 States Attorneys, including inter-governmental and coop-
15 erative agreements, \$2,057,252,000: *Provided*, That of the
16 total amount appropriated, not to exceed \$7,200 shall be
17 available for official reception and representation ex-
18 penses: *Provided further*, That not to exceed \$25,000,000
19 shall remain available until expended: *Provided further*,
20 That each United States Attorney shall establish or par-
21 ticipate in a task force on human trafficking.

22 UNITED STATES TRUSTEE SYSTEM FUND

23 For necessary expenses of the United States Trustee
24 Program, as authorized, \$225,000,000, to remain avail-
25 able until expended: *Provided*, That, notwithstanding any

1 other provision of law, deposits to the United States
2 Trustee System Fund and amounts herein appropriated
3 shall be available in such amounts as may be necessary
4 to pay refunds due depositors: *Provided further*, That, not-
5 withstanding any other provision of law, fees collected pur-
6 suant to section 589a(b) of title 28, United States Code,
7 shall be retained and used for necessary expenses in this
8 appropriation and shall remain available until expended:
9 *Provided further*, That to the extent that fees collected in
10 fiscal year 2018, net of amounts necessary to pay refunds
11 due depositors, exceed \$225,000,000, those excess
12 amounts shall be available in future fiscal years only to
13 the extent provided in advance in appropriations Acts:
14 *Provided further*, That the sum herein appropriated from
15 the general fund shall be reduced (1) as such fees are re-
16 ceived during fiscal year 2018, net of amounts necessary
17 to pay refunds due depositors, (estimated at
18 \$135,000,000) and (2) to the extent that any remaining
19 general fund appropriations can be derived from amounts
20 deposited in the Fund in previous fiscal years that are not
21 otherwise appropriated, so as to result in a final fiscal year
22 2018 appropriation from the general fund estimated at
23 \$90,000,000.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS
2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including
5 services as authorized by section 3109 of title 5, United
6 States Code, \$2,374,000.

7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of
9 contracts for the procurement and supervision of expert
10 witnesses, for private counsel expenses, including ad-
11 vances, and for expenses of foreign counsel, \$270,000,000,
12 to remain available until expended, of which not to exceed
13 \$16,000,000 is for construction of buildings for protected
14 witness safesites; not to exceed \$3,000,000 is for the pur-
15 chase and maintenance of armored and other vehicles for
16 witness security caravans; and not to exceed \$13,000,000
17 is for the purchase, installation, maintenance, and up-
18 grade of secure telecommunications equipment and a se-
19 cure automated information network to store and retrieve
20 the identities and locations of protected witnesses: *Pro-*
21 *vided*, That amounts made available under this heading
22 may not be transferred pursuant to section 205 of this
23 Act.

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

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

19 ASSETS FORFEITURE FUND

20 For expenses authorized by subparagraphs (B), (F),
21 and (G) of section 524(c)(1) of title 28, United States
22 Code, \$20,514,000 (reduced by \$10,000,000), to be de-
23 rived from the Department of Justice Assets Forfeiture
24 Fund.

1 UNITED STATES MARSHALS SERVICE
2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-
4 shals Service, \$1,255,000,000, of which not to exceed
5 \$6,000 shall be available for official reception and rep-
6 resentation expenses, and not to exceed \$15,000,000 shall
7 remain available 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, \$10,000,000, 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 consid-
20 ered “funds appropriated for State and local law enforce-
21 ment assistance” pursuant to section 4013(b) of title 18,
22 United States Code: *Provided further*, That the United
23 States Marshals Service shall be responsible for managing
24 the Justice Prisoner and Alien Transportation System:
25 *Provided further*, That any unobligated balances available

1 from funds appropriated under the heading “General Ad-
2 ministration, Detention Trustee” shall be transferred to
3 and merged with 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, \$100,000,000, of which
9 not to exceed \$5,000,000 for information technology sys-
10 tems shall remain available until expended: *Provided*, That
11 notwithstanding section 205 of this Act, upon a deter-
12 mination by the Attorney General that emergent cir-
13 cumstances require additional funding for the activities of
14 the National Security Division, the Attorney General may
15 transfer such amounts to this heading from available ap-
16 propriations for the current fiscal year for the Department
17 of Justice, as may be necessary to respond to such cir-
18 cumstances: *Provided further*, That any transfer pursuant
19 to the preceding proviso shall be treated as a reprogram-
20 ming under section 505 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set 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-
8 governmental agreements with State and local law en-
9 forcement agencies engaged in the investigation and pros-
10 ecution of individuals involved in transnational organized
11 crime and drug trafficking, \$526,000,000, of which
12 \$50,000,000 shall remain available until expended: *Pro-*
13 *vided*, That any amounts obligated from appropriations
14 under this heading may be used under authorities avail-
15 able to the organizations reimbursed from this appropria-
16 tion.

17 FEDERAL BUREAU OF INVESTIGATION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Bureau of In-
20 vestigation for detection, investigation, and prosecution of
21 crimes against the United States, \$8,814,747,000, of
22 which not to exceed \$216,900,000 shall remain available
23 until expended: *Provided*, That not to exceed \$184,500
24 shall be available for official reception and representation
25 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, facili-
5 ties and sites by purchase, or as otherwise authorized by
6 law; conversion, modification and extension of federally
7 owned buildings; preliminary planning and design of
8 projects; and operation and maintenance of secure work
9 environment facilities and secure networking capabilities;
10 \$51,895,000, to 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 ex-
17 penses for conducting drug education and training pro-
18 grams, including travel and related expenses for partici-
19 pants in such programs and the distribution of items of
20 token value that promote the goals of such programs,
21 \$2,164,051,000 (reduced by \$4,000,000) (reduced by
22 \$3,000,000), of which not to exceed \$75,000,000 shall re-
23 main available until expended and not to exceed \$90,000
24 shall be available for official reception and representation
25 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 as-
10 sistance to State and local law enforcement agencies, with
11 or without reimbursement, \$1,293,776,000, of which not
12 to exceed \$36,000 shall be for official reception and rep-
13 resentation expenses, not to exceed \$1,000,000 shall be
14 available for the payment of attorneys' fees as provided
15 by section 924(d)(2) of title 18, United States Code, and
16 not to exceed \$20,000,000 shall remain available until ex-
17 pended: *Provided*, That such funds appropriated herein
18 shall be available to investigate or act upon applications
19 for relief from Federal firearms disabilities under section
20 925(c) of title 18, United States Code: *Provided further*,
21 That such funds shall be available to investigate and act
22 upon applications filed by corporations for relief from Fed-
23 eral firearms disabilities under section 925(c) of title 18,
24 United States Code: *Provided further*, That no funds made
25 available by this or any other Act may be used to transfer

1 the functions, missions, or activities of the Bureau of Alco-
2 hol, Tobacco, Firearms and Explosives to other agencies
3 or Departments.

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
9 Federal penal and correctional institutions, and for the
10 provision of technical assistance and advice on corrections
11 related issues to foreign governments, \$7,070,248,000 (re-
12 duced by \$500,000): *Provided*, That the Attorney General
13 may transfer to the Department of Health and Human
14 Services such amounts as may be necessary for direct ex-
15 penditures by that Department for medical relief for in-
16 mates of Federal penal and correctional institutions: *Pro-*
17 *vided further*, That the Director of the Federal Prison Sys-
18 tem, where necessary, may enter into contracts with a fis-
19 cal agent or fiscal intermediary claims processor to deter-
20 mine the amounts payable to persons who, on behalf of
21 the Federal Prison System, furnish health services to indi-
22 viduals committed to the custody of the Federal Prison
23 System: *Provided further*, That not to exceed \$5,400 shall
24 be available for official reception and representation ex-
25 penses: *Provided further*, That not to exceed \$50,000,000

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

15 BUILDINGS AND FACILITIES

16 For planning, acquisition of sites and construction of
17 new facilities; purchase and acquisition of facilities and re-
18 modeling, and equipping of such facilities for penal and
19 correctional use, including all necessary expenses incident
20 thereto, by contract or force account; and constructing,
21 remodeling, and equipping necessary buildings and facili-
22 ties at existing penal and correctional institutions, includ-
23 ing all necessary expenses incident thereto, by contract or
24 force account, \$95,000,000, to remain available until ex-

1 pended: *Provided*, That labor of United States prisoners
2 may be used for work performed under this appropriation.

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

4 The Federal Prison Industries, Incorporated, is here-
5 by authorized to make such expenditures within the limits
6 of funds and borrowing authority available, and in accord
7 with the law, and to make such contracts and commit-
8 ments without regard to fiscal year limitations as provided
9 by section 9104 of title 31, United States Code, as may
10 be necessary in carrying out the program set forth in the
11 budget for the current fiscal year for such corporation.

12 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
13 PRISON INDUSTRIES, INCORPORATED

14 Not to exceed \$2,700,000 of the funds of the Federal
15 Prison Industries, Incorporated, shall be available for its
16 administrative expenses, and for services as authorized by
17 section 3109 of title 5, United States Code, to be com-
18 puted on an accrual basis to be determined in accordance
19 with the corporation's current prescribed accounting sys-
20 tem, and such amounts shall be exclusive of depreciation,
21 payment of claims, and expenditures which such account-
22 ing system requires to be capitalized or charged to cost
23 of commodities acquired or produced, including selling and
24 shipping expenses, and expenses in connection with acqui-
25 sition, construction, operation, maintenance, improvement,

1 protection, or disposition of facilities and other property
2 belonging to the corporation or in which it has an interest.

3 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

4 OFFICE ON VIOLENCE AGAINST WOMEN

5 VIOLENCE AGAINST WOMEN PREVENTION AND

6 PROSECUTION PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For grants, contracts, cooperative agreements, and
9 other assistance for the prevention and prosecution of vio-
10 lence against women, as authorized by the Omnibus Crime
11 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
12 et seq.) (“the 1968 Act”); the Violent Crime Control and
13 Law Enforcement Act of 1994 (Public Law 103–322)
14 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
15 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
16 torial Remedies and Other Tools to end the Exploitation
17 of Children Today Act of 2003 (Public Law 108–21); the
18 Juvenile Justice and Delinquency Prevention Act of 1974
19 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
20 of Trafficking and Violence Protection Act of 2000 (Public
21 Law 106–386) (“the 2000 Act”); the Violence Against
22 Women and Department of Justice Reauthorization Act
23 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
24 lence Against Women Reauthorization Act of 2013 (Public
25 Law 113–4) (“the 2013 Act”); and the Rape Survivor

1 Child Custody Act of 2015 (Public Law 114–22) (“the
2 2015 Act”); and for related victims services,
3 \$527,000,000 (increased by \$500,000), to remain avail-
4 able until expended: *Provided*, That except as otherwise
5 provided by law, not to exceed 5 percent of funds made
6 available under this heading may be used for expenses re-
7 lated to evaluation, training, and technical assistance: *Pro-*
8 *vided further*, That of the amount provided—

9 (1) \$215,000,000 is for grants to combat vio-
10 lence against women, as authorized by part T of the
11 1968 Act;

12 (2) \$30,000,000 is for transitional housing as-
13 sistance grants for victims of domestic violence, dat-
14 ing violence, stalking, or sexual assault as authorized
15 by section 40299 of the 1994 Act;

16 (3) \$3,500,000 is for the National Institute of
17 Justice for research and evaluation of violence
18 against women and related issues addressed by
19 grant programs of the Office on Violence Against
20 Women, which shall be transferred to “Research,
21 Evaluation and Statistics” for administration by the
22 Office of Justice Programs;

23 (4) \$11,000,000 is for a grant program to pro-
24 vide services to advocate for and respond to youth
25 victims of domestic violence, dating violence, sexual

1 assault, and stalking; assistance to children and
2 youth exposed to such violence; programs to engage
3 men and youth in preventing such violence; and as-
4 sistance to middle and high school students through
5 education and other services related to such violence:
6 *Provided*, That unobligated balances available for
7 the programs authorized by sections 41201, 41204,
8 41303, and 41305 of the 1994 Act, prior to its
9 amendment by the 2013 Act, shall be available for
10 this program: *Provided further*, That 10 percent of
11 the total amount available for this grant program
12 shall be available for grants under the program au-
13 thorized by section 2015 of the 1968 Act: *Provided*
14 *further*, That the definitions and grant conditions in
15 section 40002 of the 1994 Act shall apply to this
16 program;

17 (5) \$53,000,000 is for grants to encourage ar-
18 rest policies as authorized by part U of the 1968
19 Act, of which \$4,000,000 is for a homicide reduction
20 initiative;

21 (6) \$35,000,000 is for sexual assault victims
22 assistance, as authorized by section 41601 of the
23 1994 Act;

1 (7) \$35,000,000 is for rural domestic violence
2 and child abuse enforcement assistance grants, as
3 authorized 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
16 balances available for the programs authorized by
17 section 1301 of the 2000 Act and section 41002 of
18 the 1994 Act, prior to their amendment by the 2013
19 Act, shall be available for this program;

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

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

1 domestic violence, as authorized by section 41501 of
2 the 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, Eval-
7 uation and Statistics” for administration by the Of-
8 fice 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
14 governments;

15 (17) \$45,000,000 for victim services programs
16 for victims of trafficking, as authorized by section
17 107(b)(2) of Public Law 106–386, for programs au-
18 thorized under Public Law 109–164, or programs
19 authorized under Public Law 113–4; and

20 (18) \$1,500,000 for the purposes authorized
21 under the 2015 Act.

22 OFFICE OF JUSTICE PROGRAMS

23 RESEARCH, EVALUATION AND STATISTICS

24 For grants, contracts, cooperative agreements, and
25 other assistance authorized by title I of the Omnibus

1 Crime Control and Safe Streets Act of 1968 (“the 1968
2 Act”); subtitle D of title II of the Homeland Security Act
3 of 2002 (Public Law 107–296) (“the 2002 Act”); and
4 other programs, \$83,000,000, to remain available until ex-
5 pended, of which—

6 (1) \$44,500,000 is for criminal justice statistics
7 programs, and other activities, as authorized by part
8 C of title I of the 1968 Act; and

9 (2) \$38,500,000 is for research, development,
10 and evaluation programs, and other activities as au-
11 thorized by part B of title I of the 1968 Act and
12 subtitle D of title II of the 2002 Act.

13 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

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

1 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
2 tims of Trafficking and Violence Protection Act of 2000
3 (Public Law 106–386); the NICS Improvement Amend-
4 ments Act of 2007 (Public Law 110–180); subtitle D of
5 title II of the Homeland Security Act of 2002 (Public Law
6 107–296) (“the 2002 Act”); the Public Safety Officer
7 Medal of Valor Act of 2001 (Public Law 107–12); the Sec-
8 ond Chance Act of 2007 (Public Law 110–199); the
9 Prioritizing Resources and Organization for Intellectual
10 Property Act of 2008 (Public Law 110–403); the Victims
11 of Crime Act of 1984 (Public Law 98–473); the Violence
12 Against Women Reauthorization Act of 2013 (Public Law
13 113–4) (“the 2013 Act”); the Comprehensive Addiction
14 and Recovery Act of 2016 (Public Law 114–198)
15 (“CARA”); and other programs, \$1,143,500,000 (in-
16 creased by \$10,000,000) (increased by \$5,000,000) (in-
17 creased by \$7,000,000) (increased by \$10,000,000) (in-
18 creased by \$10,000,000) (increased by \$3,000,000), to re-
19 main available until expended as follows—

20 (1) \$500,000,000 (increased by \$10,000,000)
21 (increased by \$5,000,000) (reduced by
22 \$100,000,000) (increased by \$100,000,000) for the
23 Edward Byrne Memorial Justice Assistance Grant
24 program as authorized by subpart 1 of part E of
25 title I of the 1968 Act (except that section 1001(c),

1 and the special rules for Puerto Rico under section
2 505(g) of title I of the 1968 Act shall not apply for
3 purposes of this Act), of which, notwithstanding
4 such subpart 1, \$10,000,000 is for the Officer Rob-
5 ert Wilson III Memorial Initiative on Preventing Vi-
6 olence Against Law Enforcement Officer Resilience
7 and Survivability (VALOR), \$4,000,000 is for use
8 by the National Institute of Justice for research tar-
9 geted toward developing a better understanding of
10 the domestic radicalization phenomenon, and ad-
11 vancing evidence-based strategies for effective inter-
12 vention and prevention, \$2,000,000 is for a program
13 to improve juvenile indigent defense, \$2,400,000 is
14 for the operationalization, maintenance and expan-
15 sion of the National Missing and Unidentified Per-
16 sons System, \$10,000,000 (increased by
17 \$10,000,000) is for competitive and evidence-based
18 programs to reduce gun crime and gang violence,
19 \$2,500,000 is for the Capital Litigation Improve-
20 ment Grant Program, as authorized by section 426
21 of Public Law 108–405 and for grants for wrongful
22 conviction review, \$15,500,000 is for prison rape
23 prevention and prosecution grants to States and
24 units of local government, and other programs, as
25 authorized by the Prison Rape Elimination Act of

1 2003 (Public Law 108–79), and \$10,000,000 is for
2 white collar crime prevention grants, including as
3 authorized by section 401 of Public Law 110–403;

4 (2) \$220,000,000 (increased by \$10,000,000)
5 for the State Criminal Alien Assistance Program, as
6 authorized by section 241(i)(5) of the Immigration
7 and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*,
8 That no jurisdiction shall request compensation for
9 any cost greater than the actual cost for Federal im-
10 migration and other detainees housed in State and
11 local detention facilities;

12 (3) \$20,000,000 for sex offender management
13 assistance, as authorized by the Adam Walsh Act,
14 and related activities;

15 (4) \$22,500,000 for the matching grant pro-
16 gram for law enforcement armor vests, as authorized
17 by section 2501 of title I of the 1968 Act;

18 (5) \$1,000,000 for the National Sex Offender
19 Public Website;

20 (6) \$73,000,000 for grants to States to up-
21 grade criminal and mental health records for the
22 National Instant Criminal Background Check Sys-
23 tem;

1 (7) \$125,000,000 (increased by \$10,000,000)
2 for DNA-related and forensic programs and activi-
3 ties, of which—

4 (A) \$117,000,000 (increased by
5 \$10,000,000) is for a DNA analysis and capac-
6 ity enhancement program and for other local,
7 State, and Federal forensic activities, including
8 the purposes authorized under section 2 of the
9 DNA Analysis Backlog Elimination Act of 2000
10 (Public Law 106–546) (the Debbie Smith DNA
11 Backlog Grant Program): *Provided*, That up to
12 4 percent of funds made available under this
13 paragraph may be used for the purposes de-
14 scribed in the DNA Training and Education for
15 Law Enforcement, Correctional Personnel, and
16 Court Officers program (Public Law 108–405,
17 section 303);

18 (B) \$4,000,000 is for the purposes de-
19 scribed in the Kirk Bloodsworth Post-Convic-
20 tion DNA Testing Grant Program (Public Law
21 108–405, section 412); and

22 (C) \$4,000,000 is for Sexual Assault Fo-
23 rensic Exam Program grants, including as au-
24 thorized by section 304 of Public Law 108–405;

1 (8) \$9,000,000 for the court-appointed special
2 advocate program, as authorized by section 217 of
3 the 1990 Act;

4 (9) \$118,000,000 (increased by \$7,000,000)
5 (increased by \$3,000,000) (reduced by
6 \$100,000,000) (increased by \$100,000,000) for
7 comprehensive opioid abuse reduction activities, in-
8 cluding as authorized by CARA, and for the fol-
9 lowing programs, which shall address opioid abuse
10 reduction consistent with underlying program au-
11 thorities—

12 (A) \$43,000,000 for Drug Courts, as au-
13 thorized by section 1001(a)(25)(A) of title I of
14 the 1968 Act;

15 (B) \$14,000,000 for mental health courts
16 and adult and juvenile collaboration program
17 grants, as authorized by parts V and HH of
18 title I of the 1968 Act;

19 (C) \$12,000,000 for grants for Residential
20 Substance Abuse Treatment for State Pris-
21 oners, as authorized by part S of title I of the
22 1968 Act;

23 (D) \$7,000,000 (increased by \$3,000,000)
24 for a veterans treatment courts program; and

1 (E) \$14,000,000 for a program to monitor
2 prescription drugs and scheduled listed chemical
3 products;

4 (10) \$10,000,000 for emergency law enforce-
5 ment assistance for events occurring during or after
6 fiscal year 2018, as authorized by section 609M of
7 the Justice Assistance Act of 1984 (42 U.S.C.
8 10501; Public Law 98–473); and

9 (11) \$45,000,000 for the Comprehensive School
10 Safety Initiative:

11 *Provided*, That, if a unit of local government uses any of
12 the funds made available under this heading to increase
13 the number of law enforcement officers, the unit of local
14 government will achieve a net gain in the number of law
15 enforcement officers who perform non-administrative pub-
16 lic sector safety service.

17 JUVENILE JUSTICE PROGRAMS

18 For grants, contracts, cooperative agreements, and
19 other assistance, the following amounts are made available
20 until expended—

21 (1) \$75,000,000 (increased by \$5,000,000) for
22 youth mentoring grants;

23 (2) \$21,000,000 for programs authorized by
24 the Victims of Child Abuse Act of 1990;

1 (3) \$72,500,000 for missing and exploited chil-
2 dren programs, including as authorized by sections
3 404(b) and 405(a) of the Juvenile Justice and De-
4 linquency Prevention Act of 1974 (except that sec-
5 tion 102(b)(4)(B) of the PROTECT Our Children
6 Act of 2008 (Public Law 110–401) shall not apply
7 for purposes of this Act); and

8 (4) \$2,000,000 for child abuse training pro-
9 grams for judicial personnel and practitioners, as
10 authorized by section 222 of the Victims of Child
11 Abuse Act of 1990.

12 PUBLIC SAFETY OFFICER BENEFITS

13 (INCLUDING TRANSFER OF FUNDS)

14 For payments and expenses authorized under section
15 1001(a)(4) of title I of the Omnibus Crime Control and
16 Safe Streets Act of 1968, such sums as are necessary (in-
17 cluding amounts for administrative costs), to remain avail-
18 able until expended; and \$16,300,000 for payments au-
19 thorized by section 1201(b) of such Act and for edu-
20 cational assistance authorized by section 1218 of such Act,
21 to remain available until expended: *Provided*, That not-
22 withstanding section 205 of this Act, upon a determina-
23 tion by the Attorney General that emergent circumstances
24 require additional funding for such disability and edu-
25 cation payments, the Attorney General may transfer such

1 amounts to “Public Safety Officer Benefits” from avail-
2 able appropriations for the Department of Justice as may
3 be necessary to respond to such circumstances: *Provided*
4 *further*, That any transfer pursuant to the preceding pro-
5 viso shall be treated as a reprogramming under section
6 505 of this Act and shall not be available for obligation
7 or expenditure except in compliance with the procedures
8 set forth in that section.

9 COMMUNITY ORIENTED POLICING SERVICES

10 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

11 (INCLUDING TRANSFER OF FUNDS)

12 For grants, contracts, cooperative agreements, and
13 other assistance, the following amounts are made available
14 until expended: *Provided*, That any balances made avail-
15 able through prior year deobligations shall only be avail-
16 able in accordance with section 505 of this Act—

17 (1) \$11,000,000 for anti-methamphetamine-re-
18 lated activities, which shall be transferred to the
19 Drug Enforcement Administration upon enactment
20 of this Act;

21 (2) \$10,000,000 is for activities authorized by
22 the POLICE Act of 2016 (Public Law 114–199);

23 (3) \$65,000,000 (increased by \$2,500,000) for
24 initiatives to improve police-community relations, as
25 described in the report accompanying this Act;

1 shall be available to the Attorney General for official re-
2 ception and representation expenses.

3 SEC. 202. None of the funds appropriated by this
4 title shall be available to pay for an abortion, except where
5 the life of the mother would be endangered if the fetus
6 were carried to term, or in the case of rape or incest: *Pro-*
7 *vided*, That should this prohibition be declared unconstitu-
8 tional by a court of competent jurisdiction, this section
9 shall be null and void.

10 SEC. 203. None of the funds appropriated under this
11 title shall be used to require any person to perform, or
12 facilitate in any way the performance of, any abortion.

13 SEC. 204. Nothing in the preceding section shall re-
14 move the obligation of the Director of the Bureau of Pris-
15 ons to provide escort services necessary for a female in-
16 mate to receive such service outside the Federal facility:
17 *Provided*, That nothing in this section in any way dimin-
18 ishes the effect of section 203 intended to address the phil-
19 osophical beliefs of individual employees of the Bureau of
20 Prisons.

21 SEC. 205. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the De-
23 partment of Justice in this Act may be transferred be-
24 tween such appropriations, but no such appropriation, ex-
25 cept as otherwise specifically provided, shall be increased

1 by more than 10 percent by any such transfers: *Provided,*
2 That any transfer pursuant to this section shall be treated
3 as a reprogramming of funds under section 505 of this
4 Act and shall not be available for obligation except in com-
5 pliance with the procedures set forth in that section.

6 SEC. 206. None of the funds made available under
7 this title may be used by the Federal Bureau of Prisons
8 or the United States Marshals Service for the purpose of
9 transporting an individual who is a prisoner pursuant to
10 conviction for crime under State or Federal law and is
11 classified as a maximum or high security prisoner, other
12 than to a prison or other facility certified by the Federal
13 Bureau of Prisons as appropriately secure for housing
14 such a prisoner.

15 SEC. 207. (a) None of the funds appropriated by this
16 Act may be used by Federal prisons to purchase cable tele-
17 vision services, or to rent or purchase audiovisual or elec-
18 tronic media or equipment used primarily for recreational
19 purposes.

20 (b) Subsection (a) does not preclude the rental, main-
21 tenance, or purchase of audiovisual or electronic media or
22 equipment for inmate training, religious, or educational
23 programs.

24 SEC. 208. None of the funds made available under
25 this title shall be obligated or expended for any new or

1 enhanced information technology program having total es-
2 timated development costs in excess of \$100,000,000, un-
3 less the Deputy Attorney General and the investment re-
4 view board certify to the Committees on Appropriations
5 of the House of Representatives and the Senate that the
6 information technology program has appropriate program
7 management controls and contractor oversight mecha-
8 nisms in place, and that the program is compatible with
9 the enterprise architecture of the Department of Justice.

10 SEC. 209. The notification thresholds and procedures
11 set forth in section 505 of this Act shall apply to devi-
12 ations from the amounts designated for specific activities
13 in this Act and in the report accompanying this Act, and
14 to any use of deobligated balances of funds provided under
15 this title in previous years.

16 SEC. 210. None of the funds appropriated by this Act
17 may be used to plan for, begin, continue, finish, process,
18 or approve a public-private competition under the Office
19 of Management and Budget Circular A-76 or any suc-
20 cessor administrative regulation, directive, or policy for
21 work performed by employees of Federal Prison Indus-
22 tries, Incorporated.

23 SEC. 211. Notwithstanding any other provision of
24 law, no funds shall be available for the salary, benefits,
25 or expenses of any United States Attorney assigned dual

1 or additional responsibilities by the Attorney General or
2 his designee that exempt that United States Attorney
3 from the residency requirements of section 545 of title 28,
4 United States Code.

5 SEC. 212. At the discretion of the Attorney General,
6 and in addition to any amounts that otherwise may be
7 available (or authorized to be made available) by law, with
8 respect to funds appropriated by this title under the head-
9 ings “Research, Evaluation and Statistics”, “State and
10 Local Law Enforcement Assistance”, and “Juvenile Jus-
11 tice Programs”—

12 (1) up to 3 percent of funds made available to
13 the Office of Justice Programs for grant or reim-
14 bursement programs may be used by such Office to
15 provide training and technical assistance; and

16 (2) up to 3 percent of funds made available for
17 grant or reimbursement programs under such head-
18 ings, except for amounts appropriated specifically for
19 research, evaluation, or statistical programs adminis-
20 tered by the National Institute of Justice and the
21 Bureau of Justice Statistics, shall be transferred to
22 and merged with funds provided to the National In-
23 stitute of Justice and the Bureau of Justice Statis-
24 tics, to be used by them for research, evaluation, or

1 statistical purposes, without regard to the authoriza-
2 tions for such grant or reimbursement programs.

3 SEC. 213. In addition to any amounts that otherwise
4 may be available (or authorized to be made available) by
5 law, 7 percent of funds made available for grant or reim-
6 bursement programs—

7 (1) under the heading “State and Local Law
8 Enforcement Assistance” (except for funds made
9 available under paragraph (2) under such heading);
10 and

11 (2) under the headings “Juvenile Justice Pro-
12 grams” (except for funds made available under para-
13 graph (3) under such heading) and “Community
14 Oriented Policing Services Programs”, to be trans-
15 ferred to and merged with funds made available
16 under the heading “State and Local Law Enforce-
17 ment Assistance”,

18 shall be available for assistance to Indian tribes without
19 regard to the authorizations for such grant or reimburse-
20 ment programs.

21 SEC. 214. Notwithstanding any other provision of
22 law, section 20109(a) of subtitle A of title II of the Violent
23 Crime Control and Law Enforcement Act of 1994 (42
24 U.S.C. 13709(a)) shall not apply to amounts made avail-
25 able by this or any other Act.

1 SEC. 215. None of the funds made available under
2 this or any other Act, for fiscal year 2018 and each fiscal
3 year thereafter, other than for the national instant crimi-
4 nal background check system established under section
5 103 of the Brady Handgun Violence Prevention Act (18
6 U.S.C. 922 note), may be used by a Federal law enforce-
7 ment officer to facilitate the transfer of an operable fire-
8 arm to an individual if the Federal law enforcement officer
9 knows or suspects that the individual is an agent of a drug
10 cartel, unless law enforcement personnel of the United
11 States continuously monitor or control the firearm at all
12 times.

13 SEC. 216. (a) None of the income retained in the De-
14 partment of Justice Working Capital Fund pursuant to
15 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
16 527 note) shall be available for obligation during fiscal
17 year 2018, except up to \$40,000,000 may be obligated for
18 implementation of a unified Department of Justice finan-
19 cial management system.

20 (b) Not to exceed \$30,000,000 of the unobligated bal-
21 ances transferred to the capital account of the Department
22 of Justice Working Capital Fund pursuant to title I of
23 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
24 shall be available for obligation in fiscal year 2018, and
25 any use, obligation, transfer or allocation of such funds

1 shall be treated as a reprogramming of funds under sec-
2 tion 505 of this Act.

3 (c) Not to exceed \$10,000,000 of the excess unobli-
4 gated balances available under section 524(c)(8)(E) of
5 title 28, United States Code, shall be available for obliga-
6 tion during fiscal year 2018, and any use, obligation,
7 transfer or allocation of such funds shall be treated as a
8 reprogramming of funds under section 505 of this Act.

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

11 TITLE III

12 SCIENCE

13 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

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

1 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
2 SCIENCE

3 For necessary expenses, not otherwise provided for,
4 in the conduct and support of science research and devel-
5 opment activities, including research, development, oper-
6 ations, support, and services; maintenance and repair, fa-
7 cility planning and design; space flight, spacecraft control,
8 and communications activities; program management; per-
9 sonnel and related costs, including uniforms or allowances
10 therefor, as authorized by sections 5901 and 5902 of title
11 5, United States Code; travel expenses; purchase and hire
12 of passenger motor vehicles; and purchase, lease, charter,
13 maintenance, and operation of mission and administrative
14 aircraft, \$5,858,500,000, to remain available until Sep-
15 tember 30, 2019: *Provided*, That the formulation and de-
16 velopment costs (with development cost as defined under
17 section 30104 of title 51, United States Code) for the
18 James Webb Space Telescope shall not exceed
19 \$8,000,000,000: *Provided further*, That should the indi-
20 vidual identified under subsection (c)(2)(E) of section
21 30104 of title 51, United States Code, as responsible for
22 the James Webb Space Telescope determine that the de-
23 velopment cost of the program is likely to exceed that limi-
24 tation, the individual shall immediately notify the Admin-
25 istrator and the increase shall be treated as if it meets

1 the 30 percent threshold described in subsection (f) of sec-
2 tion 30104: *Provided further*, That, of the amounts pro-
3 vided, \$495,000,000 is for an orbiter and a lander to meet
4 the science goals for the Jupiter Europa mission as out-
5 lined in the most recent planetary science decadal survey:
6 *Provided further*, That the National Aeronautics and
7 Space Administration shall use the Space Launch System
8 as the launch vehicles for the Jupiter Europa mission,
9 plan for an orbiter launch no later than 2022 and a lander
10 launch no later than 2024, and include in the fiscal year
11 2019 budget the 5-year funding profile necessary to
12 achieve these goals.

13 AERONAUTICS

14 For necessary expenses, not otherwise provided for,
15 in the conduct and support of aeronautics research and
16 development activities, including research, development,
17 operations, support, and services; maintenance and repair,
18 facility planning and design; space flight, spacecraft con-
19 trol, and communications activities; program manage-
20 ment; personnel and related costs, including uniforms or
21 allowances therefor, as authorized by sections 5901 and
22 5902 of title 5, United States Code; travel expenses; pur-
23 chase and hire of passenger motor vehicles; and purchase,
24 lease, charter, maintenance, and operation of mission and

1 5902 of title 5, United States Code; travel expenses; pur-
2 chase and hire of passenger motor vehicles; and purchase,
3 lease, charter, maintenance, and operation of mission and
4 administrative aircraft, \$4,550,000,000, to remain avail-
5 able until September 30, 2019: *Provided*, That not less
6 than \$1,350,000,000 shall be for the Orion Multi-Purpose
7 Crew Vehicle: *Provided further*, That not less than
8 \$2,150,000,000 shall be for the Space Launch System
9 (SLS) launch vehicle, which shall have a lift capability not
10 less than 130 metric tons and which shall have core ele-
11 ments and an Exploration Upper Stage developed simulta-
12 neously: *Provided further*, That of the amounts provided
13 for SLS, not less than \$300,000,000 shall be for Explo-
14 ration Upper Stage development: *Provided further*, That
15 \$600,000,000 shall be for exploration ground systems:
16 *Provided further*, That the National Aeronautics and
17 Space Administration (NASA) shall provide to the Com-
18 mittees on Appropriations of the House of Representatives
19 and the Senate, concurrent with the annual budget sub-
20 mission, a 5-year budget profile for an integrated budget
21 that includes the Space Launch System, the Orion Multi-
22 Purpose Crew Vehicle, and associated ground systems,
23 that will meet the Exploration Mission 2 (EM-2) manage-
24 ment agreement launch date of no later than 2021 at a
25 success level equal to the Agency Baseline Commitment

1 for EM-2 of the Orion Multi-Purpose Crew Vehicle: *Pro-*
2 *vided further*, That \$450,000,000 shall be for exploration
3 research and development.

4 SPACE OPERATIONS

5 For necessary expenses, not otherwise provided for,
6 in the conduct and support of space operations research
7 and development activities, including research, develop-
8 ment, operations, support and services; space flight, space-
9 craft control and communications activities, including op-
10 erations, production, and services; maintenance and re-
11 pair, facility planning and design; program management;
12 personnel and related costs, including uniforms or allow-
13 ances therefor, as authorized by sections 5901 and 5902
14 of title 5, United States Code; travel expenses; purchase
15 and hire of passenger motor vehicles; and purchase, lease,
16 charter, maintenance and operation of mission and admin-
17 istrative aircraft, \$4,676,634,000, to remain available
18 until September 30, 2019.

19 EDUCATION

20 For necessary expenses, not otherwise provided for,
21 in the conduct and support of aerospace and aeronautical
22 education research and development activities, including
23 research, development, operations, support, and services;
24 program management; personnel and related costs, includ-
25 ing uniforms or allowances therefor, as authorized by sec-

1 tions 5901 and 5902 of title 5, United States Code; travel
2 expenses; purchase and hire of passenger motor vehicles;
3 and purchase, lease, charter, maintenance, and operation
4 of mission and administrative aircraft, \$90,000,000, to re-
5 main available until September 30, 2019, of which
6 \$18,000,000 shall be for the Experimental Program to
7 Stimulate Competitive Research and \$40,000,000 shall be
8 for the National Space Grant College and Fellowship Pro-
9 gram.

10 SAFETY, SECURITY AND MISSION SERVICES

11 For necessary expenses, not otherwise provided for,
12 in the conduct and support of science, aeronautics, space
13 technology, exploration, space operations and education
14 research and development activities, including research,
15 development, operations, support, and services; mainte-
16 nance and repair, facility planning and design; space
17 flight, spacecraft control, and communications activities;
18 program management; personnel and related costs, includ-
19 ing uniforms or allowances therefor, as authorized by sec-
20 tions 5901 and 5902 of title 5, United States Code; travel
21 expenses; purchase and hire of passenger motor vehicles;
22 not to exceed \$63,000 for official reception and represen-
23 tation expenses; and purchase, lease, charter, mainte-
24 nance, and operation of mission and administrative air-

1 craft, \$2,826,200,000, to remain available until Sep-
2 tember 30, 2019.

3 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
4 RESTORATION

5 For necessary expenses for construction of facilities
6 including repair, rehabilitation, revitalization, and modi-
7 fication of facilities, construction of new facilities and ad-
8 ditions to existing facilities, facility planning and design,
9 and restoration, and acquisition or condemnation of real
10 property, as authorized by law, and environmental compli-
11 ance and restoration, \$486,100,000, to remain available
12 until September 30, 2023: *Provided*, That proceeds from
13 leases deposited into this account shall be available for a
14 period of 5 years to the extent and in amounts as provided
15 in annual appropriations Acts: *Provided further*, That such
16 proceeds referred to in the preceding proviso shall be avail-
17 able for obligation for fiscal year 2018 in an amount not
18 to exceed \$9,470,300: *Provided further*, That each annual
19 budget request shall include an annual estimate of gross
20 receipts and collections and proposed use of all funds col-
21 lected pursuant to section 20145 of title 51, United States
22 Code.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General in carrying out the Inspector General Act of 1978,

1 \$37,900,000, of which \$500,000 shall remain available
2 until September 30, 2019.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFERS OF FUNDS)

5 Funds for any announced prize otherwise authorized
6 shall remain available, without fiscal year limitation, until
7 a prize is claimed or the offer is withdrawn.

8 Not to exceed 5 percent of any appropriation made
9 available for the current fiscal year for the National Aero-
10 nautics and Space Administration in this Act may be
11 transferred between such appropriations, but no such ap-
12 propriation, except as otherwise specifically provided, shall
13 be increased by more than 10 percent by any such trans-
14 fers, except that “Construction and Environmental Com-
15 pliance and Restoration” may be increased up to 20 per-
16 cent by such transfers. Balances so transferred shall be
17 merged with and available for the same purposes and the
18 same time period as the appropriations to which trans-
19 ferred. Any transfer pursuant to this provision shall be
20 treated as a reprogramming of funds under section 505
21 of this Act and shall not be available for obligation except
22 in compliance with the procedures set forth in that section.

23 The spending plan required by this Act shall be pro-
24 vided by NASA at the theme, program, project and activ-
25 ity level. The spending plan, as well as any subsequent

1 change of an amount established in that spending plan
2 that meets the notification requirements of section 505 of
3 this Act, shall be treated as a reprogramming under sec-
4 tion 505 of this Act and shall not be available for obliga-
5 tion or expenditure except in compliance with the proce-
6 dures set forth in that section.

7 NATIONAL SCIENCE FOUNDATION

8 RESEARCH AND RELATED ACTIVITIES

9 For necessary expenses in carrying out the National
10 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
11 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
12 as authorized by section 3109 of title 5, United States
13 Code; maintenance and operation of aircraft and purchase
14 of flight services for research support; acquisition of air-
15 craft; and authorized travel; \$6,033,645,000 (reduced by
16 \$30,200,000) (increased by \$30,200,000), to remain avail-
17 able until September 30, 2019, of which not to exceed
18 \$544,000,000 shall remain available until expended for
19 polar research and operations support, and for reimburse-
20 ment to other Federal agencies for operational and science
21 support and logistical and other related activities for the
22 United States Antarctic program: *Provided*, That receipts
23 for scientific support services and materials furnished by
24 the National Research Centers and other National Science

1 Foundation supported research facilities may be credited
2 to this appropriation.

3 MAJOR RESEARCH EQUIPMENT AND FACILITIES

4 CONSTRUCTION

5 For necessary expenses for the acquisition, construc-
6 tion, commissioning, and upgrading of major research
7 equipment, facilities, and other such capital assets pursu-
8 ant to the National Science Foundation Act of 1950 (42
9 U.S.C. 1861 et seq.), including authorized travel,
10 \$77,800,000, to remain available until expended.

11 EDUCATION AND HUMAN RESOURCES

12 For necessary expenses in carrying out science, math-
13 ematics and engineering education and human resources
14 programs and activities pursuant to the National Science
15 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
16 ing services as authorized by section 3109 of title 5,
17 United States Code, authorized travel, and rental of con-
18 ference rooms in the District of Columbia, \$880,000,000,
19 to remain available until September 30, 2019.

20 AGENCY OPERATIONS AND AWARD MANAGEMENT

21 For agency operations and award management nec-
22 essary in carrying out the National Science Foundation
23 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
24 by section 3109 of title 5, United States Code; hire of pas-
25 senger motor vehicles; uniforms or allowances therefor, as

1 authorized by sections 5901 and 5902 of title 5, United
2 States Code; rental of conference rooms in the District of
3 Columbia; and reimbursement of the Department of
4 Homeland Security for security guard services;
5 \$328,510,000: *Provided*, That not to exceed \$8,280 is for
6 official reception and representation expenses: *Provided*
7 *further*, That contracts may be entered into under this
8 heading in fiscal year 2018 for maintenance and operation
9 of facilities and for other services to be provided during
10 the next fiscal year.

11 OFFICE OF THE NATIONAL SCIENCE BOARD

12 For necessary expenses (including payment of sala-
13 ries, authorized travel, hire of passenger motor vehicles,
14 the rental of conference rooms in the District of Columbia,
15 and the employment of experts and consultants under sec-
16 tion 3109 of title 5, United States Code) involved in car-
17 rying out section 4 of the National Science Foundation
18 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
19 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not
20 to exceed \$2,500 shall be available for official reception
21 and representation expenses.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General as authorized by the Inspector General Act of

1 1978, \$15,200,000, of which \$400,000 shall remain avail-
2 able until September 30, 2019.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed 5 percent of any appropriation made
6 available for the current fiscal year for the National
7 Science Foundation in this Act may be transferred be-
8 tween such appropriations, but no such appropriation shall
9 be increased by more than 15 percent by any such trans-
10 fers. Any transfer pursuant to this paragraph shall be
11 treated as a reprogramming of funds under section 505
12 of this Act and shall not be available for obligation except
13 in compliance with the procedures set forth in that section.

14 The Director of the National Science Foundation
15 shall notify the Committees on Appropriations of the
16 House of Representatives and the Senate at least 30 days
17 in advance of the acquisition or disposal of any capital
18 asset (including land, structures, and equipment) not spe-
19 cifically provided for in this Act or any other law appro-
20 priating funds for the National Science Foundation.

21 This title may be cited as the “Science Appropria-
22 tions Act, 2018”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMISSION ON CIVIL RIGHTS
4 SALARIES AND EXPENSES

5 For necessary expenses of the Commission on Civil
6 Rights, including hire of passenger motor vehicles,
7 \$9,183,000: *Provided*, That none of the funds appro-
8 priated in this paragraph may be used to employ any indi-
9 viduals under Schedule C of subpart C of part 213 of title
10 5 of the Code of Federal Regulations exclusive of one spe-
11 cial assistant for each Commissioner: *Provided further*,
12 That none of the funds appropriated in this paragraph
13 shall be used to reimburse Commissioners for more than
14 75 billable days, with the exception of the chairperson,
15 who is permitted 125 billable days: *Provided further*, That
16 none of the funds appropriated in this paragraph shall be
17 used for any activity or expense that is not explicitly au-
18 thorized by section 3 of the Civil Rights Commission Act
19 of 1983 (42 U.S.C. 1975a).

20 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
21 SALARIES AND EXPENSES

22 For necessary expenses of the Equal Employment
23 Opportunity Commission as authorized by title VII of the
24 Civil Rights Act of 1964, the Age Discrimination in Em-
25 ployment Act of 1967, the Equal Pay Act of 1963, the

1 Americans with Disabilities Act of 1990, section 501 of
2 the Rehabilitation Act of 1973, the Civil Rights Act of
3 1991, the Genetic Information Nondiscrimination Act
4 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
5 ments Act of 2008 (Public Law 110–325), and the Lilly
6 Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-
7 cluding services as authorized by section 3109 of title 5,
8 United States Code; hire of passenger motor vehicles as
9 authorized by section 1343(b) of title 31, United States
10 Code; nonmonetary awards to private citizens; and up to
11 \$29,500,000 for payments to State and local enforcement
12 agencies for authorized services to the Commission,
13 \$363,807,000: *Provided*, That the Commission is author-
14 ized to make available for official reception and represen-
15 tation expenses not to exceed \$2,250 from available funds:
16 *Provided further*, That the Chair is authorized to accept
17 and use any gift or donation to carry out the work of the
18 Commission.

19 INTERNATIONAL TRADE COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the International Trade
22 Commission, including hire of passenger motor vehicles
23 and services as authorized by section 3109 of title 5,
24 United States Code, and not to exceed \$2,250 for official

1 reception and representation expenses, \$92,500,000, to re-
2 main available until expended.

3 LEGAL SERVICES CORPORATION

4 PAYMENT TO THE LEGAL SERVICES CORPORATION

5 For payment to the Legal Services Corporation to
6 carry out the purposes of the Legal Services Corporation
7 Act of 1974, \$300,000,000, of which \$267,000,000 is for
8 basic field programs and required independent audits;
9 \$5,000,000 is for the Office of Inspector General, of which
10 such amounts as may be necessary may be used to conduct
11 additional audits of recipients; \$19,000,000 is for manage-
12 ment and grants oversight; \$4,000,000 is for client self-
13 help and information technology; \$4,000,000 is for a Pro
14 Bono Innovation Fund; and \$1,000,000 is for loan repay-
15 ment assistance: *Provided*, That the Legal Services Cor-
16 poration may continue to provide locality pay to officers
17 and employees at a rate no greater than that provided by
18 the Federal Government to Washington, DC-based em-
19 ployees as authorized by section 5304 of title 5, United
20 States Code, notwithstanding section 1005(d) of the Legal
21 Services Corporation Act (42 U.S.C. 2996(d)): *Provided*
22 *further*, That the authorities provided in section 205 of
23 this Act shall be applicable to the Legal Services Corpora-
24 tion: *Provided further*, That, for the purposes of section

1 505 of this Act, the Legal Services Corporation shall be
2 considered an agency of the United States Government.

3 ADMINISTRATIVE PROVISION—LEGAL SERVICES

4 CORPORATION

5 None of the funds appropriated in this Act to the
6 Legal Services Corporation shall be expended for any pur-
7 pose prohibited or limited by, or contrary to any of the
8 provisions of, sections 501, 502, 503, 504, 505, and 506
9 of Public Law 105–119, and all funds appropriated in this
10 Act to the Legal Services Corporation shall be subject to
11 the same terms and conditions set forth in such sections,
12 except that all references in sections 502 and 503 to 1997
13 and 1998 shall be deemed to refer instead to 2017 and
14 2018, respectively.

15 MARINE MAMMAL COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Marine Mammal Com-
18 mission as authorized by title II of the Marine Mammal
19 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
20 \$3,431,000.

21 OFFICE OF THE UNITED STATES TRADE

22 REPRESENTATIVE

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the United
25 States Trade Representative, including the hire of pas-

1 senger motor vehicles and the employment of experts and
2 consultants as authorized by section 3109 of title 5,
3 United States Code, \$53,000,000, of which \$1,000,000
4 shall remain available until expended: *Provided*, That of
5 the total amount made available under this heading, not
6 to exceed \$124,000 shall be available for official reception
7 and representation expenses.

8 TRADE ENFORCEMENT TRUST FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For activities of the United States Trade Representa-
11 tive authorized by section 611 of the Trade Facilitation
12 and Trade Enforcement Act of 2015 (19 U.S.C. 4405),
13 including transfers, \$15,000,000, to be derived from the
14 Trade Enforcement Trust Fund: *Provided*, That any
15 transfer pursuant to subsection (d)(1) of such section shall
16 be treated as a reprogramming under section 505 of this
17 Act.

18 STATE JUSTICE INSTITUTE

19 SALARIES AND EXPENSES

20 For necessary expenses of the State Justice Institute,
21 as authorized by the State Justice Institute Act of 1984
22 (42 U.S.C. 10701 et seq.) \$5,111,000, of which \$500,000
23 shall remain available until September 30, 2019: *Provided*,
24 That not to exceed \$2,250 shall be available for official
25 reception and representation expenses: *Provided further*,

1 That, for the purposes of section 505 of this Act, the State
2 Justice Institute shall be considered an agency of the
3 United States Government.

4 TITLE V

5 GENERAL PROVISIONS

6 (INCLUDING RESCISSIONS)

7 (INCLUDING TRANSFERS OF FUNDS)

8 SEC. 501. No part of any appropriation contained in
9 this Act shall be used for publicity or propaganda purposes
10 not authorized by the Congress.

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. The expenditure of any appropriation
15 under this Act for any consulting service through procure-
16 ment contract, pursuant to section 3109 of title 5, United
17 States Code, shall be limited to those contracts where such
18 expenditures are a matter of public record and available
19 for public inspection, except where otherwise provided
20 under existing law, or under existing Executive order
21 issued pursuant to existing law.

22 SEC. 504. If any provision of this Act or the applica-
23 tion of such provision to any person or circumstances shall
24 be held invalid, the remainder of the Act and the applica-
25 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-
2 fected thereby.

3 SEC. 505. None of the funds provided under this Act,
4 or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 2018, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds that: (1) creates or ini-
11 tiates a new program, project or activity; (2) eliminates
12 a program, project or activity; (3) increases funds or per-
13 sonnel by any means for any project or activity for which
14 funds have been denied or restricted; (4) relocates an of-
15 fice or employees; (5) reorganizes or renames offices, pro-
16 grams or activities; (6) contracts out or privatizes any
17 functions or activities presently performed by Federal em-
18 ployees; (7) augments existing programs, projects or ac-
19 tivities in excess of \$500,000 or 10 percent, whichever is
20 less, or reduces by 10 percent funding for any program,
21 project or activity, or numbers of personnel by 10 percent;
22 or (8) results from any general savings, including savings
23 from a reduction in personnel, which would result in a
24 change in existing programs, projects or activities as ap-
25 proved by Congress; unless the House and Senate Com-

1 mittees on Appropriations are notified 15 days in advance
2 of such reprogramming of funds.

3 SEC. 506. (a) If it has been finally determined by
4 a court or Federal agency that any person intentionally
5 affixed a label bearing a “Made in America” inscription,
6 or any inscription with the same meaning, to any product
7 sold in or shipped to the United States that is not made
8 in the United States, the person shall be ineligible to re-
9 ceive any contract or subcontract made with funds made
10 available in this Act, pursuant to the debarment, suspen-
11 sion, and ineligibility procedures described in sections
12 9.400 through 9.409 of title 48, Code of Federal Regula-
13 tions.

14 (b)(1) To the extent practicable, with respect to au-
15 thorized purchases of promotional items, funds made
16 available by this Act shall be used to purchase items that
17 are manufactured, produced, or assembled in the United
18 States, its territories or possessions.

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

22 SEC. 507. (a) The Departments of Commerce and
23 Justice, the National Science Foundation, and the Na-
24 tional Aeronautics and Space Administration shall provide
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate a quarterly report on the sta-
2 tus of balances of appropriations at the account level. For
3 unobligated, uncommitted balances and unobligated, com-
4 mitted balances the quarterly reports shall separately
5 identify the amounts attributable to each source year of
6 appropriation from which the balances were derived. For
7 balances that are obligated, but unexpended, the quarterly
8 reports shall separately identify amounts by the year of
9 obligation.

10 (b) The report described in subsection (a) shall be
11 submitted within 30 days of the end of each quarter.

12 (c) If a department or agency is unable to fulfill any
13 aspect of a reporting requirement described in subsection
14 (a) due to a limitation of a current accounting system,
15 the department or agency shall fulfill such aspect to the
16 maximum extent practicable under such accounting sys-
17 tem and shall identify and describe in each quarterly re-
18 port the extent to which such aspect is not fulfilled.

19 SEC. 508. Any costs incurred by a department or
20 agency funded under this Act resulting from, or to pre-
21 vent, personnel actions taken in response to funding re-
22 ductions included in this Act shall be absorbed within the
23 total budgetary resources available to such department or
24 agency: *Provided*, That the authority to transfer funds be-
25 tween appropriations accounts as may be necessary to

1 carry out this section is provided in addition to authorities
2 included elsewhere in this Act: *Provided further*, That use
3 of funds to carry out this section shall be treated as a
4 reprogramming of funds under section 505 of this Act and
5 shall not be available for obligation or expenditure except
6 in compliance with the procedures set forth in that section:
7 *Provided further*, That for the Department of Commerce,
8 this section shall also apply to actions taken for the care
9 and protection of loan collateral or grant property.

10 SEC. 509. None of the funds provided by this Act
11 shall be available to promote the sale or export of tobacco
12 or tobacco products, or to seek the reduction or removal
13 by any foreign country of restrictions on the marketing
14 of tobacco or tobacco products, except for restrictions
15 which are not applied equally to all tobacco or tobacco
16 products of the same type.

17 SEC. 510. None of the funds made available in this
18 Act may be used to pay the salaries and expenses of per-
19 sonnel of the Department of Justice to obligate more than
20 \$4,632,000,000 during fiscal year 2018 from the fund es-
21 tablished by section 1402 of Public Law 98-473 (42
22 U.S.C. 10601).

23 SEC. 511. None of the funds made available to the
24 Department of Justice in this Act may be used to discrimi-
25 nate against or denigrate the religious or moral beliefs of

1 students who participate in programs for which financial
2 assistance is provided from those funds, or of the parents
3 or legal guardians of such students.

4 SEC. 512. None of the funds made available in this
5 Act may be transferred to any department, agency, or in-
6 strumentality of the United States Government, except
7 pursuant to a transfer made by, or transfer authority pro-
8 vided in, this Act or any other appropriations Act.

9 SEC. 513. Any funds provided in this Act used to im-
10 plement E-Government Initiatives shall be subject to the
11 procedures set forth in section 505 of this Act.

12 SEC. 514. (a) None of the funds appropriated or oth-
13 erwise made available under this Act may be used by the
14 Departments of Commerce and Justice, the National Aer-
15 onautics and Space Administration, or the National
16 Science Foundation to acquire a high-impact or moderate-
17 impact information system, as defined for security cat-
18 egorization in the National Institute of Standards and
19 Technology's (NIST) Federal Information Processing
20 Standard Publication 199, "Standards for Security Cat-
21 egorization of Federal Information and Information Sys-
22 tems" unless the agency has—

23 (1) reviewed the supply chain risk for the infor-
24 mation systems against criteria developed by NIST
25 and the Federal Bureau of Investigation (FBI) to

1 inform acquisition decisions for high-impact and
2 moderate-impact information systems within the
3 Federal Government;

4 (2) reviewed the supply chain risk from the pre-
5 sumptive awardee against available and relevant
6 threat information provided by the FBI and other
7 appropriate agencies; and

8 (3) in consultation with the FBI or other ap-
9 propriate Federal entity, conducted an assessment of
10 any risk of cyber-espionage or sabotage associated
11 with the acquisition of such system, including any
12 risk associated with such system being produced,
13 manufactured, or assembled by one or more entities
14 identified by the United States Government as pos-
15 ing a cyber threat, including but not limited to,
16 those that may be owned, directed, or subsidized by
17 the People's Republic of China, the Islamic Republic
18 of Iran, the Democratic People's Republic of Korea,
19 or the Russian Federation.

20 (b) None of the funds appropriated or otherwise
21 made available under this Act may be used to acquire a
22 high-impact or moderate-impact information system re-
23 viewed and assessed under subsection (a) unless the head
24 of the assessing entity described in subsection (a) has—

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

4 (2) determined, in consultation with NIST and
5 the FBI, that the acquisition of such system is in
6 the national interest of the United States; and

7 (3) reported that determination to the Commit-
8 tees on Appropriations of the House of Representa-
9 tives and the Senate and the agency Inspector Gen-
10 eral.

11 SEC. 515. None of the funds made available in this
12 Act shall be used in any way whatsoever to support or
13 justify the use of torture by any official or contract em-
14 ployee of the United States Government.

15 SEC. 516. (a) Notwithstanding any other provision
16 of law or treaty, in fiscal year 2018 and each fiscal year
17 thereafter, none of the funds appropriated or otherwise
18 made available under this Act or any other Act may be
19 expended or obligated by a department, agency, or instru-
20 mentality of the United States to pay administrative ex-
21 penses or to compensate an officer or employee of the
22 United States in connection with requiring an export li-
23 cense for the export to Canada of components, parts, ac-
24 cessories or attachments for firearms listed in Category
25 I, section 121.1 of title 22, Code of Federal Regulations

1 (International Trafficking in Arms Regulations (ITAR),
2 part 121, as it existed on April 1, 2005) with a total value
3 not exceeding \$500 wholesale in any transaction, provided
4 that the conditions of subsection (b) of this section are
5 met by the exporting party for such articles.

6 (b) The foregoing exemption from obtaining an ex-
7 port license—

8 (1) does not exempt an exporter from filing any
9 Shipper's Export Declaration or notification letter
10 required by law, or from being otherwise eligible
11 under the laws of the United States to possess, ship,
12 transport, or export the articles enumerated in sub-
13 section (a); and

14 (2) does not permit the export without a license
15 of—

16 (A) fully automatic firearms and compo-
17 nents and parts for such firearms, other than
18 for end use by the Federal Government, or a
19 Provincial or Municipal Government of Canada;

20 (B) barrels, cylinders, receivers (frames) or
21 complete breech mechanisms for any firearm
22 listed in Category I, other than for end use by
23 the Federal Government, or a Provincial or Mu-
24 nicipal Government of Canada; or

1 (C) articles for export from Canada to an-
2 other foreign destination.

3 (c) In accordance with this section, the District Di-
4 rectors of Customs and postmasters shall permit the per-
5 manent or temporary export without a license of any un-
6 classified articles specified in subsection (a) to Canada for
7 end use in Canada or return to the United States, or tem-
8 porary import of Canadian-origin items from Canada for
9 end use in the United States or return to Canada for a
10 Canadian citizen.

11 (d) The President may require export licenses under
12 this section on a temporary basis if the President deter-
13 mines, upon publication first in the Federal Register, that
14 the Government of Canada has implemented or main-
15 tained inadequate import controls for the articles specified
16 in subsection (a), such that a significant diversion of such
17 articles has and continues to take place for use in inter-
18 national terrorism or in the escalation of a conflict in an-
19 other nation. The President shall terminate the require-
20 ments of a license when reasons for the temporary require-
21 ments have ceased.

22 SEC. 517. Notwithstanding any other provision of
23 law, in fiscal year 2018 and each fiscal year thereafter,
24 no department, agency, or instrumentality of the United
25 States receiving appropriated funds under this Act or any

1 other Act shall obligate or expend in any way such funds
2 to pay administrative expenses or the compensation of any
3 officer or employee of the United States to deny any appli-
4 cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B)
5 and qualified pursuant to 27 CFR section 478.112 or
6 .113, for a permit to import United States origin “curios
7 or relics” firearms, parts, or ammunition.

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

11 (1) paragraph 2 of article 16.7 of the United
12 States–Singapore Free Trade Agreement;

13 (2) paragraph 4 of article 17.9 of the United
14 States–Australia Free Trade Agreement; or

15 (3) paragraph 4 of article 15.9 of the United
16 States–Morocco Free Trade Agreement.

17 SEC. 519. None of the funds made available in this
18 Act may be used to authorize or issue a national security
19 letter in contravention of any of the following laws author-
20 izing the Federal Bureau of Investigation to issue national
21 security letters: The Right to Financial Privacy Act of
22 1978; The Electronic Communications Privacy Act of
23 1986; The Fair Credit Reporting Act; The National Secu-
24 rity Act of 1947; USA PATRIOT Act; USA FREEDOM
25 Act of 2015; and the laws amended by these Acts.

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

23 SEC. 521. Funds appropriated by this Act, or made
24 available by the transfer of funds in this Act, for intel-
25 ligence or intelligence related activities are deemed to be

1 merce, the following funds are hereby rescinded, not later
2 than September 30, 2018, from the following accounts in
3 the specified amounts—

4 (1) “Economic Development Administration,
5 Economic Development Assistance Programs”,
6 \$47,000,000; and

7 (2) “National Oceanic and Atmospheric Admin-
8 istration, Operations, Research, and Facilities”,
9 \$20,000,000.

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

14 (1) “Working Capital Fund”, \$409,834,000;

15 (2) “Federal Bureau of Investigation, Salaries
16 and Expenses”, \$195,000,000 from fees collected to
17 defray expenses for the automation of fingerprint
18 identification and criminal justice information serv-
19 ices and associated costs;

20 (3) “State and Local Law Enforcement Activi-
21 ties, Office on Violence Against Women, Violence
22 Against Women Prevention and Prosecution Pro-
23 grams”, \$17,500,000;

24 (4) “State and Local Law Enforcement Activi-
25 ties, Office of Justice Programs”, \$60,000,000;

1 (5) “State and Local Law Enforcement Activi-
2 ties, Community Oriented Policing Services”,
3 \$17,500,000;

4 (6) “Legal Activities, Assets Forfeiture Fund”,
5 \$304,000,000 is permanently rescinded; and

6 (7) “Federal Bureau of Investigation, Salaries
7 and Expenses”, \$53,365,000.

8 (c) The Departments of Commerce and Justice shall
9 submit to the Committees on Appropriations of the House
10 of Representatives and the Senate a report no later than
11 September 1, 2018, specifying the amount of each rescis-
12 sion made pursuant to subsections (a) and (b), and the
13 Department of Justice shall ensure that sufficient bal-
14 ances are available in the “Working Capital Fund” to re-
15 scind the amount specified in subsection (b) and shall
16 transfer unobligated balances from discretionary appro-
17 priations (except from “Federal Bureau of Investigation,
18 Salaries and Expenses”, “Fees and Expenses of Wit-
19 nesses”, “Public Safety Officer Benefits”, and amounts
20 that were designated by the Congress as an emergency or
21 disaster relief requirement pursuant to a concurrent reso-
22 lution on the budget or section 251(b)(2) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985) made
24 available in this Act to the Department into the “Working
25 Capital Fund” if necessary to meet the amount specified

1 in subsection (b) and this transfer authority is in addition
2 to any other transfer authority contained in this Act.

3 SEC. 524. None of the funds made available in this
4 Act may be used to purchase first class or premium airline
5 travel in contravention of sections 301–10.122 through
6 301–10.124 of title 41 of the Code of Federal Regulations.

7 SEC. 525. None of the funds made available in this
8 Act may be used to send or otherwise pay for the attend-
9 ance of more than 50 employees from a Federal depart-
10 ment or agency, who are stationed in the United States,
11 at any single conference occurring outside the United
12 States unless such conference is a law enforcement train-
13 ing or operational conference for law enforcement per-
14 sonnel and the majority of Federal employees in attend-
15 ance are law enforcement personnel stationed outside the
16 United States.

17 SEC. 526. None of the funds appropriated or other-
18 wise made available in this or any other Act may be used
19 to transfer, release, or assist in the transfer or release to
20 or within the United States, its territories, or possessions
21 Khalid Sheikh Mohammed or any other detainee who—

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

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

4 SEC. 527. (a) None of the funds appropriated or oth-
5 erwise made available in this or any other Act may be used
6 to construct, acquire, or modify any facility in the United
7 States, its territories, or possessions to house any indi-
8 vidual described in subsection (c) for the purposes of de-
9 tention or imprisonment in the custody or under the effec-
10 tive 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, Guantanamo 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, Guantanamo 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;
19 and

20 (2) is—

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

23 (B) otherwise under detention at United
24 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
5 expired grant accounts and include in its annual perform-
6 ance plan and performance and accountability reports the
7 following:

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
13 in 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
18 the 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
22 to a specific project remaining in the accounts.

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

1 and Technology Policy (OSTP) to develop, design, plan,
2 promulgate, implement, or execute a bilateral policy, pro-
3 gram, order, or contract of any kind to participate, col-
4 laborate, or coordinate bilaterally in any way with China
5 or any Chinese-owned company unless such activities are
6 specifically authorized by a law enacted after the date of
7 enactment of 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,
13 after consultation with the Federal Bureau of Investiga-
14 tion, have 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
2 the activity in question and shall include a description of
3 the purpose of the activity, its agenda, its major partici-
4 pants, and its location and timing.

5 SEC. 530. None of the funds made available by this
6 or any other Act, for fiscal year 2018 and each fiscal year
7 thereafter, may be used to pay the salaries or expenses
8 of personnel to deny, or fail to act on, an application for
9 the importation of any model of shotgun if—

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

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

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

22 (b) Nothing in subsection (a) shall limit the use of
23 funds necessary for any Federal, State, tribal, or local law
24 enforcement agency or any other entity carrying out crimi-

1 nal investigations, prosecution, adjudication, or other law
2 enforcement- or victim assistance-related activity.

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

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

19 SEC. 534. The Department of Commerce, the Na-
20 tional Aeronautics and Space Administration, and the Na-
21 tional Science Foundation shall provide a quarterly report
22 to the Committees on Appropriations of the House of Rep-
23 resentatives and the Senate on any official travel to China
24 by any employee of such Department or agency, including
25 the purpose 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,
3 respectively, for Public Works grants authorized by the
4 Public Works and Economic Development Act of 1965 and
5 grants authorized by section 27 of the Stevenson-Wydler
6 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
7 be allocated for assistance in persistent poverty counties:
8 *Provided*, That for purposes of this section, the term “per-
9 sistent poverty counties” means any county that has had
10 20 percent or more of its population living in poverty over
11 the past 30 years, as measured by the 1990 and 2000
12 decennial censuses and the most recent Small Area In-
13 come and Poverty Estimates.

14 SEC. 536. None of the funds made available by this
15 Act may be used to approve the registration or renewal
16 of, or maintain the registration of, a mark, trade name,
17 or commercial name, under the Act entitled “An Act to
18 provide for the registration and protection of trademarks
19 used in commerce, to carry out the provisions of certain
20 international conventions, and for other purposes”, ap-
21 proved July 6, 1946 (commonly referred to as the “Trade-
22 mark Act of 1946”; 15 U.S.C. 1051 et seq.), including
23 the receipt or acceptance of post-registration affidavits or
24 declarations, where such mark, trade name, or commercial
25 name is the same or substantially similar to a mark, trade

1 name, or commercial name that was used in connection
2 with a business or assets that were confiscated, as that
3 term is defined in section 4(4) of the Cuban Liberty and
4 Democratic Solidarity (LIBERTAD) Act of 1996 (22
5 U.S.C. 6023(4)), unless the original owner of the mark,
6 trade name, or commercial name, or the bona-fide suc-
7 cessor-in-interest has expressly consented.

8 SEC. 537. None of the funds made available by this
9 Act may be used to require a person licensed under section
10 923 of title 18, United States Code, to report information
11 to the Department of Justice regarding the sale of mul-
12 tiple rifles or shotguns to the same person.

13 SEC. 538. (a) A State may bring a civil action against
14 the United States in an appropriate United States district
15 court for such declaratory and injunctive relief (including
16 preliminary injunctive relief) as may be necessary to re-
17 store the sovereignty reserved to the States by the Con-
18 stitution. It shall be duty of the courts of the United
19 States to advance on the docket and to expedite to the
20 greatest possible extent the disposition of any such action.

21 (b) This section shall take effect on the date of enact-
22 ment of this Act and continue in effect through all fiscal
23 years thereafter.

24 SEC. 539. None of the funds made available by this
25 Act may be used to relocate the Bureau of Alcohol, To-

1 bacco, Firearms and Explosives (ATF) Canine Training
2 Center or the ATF National Canine Division.

3 SEC. 540. None of the funds made available by this
4 Act may be used to enter into a civil settlement agreement
5 on behalf of the United States that includes a term requir-
6 ing that any donation be made to any non-party by any
7 party-defendant to such agreement.

8 SEC. 541. None of the funds made available by this
9 Act may be used to implement or enforce the designation
10 of any area of the Chesapeake Bay watershed as critical
11 habitat for the Atlantic Sturgeon pursuant to the proposed
12 rule published June 3, 2016 (81 Fed. Reg. 35701).

13 SEC. 542. None of the funds made available by this
14 Act may be used by the Equal Employment Opportunity
15 Commission for the “collection of information”, as defined
16 in the Paperwork Reduction Act (44 U.S.C. 3502(3)(A)),
17 from employers relating to employees’ earnings and hours
18 worked, as set forth in and designated as Component 2
19 by the notice published by the Commission on July 14,
20 2016, in the Federal Register (81 Fed. Reg. 45479), or
21 for any final “collection of information” related to such
22 earnings and hours worked and to such notice.

23 REFERENCES TO ACT

24 SEC. 543. Except as expressly provided otherwise,
25 any reference to “this Act” contained in this division shall

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCE TO REPORT

4 SEC. 544. Any reference to a “report accompanying
5 this Act” contained in this division shall be treated as a
6 reference to House Report 115–231. The effect of such
7 Report shall be limited to this division and shall apply for
8 purposes of determining the allocation of funds provided
9 by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 545. \$0.

12 SEC. 546. None of the funds made available by this
13 Act may be used by the National Marine Fisheries Service
14 to enforce Executive Order No. 13449 or section 697.7(b)
15 of title 50, Code of Federal Regulations, in the Block Is-
16 land Transit Zone (as that term is defined in section
17 697.7(b)(3) of such title).

18 SEC. 547. None of the funds made available by this
19 Act to the Bureau of Alcohol, Tobacco, Firearms and Ex-
20 plosives may be used to reclassify M855 ammunition as
21 armor-piercing ammunition. The limitation described in
22 this section shall not apply in the case of the administra-
23 tion of a tax or tariff.

24 SEC. 548. None of the funds made available under
25 this Act may be used to relocate the National Oceanic and

1 Atmospheric Administration’s Southeast Fisheries Science
2 Center located in Virginia Key, Florida.

3 SEC. 549. None of the funds made available by this
4 Act may be used for activities prohibited by the order
5 issued by the Attorney General entitled “Prohibition on
6 Certain Federal Adoptions of Seizures by State and Local
7 Law Enforcement Agencies” (Order No. 3488–2015,
8 dated January 16, 2015) or the order entitled “Prohibi-
9 tion on Certain Federal Adoptions of Seizures by State
10 and Local Law Enforcement Agencies” (Order No. 3485–
11 2015, dated January 12, 2015).

12 SEC. 550. None of the funds made available by this
13 Act may be used to pay a performance award to any offi-
14 cer or employee of the Money Laundering and Asset Re-
15 covery Section of the Department of Justice under section
16 5384 or 4505a of title 5, United States Code, prior to
17 the date on which the Department of Justice rules on all
18 petitions for remission or mitigation in judicial forfeiture
19 cases pursuant to section 9.4 of title 28, Code of Federal
20 Regulations, for which the Internal Revenue Service has
21 submitted a report of its investigation and its rec-
22 ommendation to the Department of Justice on or before
23 June 26, 2017.

1 SEC. 551. None of the funds made available by this
2 Act may be used to carry out Order Number 3946–2017
3 of the Attorney General, issued July 19, 2017.

4 SEC. 552. None of the funds made available by this
5 Act may be used to implement Order Number 3946–2017
6 of the Attorney General allowing Department of Justice
7 components and agencies to forfeit assets seized by State
8 or local law enforcement agencies.

9 SEC. 553. None of the funds made available by this
10 Act may be used to implement, administer, or enforce Ex-
11 ecutive Order No. 13547 (75 Fed. Reg. 43023, relating
12 to the stewardship of oceans, coasts, and the Great
13 Lakes), including the National Ocean Policy developed
14 under such Executive order.

15 SEC. 554. None of the funds made available by this
16 Act under the State Criminal Alien Assistance Program
17 may be used in contravention of section 642 of the Illegal
18 Immigration Reform and Immigrant Responsibility Act of
19 1996.

20 This division may be cited as the “Commerce, Jus-
21 tice, Science, and Related Agencies Appropriations Act,
22 2018”.

1 **DIVISION D—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2018**

4 The following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2018, and for other pur-
7 poses, namely:

8 **TITLE I**

9 **DEPARTMENT OF THE TREASURY**

10 **DEPARTMENTAL OFFICES**

11 **SALARIES AND EXPENSES**

12 For necessary expenses of the Departmental Offices
13 including operation and maintenance of the Treasury
14 Building and Freedman's Bank Building; hire of pas-
15 senger motor vehicles; maintenance, repairs, and improve-
16 ments of, and purchase of commercial insurance policies
17 for, real properties leased or owned overseas, when nec-
18 essary for the performance of official business; executive
19 direction program activities; international affairs and eco-
20 nomic policy activities; domestic finance and tax policy ac-
21 tivities, including technical assistance to Puerto Rico; and
22 Treasury-wide management policies and programs activi-
23 ties, \$201,751,000 (reduced by \$2,000,000) (reduced by
24 \$3,000,000): *Provided*, That of the amount appropriated
25 under this heading—

1 (1) not to exceed \$350,000 is for official recep-
2 tion and representation expenses;

3 (2) not to exceed \$258,000 is for unforeseen
4 emergencies of a confidential nature to be allocated
5 and expended under the direction of the Secretary of
6 the Treasury and to be accounted for solely on the
7 Secretary's certificate; and

8 (3) not to exceed \$24,000,000 shall remain
9 available until September 30, 2019, for—

10 (A) the Treasury-wide Financial Statement
11 Audit and Internal Control Program;

12 (B) information technology modernization
13 requirements;

14 (C) the audit, oversight, and administra-
15 tion of the Gulf Coast Restoration Trust Fund;

16 (D) the development and implementation
17 of programs within the Office of Critical Infra-
18 structure Protection and Compliance Policy, in-
19 cluding entering into cooperative agreements;

20 (E) operations and maintenance of facili-
21 ties; and

22 (F) international operations.

1 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE
2 SALARIES AND EXPENSES

3 For the necessary expenses of the Office of Terrorism
4 and Financial Intelligence to safeguard the financial sys-
5 tem against illicit use and to combat rogue nations, ter-
6 rorist facilitators, weapons of mass destruction
7 proliferators, money launderers, drug kingpins, and other
8 national security threats, \$123,000,000: *Provided*, That of
9 the amount appropriated under this heading: (1) up to
10 \$28,000,000 may be transferred to the Departmental Of-
11 fices Salaries and Expenses appropriation and shall be
12 available for administrative support to the Office of Ter-
13 rorism and Financial Intelligence; and (2) up to
14 \$5,000,000 shall remain available until September 30,
15 2019.

16 CYBERSECURITY ENHANCEMENT ACCOUNT

17 For salaries and expenses for enhanced cybersecurity
18 for systems operated by the Department of the Treasury,
19 \$27,264,000, to remain available until September 30,
20 2020: *Provided*, That such funds shall supplement and not
21 supplant any other amounts made available to the Treas-
22 ury offices and bureaus for cybersecurity: *Provided fur-*
23 *ther*, That the Chief Information Officer of the individual
24 offices and bureaus shall submit a spend plan for each
25 investment to the Treasury Chief Information Officer for

1 approval: *Provided further*, That the submitted spend plan
2 shall be reviewed and approved by the Treasury Chief In-
3 formation Officer prior to the obligation of funds under
4 this heading: *Provided further*, That of the total amount
5 made available under this heading \$1,000,000 shall be
6 available for administrative expenses for the Treasury
7 Chief Information Officer to provide oversight of the in-
8 vestments made under this heading: *Provided further*,
9 That such funds shall supplement and not supplant any
10 other amounts made available to the Treasury Chief Infor-
11 mation Officer.

12 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

13 INVESTMENTS PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

15 For development and acquisition of automatic data
16 processing equipment, software, and services and for re-
17 pairs and renovations to buildings owned by the Depart-
18 ment of the Treasury, \$3,077,000, to remain available
19 until September 30, 2020: *Provided*, That these funds
20 shall be transferred to accounts and in amounts as nec-
21 essary to satisfy the requirements of the Department's of-
22 fices, bureaus, and other organizations: *Provided further*,
23 That this transfer authority shall be in addition to any
24 other transfer authority provided in this Act: *Provided fur-*
25 *ther*, That none of the funds appropriated under this head-

1 ing shall be used to support or supplement “Internal Rev-
2 enue Service, Operations Support” or “Internal Revenue
3 Service, Business Systems Modernization”.

4 OFFICE OF INSPECTOR GENERAL
5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$34,112,000, including hire of pas-
9 senger motor vehicles; of which not to exceed \$100,000
10 shall be available for unforeseen emergencies of a con-
11 fidential nature, to be allocated and expended under the
12 direction of the Inspector General of the Treasury; of
13 which up to \$2,800,000 to remain available until Sep-
14 tember 30, 2019, shall be for audits and investigations
15 conducted pursuant to section 1608 of the Resources and
16 Ecosystems Sustainability, Tourist Opportunities, and Re-
17 vived Economies of the Gulf Coast States Act of 2012 (33
18 U.S.C. 1321 note); and of which not to exceed \$1,000
19 shall be available for official reception and representation
20 expenses.

21 TREASURY INSPECTOR GENERAL FOR TAX
22 ADMINISTRATION
23 SALARIES AND EXPENSES

24 For necessary expenses of the Treasury Inspector
25 General for Tax Administration in carrying out the In-

1 spector General Act of 1978, as amended, including pur-
2 chase and hire of passenger motor vehicles (31 U.S.C.
3 1343(b)); and services authorized by 5 U.S.C. 3109, at
4 such rates as may be determined by the Inspector General
5 for Tax Administration; \$165,113,000, of which
6 \$5,000,000 shall remain available until September 30,
7 2019; of which not to exceed \$6,000,000 shall be available
8 for official travel expenses; of which not to exceed
9 \$500,000 shall be available for unforeseen emergencies of
10 a confidential nature, to be allocated and expended under
11 the direction of the Inspector General for Tax Administra-
12 tion; and of which not to exceed \$1,500 shall be available
13 for official reception and representation expenses.

14 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

15 ASSET RELIEF PROGRAM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of the Special
18 Inspector General in carrying out the provisions of the
19 Emergency Economic Stabilization Act of 2008 (Public
20 Law 110–343), \$37,044,000.

21 FINANCIAL CRIMES ENFORCEMENT NETWORK

22 SALARIES AND EXPENSES

23 For necessary expenses of the Financial Crimes En-
24 forcement Network, including hire of passenger motor ve-
25 hicles; travel and training expenses of non-Federal and

1 foreign government personnel to attend meetings and
2 training concerned with domestic and foreign financial in-
3 telligence activities, law enforcement, and financial regula-
4 tion; services authorized by 5 U.S.C. 3109; not to exceed
5 \$10,000 for official reception and representation expenses;
6 and for assistance to Federal law enforcement agencies,
7 with or without reimbursement, \$115,003,000, of which
8 not to exceed \$34,335,000 shall remain available until
9 September 30, 2020.

10 TREASURY FORFEITURE FUND

11 (RESCISSION)

12 Of the unobligated balances available under this
13 heading, \$876,000,000 are hereby permanently rescinded
14 not later than September 30, 2018.

15 (INCLUDING RETURN OF FUNDS)

16 In addition, of amounts in the Treasury Forfeiture
17 Fund, \$38,800,000 from funds paid to the United States
18 Government by BNP Paribas S.A. as part of, or related
19 to, a plea agreement dated June 27, 2014, entered into
20 between the Department of Justice and BNP Paribas
21 S.A., and subject to a consent order entered by the United
22 States District Court for the Southern District of New
23 York on May 1, 2015, in United States v. BNPP, No.
24 14 Cr. 460 (S.D.N.Y.), are hereby returned to the general
25 fund of the Treasury.

1 BUREAU OF THE FISCAL SERVICE
2 SALARIES AND EXPENSES

3 For necessary expenses of operations of the Bureau
4 of the Fiscal Service, \$330,837,000; of which not to ex-
5 ceed \$4,210,000, to remain available until September 30,
6 2020, is for information systems modernization initiatives;
7 and of which \$5,000 shall be available for official reception
8 and representation expenses.

9 In addition, \$165,000, to be derived from the Oil
10 Spill Liability Trust Fund to reimburse administrative
11 and personnel expenses for financial management of the
12 Fund, as authorized by section 1012 of Public Law 101-
13 380.

14 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
15 SALARIES AND EXPENSES

16 For necessary expenses of carrying out section 1111
17 of the Homeland Security Act of 2002, including hire of
18 passenger motor vehicles, \$111,439,000; of which not to
19 exceed \$6,000 for official reception and representation ex-
20 penses; not to exceed \$50,000 for cooperative research and
21 development programs for laboratory services; and provi-
22 sion of laboratory assistance to State and local agencies
23 with or without reimbursement: *Provided*, That of the
24 amount appropriated under this heading, \$5,000,000 shall
25 be for the costs of accelerating the processing of formula

1 and label applications: *Provided further*, That of the
2 amount appropriated under this heading, \$5,000,000, to
3 remain available until September 30, 2019, shall be for
4 the costs associated with enforcement of the trade practice
5 provisions of the Federal Alcohol Administration Act (27
6 U.S.C. 201 et seq.).

7 UNITED STATES MINT

8 UNITED STATES MINT PUBLIC ENTERPRISE FUND

9 Pursuant to section 5136 of title 31, United States
10 Code, the United States Mint is provided funding through
11 the United States Mint Public Enterprise Fund for costs
12 associated with the production of circulating coins, numis-
13 matic coins, and protective services, including both oper-
14 ating expenses and capital investments: *Provided*, That
15 the aggregate amount of new liabilities and obligations in-
16 curred during fiscal year 2018 under such section 5136
17 for circulating coinage and protective service capital in-
18 vestments of the United States Mint shall not exceed
19 \$30,000,000.

20 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

21 FUND PROGRAM ACCOUNT

22 To carry out the Riegle Community Development and
23 Regulatory Improvement Act of 1994 (subtitle A of title
24 I of Public Law 103–325), including services authorized
25 by section 3109 of title 5, United States Code, but at rates

1 for individuals not to exceed the per diem rate equivalent
2 to the rate for EX-3, \$190,000,000 (increased by
3 \$1,000,000). Of the amount appropriated under this head-
4 ing—

5 (1) not less than \$137,000,000, notwith-
6 standing section 108(e) of Public Law 103-325 (12
7 U.S.C. 4707(e)) with regard to Small and/or Emerg-
8 ing Community Development Financial Institutions
9 Assistance awards, and section 108(d) of Public Law
10 103-325 (12 U.S.C. 4707(d)) shall not apply with
11 respect to financial assistance in the form of direct
12 loans, is available until September 30, 2019, for fi-
13 nancial assistance and technical assistance under
14 subparagraphs (A) and (B) of section 108(a)(1), re-
15 spectively, of Public Law 103-325 (12 U.S.C.
16 4707(a)(1)(A) and (B)), of which up to \$5,896,000
17 may be used for the cost of direct loans, and of
18 which up to \$3,000,000, subsection (d) of section
19 108 of Public Law 103-325 (12 U.S.C. 4707 (d))
20 shall not apply to the use of such funds, may be
21 available to provide financial assistance, technical as-
22 sistance, training and outreach to community devel-
23 opment financial institutions to expand investments
24 that benefit individuals with disabilities: *Provided*,
25 That the cost of direct and guaranteed loans, includ-

1 ing the cost of modifying such loans, shall be as de-
2 fined in section 502 of the Congressional Budget Act
3 of 1974: *Provided further*, That these funds are
4 available to subsidize gross obligations for the prin-
5 cipal amount of direct loans not to exceed
6 \$50,000,000;

7 (2) not less than \$15,000,000 (increased by
8 \$1,000,000), notwithstanding section 108(e) of Pub-
9 lic Law 103–325 (12 U.S.C. 4707(e)), is available
10 until September 30, 2019, for financial assistance,
11 technical assistance, training and outreach programs
12 designed to benefit Native American, Native Hawai-
13 ian, and Native Alaskan communities and provided
14 primarily through qualified community development
15 lender organizations with experience and expertise in
16 community development banking and lending in In-
17 dian country, Native American organizations, tribes
18 and tribal organizations, and other suitable pro-
19 viders;

20 (3) not less than \$15,000,000 is available until
21 September 30, 2019, for the Bank Enterprise Award
22 program;

23 (4) up to \$23,000,000 is available until Sep-
24 tember 30, 2018, for administrative expenses, in-
25 cluding administration of CDFI fund programs and

1 the New Markets Tax Credit Program, of which not
2 less than \$1,000,000 is for development of tools to
3 better assess and inform CDFI investment perform-
4 ance, and up to \$300,000 is for administrative ex-
5 penses to carry out the direct loan program; and

6 (5) during fiscal year 2018, none of the funds
7 available under this heading are available for the
8 cost, as defined in section 502 of the Congressional
9 Budget Act of 1974, of commitments to guarantee
10 bonds and notes under section 114A of the Riegle
11 Community Development and Regulatory Improve-
12 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
13 That commitments to guarantee bonds and notes
14 under such section 114A shall not exceed
15 \$500,000,000: *Provided further*, That such section
16 114A shall remain in effect until September 30,
17 2018: *Provided further*, That of the funds awarded
18 under this heading, not less than 10 percent shall be
19 used for awards that support investments that serve
20 populations living in persistent poverty counties:
21 *Provided further*, That for purposes of this section,
22 the term “persistent poverty counties” means any
23 county that has had 20 percent or more of its popu-
24 lation living in poverty over the past 30 years, as
25 measured by the 1990 and 2000 decennial censuses

1 and the most recent series of 5-year data available
2 from the American Community Survey from the
3 Census Bureau.

4 INTERNAL REVENUE SERVICE

5 TAXPAYER SERVICES

6 For necessary expenses of the Internal Revenue Serv-
7 ice to provide taxpayer services, including pre-filing assist-
8 ance and education, filing and account services, taxpayer
9 advocacy services, and other services as authorized by 5
10 U.S.C. 3109, at such rates as may be determined by the
11 Commissioner, \$2,315,754,000, of which \$8,890,000 (in-
12 creased by \$1,000,000) shall be for the Tax Counseling
13 for the Elderly Program; of which \$12,000,000 shall be
14 available for low-income taxpayer clinic grants; of which
15 \$15,000,000, to remain available until September 30,
16 2019, shall be available for a Community Volunteer In-
17 come Tax Assistance matching grants program for tax re-
18 turn preparation assistance, of which not less than
19 \$206,000,000 shall be available for operating expenses of
20 the Taxpayer Advocate Service: *Provided*, That of the
21 amounts made available for the Taxpayer Advocate Serv-
22 ice, not less than \$5,000,000 (increased by \$500,000)
23 shall be for identity theft casework.

1 ENFORCEMENT

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
9 as authorized by 5 U.S.C. 3109, at such rates as may be
10 determined by the Commissioner, \$4,810,000,000 (re-
11 duced by \$6,000,000), of which not to exceed \$50,000,000
12 shall remain available until September 30, 2019, and of
13 which not less than \$60,257,000 shall be for the Inter-
14 agency Crime and Drug Enforcement program.

15 OPERATIONS SUPPORT

16 For necessary expenses of the Internal Revenue Serv-
17 ice to support taxpayer services and enforcement pro-
18 grams, including rent payments; facilities services; print-
19 ing; postage; physical security; headquarters and other
20 IRS-wide administration activities; research and statistics
21 of income; telecommunications; information technology de-
22 velopment, enhancement, operations, maintenance, and se-
23 curity; the hire of passenger motor vehicles (31 U.S.C.
24 1343(b)); the operations of the Internal Revenue Service
25 Oversight Board; and other services as authorized by 5

1 U.S.C. 3109, at such rates as may be determined by the
2 Commissioner; \$3,850,189,000 (reduced by \$1,000,000)
3 (increased by \$1,000,000) (reduced by \$1,000,000), of
4 which not to exceed \$50,000,000 shall remain available
5 until September 30, 2019; of which not to exceed
6 \$10,000,000 shall remain available until expended for ac-
7 quisition of equipment and construction, repair and ren-
8 ovation of facilities; of which not to exceed \$1,000,000
9 shall remain available until September 30, 2020, for re-
10 search; of which not to exceed \$20,000 shall be for official
11 reception and representation expenses: *Provided*, That not
12 later than 30 days after the end of each quarter, the Inter-
13 nal Revenue Service shall submit a report to the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate and the Comptroller General of the United
16 States detailing the cost and schedule performance for its
17 major information technology investments, including the
18 purpose and life-cycle stages of the investments; the rea-
19 sons for any cost and schedule variances; the risks of such
20 investments and strategies the Internal Revenue Service
21 is using to mitigate such risks; and the expected develop-
22 mental milestones to be achieved and costs to be incurred
23 in the next quarter: *Provided further*, That the Internal
24 Revenue Service shall include, in its budget justification
25 for fiscal year 2019, a summary of cost and schedule per-

1 formance information for its major information technology
2 systems.

3 BUSINESS SYSTEMS MODERNIZATION

4 For necessary expenses of the Internal Revenue Serv-
5 ice's business systems modernization program,
6 \$110,000,000, to remain available until September 30,
7 2020, for the capital asset acquisition of information tech-
8 nology systems, including management and related con-
9 tractual costs of said acquisitions, including related Inter-
10 nal Revenue Service labor costs, and contractual costs as-
11 sociated with operations authorized by 5 U.S.C. 3109:
12 *Provided*, That not later than 30 days after the end of
13 each quarter, the Internal Revenue Service shall submit
14 a report to the Committees on Appropriations of the
15 House of Representatives and the Senate and the Comp-
16 troller General of the United States detailing the cost and
17 schedule performance for CADE 2 and Return Renew
18 Program information technology investments, including
19 the purposes and life-cycle stages of the investments; the
20 reasons for any cost and schedule variances; the risks of
21 such investments and the strategies the Internal Revenue
22 Service is using to mitigate such risks; and the expected
23 developmental milestones to be achieved and costs to be
24 incurred 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 appropria-
5 tion made available in this Act to the Internal Revenue
6 Service may be transferred to any other Internal Revenue
7 Service appropriation upon the advance approval of the
8 Committees 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
12 with taxpayers, cross-cultural relations, ethics, and the im-
13 partial application of tax law.

14 SEC. 103. The Internal Revenue Service shall insti-
15 tute and enforce policies and procedures that will safe-
16 guard the confidentiality of taxpayer information and pro-
17 tect taxpayers 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.
22 The Commissioner shall continue to make improvements
23 to the Internal Revenue Service 1–800 help line service
24 a priority and allocate resources necessary to enhance the

1 response time to taxpayer communications, particularly
2 with regard to victims of tax-related crimes.

3 SEC. 105. None of the funds made available to the
4 Internal 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
8 the video.

9 SEC. 106. The Internal Revenue Service shall issue
10 a notice of confirmation of any address change relating
11 to an employer making employment tax payments, and
12 such notice shall be sent to both the employer's former
13 and new address and an officer or employee of the Internal
14 Revenue Service shall give special consideration to an
15 offer-in-compromise from a taxpayer who has been the vic-
16 tim of fraud by a third party payroll tax preparer.

17 SEC. 107. None of the funds made available under
18 this Act may be used by the Internal Revenue Service to
19 target citizens of the United States for exercising any
20 right guaranteed under the First Amendment to the Con-
21 stitution of 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
25 beliefs.

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 proce-
4 dures, verification processes, documentation requirements,
5 and policies issued by the Chief Financial Officer, Human
6 Capital Office, and Agency-Wide Shared Services as a re-
7 sult of the recommendations in the report published on
8 May 31, 2013, by the Treasury Inspector General for Tax
9 Administration entitled “Review of the August 2010 Small
10 Business/Self-Employed Division’s Conference in Ana-
11 heim, 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
18 process with respect to re-hiring a former employee,
19 unless such program or process takes into account
20 the conduct and Federal tax compliance of such em-
21 ployee or 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. None of the funds made available by this
2 Act may be used by the Internal Revenue Service to imple-
3 ment or enforce section 5000A of the Internal Revenue
4 Code of 1986, section 6055 of such Code, section 1502(c)
5 of the Patient Protection and Affordable Care Act (Public
6 Law 111–148), or any amendments made by section
7 1502(b) of such Act.

8 SEC. 113. Except to the extent provided in section
9 6014, 6020, or 6201(d) of the Internal Revenue Code of
10 1986, no funds in this or any other Act shall be available
11 to the Secretary of the Treasury to provide to any person
12 a proposed final return or statement for use by such per-
13 son to satisfy a filing or reporting requirement under such
14 Code.

15 SEC. 114. None of the funds made available by this
16 Act may be used by the Internal Revenue Service to imple-
17 ment or enforce Internal Revenue Service Notice 2017–
18 10 with respect to transactions entered into before Janu-
19 ary 23, 2017.

20 SEC. 115. None of the funds made available by this
21 Act may be used to finalize, implement, or enforce amend-
22 ments to Treasury Regulations proposed in the Notice of
23 Proposed Rulemaking in the Federal Register on August
24 4, 2016 (81 Fed. Reg. 51413) (relating to restrictions on
25 liquidation of an interest with respect to estate, gift, and

1 generation-skipping transfer taxes under section 2704 of
2 the Internal Revenue Code of 1986), or any substantially
3 similar amendments to such regulations.

4 SEC. 116. None of the funds made available by this
5 Act may be used by the Internal Revenue Service to make
6 a determination that a church, an integrated auxiliary of
7 a church, or a convention or association of churches is not
8 exempt from taxation for participating in, or intervening
9 in, any political campaign on behalf of (or in opposition
10 to) any candidate for public office unless—

11 (1) the Commissioner of Internal Revenue con-
12 sents to such determination;

13 (2) not later than 30 days after such deter-
14 mination, the Commissioner notifies the Committee
15 on Ways and Means of the House of Representatives
16 and the Committee on Finance of the Senate of such
17 determination; and

18 (3) such determination is effective with respect
19 to the church, integrated auxiliary of a church, or
20 convention or association of churches not earlier
21 than 90 days after the date of the notification under
22 paragraph (2).

1 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2 TREASURY
3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 117. Appropriations to the Department of the
5 Treasury in this Act shall be available for uniforms or al-
6 lowances therefor, as authorized by law (5 U.S.C. 5901),
7 including maintenance, repairs, and cleaning; purchase of
8 insurance for official motor vehicles operated in foreign
9 countries; purchase of motor vehicles without regard to the
10 general purchase price limitations for vehicles purchased
11 and used overseas for the current fiscal year; entering into
12 contracts with the Department of State for the furnishing
13 of health and medical services to employees and their de-
14 pendents serving in foreign countries; and services author-
15 ized by 5 U.S.C. 3109.

16 SEC. 118. Not to exceed 2 percent of any appropria-
17 tions in this title made available under the headings “De-
18 partmental Offices—Salaries and Expenses”, “Office of
19 Inspector General”, “Special Inspector General for the
20 Troubled Asset Relief Program”, “Financial Crimes En-
21 forcement Network”, “Bureau of the Fiscal Service”, and
22 “Alcohol and Tobacco Tax and Trade Bureau” may be
23 transferred between such appropriations upon the advance
24 approval of the Committees on Appropriations of the
25 House of Representatives and the Senate: *Provided*, That

1 no transfer under this section may increase or decrease
2 any such appropriation by more than 2 percent.

3 SEC. 119. Not to exceed 2 percent of any appropria-
4 tion made available in this Act to the Internal Revenue
5 Service may be transferred to the Treasury Inspector Gen-
6 eral for Tax Administration's appropriation upon the ad-
7 vance approval of the Committees on Appropriations of
8 the House of Representatives and the Senate: *Provided*,
9 That no transfer may increase or decrease any such appro-
10 priation by more than 2 percent.

11 SEC. 120. None of the funds appropriated in this Act
12 or otherwise available to the Department of the Treasury
13 or the Bureau of Engraving and Printing may be used
14 to redesign the \$1 Federal Reserve note.

15 SEC. 121. The Secretary of the Treasury may trans-
16 fer funds from the "Bureau of the Fiscal Service-Salaries
17 and Expenses" to the Debt Collection Fund as necessary
18 to cover the costs of debt collection: *Provided*, That such
19 amounts shall be reimbursed to such salaries and expenses
20 account from debt collections received in the Debt Collec-
21 tion Fund.

22 SEC. 122. None of the funds appropriated or other-
23 wise made available by this or any other Act may be used
24 by the United States Mint to construct or operate any mu-
25 seum without the explicit approval of the Committees on

1 Appropriations of the House of Representatives and the
2 Senate, the House Committee on Financial Services, and
3 the Senate Committee on Banking, Housing, and Urban
4 Affairs.

5 SEC. 123. None of the funds appropriated or other-
6 wise made available by this or any other Act or source
7 to the Department of the Treasury, the Bureau of Engrav-
8 ing and Printing, and the United States Mint, individually
9 or collectively, may be used to consolidate any or all func-
10 tions of the Bureau of Engraving and Printing and the
11 United States Mint without the explicit approval of the
12 House Committee on Financial Services; the Senate Com-
13 mittee on Banking, Housing, and Urban Affairs; and the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate.

16 SEC. 124. Funds appropriated by this Act, or made
17 available by the transfer of funds in this Act, for the De-
18 partment of the Treasury's intelligence or intelligence re-
19 lated activities are deemed to be specifically authorized by
20 the Congress for purposes of section 504 of the National
21 Security Act of 1947 (50 U.S.C. 414) during fiscal year
22 2018 until the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2018.

24 SEC. 125. Not to exceed \$5,000 shall be made avail-
25 able from the Bureau of Engraving and Printing's Indus-

1 trial Revolving Fund for necessary official reception and
2 representation expenses.

3 SEC. 126. The Secretary of the Treasury shall submit
4 a Capital Investment Plan to the Committees on Appro-
5 priations of the Senate and the House of Representatives
6 not later than 30 days following the submission of the an-
7 nual budget submitted by the President: *Provided*, That
8 such Capital Investment Plan shall include capital invest-
9 ment spending from all accounts within the Department
10 of the Treasury, including but not limited to the Depart-
11 ment-wide Systems and Capital Investment Programs ac-
12 count, Treasury Franchise Fund account, and the Treas-
13 ury Forfeiture Fund account: *Provided further*, That such
14 Capital Investment Plan shall include expenditures occur-
15 ring in previous fiscal years for each capital investment
16 project that has not been fully completed.

17 SEC. 127. (a) Not later than 60 days after the end
18 of each quarter, the Office of Financial Stability and the
19 Office of Financial Research shall submit reports on their
20 activities to the Committees on Appropriations of the
21 House of Representatives and the Senate, the Committee
22 on Financial Services of the House of Representatives and
23 the Senate Committee on Banking, Housing, and Urban
24 Affairs.

1 (b) The reports required under subsection (a) shall
2 include—

3 (1) the obligations made during the previous
4 quarter by object class, office, and activity;

5 (2) the estimated obligations for the remainder
6 of the fiscal year by object class, office, and activity;

7 (3) the number of full-time equivalents within
8 each office during the previous quarter;

9 (4) the estimated number of full-time equiva-
10 lents within each office for the remainder of the fis-
11 cal year; and

12 (5) actions taken to achieve the goals, objec-
13 tives, and performance measures of each office.

14 (c) At the request of any such Committees specified
15 in subsection (a), the Office of Financial Stability and the
16 Office of Financial Research shall make officials available
17 to testify on the contents of the reports required under
18 subsection (a).

19 SEC. 128. Within 45 days after the date of enactment
20 of this Act, the Secretary of the Treasury shall submit
21 an itemized report to the Committees on Appropriations
22 of the House of Representatives and the Senate on the
23 amount of total funds charged to each office by the Fran-
24 chise Fund including the amount charged for each service
25 provided by the Franchise Fund to each office, a detailed

1 description of the services, a detailed explanation of how
2 each charge for each service is calculated, and a descrip-
3 tion of the role customers have in governing in the Fran-
4 chise Fund.

5 SEC. 129. During fiscal year 2018—

6 (1) none of the funds made available in this or
7 any other Act may be used by the Department of
8 the Treasury, including the Internal Revenue Serv-
9 ice, to issue, revise, or finalize any regulation, rev-
10 enue ruling, or other guidance not limited to a par-
11 ticular taxpayer relating to the standard which is
12 used to determine whether an organization is oper-
13 ated exclusively for the promotion of social welfare
14 for purposes of section 501(c)(4) of the Internal
15 Revenue Code of 1986 (including the proposed regu-
16 lations published at 78 Fed. Reg. 71535 (November
17 29, 2013)); and

18 (2) the standard and definitions as in effect on
19 January 1, 2010, which are used to make such de-
20 terminations shall apply after the date of the enact-
21 ment of this Act for purposes of determining status
22 under section 501(c)(4) of such Code of organiza-
23 tions created on, before, or after such date.

24 SEC. 130. (a) None of the funds made available by
25 this Act may be used to approve, license, facilitate, author-

1 ize, or otherwise allow the use, purchase, trafficking, or
2 import of property confiscated by the Cuban Government.

3 (b) In this section, the terms “confiscated”, “Cuban
4 Government”, “property”, and “traffic” have the mean-
5 ings given such terms in paragraphs (4), (5), (12)(A), and
6 (13), respectively, of section 4 of the Cuban Liberty and
7 Democratic Solidarity (LIBERTAD) Act of 1996 (22
8 U.S.C. 6023).

9 SEC. 131. (a) None of the funds made available in
10 this Act may be used to authorize a general license or ap-
11 prove a specific license under section 501.801 or 515.527
12 of title 31, Code of Federal Regulations, with respect to
13 a mark, trade name, or commercial name that is the same
14 as or substantially similar to a mark, trade name, or com-
15 mercial name that was used in connection with a business
16 or assets that were confiscated unless the original owner
17 of the mark, trade name, or commercial name, or the
18 bona-fide successor-in-interest has expressly consented.

19 (b) In this section, the term “confiscated” has a
20 meaning given such term in section 4(4) of the Cuban Lib-
21 erty and Democratic Solidarity (LIBERTAD) Act of 1996
22 (22 U.S.C. 6023(4)).

23 SEC. 132. Notwithstanding paragraph (2) of section
24 402(e) of the Helping Families Save their Homes Act of
25 2009, in utilizing funds made available by paragraph (1)

1 of section 402(c) of such Act, the Special Inspector Gen-
2 eral for the Troubled Asset Relief Program shall prioritize
3 the performance of audits or investigations of any pro-
4 gram that is funded in whole or in part by funds appro-
5 priated under the Emergency Economic Stabilization Act
6 of 2008, to the extent that such priority is consistent with
7 other aspects of the mission of the Special Inspector Gen-
8 eral.

9 SEC. 133. None of the funds appropriated or other-
10 wise made available in this Act may be obligated or ex-
11 pended to provide for the enforcement of any rule, regula-
12 tion, policy, or guideline implemented pursuant to the De-
13 partment of the Treasury “Guidance for United States
14 Positions on MDBs Engaging with Developing Countries
15 on Coal-Fired Power Generation” dated October 29, 2013,
16 when enforcement of such rule, regulation, policy, or
17 guideline would prohibit or have the effect of prohibiting,
18 the carrying out of any coal-fired or other power genera-
19 tion project the purpose of which is to increase exports
20 of goods and services from the United States or prevent
21 the loss of jobs from the United States.

22 This title may be cited as the “Department of the
23 Treasury Appropriations Act, 2018”.

1 TITLE II
2 EXECUTIVE OFFICE OF THE PRESIDENT AND
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 THE WHITE HOUSE
5 SALARIES AND EXPENSES

6 For necessary expenses for the White House as au-
7 thorized by law, including not to exceed \$3,850,000 for
8 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
9 subsistence expenses as authorized by 3 U.S.C. 105, which
10 shall be expended and accounted for as provided in that
11 section; hire of passenger motor vehicles, and travel (not
12 to exceed \$100,000 to be expended and accounted for as
13 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
14 official reception and representation expenses, to be avail-
15 able for allocation within the Executive Office of the Presi-
16 dent; and for necessary expenses of the Office of Policy
17 Development, including services as authorized by 5 U.S.C.
18 3109 and 3 U.S.C. 107, \$55,000,000.

19 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20 OPERATING EXPENSES

21 For necessary expenses of the Executive Residence
22 at the White House, \$12,917,000, to be expended and ac-
23 counted for as provided by 3 U.S.C. 105, 109, 110, and
24 112–114.

1 REIMBURSABLE EXPENSES

2 For the reimbursable expenses of the Executive Resi-
3 dence at the White House, such sums as may be nec-
4 essary: *Provided*, That all reimbursable operating expenses
5 of the Executive Residence shall be made in accordance
6 with the provisions of this paragraph: *Provided further*,
7 That, notwithstanding any other provision of law, such
8 amount for reimbursable operating expenses shall be the
9 exclusive authority of the Executive Residence to incur ob-
10 ligations and to receive offsetting collections, for such ex-
11 penses: *Provided further*, That the Executive Residence
12 shall require each person sponsoring a reimbursable polit-
13 ical event to pay in advance an amount equal to the esti-
14 mated cost of the event, and all such advance payments
15 shall be credited to this account and remain available until
16 expended: *Provided further*, That the Executive Residence
17 shall require the national committee of the political party
18 of the President to maintain on deposit \$25,000, to be
19 separately accounted for and available for expenses relat-
20 ing to reimbursable political events sponsored by such
21 committee during such fiscal year: *Provided further*, That
22 the Executive Residence shall ensure that a written notice
23 of any amount owed for a reimbursable operating expense
24 under this paragraph is submitted to the person owing
25 such amount within 60 days after such expense is in-

1 curred, and that such amount is collected within 30 days
2 after the submission of such notice: *Provided further*, That
3 the Executive Residence shall charge interest and assess
4 penalties and other charges on any such amount that is
5 not reimbursed within such 30 days, in accordance with
6 the interest and penalty provisions applicable to an out-
7 standing debt on a United States Government claim under
8 31 U.S.C. 3717: *Provided further*, That each such amount
9 that is reimbursed, and any accompanying interest and
10 charges, shall be deposited in the Treasury as miscella-
11 neous receipts: *Provided further*, That the Executive Resi-
12 dence shall prepare and submit to the Committees on Ap-
13 propriations, by not later than 90 days after the end of
14 the fiscal year covered by this Act, a report setting forth
15 the reimbursable operating expenses of the Executive Res-
16 idence during the preceding fiscal year, including the total
17 amount of such expenses, the amount of such total that
18 consists of reimbursable official and ceremonial events, the
19 amount of such total that consists of reimbursable political
20 events, and the portion of each such amount that has been
21 reimbursed as of the date of the report: *Provided further*,
22 That the Executive Residence shall maintain a system for
23 the tracking of expenses related to reimbursable events
24 within the Executive Residence that includes a standard
25 for the classification of any such expense as political or

1 nonpolitical: *Provided further*, That no provision of this
2 paragraph may be construed to exempt the Executive Res-
3 idence from any other applicable requirement of sub-
4 chapter I or II of chapter 37 of title 31, United States
5 Code.

6 WHITE HOUSE REPAIR AND RESTORATION

7 For the repair, alteration, and improvement of the
8 Executive Residence at the White House pursuant to 3
9 U.S.C. 105(d), \$750,000, to remain available until ex-
10 pended, for required maintenance, resolution of safety and
11 health issues, and continued preventative maintenance.

12 COUNCIL OF ECONOMIC ADVISERS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Council of Economic
15 Advisers in carrying out its functions under the Employ-
16 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.

17 NATIONAL SECURITY COUNCIL AND HOMELAND

18 SECURITY COUNCIL

19 SALARIES AND EXPENSES

20 For necessary expenses of the National Security
21 Council and the Homeland Security Council, including
22 services as authorized by 5 U.S.C. 3109, \$11,800,000.

1 OFFICE OF ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Administra-
4 tion, including services as authorized by 5 U.S.C. 3109
5 and 3 U.S.C. 107, and hire of passenger motor vehicles,
6 \$100,000,000, of which not to exceed \$12,800,000 shall
7 remain available until expended for continued moderniza-
8 tion of information resources within the Executive Office
9 of the President.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management
13 and Budget, including hire of passenger motor vehicles
14 and services as authorized by 5 U.S.C. 3109, to carry out
15 the provisions of chapter 35 of title 44, United States
16 Code, and to prepare and submit the budget of the United
17 States Government, in accordance with section 1105(a) of
18 title 31, United States Code, \$100,000,000, of which not
19 to exceed \$3,000 shall be available for official representa-
20 tion expenses: *Provided*, That none of the funds appro-
21 priated in this Act for the Office of Management and
22 Budget may be used for the purpose of reviewing any agri-
23 cultural marketing orders or any activities or regulations
24 under the provisions of the Agricultural Marketing Agree-
25 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,

1 That none of the funds made available for the Office of
2 Management and Budget by this Act may be expended for
3 the altering of the transcript of actual testimony of wit-
4 nesses, except for testimony of officials of the Office of
5 Management and Budget, before the Committees on Ap-
6 propriations or their subcommittees: *Provided further,*
7 That of the funds made available for the Office of Man-
8 agement and Budget by this Act, no less than three full-
9 time equivalent senior staff position shall be dedicated
10 solely to the Office of the Intellectual Property Enforce-
11 ment Coordinator: *Provided further,* That none of the
12 funds provided in this or prior Acts shall be used, directly
13 or indirectly, by the Office of Management and Budget,
14 for evaluating or determining if water resource project or
15 study reports submitted by the Chief of Engineers acting
16 through the Secretary of the Army are in compliance with
17 all applicable laws, regulations, and requirements relevant
18 to the Civil Works water resource planning process: *Pro-*
19 *vided further,* That the Office of Management and Budget
20 shall have not more than 60 days in which to perform
21 budgetary policy reviews of water resource matters on
22 which the Chief of Engineers has reported: *Provided fur-*
23 *ther,* That the Director of the Office of Management and
24 Budget shall notify the appropriate authorizing and ap-
25 propriating committees when the 60-day review is initi-

1 ated: *Provided further*, That if water resource reports have
2 not been transmitted to the appropriate authorizing and
3 appropriating committees within 15 days after the end of
4 the Office of Management and Budget review period based
5 on the notification from the Director, Congress shall as-
6 sume Office of Management and Budget concurrence with
7 the report and act accordingly.

8 OFFICE OF NATIONAL DRUG CONTROL POLICY
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of National
11 Drug Control Policy; for research activities pursuant to
12 the Office of National Drug Control Policy Reauthoriza-
13 tion Act of 2006 (Public Law 109–469); not to exceed
14 \$10,000 for official reception and representation expenses;
15 and for participation in joint projects or in the provision
16 of services on matters of mutual interest with nonprofit,
17 research, or public organizations or agencies, with or with-
18 out reimbursement, \$18,400,000 (increased by \$874,000):
19 *Provided*, That the Office is authorized to accept, hold,
20 administer, and utilize gifts, both real and personal, public
21 and private, without fiscal year limitation, for the purpose
22 of aiding or facilitating the work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS
2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy’s High Intensity Drug Trafficking
6 Areas Program, \$254,000,000 (increased by \$10,000,000)
7 (increased by \$5,000,000) (increased by \$6,000,000), to
8 remain available until September 30, 2019, for drug con-
9 trol activities consistent with the approved strategy for
10 each of the designated High Intensity Drug Trafficking
11 Areas (“HIDTAs”), of which not less than 51 percent
12 shall be transferred to State and local entities for drug
13 control activities and shall be obligated not later than 120
14 days after enactment of this Act: *Provided*, That up to
15 49 percent may be transferred to Federal agencies and
16 departments in amounts determined by the Director of the
17 Office of National Drug Control Policy, of which up to
18 \$2,700,000 may be used for auditing services and associ-
19 ated activities: *Provided further*, That, notwithstanding
20 the requirements of Public Law 106–58, any unexpended
21 funds obligated prior to fiscal year 2016 may be used for
22 any other approved activities of that HIDTA, subject to
23 reprogramming requirements: *Provided further*, That each
24 HIDTA designated as of September 30, 2017, shall be
25 funded at not less than the fiscal year 2017 base level,

1 unless the Director submits to the Committees on Appro-
2 priations of the House of Representatives and the Senate
3 justification for changes to those levels based on clearly
4 articulated priorities and published Office of National
5 Drug Control Policy performance measures of effective-
6 ness: *Provided further*, That the Director shall notify the
7 Committees on Appropriations of the initial allocation of
8 fiscal year 2018 funding among HIDTAs not later than
9 45 days after enactment of this Act, and shall notify the
10 Committees of planned uses of discretionary HIDTA
11 funding, as determined in consultation with the HIDTA
12 Directors, not later than 90 days after enactment of this
13 Act: *Provided further*, That upon a determination that all
14 or part of the funds so transferred from this appropriation
15 are not necessary for the purposes provided herein and
16 upon notification to the Committees on Appropriations of
17 the House of Representatives and the Senate, such
18 amounts may be transferred back to this appropriation.

19 OTHER FEDERAL DRUG CONTROL PROGRAMS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For other drug control activities authorized by the
22 Office of National Drug Control Policy Reauthorization
23 Act of 2006 (Public Law 109–469), \$108,843,000 (in-
24 creased by \$6,028,000), to remain available until ex-
25 pended, which shall be available as follows: \$91,000,000

1 for the Drug-Free Communities Program, of which
2 \$2,000,000 shall be made available as directed by section
3 4 of Public Law 107–82, as amended by Public Law 109–
4 469 (21 U.S.C. 1521 note); \$2,000,000 for drug court
5 training and technical assistance; \$9,500,000 for anti-
6 doping activities; \$2,343,000 for the United States mem-
7 bership dues to the World Anti-Doping Agency;
8 \$1,000,000 shall be made available as directed by section
9 1105 of Public Law 109–469; and \$3,000,000, to remain
10 available until expended, shall be for activities authorized
11 by section 103 of Public Law 114–198: *Provided*, That
12 amounts made available under this heading may be trans-
13 ferred to other Federal departments and agencies to carry
14 out such activities.

15 UNANTICIPATED NEEDS

16 For expenses necessary to enable the President to
17 meet unanticipated needs, in furtherance of the national
18 interest, security, or defense which may arise at home or
19 abroad during the current fiscal year, as authorized by
20 3 U.S.C. 108, \$798,000, to remain available until Sep-
21 tember 30, 2019.

22 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM 23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for the furtherance of inte-
25 grated, efficient, secure, and effective uses of information

1 technology in the Federal Government, \$20,000,000, to
2 remain available until expended: *Provided*, That the Direc-
3 tor of the Office of Management and Budget may transfer
4 these funds to one or more other agencies to carry out
5 projects to meet these purposes.

6 SPECIAL ASSISTANCE TO THE PRESIDENT

7 SALARIES AND EXPENSES

8 For necessary expenses to enable the Vice President
9 to provide assistance to the President in connection with
10 specially assigned functions; services as authorized by 5
11 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
12 penses as authorized by 3 U.S.C. 106, which shall be ex-
13 pended and accounted for as provided in that section; and
14 hire of passenger motor vehicles, \$4,288,000.

15 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

16 OPERATING EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For the care, operation, refurnishing, improvement,
19 and to the extent not otherwise provided for, heating and
20 lighting, including electric power and fixtures, of the offi-
21 cial residence of the Vice President; the hire of passenger
22 motor vehicles; and not to exceed \$90,000 pursuant to 3
23 U.S.C. 106(b)(2), \$302,000: *Provided*, That advances, re-
24 payments, or transfers from this appropriation may be

1 made to any department or agency for expenses of car-
2 rying out such activities.

3 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
4 THE PRESIDENT AND FUNDS APPROPRIATED TO
5 THE PRESIDENT

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 201. From funds made available in this Act
8 under the headings “The White House”, “Executive Resi-
9 dence at the White House”, “White House Repair and
10 Restoration”, “Council of Economic Advisers”, “National
11 Security Council and Homeland Security Council”, “Of-
12 fice of Administration”, “Special Assistance to the Presi-
13 dent”, and “Official Residence of the Vice President”, the
14 Director of the Office of Management and Budget (or
15 such other officer as the President may designate in writ-
16 ing), may, with advance approval of the Committees on
17 Appropriations of the House of Representatives and the
18 Senate, transfer not to exceed 10 percent of any such ap-
19 propriation to any other such appropriation, to be merged
20 with and available for the same time and for the same
21 purposes as the appropriation to which transferred: *Pro-*
22 *vided*, That the amount of an appropriation shall not be
23 increased by more than 50 percent by such transfers: *Pro-*
24 *vided further*, That no amount shall be transferred from
25 “Special Assistance to the President” or “Official Resi-

1 dence of the Vice President” without the approval of the
2 Vice President.

3 SEC. 202. Within 90 days after the date of enactment
4 of this section, the Director of the Office of Management
5 and Budget shall submit a report to the Committees on
6 Appropriations of the House of Representatives and the
7 Senate on the costs of implementing the Dodd-Frank Wall
8 Street Reform and Consumer Protection Act (Public Law
9 111–203). Such report shall include—

10 (1) the estimated mandatory and discretionary
11 obligations of funds through fiscal year 2019, by
12 Federal agency and by fiscal year, including—

13 (A) the estimated obligations by cost in-
14 puts such as rent, information technology, con-
15 tracts, and personnel;

16 (B) the methodology and data sources used
17 to calculate such estimated obligations; and

18 (C) the specific section of such Act that re-
19 quires the obligation of funds; and

20 (2) the estimated receipts through fiscal year
21 2019 from assessments, user fees, and other fees by
22 the Federal agency making the collections, by fiscal
23 year, including—

24 (A) the methodology and data sources used
25 to calculate such estimated collections; and

1 (B) the specific section of such Act that
2 authorizes the collection of funds.

3 SEC. 203. (a) During fiscal year 2018, any Executive
4 order or Presidential memorandum issued or revoked by
5 the President shall be accompanied by a written statement
6 from the Director of the Office of Management and Budg-
7 et on the budgetary impact, including costs, benefits, and
8 revenues, of such order or memorandum.

9 (b) Any such statement shall include—

10 (1) a narrative summary of the budgetary im-
11 pact of such order or memorandum on the Federal
12 Government;

13 (2) the impact on mandatory and discretionary
14 obligations and outlays as the result of such order
15 or memorandum, listed by Federal agency, for each
16 year in the 5-fiscal-year period beginning in fiscal
17 year 2018; and

18 (3) the impact on revenues of the Federal Gov-
19 ernment as the result of such order or memorandum
20 over the 5-fiscal-year period beginning in fiscal year
21 2018.

22 (c) If an Executive order or Presidential memo-
23 randum is issued during fiscal year 2018 due to a national
24 emergency, the Director of the Office of Management and
25 Budget may issue the statement required by subsection

1 (a) not later than 15 days after the date that such order
2 or memorandum is issued.

3 (d) The requirement for cost estimates for Presi-
4 dential memoranda shall only apply for Presidential
5 memoranda estimated to have a regulatory cost in excess
6 of \$100,000,000.

7 This title may be cited as the “Executive Office of
8 the President Appropriations Act, 2018”.

9 TITLE III

10 THE JUDICIARY

11 SUPREME COURT OF THE UNITED STATES

12 SALARIES AND EXPENSES

13 For expenses necessary for the operation of the Su-
14 preme Court, as required by law, excluding care of the
15 building and grounds, including hire of passenger motor
16 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
17 to exceed \$10,000 for official reception and representation
18 expenses; and for miscellaneous expenses, to be expended
19 as the Chief Justice may approve, \$78,538,000, of which
20 \$1,500,000 shall remain available until expended.

21 In addition, there are appropriated such sums as may
22 be necessary under current law for the salaries of the chief
23 justice and associate justices of the court.

1 CARE OF THE BUILDING AND GROUNDS

2 For such expenditures as may be necessary to enable
3 the Architect of the Capitol to carry out the duties im-
4 posed upon the Architect by 40 U.S.C. 6111 and 6112,
5 \$15,000,000, to remain available until expended.

6 UNITED STATES COURT OF APPEALS FOR THE FEDERAL

7 CIRCUIT

8 SALARIES AND EXPENSES

9 For salaries of officers and employees, and for nec-
10 essary expenses of the court, as authorized by law,
11 \$30,592,000.

12 In addition, there are appropriated such sums as may
13 be necessary under current law for the salaries of the chief
14 judge and judges of the court.

15 UNITED STATES COURT OF INTERNATIONAL TRADE

16 SALARIES AND EXPENSES

17 For salaries of officers and employees of the court,
18 services, and necessary expenses of the court, as author-
19 ized by law, \$18,556,000.

20 In addition, there are appropriated such sums as may
21 be necessary under current law for the salaries of the chief
22 judge and judges of the court.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of judges of the United States Court
5 of Federal Claims, magistrate judges, and all other offi-
6 cers and employees of the Federal Judiciary not otherwise
7 specifically provided for, necessary expenses of the courts,
8 and the purchase, rental, repair, and cleaning of uniforms
9 for Probation and Pretrial Services Office staff, as author-
10 ized by law, \$5,082,710,000 (reduced by \$5,000,000) (in-
11 cluding the purchase of firearms and ammunition); of
12 which not to exceed \$27,817,000 shall remain available
13 until expended for space alteration projects and for fur-
14 niture and furnishings related to new space alteration and
15 construction projects.

16 In addition, there are appropriated such sums as may
17 be necessary under current law for the salaries of circuit
18 and district judges (including judges of the territorial
19 courts of the United States), bankruptcy judges, and jus-
20 tices and judges retired from office or from regular active
21 service.

22 In addition, for expenses of the United States Court
23 of Federal Claims associated with processing cases under
24 the National Childhood Vaccine Injury Act of 1986 (Pub-
25 lic Law 99–660), not to exceed \$7,366,000, to be appro-

1 priated from the Vaccine Injury Compensation Trust
2 Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Defender organizations;
5 the compensation and reimbursement of expenses of attor-
6 neys appointed to represent persons under 18 U.S.C.
7 3006A and 3599, and for the compensation and reim-
8 bursement of expenses of persons furnishing investigative,
9 expert, and other services for such representations as au-
10 thorized by law; the compensation (in accordance with the
11 maximums under 18 U.S.C. 3006A) and reimbursement
12 of expenses of attorneys appointed to assist the court in
13 criminal cases where the defendant has waived representa-
14 tion by counsel; the compensation and reimbursement of
15 expenses of attorneys appointed to represent jurors in civil
16 actions for the protection of their employment, as author-
17 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
18 bursement of expenses of attorneys appointed under 18
19 U.S.C. 983(b)(1) in connection with certain judicial civil
20 forfeiture proceedings; the compensation and reimburse-
21 ment of travel expenses of guardians ad litem appointed
22 under 18 U.S.C. 4100(b); and for necessary training and
23 general administrative expenses, \$1,110,375,000 to re-
24 main available until expended.

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$39,929,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under 5 U.S.C.
11 5332.

12 COURT SECURITY

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses, not otherwise provided for,
15 incident to the provision of protective guard services for
16 United States courthouses and other facilities housing
17 Federal court operations, and the procurement, installa-
18 tion, and maintenance of security systems and equipment
19 for United States courthouses and other facilities housing
20 Federal court operations, including building ingress-egress
21 control, inspection of mail and packages, directed security
22 patrols, perimeter security, basic security services provided
23 by the Federal Protective Service, and other similar activi-
24 ties as authorized by section 1010 of the Judicial Improve-
25 ment and Access to Justice Act (Public Law 100-702),

1 \$574,593,000, of which not to exceed \$20,000,000 shall
2 remain available until expended, to be expended directly
3 or transferred to the United States Marshals Service,
4 which shall be responsible for administering the Judicial
5 Facility Security Program consistent with standards or
6 guidelines agreed to by the Director of the Administrative
7 Office of the United States Courts and the Attorney Gen-
8 eral.

9 ADMINISTRATIVE OFFICE OF THE UNITED STATES

10 COURTS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Administrative Office
13 of the United States Courts as authorized by law, includ-
14 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
15 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
16 advertising and rent in the District of Columbia and else-
17 where, \$87,920,000, of which not to exceed \$8,500 is au-
18 thorized for official reception and representation expenses.

19 FEDERAL JUDICIAL CENTER

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Judicial Cen-
22 ter, as authorized by Public Law 90-219, \$28,708,000;
23 of which \$1,800,000 shall remain available through Sep-
24 tember 30, 2019, to provide education and training to
25 Federal court personnel; and of which not to exceed

1 \$1,500 is authorized for official reception and representa-
2 tion expenses.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
6 the provisions of chapter 58 of title 28, United States
7 Code, \$18,338,000, of which not to exceed \$1,000 is au-
8 thorized for official reception and representation expenses.

9 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 301. Appropriations and authorizations made in
12 this title which are available for salaries and expenses shall
13 be available for services as authorized by 5 U.S.C. 3109.

14 SEC. 302. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the Judi-
16 ciary in this Act may be transferred between such appropria-
17 tions, but no such appropriation, except “Courts of
18 Appeals, District Courts, and Other Judicial Services, De-
19 fender Services” and “Courts of Appeals, District Courts,
20 and Other Judicial Services, Fees of Jurors and Commis-
21 sioners”, shall be increased by more than 10 percent by
22 any such transfers: *Provided*, That any transfer pursuant
23 to this section shall be treated as a reprogramming of
24 funds under sections 604 and 608 of this Act and shall

1 not be available for obligation or expenditure except in
2 compliance with the procedures set forth in section 608.

3 SEC. 303. Notwithstanding any other provision of
4 law, the salaries and expenses appropriation for “Courts
5 of Appeals, District Courts, and Other Judicial Services”
6 shall be available for official reception and representation
7 expenses of the Judicial Conference of the United States:
8 *Provided*, That such available funds shall not exceed
9 \$11,000 and shall be administered by the Director of the
10 Administrative Office of the United States Courts in the
11 capacity as Secretary of the Judicial Conference.

12 SEC. 304. Section 3315(a) of title 40, United States
13 Code, shall be applied by substituting “Federal” for “exec-
14 utive” each place it appears.

15 SEC. 305. In accordance with 28 U.S.C. 561–569,
16 and notwithstanding any other provision of law, the
17 United States Marshals Service shall provide, for such
18 courthouses as its Director may designate in consultation
19 with the Director of the Administrative Office of the
20 United States Courts, for purposes of a pilot program, the
21 security services that 40 U.S.C. 1315 authorizes the De-
22 partment of Homeland Security to provide, except for the
23 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
24 ing-specific security services at these courthouses, the Di-
25 rector of the Administrative Office of the United States

1 Courts shall reimburse the United States Marshals Service
2 rather than the Department of Homeland Security.

3 SEC. 306. (a) Section 203(c) of the Judicial Improve-
4 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
5 note), is amended in the second sentence (relating to the
6 District of Kansas) following paragraph (12), by striking
7 “26 years and 6 months” and inserting “27 years and
8 6 months”.

9 (b) Section 406 of the Transportation, Treasury,
10 Housing and Urban Development, the Judiciary, the Dis-
11 trict of Columbia, and Independent Agencies Appropria-
12 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
13 28 U.S.C. 133 note) is amended in the second sentence
14 (relating to the eastern District of Missouri) by striking
15 “24 years and 6 months” and inserting “25 years and
16 6 months”.

17 (c) Section 312(c)(2) of the 21st Century Depart-
18 ment of Justice Appropriations Authorization Act (Public
19 Law 107–273; 28 U.S.C. 133 note), is amended—

20 (1) in the first sentence by inserting after “ex-
21 cept in the case of” the following: “the northern dis-
22 trict of Alabama,”;

23 (2) in the first sentence by inserting after “the
24 central district of California” the following: “,”;

1 (3) in the first sentence by striking “15 years”
2 and inserting “16 years”;

3 (4) by adding at the end of the first sentence
4 the following: “The first vacancy in the office of dis-
5 trict judge in the district of Alabama occurring 15
6 years or more after the confirmation date of the
7 judge named to fill the temporary district judgeship
8 created in that district by this subsection, shall not
9 be filled.”;

10 (5) in the third sentence (relating to the central
11 District of California), by striking “14 years and 6
12 months” and inserting “15 years and 6 months”;
13 and

14 (6) in the fourth sentence (relating to the west-
15 ern district of North Carolina), by striking “13
16 years” and inserting “14 years”.

17 SEC. 307. (a) Section 2(a)(2)(C)(i) of the Temporary
18 Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.
19 152 note; Public Law 112–121 as amended) is amended
20 by striking “6 years” and inserting “7 years”.

21 (b) Section 2(a)(2)(D)(i) of the Temporary Bank-
22 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
23 note; Public Law 112–121 as amended) is amended by
24 striking “6 years” and inserting “7 years”.

1 (c) Section 2(a)(2)(F)(i) of the Temporary Bank-
2 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
3 note; Public Law 112–121 as amended) is amended by
4 striking “6 years” and inserting “7 years”.

5 (d) Section 2(a)(2)(G)(i) of the Temporary Bank-
6 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
7 note; Public Law 112–121 as amended) is amended by
8 striking “6 years” and inserting “7 years”.

9 (e) Section 2(a)(2)(H)(i) of the Temporary Bank-
10 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
11 note; Public Law 112–121 as amended) is amended by
12 striking “6 years” and inserting “7 years”.

13 This title may be cited as the “Judiciary Appropria-
14 tions Act, 2018”.

15 TITLE IV

16 DISTRICT OF COLUMBIA

17 FEDERAL FUNDS

18 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

19 For a Federal payment to the District of Columbia,
20 to be deposited into a dedicated account, for a nationwide
21 program to be administered by the Mayor, for District of
22 Columbia resident tuition support, \$30,000,000, to remain
23 available until expended: *Provided*, That such funds, in-
24 cluding any interest accrued thereon, may be used on be-
25 half of eligible District of Columbia residents to pay an

1 amount based upon the difference between in-State and
2 out-of-State tuition at public institutions of higher edu-
3 cation, or to pay up to \$2,500 each year at eligible private
4 institutions of higher education: *Provided further*, That the
5 awarding of such funds may be prioritized on the basis
6 of a resident's academic merit, the income and need of
7 eligible students and such other factors as may be author-
8 ized: *Provided further*, That the District of Columbia gov-
9 ernment shall maintain a dedicated account for the Resi-
10 dent Tuition Support Program that shall consist of the
11 Federal funds appropriated to the Program in this Act
12 and any subsequent appropriations, any unobligated bal-
13 ances from prior fiscal years, and any interest earned in
14 this or any fiscal year: *Provided further*, That the account
15 shall be under the control of the District of Columbia
16 Chief Financial Officer, who shall use those funds solely
17 for the purposes of carrying out the Resident Tuition Sup-
18 port Program: *Provided further*, That the Office of the
19 Chief Financial Officer shall provide a quarterly financial
20 report to the Committees on Appropriations of the House
21 of Representatives and the Senate for these funds show-
22 ing, by object class, the expenditures made and the pur-
23 pose therefor.

1 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
2 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

3 For a Federal payment of necessary expenses, as de-
4 termined by the Mayor of the District of Columbia in writ-
5 ten consultation with the elected county or city officials
6 of surrounding jurisdictions, \$13,000,000, to remain
7 available until expended, for the costs of providing public
8 safety at events related to the presence of the National
9 Capital in the District of Columbia, including support re-
10 quested by the Director of the United States Secret Serv-
11 ice in carrying out protective duties under the direction
12 of the Secretary of Homeland Security, and for the costs
13 of providing support to respond to immediate and specific
14 terrorist threats or attacks in the District of Columbia or
15 surrounding jurisdictions.

16 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
17 COURTS

18 For salaries and expenses for the District of Colum-
19 bia Courts, \$265,400,000 to be allocated as follows: for
20 the District of Columbia Court of Appeals, \$14,000,000,
21 of which not to exceed \$2,500 is for official reception and
22 representation expenses; for the Superior Court of the
23 District of Columbia, \$121,000,000, of which not to ex-
24 ceed \$2,500 is for official reception and representation ex-
25 penses; for the District of Columbia Court System,

1 \$71,500,000, of which not to exceed \$2,500 is for official
2 reception and representation expenses; and \$58,900,000,
3 to remain available until September 30, 2019, for capital
4 improvements for District of Columbia courthouse facili-
5 ties: *Provided*, That funds made available for capital im-
6 provements shall be expended consistent with the District
7 of Columbia Courts master plan study and facilities condi-
8 tion assessment: *Provided further*, That notwithstanding
9 any other provision of law, all amounts under this heading
10 shall be apportioned quarterly by the Office of Manage-
11 ment and Budget and obligated and expended in the same
12 manner as funds appropriated for salaries and expenses
13 of other Federal agencies: *Provided further*, That 30 days
14 after providing written notice to the Committees on Ap-
15 propriations of the House of Representatives and the Sen-
16 ate, the District of Columbia Courts may reallocate not
17 more than \$6,000,000 of the funds provided under this
18 heading among the items and entities funded under this
19 heading: *Provided further*, That the Joint Committee on
20 Judicial Administration in the District of Columbia may,
21 by regulation, establish a program substantially similar to
22 the program set forth in subchapter II of chapter 35 of
23 title 5, United States Code, for employees of the District
24 of Columbia Courts.

1 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
2 DISTRICT OF COLUMBIA COURTS
3 (INCLUDING TRANSFER OF FUNDS)

4 For payments authorized under section 11–2604 and
5 section 11–2605, D.C. Official Code (relating to represen-
6 tation provided under the District of Columbia Criminal
7 Justice Act), payments for counsel appointed in pro-
8 ceedings in the Family Court of the Superior Court of the
9 District of Columbia under chapter 23 of title 16, D.C.
10 Official Code, or pursuant to contractual agreements to
11 provide guardian ad litem representation, training, tech-
12 nical assistance, and such other services as are necessary
13 to improve the quality of guardian ad litem representation,
14 payments for counsel appointed in adoption proceedings
15 under chapter 3 of title 16, D.C. Official Code, and pay-
16 ments authorized under section 21–2060, D.C. Official
17 Code (relating to services provided under the District of
18 Columbia Guardianship, Protective Proceedings, and Du-
19 rable Power of Attorney Act of 1986), \$49,890,000, to
20 remain available until expended: *Provided*, That not more
21 than \$20,000,000 in unobligated funds provided in this
22 account may be transferred to and merged with funds
23 made available under the heading “Federal Payment to
24 the District of Columbia Courts,” to be available for the
25 same period and purposes as funds made available under

1 that heading for capital improvements to District of Co-
2 lumbia courthouse facilities: *Provided*, That funds pro-
3 vided under this heading shall be administered by the
4 Joint Committee on Judicial Administration in the Dis-
5 trict of Columbia: *Provided further*, That, notwithstanding
6 any other provision of law, this appropriation shall be ap-
7 portioned quarterly by the Office of Management and
8 Budget and obligated and expended in the same manner
9 as funds appropriated for expenses of other Federal agen-
10 cies.

11 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
12 FENDER SUPERVISION AGENCY FOR THE DISTRICT
13 OF COLUMBIA

14 For salaries and expenses, including the transfer and
15 hire of motor vehicles, of the Court Services and Offender
16 Supervision Agency for the District of Columbia, as au-
17 thorized by the National Capital Revitalization and Self-
18 Government Improvement Act of 1997, \$244,298,000, of
19 which not to exceed \$2,000 is for official reception and
20 representation expenses related to Community Supervision
21 and Pretrial Services Agency programs, of which not to
22 exceed \$25,000 is for dues and assessments relating to
23 the implementation of the Court Services and Offender
24 Supervision Agency Interstate Supervision Act of 2002;
25 of which \$180,840,000 shall be for necessary expenses of

1 Community Supervision and Sex Offender Registration, to
2 include expenses relating to the supervision of adults sub-
3 ject to protection orders or the provision of services for
4 or related to such persons; and of which \$63,458,000 shall
5 be available to the Pretrial Services Agency: *Provided*,
6 That notwithstanding any other provision of law, all
7 amounts under this heading shall be apportioned quarterly
8 by the Office of Management and Budget and obligated
9 and expended in the same manner as funds appropriated
10 for salaries and expenses of other Federal agencies: *Pro-*
11 *vided further*, That amounts under this heading may be
12 used for programmatic incentives for defendants to suc-
13 cessfully complete their terms of supervision.

14 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

15 PUBLIC DEFENDER SERVICE

16 For salaries and expenses, including the transfer and
17 hire of motor vehicles, of the District of Columbia Public
18 Defender Service, as authorized by the National Capital
19 Revitalization and Self-Government Improvement Act of
20 1997, \$40,082,000: *Provided*, That notwithstanding any
21 other provision of law, all amounts under this heading
22 shall be apportioned quarterly by the Office of Manage-
23 ment and Budget and obligated and expended in the same
24 manner as funds appropriated for salaries and expenses
25 of Federal agencies.

1 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

2 COORDINATING COUNCIL

3 For a Federal payment to the Criminal Justice Co-
4 ordinating Council, \$1,900,000, to remain available until
5 expended, to support initiatives related to the coordination
6 of Federal and local criminal justice resources in the Dis-
7 trict of Columbia.

8 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

9 For a Federal payment, to remain available until
10 September 30, 2019, to the Commission on Judicial Dis-
11 abilities and Tenure, \$295,000, and for the Judicial Nomi-
12 nation Commission, \$270,000.

13 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

14 For a Federal payment for a school improvement pro-
15 gram in the District of Columbia, \$45,000,000, to remain
16 available until expended, for payments authorized under
17 the Scholarship for Opportunity and Results Act (division
18 C of Public Law 112–10): *Provided*, That, to the extent
19 that funds are available for opportunity scholarships and
20 following the priorities included in section 3006 of such
21 Act, the Secretary of Education shall make scholarships
22 available to students eligible under section 3013(3) of such
23 Act (Public Law 112–10; 125 Stat. 211) including stu-
24 dents who were not offered a scholarship during any pre-
25 vious school year: *Provided further*, That within funds pro-

1 vided for opportunity scholarships \$3,200,000 shall be for
2 the activities specified in sections 3007(b) through
3 3007(d) and 3009 of the Act.

4 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
5 NATIONAL GUARD

6 For a Federal payment to the District of Columbia
7 National Guard, \$435,000, to remain available until ex-
8 pended for the Major General David F. Wherley, Jr. Dis-
9 trict of Columbia National Guard Retention and College
10 Access Program.

11 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
12 HIV/AIDS

13 For a Federal payment to the District of Columbia
14 for the testing of individuals for, and the treatment of in-
15 dividuals with, human immunodeficiency virus and ac-
16 quired immunodeficiency syndrome in the District of Co-
17 lumbia, \$5,000,000.

18 DISTRICT OF COLUMBIA FUNDS

19 Local funds are appropriated for the District of Co-
20 lumbia for the current fiscal year out of the General Fund
21 of the District of Columbia (“General Fund”) for pro-
22 grams and activities set forth under the heading “Part
23 A—Summary of Expenses” and at the rate set forth
24 under such heading, as included in D.C. Bill 22–242, as
25 amended as of the date of the enactment of this Act: *Pro-*

1 *vided*, That notwithstanding any other provision of law,
2 except as provided in section 450A of the District of Co-
3 lumbia Home Rule Act (section 1–204.50a, D.C. Official
4 Code), sections 816 and 817 of the Financial Services and
5 General Government Appropriations Act, 2009 (secs. 47–
6 369.01 and 47–369.02, D.C. Official Code), and provi-
7 sions of this Act, the total amount appropriated in this
8 Act for operating expenses for the District of Columbia
9 for fiscal year 2018 under this heading shall not exceed
10 the estimates included in D.C. Bill 22–242, as amended
11 as of the date of the enactment of this Act, or the sum
12 of the total revenues of the District of Columbia for such
13 fiscal year: *Provided further*, That the amount appro-
14 priated may be increased by proceeds of one-time trans-
15 actions, which are expended for emergency or unantici-
16 pated operating or capital needs: *Provided further*, That
17 such increases shall be approved by enactment of local
18 District law and shall comply with all reserve requirements
19 contained in the District of Columbia Home Rule Act:
20 *Provided further*, That the Chief Financial Officer of the
21 District of Columbia shall take such steps as are necessary
22 to assure that the District of Columbia meets these re-
23 quirements, including the apportioning by the Chief Fi-
24 nancial Officer of the appropriations and funds made
25 available to the District during fiscal year 2018, except

1 that the Chief Financial Officer may not reprogram for
2 operating expenses any funds derived from bonds, notes,
3 or other obligations issued for capital projects.

4 This title may be cited as the “District of Columbia
5 Appropriations Act, 2018”.

6 TITLE V

7 INDEPENDENT AGENCIES

8 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

9 SALARIES AND EXPENSES

10 For necessary expenses of the Administrative Con-
11 ference of the United States, authorized by 5 U.S.C. 591
12 et seq., \$3,100,000, to remain available until September
13 30, 2019, of which not to exceed \$1,000 is for official re-
14 ception and representation expenses.

15 CONSUMER PRODUCT SAFETY COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Consumer Product
18 Safety Commission, including hire of passenger motor ve-
19 hicles, services as authorized by 5 U.S.C. 3109, but at
20 rates for individuals not to exceed the per diem rate equiv-
21 alent to the maximum rate payable under 5 U.S.C. 5376,
22 purchase of nominal awards to recognize non-Federal offi-
23 cials’ contributions to Commission activities, and not to
24 exceed \$4,000 for official reception and representation ex-
25 penses, \$123,000,000.

1 ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT
2 SAFETY COMMISSION

3 SEC. 501. During fiscal year 2018, none of the
4 amounts made available by this Act may be used to final-
5 ize or implement the Safety Standard for Recreational
6 Off-Highway Vehicles published by the Consumer Product
7 Safety Commission in the Federal Register on November
8 19, 2014 (79 Fed. Reg. 68964) until after—

9 (1) the National Academy of Sciences, in con-
10 sultation with the National Highway Traffic Safety
11 Administration and the Department of Defense,
12 completes a study to determine—

13 (A) the technical validity of the lateral sta-
14 bility and vehicle handling requirements pro-
15 posed by such standard for purposes of reduc-
16 ing the risk of Recreational Off-Highway Vehi-
17 cle (referred to in this section as “ROV”) roll-
18 overs in the off-road environment, including the
19 repeatability and reproducibility of testing for
20 compliance with such requirements;

21 (B) the number of ROV rollovers that
22 would be prevented if the proposed require-
23 ments were adopted;

24 (C) whether there is a technical basis for
25 the proposal to provide information on a point-

1 of-sale hangtag about a ROV's rollover resist-
2 ance on a progressive scale; and

3 (D) the effect on the utility of ROVs used
4 by the United States military if the proposed
5 requirements were adopted; and

6 (2) a report containing the results of the study
7 completed under paragraph (1) is delivered to—

8 (A) the Committee on Commerce, Science,
9 and Transportation of the Senate;

10 (B) the Committee on Energy and Com-
11 merce of the House of Representatives;

12 (C) the Committee on Appropriations of
13 the Senate; and

14 (D) the Committee on Appropriations of
15 the House of Representatives.

16 SEC. 502. None of the funds appropriated by this Act
17 may be used to finalize any rule by the Consumer Product
18 Safety Commission relating to blade-contact injuries on
19 table saws.

20 ELECTION ASSISTANCE COMMISSION

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the Help Amer-
24 ica Vote Act of 2002 (Public Law 107–252; 52 U.S.C.
25 20901 et seq.), \$7,000,000, of which \$1,500,000 shall be

1 transferred to the National Institute of Standards and
2 Technology for election reform activities authorized under
3 such Act.

4 FEDERAL COMMUNICATIONS COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Communica-
7 tions Commission, as authorized by law, including uni-
8 forms and allowances therefor, as authorized by 5 U.S.C.
9 5901–5902; not to exceed \$4,000 for official reception and
10 representation expenses; purchase and hire of motor vehi-
11 cles; special counsel fees; and services as authorized by
12 5 U.S.C. 3109, \$322,035,000, to remain available until
13 expended: *Provided*, That \$322,035,000 of offsetting col-
14 lections shall be assessed and collected pursuant to section
15 9 of title I of the Communications Act of 1934, shall be
16 retained and used for necessary expenses and shall remain
17 available until expended: *Provided further*, That the sum
18 herein appropriated shall be reduced as such offsetting
19 collections are received during fiscal year 2018 so as to
20 result in a final fiscal year 2018 appropriation estimated
21 at \$0: *Provided further*, That any offsetting collections re-
22 ceived in excess of \$322,035,000 in fiscal year 2018 shall
23 not be available for obligation: *Provided further*, That re-
24 maining offsetting collections from prior years collected in
25 excess of the amount specified for collection in each such

1 year and otherwise becoming available on October 1, 2017,
2 shall not be available for obligation: *Provided further*,
3 That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds
4 from the use of a competitive bidding system that may
5 be retained and made available for obligation shall not ex-
6 ceed \$111,150,000 for fiscal year 2018: *Provided further*,
7 That, of the amount appropriated under this heading, not
8 less than \$11,020,000 shall be for the salaries and ex-
9 penses of the Office of Inspector General.

10 FEDERAL DEPOSIT INSURANCE CORPORATION

11 OFFICE OF THE INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, \$39,136,000, to be derived from the
15 Deposit Insurance Fund or, only when appropriate, the
16 FSLIC Resolution Fund.

17 FEDERAL ELECTION COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses to carry out the provisions
20 of the Federal Election Campaign Act of 1971,
21 \$71,250,000, of which not to exceed \$5,000 shall be avail-
22 able for reception and representation expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, \$26,200,000, including services au-
7 thorized by 5 U.S.C. 3109, and including hire of experts
8 and consultants, hire of passenger motor vehicles, and
9 rental of conference rooms in the District of Columbia and
10 elsewhere; and of which not to exceed \$1,500 shall be
11 available for official reception and representation ex-
12 penses: *Provided*, That public members of the Federal
13 Service Impasses Panel may be paid travel expenses and
14 per diem in lieu of subsistence as authorized by law (5
15 U.S.C. 5703) for persons employed intermittently in the
16 Government service, and compensation as authorized by
17 5 U.S.C. 3109: *Provided further*, That, notwithstanding
18 31 U.S.C. 3302, funds received from fees charged to non-
19 Federal participants at labor-management relations con-
20 ferences shall be credited to and merged with this account,
21 to be available without further appropriation for the costs
22 of carrying out these conferences.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$306,317,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$126,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$16,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce
22 the Telemarketing Sales Rule, promulgated under the
23 Telemarketing and Consumer Fraud and Abuse Preven-
24 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
25 account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
2 in appropriated from the general fund shall be reduced
3 as such offsetting collections are received during fiscal
4 year 2018, so as to result in a final fiscal year 2018 appro-
5 priation from the general fund estimated at not more than
6 \$164,317,000: *Provided further*, That none of the funds
7 made available to the Federal Trade Commission may be
8 used to implement subsection (e)(2)(B) of section 43 of
9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 (INCLUDING TRANSFER OF FUNDS)

15 Amounts in the Fund, including revenues and collec-
16 tions deposited into the Fund, shall be available for nec-
17 essary expenses of real property management and related
18 activities not otherwise provided for, including operation,
19 maintenance, and protection of federally owned and leased
20 buildings; rental of buildings in the District of Columbia;
21 restoration of leased premises; moving governmental agen-
22 cies (including space adjustments and telecommunications
23 relocation expenses) in connection with the assignment, al-
24 location, and transfer of space; contractual services inci-
25 dent to cleaning or servicing buildings, and moving; repair

1 and alteration of federally owned buildings, including
2 grounds, approaches, and appurtenances; care and safe-
3 guarding of sites; maintenance, preservation, demolition,
4 and equipment; acquisition of buildings and sites by pur-
5 chase, condemnation, or as otherwise authorized by law;
6 acquisition of options to purchase buildings and sites; con-
7 version and extension of federally owned buildings; pre-
8 liminary planning and design of projects by contract or
9 otherwise; construction of new buildings (including equip-
10 ment for such buildings); and payment of principal, inter-
11 est, and any other obligations for public buildings acquired
12 by installment purchase and purchase contract; in the ag-
13 gregate amount of \$7,864,111,000 (reduced by
14 \$6,902,000) (reduced by \$10,000,000) (reduced by
15 \$5,000,000), of which—

16 (1) \$0 shall remain available until expended for
17 construction and acquisition (including funds for
18 sites and expenses, and associated design and con-
19 struction services);

20 (2) \$180,000,000 shall remain available until
21 expended for repairs and alterations, including asso-
22 ciated design and construction services, of which—

23 (A) \$0 is for Major Repairs and Alter-
24 ations;

1 (B) \$110,000,000 is for Basic Repairs and
2 Alterations;

3 (C) \$70,000,000 is for Special Emphasis
4 Programs of which—

5 (i) \$20,000,000 is for Judiciary Cap-
6 ital Security;

7 (ii) \$30,000,000 is for Fire and Life
8 Safety; and

9 (iii) \$20,000,000 is for Consolidation
10 Activities: *Provided*, That consolidation
11 projects result in reduced annual rent paid
12 by the tenant agency: *Provided further*,
13 That no consolidation project exceed
14 \$10,000,000 in costs: *Provided further*,
15 That consolidation projects are approved
16 by each of the committees specified in sec-
17 tion 3307(a) of title 40, United States
18 Code: *Provided further*, That preference is
19 given to consolidation projects that achieve
20 a utilization rate of 130 usable square feet
21 or less per person for office space: *Pro-*
22 *vided further*, That the obligation of funds
23 under this paragraph for consolidation ac-
24 tivities may not be made until 10 days
25 after a proposed spending plan and expla-

1 nation for each project to be undertaken,
2 including estimated savings, has been sub-
3 mitted to the Committees on Appropria-
4 tions of the House of Representatives and
5 the Senate:

6 *Provided*, That funds made available in this or
7 any previous Act in the Federal Buildings Fund
8 for Repairs and Alterations shall, for pro-
9 spectus projects, be limited to the amount iden-
10 tified for each project, except each project in
11 this or any previous Act may be increased by an
12 amount not to exceed 10 percent unless advance
13 approval is obtained from the Committees on
14 Appropriations of a greater amount: *Provided*
15 *further*, That additional projects for which
16 prospectuses have been fully approved may be
17 funded under this category only if advance ap-
18 proval is obtained from the Committees on Ap-
19 propriations: *Provided further*, That the
20 amounts provided in this or any prior Act for
21 “Repairs and Alterations” may be used to fund
22 costs associated with implementing security im-
23 provements to buildings necessary to meet the
24 minimum standards for security in accordance
25 with current law and in compliance with the re-

1 programming guidelines of the appropriate
2 Committees of the House and Senate: *Provided*
3 *further*, That the difference between the funds
4 appropriated and expended on any projects in
5 this or any prior Act, under the heading “Re-
6 pairs and Alterations”, may be transferred to
7 Basic Repairs and Alterations or used to fund
8 authorized increases in prospectus projects:
9 *Provided further*, That the amount provided in
10 this or any prior Act for Basic Repairs and Al-
11 terations may be used to pay claims against the
12 Government arising from any projects under
13 the heading “Repairs and Alterations” or used
14 to fund authorized increases in prospectus
15 projects;

16 (3) \$5,462,345,000 (reduced by \$10,000,000)
17 (reduced by \$5,000,000) for rental of space to re-
18 main available until expended; and

19 (4) \$2,221,766,000 (reduced by \$6,902,000)
20 for building operations to remain available until ex-
21 pended, of which \$1,146,089,000 (reduced by
22 \$6,902,000) is for building services, and
23 \$1,075,677,000 is for salaries and expenses: *Pro-*
24 *vided*, That not to exceed 5 percent of any appro-
25 priation made available under this paragraph for

1 building operations may be transferred between and
2 merged with such appropriations upon notification
3 to the Committees on Appropriations of the House
4 of Representatives and the Senate, but no such ap-
5 propriation shall be increased by more than 5 per-
6 cent by any such transfers: *Provided further*, That
7 section 521 of this title shall not apply with respect
8 to funds made available under this heading for
9 building operations: *Provided further*, That the total
10 amount of funds made available from this Fund to
11 the General Services Administration shall not be
12 available for expenses of any construction, repair, al-
13 teration and acquisition project for which a pro-
14 spectus, if required by 40 U.S.C. 3307(a), has not
15 been approved, except that necessary funds may be
16 expended for each project for required expenses for
17 the development of a proposed prospectus: *Provided*
18 *further*, That funds available in the Federal Build-
19 ings Fund may be expended for emergency repairs
20 when advance approval is obtained from the Com-
21 mittees on Appropriations: *Provided further*, That
22 amounts necessary to provide reimbursable special
23 services to other agencies under 40 U.S.C. 592(b)(2)
24 and amounts to provide such reimbursable fencing,
25 lighting, guard booths, and other facilities on private

1 or other property not in Government ownership or
2 control as may be appropriate to enable the United
3 States Secret Service to perform its protective func-
4 tions pursuant to 18 U.S.C. 3056, shall be available
5 from such revenues and collections: *Provided further,*
6 That revenues and collections and any other sums
7 accruing to this Fund during fiscal year 2018, ex-
8 cluding reimbursements under 40 U.S.C. 592(b)(2),
9 in excess of the aggregate new obligational authority
10 authorized for Real Property Activities of the Fed-
11 eral Buildings Fund in this Act shall remain in the
12 Fund and shall not be available for expenditure ex-
13 cept as authorized in appropriations Acts.

14 GENERAL ACTIVITIES

15 GOVERNMENT-WIDE POLICY

16 For expenses authorized by law, not otherwise pro-
17 vided for, for Government-wide policy and evaluation ac-
18 tivities associated with the management of real and per-
19 sonal property assets and certain administrative services;
20 Government-wide policy support responsibilities relating to
21 acquisition, travel, motor vehicles, information technology
22 management, and related technology activities; and serv-
23 ices as authorized by 5 U.S.C. 3109; \$53,499,000.

1 OPERATING EXPENSES

2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide activities associated with
4 utilization and donation of surplus personal property; dis-
5 posal of real property; agency-wide policy direction, man-
6 agement, and communications; and services as authorized
7 by 5 U.S.C. 3109; \$45,645,000 (reduced by \$2,000,000),
8 of which \$24,357,000 is for Real and Personal Property
9 Management and Disposal; \$21,288,000 (reduced by
10 \$2,000,000) is for the Office of the Administrator, of
11 which not to exceed \$7,500 is for official reception and
12 representation expenses.

13 CIVILIAN BOARD OF CONTRACT APPEALS

14 For expenses authorized by law, not otherwise pro-
15 vided for, for the activities associated with the Civilian
16 Board of Contract Appeals, \$8,795,000.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General and service authorized by 5 U.S.C. 3109,
20 \$65,000,000: *Provided*, That not to exceed \$50,000 shall
21 be available for payment for information and detection of
22 fraud against the Government, including payment for re-
23 covery of stolen Government property: *Provided further*,
24 That not to exceed \$2,500 shall be available for awards
25 to employees of other Federal agencies and private citizens

1 in recognition of efforts and initiatives resulting in en-
2 hanced Office of Inspector General effectiveness.

3 ALLOWANCES AND OFFICE STAFF FOR FORMER
4 PRESIDENTS

5 For carrying out the provisions of the Act of August
6 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
7 \$4,754,000.

8 FEDERAL CITIZEN SERVICES FUND
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of Products and
11 Programs, including services authorized by 40 U.S.C. 323
12 and 44 U.S.C. 3604; and for necessary expenses in sup-
13 port of interagency projects that enable the Federal Gov-
14 ernment to enhance its ability to conduct activities elec-
15 tronically, through the development and implementation of
16 innovative uses of information technology; \$53,741,000, to
17 be deposited into the Federal Citizen Services Fund: *Pro-*
18 *vided*, That the previous amount may be transferred to
19 Federal agencies to carry out the purpose of the Federal
20 Citizen Services Fund: *Provided further*, That the appro-
21 priations, revenues, reimbursements, and collections de-
22 posited into the Fund shall be available until expended for
23 necessary expenses of Federal Citizen Services and other
24 activities that enable the Federal Government to enhance
25 its ability to conduct activities electronically: in the aggre-

1 gate amount not to exceed \$100,000,000: *Provided fur-*
2 *ther*, That appropriations, revenues, reimbursements, and
3 collections accruing to this Fund during fiscal year 2018
4 in excess of such amount shall remain in the Fund and
5 shall not be available for expenditure except as authorized
6 in appropriations Acts: *Provided further*, That any appro-
7 priations provided to the Electronic Government Fund
8 that remain unobligated may be transferred to the Federal
9 Citizen Services Fund: *Provided further*, That the transfer
10 authorities provided herein shall be in addition to any
11 other transfer authority provided in this Act.

12 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

13 For carrying out the purposes of the Federal Assets
14 Sale and Transfer Act of 2016 (Public Law 114–287),
15 \$10,000,000 (reduced by \$1,000,000) (reduced by
16 \$1,000,000), to be deposited into the Asset Proceeds and
17 Space Management Fund, to remain available until ex-
18 pended.

19 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

20 For necessary expenses of the Environmental Review
21 Improvement Fund established under section 41009(d) of
22 the Fixing America’s Surface Transportation Act (42
23 U.S.C. 4370m–8(d)), \$1,000,000, to remain available
24 until expended.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

4 SEC. 510. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 511. Funds in the Federal Buildings Fund
8 made available for fiscal year 2018 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House of Representatives and the Senate.

14 SEC. 512. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2019 request for United States Courthouse
17 construction only if the request: (1) meets the design guide
18 standards for construction as established and approved by
19 the General Services Administration, the Judicial Con-
20 ference of the United States, and the Office of Manage-
21 ment and Budget; (2) reflects the priorities of the Judicial
22 Conference of the United States as set out in its approved
23 Courthouse Project Priorities plan; and (3) includes a
24 standardized courtroom utilization study of each facility
25 to be constructed, replaced, or expanded.

1 SEC. 513. None of the funds provided in this Act may
2 be used to increase the amount of occupiable square feet,
3 provide cleaning services, security enhancements, or any
4 other service usually provided through the Federal Build-
5 ings Fund, to any agency that does not pay the rate per
6 square foot assessment for space and services as deter-
7 mined by the General Services Administration in consider-
8 ation of the Public Buildings Amendments Act of 1972
9 (Public Law 92–313).

10 SEC. 514. From funds made available under the
11 heading “Federal Buildings Fund, Limitations on Avail-
12 ability of Revenue”, claims against the Government of less
13 than \$250,000 arising from direct construction projects
14 and acquisition of buildings may be liquidated from sav-
15 ings effected in other construction projects with prior noti-
16 fication to the Committees on Appropriations of the House
17 of Representatives and the Senate.

18 SEC. 515. In any case in which the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate adopt a resolution granting lease
22 authority pursuant to a prospectus transmitted to Con-
23 gress by the Administrator of the General Services Admin-
24 istration under 40 U.S.C. 3307, the Administrator shall
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all
2 lease agreements, except that, if the Administrator deter-
3 mines that the delineated area of the procurement should
4 not be identical to the delineated area included in the pro-
5 spectus, the Administrator shall provide an explanatory
6 statement to each of such committees and the Committees
7 on Appropriations of the House of Representatives and the
8 Senate prior to exercising any lease authority provided in
9 the resolution.

10 SEC. 516. With respect to each project funded under
11 the heading “Major Repairs and Alterations” or “Judici-
12 ary Capital Security Program”, and with respect to E-
13 Government projects funded under the heading “Federal
14 Citizen Services Fund”, the Administrator of General
15 Services shall submit a spending plan and explanation for
16 each project to be undertaken to the Committees on Ap-
17 propriations of the House of Representatives and the Sen-
18 ate not later than 60 days after the date of enactment
19 of this Act.

20 SEC. 517. Section 16 of the Federal Assets Sale and
21 Transfer Act of 2016 (Public Law 114–287) is amend-
22 ed—

23 (1) by inserting the following at the end of sub-
24 paragraph (a)(1): “The Account shall be under the
25 custody and control of the Chairperson of the Board

1 and deposits in the Account shall remain available
2 until expended.”;

3 (2) by striking subparagraph (b)(1) and insert-
4 ing in lieu thereof the following:

5 “(1) ESTABLISHMENT.—There is established in
6 the Treasury of the United States an account to be
7 known as the ‘Public Buildings Reform Board—
8 Asset Proceeds and Space Management Fund’ (in
9 this subsection referred to as the ‘Fund’). The Fund
10 shall be under the custody and control of the Admin-
11 istrator of General Services and deposits in the
12 Fund shall remain available until expended.”.

13 SEC. 518. The unobligated balance of amounts pro-
14 vided for National Capital Region, FBI Headquarters
15 Consolidation, in paragraph (1)(A) under the heading
16 “General Services Administration—Federal Buildings
17 Fund” in division E of Public Law 115–31 is rescinded.

18 SEC. 519. The Administrator of General Services
19 shall make available to the public on the website of the
20 General Services Administration any draft environmental
21 assessment—

22 (1) prepared by the Administrator of General
23 Services under section 102(2)(C) of the National
24 Environmental Policy Act of 1969 (42 U.S.C.
25 4332(2)(C)); and

1 (2) for which the Administrator of General
2 Services has solicited public comment.

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 Pub-
7 lic 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
16 1989 (5 U.S.C. 5509 note), including services as author-
17 ized by 5 U.S.C. 3109, rental of conference rooms in the
18 District of Columbia and elsewhere, hire of passenger
19 motor vehicles, direct procurement of survey printing, and
20 not to exceed \$2,000 for official reception and representa-
21 tion expenses, \$44,490,000, to remain available until Sep-
22 tember 30, 2019, and in addition not to exceed
23 \$2,345,000, to remain available until September 30, 2019,
24 for administrative expenses to adjudicate retirement ap-
25 peals to be transferred from the Civil Service Retirement

1 and Disability Fund in amounts determined by the Merit
2 Systems Protection Board.

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 Adminis-
7 tration and archived Federal records and related activities,
8 as provided by law, and for expenses necessary for the re-
9 view and declassification of documents, the activities of
10 the Public Interest Declassification Board, the operations
11 and maintenance of the electronic records archives, the
12 hire of passenger motor vehicles, and for uniforms or al-
13 lowances therefor, as authorized by law (5 U.S.C. 5901),
14 including maintenance, repairs, and cleaning,
15 \$364,308,000.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Reform Act of 2008, Public Law 110–409, 122
20 Stat. 4302–16 (2008), and the Inspector General Act of
21 1978 (5 U.S.C. App.), and for the hire of passenger motor
22 vehicles, \$4,241,000.

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, \$4,000,000, 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
16 and 9910, \$2,000,000 shall be available until September
17 30, 2019, for technical assistance to low-income des-
18 ignated 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
23 Government Act of 1978, the Ethics Reform Act of 1989,
24 and the Stop Trading on Congressional Knowledge Act of
25 2012, including services as authorized by 5 U.S.C. 3109,

1 rental of conference rooms in the District of Columbia and
2 elsewhere, hire of passenger motor vehicles, and not to ex-
3 ceed \$1,500 for official reception and representation ex-
4 penses, \$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 Re-
10 organization Plan Numbered 2 of 1978 and the Civil Serv-
11 ice Reform Act of 1978, including services as authorized
12 by 5 U.S.C. 3109; medical examinations performed for
13 veterans by private physicians on a fee basis; rental of con-
14 ference rooms in the District of Columbia and elsewhere;
15 hire of passenger motor vehicles; not to exceed \$2,500 for
16 official reception and representation expenses; advances
17 for reimbursements to applicable funds of OPM and the
18 Federal Bureau of Investigation for expenses incurred
19 under Executive Order No. 10422 of January 9, 1953,
20 as amended; and payment of per diem or subsistence al-
21 lowances to employees where Voting Rights Act activities
22 require an employee to remain overnight at his or her post
23 of duty, \$129,341,000: *Provided*, That of the total amount
24 made available under this heading, \$18,000,000 shall re-
25 main available until expended for information technology

1 infrastructure modernization and Trust Fund Federal Fi-
2 nancial System migration or modernization: *Provided fur-*
3 *ther*, That the amount made available by the previous pro-
4 viso may not be obligated until the Director of the Office
5 of Personnel Management submits to the Committees on
6 Appropriations of the Senate and the House of Represent-
7 atives a plan for expenditure of such amount, prepared
8 in consultation with the Director of the Office of Manage-
9 ment and Budget, the Administrator of the United States
10 Digital Service, and the Secretary of Homeland Security,
11 that—

12 (1) identifies the full scope and cost of the IT
13 systems remediation and stabilization project;

14 (2) meets the capital planning and investment
15 control review requirements established by the Office
16 of Management and Budget, including Circular A-
17 11;

18 (3) includes a Major IT Business Case under
19 the requirements established by the Office of Man-
20 agement and Budget Exhibit 300;

21 (4) complies with the acquisition rules, require-
22 ments, guidelines, and systems acquisition manage-
23 ment practices of the Government;

24 (5) complies with all Office of Management and
25 Budget, Department of Homeland Security and Na-

1 tional Institute of Standards and Technology re-
2 quirements related to securing the agency's informa-
3 tion system as described in 44 U.S.C. 3554; and(6)
4 is reviewed and commented upon within 90 days of
5 plan development by the Inspector General of the
6 Office of Personnel Management, and such com-
7 ments are submitted to the Director of the Office of
8 Personnel Management before the date of such sub-
9 mission:

10 *Provided further*, That, not later than 6 months after the
11 date of enactment of this Act, the Comptroller General
12 shall submit to the Committees on Appropriations of the
13 Senate and the House of Representatives a report that—

14 (A) evaluates—

15 (i) the steps taken by the Office of
16 Personnel Management to prevent, miti-
17 gate, and respond to data breaches involv-
18 ing sensitive personnel records and infor-
19 mation;

20 (ii) the Office's cybersecurity policies
21 and procedures in place on the date of en-
22 actment of this Act, including policies and
23 procedures relating to IT best practices
24 such as data encryption, multifactor au-
25 thentication, and continuous monitoring;

1 (iii) the Office's oversight of contrac-
2 tors providing IT services; and

3 (iv) the Office's compliance with gov-
4 ernment-wide initiatives to improve cyber-
5 security; and

6 (B) sets forth improvements that could be
7 made to assist the Office of Personnel Manage-
8 ment in addressing cybersecurity challenges:

9 *Provided further*, That of the total amount made available
10 under this heading, \$584,000 may be made available for
11 strengthening the capacity and capabilities of the acquisi-
12 tion workforce (as defined by the Office of Federal Pro-
13 curement Policy Act, as amended (41 U.S.C. 4001 et
14 seq.)), including the recruitment, hiring, training, and re-
15 tention of such workforce and information technology in
16 support of acquisition workforce effectiveness or for man-
17 agement solutions to improve acquisition management;
18 and in addition \$131,414,000 for administrative expenses,
19 to be transferred from the appropriate trust funds of OPM
20 without regard to other statutes, including direct procure-
21 ment of printed materials, for the retirement and insur-
22 ance programs: *Provided further*, That the provisions of
23 this appropriation shall not affect the authority to use ap-
24 plicable trust funds as provided by sections 8348(a)(1)(B),
25 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title

1 5, United States Code: *Provided further*, That no part of
2 this appropriation shall be available for salaries and ex-
3 penses of the Legal Examining Unit of OPM established
4 pursuant to Executive Order No. 9358 of July 1, 1943,
5 or any successor unit of like purpose: *Provided further*,
6 That the President's Commission on White House Fel-
7 lows, established by Executive Order No. 11183 of Octo-
8 ber 3, 1964, may, during fiscal year 2018, accept dona-
9 tions of money, property, and personal services: *Provided*
10 *further*, That such donations, including those from prior
11 years, may be used for the development of publicity mate-
12 rials to provide information about the White House Fel-
13 lows, except that no such donations shall be accepted for
14 travel or reimbursement of travel expenses, or for the sala-
15 ries of employees of such Commission.

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFER OF TRUST FUNDS)

19 For necessary expenses of the Office of Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, including services as authorized by
22 5 U.S.C. 3109, hire of passenger motor vehicles,
23 \$5,000,000, and in addition, not to exceed \$25,000,000
24 for administrative expenses to audit, investigate, and pro-
25 vide other oversight of the Office of Personnel Manage-

1 ment's retirement and insurance programs, to be trans-
2 ferred from the appropriate trust funds of the Office of
3 Personnel Management, as determined by the Inspector
4 General: *Provided*, That the Inspector General is author-
5 ized to rent conference rooms in the District of Columbia
6 and elsewhere.

7 OFFICE OF SPECIAL COUNSEL

8 SALARIES AND EXPENSES

9 For necessary expenses to carry out functions of the
10 Office of Special Counsel pursuant to Reorganization Plan
11 Numbered 2 of 1978, the Civil Service Reform Act of
12 1978 (Public Law 95-454), the Whistleblower Protection
13 Act of 1989 (Public Law 101-12) as amended by Public
14 Law 107-304, the Whistleblower Protection Enhancement
15 Act of 2012 (Public Law 112-199), and the Uniformed
16 Services Employment and Reemployment Rights Act of
17 1994 (Public Law 103-353), including services as author-
18 ized by 5 U.S.C. 3109, payment of fees and expenses for
19 witnesses, rental of conference rooms in the District of Co-
20 lumbia and elsewhere, and hire of passenger motor vehi-
21 cles; \$24,750,000.

1 POSTAL REGULATORY COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Postal Regulatory
5 Commission in carrying out the provisions of the Postal
6 Accountability and Enhancement Act (Public Law 109–
7 435), \$15,200,000, to be derived by transfer from the
8 Postal Service Fund and expended as authorized by sec-
9 tion 603(a) of 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
14 the Intelligence Reform and Terrorism Prevention Act of
15 2004 (42 U.S.C. 2000ee), \$8,000,000, to remain available
16 until 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 (reduced by \$1,000,000) (reduced by \$2,000,000) (in-
23 creased by \$1,000,000), to remain available until ex-
24 pended.

1 SECURITIES AND EXCHANGE COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Securities and Ex-
4 change Commission, including services as authorized by
5 5 U.S.C. 3109, the rental of space (to include multiple
6 year leases) in the District of Columbia and elsewhere, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$1,652,000,000 to remain available until
9 expended; of which funding for information technology ini-
10 tiatives shall be increased over the fiscal year 2017 level
11 by not less than \$50,000,000; of which not less than
12 \$14,748,358 shall be for the Office of Inspector General;
13 of which not to exceed \$75,000 shall be available for a
14 permanent secretariat for the International Organization
15 of Securities Commissions; of which not to exceed
16 \$100,000 shall be available for expenses for consultations
17 and meetings hosted by the Commission with foreign gov-
18 ernmental and other regulatory officials, members of their
19 delegations and staffs to exchange views concerning secu-
20 rities matters, such expenses to include necessary logistic
21 and administrative expenses and the expenses of Commis-
22 sion staff and foreign invitees in attendance including: (1)
23 incidental expenses such as meals; (2) travel and transpor-
24 tation; and (3) related lodging or subsistence; and of
25 which not less than \$68,950,000 shall be for the Division

1 of Economic and Risk Analysis: In addition, for costs as-
2 sociated with relocation under a replacement lease for the
3 Commission's headquarters facilities, not to exceed
4 \$244,507,000, to remain available until September 30,
5 2019. For purposes of calculating the fee rate under sec-
6 tion 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 reg-
9 ular appropriation to the Commission for fiscal year 2018.
10 *Provided*, That fees and charges authorized by section 31
11 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
14 such offsetting collections shall be available until expended
15 for necessary expenses of this account and not to exceed
16 \$244,507,000 of such offsetting collections shall be avail-
17 able until September 30, 2019, for costs under this head-
18 ing associated with relocation under a replacement lease
19 for the Commission's headquarters facilities: *Provided fur-*
20 *ther*, That the total amount appropriated under this head-
21 ing from the general fund for fiscal year 2018 shall be
22 reduced as such offsetting fees are received so as to result
23 in a final total fiscal year 2018 appropriation from the
24 general fund estimated at not more than \$0: *Provided fur-*
25 *ther*, That if any amount of the appropriation under this

1 heading for costs associated with relocation under a re-
2 placement lease for the Commission's headquarters facili-
3 ties is subsequently de-obligated on or before September
4 30, 2019, any such amount derived from the general fund
5 shall be returned to the general fund, and any such
6 amount derived from fees or assessments collected for
7 such purpose shall be paid to each national securities ex-
8 change and national securities association, respectively, in
9 proportion to any fees or assessments paid by such na-
10 tional securities exchange or national securities association
11 under such section 31 in fiscal year 2018.

12 SELECTIVE SERVICE SYSTEM

13 SALARIES AND EXPENSES

14 For necessary expenses of the Selective Service Sys-
15 tem, including expenses of attendance at meetings and of
16 training for uniformed personnel assigned to the Selective
17 Service System, as authorized by 5 U.S.C. 4101–4118 for
18 civilian employees; hire of passenger motor vehicles; serv-
19 ices as authorized by 5 U.S.C. 3109; and not to exceed
20 \$750 for official reception and representation expenses;
21 \$22,900,000: *Provided*, That during the current fiscal
22 year, the President may exempt this appropriation from
23 the provisions of 31 U.S.C. 1341, whenever the President
24 deems such action to be necessary in the interest of na-
25 tional defense: *Provided further*, That none of the funds

1 appropriated by this Act may be expended for or in con-
2 nection with the induction of any person into the Armed
3 Forces of the United States.

4 SMALL BUSINESS ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses, not otherwise provided for,
7 of the Small Business Administration, including hire of
8 passenger motor vehicles as authorized by sections 1343
9 and 1344 of title 31, United States Code, and not to ex-
10 ceed \$3,500 for official reception and representation ex-
11 penses, \$265,000,000 (reduced by \$5,000,000) of which
12 not less than \$12,000,000 shall be available for examina-
13 tions, reviews, and other lender oversight activities: *Pro-*
14 *vided*, That the Administrator is authorized to charge fees
15 to cover the cost of publications developed by the Small
16 Business Administration, and certain loan program activi-
17 ties, including fees authorized by section 5(b) of the Small
18 Business Act: *Provided further*, That, notwithstanding 31
19 U.S.C. 3302, revenues received from all such activities
20 shall be credited to this account, to remain available until
21 expended, for carrying out these purposes without further
22 appropriations: *Provided further*, That the Small Business
23 Administration may accept gifts in an amount not to ex-
24 ceed \$4,000,000 and may co-sponsor activities, each in ac-
25 cordance with section 132(a) of division K of Public Law

1 108–447, during fiscal year 2018: *Provided further*, That
2 \$6,100,000 shall be available for the Loan Modernization
3 and Accounting System, to be available until September
4 30, 2019.

5 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

6 For necessary expenses of programs supporting en-
7 trepreneurial and small business development,
8 \$211,100,000 (increased by \$1,000,000) (increased by
9 \$4,000,000) (increased by \$5,000,000) (increased by
10 \$10,000,000), to remain available until September 30,
11 2019 : *Provided*, That \$120,000,000 shall be available to
12 fund grants for performance in fiscal year 2018 or fiscal
13 year 2019 as authorized by section 21 of the Small Busi-
14 ness Act: *Provided further*, That \$31,000,000 shall be for
15 marketing, management, and technical assistance under
16 section 7(m) of the Small Business Act (15 U.S.C.
17 636(m)(4)) by intermediaries that make microloans under
18 the microloan program: *Provided further*, That
19 \$10,000,000 shall be available for grants to States to
20 carry out export programs that assist small business con-
21 cerns authorized under section 22(l) of the Small Business
22 Act (15 U.S.C. 649(l)).

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$19,900,000.

5 OFFICE OF ADVOCACY

6 For necessary expenses of the Office of Advocacy in
7 carrying out the provisions of title II of Public Law 94–
8 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
9 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
10 remain available until expended.

11 BUSINESS LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans, \$3,438,172, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That subject to section 502 of the
18 Congressional Budget Act of 1974, during fiscal year
19 2018 commitments to guarantee loans under section 503
20 of the Small Business Investment Act of 1958 shall not
21 exceed \$7,500,000,000: *Provided further*, That during fis-
22 cal year 2018 commitments for general business loans au-
23 thorized under section 7(a) of the Small Business Act
24 shall not exceed \$29,000,000,000 for a combination of
25 amortizing term loans and the aggregated maximum line

1 of credit provided by revolving loans: *Provided further*,
2 That during fiscal year 2018 commitments for loans au-
3 thorized under subparagraph (C) of section 502(7) of The
4 Small Business Investment Act of 1958 (15 U.S.C.
5 696(7)) shall not exceed \$7,500,000,000: *Provided further*,
6 That during fiscal year 2018 commitments to guarantee
7 loans for debentures under section 303(b) of the Small
8 Business Investment Act of 1958 shall not exceed
9 \$4,000,000,000: *Provided further*, That during fiscal year
10 2018, guarantees of trust certificates authorized by sec-
11 tion 5(g) of the Small Business Act shall not exceed a
12 principal amount of \$12,000,000,000. In addition, for ad-
13 ministrative expenses to carry out the direct and guaran-
14 teed loan programs, \$152,782,000, which may be trans-
15 ferred to and merged with the appropriations for Salaries
16 and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the direct
20 loan program authorized by section 7(b) of the Small
21 Business Act, \$186,458,000, to be available until ex-
22 pended, of which \$1,000,000 is for the Office of Inspector
23 General of the Small Business Administration for audits
24 and reviews of disaster loans and the disaster loan pro-
25 grams and shall be transferred to and merged with the

1 appropriations for the Office of Inspector General; of
2 which \$176,458,000 is for direct administrative expenses
3 of loan making and servicing to carry out the direct loan
4 program, which may be transferred to and merged with
5 the appropriations for Salaries and Expenses; and of
6 which \$9,000,000 is for indirect administrative expenses
7 for the direct loan program, which may be transferred to
8 and merged with the appropriations for Salaries and Ex-
9 penses.

10 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

11 ADMINISTRATION

12 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

13 SEC. 520. Not to exceed 5 percent of any appropria-
14 tion made available for the current fiscal year for the
15 Small Business Administration in this Act may be trans-
16 ferred between such appropriations, but no such appro-
17 priation shall be increased by more than 10 percent by
18 any such transfers: *Provided*, That any transfer pursuant
19 to this paragraph shall be treated as a reprogramming of
20 funds under section 608 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set forth in that section.

23 SEC. 521. Of the unobligated balances available for
24 the Immediate Disaster Assistance Program authorized by
25 section 42 of the Small Business Act (15 U.S.C. 657n)

1 and the Expedited Disaster Assistance Loan Program au-
2 thorized by section 12085 of Public Law 110–246,
3 \$2,600,000 are hereby permanently rescinded: *Provided*,
4 That no amounts may be rescinded from amounts that
5 were designated by the Congress as emergency require-
6 ments pursuant to a concurrent resolution on the budget
7 or the Balanced Budget and Emergency Deficit Control
8 Act of 1985: *Provided further*, That no amounts may be
9 rescinded from amounts that were designated by the Con-
10 gress as being for disaster relief pursuant to section
11 251(b)(2)(D) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 SEC. 522. Section 7(m)(4)(E) of the Small Business
14 Act (15 U.S.C. 636(m)(4)(E)) is amended by striking “25
15 percent” each place such term appears and inserting “50
16 percent”.

17 UNITED STATES POSTAL SERVICE

18 PAYMENT TO THE POSTAL SERVICE FUND

19 For payment to the Postal Service Fund for revenue
20 forgone on free and reduced rate mail, pursuant to sub-
21 sections (c) and (d) of section 2401 of title 39, United
22 States Code, \$58,118,000: *Provided*, That mail for over-
23 seas voting and mail for the blind shall continue to be free:
24 *Provided further*, That 6-day delivery and rural delivery
25 of mail shall continue at not less than the 1983 level: *Pro-*

1 *vided further*, That none of the funds made available to
2 the Postal Service by this Act shall be used to implement
3 any rule, regulation, or policy of charging any officer or
4 employee of any State or local child support enforcement
5 agency, or any individual participating in a State or local
6 program of child support enforcement, a fee for informa-
7 tion requested or provided concerning an address of a
8 postal customer: *Provided further*, That none of the funds
9 provided in this Act shall be used to consolidate or close
10 small rural and other small post offices.

11 OFFICE OF INSPECTOR GENERAL

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$234,650,000, to be derived by
17 transfer from the Postal Service Fund and expended as
18 authorized by section 603(b)(3) of the Postal Account-
19 ability and Enhancement Act (Public Law 109–435).

20 UNITED STATES TAX COURT

21 SALARIES AND EXPENSES

22 For necessary expenses, including contract reporting
23 and other services as authorized by 5 U.S.C. 3109,
24 \$51,100,000, of which \$500,000 shall remain available
25 until expended: *Provided*, That travel expenses of the

1 judges shall be paid upon the written certificate of the
2 judge.

3 TITLE VI

4 GENERAL PROVISIONS—THIS ACT

5 (INCLUDING RESCISSION)

6 SEC. 601. None of the funds in this Act shall be used
7 for the planning or execution of any program to pay the
8 expenses of, or otherwise compensate, non-Federal parties
9 intervening in regulatory or adjudicatory proceedings
10 funded in this Act.

11 SEC. 602. None of the funds appropriated in this Act
12 shall remain available for obligation beyond the current
13 fiscal year, nor may any be transferred to other appropria-
14 tions, unless expressly so provided herein.

15 SEC. 603. The expenditure of any appropriation
16 under this Act for any consulting service through procure-
17 ment contract pursuant to 5 U.S.C. 3109, shall be limited
18 to those contracts where such expenditures are a matter
19 of public record and available for public inspection, except
20 where otherwise provided under existing law, or under ex-
21 isting Executive order issued pursuant to existing law.

22 SEC. 604. 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

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this Act or any other appropriations Act.

3 SEC. 605. None of the funds made available by this
4 Act shall be available for any activity or for paying the
5 salary of any Government employee where funding an ac-
6 tivity or paying a salary to a Government employee would
7 result in a decision, determination, rule, regulation, or pol-
8 icy that would prohibit the enforcement of section 307 of
9 the Tariff Act of 1930 (19 U.S.C. 1307).

10 SEC. 606. No funds appropriated pursuant to this
11 Act may be expended by an entity unless the entity agrees
12 that in expending the assistance the entity will comply
13 with chapter 83 of title 41, United States Code.

14 SEC. 607. No funds appropriated or otherwise made
15 available under this Act shall be made available to any
16 person or entity that has been convicted of violating chap-
17 ter 83 of title 41, United States Code.

18 SEC. 608. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2018, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be
25 available for obligation or expenditure through a re-

1 programming of funds that: (1) creates a new program;
2 (2) eliminates a program, project, or activity; (3) increases
3 funds or personnel for any program, project, or activity
4 for which funds have been denied or restricted by the Con-
5 gress; (4) proposes to use funds directed for a specific ac-
6 tivity by the Committee on Appropriations of either the
7 House of Representatives or the Senate for a different
8 purpose; (5) augments existing programs, projects, or ac-
9 tivities in excess of \$5,000,000 or 10 percent, whichever
10 is less; (6) reduces existing programs, projects, or activi-
11 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
12 creates or reorganizes offices, programs, or activities un-
13 less prior approval is received from the Committees on Ap-
14 propriations of the House of Representatives and the Sen-
15 ate: *Provided*, That prior to any significant reorganization
16 or restructuring of offices, programs, or activities, each
17 agency or entity funded in this Act shall consult with the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate: *Provided further*, That not later
20 than 60 days after the date of enactment of this Act, each
21 agency funded by this Act shall submit a report to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate to establish the baseline for applica-
24 tion of reprogramming and transfer authorities for the
25 current fiscal year: *Provided further*, That at a minimum

1 the report shall include: (1) a table for each appropriation
2 with a separate column to display the President's budget
3 request, adjustments made by Congress, adjustments due
4 to enacted rescissions, if appropriate, and the fiscal year
5 enacted level; (2) a delineation in the table for each appro-
6 priation both by object class and program, project, and
7 activity as detailed in the budget appendix for the respec-
8 tive appropriation; and (3) an identification of items of
9 special congressional interest: *Provided further*, That the
10 amount appropriated or limited for salaries and expenses
11 for an agency shall be reduced by \$100,000 per day for
12 each day after the required date that the report has not
13 been submitted to the Congress.

14 SEC. 609. Except as otherwise specifically provided
15 by law, not to exceed 50 percent of unobligated balances
16 remaining available at the end of fiscal year 2018 from
17 appropriations made available for salaries and expenses
18 for fiscal year 2018 in this Act, shall remain available
19 through September 30, 2019, for each such account for
20 the purposes authorized: *Provided*, That a request shall
21 be submitted to the Committees on Appropriations of the
22 House of Representatives and the Senate for approval
23 prior to the expenditure of such funds: *Provided further*,
24 That these requests shall be made in compliance with re-
25 programming guidelines.

1 SEC. 610. (a) None of the funds made available in
2 this Act may be used by the Executive Office of the Presi-
3 dent to request—

4 (1) any official background investigation report
5 on any individual from the Federal Bureau of Inves-
6 tigation; or

7 (2) a determination with respect to the treat-
8 ment of an organization as described in section
9 501(c) of the Internal Revenue Code of 1986 and
10 exempt from taxation under section 501(a) of such
11 Code from the Department of the Treasury or the
12 Internal Revenue Service.

13 (b) Subsection (a) shall not apply—

14 (1) in the case of an official background inves-
15 tigation report, if such individual has given express
16 written consent for such request not more than 6
17 months prior to the date of such request and during
18 the same presidential administration; or

19 (2) if such request is required due to extraor-
20 dinary circumstances involving national security.

21 SEC. 611. The cost accounting standards promul-
22 gated under chapter 15 of title 41, United States Code
23 shall not apply with respect to a contract under the Fed-
24 eral Employees Health Benefits Program established
25 under chapter 89 of title 5, United States Code.

1 SEC. 612. For the purpose of resolving litigation and
2 implementing any settlement agreements regarding the
3 nonforeign area cost-of-living allowance program, the Of-
4 fice of Personnel Management may accept and utilize
5 (without regard to any restriction on unanticipated travel
6 expenses imposed in an Appropriations Act) funds made
7 available to the Office of Personnel Management pursuant
8 to court approval.

9 SEC. 613. No funds appropriated by this Act shall
10 be available to pay for an abortion, or the administrative
11 expenses in connection with any health plan under the
12 Federal employees health benefits program which provides
13 any benefits or coverage for abortions.

14 SEC. 614. The provision of section 613 shall not
15 apply where the life of the mother would be endangered
16 if the fetus were carried to term, or the pregnancy is the
17 result of an act of rape or incest.

18 SEC. 615. In order to promote Government access to
19 commercial information technology, the restriction on pur-
20 chasing nondomestic articles, materials, and supplies set
21 forth in chapter 83 of title 41, United States Code (popu-
22 larly known as the Buy American Act), shall not apply
23 to the acquisition by the Federal Government of informa-
24 tion technology (as defined in section 11101 of title 40,

1 United States Code), that is a commercial item (as defined
2 in section 103 of title 41, United States Code).

3 SEC. 616. Notwithstanding section 1353 of title 31,
4 United States Code, no officer or employee of any regu-
5 latory agency or commission funded by this Act may ac-
6 cept on behalf of that agency, nor may such agency or
7 commission accept, payment or reimbursement from a
8 non-Federal entity for travel, subsistence, or related ex-
9 penses for the purpose of enabling an officer or employee
10 to attend and participate in any meeting or similar func-
11 tion relating to the official duties of the officer or em-
12 ployee when the entity offering payment or reimbursement
13 is a person or entity subject to regulation by such agency
14 or commission, or represents a person or entity subject
15 to regulation by such agency or commission, unless the
16 person or entity is an organization described in section
17 501(c)(3) of the Internal Revenue Code of 1986 and ex-
18 empt from tax under section 501(a) of such Code.

19 SEC. 617. Notwithstanding section 708 of this Act,
20 funds made available to the Commodity Futures Trading
21 Commission and the Securities and Exchange Commission
22 by this or any other Act may be used for the interagency
23 funding and sponsorship of a joint advisory committee to
24 advise on emerging regulatory issues.

1 SEC. 618. (a)(1) Notwithstanding any other provision
2 of law, an Executive agency covered by this Act otherwise
3 authorized to enter into contracts for either leases or the
4 construction or alteration of real property for office, meet-
5 ing, storage, or other space must consult with the General
6 Services Administration before issuing a solicitation for of-
7 fers of new leases or construction contracts, and in the
8 case of succeeding leases, before entering into negotiations
9 with the current lessor.

10 (2) Any such agency with authority to enter into an
11 emergency lease may do so during any period declared by
12 the President to require emergency leasing authority with
13 respect to such agency.

14 (b) For purposes of this section, the term “Executive
15 agency covered by this Act” means any Executive agency
16 provided funds by this Act, but does not include the Gen-
17 eral Services Administration or the United States Postal
18 Service.

19 SEC. 619. (a) There are appropriated for the fol-
20 lowing activities the amounts required under current law:

21 (1) Compensation of the President (3 U.S.C.
22 102).

23 (2) Payments to—

24 (A) the Judicial Officers’ Retirement Fund

25 (28 U.S.C. 377(o));

1 (B) the Judicial Survivors' Annuities Fund
2 (28 U.S.C. 376(c)); and

3 (C) the United States Court of Federal
4 Claims Judges' Retirement Fund (28 U.S.C.
5 178(l)).

6 (3) Payment of Government contributions—

7 (A) with respect to the health benefits of
8 retired employees, as authorized by chapter 89
9 of title 5, United States Code, and the Retired
10 Federal Employees Health Benefits Act (74
11 Stat. 849); and

12 (B) with respect to the life insurance bene-
13 fits for employees retiring after December 31,
14 1989 (5 U.S.C. ch. 87).

15 (4) Payment to finance the unfunded liability of
16 new and increased annuity benefits under the Civil
17 Service Retirement and Disability Fund (5 U.S.C.
18 8348).

19 (5) Payment of annuities authorized to be paid
20 from the Civil Service Retirement and Disability
21 Fund by statutory provisions other than subchapter
22 III of chapter 83 or chapter 84 of title 5, United
23 States Code.

24 (b) Nothing in this section may be construed to ex-
25 empt any amount appropriated by this section from any

1 otherwise applicable limitation on the use of funds con-
2 tained in this Act.

3 SEC. 620. In fiscal year 2018 and any fiscal year
4 thereafter, none of the funds made available in this or any
5 other Act may be used by the Federal Trade Commission
6 to complete or publish the study, recommendations, or re-
7 port prepared by the Interagency Working Group on Food
8 Marketed to Children pursuant to the directive described
9 on pages 983 and 984 of the House Appropriations Com-
10 mittee Print of the explanatory statement accompanying
11 the Omnibus Appropriations Act, 2009 (Public Law 111-
12 8).

13 SEC. 621. None of the funds in this Act may be used
14 for the Director of the Office of Personnel Management
15 to award a contract, enter an extension of, or exercise an
16 option on a contract to a contractor conducting the final
17 quality review processes for background investigation
18 fieldwork services or background investigation support
19 services that, as of the date of the award of the contract,
20 are being conducted by that contractor.

21 SEC. 622. (a) The head of each executive branch
22 agency funded by this Act shall ensure that the Chief In-
23 formation Officer of the agency has the authority to par-
24 ticipate in decisions regarding the budget planning process
25 related to information technology.

1 (b) Amounts appropriated for any executive branch
2 agency funded by this Act that are available for informa-
3 tion technology shall be allocated within the agency, con-
4 sistent with the provisions of appropriations Acts and
5 budget guidelines and recommendations from the Director
6 of the Office of Management and Budget, in such manner
7 as specified by, or approved by, the Chief Information Of-
8 ficer of the agency in consultation with the Chief Financial
9 Officer of the agency and budget officials.

10 SEC. 623. None of the funds made available in this
11 Act may be used in contravention of chapter 29, 31, or
12 33 of title 44, United States Code.

13 SEC. 624. None of the funds made available in this
14 Act may be used by a governmental entity to require the
15 disclosure by a provider of electronic communication serv-
16 ice to the public or remote computing service of the con-
17 tents of a wire or electronic communication that is in elec-
18 tronic storage with the provider (as such terms are defined
19 in sections 2510 and 2711 of title 18, United States Code)
20 in a manner that violates the Fourth Amendment to the
21 Constitution of the United States.

22 SEC. 625. No funds provided in this Act shall be used
23 to deny an Inspector General funded under this Act timely
24 access to any records, documents, or other materials avail-
25 able to the department or agency over which that Inspec-

1 tor General has responsibilities under the Inspector Gen-
2 eral Act of 1978, or to prevent or impede that Inspector
3 General's access to such records, documents, or other ma-
4 terials, under any provision of law, except a provision of
5 law that expressly refers to the Inspector General and ex-
6 pressly limits the Inspector General's right of access. A
7 department or agency covered by this section shall provide
8 its Inspector General with access to all such records, docu-
9 ments, and other materials in a timely manner. Each In-
10 spector General shall ensure compliance with statutory
11 limitations on disclosure relevant to the information pro-
12 vided by the establishment over which that Inspector Gen-
13 eral has responsibilities under the Inspector General Act
14 of 1978. Each Inspector General covered by this section
15 shall report to the Committees on Appropriations of the
16 House of Representatives and the Senate within 5 cal-
17 endar days any failures to comply with this requirement.

18 SEC. 626. (a) None of the funds made available in
19 this Act may be used to maintain or establish a computer
20 network unless such network blocks the viewing,
21 downloading, and exchanging of pornography.

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

1 other law enforcement- or victim assistance-related activ-
2 ity.

3 SEC. 627. Section 633(a) of title VI of division E of
4 the Consolidated Appropriations Act, 2017 (Public Law
5 115–31) is amended—

6 (1) by inserting “and” at the end of paragraph

7 (1);

8 (2) by striking paragraph (2); and

9 (3) by redesignating paragraph (3) as para-
10 graph (2).

11 SEC. 628. The unobligated balance in the Securities
12 and Exchange Commission Reserve Fund established by
13 section 991 of the Dodd-Frank Wall Street Reform and
14 Consumer Protection Act (Public Law 111–203) are per-
15 manently rescinded.

16 SEC. 629. None of the funds made available by this
17 Act shall be used by the Securities and Exchange Commis-
18 sion to study, develop, propose, finalize, issue, or imple-
19 ment any rule, regulation, or order regarding the disclo-
20 sure of political contributions to tax exempt organizations,
21 or dues paid to trade associations.

22 SEC. 630. None of the funds made available by this
23 Act may be used to enforce the requirements in section
24 316(b)(4)(D) of the Federal Election Campaign Act of
25 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of

1 contributions from member corporations stockholders and
2 executive or administrative personnel, and the families of
3 such stockholders or personnel, by trade associations must
4 be separately and specifically approved by the member cor-
5 poration involved prior to such solicitation, and that such
6 member corporation does not approve any such solicitation
7 by more than one such trade association in any calendar
8 year.

9 SEC. 631. (1) None of the funds appropriated by this
10 Act shall be available to pay for an abortion or the admin-
11 istrative expenses in connection with a multi-State quali-
12 fied health plan offered under a contract under section
13 1334 of the Patient Protection and Affordable Care Act
14 (42 U.S.C. 18054) which provides any benefits or coverage
15 for abortions.

16 (2) The provision of paragraph (1) shall not apply
17 where the life of the mother would be endangered if the
18 fetus were carried to term, or the pregnancy is the result
19 of an act of rape or incest.

20 SEC. 632. None of the funds made available in this
21 Act may be used by a governmental entity to require the
22 disclosure by a provider of electronic communication serv-
23 ice to the public or remote computing service of the con-
24 tents of a wire or electronic communication that is in elec-
25 tronic storage with or otherwise stored, held, or main-

1 tained by that service unless the governmental entity ob-
2 tains a warrant issued upon probable cause by a court of
3 competent jurisdiction using the procedures described in
4 the Federal Rules of Criminal Procedure.

5 SEC. 633. (a) No funds made available by this Act
6 shall be expended on any enforcement action that—

7 (1) concerns a pyramid promotional scheme
8 other than a scheme described in subsection (b); and

9 (2) begins after the date of enactment of this
10 section.

11 (b) The pyramid promotional scheme described in
12 this subsection is any plan or operation in which individ-
13 uals give consideration for the right to receive compensa-
14 tion that is primarily based upon recruiting other individ-
15 uals into such plan or operation rather than related to
16 the—

17 (1) sale of products or services to ultimate
18 users; or

19 (2) consumption by ultimate users.

20 (c) It is not evidence of a pyramid promotional
21 scheme described in subsection (b) if participants in the
22 plan or operation give consideration for the right to receive
23 compensation based upon purchases of products or serv-
24 ices by participants for personal use, consumption, or re-
25 sale, as long as the plan or operation—

1 (1) does not require inventory loading; and

2 (2) implements a bona fide inventory repur-
3 chase agreement.

4 (d) For purposes of this section—

5 (1) the term “bona fide inventory repurchase
6 agreement” means a program by which a plan or op-
7 eration—

8 (A) promises to repurchase, on commer-
9 cially reasonable terms, current and marketable
10 inventory purchased and maintained by a par-
11 ticipant for use, consumption, or resale, upon
12 request at the termination of the participant’s
13 business relationship with the plan or operation;
14 and

15 (B) clearly communicates such terms in its
16 recruiting literature, sales manual, or contracts
17 with participants, including the manner in
18 which the repurchase is to be exercised and dis-
19 closure of any inventory not eligible for repur-
20 chase under the program;

21 (2) the term “commercially reasonable terms”
22 means, with respect to a repurchase of current and
23 marketable inventory, a repurchase within 12
24 months from the date of purchase at not less than

1 90 percent of the original net cost to the participant,
2 less appropriate set-offs and legal claims, if any;

3 (3) the term “inventory loading” means a prac-
4 tice in which a plan or operation—

5 (A) requires or encourages its participants
6 to purchase inventory in an amount exceeding
7 that which the participant can reasonably ex-
8 pect to use, consume, or resell to ultimate
9 users; and

10 (B) is not subject to a bona fide inventory
11 repurchase agreement; and

12 (4) the term “ultimate users” means individuals
13 who consume or use the products or services, wheth-
14 er or not they are participants in the plan or oper-
15 ation.

16 TITLE VII

17 GENERAL PROVISIONS—GOVERNMENT-WIDE

18 DEPARTMENTS, AGENCIES, AND CORPORATIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 701. No department, agency, or instrumentality
21 of the United States receiving appropriated funds under
22 this or any other Act for fiscal year 2018 shall obligate
23 or expend any such funds, unless such department, agen-
24 cy, or instrumentality has in place, and will continue to
25 administer in good faith, a written policy designed to en-

1 sure that all of its workplaces are free from the illegal
2 use, possession, or distribution of controlled substances
3 (as defined in the Controlled Substances Act (21 U.S.C.
4 802)) by the officers and employees of such department,
5 agency, or instrumentality.

6 SEC. 702. Unless otherwise specifically provided, the
7 maximum amount allowable during the current fiscal year
8 in accordance with subsection 1343(c) of title 31, United
9 States Code, for the purchase of any passenger motor ve-
10 hicle (exclusive of buses, ambulances, law enforcement ve-
11 hicles, protective vehicles, and undercover surveillance ve-
12 hicles), is hereby fixed at \$19,947 except station wagons
13 for which the maximum shall be \$19,997: *Provided*, That
14 these limits may be exceeded by not to exceed \$7,250 for
15 police-type vehicles: *Provided further*, That the limits set
16 forth in this section may not be exceeded by more than
17 5 percent for electric or hybrid vehicles purchased for
18 demonstration under the provisions of the Electric and
19 Hybrid Vehicle Research, Development, and Demonstra-
20 tion Act of 1976: *Provided further*, That the limits set
21 forth in this section may be exceeded by the incremental
22 cost of clean alternative fuels vehicles acquired pursuant
23 to Public Law 101-549 over the cost of comparable con-
24 ventionally fueled vehicles: *Provided further*, That the lim-
25 its set forth in this section shall not apply to any vehicle

1 that is a commercial item and which operates on alter-
2 native fuel, including but not limited to electric, plug-in
3 hybrid electric, and hydrogen fuel cell vehicles.

4 SEC. 703. Appropriations of the executive depart-
5 ments and independent establishments for the current fis-
6 cal year available for expenses of travel, or for the ex-
7 penses of the activity concerned, are hereby made available
8 for quarters allowances and cost-of-living allowances, in
9 accordance with 5 U.S.C. 5922–5924.

10 SEC. 704. Unless otherwise specified in law during
11 the current fiscal year, no part of any appropriation con-
12 tained in this or any other Act shall be used to pay the
13 compensation of any officer or employee of the Govern-
14 ment of the United States (including any agency the ma-
15 jority of the stock of which is owned by the Government
16 of the United States) whose post of duty is in the conti-
17 nental United States unless such person: (1) is a citizen
18 of the United States; (2) is a person who is lawfully admit-
19 ted for permanent residence and is seeking citizenship as
20 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
21 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
22 ed asylum under 8 U.S.C. 1158 and has filed a declaration
23 of intention to become a lawful permanent resident and
24 then a citizen when eligible; or (4) is a person who owes
25 allegiance to the United States: *Provided*, That for pur-

1 poses of this section, affidavits signed by any such person
2 shall be considered prima facie evidence that the require-
3 ments of this section with respect to his or her status are
4 being complied with: *Provided further*, That for purposes
5 of subsections (2) and (3) such affidavits shall be sub-
6 mitted prior to employment and updated thereafter as nec-
7 essary: *Provided further*, That any payment made to any
8 officer or employee contrary to the provisions of this sec-
9 tion shall be recoverable in action by the Federal Govern-
10 ment: *Provided further*, That this section shall not apply
11 to any person who is an officer or employee of the Govern-
12 ment of the United States on the date of enactment of
13 this Act, or to international broadcasters employed by the
14 Broadcasting Board of Governors, or to temporary em-
15 ployment of translators, or to temporary employment in
16 the field service (not to exceed 60 days) as a result of
17 emergencies: *Provided further*, That this section does not
18 apply to the employment as Wildland firefighters for not
19 more than 120 days of nonresident aliens employed by the
20 Department of the Interior or the USDA Forest Service
21 pursuant to an agreement with another country.

22 SEC. 705. Appropriations available to any depart-
23 ment or agency during the current fiscal year for nec-
24 essary expenses, including maintenance or operating ex-
25 penses, shall also be available for payment to the General

1 Services Administration for charges for space and services
2 and those expenses of renovation and alteration of build-
3 ings and facilities which constitute public improvements
4 performed in accordance with the Public Buildings Act of
5 1959 (73 Stat. 479), the Public Buildings Amendments
6 of 1972 (86 Stat. 216), or other applicable law.

7 SEC. 706. In addition to funds provided in this or
8 any other Act, all Federal agencies are authorized to re-
9 ceive and use funds resulting from the sale of materials,
10 including Federal records disposed of pursuant to a
11 records schedule recovered through recycling or waste pre-
12 vention programs. Such funds shall be available until ex-
13 pended for the following purposes:

14 (1) Acquisition, waste reduction and prevention,
15 and recycling programs as described in Executive
16 Order No. 13693 (March 19, 2015), including any
17 such programs adopted prior to the effective date of
18 the Executive order.

19 (2) Other Federal agency environmental man-
20 agement programs, including, but not limited to, the
21 development and implementation of hazardous waste
22 management and pollution prevention programs.

23 (3) Other employee programs as authorized by
24 law or as deemed appropriate by the head of the
25 Federal agency.

1 SEC. 707. Funds made available by this or any other
2 Act for administrative expenses in the current fiscal year
3 of the corporations and agencies subject to chapter 91 of
4 title 31, United States Code, shall be available, in addition
5 to objects for which such funds are otherwise available,
6 for rent in the District of Columbia; services in accordance
7 with 5 U.S.C. 3109; and the objects specified under this
8 head, all the provisions of which shall be applicable to the
9 expenditure of such funds unless otherwise specified in the
10 Act by which they are made available: *Provided*, That in
11 the event any functions budgeted as administrative ex-
12 penses are subsequently transferred to or paid from other
13 funds, the limitations on administrative expenses shall be
14 correspondingly reduced.

15 SEC. 708. No part of any appropriation contained in
16 this or any other Act shall be available for interagency
17 financing of boards (except Federal Executive Boards),
18 commissions, councils, committees, or similar groups
19 (whether or not they are interagency entities) which do
20 not have a prior and specific statutory approval to receive
21 financial support from more than one agency or instru-
22 mentality.

23 SEC. 709. None of the funds made available pursuant
24 to the provisions of this or any other Act shall be used
25 to implement, administer, or enforce any regulation which

1 has been disapproved pursuant to a joint resolution duly
2 adopted in accordance with the applicable law of the
3 United States.

4 SEC. 710. During the period in which the head of
5 any department or agency, or any other officer or civilian
6 employee of the Federal Government appointed by the
7 President of the United States, holds office, no funds may
8 be obligated or expended in excess of \$5,000 to furnish
9 or redecorate the office of such department head, agency
10 head, officer, or employee, or to purchase furniture or
11 make improvements for any such office, unless advance
12 notice of such furnishing or redecoration is transmitted
13 to the Committees on Appropriations of the House of Rep-
14 resentatives and the Senate. For the purposes of this sec-
15 tion, the term “office” shall include the entire suite of of-
16 fices assigned to the individual, as well as any other space
17 used primarily by the individual or the use of which is
18 directly controlled by the individual.

19 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
20 tion 708 of this Act, funds made available for the current
21 fiscal year by this or any other Act shall be available for
22 the interagency funding of national security and emer-
23 gency preparedness telecommunications initiatives which
24 benefit multiple Federal departments, agencies, or enti-

1 ties, as provided by Executive Order No. 13618 (July 6,
2 2012).

3 SEC. 712. (a) None of the funds made available by
4 this or any other Act may be obligated or expended by
5 any department, agency, or other instrumentality of the
6 Federal Government to pay the salaries or expenses of any
7 individual appointed to a position of a confidential or pol-
8 icy-determining character that is excepted from the com-
9 petitive service under section 3302 of title 5, United
10 States Code, (pursuant to schedule C of subpart C of part
11 213 of title 5 of the Code of Federal Regulations) unless
12 the head of the applicable department, agency, or other
13 instrumentality employing such schedule C individual cer-
14 tifies to the Director of the Office of Personnel Manage-
15 ment that the schedule C position occupied by the indi-
16 vidual was not created solely or primarily in order to detail
17 the individual to the White House.

18 (b) The provisions of this section shall not apply to
19 Federal employees or members of the Armed Forces de-
20 tailed to or from an element of the intelligence community
21 (as that term is defined under section 3(4) of the National
22 Security Act of 1947 (50 U.S.C. 3003(4))).

23 SEC. 713. No part of any appropriation contained in
24 this or any other Act shall be available for the payment

1 of the salary of any officer or employee of the Federal
2 Government, who—

3 (1) prohibits or prevents, or attempts or threat-
4 ens to prohibit or prevent, any other officer or em-
5 ployee of the Federal Government from having any
6 direct oral or written communication or contact with
7 any Member, committee, or subcommittee of the
8 Congress in connection with any matter pertaining
9 to the employment of such other officer or employee
10 or pertaining to the department or agency of such
11 other officer or employee in any way, irrespective of
12 whether such communication or contact is at the ini-
13 tiative of such other officer or employee or in re-
14 sponse to the request or inquiry of such Member,
15 committee, or subcommittee; or

16 (2) removes, suspends from duty without pay,
17 demotes, reduces in rank, seniority, status, pay, or
18 performance or efficiency rating, denies promotion
19 to, relocates, reassigns, transfers, disciplines, or dis-
20 criminates in regard to any employment right, enti-
21 tlement, or benefit, or any term or condition of em-
22 ployment of, any other officer or employee of the
23 Federal Government, or attempts or threatens to
24 commit any of the foregoing actions with respect to
25 such other officer or employee, by reason of any

1 communication or contact of such other officer or
2 employee with any Member, committee, or sub-
3 committee of the Congress as described in paragraph
4 (1).

5 SEC. 714. (a) None of the funds made available in
6 this or any other Act may be obligated or expended for
7 any employee training that—

8 (1) does not meet identified needs for knowl-
9 edge, skills, and abilities bearing directly upon the
10 performance of official duties;

11 (2) contains elements likely to induce high lev-
12 els of emotional response or psychological stress in
13 some participants;

14 (3) does not require prior employee notification
15 of the content and methods to be used in the train-
16 ing and written end of course evaluation;

17 (4) contains any methods or content associated
18 with religious or quasi-religious belief systems or
19 “new age” belief systems as defined in Equal Em-
20 ployment Opportunity Commission Notice N-
21 915.022, dated September 2, 1988; or

22 (5) is offensive to, or designed to change, par-
23 ticipants’ personal values or lifestyle outside the
24 workplace.

1 (b) Nothing in this section shall prohibit, restrict, or
2 otherwise preclude an agency from conducting training
3 bearing directly upon the performance of official duties.

4 SEC. 715. No part of any funds appropriated in this
5 or any other Act shall be used by an agency of the execu-
6 tive branch, other than for normal and recognized execu-
7 tive-legislative relationships, for publicity or propaganda
8 purposes, and for the preparation, distribution or use of
9 any kit, pamphlet, booklet, publication, radio, television,
10 or film presentation designed to support or defeat legisla-
11 tion pending before the Congress, except in presentation
12 to the Congress itself.

13 SEC. 716. None of the funds appropriated by this or
14 any other Act may be used by an agency to provide a Fed-
15 eral employee's home address to any labor organization
16 except when the employee has authorized such disclosure
17 or when such disclosure has been ordered by a court of
18 competent jurisdiction.

19 SEC. 717. None of the funds made available in this
20 or any other Act may be used to provide any non-public
21 information such as mailing, telephone or electronic mail-
22 ing lists to any person or any organization outside of the
23 Federal Government without the approval of the Commit-
24 tees on Appropriations of the House of Representatives
25 and the Senate.

1 SEC. 718. No part of any appropriation contained in
2 this or any other Act shall be used directly or indirectly,
3 including by private contractor, for publicity or propa-
4 ganda purposes within the United States not heretofore
5 authorized by Congress.

6 SEC. 719. (a) In this section, the term “agency”—

7 (1) means an Executive agency, as defined
8 under 5 U.S.C. 105; and

9 (2) includes a military department, as defined
10 under section 102 of such title, the United States
11 Postal Service, and the Postal Regulatory Commis-
12 sion.

13 (b) Unless authorized in accordance with law or regu-
14 lations to use such time for other purposes, an employee
15 of an agency shall use official time in an honest effort
16 to perform official duties. An employee not under a leave
17 system, including a Presidential appointee exempted under
18 5 U.S.C. 6301(2), has an obligation to expend an honest
19 effort and a reasonable proportion of such employee’s time
20 in the performance of official duties.

21 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
22 tion 708 of this Act, funds made available for the current
23 fiscal year by this or any other Act to any department
24 or agency, which is a member of the Federal Accounting
25 Standards Advisory Board (FASAB), shall be available to

1 finance an appropriate share of FASAB administrative
2 costs.

3 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
4 tion 708 of this Act, the head of each Executive depart-
5 ment and agency is hereby authorized to transfer to or
6 reimburse “General Services Administration, Government-
7 wide Policy” with the approval of the Director of the Of-
8 fice of Management and Budget, funds made available for
9 the current fiscal year by this or any other Act, including
10 rebates from charge card and other contracts: *Provided*,
11 That these funds shall be administered by the Adminis-
12 trator of General Services to support Government-wide
13 and other multi-agency financial, information technology,
14 procurement, and other management innovations, initia-
15 tives, and activities, including improving coordination and
16 reducing duplication, as approved by the Director of the
17 Office of Management and Budget, in consultation with
18 the appropriate interagency and multi-agency groups des-
19 igned by the Director (including the President’s Man-
20 agement Council for overall management improvement ini-
21 tiatives, the Chief Financial Officers Council for financial
22 management initiatives, the Chief Information Officers
23 Council for information technology initiatives, the Chief
24 Human Capital Officers Council for human capital initia-
25 tives, the Chief Acquisition Officers Council for procure-

1 ment initiatives, and the Performance Improvement Coun-
2 cil for performance improvement initiatives): *Provided fur-*
3 *ther*, That the total funds transferred or reimbursed shall
4 not exceed \$15,000,000 to improve coordination, reduce
5 duplication, and for other activities related to Federal
6 Government Priority Goals established by 31 U.S.C. 1120,
7 and not to exceed \$17,000,000 for Government-Wide inno-
8 vations, initiatives, and activities: *Provided further*, That
9 the funds transferred to or for reimbursement of “General
10 Services Administration, Government-wide Policy” during
11 fiscal year 2018 shall remain available for obligation
12 through September 30, 2019: *Provided further*, That such
13 transfers or reimbursements may only be made after 15
14 days following notification of the Committees on Appro-
15 priations of the House of Representatives and the Senate
16 by the Director of the Office of Management and Budget.

17 SEC. 722. Notwithstanding any other provision of
18 law, a woman may breastfeed her child at any location
19 in a Federal building or on Federal property, if the woman
20 and her child are otherwise authorized to be present at
21 the location.

22 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
23 tion 708 of this Act, funds made available for the current
24 fiscal year by this or any other Act shall be available for
25 the interagency funding of specific projects, workshops,

1 studies, and similar efforts to carry out the purposes of
2 the National Science and Technology Council (authorized
3 by Executive Order No. 12881), which benefit multiple
4 Federal departments, agencies, or entities: *Provided*, That
5 the Office of Management and Budget shall provide a re-
6 port describing the budget of and resources connected with
7 the National Science and Technology Council to the Com-
8 mittees on Appropriations, the House Committee on
9 Science and Technology, and the Senate Committee on
10 Commerce, Science, and Transportation 90 days after en-
11 actment of this Act.

12 SEC. 724. Any request for proposals, solicitation,
13 grant application, form, notification, press release, or
14 other publications involving the distribution of Federal
15 funds shall comply with any relevant requirements in part
16 200 of title 2, Code of Federal Regulations: *Provided*,
17 That this section shall apply to direct payments, formula
18 funds, and grants received by a State receiving Federal
19 funds.

20 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
21 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
22 the funds made available in this or any other Act may
23 be used by any Federal agency—

24 (1) to collect, review, or create any aggregation
25 of data, derived from any means, that includes any

1 personally identifiable information relating to an in-
2 dividual's access to or use of any Federal Govern-
3 ment Internet site of the agency; or

4 (2) to enter into any agreement with a third
5 party (including another government agency) to col-
6 lect, review, or obtain any aggregation of data, de-
7 rived from any means, that includes any personally
8 identifiable information relating to an individual's
9 access to or use of any nongovernmental Internet
10 site.

11 (b) EXCEPTIONS.—The limitations established in
12 subsection (a) shall not apply to—

13 (1) any record of aggregate data that does not
14 identify particular persons;

15 (2) any voluntary submission of personally iden-
16 tifiable information;

17 (3) any action taken for law enforcement, regu-
18 latory, or supervisory purposes, in accordance with
19 applicable law; or

20 (4) any action described in subsection (a)(1)
21 that is a system security action taken by the oper-
22 ator of an Internet site and is necessarily incident
23 to providing the Internet site services or to pro-
24 tecting the rights or property of the provider of the
25 Internet site.

1 (c) DEFINITIONS.—For the purposes of this section:

2 (1) The term “regulatory” means agency ac-
3 tions to implement, interpret or enforce authorities
4 provided in law.

5 (2) The term “supervisory” means examina-
6 tions of the agency’s supervised institutions, includ-
7 ing assessing safety and soundness, overall financial
8 condition, management practices and policies and
9 compliance with applicable standards as provided in
10 law.

11 SEC. 726. (a) None of the funds appropriated by this
12 Act may be used to enter into or renew a contract which
13 includes a provision providing prescription drug coverage,
14 except where the contract also includes a provision for con-
15 traceptive coverage.

16 (b) Nothing in this section shall apply to a contract
17 with—

18 (1) any of the following religious plans:

19 (A) Personal Care’s HMO; and

20 (B) OSF HealthPlans, Inc.; and

21 (2) any existing or future plan, if the carrier
22 for the plan objects to such coverage on the basis of
23 religious beliefs.

24 (c) In implementing this section, any plan that enters
25 into or renews a contract under this section may not sub-

1 ject any individual to discrimination on the basis that the
2 individual refuses to prescribe or otherwise provide for
3 contraceptives because such activities would be contrary
4 to the individual's religious beliefs or moral convictions.

5 (d) Nothing in this section shall be construed to re-
6 quire coverage of abortion or abortion-related services.

7 SEC. 727. The United States is committed to ensur-
8 ing the health of its Olympic, Pan American, and
9 Paralympic athletes, and supports the strict adherence to
10 anti-doping in sport through testing, adjudication, edu-
11 cation, and research as performed by nationally recognized
12 oversight authorities.

13 SEC. 728. Notwithstanding any other provision of
14 law, funds appropriated for official travel to Federal de-
15 partments and agencies may be used by such departments
16 and agencies, if consistent with Office of Management and
17 Budget Circular A-126 regarding official travel for Gov-
18 ernment personnel, to participate in the fractional aircraft
19 ownership pilot program.

20 SEC. 729. Notwithstanding any other provision of
21 law, no executive branch agency shall purchase, construct,
22 or lease any additional facilities, except within or contig-
23 uous to existing locations, to be used for the purpose of
24 conducting Federal law enforcement training without the
25 advance approval of the Committees on Appropriations of

1 the House of Representatives and the Senate, except that
2 the Federal Law Enforcement Training Center is author-
3 ized to obtain the temporary use of additional facilities
4 by lease, contract, or other agreement for training which
5 cannot be accommodated in existing Center facilities.

6 SEC. 730. Unless otherwise authorized by existing
7 law, none of the funds provided in this or any other Act
8 may be used by an executive branch agency to produce
9 any prepackaged news story intended for broadcast or dis-
10 tribution in the United States, unless the story includes
11 a clear notification within the text or audio of the pre-
12 packaged news story that the prepackaged news story was
13 prepared or funded by that executive branch agency.

14 SEC. 731. None of the funds made available in this
15 Act may be used in contravention of section 552a of title
16 5, United States Code (popularly known as the Privacy
17 Act), and regulations implementing that section.

18 SEC. 732. (a) IN GENERAL.—None of the funds ap-
19 propriated or otherwise made available by this or any
20 other Act may be used for any Federal Government con-
21 tract with any foreign incorporated entity which is treated
22 as an inverted domestic corporation under section 835(b)
23 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
24 or any subsidiary of such an entity.

25 (b) WAIVERS.—

1 (1) IN GENERAL.—Any Secretary shall waive
2 subsection (a) with respect to any Federal Govern-
3 ment contract under the authority of such Secretary
4 if the Secretary determines that the waiver is re-
5 quired in the interest of national security.

6 (2) REPORT TO CONGRESS.—Any Secretary
7 issuing a waiver under paragraph (1) shall report
8 such issuance to Congress.

9 (c) EXCEPTION.—This section shall not apply to any
10 Federal Government contract entered into before the date
11 of the enactment of this Act, or to any task order issued
12 pursuant to such contract.

13 SEC. 733. During fiscal year 2018, for each employee
14 who—

15 (1) retires under section 8336(d)(2) or
16 8414(b)(1)(B) of title 5, United States Code; or

17 (2) retires under any other provision of sub-
18 chapter III of chapter 83 or chapter 84 of such title
19 5 and receives a payment as an incentive to sepa-
20 rate, the separating agency shall remit to the Civil
21 Service Retirement and Disability Fund an amount
22 equal to the Office of Personnel Management’s aver-
23 age unit cost of processing a retirement claim for
24 the preceding fiscal year. Such amounts shall be
25 available until expended to the Office of Personnel

1 Management and shall be deemed to be an adminis-
2 trative expense under section 8348(a)(1)(B) of title
3 5, United States Code.

4 SEC. 734. (a) None of the funds made available in
5 this or any other Act may be used to recommend or re-
6 quire any entity submitting an offer for a Federal contract
7 to disclose any of the following information as a condition
8 of submitting the offer:

9 (1) Any payment consisting of a contribution,
10 expenditure, independent expenditure, or disburse-
11 ment for an electioneering communication that is
12 made by the entity, its officers or directors, or any
13 of its affiliates or subsidiaries to a candidate for
14 election for Federal office or to a political com-
15 mittee, or that is otherwise made with respect to any
16 election for Federal office.

17 (2) Any disbursement of funds (other than a
18 payment described in paragraph (1)) made by the
19 entity, its officers or directors, or any of its affiliates
20 or subsidiaries to any person with the intent or the
21 reasonable expectation that the person will use the
22 funds to make a payment described in paragraph
23 (1).

24 (b) In this section, each of the terms “contribution”,
25 “expenditure”, “independent expenditure”, “election-

1 eering communication”, “candidate”, “election”, and
2 “Federal office” has the meaning given such term in the
3 Federal Election Campaign Act of 1971 (52 U.S.C. 30101
4 et seq.).

5 SEC. 735. None of the funds made available in this
6 or any other Act may be used to pay for the painting of
7 a portrait of an officer or employee of the Federal govern-
8 ment, including the President, the Vice President, a mem-
9 ber of Congress (including a Delegate or a Resident Com-
10 missioner to Congress), the head of an executive branch
11 agency (as defined in section 133 of title 41, United States
12 Code), or the head of an office of the legislative branch.

13 SEC. 736. (a)(1) Notwithstanding any other provision
14 of law, and except as otherwise provided in this section,
15 no part of any of the funds appropriated for fiscal year
16 2018, by this or any other Act, may be used to pay any
17 prevailing rate employee described in section
18 5342(a)(2)(A) of title 5, United States Code—

19 (A) during the period from the date of expira-
20 tion of the limitation imposed by the comparable sec-
21 tion for the previous fiscal years until the normal ef-
22 fective date of the applicable wage survey adjust-
23 ment that is to take effect in fiscal year 2018, in an
24 amount that exceeds the rate payable for the appli-

1 cable grade and step of the applicable wage schedule
2 in accordance with such section; and

3 (B) during the period consisting of the remain-
4 der of fiscal year 2018 , in an amount that exceeds,
5 as a result of a wage survey adjustment, the rate
6 payable under subparagraph (A) by more than the
7 sum of—

8 (i) the percentage adjustment taking effect
9 in fiscal year 2018 under section 5303 of title
10 5, United States Code, in the rates of pay
11 under the General Schedule; and

12 (ii) the difference between the overall aver-
13 age percentage of the locality-based com-
14 parability payments taking effect in fiscal year
15 2018 under section 5304 of such title (whether
16 by adjustment or otherwise), and the overall av-
17 erage percentage of such payments which was
18 effective in the previous fiscal year under such
19 section.

20 (2) Notwithstanding any other provision of law, no
21 prevailing rate employee described in subparagraph (B) or
22 (C) of section 5342(a)(2) of title 5, United States Code,
23 and no employee covered by section 5348 of such title,
24 may be paid during the periods for which paragraph (1)
25 is in effect at a rate that exceeds the rates that would

1 be payable under paragraph (1) were paragraph (1) appli-
2 cable to such employee.

3 (3) For the purposes of this subsection, the rates pay-
4 able to an employee who is covered by this subsection and
5 who is paid from a schedule not in existence on September
6 30, 2017, shall be determined under regulations pre-
7 scribed by the Office of Personnel Management.

8 (4) Notwithstanding any other provision of law, rates
9 of premium pay for employees subject to this subsection
10 may not be changed from the rates in effect on September
11 30, 2017, except to the extent determined by the Office
12 of Personnel Management to be consistent with the pur-
13 pose of this subsection.

14 (5) This subsection shall apply with respect to pay
15 for service performed after September 30, 2017.

16 (6) For the purpose of administering any provision
17 of law (including any rule or regulation that provides pre-
18 mium pay, retirement, life insurance, or any other em-
19 ployee benefit) that requires any deduction or contribu-
20 tion, or that imposes any requirement or limitation on the
21 basis of a rate of salary or basic pay, the rate of salary
22 or basic pay payable after the application of this sub-
23 section shall be treated as the rate of salary or basic pay.

24 (7) Nothing in this subsection shall be considered to
25 permit or require the payment to any employee covered

1 by this subsection at a rate in excess of the rate that would
2 be payable were this subsection not in effect.

3 (8) The Office of Personnel Management may provide
4 for exceptions to the limitations imposed by this sub-
5 section if the Office determines that such exceptions are
6 necessary to ensure the recruitment or retention of quali-
7 fied employees.

8 (b) Notwithstanding subsection (a), the adjustment
9 in rates of basic pay for the statutory pay systems that
10 take place in fiscal year 2018 under sections 5344 and
11 5348 of title 5, United States Code, shall be—

12 (1) not less than the percentage received by em-
13 ployees in the same location whose rates of basic pay
14 are adjusted pursuant to the statutory pay systems
15 under sections 5303 and 5304 of title 5, United
16 States Code: *Provided*, That prevailing rate employ-
17 ees at locations where there are no employees whose
18 pay is increased pursuant to sections 5303 and 5304
19 of title 5, United States Code, and prevailing rate
20 employees described in section 5343(a)(5) of title 5,
21 United States Code, shall be considered to be located
22 in the pay locality designated as “Rest of United
23 States” pursuant to section 5304 of title 5, United
24 States Code, for purposes of this subsection; and

1 (2) effective as of the first day of the first ap-
2 plicable pay period beginning after September 30,
3 2017.

4 SEC. 737. (a) The head of any Executive branch de-
5 partment, agency, board, commission, or office funded by
6 this or any other appropriations Act shall submit annual
7 reports to the Inspector General or senior ethics official
8 for any entity without an Inspector General, regarding the
9 costs and contracting procedures related to each con-
10 ference held by any such department, agency, board, com-
11 mission, or office during fiscal year 2018 for which the
12 cost to the United States Government was more than
13 \$100,000.

14 (b) Each report submitted shall include, for each con-
15 ference described in subsection (a) held during the applica-
16 ble period—

17 (1) a description of its purpose;

18 (2) the number of participants attending;

19 (3) a detailed statement of the costs to the
20 United States Government, including—

21 (A) the cost of any food or beverages;

22 (B) the cost of any audio-visual services;

23 (C) the cost of employee or contractor
24 travel to and from the conference; and

1 (D) a discussion of the methodology used
2 to determine which costs relate to the con-
3 ference; and

4 (4) a description of the contracting procedures
5 used including—

6 (A) whether contracts were awarded on a
7 competitive basis; and

8 (B) a discussion of any cost comparison
9 conducted by the departmental component or
10 office in evaluating potential contractors for the
11 conference.

12 (c) Within 15 days after the end of a quarter, the
13 head of any such department, agency, board, commission,
14 or office shall notify the Inspector General or senior ethics
15 official for any entity without an Inspector General, of the
16 date, location, and number of employees attending a con-
17 ference held by any Executive branch department, agency,
18 board, commission, or office funded by this or any other
19 appropriations Act during fiscal year 2018 for which the
20 cost to the United States Government was more than
21 \$20,000.

22 (d) A grant or contract funded by amounts appro-
23 priated by this or any other appropriations Act may not
24 be used for the purpose of defraying the costs of a con-
25 ference described in subsection (c) that is not directly and

1 programmatically related to the purpose for which the
2 grant or contract was awarded, such as a conference held
3 in connection with planning, training, assessment, review,
4 or other routine purposes related to a project funded by
5 the grant or contract.

6 (e) None of the funds made available in this or any
7 other appropriations Act may be used for travel and con-
8 ference activities that are not in compliance with Office
9 of Management and Budget Memorandum M-12-12
10 dated May 11, 2012 or any subsequent revisions to that
11 memorandum.

12 SEC. 738. None of the funds made available in this
13 or any other appropriations Act may be used to increase,
14 eliminate, or reduce funding for a program, project, or ac-
15 tivity as proposed in the President's budget request for
16 a fiscal year until such proposed change is subsequently
17 enacted in an appropriation Act, or unless such change
18 is made pursuant to the reprogramming or transfer provi-
19 sions of this or any other appropriations Act.

20 SEC. 739. None of the funds made available by this
21 or any other Act may be used to implement, administer,
22 enforce, or apply the rule entitled "Competitive Area"
23 published by the Office of Personnel Management in the
24 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
25 et seq.).

1 SEC. 740. (a) None of the funds appropriated or oth-
2 erwise made available by this or any other Act may be
3 available for a contract, grant, or cooperative agreement
4 with an entity that requires employees or contractors of
5 such entity seeking to report fraud, waste, or abuse to sign
6 internal confidentiality agreements or statements prohib-
7 iting or otherwise restricting such employees or contrac-
8 tors from lawfully reporting such waste, fraud, or abuse
9 to a designated investigative or law enforcement represent-
10 ative of a Federal department or agency authorized to re-
11 ceive such information.

12 (b) The limitation in subsection (a) shall not con-
13 travene requirements applicable to Standard Form 312,
14 Form 4414, or any other form issued by a Federal depart-
15 ment or agency governing the nondisclosure of classified
16 information.

17 SEC. 741. (a) No funds appropriated in this or any
18 other Act may be used to implement or enforce the agree-
19 ments in Standard Forms 312 and 4414 of the Govern-
20 ment or any other nondisclosure policy, form, or agree-
21 ment if such policy, form, or agreement does not contain
22 the following provisions: “These provisions are consistent
23 with and do not supersede, conflict with, or otherwise alter
24 the employee obligations, rights, or liabilities created by
25 existing statute or Executive order relating to: (1) classi-

1 fied information; (2) communications to Congress; (3) the
2 reporting to an Inspector General of a violation of any
3 law, rule, or regulation, or mismanagement, a gross waste
4 of funds, an abuse of authority, or a substantial and spe-
5 cific danger to public health or safety; or (4) any other
6 whistleblower protection. The definitions, requirements,
7 obligations, rights, sanctions, and liabilities created by
8 controlling Executive orders and statutory provisions are
9 incorporated into this agreement and are controlling.”:
10 *Provided*, That notwithstanding the preceding provision of
11 this section, a nondisclosure policy form or agreement that
12 is to be executed by a person connected with the conduct
13 of an intelligence or intelligence-related activity, other
14 than an employee or officer of the United States Govern-
15 ment, may contain provisions appropriate to the particular
16 activity for which such document is to be used. Such form
17 or agreement shall, at a minimum, require that the person
18 will not disclose any classified information received in the
19 course of such activity unless specifically authorized to do
20 so by the United States Government. Such nondisclosure
21 forms shall also make it clear that they do not bar dislo-
22 sures to Congress, or to an authorized official of an execu-
23 tive agency or the Department of Justice, that are essen-
24 tial to reporting a substantial violation of law.

1 (b) A nondisclosure agreement may continue to be
2 implemented and enforced notwithstanding subsection (a)
3 if it complies with the requirements for such agreement
4 that were in effect when the agreement was entered into.

5 (c) No funds appropriated in this or any other Act
6 may be used to implement or enforce any agreement en-
7 tered into during fiscal year 2014 which does not contain
8 substantially similar language to that required in sub-
9 section (a).

10 SEC. 742. None of the funds made available by this
11 or any other Act may be used to enter into a contract,
12 memorandum of understanding, or cooperative agreement
13 with, make a grant to, or provide a loan or loan guarantee
14 to, any corporation that has any unpaid Federal tax liabil-
15 ity that has been assessed, for which all judicial and ad-
16 ministrative remedies have been exhausted or have lapsed,
17 and that is not being paid in a timely manner pursuant
18 to an agreement with the authority responsible for col-
19 lecting the tax liability, where the awarding agency is
20 aware of the unpaid tax liability, unless a Federal agency
21 has considered suspension or debarment of the corporation
22 and has made a determination that this further action is
23 not necessary to protect the interests of the Government.

24 SEC. 743. None of the funds made available by this
25 or any other Act may be used to enter into a contract,

1 memorandum of understanding, or cooperative agreement
2 with, make a grant to, or provide a loan or loan guarantee
3 to, any corporation that was convicted of a felony criminal
4 violation under any Federal law within the preceding 24
5 months, where the awarding agency is aware of the convic-
6 tion, unless a Federal agency has considered suspension
7 or debarment of the corporation and has made a deter-
8 mination that this further action is not necessary to pro-
9 tect the interests of the Government.

10 SEC. 744. (a) During fiscal year 2018, on the date
11 on which a request is made for a transfer of funds in ac-
12 cordance with section 1017 of Public Law 111–203, the
13 Bureau of Consumer Financial Protection shall notify the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate, the Committee on Financial Serv-
16 ices of the House of Representatives, and the Committee
17 on Banking, Housing, and Urban Affairs of the Senate
18 of such request.

19 (b) Any notification required by this section shall be
20 made available on the Bureau’s public Web site.

21 SEC. 745. None of the funds made available under
22 this or any other Act may be used to implement or enforce
23 Executive Order No. 13690, “Establishing a Federal
24 Flood Risk Management Standard and a Process for Fur-

1 ther Soliciting and Considering Stakeholder Input”, in-
2 cluding any related rules, interim final rules, or guidance.

3 SEC. 746. Except as expressly provided otherwise,
4 any reference to “this Act” contained in any title other
5 than title IV or VIII shall not apply to such title IV or
6 VIII.

7 TITLE VIII

8 GENERAL PROVISIONS—DISTRICT OF

9 COLUMBIA

10 (INCLUDING TRANSFERS OF FUNDS)

11 SEC. 801. There are appropriated from the applicable
12 funds of the District of Columbia such sums as may be
13 necessary for making refunds and for the payment of legal
14 settlements or judgments that have been entered against
15 the District of Columbia government.

16 SEC. 802. None of the Federal funds provided in this
17 Act shall be used for publicity or propaganda purposes or
18 implementation of any policy including boycott designed
19 to support or defeat legislation pending before Congress
20 or any State legislature.

21 SEC. 803. (a) None of the Federal funds provided
22 under this Act to the agencies funded by this Act, both
23 Federal and District government agencies, that remain
24 available for obligation or expenditure in fiscal year 2018,
25 or provided from any accounts in the Treasury of the

1 United States derived by the collection of fees available
2 to the agencies funded by this Act, shall be available for
3 obligation or expenditures for an agency through a re-
4 programming of funds which—

5 (1) creates new programs;

6 (2) eliminates a program, project, or responsi-
7 bility center;

8 (3) establishes or changes allocations specifi-
9 cally denied, limited or increased under this Act;

10 (4) increases funds or personnel by any means
11 for any program, project, or responsibility center for
12 which funds have been denied or restricted;

13 (5) re-establishes any program or project pre-
14 viously deferred through reprogramming;

15 (6) augments any existing program, project, or
16 responsibility center through a reprogramming of
17 funds in excess of \$3,000,000 or 10 percent, which-
18 ever is less; or

19 (7) increases by 20 percent or more personnel
20 assigned to a specific program, project or responsi-
21 bility center,

22 unless prior approval is received from the Committees on
23 Appropriations of the House of Representatives and the
24 Senate.

1 (b) The District of Columbia government is author-
2 ized to approve and execute reprogramming and transfer
3 requests of local funds under this title through November
4 7, 2018.

5 SEC. 804. None of the Federal funds provided in this
6 Act may be used by the District of Columbia to provide
7 for salaries, expenses, or other costs associated with the
8 offices of United States Senator or United States Rep-
9 resentative under section 4(d) of the District of Columbia
10 Statehood Constitutional Convention Initiatives of 1979
11 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

12 SEC. 805. Except as otherwise provided in this sec-
13 tion, none of the funds made available by this Act or by
14 any other Act may be used to provide any officer or em-
15 ployee of the District of Columbia with an official vehicle
16 unless the officer or employee uses the vehicle only in the
17 performance of the officer’s or employee’s official duties.
18 For purposes of this section, the term “official duties”
19 does not include travel between the officer’s or employee’s
20 residence and workplace, except in the case of—

21 (1) an officer or employee of the Metropolitan
22 Police Department who resides in the District of Co-
23 lumbia or is otherwise designated by the Chief of the
24 Department;

1 (2) at the discretion of the Fire Chief, an offi-
2 cer or employee of the District of Columbia Fire and
3 Emergency Medical Services Department who re-
4 sides in the District of Columbia and is on call 24
5 hours a day;

6 (3) at the discretion of the Director of the De-
7 partment of Corrections, an officer or employee of
8 the District of Columbia Department of Corrections
9 who resides in the District of Columbia and is on
10 call 24 hours a day;

11 (4) at the discretion of the Chief Medical Ex-
12 aminer, an officer or employee of the Office of the
13 Chief Medical Examiner who resides in the District
14 of Columbia and is on call 24 hours a day;

15 (5) at the discretion of the Director of the
16 Homeland Security and Emergency Management
17 Agency, an officer or employee of the Homeland Se-
18 curity and Emergency Management Agency who re-
19 sides in the District of Columbia and is on call 24
20 hours a day;

21 (6) the Mayor of the District of Columbia; and

22 (7) the Chairman of the Council of the District
23 of Columbia.

24 SEC. 806. (a) None of the Federal funds contained
25 in this Act may be used by the District of Columbia Attor-

1 ney General or any other officer or entity of the District
2 government to provide assistance for any petition drive or
3 civil action which seeks to require Congress to provide for
4 voting representation in Congress for the District of Co-
5 lumbia.

6 (b) Nothing in this section bars the District of Co-
7 lumbia Attorney General from reviewing or commenting
8 on briefs in private lawsuits, or from consulting with offi-
9 cials of the District government regarding such lawsuits.

10 SEC. 807. None of the Federal funds contained in
11 this Act may be used to distribute any needle or syringe
12 for the purpose of preventing the spread of blood borne
13 pathogens in any location that has been determined by the
14 local public health or local law enforcement authorities to
15 be inappropriate for such distribution.

16 SEC. 808. Nothing in this Act may be construed to
17 prevent the Council or Mayor of the District of Columbia
18 from addressing the issue of the provision of contraceptive
19 coverage by health insurance plans, but it is the intent
20 of Congress that any legislation enacted on such issue
21 should include a “conscience clause” which provides excep-
22 tions for religious beliefs and moral convictions.

23 SEC. 809. (a) None of the Federal funds contained
24 in this Act may be used to enact or carry out any law,
25 rule, or regulation to legalize or otherwise reduce penalties

1 associated with the possession, use, or distribution of any
2 schedule I substance under the Controlled Substances Act
3 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
4 rivative.

5 (b) No funds available for obligation or expenditure
6 by the District of Columbia government under any author-
7 ity may be used to enact any law, rule, or regulation to
8 legalize or otherwise reduce penalties associated with the
9 possession, use, or distribution of any schedule I substance
10 under the Controlled Substances Act (21 U.S.C. 801 et
11 seq.) or any tetrahydrocannabinols derivative for rec-
12 reational purposes.

13 SEC. 810. No funds available for obligation or ex-
14 penditure by the District of Columbia government under
15 any authority shall be expended for any abortion except
16 where the life of the mother would be endangered if the
17 fetus were carried to term or where the pregnancy is the
18 result of an act of rape or incest.

19 SEC. 811. (a) No later than 30 calendar days after
20 the date of the enactment of this Act, the Chief Financial
21 Officer for the District of Columbia shall submit to the
22 appropriate committees of Congress, the Mayor, and the
23 Council of the District of Columbia, a revised appropriated
24 funds operating budget in the format of the budget that
25 the District of Columbia government submitted pursuant

1 to section 442 of the District of Columbia Home Rule Act
2 (D.C. Official Code, sec. 1–204.42), for all agencies of the
3 District of Columbia government for fiscal year 2018 that
4 is in the total amount of the approved appropriation and
5 that realigns all budgeted data for personal services and
6 other-than-personal services, respectively, with anticipated
7 actual expenditures.

8 (b) This section shall apply only to an agency for
9 which the Chief Financial Officer for the District of Co-
10 lumbia certifies that a reallocation is required to address
11 unanticipated changes in program requirements.

12 SEC. 812. No later than 30 calendar days after the
13 date of the enactment of this Act, the Chief Financial Offi-
14 cer for the District of Columbia shall submit to the appro-
15 priate committees of Congress, the Mayor, and the Council
16 for the District of Columbia, a revised appropriated funds
17 operating budget for the District of Columbia Public
18 Schools that aligns schools budgets to actual enrollment.
19 The revised appropriated funds budget shall be in the for-
20 mat of the budget that the District of Columbia govern-
21 ment submitted pursuant to section 442 of the District
22 of Columbia Home Rule Act (D.C. Official Code, sec. 1–
23 204.42).

24 SEC. 813. (a) Amounts appropriated in this Act as
25 operating funds may be transferred to the District of Co-

1 lumbia's enterprise and capital funds and such amounts,
2 once transferred, shall retain appropriation authority con-
3 sistent with the provisions of this Act.

4 (b) The District of Columbia government is author-
5 ized to reprogram or transfer for operating expenses any
6 local funds transferred or reprogrammed in this or the
7 four prior fiscal years from operating funds to capital
8 funds, and such amounts, once transferred or repro-
9 grammed, shall retain appropriation authority consistent
10 with the provisions of this Act.

11 (c) The District of Columbia government may not
12 transfer or reprogram for operating expenses any funds
13 derived from bonds, notes, or other obligations issued for
14 capital projects.

15 SEC. 814. None of the Federal funds appropriated
16 in this Act shall remain available for obligation beyond
17 the current fiscal year, nor may any be transferred to
18 other appropriations, unless expressly so provided herein.

19 SEC. 815. Except as otherwise specifically provided
20 by law or under this Act, not to exceed 50 percent of unob-
21 ligated balances remaining available at the end of fiscal
22 year 2018 from appropriations of Federal funds made
23 available for salaries and expenses for fiscal year 2018 in
24 this Act, shall remain available through September 30,
25 2019, for each such account for the purposes authorized:

1 *Provided*, That a request shall be submitted to the Com-
2 mittees on Appropriations of the House of Representatives
3 and the Senate for approval prior to the expenditure of
4 such funds: *Provided further*, That these requests shall be
5 made in compliance with reprogramming guidelines out-
6 lined in section 803 of this Act.

7 SEC. 816. (a)(1) During fiscal year 2019, during a
8 period in which neither a District of Columbia continuing
9 resolution or a regular District of Columbia appropriation
10 bill is in effect, local funds are appropriated in the amount
11 provided for any project or activity for which local funds
12 are provided in the Act referred to in paragraph (2) (sub-
13 ject to any modifications enacted by the District of Colum-
14 bia as of the beginning of the period during which this
15 subsection is in effect) at the rate set forth by such Act.

16 (2) The Act referred to in this paragraph is the Act
17 of the Council of the District of Columbia pursuant to
18 which a proposed budget is approved for fiscal year 2019
19 which (subject to the requirements of the District of Co-
20 lumbia Home Rule Act) will constitute the local portion
21 of the annual budget for the District of Columbia govern-
22 ment for fiscal year 2019 for purposes of section 446 of
23 the District of Columbia Home Rule Act (sec. 1-204.46,
24 D.C. Official Code).

1 (b) Appropriations made by subsection (a) shall cease
2 to be available—

3 (1) during any period in which a District of Co-
4 lumbia continuing resolution for fiscal year 2019 is
5 in effect; or

6 (2) upon the enactment into law of the regular
7 District of Columbia appropriation bill for fiscal year
8 2019.

9 (c) An appropriation made by subsection (a) is pro-
10 vided under the authority and conditions as provided
11 under this Act and shall be available to the extent and
12 in the manner that would be provided by this Act.

13 (d) An appropriation made by subsection (a) shall
14 cover all obligations or expenditures incurred for such
15 project or activity during the portion of fiscal year 2019
16 for which this section applies to such project or activity.

17 (e) This section shall not apply to a project or activity
18 during any period of fiscal year 2019 if any other provi-
19 sion of law (other than an authorization of appropria-
20 tions)—

21 (1) makes an appropriation, makes funds avail-
22 able, or grants authority for such project or activity
23 to continue for such period; or

24 (2) specifically provides that no appropriation
25 shall be made, no funds shall be made available, or

1 no authority shall be granted for such project or ac-
2 tivity to continue for such period.

3 (f) Nothing in this section shall be construed to affect
4 obligations of the government of the District of Columbia
5 mandated by other law.

6 SEC. 817. (a) Effective with respect to fiscal year
7 2013 and each succeeding fiscal year, the Local Budget
8 Autonomy Amendment Act of 2012 (D.C. Law 19–321)
9 is hereby repealed, and any provision of law amended or
10 repealed by such Act shall be restored or revived as if such
11 Act had not been enacted into law.

12 (b)(1) Section 450 of the District of Columbia Home
13 Rule Act (sec. 1–204.50, D.C. Official Code) is amend-
14 ed—

15 (A) in the first sentence, by striking “The Gen-
16 eral Fund” and inserting “(a) IN GENERAL.—The
17 General Fund”; and

18 (B) by adding at the end the following new sub-
19 section:

20 “(b) APPLICATION OF FEDERAL APPROPRIATIONS
21 PROCESS.—Nothing in this Act shall be construed as cre-
22 ating a continuing appropriation of the General Fund de-
23 scribed in subsection (a). All funds provided for the Dis-
24 trict of Columbia shall be appropriated on an annual fiscal
25 year basis through the Federal appropriations process.

1 For each fiscal year, the District shall be subject to all
2 applicable requirements of subchapter III of chapter 13
3 and subchapter II of chapter 15 of title 31, United States
4 Code (commonly known as the ‘Anti-Deficiency Act’), the
5 Budget and Accounting Act of 1921, and all other require-
6 ments and restrictions applicable to appropriations for
7 such fiscal year.”.

8 (2) Section 603(a) of such Act (sec. 1–206.03(a),
9 D.C. Official Code) is amended—

10 (A) by striking “existing”; and

11 (B) by striking the period at the end and in-
12 serting the following: “, or as authorizing the Dis-
13 trict of Columbia to make any such change.”.

14 (3) The amendments made by this subsection shall
15 take effect as if included in the enactment of the District
16 of Columbia Home Rule Act.

17 SEC. 818. (a) No funds available for obligation or ex-
18 penditure by the District of Columbia government under
19 any authority may be used to enact any act, resolution,
20 rule, regulation, guidance, or other law to permit any per-
21 son to carry out any activity, or to reduce the penalties
22 imposed with respect to any activity, to which subsection
23 (a) of section 3 of the Assisted Suicide Funding Restric-
24 tion Act of 1997 (42 U.S.C. 14402) applies (taking into
25 consideration subsection (b) of such section).

1 (b) Effective February 18, 2017, the Death With
 2 Dignity Act of 2016 (D.C. Law 21–182) is hereby re-
 3 pealed.

4 SEC. 819. Except as expressly provided otherwise,
 5 any reference to “this Act” contained in this title or in
 6 title IV shall be treated as referring only to the provisions
 7 of this title or of title IV.

8 **TITLE IX—OTHER MATTERS**

9 **SEC. 901. TABLE OF CONTENTS.**

10 The table of contents for this title is as follows:

- Sec. 901. Table of contents.
- Sec. 902. Directed rulemaking repeals.
- Sec. 903. Repeal and modification of provisions of the Financial Stability Act of 2010.
- Sec. 904. Bringing the Federal Deposit Insurance Corporation into the appropriations process.
- Sec. 905. Bringing the Federal Housing Finance Agency into the appropriations process.
- Sec. 906. Bringing the Office of the Comptroller of the Currency into the appropriations process.
- Sec. 907. Bringing the non-monetary policy related functions of the Board of Governors of the Federal Reserve System into the appropriations process.
- Sec. 908. Increased threshold for disclosures relating to compensatory benefit plans.
- Sec. 909. Refunding or crediting overpayment of section 31 fees.
- Sec. 910. Safe harbor for investment fund research.
- Sec. 911. Annual review of government-business forum on capital formation.
- Sec. 912. Helping Angles Lead Our Startups.
- Sec. 913. Investor limitation for qualifying venture capital funds.
- Sec. 914. Manufactured Housing.
- Sec. 915. Requirements for deposit account termination requests and orders.
- Sec. 916. Amendments to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.
- Sec. 917. Safe harbor for certain loans held on portfolio.
- Sec. 918. Changes required to small bank holding company policy statement on assessment of financial and managerial factors.
- Sec. 919. Community financial institution mortgage relief.
- Sec. 920. Regulations appropriate to business models.
- Sec. 921. Eliminating barriers to jobs for loan originators.
- Sec. 922. Small business loan data collection requirement.
- Sec. 923. Depository institutions subject to maintenance of records and disclosure requirements.

- Sec. 924. Rate of interest after transfer of loan.
- Sec. 925. Bringing the Bureau into the regular appropriations process.
- Sec. 926. Elimination of supervision authority.
- Sec. 927. Removal of authority to regulate small-dollar credit.
- Sec. 928. Removal of Bureau UDAAP authority.
- Sec. 929. Repeal of authority to restrict arbitration.
- Sec. 930. Exemption from risk retention requirements for nonresidential mortgage.
- Sec. 931. Prohibition on requiring a single ballot.
- Sec. 932. Repeal of the Volcker Rule and other provisions.

1 **SEC. 902. DIRECTED RULEMAKING REPEALS.**

2 With respect to any directed rulemaking required by
 3 a provision of law repealed by this title, to the extent any
 4 rule was issued or revised pursuant to such directed rule-
 5 making, such rule or revision shall have no force or effect.

6 **SEC. 903. REPEAL AND MODIFICATION OF PROVISIONS OF**

7 **THE FINANCIAL STABILITY ACT OF 2010.**

8 (a) REPEALS.—The following provisions of the Fi-
 9 nancial Stability Act of 2010 are repealed, and the provi-
 10 sions of law amended or repealed by such provisions are
 11 restored or revived as if such provisions had not been en-
 12 acted:

- 13 (1) Subtitle B.
- 14 (2) Section 113.
- 15 (3) Section 114.
- 16 (4) Section 115.
- 17 (5) Section 116.
- 18 (6) Section 117.
- 19 (7) Section 119.
- 20 (8) Section 120.

- 1 (9) Section 121.
- 2 (10) Section 161.
- 3 (11) Section 162.
- 4 (12) Section 164.
- 5 (13) Section 166.
- 6 (14) Section 167.
- 7 (15) Section 168.
- 8 (16) Section 170.
- 9 (17) Section 172.
- 10 (18) Section 174.
- 11 (19) Section 175.

12 (b) ADDITIONAL MODIFICATIONS.—The Financial
13 Stability Act of 2010 (12 U.S.C. 5311 et seq.) is amend-
14 ed—

15 (1) in section 102(a), by striking paragraph
16 (5);

17 (2) in section 111—

18 (A) in subsection (b)—

19 (i) in paragraph (1)—

20 (I) by striking “who shall each”
21 and inserting “who shall, except as
22 provided below, each”; and

23 (II) by striking subparagraphs
24 (B) through (I) and inserting the fol-
25 lowing:

1 “(B) each member of the Board of Gov-
2 ernors, who shall collectively have 1 vote on the
3 Council;

4 “(C) the Comptroller of the Currency;

5 “(D) the Director of the Bureau;

6 “(E) each member of the Commission, who
7 shall collectively have 1 vote on the Council;

8 “(F) each member of the Corporation, who
9 shall collectively have 1 vote on the Council;

10 “(G) each member of the Commodity Fu-
11 tures Trading Commission, who shall collec-
12 tively have 1 vote on the Council;

13 “(H) the Director of the Federal Housing
14 Finance Agency;

15 “(I) each member of the National Credit
16 Union Administration Board, who shall collec-
17 tively have 1 vote on the Council; and”;

18 (ii) in paragraph (2)—

19 (I) by striking subparagraph (A);

20 and

21 (II) by redesignating subpara-
22 graphs (B), (C), (D), and (E) as sub-
23 paragraphs (A), (B), (C), and (D), re-
24 spectively; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(4) VOTING BY MULTI-PERSON ENTITY.—

4 “(A) VOTING WITHIN THE ENTITY.—An
5 entity described under subparagraph (B), (E),
6 (F), (G), or (I) of paragraph (1) shall deter-
7 mine the entity’s Council vote by using the vot-
8 ing process normally applicable to votes by the
9 entity’s members.

10 “(B) CASTING OF ENTITY VOTE.—The 1
11 collective Council vote of an entity described
12 under subparagraph (A) shall be cast by the
13 head of such agency or, in the event such head
14 is unable to cast such vote, the next most senior
15 member of the entity available.”;

16 (B) in subsection (c)(1), by striking “The
17 independent member of the Council shall serve
18 for a term of 6 years, and each nonvoting mem-
19 ber described in subparagraphs (C), (D), and
20 (E) of” and inserting “Each nonvoting mem-
21 bers described under”;

22 (C) in subsection (e), by adding at the end
23 the following:

24 “(3) STAFF ACCESS.—Any member of the
25 Council may select to have one or more individuals

1 on the member's staff attend a meeting of the Coun-
2 cil, including any meeting of representatives of the
3 member agencies other than the members them-
4 selves.

5 “(4) CONGRESSIONAL OVERSIGHT.—All public
6 meetings of the Council shall be open to the attend-
7 ance by members of the authorization and oversight
8 committees of the House of Representatives and the
9 Senate.

10 “(5) TRANSCRIPTION REQUIREMENT FOR NON-
11 PUBLIC MEETINGS.—The Council shall create and
12 preserve transcripts for all non-public meetings of
13 the Council.

14 “(6) MEMBER AGENCY MEETINGS.—Any meet-
15 ing of representatives of the member agencies other
16 than the members themselves shall be open to at-
17 tendance by staff of the authorization and oversight
18 committees of the House of Representatives and the
19 Senate.”;

20 (D) by striking subsection (g) (relating to
21 the nonapplicability of FACA);

22 (E) by inserting after subsection (f) the
23 following:

24 “(g) OPEN MEETING REQUIREMENT.—The Council
25 shall be an agency for purposes of section 552b of title

1 5, United States Code (commonly referred to as the ‘Gov-
2 ernment in the Sunshine Act’).

3 “(h) CONFIDENTIAL CONGRESSIONAL BRIEFINGS.—
4 The Chairperson shall at regular times but not less than
5 annually provide confidential briefings to the Committee
6 on Financial Services of the House of Representatives and
7 the Committee on Banking, Housing, and Urban Affairs
8 of the Senate, which may in the discretion of the Chair-
9 man of the respective committee be attended by any com-
10 bination of the committee’s members or staff.”; and

11 (F) by redesignating subsections (h)
12 through (j) as subsections (i) through (k), re-
13 spectively;

14 (3) in section 112—

15 (A) in subsection (a)(2)—

16 (i) in subparagraph (A), by striking
17 “direct the Office of Financial Research
18 to”;

19 (ii) by striking subparagraphs (B),
20 (H), and (I);

21 (iii) by redesignating subparagraphs
22 (C), (D), (E), (F), (G), (J), (K), (L), (M),
23 and (N) as subparagraphs (B), (C), (D),
24 (E), (F), (G), (H), (I), (J), and (K), re-
25 spectively;

- 1 (iv) in subparagraph (K), as so redese-
2 ignated—
- 3 (I) in clause (iii), by adding
4 “and” at the end;
- 5 (II) by striking clauses (iv) and
6 (v); and
- 7 (III) by redesignating clause (vi)
8 as clause (iv); and
- 9 (B) in subsection (d)—
- 10 (i) in paragraph (1), by striking “the
11 Office of Financial Research, member
12 agencies,” and inserting “member agen-
13 cies”;
- 14 (ii) in paragraph (2), by striking “the
15 Office of Financial Research, any member
16 agency,” and inserting “member agencies”;
- 17 (iii) in paragraph (3)—
- 18 (I) by striking “, acting through
19 the Office of Financial Research,”
20 each place it appears; and
- 21 (II) in subparagraph (B), by
22 striking “the Office of Financial Re-
23 search or”; and
- 24 (iv) in paragraph (5)(A), by striking
25 “, the Office of Financial Research,”;

1 (4) by amending section 118 to read as follows:

2 **“SEC. 118. COUNCIL FUNDING.**

3 “There is authorized to be appropriated to the Coun-
4 cil \$4,000,000 for fiscal year 2018 and each fiscal year
5 thereafter to carry out the duties of the Council.”;

6 (5) in section 163—

7 (A) by striking subsection (a);

8 (B) by redesignating subsection (b) as sub-
9 section (a); and

10 (C) in subsection (a), as so redesignated,
11 by striking “or a nonbank financial company
12 supervised by the Board of Governors” each
13 place such term appears;

14 (6) in section 165—

15 (A) by striking “nonbank financial compa-
16 nies supervised by the Board of Governors and”
17 each place such term appears;

18 (B) by striking “nonbank financial com-
19 pany supervised by the Board of Governors
20 and” each place such term appears;

21 (C) in subsection (a), by amending para-
22 graph (2) to read as follows:

23 “(2) **TAILORED APPLICATION.**—In prescribing
24 more stringent prudential standards under this sec-
25 tion, the Board of Governors may differentiate

1 among companies on an individual basis or by cat-
2 egory, taking into consideration their capital struc-
3 ture, riskiness, complexity, financial activities (in-
4 cluding the financial activities of their subsidiaries),
5 size, and any other risk-related factors that the
6 Board of Governors deems appropriate.”;

7 (D) in subsection (b)—

8 (i) in paragraph (1)(B)(iv), by strik-
9 ing “, on its own or pursuant to a rec-
10 ommendation made by the Council in ac-
11 cordance with section 115,”;

12 (ii) in paragraph (2)—

13 (I) by striking “foreign nonbank
14 financial company supervised by the
15 Board of Governors or”;

16 (II) by striking “shall—” and all
17 that follows through “give due” and
18 inserting “shall give due”;

19 (III) in subparagraph (A), by
20 striking “; and” and inserting a pe-
21 riod; and

22 (IV) by striking subparagraph
23 (B);

24 (iii) in paragraph (3)—

25 (I) in subparagraph (A)—

- 1 (aa) by striking clause (i);
- 2 (bb) by redesignating
- 3 clauses (ii), (iii), and (iv) as
- 4 clauses (i), (ii), and (iii), respec-
- 5 tively; and
- 6 (cc) in clause (iii), as so re-
- 7 designated, by adding “and” at
- 8 the end;
- 9 (II) by striking subparagraphs
- 10 (B) and (C); and
- 11 (III) by redesignating subpara-
- 12 graph (D) as subparagraph (B); and
- 13 (iv) in paragraph (4), by striking “a
- 14 nonbank financial company supervised by
- 15 the Board of Governors or”;
- 16 (E) in subsection (c)—
- 17 (i) in paragraph (1), by striking
- 18 “under section 115(c)”;
- 19 and
- 20 (ii) in paragraph (2)—
- 21 (I) by amending subparagraph
- 22 (A) to read as follows:
- 23 “(A) any recommendations of the Coun-
- 24 cil;”;
- 25 and
- 26 (II) in subparagraph (D), by
- 27 striking “nonbank financial company

1 supervised by the Board of Governors
2 or”;

3 (F) in subsection (d)—

4 (i) by striking “a nonbank financial
5 company supervised by the Board of Gov-
6 ernors or” each place such term appears;

7 (ii) in paragraph (1), by striking “pe-
8 riodically” and inserting “not more often
9 than every 2 years”;

10 (iii) in paragraph (3)—

11 (I) by striking “The Board” and
12 inserting the following:

13 “(A) IN GENERAL.—The Board”;

14 (II) by striking “shall review”
15 and inserting the following: “shall—
16 “(i) review”;

17 (III) by striking the period and
18 inserting “; and”; and

19 (IV) by adding at the end the fol-
20 lowing:

21 “(ii) not later than the end of the 6-
22 month period beginning on the date the
23 bank holding company submits the resolu-
24 tion plan, provide feedback to the bank
25 holding company on such plan.

1 “(B) DISCLOSURE OF ASSESSMENT
2 FRAMEWORK.—The Board of Governors shall
3 publicly disclose, including on the website of the
4 Board of Governors, the assessment framework
5 that is used to review information under this
6 paragraph and shall provide the public with a
7 notice and comment period before finalizing
8 such assessment framework.”.

9 (iv) in paragraph (6), by striking
10 “nonbank financial company supervised by
11 the Board, any bank holding company,”
12 and inserting “bank holding company”;

13 (G) in subsection (e)—

14 (i) in paragraph (1), by striking “a
15 nonbank financial company supervised by
16 the Board of Governors or”;

17 (ii) in paragraph (3), by striking “the
18 nonbank financial company supervised by
19 the Board of Governors or” each place
20 such term appears; and

21 (iii) in paragraph (4), by striking “a
22 nonbank financial company supervised by
23 the Board of Governors or”;

1 (H) in subsection (g)(1), by striking “and
2 any nonbank financial company supervised by
3 the Board of Governors”;

4 (I) in subsection (h)—

5 (i) by striking paragraph (1);

6 (ii) by redesignating paragraphs (2),
7 (3), and (4) as paragraphs (1), (2), and
8 (3), respectively;

9 (iii) in paragraph (1), as so redesign-
10 nated, by striking “paragraph (3)” each
11 place such term appears and inserting
12 “paragraph (2)”; and

13 (iv) in paragraph (2), as so redesign-
14 nated—

15 (I) in subparagraph (A), by strik-
16 ing “the nonbank financial company
17 supervised by the Board of Governors
18 or bank holding company described in
19 subsection (a), as applicable” and in-
20 serting “a bank holding company de-
21 scribed in subsection (a)”; and

22 (II) in subparagraph (B), by
23 striking “the nonbank financial com-
24 pany supervised by the Board of Gov-
25 ernors or a bank holding company de-

1 scribed in subsection (a), as applica-
2 ble” and inserting “a bank holding
3 company described in subsection (a)”;

4 (J) in subsection (i)—

5 (i) in paragraph (1)—

6 (I) in subparagraph (A), by strik-
7 ing “, in coordination with the appro-
8 priate primary financial regulatory
9 agencies and the Federal Insurance
10 Office,”;

11 (II) in subparagraph (B)—

12 (aa) by amending clause (i)

13 to read as follows:

14 “(i) shall—

15 “(I) issue regulations, after pro-
16 viding for public notice and comment,
17 that provide for at least 3 different
18 sets of conditions under which the
19 evaluation required by this subsection
20 shall be conducted, including baseline,
21 adverse, and severely adverse, and
22 methodologies, including models used
23 to estimate losses on certain assets,
24 and the Board of Governors shall not
25 carry out any such evaluation until 60

1 days after such regulations are issued;
2 and

3 “(II) provide copies of such regu-
4 lations to the Comptroller General of
5 the United States and the Panel of
6 Economic Advisors of the Congres-
7 sional Budget Office before publishing
8 such regulations;”;

9 (bb) in clause (ii), by strik-
10 ing “and nonbank financial com-
11 panies”;

12 (cc) in clause (iv), by strik-
13 ing “and” at the end;

14 (dd) in clause (v), by strik-
15 ing the period and inserting the
16 following: “, including any results
17 of a resubmitted test;” and

18 (ee) by adding at the end
19 the following:

20 “(vi) shall, in establishing the severely
21 adverse condition under clause (i), provide
22 detailed consideration of the model’s ef-
23 fects on financial stability and the cost and
24 availability of credit;

1 “(vii) shall, in developing the models
2 and methodologies and providing them for
3 notice and comment under this subpara-
4 graph, publish a process to test the models
5 and methodologies for their potential to
6 magnify systemic and institutional risks in-
7 stead of facilitating increased resiliency;

8 “(viii) shall design and publish a proe-
9 ss to test and document the sensitivity
10 and uncertainty associated with the model
11 system’s data quality, specifications, and
12 assumptions; and

13 “(ix) shall communicate the range and
14 sources of uncertainty surrounding the
15 models and methodologies.”; and

16 (III) by adding at the end the
17 following:

18 “(C) CCAR REQUIREMENTS.—

19 “(i) PARAMETERS AND CON-
20 SEQUENCES APPLICABLE TO CCAR.—The
21 requirements of subparagraph (B) shall
22 apply to CCAR.

23 “(ii) TWO-YEAR LIMITATION.—The
24 Board of Governors may not subject a

1 company to CCAR more than once every
2 two years.

3 “(iii) MID-CYCLE RESUBMISSION.—If
4 a company receives a quantitative objection
5 to, or otherwise desires to amend the com-
6 pany’s capital plan, the company may file
7 a new streamlined plan at any time after
8 a capital planning exercise has been com-
9 pleted and before a subsequent capital
10 planning exercise.

11 “(iv) LIMITATION ON QUALITATIVE
12 CAPITAL PLANNING OBJECTIONS.—In car-
13 rying out CCAR, the Board of Governors
14 may not object to a company’s capital plan
15 on the basis of qualitative deficiencies in
16 the company’s capital planning process.

17 “(v) COMPANY INQUIRIES.—The
18 Board of Governors shall establish and
19 publish procedures for responding to in-
20 quiries from companies subject to CCAR,
21 including establishing the time frame in
22 which such responses will be made, and
23 make such procedures publicly available.

24 “(vi) CCAR DEFINED.—For purposes
25 of this subparagraph and subparagraph

1 (E), the term ‘CCAR’ means the Com-
2 prehensive Capital Analysis and Review es-
3 tablished by the Board of Governors.”;

4 (ii) in paragraph (2)—

5 (I) in subparagraph (A)—

6 (aa) by striking “a bank
7 holding company” and inserting
8 “bank holding company”;

9 (bb) by striking “semi-
10 annual” and inserting “annual”;

11 (cc) by striking “All other
12 financial companies” and insert-
13 ing “All other bank holding com-
14 panies”; and

15 (dd) by striking “and are
16 regulated by a primary Federal
17 financial regulatory agency”;

18 (II) in subparagraph (B)—

19 (aa) by striking “and to its
20 primary financial regulatory
21 agency”; and

22 (bb) by striking “primary fi-
23 nancial regulatory agency” the
24 second time it appears and in-

1 serting “Board of Governors”;

2 and

3 (III) in subparagraph (C)—

4 (aa) by striking “Each Fed-

5 eral primary financial regulatory

6 agency, in coordination with the

7 Board of Governors and the Fed-

8 eral Insurance Office,” and in-

9 serting “The Board of Gov-

10 ernors”; and

11 (bb) by striking “consistent

12 and comparable”;

13 (K) in subsection (j)—

14 (i) in paragraph (1), by striking “or a

15 nonbank financial company supervised by

16 the Board of Governors”; and

17 (ii) in paragraph (2), by striking “the

18 factors described in subsections (a) and (b)

19 of section 113 and any other” and insert-

20 ing “any”; and

21 (L) in subsection (k)(1), by striking “or

22 nonbank financial company supervised by the

23 Board of Governors”.

24 (c) TREATMENT OF OTHER RESOLUTION PLAN RE-

25 QUIREMENTS.—

1 (1) IN GENERAL.—With respect to an appro-
2 priate Federal banking agency that requires a bank-
3 ing organization to submit to the agency a resolution
4 plan not described under section 165(d) of the
5 Dodd-Frank Wall Street Reform and Consumer Pro-
6 tection Act—

7 (A) the agency shall comply with the re-
8 quirements of paragraphs (3) and (4) of such
9 section 165(d);

10 (B) the agency may not require the sub-
11 mission of such a resolution plan more often
12 than every 2 years; and

13 (C) paragraphs (6) and (7) of such section
14 165(d) shall apply to such a resolution plan.

15 (2) DEFINITIONS.—For purposes of this sub-
16 section, the terms “appropriate Federal banking
17 agency” and “banking organization” have the mean-
18 ing given those terms, respectively, under section
19 105.

20 (d) ACTIONS TO CREATE A BANK HOLDING COM-
21 PANY.—Section 3(b)(1) of the Bank Holding Company
22 Act of 1956 (12 U.S.C. 1842(b)(1)) is amended—

23 (1) by striking “Upon receiving” and inserting
24 the following:

25 “(A) IN GENERAL.—Upon receiving”;

1 (2) by striking “Notwithstanding any other pro-
2 vision” and inserting the following:

3 “(B) IMMEDIATE ACTION.—

4 “(i) IN GENERAL.—Notwithstanding
5 any other provision”; and

6 (3) by adding at the end the following:

7 “(ii) EXCEPTION.—The Board may
8 not take any action pursuant to clause (i)
9 on an application that would cause any
10 company to become a bank holding com-
11 pany unless such application involves the
12 company acquiring a bank that is critically
13 undercapitalized (as such term is defined
14 under section 38(b) of the Federal Deposit
15 Insurance Act).”.

16 (e) CONCENTRATION LIMITS APPLIED ONLY TO
17 BANKING ORGANIZATIONS.—Section 14 of the Bank
18 Holding Company Act of 1956 (12 U.S.C. 1852) is
19 amended—

20 (1) by striking “financial company” each place
21 such term appears and inserting “banking organiza-
22 tion”;

23 (2) in subsection (a)—

24 (A) by amending paragraph (2) to read as
25 follows:

1 “(2) the term ‘banking organization’ means—
2 “(A) an insured depository institution;
3 “(B) a bank holding company;
4 “(C) a savings and loan holding company;
5 “(D) a company that controls an insured
6 depository institution; and
7 “(E) a foreign bank or company that is
8 treated as a bank holding company for purposes
9 of this Act; and”;

10 (B) in paragraph (3)—
11 (i) in subparagraph (A)(ii), by adding
12 “and” at the end;
13 (ii) in subparagraph (B)(ii), by strik-
14 ing “; and” and inserting a period; and
15 (iii) by striking subparagraph (C);
16 and

17 (3) in subsection (b), by striking “financial
18 companies” and inserting “banking organizations”.

19 (f) CONFORMING AMENDMENT.—Section 3502(5) of
20 title 44, United States Code, is amended by striking “the
21 Office of Financial Research,”.

22 (g) CLERICAL AMENDMENT.—The table of contents
23 under section 1(b) of the Dodd-Frank Wall Street Reform
24 and Consumer Protection Act is amended by striking the
25 items relating to subtitle B of title I and 113, 114, 115,

1 116, 117, 119, 120, 121, 161, 162, 164, 166, 167, 168,
2 170, 172, 174, and 175.

3 **SEC. 904. BRINGING THE FEDERAL DEPOSIT INSURANCE**
4 **CORPORATION INTO THE APPROPRIATIONS**
5 **PROCESS.**

6 (a) IN GENERAL.—Section 10(a) of the Federal De-
7 posit Insurance Act (12 U.S.C. 1820(a)) is amended—

8 (1) by striking “(a) The” and inserting the fol-
9 lowing:

10 “(a) POWERS.—

11 “(1) IN GENERAL.—The”;

12 (2) by inserting “, subject to paragraph (2),”
13 after “The Board of Directors of the Corporation”;
14 and

15 (3) by adding at the end the following new
16 paragraph:

17 “(2) APPROPRIATIONS REQUIREMENT.—Except
18 as provided under paragraph (3), the Corporation
19 may, only to the extent as provided in advance by
20 appropriations Acts, cover the costs incurred in car-
21 rying out the provisions of this Act, including with
22 respect to the administrative costs of the Corpora-
23 tion and the costs of the examination and super-
24 vision of insured depository institutions.

1 “(3) EXCEPTION FOR CERTAIN PROGRAMS.—
2 Paragraph (2) shall not apply to the Corporation’s
3 Insurance Business Line Programs and Receivership
4 Management Business Line Programs, as in exist-
5 ence on the date of enactment of this paragraph,
6 and the proportion of the administrative costs of the
7 Corporation related to such programs.”.

8 (b) EXAMINATION FEES.—Section 10(e)(1) of the
9 Federal Deposit Insurance Act (12 U.S.C. 1820(e)(1)) is
10 amended by striking “to meet the expenses of the Cor-
11 poration in carrying out such examinations” and inserting
12 “and may be expended by the Board only to the extent
13 as provided in advance by appropriations Acts to cover the
14 costs incurred in carrying out such examinations”.

15 (c) OFFSET OF ADDITIONAL FEES.—The Federal
16 Deposit Insurance Corporation shall reduce the amount
17 of insurance premiums charged by the Corporation under
18 the Federal Deposit Insurance Act in an amount equal
19 to any additional fees charged by the Corporation by rea-
20 son of the amendments made by this section.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall apply with respect to expenses paid and
23 fees collected on or after October 1, 2018.

1 **SEC. 905. BRINGING THE FEDERAL HOUSING FINANCE**
2 **AGENCY INTO THE APPROPRIATIONS PROC-**
3 **ESS.**

4 (a) **IN GENERAL.**—Section 1316 of the Housing and
5 Community Development Act of 1992 (12 U.S.C. 4516)
6 is amended—

7 (1) by amending subsection (a) to read as fol-
8 lows:

9 “(a) **APPROPRIATIONS REQUIREMENT.**—

10 “(1) **RECOVERY OF COSTS OF ANNUAL APPRO-**
11 **PRIATION.**—The Agency shall collect assessments
12 and other fees that are designed to recover the costs
13 to the Government of the annual appropriation to
14 the Agency by Congress.

15 “(2) **OFFSETTING COLLECTIONS.**—Assessments
16 and other fees described under paragraph (1) for
17 any fiscal year—

18 “(A) shall be deposited and credited as off-
19 setting collections to the account providing ap-
20 propriations to the Agency; and

21 “(B) shall not be collected for any fiscal
22 year except to the extent provided in advance in
23 appropriation Acts.”; and

24 (2) by striking subsection (f).

25 (b) **EFFECTIVE DATE.**—The amendments made by
26 this section shall apply with respect to expenses paid and

1 assessments and other fees collected on or after October
2 1, 2018.

3 **SEC. 906. BRINGING THE OFFICE OF THE COMPTROLLER**
4 **OF THE CURRENCY INTO THE APPROPRIA-**
5 **TIONS PROCESS.**

6 (a) IN GENERAL.—Section 5240A of the Revised
7 Statutes of the United States (12 U.S.C. 16) is amend-
8 ed—

9 (1) by striking “Sec. 5240A. The Comptroller
10 of the Currency may collect an assessment, fee, or
11 other charge from any entity described in section
12 3(q)(1) of the Federal Deposit Insurance Act (12
13 U.S.C. 1813(q)(1)), as the Comptroller determines
14 is necessary or appropriate to carry out the respon-
15 sibilities of the Office of the Comptroller of the Cur-
16 rency. In establishing the amount of an assessment,
17 fee, or charge collected from an entity under this
18 section,” and inserting the following:

19 **“SEC. 5240A. COLLECTION OF FEES; APPROPRIATIONS RE-**
20 **QUIREMENT.**

21 “(a) IN GENERAL.—In establishing the amount of an
22 assessment, fee, or charge collected from an entity under
23 subsection (b),”;

24 (2) by striking “Funds derived” and all that
25 follows through the end of the section; and

1 (3) by adding at the end the following:

2 “(b) APPROPRIATIONS REQUIREMENT.—

3 “(1) RECOVERY OF COSTS OF ANNUAL APPRO-
4 PRIATION.—The Comptroller of the Currency shall
5 impose and collect assessments, fees, or other
6 charges that are designed to recover the costs to the
7 Government of the annual appropriation to the Of-
8 fice of the Comptroller of the Currency by Congress.

9 “(2) OFFSETTING COLLECTIONS.—Assessments
10 and other fees described under paragraph (1) for
11 any fiscal year—

12 “(A) shall be deposited and credited as off-
13 setting collections to the account providing ap-
14 propriations to the Office of the Comptroller of
15 the Currency; and

16 “(B) shall not be collected for any fiscal
17 year except to the extent provided in advance in
18 appropriation Acts.”.

19 (b) CONFORMING AMENDMENT.—Section 5240 (12
20 U.S.C. 481 et seq.) of the Revised Statutes of the United
21 States is amended by striking the fourth undesignated
22 paragraph.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall apply with respect to expenses paid and
25 fees collected on or after October 1, 2018.

1 **SEC. 907. BRINGING THE NON-MONETARY POLICY RELATED**
2 **FUNCTIONS OF THE BOARD OF GOVERNORS**
3 **OF THE FEDERAL RESERVE SYSTEM INTO**
4 **THE APPROPRIATIONS PROCESS.**

5 (a) IN GENERAL.—The Federal Reserve Act is
6 amended by inserting after section 11B the following:

7 **“SEC. 11C. APPROPRIATIONS REQUIREMENT FOR NON-**
8 **MONETARY POLICY RELATED ADMINISTRA-**
9 **TIVE COSTS.**

10 “(a) APPROPRIATIONS REQUIREMENT.—

11 “(1) RECOVERY OF COSTS OF ANNUAL APPRO-
12 PRIATION.—The Board of Governors of the Federal
13 Reserve System and the Federal reserve banks shall
14 collect assessments and other fees, as provided under
15 this Act, that are designed to recover the costs to
16 the Government of the annual appropriation to the
17 Board of Governors of the Federal Reserve System
18 by Congress. The Board of Governors of the Federal
19 Reserve System and the Federal reserve banks may
20 only incur obligations or allow and pay expenses
21 with respect to non-monetary policy related adminis-
22 trative costs pursuant to an appropriations Act.

23 “(2) OFFSETTING COLLECTIONS.—Assessments
24 and other fees described under paragraph (1) for
25 any fiscal year—

1 “(A) shall be deposited and credited as off-
2 setting collections to the account providing ap-
3 propriations to the Board of Governors of the
4 Federal Reserve System; and

5 “(B) shall not be collected for any fiscal
6 year except to the extent provided in advance in
7 appropriation Acts.

8 “(3) LIMITATION.—This subsection shall only
9 apply to the non-monetary policy related administra-
10 tive costs of the Board of Governors of the Federal
11 Reserve System.

12 “(b) DEFINITIONS.—For purposes of this section:

13 “(1) MONETARY POLICY.—The term ‘monetary
14 policy’ means a strategy for producing a generally
15 acceptable exchange medium that supports the pro-
16 ductive employment of economic resources by reli-
17 ably serving as both a unit of account and store of
18 value.

19 “(2) NON-MONETARY POLICY RELATED ADMIN-
20 ISTRATIVE COSTS.—The term ‘non-monetary policy
21 related administrative costs’ means administrative
22 costs not related to the conduct of monetary policy,
23 and includes—

24 “(A) direct operating expenses for super-
25 vising and regulating entities supervised and

1 regulated by the Board of Governors of the
2 Federal Reserve System, including conducting
3 examinations, conducting stress tests, commu-
4 nicating with the entities regarding supervisory
5 matters and laws, and regulations;

6 “(B) operating expenses for activities inte-
7 gral to carrying out supervisory and regulatory
8 responsibilities, such as training staff in the su-
9 pervisory function, research and analysis func-
10 tions including library subscription services, and
11 collecting and processing regulatory reports
12 filed by supervised institutions; and

13 “(C) support, overhead, and pension ex-
14 penses related to the items described under sub-
15 paragraphs (A) and (B).”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to expenses paid and
18 fees collected on or after October 1, 2018.

19 **SEC. 908. INCREASED THRESHOLD FOR DISCLOSURES RE-**
20 **LATING TO COMPENSATORY BENEFIT PLANS.**

21 Not later than 60 days after the date of the enact-
22 ment of this Act, the Securities and Exchange Commission
23 shall revise section 230.701(e) of title 17, Code of Federal
24 Regulations, so as to increase from \$5,000,000 to
25 \$20,000,000 the aggregate sales price or amount of secu-

1 rities sold during any consecutive 12-month period in ex-
2 cess of which the issuer is required under such section to
3 deliver an additional disclosure to investors. The Commis-
4 sion shall index for inflation such aggregate sales price
5 or amount every 5 years to reflect the change in the Con-
6 sumer Price Index for All Urban Consumers published by
7 the Bureau of Labor Statistics, rounding to the nearest
8 \$1,000,000.

9 **SEC. 909. REFUNDING OR CREDITING OVERPAYMENT OF**
10 **SECTION 31 FEES.**

11 (a) IN GENERAL.—Section 31 of the Securities Ex-
12 change Act of 1934 (15 U.S.C. 78ee) is amended by add-
13 ing at the end the following:

14 “(n) OVERPAYMENT.—If a national securities ex-
15 change or national securities association pays to the Com-
16 mission an amount in excess of fees and assessments due
17 under this section and informs the Commission of such
18 amount paid in excess within 10 years of the date of the
19 payment, the Commission shall offset future fees and as-
20 sessments due by such exchange or association in an
21 amount equal to such excess amount.”.

22 (b) APPLICABILITY.—The amendment made by this
23 section shall apply to any fees and assessments paid be-
24 fore, on, or after the date of enactment of this section.

1 **SEC. 910. SAFE HARBOR FOR INVESTMENT FUND RE-**
2 **SEARCH.**

3 (a) EXPANSION OF THE SAFE HARBOR.—Not later
4 than the end of the 45-day period beginning on the date
5 of enactment of this Act, the Securities and Exchange
6 Commission shall propose, and not later than the end of
7 the 120-day period beginning on such date, the Commis-
8 sion shall adopt, upon such terms, conditions, or require-
9 ments as the Commission may determine necessary or ap-
10 propriate in the public interest, for the protection of inves-
11 tors, and for the promotion of capital formation, revisions
12 to section 230.139 of title 17, Code of Federal Regula-
13 tions, to provide that a covered investment fund research
14 report that is published or distributed by a broker or deal-
15 er—

16 (1) shall be deemed, for purposes of sections
17 2(a)(10) and 5(c) of the Securities Act of 1933 (15
18 U.S.C. 77b(a)(10), 77e(c)), not to constitute an
19 offer for sale or an offer to sell a security that is the
20 subject of an offering pursuant to a registration
21 statement that is effective, even if the broker or
22 dealer is participating or will participate in the reg-
23 istered offering of the covered investment fund's se-
24 curities; and

25 (2) shall be deemed to satisfy the conditions of
26 subsection (a)(1) or (a)(2) of section 230.139 of title

1 17, Code of Federal Regulations, or any successor
2 provisions, for purposes of the Commission's rules
3 and regulations under the Federal securities laws
4 and the rules of any self-regulatory organization.

5 (b) IMPLEMENTATION OF SAFE HARBOR.—In imple-
6 menting the safe harbor pursuant to subsection (a), the
7 Commission shall—

8 (1) not, in the case of a covered investment
9 fund with a class of securities in substantially con-
10 tinuous distribution, condition the safe harbor on
11 whether the broker's or dealer's publication or dis-
12 tribution of a covered investment fund research re-
13 port constitutes such broker's or dealer's initiation
14 or reinitiation of research coverage on such covered
15 investment fund or its securities;

16 (2) not—

17 (A) require the covered investment fund to
18 have been registered as an investment company
19 under the Investment Company Act of 1940
20 (15 U.S.C. 80a–1 et seq.) or subject to the re-
21 porting requirements of section 13 or 15(d) of
22 the Securities Exchange Act of 1934 (15
23 U.S.C. 78m, 78o(d)) for any period exceeding
24 the period of time referenced under paragraph

1 (a)(1)(i)(A)(1) of section 230.139 of title 17,
2 Code of Federal Regulations; or

3 (B) impose a minimum float provision ex-
4 ceeding that referenced in paragraph
5 (a)(1)(i)(A)(1)(i) of section 230.139 of title 17,
6 Code of Federal Regulations;

7 (3) provide that a self-regulatory organization
8 may not maintain or enforce any rule that would—

9 (A) prohibit the ability of a member to
10 publish or distribute a covered investment fund
11 research report solely because the member is
12 also participating in a registered offering or
13 other distribution of any securities of such cov-
14 ered investment fund; or

15 (B) prohibit the ability of a member to
16 participate in a registered offering or other dis-
17 tribution of securities of a covered investment
18 fund solely because the member has published
19 or distributed a covered investment fund re-
20 search report about such covered investment
21 fund or its securities; and

22 (4) provide that a covered investment fund re-
23 search report shall not be subject to section 24(b) of
24 the Investment Company Act of 1940 (15 U.S.C.
25 80a–24(b)) or the rules and regulations thereunder,

1 except that such report may still be subject to such
2 section and the rules and regulations thereunder to
3 the extent that it is otherwise not subject to the con-
4 tent standards in the rules of any self-regulatory or-
5 ganization related to research reports, including
6 those contained in the rules governing communica-
7 tions with the public regarding investment compa-
8 nies or substantially similar standards.

9 (c) RULES OF CONSTRUCTION.—Nothing in this Act
10 shall be construed as in any way limiting—

11 (1) the applicability of the antifraud or
12 antimanipulation provisions of the Federal securities
13 laws and rules adopted thereunder to a covered in-
14 vestment fund research report, including section 17
15 of the Securities Act of 1933 (15 U.S.C. 77q), sec-
16 tion 34(b) of the Investment Company Act of 1940
17 (15 U.S.C. 80a–33), and sections 9 and 10 of the
18 Securities Exchange Act of 1934 (15 U.S.C. 78i,
19 78j); or

20 (2) the authority of any self-regulatory organi-
21 zation to examine or supervise a member’s practices
22 in connection with such member’s publication or dis-
23 tribution of a covered investment fund research re-
24 port for compliance with applicable provisions of the
25 Federal securities laws or self-regulatory organiza-

1 tion rules related to research reports, including those
2 contained in rules governing communications with
3 the public.

4 (d) INTERIM EFFECTIVENESS OF SAFE HARBOR.—

5 (1) IN GENERAL.—From and after the 120-day
6 period beginning on the date of enactment of this
7 Act, if the Commission has not adopted revisions to
8 section 230.139 of title 17, Code of Federal Regula-
9 tions, as required by subsection (a), and until such
10 time as the Commission has done so, a broker or
11 dealer distributing or publishing a covered invest-
12 ment fund research report after such date shall be
13 able to rely on the provisions of section 230.139 of
14 title 17, Code of Federal Regulations, and the
15 broker or dealer's publication of such report shall be
16 deemed to satisfy the conditions of subsection (a)(1)
17 or (a)(2) of section 230.139 of title 17, Code of Fed-
18 eral Regulations, if the covered investment fund that
19 is the subject of such report satisfies the reporting
20 history requirements (without regard to Form S-3
21 or Form F-3 eligibility) and minimum float provi-
22 sions of such subsections for purposes of the Com-
23 mission's rules and regulations under the Federal
24 securities laws and the rules of any self-regulatory

1 organization, as if revised and implemented in ac-
2 cordance with subsections (a) and (b).

3 (2) STATUS OF COVERED INVESTMENT FUND.—

4 After such period and until the Commission has
5 adopted revisions to section 230.139 and FINRA
6 has revised rule 2210, for purposes of subsection
7 (c)(7)(O) of such rule, a covered investment fund
8 shall be deemed to be a security that is listed on a
9 national securities exchange and that is not subject
10 to section 24(b) of the Investment Company Act of
11 1940 (15 U.S.C. 80a–24(b)). Communications con-
12 cerning only covered investment funds that fall with-
13 in the scope of such section shall not be required to
14 be filed with FINRA.

15 (e) DEFINITIONS.—For purposes of this section:

16 (1) The term “covered investment fund re-
17 search report” means a research report published or
18 distributed by a broker or dealer about a covered in-
19 vestment fund or any securities issued by the cov-
20 ered investment fund, but not including a research
21 report to the extent that it is published or distrib-
22 uted by the covered investment fund or any affiliate
23 of the covered investment fund.

24 (2) The term “covered investment fund”
25 means—

1 (A) an investment company registered
2 under, or that has filed an election to be treated
3 as a business development company under, the
4 Investment Company Act of 1940 and that has
5 filed a registration statement under the Securi-
6 ties Act of 1933 for the public offering of a
7 class of its securities, which registration state-
8 ment has been declared effective by the Com-
9 mission; and

10 (B) a trust or other person—

11 (i) issuing securities in an offering
12 registered under the Securities Act of 1933
13 and which class of securities is listed for
14 trading on a national securities exchange;

15 (ii) the assets of which consist pri-
16 marily of commodities, currencies, or deriv-
17 ative instruments that reference commod-
18 ities or currencies, or interests in the fore-
19 going; and

20 (iii) that provides in its registration
21 statement under the Securities Act of 1933
22 that a class of its securities are purchased
23 or redeemed, subject to conditions or limi-
24 tations, for a ratable share of its assets.

1 “(B) disclosing the action, if any, the Com-
2 mission intends to take with respect to the find-
3 ing or recommendation.”.

4 **SEC. 912. HELPING ANGLES LEAD OUR STARTUPS.**

5 (a) DEFINITION OF ANGEL INVESTOR GROUP.—As
6 used in this subtitle, the term “angel investor group”
7 means any group that—

8 (1) is composed of accredited investors inter-
9 ested in investing personal capital in early-stage
10 companies;

11 (2) holds regular meetings and has defined
12 processes and procedures for making investment de-
13 cisions, either individually or among the membership
14 of the group as a whole; and

15 (3) is neither associated nor affiliated with bro-
16 kers, dealers, or investment advisers.

17 (b) CLARIFICATION OF GENERAL SOLICITATION.—

18 (1) IN GENERAL.—Not later than 6 months
19 after the date of enactment of this Act, the Securi-
20 ties and Exchange Commission shall revise Regula-
21 tion D of its rules (17 CFR 230.500 et seq.) to re-
22 quire that in carrying out the prohibition against
23 general solicitation or general advertising contained
24 in section 230.502(c) of title 17, Code of Federal
25 Regulations, the prohibition shall not apply to a

1 presentation or other communication made by or on
2 behalf of an issuer which is made at an event—

3 (A) sponsored by—

4 (i) the United States or any territory
5 thereof, by the District of Columbia, by
6 any State, by a political subdivision of any
7 State or territory, or by any agency or
8 public instrumentality of any of the fore-
9 going;

10 (ii) a college, university, or other in-
11 stitution of higher education;

12 (iii) a nonprofit organization;

13 (iv) an angel investor group;

14 (v) a venture forum, venture capital
15 association, or trade association; or

16 (vi) any other group, person or entity
17 as the Securities and Exchange Commis-
18 sion may determine by rule;

19 (B) where any advertising for the event
20 does not reference any specific offering of secu-
21 rities by the issuer;

22 (C) the sponsor of which—

23 (i) does not make investment rec-
24 ommendations or provide investment ad-
25 vice to event attendees;

1 (ii) does not engage in an active role
2 in any investment negotiations between the
3 issuer and investors attending the event;

4 (iii) does not charge event attendees
5 any fees other than administrative fees;
6 and

7 (iv) does not receive any compensation
8 with respect to such event that would re-
9 quire registration of the sponsor as a
10 broker or a dealer under the Securities Ex-
11 change Act of 1934, or as an investment
12 advisor under the Investment Advisers Act
13 of 1940; and

14 (D) where no specific information regard-
15 ing an offering of securities by the issuer is
16 communicated or distributed by or on behalf of
17 the issuer, other than—

18 (i) that the issuer is in the process of
19 offering securities or planning to offer se-
20 curities;

21 (ii) the type and amount of securities
22 being offered;

23 (iii) the amount of securities being of-
24 fered that have already been subscribed
25 for; and

1 (iv) the intended use of proceeds of
2 the offering.

3 (2) **RULE OF CONSTRUCTION.**—Paragraph (1)
4 may only be construed as requiring the Securities
5 and Exchange Commission to amend the require-
6 ments of Regulation D with respect to presentations
7 and communications, and not with respect to pur-
8 chases or sales.

9 **SEC. 913. INVESTOR LIMITATION FOR QUALIFYING VEN-**
10 **TURE CAPITAL FUNDS.**

11 Section 3(c)(1) of the Investment Company Act of
12 1940 (15 U.S.C. 80a-3(c)(1)) is amended—

13 (1) by inserting after “one hundred persons”
14 the following: “(or, with respect to a qualifying ven-
15 ture capital fund, 500 persons)”; and

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

17 “(C) The term ‘qualifying venture capital
18 fund’ means any venture capital fund (as de-
19 fined pursuant to section 203(l)(1) of the In-
20 vestment Advisers Act of 1940 (15 U.S.C. 80b-
21 3(l)(1)) with no more than \$50,000,000 in ag-
22 gregate capital contributions and uncalled com-
23 mitted capital, as such dollar amount is annu-
24 ally adjusted by the Commission to reflect the
25 change in the Consumer Price Index for All

1 Urban Consumers published by the Bureau of
2 Labor Statistics of the Department of Labor.”.

3 **SEC. 914. MANUFACTURED HOUSING.**

4 (a) **MORTGAGE ORIGINATOR DEFINITION.**—Section
5 103 of the Truth in Lending Act (15 U.S.C. 1602) is
6 amended—

7 (1) by redesignating the second subsection (cc)
8 and subsection (dd) as subsections (dd) and (ee), re-
9 spectively; and

10 (2) in paragraph (2)(C) of subsection (dd), as
11 so redesignated, by striking “an employee of a re-
12 tailer of manufactured homes who is not described
13 in clause (i) or (iii) of subparagraph (A) and who
14 does not advise a consumer on loan terms (including
15 rates, fees, and other costs)” and inserting “a re-
16 tailer of manufactured or modular homes or its em-
17 ployees unless such retailer or its employees receive
18 compensation or gain for engaging in activities de-
19 scribed in subparagraph (A) that is in excess of any
20 compensation or gain received in a comparable cash
21 transaction”.

22 (b) **HIGH-COST MORTGAGE DEFINITION.**—Section
23 103 of the Truth in Lending Act (15 U.S.C. 1602), as
24 amended by subsection (a), is further amended—

1 (1) by redesignating subsection (aa) (relating to
2 disclosure of greater amount or percentage), as so
3 designated by section 1100A of the Consumer Fi-
4 nancial Protection Act of 2010, as subsection (bb);

5 (2) by redesignating subsection (bb) (relating to
6 high cost mortgages), as so designated by section
7 1100A of the Consumer Financial Protection Act of
8 2010, as subsection (aa), and moving such sub-
9 section to immediately follow subsection (z); and

10 (3) in subsection (aa)(1)(A), as so redesign-
11 nated—

12 (A) in clause (i)(I), by striking “(8.5 per-
13 centage points, if the dwelling is personal prop-
14 erty and the transaction is for less than
15 \$50,000)” and inserting “(10 percentage points
16 if the dwelling is personal property or is a
17 transaction that does not include the purchase
18 of real property on which a dwelling is to be
19 placed, and the transaction is for less than
20 \$75,000 (as such amount is adjusted by the
21 Bureau to reflect the change in the Consumer
22 Price Index))”; and

23 (B) in clause (ii)—

24 (i) in subclause (I), by striking “or”
25 at the end; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(III) in the case of a trans-
4 action for less than \$75,000 (as such
5 amount is adjusted by the Bureau to
6 reflect the change in the Consumer
7 Price Index) in which the dwelling is
8 personal property (or is a consumer
9 credit transaction that does not in-
10 clude the purchase of real property on
11 which a dwelling is to be placed) the
12 greater of 5 percent of the total trans-
13 action amount or \$3,000 (as such
14 amount is adjusted by the Bureau to
15 reflect the change in the Consumer
16 Price Index); or”.

17 **SEC. 915. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMI-**
18 **NATION REQUESTS AND ORDERS.**

19 (a) **TERMINATION REQUESTS OR ORDERS MUST BE**
20 **MATERIAL.—**

21 (1) **IN GENERAL.—**An appropriate Federal
22 banking agency may not formally or informally re-
23 quest or order a depository institution to terminate
24 a specific customer account or group of customer ac-
25 counts or to otherwise restrict or discourage a de-

1 pository institution from entering into or maintain-
2 ing a banking relationship with a specific customer
3 or group of customers unless—

4 (A) the agency has a material reason for
5 such request or order; and

6 (B) such reason is not based solely on rep-
7 utation risk.

8 (2) TREATMENT OF NATIONAL SECURITY
9 THREATS.—If an appropriate Federal banking agen-
10 cy believes a specific customer or group of customers
11 is, or is acting as a conduit for, an entity which—

12 (A) poses a threat to national security;

13 (B) is involved in terrorist financing;

14 (C) is an agency of the government of
15 Iran, North Korea, Syria, or any country listed
16 from time to time on the State Sponsors of
17 Terrorism list;

18 (D) is located in, or is subject to the juris-
19 diction of, any country specified in subpara-
20 graph (C); or

21 (E) does business with any entity described
22 in subparagraph (C) or (D), unless the appro-
23 priate Federal banking agency determines that
24 the customer or group of customers has used

1 due diligence to avoid doing business with any
2 entity described in subparagraph (C) or (D),
3 such belief shall satisfy the requirement under para-
4 graph (1).

5 (b) NOTICE REQUIREMENT.—

6 (1) IN GENERAL.—If an appropriate Federal
7 banking agency formally or informally requests or
8 orders a depository institution to terminate a spe-
9 cific customer account or a group of customer ac-
10 counts, the agency shall—

11 (A) provide such request or order to the
12 institution in writing; and

13 (B) accompany such request or order with
14 a written justification for why such termination
15 is needed, including any specific laws or regula-
16 tions the agency believes are being violated by
17 the customer or group of customers, if any.

18 (2) JUSTIFICATION REQUIREMENT.—A jus-
19 tification described under paragraph (1)(B) may not
20 be based solely on the reputation risk to the deposi-
21 tory institution.

22 (c) CUSTOMER NOTICE.—

23 (1) NOTICE REQUIRED.—Except as provided
24 under paragraph (2), if an appropriate Federal
25 banking agency orders a depository institution to

1 terminate a specific customer account or a group of
2 customer accounts, the depository institution shall
3 inform the customer or customers of the justification
4 for the customer's account termination described
5 under subsection (b).

6 (2) NOTICE PROHIBITED IN CASES OF NA-
7 TIONAL SECURITY.—If an appropriate Federal bank-
8 ing agency requests or orders a depository institu-
9 tion to terminate a specific customer account or a
10 group of customer accounts based on a belief that
11 the customer or customers pose a threat to national
12 security, or are otherwise described under subsection
13 (a)(2), neither the depository institution nor the ap-
14 propriate Federal banking agency may inform the
15 customer or customers of the justification for the
16 customer's account termination.

17 (d) REPORTING REQUIREMENT.—Each appropriate
18 Federal banking agency shall issue an annual report to
19 the Congress stating—

20 (1) the aggregate number of specific customer
21 accounts that the agency requested or ordered a de-
22 pository institution to terminate during the previous
23 year; and

24 (2) the legal authority on which the agency re-
25 lied in making such requests and orders and the fre-

1 quency on which the agency relied on each such au-
2 thority.

3 (e) DEFINITIONS.—For purposes of this section:

4 (1) APPROPRIATE FEDERAL BANKING AGEN-
5 CY.—The term “appropriate Federal banking agen-
6 cy” means—

7 (A) the appropriate Federal banking agen-
8 cy, as defined under section 3 of the Federal
9 Deposit Insurance Act (12 U.S.C. 1813); and

10 (B) the National Credit Union Administra-
11 tion, in the case of an insured credit union.

12 (2) DEPOSITORY INSTITUTION.—The term “de-
13 pository institution” means—

14 (A) a depository institution, as defined
15 under section 3 of the Federal Deposit Insur-
16 ance Act (12 U.S.C. 1813); and

17 (B) an insured credit union.

18 **SEC. 916. AMENDMENTS TO THE FINANCIAL INSTITUTIONS**
19 **REFORM, RECOVERY, AND ENFORCEMENT**
20 **ACT OF 1989.**

21 Section 951 of the Financial Institutions Reform, Re-
22 covery, and Enforcement Act of 1989 (12 U.S.C. 1833a)
23 is amended—

24 (1) in subsection (c)(2), by striking “affecting
25 a federally insured financial institution” and insert-

1 ing “against a federally insured financial institution
2 or by a federally insured financial institution against
3 an unaffiliated third person”; and

4 (2) in subsection (g)—

5 (A) in the heading, by striking “SUB-
6 POENAS” and inserting “INVESTIGATIONS”; and

7 (B) by amending paragraph (1)(C) to read
8 as follows:

9 “(C) summon witnesses and require the
10 production of any books, papers, correspond-
11 ence, memoranda, or other records which the
12 Attorney General deems relevant or material to
13 the inquiry, if the Attorney General—

14 “(i) requests a court order from a
15 court of competent jurisdiction for such ac-
16 tions and offers specific and articulable
17 facts showing that there are reasonable
18 grounds to believe that the information or
19 testimony sought is relevant and material
20 for conducting an investigation under this
21 section; or

22 “(ii) either personally or through dele-
23 gation no lower than the Deputy Attorney
24 General, issues and signs a subpoena for
25 such actions and such subpoena is sup-

1 ported by specific and articulable facts
2 showing that there are reasonable grounds
3 to believe that the information or testi-
4 mony sought is relevant for conducting an
5 investigation under this section.”.

6 **SEC. 917. SAFE HARBOR FOR CERTAIN LOANS HELD ON**
7 **PORTFOLIO.**

8 (a) IN GENERAL.—Section 129C of the Truth in
9 Lending Act (15 U.S.C. 1639c) is amended by adding at
10 the end the following:

11 “(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON
12 PORTFOLIO.—

13 “(1) SAFE HARBOR FOR CREDITORS THAT ARE
14 DEPOSITORY INSTITUTIONS.—

15 “(A) IN GENERAL.—A creditor that is a
16 depository institution shall not be subject to
17 suit for failure to comply with subsection (a),
18 (c)(1), or (f)(2) of this section or section 129H
19 with respect to a residential mortgage loan, and
20 the banking regulators shall treat such loan as
21 a qualified mortgage, if—

22 “(i) the creditor has, since the origi-
23 nation of the loan, held the loan on the
24 balance sheet of the creditor; and

1 “(ii) all prepayment penalties with re-
2 spect to the loan comply with the limita-
3 tions described under subsection (c)(3).

4 “(B) EXCEPTION FOR CERTAIN TRANS-
5 FERS.—In the case of a depository institution
6 that transfers a loan originated by that institu-
7 tion to another depository institution by reason
8 of the bankruptcy or failure of the originating
9 depository institution or the purchase of the
10 originating depository institution, the depository
11 institution transferring such loan shall be
12 deemed to have complied with the requirement
13 under subparagraph (A)(i).

14 “(2) SAFE HARBOR FOR MORTGAGE ORIGINA-
15 TORS.—A mortgage originator shall not be subject
16 to suit for a violation of section 129B(c)(3)(B) for
17 steering a consumer to a residential mortgage loan
18 if—

19 “(A) the creditor of such loan is a depository
20 institution and has informed the mortgage
21 originator that the creditor intends to hold the
22 loan on the balance sheet of the creditor for the
23 life of the loan; and

24 “(B) the mortgage originator informs the
25 consumer that the creditor intends to hold the

1 loan on the balance sheet of the creditor for the
2 life of the loan.

3 “(3) DEFINITIONS.—For purposes of this sub-
4 section:

5 “(A) BANKING REGULATORS.—The term
6 ‘banking regulators’ means the Federal banking
7 agencies, the Bureau, and the National Credit
8 Union Administration.

9 “(B) DEPOSITORY INSTITUTION.—The
10 term ‘depository institution’ has the meaning
11 given that term under section 19(b)(1) of the
12 Federal Reserve Act (12 U.S.C. 505(b)(1)).

13 “(C) FEDERAL BANKING AGENCIES.—The
14 term ‘Federal banking agencies’ has the mean-
15 ing given that term under section 3 of the Fed-
16 eral Deposit Insurance Act.”.

17 (b) RULE OF CONSTRUCTION.—Nothing in the
18 amendment made by this section may be construed as pre-
19 venting a balloon loan from qualifying for the safe harbor
20 provided under section 129C(j) of the Truth in Lending
21 Act if the balloon loan otherwise meets all of the require-
22 ments under such subsection (j), regardless of whether the
23 balloon loan meets the requirements described under
24 clauses (i) through (iv) of section 129C(b)(2)(E) of such
25 Act.

1 **SEC. 918. CHANGES REQUIRED TO SMALL BANK HOLDING**
2 **COMPANY POLICY STATEMENT ON ASSESS-**
3 **MENT OF FINANCIAL AND MANAGERIAL FAC-**
4 **TORS.**

5 (a) IN GENERAL.—Before the end of the 6-month pe-
6 riod beginning on the date of the enactment of this Act,
7 the Board of Governors of the Federal Reserve System
8 shall revise the Small Bank Holding Company Policy
9 Statement on Assessment of Financial and Managerial
10 Factors (12 CFR part 225—appendix C) to raise the con-
11 solidated asset threshold under such policy statement from
12 \$1,000,000,000 (as adjusted by Public Law 113–250) to
13 \$10,000,000,000.

14 (b) CONFORMING AMENDMENT.—Subparagraph (C)
15 of section 171(b)(5) of the Dodd-Frank Wall Street Re-
16 form and Consumer Protection Act (12 U.S.C.
17 5371(b)(5)) is amended to read as follows:

18 “(C) any bank holding company or savings
19 and loan holding company that is subject to the
20 application of the Small Bank Holding Com-
21 pany Policy Statement on Assessment of Finan-
22 cial and Managerial Factors of the Board of
23 Governors (12 CFR part 225—appendix C).”.

1 **SEC. 919. COMMUNITY FINANCIAL INSTITUTION MORTGAGE**

2 **RELIEF.**

3 (a) EXEMPTION FROM ESCROW REQUIREMENTS FOR
4 LOANS HELD BY SMALLER CREDITORS.—Section 129D
5 of the Truth in Lending Act (15 U.S.C. 1639d) is amend-
6 ed—

7 (1) by adding at the end the following:

8 “(k) SAFE HARBOR FOR LOANS HELD BY SMALLER
9 CREDITORS.—

10 “(1) IN GENERAL.—A creditor shall not be in
11 violation of subsection (a) with respect to a loan if—

12 “(A) the creditor has consolidated assets of
13 \$10,000,000,000 or less; and

14 “(B) the creditor holds the loan on the bal-
15 ance sheet of the creditor for the 3-year period
16 beginning on the date of the origination of the
17 loan.

18 “(2) EXCEPTION FOR CERTAIN TRANSFERS.—

19 In the case of a creditor that transfers a loan to an-
20 other person by reason of the bankruptcy or failure
21 of the creditor, the purchase of the creditor, or a su-
22 pervisory act or recommendation from a State or
23 Federal regulator, the creditor shall be deemed to
24 have complied with the requirement under para-
25 graph (1)(B).”; and

1 (2) by striking the term “Board” each place
2 such term appears and inserting “Bureau”.

3 (b) **MODIFICATION TO EXEMPTION FOR SMALL**
4 **SERVICERS OF MORTGAGE LOANS.**—Section 6 of the Real
5 Estate Settlement Procedures Act of 1974 (12 U.S.C.
6 2605) is amended by adding at the end the following:

7 “(n) **SMALL SERVICER EXEMPTION.**—The Bureau
8 shall, by regulation, provide exemptions to, or adjustments
9 for, the provisions of this section for a servicer that annu-
10 ally services 20,000 or fewer mortgage loans, in order to
11 reduce regulatory burdens while appropriately balancing
12 consumer protections.”.

13 **SEC. 920. REGULATIONS APPROPRIATE TO BUSINESS MOD-**
14 **ELS.**

15 (a) **IN GENERAL.**—For any regulatory action occur-
16 ring after the date of the enactment of this Act, each Fed-
17 eral financial institutions regulatory agency shall—

18 (1) take into consideration the risk profile and
19 business models of each type of institution or class
20 of institutions subject to the regulatory action;

21 (2) determine the necessity, appropriateness,
22 and impact of applying such regulatory action to
23 such institutions or classes of institutions; and

24 (3) tailor such regulatory action in a manner
25 that limits the regulatory compliance impact, cost, li-

1 ability risk, and other burdens, as appropriate, for
2 the risk profile and business model of the institution
3 or class of institutions involved.

4 (b) OTHER CONSIDERATIONS.—In carrying out the
5 requirements of subsection (a), each Federal financial in-
6 stitutions regulatory agency shall consider—

7 (1) the impact that such regulatory action, both
8 by itself and in conjunction with the aggregate effect
9 of other regulations, has on the ability of the appli-
10 cable institution or class of institutions to serve
11 evolving and diverse customer needs;

12 (2) the potential impact of examination manu-
13 als, regulatory actions taken with respect to third-
14 party service providers, or other regulatory directives
15 that may be in conflict or inconsistent with the tai-
16 loring of such regulatory action described in sub-
17 section (a)(3); and

18 (3) the underlying policy objectives of the regu-
19 latory action and statutory scheme involved.

20 (c) NOTICE OF PROPOSED AND FINAL RULE-
21 MAKING.—Each Federal financial institutions regulatory
22 agency shall disclose in every notice of proposed rule-
23 making and in any final rulemaking for a regulatory ac-
24 tion how the agency has applied subsections (a) and (b).

25 (d) REPORTS TO CONGRESS.—

1 (1) INDIVIDUAL AGENCY REPORTS.—

2 (A) IN GENERAL.—Not later than 1 year
3 after the date of the enactment of this Act and
4 annually thereafter, each Federal financial in-
5 stitutions regulatory agency shall report to the
6 Committee on Financial Services of the House
7 of Representatives and the Committee on Bank-
8 ing, Housing, and Urban Affairs of the Senate
9 on the specific actions taken to tailor the regu-
10 latory actions of the agency pursuant to the re-
11 quirements of this Act.

12 (B) APPEARANCE BEFORE THE COMMIT-
13 TEES.—The head of each Federal financial in-
14 stitution regulatory agency shall appear before
15 the Committee on Financial Services of the
16 House of Representatives and the Committee
17 on Banking, Housing, and Urban Affairs of the
18 Senate after each report is made pursuant to
19 subparagraph (A) to testify on the contents of
20 such report.

21 (2) FIEC REPORTS.—

22 (A) IN GENERAL.—Not later than 3
23 months after each report is submitted under
24 paragraph (1), the Financial Institutions Ex-
25 amination Council shall report to the Com-

1 mittee on Financial Services of the House of
2 Representatives and the Committee on Bank-
3 ing, Housing, and Urban Affairs of the Senate
4 on—

5 (i) the extent to which regulatory ac-
6 tions tailored pursuant to this Act result in
7 different treatment of similarly situated in-
8 stitutions of diverse charter types; and

9 (ii) the reasons for such differential
10 treatment.

11 (B) APPEARANCE BEFORE THE COMMIT-
12 TEES.—The Chairman of the Financial Institu-
13 tions Examination Council shall appear before
14 the Committee on Financial Services of the
15 House of Representatives and the Committee
16 on Banking, Housing, and Urban Affairs of the
17 Senate after each report is made pursuant to
18 subparagraph (A) to testify on the contents of
19 such report.

20 (e) LIMITED LOOK-BACK APPLICATION.—

21 (1) IN GENERAL.—Each Federal financial insti-
22 tutions regulatory agency shall conduct a review of
23 all regulations adopted during the period beginning
24 on the date that is seven years before the date of the
25 introduction of this Act in the House of Representa-

1 tives and ending on the date of the enactment of
2 this Act, and apply the requirements of this Act to
3 such regulations.

4 (2) REVISION.—If the application of the re-
5 quirements of this Act to any such regulation re-
6 quires such regulation to be revised, the applicable
7 Federal financial institutions regulatory agency shall
8 revise such regulation within 3 years of the enact-
9 ment of this Act.

10 (f) DEFINITIONS.—In this Act, the following defini-
11 tions shall apply:

12 (1) FEDERAL FINANCIAL INSTITUTIONS REGU-
13 LATORY AGENCIES.—The term “Federal financial in-
14 stitutions regulatory agencies” means the Office of
15 the Comptroller of the Currency, the Board of Gov-
16 ernors of the Federal Reserve System, the Federal
17 Deposit Insurance Corporation, the National Credit
18 Union Administration, and the Bureau of Consumer
19 Financial Protection.

20 (2) REGULATORY ACTION.—The term “regu-
21 latory action” means any proposed, interim, or final
22 rule or regulation, guidance, or published interpreta-
23 tion.

1 **SEC. 921. ELIMINATING BARRIERS TO JOBS FOR LOAN**
2 **ORIGINATORS.**

3 (a) IN GENERAL.—The S.A.F.E. Mortgage Licensing
4 Act of 2008 (12 U.S.C. 5101 et seq.) is amended by add-
5 ing at the end the following:

6 **“SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINA-**
7 **TORS.**

8 “(a) TEMPORARY AUTHORITY TO ORIGINATE LOANS
9 FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY
10 INSTITUTION TO A NON-DEPOSITORY INSTITUTION.—

11 “(1) IN GENERAL.—Upon employment by a
12 State-licensed mortgage company, an individual who
13 is a registered loan originator shall be deemed to
14 have temporary authority to act as a loan originator
15 in an application State for the period described in
16 paragraph (2) if the individual—

17 “(A) has not had an application for a loan
18 originator license denied, or had such a license
19 revoked or suspended in any governmental ju-
20 risdiction;

21 “(B) has not been subject to or served
22 with a cease and desist order in any govern-
23 mental jurisdiction or as described in section
24 1514(c);

1 “(C) has not been convicted of a felony
2 that would preclude licensure under the law of
3 the application State;

4 “(D) has submitted an application to be a
5 State-licensed loan originator in the application
6 State; and

7 “(E) was registered in the Nationwide
8 Mortgage Licensing System and Registry as a
9 loan originator during the 12-month period pre-
10 ceding the date of submission of the informa-
11 tion required under section 1505(a).

12 “(2) PERIOD.—The period described in para-
13 graph (1) shall begin on the date that the individual
14 submits the information required under section
15 1505(a) and shall end on the earliest of—

16 “(A) the date that the individual with-
17 draws the application to be a State-licensed
18 loan originator in the application State;

19 “(B) the date that the application State
20 denies, or issues a notice of intent to deny, the
21 application;

22 “(C) the date that the application State
23 grants a State license; or

24 “(D) the date that is 120 days after the
25 date on which the individual submits the appli-

1 cation, if the application is listed on the Nation-
2 wide Mortgage Licensing System and Registry
3 as incomplete.

4 “(b) TEMPORARY AUTHORITY TO ORIGINATE LOANS
5 FOR STATE-LICENSED LOAN ORIGINATORS MOVING
6 INTERSTATE.—

7 “(1) IN GENERAL.—A State-licensed loan origi-
8 nator shall be deemed to have temporary authority
9 to act as a loan originator in an application State
10 for the period described in paragraph (2) if the
11 State-licensed loan originator—

12 “(A) meets the requirements of subpara-
13 graphs (A), (B), (C), and (D) of subsection
14 (a)(1);

15 “(B) is employed by a State-licensed mort-
16 gage company in the application State; and

17 “(C) was licensed in a State that is not the
18 application State during the 30-day period pre-
19 ceding the date of submission of the informa-
20 tion required under section 1505(a) in connec-
21 tion with the application submitted to the appli-
22 cation State.

23 “(2) PERIOD.—The period described in para-
24 graph (1) shall begin on the date that the State-li-
25 censed loan originator submits the information re-

1 quired under section 1505(a) in connection with the
2 application submitted to the application State and
3 end on the earliest of—

4 “(A) the date that the State-licensed loan
5 originator withdraws the application to be a
6 State-licensed loan originator in the application
7 State;

8 “(B) the date that the application State
9 denies, or issues a notice of intent to deny, the
10 application;

11 “(C) the date that the application State
12 grants a State license; or

13 “(D) the date that is 120 days after the
14 date on which the State-licensed loan originator
15 submits the application, if the application is
16 listed on the Nationwide Mortgage Licensing
17 System and Registry as incomplete.

18 “(c) APPLICABILITY.—

19 “(1) Any person employing an individual who is
20 deemed to have temporary authority to act as a loan
21 originator in an application State pursuant to this
22 section shall be subject to the requirements of this
23 title and to applicable State law to the same extent
24 as if such individual was a State-licensed loan origi-
25 nator licensed by the application State.

1 “(2) Any individual who is deemed to have tem-
2 porary authority to act as a loan originator in an ap-
3 plication State pursuant to this section and who en-
4 gages in residential mortgage loan origination activi-
5 ties shall be subject to the requirements of this title
6 and to applicable State law to the same extent as if
7 such individual was a State-licensed loan originator
8 licensed by the application State.

9 “(d) DEFINITIONS.—In this section, the following
10 definitions shall apply:

11 “(1) STATE-LICENSED MORTGAGE COMPANY.—
12 The term ‘State-licensed mortgage company’ means
13 an entity licensed or registered under the law of any
14 State to engage in residential mortgage loan origina-
15 tion and processing activities.

16 “(2) APPLICATION STATE.—The term ‘applica-
17 tion State’ means a State in which a registered loan
18 originator or a State-licensed loan originator seeks
19 to be licensed.”.

20 (b) TABLE OF CONTENTS AMENDMENT.—The table
21 of contents in section 1(b) of the Housing and Economic
22 Recovery Act of 2008 (42 U.S.C. 4501 note) is amended
23 by inserting after the item relating to section 1517 the
24 following:

“Sec. 1518. Employment transition of loan originators.”.

1 (c) AMENDMENT TO CIVIL LIABILITY OF THE BU-
2 REAU AND OTHER OFFICIALS.—Section 1513 of the
3 S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C.
4 5112) is amended by striking “are loan originators or are
5 applying for licensing or registration as loan originators”
6 and inserting “are applying for licensing or registration
7 using the Nationwide Mortgage Licensing System and
8 Registry”.

9 (d) EFFECTIVE DATE.—This section and the amend-
10 ments made by this section shall take effect on the date
11 that is 18 months after the date of the enactment of this
12 Act.

13 **SEC. 922. SMALL BUSINESS LOAN DATA COLLECTION RE-**
14 **QUIREMENT.**

15 (a) REPEAL.—Section 704B of the Equal Credit Op-
16 portunity Act (15 U.S.C. 1691c–2) is repealed.

17 (b) CONFORMING AMENDMENTS.—Section 701(b) of
18 the Equal Credit Opportunity Act (15 U.S.C. 1691(b)) is
19 amended—

20 (1) in paragraph (3), by inserting “or” at the
21 end;

22 (2) in paragraph (4), by striking “; or” and in-
23 serting a period; and

24 (3) by striking paragraph (5).

1 (c) CLERICAL AMENDMENT.—The table of sections
2 for title VII of the Consumer Credit Protection Act is
3 amended by striking the item relating to section 704B.

4 **SEC. 923. DEPOSITORY INSTITUTIONS SUBJECT TO MAINTENANCE OF RECORDS AND DISCLOSURE REQUIREMENTS.**

7 (a) IN GENERAL.—Section 304 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803) is amended—
9 ed—

10 (1) by redesignating subsection (i) as paragraph

11 (2) and adjusting the margin appropriately; and

12 (2) by inserting before such paragraph (2) the
13 following:

14 “(i) EXEMPTIONS.—

15 “(1) IN GENERAL.—With respect to a depository institution, the requirements of subsections (a)
16 and (b) shall not apply—
17

18 “(A) with respect to closed-end mortgage
19 loans, if such depository institution originated
20 less than 100 closed-end mortgage loans in each
21 of the two preceding calendar years; and

22 “(B) with respect to open-end lines of
23 credit, if such depository institution originated
24 less than 200 open-end lines of credit in each
25 of the two preceding calendar years.”.

1 (b) TECHNICAL CORRECTION.—Section 304(i)(2) of
2 such Act, as redesignated by subsection (a), is amended
3 by striking “section 303(2)(A)” and inserting “section
4 303(3)(A)”.

5 **SEC. 924. RATE OF INTEREST AFTER TRANSFER OF LOAN.**

6 (a) AMENDMENT TO THE REVISED STATUTES.—Sec-
7 tion 5197 of the Revised Statutes of the United States
8 (12 U.S.C. 85) is amended by adding at the end the fol-
9 lowing new sentence: “A loan that is valid when made as
10 to its maximum rate of interest in accordance with this
11 section shall remain valid with respect to such rate regard-
12 less of whether the loan is subsequently sold, assigned, or
13 otherwise transferred to a third party, and may be en-
14 forced by such third party notwithstanding any State law
15 to the contrary.”.

16 (b) AMENDMENT TO THE HOME OWNERS’ LOAN
17 ACT.—Section 4(g)(1) of the Home Owners’ Loan Act (12
18 U.S.C. 1463(g)(1)) is amended by adding at the end the
19 following new sentence: “A loan that is valid when made
20 as to its maximum rate of interest in accordance with this
21 subsection shall remain valid with respect to such rate re-
22 gardless of whether the loan is subsequently sold, as-
23 signed, or otherwise transferred to a third party, and may
24 be enforced by such third party notwithstanding any State
25 law to the contrary.”.

1 (c) AMENDMENT TO THE FEDERAL CREDIT UNION
2 ACT.—Section 205(g)(1) of the Federal Credit Union Act
3 (12 U.S.C. 1785(g)(1)) is amended by adding at the end
4 the following new sentence: “A loan that is valid when
5 made as to its maximum rate of interest in accordance
6 with this subsection shall remain valid with respect to such
7 rate regardless of whether the loan is subsequently sold,
8 assigned, or otherwise transferred to a third party, and
9 may be enforced by such third party notwithstanding any
10 State law to the contrary.”.

11 (d) AMENDMENT TO THE FEDERAL DEPOSIT INSUR-
12 ANCE ACT.—Section 27(a) of the Federal Deposit Insur-
13 ance Act (12 U.S.C. 1831d(a)) is amended by adding at
14 the end the following new sentence: “A loan that is valid
15 when made as to its maximum rate of interest in accord-
16 ance with this section shall remain valid with respect to
17 such rate regardless of whether the loan is subsequently
18 sold, assigned, or otherwise transferred to a third party,
19 and may be enforced by such third party notwithstanding
20 any State law to the contrary.”.

21 **SEC. 925. BRINGING THE BUREAU INTO THE REGULAR AP-**
22 **PROPRIATIONS PROCESS.**

23 (a) IN GENERAL.—Section 1017 of the Consumer Fi-
24 nancial Protection Act of 2010 (12 U.S.C. 5497) is
25 amended—

1 (1) in subsection (a)—

2 (A) by amending the heading of such sub-
3 section to read as follows: “BUDGET, FINAN-
4 CIAL MANAGEMENT, AND AUDIT.—”;

5 (B) by striking paragraphs (1), (2), and
6 (3);

7 (C) by redesignating paragraphs (4) and
8 (5) as paragraphs (1) and (2), respectively; and

9 (D) by striking subparagraphs (E) and (F)
10 of paragraph (1), as so redesignated;

11 (2) by striking subsections (b) and (c);

12 (3) by redesignating subsections (d) and (e) as
13 subsections (b) and (c), respectively; and

14 (4) in subsection (c), as so redesignated—

15 (A) by striking paragraphs (1), (2), and
16 (3) and inserting the following:

17 “(1) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated to the Bu-
19 reau for each of fiscal years 2018 and 2019 an
20 amount equal to the aggregate amount of funds
21 transferred by the Board of Governors to the Bu-
22 reau during fiscal year 2015.”; and

23 (B) by redesignating paragraph (4) as
24 paragraph (2).

25 (b) EFFECTIVE DATE.—

1 (1) IN GENERAL.—The amendments made by
2 subsection (a) shall take effect on October 1, 2018.

3 (2) IMMEDIATE REPEAL OF REVIEWABILITY
4 PROVISION.—Notwithstanding paragraph (1), sub-
5 paragraph (C) of section 1017(a)(2) of the Con-
6 sumer Financial Protection Act of 2010 (12 U.S.C.
7 5497(a)(2)) is repealed effective on the date of the
8 enactment of this Act.

9 **SEC. 926. ELIMINATION OF SUPERVISION AUTHORITY.**

10 (a) IN GENERAL.—The Consumer Financial Protec-
11 tion Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

12 (1) in section 1002(15)(B)(ii)(I), by striking
13 “examination or”;

14 (2) in section 1013(a)(1)(B), by striking “com-
15 pliance examiners, compliance supervision analysts,”;

16 (3) in section 1016(c)—

17 (A) in paragraph (5), by striking “super-
18 visory and”; and

19 (B) in paragraph (6), by striking “orders,
20 and supervisory actions” and inserting “and or-
21 ders”;

22 (4) in section 1024—

23 (A) in the heading, by striking “**SUPER-**
24 **VISION OF**” and inserting “**AUTHORITY**
25 **WITH RESPECT TO CERTAIN**”;

1 (B) in subsection (a)—

2 (i) in paragraph (1)(B), by striking
3 “as defined by rule in accordance with
4 paragraph (2)” and inserting “as of the
5 date of the enactment of the Financial
6 CHOICE Act of 2017”;

7 (ii) by striking paragraph (2);

8 (iii) by redesignating paragraph (3) as
9 paragraph (2); and

10 (iv) in subparagraph (A) of paragraph
11 (2), as so redesignated, by striking
12 “1025(a) or”;

13 (C) by striking subsection (b);

14 (D) by redesignating subsections (c), (d),
15 (e), and (f) as subsections (b), (c), (d), and (e),
16 respectively;

17 (E) in subsection (c), as so redesignated—

18 (i) in the heading, by striking “AND
19 EXAMINATION AUTHORITY”; and

20 (ii) by striking “, conduct examina-
21 tions,” each place such term appears;

22 (F) in subsection (d), as so redesignated—

23 (i) by inserting “rulemaking and en-
24 forcement, but not supervisory,” before
25 “authority of the Bureau”; and

1 (ii) by striking “conducting any exam-
2 ination or requiring any report from a
3 service provider subject to this subsection”
4 and inserting “carrying out any authority
5 pursuant to this subsection with respect to
6 a service provider”;

7 (5) by striking section 1025;

8 (6) in section 1026—

9 (A) by amending subsection (a) to read as
10 follows:

11 “(a) SCOPE OF COVERAGE.—This section shall apply
12 to any covered person that is an insured depository insti-
13 tution or an insured credit union.”;

14 (B) in subsection (b)(3), by striking “re-
15 port of examination or related”;

16 (C) by striking subsection (c);

17 (D) by redesignating subsections (d) and
18 (e) as subsections (c) and (d), respectively;

19 (E) in subsection (c), as so redesignated,
20 by adding at the end the following:

21 “(3) VERY LARGE INSTITUTIONS.—

22 “(A) PRIMARY ENFORCEMENT AUTHOR-
23 ITY.—Notwithstanding paragraph (1), to the
24 extent that the Bureau and another Federal
25 agency are authorized to enforce a Federal con-

1 consumer financial law, the Bureau shall have pri-
2 mary authority to enforce that Federal con-
3 sumer financial law with respect to an insured
4 depository institution or insured credit union, if
5 such depository institution or credit union has
6 total assets of more than \$10,000,000,000, and
7 any affiliate thereof.

8 “(B) REFERRAL.—Any Federal agency,
9 other than the Federal Trade Commission, that
10 is authorized to enforce a Federal consumer fi-
11 nancial law may recommend, in writing, to the
12 Bureau that the Bureau initiate an enforcement
13 proceeding with respect to a person described in
14 subparagraph (A), as the Bureau is authorized
15 to do by that Federal consumer financial law.

16 “(C) BACKUP ENFORCEMENT AUTHOR-
17 ITY.—If the Bureau does not, before the end of
18 the 120-day period beginning on the date on
19 which the Bureau receives a recommendation
20 under subparagraph (B), initiate an enforce-
21 ment proceeding, the other agency referred to
22 in subparagraph (B) may initiate an enforce-
23 ment proceeding.”; and

24 (F) in subsection (d), as so redesignated—

1 (i) by inserting after “subsection (a)”
2 the following: “, or to any person described
3 under subsection (c)(3)(A),”;

4 (ii) by striking “section 1025” and in-
5 serting “this section”; and

6 (iii) by striking “When conducting
7 any examination or requiring any report
8 from a service provider subject to this sub-
9 section” and inserting “In carrying out
10 any authority pursuant to this subsection
11 with respect to a service provider”;

12 (7) in section 1027—

13 (A) by striking “supervisory,” each place
14 such term appears;

15 (B) in subsection (e)(1), by striking “su-
16 pervisory or”; and

17 (C) in subsection (p), by striking “section
18 1024(c)(1)” and inserting “section
19 1024(b)(1)”;

20 (8) in section 1034—

21 (A) by striking subsections (b) and (c);
22 and

23 (B) by redesignating subsection (d) as sub-
24 section (b);

25 (9) in section 1053—

1 (A) in subsection (b)(1)(A), by striking
2 “sections 1024, 1025, and 1026” and inserting
3 “sections 1024 and 1026”; and

4 (B) in subsection (c)(3)(B)(ii)(II), by
5 striking “, by examination or otherwise,”;

6 (10) in section 1054(a), by striking “sections
7 1024, 1025, and 1026” and inserting “sections
8 1024 and 1026”;

9 (11) in section 1061—

10 (A) in subsection (a)(1)—

11 (i) in subparagraph (A), by striking “;
12 and” at the end and inserting a period;

13 (ii) by striking “means—” and all
14 that follows through “(A) all” and insert-
15 ing “means all”; and

16 (iii) by striking subparagraph (B);
17 and

18 (B) in subsection (c)—

19 (i) by amending paragraph (1) to read
20 as follows:

21 “(1) EXAMINATION.—A transferor agency that
22 is a prudential regulator shall have exclusive author-
23 ity (relative to the Bureau) to require reports from
24 and conduct examinations for compliance with Fed-

1 eral consumer financial laws with respect to a person
2 described in section 1026(a).”; and

3 (ii) in paragraph (2)—

4 (I) by striking subparagraph (A);

5 and

6 (II) by redesignating subpara-

7 graphs (B) and (C) as subparagraphs

8 (A) and (B), respectively;

9 (12) in section 1063, by striking “sections
10 1024, 1025, and 1026” each place such term ap-
11 pears and inserting “sections 1024 and 1026”; and

12 (13) in section 1067, by striking subsection (e).

13 (b) HOME MORTGAGE DISCLOSURE ACT OF 1975.—

14 Section 305(d) of the Home Mortgage Disclosure Act of
15 1975 (12 U.S.C. 2804(d)) is amended by striking “exam-
16 ine and”.

17 (c) OMNIBUS APPROPRIATIONS ACT, 2009.—Section
18 626 of the Omnibus Appropriations Act, 2009 (15 U.S.C.
19 1638 note) is repealed.

20 (d) CLERICAL AMENDMENT.—The table of contents
21 in section 1(b) of the Dodd-Frank Wall Street Reform and
22 Consumer Protection Act is amended—

23 (1) in the item relating to section 1024, by
24 striking “SUPERVISION OF” and inserting “AU-
25 THORITY WITH RESPECT TO CERTAIN”; and

1 (2) by striking the item relating to section
2 1025.

3 **SEC. 927. REMOVAL OF AUTHORITY TO REGULATE SMALL-**
4 **DOLLAR CREDIT.**

5 The Consumer Financial Protection Act of 2010 (12
6 U.S.C. 5481 et seq.) is amended—

7 (1) in section 1024(a)(1)—

8 (A) in subparagraph (C), by adding “or”
9 at the end;

10 (B) in subparagraph (D), by striking “;
11 or” and inserting a period; and

12 (C) by striking subparagraph (E); and

13 (2) in section 1027, by adding at the end the
14 following:

15 “(t) NO AUTHORITY TO REGULATE SMALL-DOLLAR
16 CREDIT.—The Bureau may not exercise any rulemaking,
17 enforcement, or other authority with respect to payday
18 loans, vehicle title loans, or other similar loans.”.

19 **SEC. 928. REMOVAL OF BUREAU UDAAP AUTHORITY.**

20 (a) IN GENERAL.—The Consumer Financial Protec-
21 tion Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

22 (1) in section 1021(b)(2), by striking “from un-
23 fair, deceptive, or abusive acts and practices and”;

24 (2) by striking section 1031;

25 (3) in section 1036(a)—

1 (A) in paragraph (1)—

2 (i) by striking “provider” and all that
3 follows through “to offer” and inserting
4 “provider to offer”;

5 (ii) by striking subparagraph (B); and

6 (B) in paragraph (2)(C), by striking “; or”

7 at the end and inserting a period; and

8 (C) by striking paragraph (3); and

9 (4) in section 1061(b)(5)—

10 (A) in subparagraph (B)—

11 (i) by striking “(i) In general.—”;

12 and

13 (ii) by striking clause (ii);

14 (B) by striking subparagraph (D); and

15 (C) by redesignating subparagraph (E) as

16 subparagraph (D); and

17 (5) in section 1076(b)(2), by striking “deter-

18 mine—” and all that follows through “(B) provide

19 for” and inserting “determine, provide for”.

20 (b) TELEMARKETING AND CONSUMER FRAUD AND

21 ABUSE PREVENTION ACT.—Section 3(c) of the Tele-

22 marketing and Consumer Fraud and Abuse Prevention

23 Act (15 U.S.C. 6102) is amended—

24 (1) in paragraph (1), by striking “; and” at the

25 end and inserting a period;

1 (2) by striking paragraph (2); and

2 (3) by striking “subsection (a)—” and all that
3 follows through “(1) shall” and inserting “sub-
4 section (a) shall”.

5 (c) CLERICAL AMENDMENT.—The table of contents
6 in section 1(b) of the Dodd-Frank Wall Street Reform and
7 Consumer Protection Act is amended by striking the item
8 relating to section 1031.

9 **SEC. 929. REPEAL OF AUTHORITY TO RESTRICT ARBITRA-**
10 **TION.**

11 (a) IN GENERAL.—Section 1028 of the Consumer Fi-
12 nancial Protection Act of 2010 (12 U.S.C. 5518) is hereby
13 repealed.

14 (b) CLERICAL AMENDMENT.—The table of contents
15 under section 1(b) of the Dodd-Frank Wall Street Reform
16 and Consumer Protection Act is amended by striking the
17 item relating to section 1028.

18 **SEC. 930. EXEMPTION FROM RISK RETENTION REQUIRE-**
19 **MENTS FOR NONRESIDENTIAL MORTGAGE.**

20 (a) IN GENERAL.—Section 15G of the Securities Ex-
21 change Act of 1934 (15 U.S.C. 78o–11) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (3)(B), by striking “and”
24 at the end;

1 (B) in paragraph (4)(B), by striking the
2 period and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(5) the term ‘asset-backed security’ refers only
5 to an asset-backed security that is comprised wholly
6 of residential mortgages.”;

7 (2) in subsection (b)—

8 (A) by striking paragraph (1); and

9 (B) by striking “(2) RESIDENTIAL MORT-
10 GAGES.—”;

11 (3) by striking subsection (h) and redesignating
12 subsection (i) as subsection (h); and

13 (4) in subsection (h) (as so redesignated)—

14 (A) by striking “effective—” and all that
15 follows through “(1) with respect to” and in-
16 serting “effective with respect to”;

17 (B) in paragraph (1), by striking “; and”
18 and inserting a period; and

19 (C) by striking paragraph (2).

20 (b) CONFORMING AMENDMENT.—Section 941 of the
21 Dodd-Frank Wall Street Reform and Consumer Protec-
22 tion Act is amended by striking subsection (c).

1 **SEC. 931. PROHIBITION ON REQUIRING A SINGLE BALLOT.**

2 Section 14 of the Securities Exchange Act of 1934
3 (15 U.S.C. 78n) is amended by adding at the end the fol-
4 lowing:

5 “(k) PROHIBITION ON REQUIRING A SINGLE BAL-
6 LOT.—The Commission may not require that a solicitation
7 of a proxy, consent, or authorization to vote a security
8 of an issuer in an election of members of the board of
9 directors of the issuer be made using a single ballot or
10 card that lists both individuals nominated by (or on behalf
11 of) the issuer and individuals nominated by (or on behalf
12 of) other proponents and permits the person granting the
13 proxy, consent, or authorization to select from among indi-
14 viduals in both groups.”.

15 **SEC. 932. REPEAL OF THE VOLCKER RULE AND OTHER**
16 **PROVISIONS.**

17 (a) IN GENERAL.—The following sections of title VI
18 of the Dodd-Frank Wall Street Reform and Consumer
19 Protection Act are repealed, and the provisions of law
20 amended or repealed by such sections are restored or re-
21 vived as if such sections had not been enacted:

22 (1) Section 618.

23 (2) Section 619.

24 (3) Section 620.

25 (b) CLERICAL AMENDMENT.—The table of contents
26 under section 1(b) of the Dodd-Frank Wall Street Reform

1 and Consumer Protection Act is amended by striking the
2 items relating to sections 618, 619, and 620.

3 **TITLE X—FINANCIAL**
4 **INSTITUTION BANKRUPTCY**

5 **SEC. 1001. SHORT TITLE.**

6 This title may be cited as the “Financial Institution
7 Bankruptcy Act of 2017”.

8 **SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FI-**
9 **NANCIAL CORPORATIONS.**

10 (a) DEFINITION.—Section 101 of title 11, United
11 States Code, is amended by inserting the following after
12 paragraph (9):

13 “(9A) The term ‘covered financial corporation’
14 means any corporation incorporated or organized
15 under any Federal or State law, other than a stock-
16 broker, a commodity broker, or an entity of the kind
17 specified in paragraph (2) or (3) of section 109(b),
18 that is—

19 “(A) a bank holding company, as defined
20 in section 2(a) of the Bank Holding Company
21 Act of 1956; or

22 “(B) a corporation that exists for the pri-
23 mary purpose of owning, controlling and financ-
24 ing its subsidiaries, that has total consolidated
25 assets of \$50,000,000,000 or greater, and for

1 which, in its most recently completed fiscal
2 year—

3 “(i) annual gross revenues derived by
4 the corporation and all of its subsidiaries
5 from activities that are financial in nature
6 (as defined in section 4(k) of the Bank
7 Holding Company Act of 1956) and, if ap-
8 plicable, from the ownership or control of
9 one or more insured depository institu-
10 tions, represents 85 percent or more of the
11 consolidated annual gross revenues of the
12 corporation; or

13 “(ii) the consolidated assets of the
14 corporation and all of its subsidiaries re-
15 lated to activities that are financial in na-
16 ture (as defined in section 4(k) of the
17 Bank Holding Company Act of 1956) and,
18 if applicable, related to the ownership or
19 control of one or more insured depository
20 institutions, represents 85 percent or more
21 of the consolidated assets of the corpora-
22 tion.”.

23 (b) APPLICABILITY OF CHAPTERS.—Section 103 of
24 title 11, United States Code, is amended by adding at the
25 end the following:

1 “(l) Subchapter V of chapter 11 of this title applies
2 only in a case under chapter 11 concerning a covered fi-
3 nancial corporation.”.

4 (c) WHO MAY BE A DEBTOR.—Section 109 of title
5 11, United States Code, is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2), by striking “or” at
8 the end;

9 (B) in paragraph (3)(B), by striking the
10 period at the end and inserting “; or”; and

11 (C) by adding at the end the following:

12 “(4) a covered financial corporation.”; and

13 (2) in subsection (d)—

14 (A) by striking “and” before “an unin-
15 sured State member bank”;

16 (B) by striking “or” before “a corpora-
17 tion”; and

18 (C) by inserting “, or a covered financial
19 corporation” after “Federal Deposit Insurance
20 Corporation Improvement Act of 1991”.

21 (d) CONVERSION TO CHAPTER 7.—Section 1112 of
22 title 11, United States Code, is amended by adding at the
23 end the following:

1 “(g) Notwithstanding section 109(b), the court may
2 convert a case under subchapter V to a case under chapter
3 7 if—

4 “(1) a transfer approved under section 1185
5 has been consummated;

6 “(2) the court has ordered the appointment of
7 a special trustee under section 1186; and

8 “(3) the court finds, after notice and a hearing,
9 that conversion is in the best interest of the credi-
10 tors and the estate.”.

11 (e)(1) Section 726(a)(1) of title 11, United States
12 Code, is amended by inserting after “first,” the following:
13 “in payment of any unpaid fees, costs, and expenses of
14 a special trustee appointed under section 1186, and then”.

15 (2) Section 1129(a) of title 11, United States Code,
16 is amended by inserting after paragraph (16) the fol-
17 lowing:

18 “(17) In a case under subchapter V, all payable
19 fees, costs, and expenses of the special trustee have
20 been paid or the plan provides for the payment of
21 all such fees, costs, and expenses on the effective
22 date of the plan.

23 “(18) In a case under subchapter V, confirma-
24 tion of the plan is not likely to cause serious adverse
25 effects on financial stability in the United States.”.

1 (f) Section 322(b)(2) of title 11, United States Code,
2 is amended by striking “The” and inserting “In cases
3 under subchapter V, the United States trustee shall rec-
4 ommend to the court, and in all other cases, the”.

5 **SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITAL-**
6 **IZATION OF A COVERED FINANCIAL COR-**
7 **PORATION.**

8 Chapter 11 of title 11, United States Code, is amend-
9 ed by adding at the end the following:

10 “SUBCHAPTER V—LIQUIDATION, REORGANIZA-
11 TION, OR RECAPITALIZATION OF A COV-
12 ERED FINANCIAL CORPORATION

13 **“§ 1181. Inapplicability of other sections**

14 “Sections 303 and 321(c) do not apply in a case
15 under this subchapter concerning a covered financial cor-
16 poration. Section 365 does not apply to a transfer under
17 section 1185, 1187, or 1188.

18 **“§ 1182. Definitions for this subchapter**

19 “In this subchapter, the following definitions shall
20 apply:

21 “(1) The term ‘Board’ means the Board of
22 Governors of the Federal Reserve System.

23 “(2) The term ‘bridge company’ means a newly
24 formed corporation to which property of the estate
25 may be transferred under section 1185(a) and the

1 equity securities of which may be transferred to a
2 special trustee under section 1186(a).

3 “(3) The term ‘capital structure debt’ means all
4 unsecured debt of the debtor for borrowed money for
5 which the debtor is the primary obligor, other than
6 a qualified financial contract and other than debt se-
7 cured by a lien on property of the estate that is to
8 be transferred to a bridge company pursuant to an
9 order of the court under section 1185(a).

10 “(4) The term ‘contractual right’ means a con-
11 tractual right of a kind defined in section 555, 556,
12 559, 560, or 561.

13 “(5) The term ‘qualified financial contract’
14 means any contract of a kind defined in paragraph
15 (25), (38A), (47), or (53B) of section 101, section
16 741(7), or paragraph (4), (5), (11), or (13) of sec-
17 tion 761.

18 “(6) The term ‘special trustee’ means the trust-
19 ee of a trust formed under section 1186(a)(1).

20 **“§ 1183. Commencement of a case concerning a cov-**
21 **ered financial corporation**

22 “(a) A case under this subchapter concerning a cov-
23 ered financial corporation may be commenced by the filing
24 of a petition with the court by the debtor under section
25 301 only if the debtor states to the best of its knowledge

1 under penalty of perjury in the petition that it is a covered
2 financial corporation.

3 “(b) The commencement of a case under subsection
4 (a) constitutes an order for relief under this subchapter.

5 “(c) The members of the board of directors (or body
6 performing similar functions) of a covered financial cor-
7 poration shall have no liability to shareholders, creditors,
8 or other parties in interest for a good faith filing of a peti-
9 tion to commence a case under this subchapter, or for any
10 reasonable action taken in good faith in contemplation of
11 such a petition or a transfer under section 1185 or section
12 1186, whether prior to or after commencement of the case.

13 “(d) Counsel to the debtor shall provide, to the great-
14 est extent practicable without disclosing the identity of the
15 potential debtor, sufficient confidential notice to the chief
16 judge of the court of appeals for the circuit embracing the
17 district in which such counsel intends to file a petition to
18 commence a case under this subchapter regarding the po-
19 tential commencement of such case. The chief judge of
20 such court shall randomly assign to preside over such case
21 a bankruptcy judge selected from among the bankruptcy
22 judges designated by the Chief Justice of the United
23 States under section 298 of title 28.

1 **“§ 1184. Regulators**

2 “The Board, the Securities Exchange Commission,
3 the Office of the Comptroller of the Currency of the De-
4 partment of the Treasury, the Commodity Futures Trad-
5 ing Commission, and the Federal Deposit Insurance Cor-
6 poration may raise and may appear and be heard on any
7 issue in any case or proceeding under this subchapter.

8 **“§ 1185. Special transfer of property of the estate**

9 “(a) On request of the trustee, and after notice and
10 a hearing that shall occur not less than 24 hours after
11 the order for relief, the court may order a transfer under
12 this section of property of the estate, and the assignment
13 of executory contracts, unexpired leases, and qualified fi-
14 nancial contracts of the debtor, to a bridge company.
15 Upon the entry of an order approving such transfer, any
16 property transferred, and any executory contracts, unex-
17 pired leases, and qualified financial contracts assigned
18 under such order shall no longer be property of the estate.
19 Except as provided under this section, the provisions of
20 section 363 shall apply to a transfer and assignment under
21 this section.

22 “(b) Unless the court orders otherwise, notice of a
23 request for an order under subsection (a) shall consist of
24 electronic or telephonic notice of not less than 24 hours
25 to—

26 “(1) the debtor;

1 “(2) the holders of the 20 largest secured
2 claims against the debtor;

3 “(3) the holders of the 20 largest unsecured
4 claims against the debtor;

5 “(4) counterparties to any debt, executory con-
6 tract, unexpired lease, and qualified financial con-
7 tract requested to be transferred under this section;

8 “(5) the Board;

9 “(6) the Federal Deposit Insurance Corpora-
10 tion;

11 “(7) the Secretary of the Treasury and the Of-
12 fice of the Comptroller of the Currency of the Treas-
13 ury;

14 “(8) the Commodity Futures Trading Commis-
15 sion;

16 “(9) the Securities and Exchange Commission;

17 “(10) the United States trustee or bankruptcy
18 administrator; and

19 “(11) each primary financial regulatory agency,
20 as defined in section 2(12) of the Dodd-Frank Wall
21 Street Reform and Consumer Protection Act, with
22 respect to any affiliate the equity securities of which
23 are proposed to be transferred under this section.

1 “(c) The court may not order a transfer under this
2 section unless the court determines, based upon a prepon-
3 derance of the evidence, that—

4 “(1) the transfer under this section is necessary
5 to prevent serious adverse effects on financial sta-
6 bility in the United States;

7 “(2) the transfer does not provide for the as-
8 sumption of any capital structure debt by the bridge
9 company;

10 “(3) the transfer does not provide for the trans-
11 fer to the bridge company of any property of the es-
12 tate that is subject to a lien securing a debt, execu-
13 tory contract, unexpired lease or agreement (includ-
14 ing a qualified financial contract) of the debtor un-
15 less—

16 “(A)(i) the bridge company assumes such
17 debt, executory contract, unexpired lease or
18 agreement (including a qualified financial con-
19 tract), including any claims arising in respect
20 thereof that would not be allowed secured
21 claims under section 506(a)(1) and after giving
22 effect to such transfer, such property remains
23 subject to the lien securing such debt, executory
24 contract, unexpired lease or agreement (includ-
25 ing a qualified financial contract); and

1 “(ii) the court has determined that as-
2 sumption of such debt, executory contract, un-
3 expired lease or agreement (including a quali-
4 fied financial contract) by the bridge company
5 is in the best interests of the estate; or

6 “(B) such property is being transferred to
7 the bridge company in accordance with the pro-
8 visions of section 363;

9 “(4) the transfer does not provide for the as-
10 sumption by the bridge company of any debt, execu-
11 tory contract, unexpired lease or agreement (includ-
12 ing a qualified financial contract) of the debtor se-
13 cured by a lien on property of the estate unless the
14 transfer provides for such property to be transferred
15 to the bridge company in accordance with paragraph
16 (3)(A) of this subsection;

17 “(5) the transfer does not provide for the trans-
18 fer of the equity of the debtor;

19 “(6) the trustee has demonstrated that the
20 bridge company is not likely to fail to meet the obli-
21 gations of any debt, executory contract, qualified fi-
22 nancial contract, or unexpired lease assumed and as-
23 signed to the bridge company;

24 “(7) the transfer provides for the transfer to a
25 special trustee all of the equity securities in the

1 bridge company and appointment of a special trustee
2 in accordance with section 1186;

3 “(8) after giving effect to the transfer, ade-
4 quate provision has been made for the fees, costs,
5 and expenses of the estate and special trustee; and

6 “(9) the bridge company will have governing
7 documents, and initial directors and senior officers,
8 that are in the best interest of creditors and the es-
9 tate.

10 “(d) Immediately before a transfer under this section,
11 the bridge company that is the recipient of the transfer
12 shall—

13 “(1) not have any property, executory con-
14 tracts, unexpired leases, qualified financial contracts,
15 or debts, other than any property acquired or execu-
16 tory contracts, unexpired leases, or debts assumed
17 when acting as a transferee of a transfer under this
18 section; and

19 “(2) have equity securities that are property of
20 the estate, which may be sold or distributed in ac-
21 cordance with this title.

22 **“§ 1186. Special trustee**

23 “(a)(1) An order approving a transfer under section
24 1185 shall require the trustee to transfer to a qualified
25 and independent special trustee, who is appointed by the

1 court, all of the equity securities in the bridge company
2 that is the recipient of a transfer under section 1185 to
3 hold in trust for the sole benefit of the estate, subject to
4 satisfaction of the special trustee's fees, costs, and ex-
5 penses. The trust of which the special trustee is the trust-
6 ee shall be a newly formed trust governed by a trust agree-
7 ment approved by the court as in the best interests of the
8 estate, and shall exist for the sole purpose of holding and
9 administering, and shall be permitted to dispose of, the
10 equity securities of the bridge company in accordance with
11 the trust agreement.

12 “(2) In connection with the hearing to approve a
13 transfer under section 1185, the trustee shall confirm to
14 the court that the Board has been consulted regarding the
15 identity of the proposed special trustee and advise the
16 court of the results of such consultation.

17 “(b) The trust agreement governing the trust shall
18 provide—

19 “(1) for the payment of the fees, costs, ex-
20 penses, and indemnities of the special trustee from
21 the assets of the debtor's estate;

22 “(2) that the special trustee provide—

23 “(A) quarterly reporting to the estate,
24 which shall be filed with the court; and

1 “(B) information about the bridge com-
2 pany reasonably requested by a party in inter-
3 est to prepare a disclosure statement for a plan
4 providing for distribution of any securities of
5 the bridge company if such information is nec-
6 essary to prepare such disclosure statement;

7 “(3) that for as long as the equity securities of
8 the bridge company are held by the trust, the special
9 trustee shall file a notice with the court in connec-
10 tion with—

11 “(A) any change in a director or senior of-
12 ficer of the bridge company;

13 “(B) any modification to the governing
14 documents of the bridge company; and

15 “(C) any material corporate action of the
16 bridge company, including—

17 “(i) recapitalization;

18 “(ii) a material borrowing;

19 “(iii) termination of an intercompany
20 debt or guarantee;

21 “(iv) a transfer of a substantial por-
22 tion of the assets of the bridge company;

23 or

24 “(v) the issuance or sale of any secu-
25 rities of the bridge company;

1 “(4) that any sale of any equity securities of
2 the bridge company shall not be consummated until
3 the special trustee consults with the Federal Deposit
4 Insurance Corporation and the Board regarding
5 such sale and discloses the results of such consulta-
6 tion with the court;

7 “(5) that, subject to reserves for payments per-
8 mitted under paragraph (1) provided for in the trust
9 agreement, the proceeds of the sale of any equity se-
10 curities of the bridge company by the special trustee
11 be held in trust for the benefit of or transferred to
12 the estate;

13 “(6) the process and guidelines for the replace-
14 ment of the special trustee; and

15 “(7) that the property held in trust by the spe-
16 cial trustee is subject to distribution in accordance
17 with subsection (c).

18 “(c)(1) The special trustee shall distribute the assets
19 held in trust—

20 “(A) if the court confirms a plan in the case,
21 in accordance with the plan on the effective date of
22 the plan; or

23 “(B) if the case is converted to a case under
24 chapter 7, as ordered by the court.

1 “(ii) the commencement of a case under
2 this title concerning the debtor;

3 “(iii) the appointment of or taking posses-
4 sion by a trustee in a case under this title con-
5 cerning the debtor or by a custodian before the
6 commencement of the case; or

7 “(iv) a credit rating agency rating, or ab-
8 sence or withdrawal of a credit rating agency
9 rating—

10 “(I) of the debtor at any time after
11 the commencement of the case;

12 “(II) of an affiliate during the period
13 from the commencement of the case until
14 48 hours after such order is entered;

15 “(III) of the bridge company while the
16 trustee or the special trustee is a direct or
17 indirect beneficial holder of more than 50
18 percent of the equity securities of—

19 “(aa) the bridge company; or

20 “(bb) the affiliate, if all of the di-
21 rect or indirect interests in the affil-
22 iate that are property of the estate
23 are transferred under section 1185; or

24 “(IV) of an affiliate while the trustee
25 or the special trustee is a direct or indirect

1 beneficial holder of more than 50 percent
2 of the equity securities of—

3 “(aa) the bridge company; or

4 “(bb) the affiliate, if all of the di-
5 rect or indirect interests in the affil-
6 iate that are property of the estate
7 are transferred under section 1185.

8 “(2) A debt, contract, lease, or agreement described
9 in this paragraph is—

10 “(A) any debt (other than capital structure
11 debt), executory contract, or unexpired lease of the
12 debtor (other than a qualified financial contract);

13 “(B) any agreement under which the debtor
14 issued or is obligated for debt (other than capital
15 structure debt);

16 “(C) any debt, executory contract, or unexpired
17 lease of an affiliate (other than a qualified financial
18 contract); or

19 “(D) any agreement under which an affiliate
20 issued or is obligated for debt.

21 “(3) The stay under this subsection terminates—

22 “(A) for the benefit of the debtor, upon the ear-
23 liest of—

24 “(i) 48 hours after the commencement of
25 the case;

1 “(ii) assumption of the debt, contract,
2 lease, or agreement by the bridge company
3 under an order authorizing a transfer under
4 section 1185;

5 “(iii) a final order of the court denying the
6 request for a transfer under section 1185; or

7 “(iv) the time the case is dismissed; and

8 “(B) for the benefit of an affiliate, upon the
9 earliest of—

10 “(i) the entry of an order authorizing a
11 transfer under section 1185 in which the direct
12 or indirect interests in the affiliate that are
13 property of the estate are not transferred under
14 section 1185;

15 “(ii) a final order by the court denying the
16 request for a transfer under section 1185;

17 “(iii) 48 hours after the commencement of
18 the case if the court has not ordered a transfer
19 under section 1185; or

20 “(iv) the time the case is dismissed.

21 “(4) Subsections (d), (e), (f), and (g) of section 362
22 apply to a stay under this subsection.

23 “(b) A debt, executory contract (other than a quali-
24 fied financial contract), or unexpired lease of the debtor,
25 or an agreement under which the debtor has issued or is

1 obligated for any debt, may be assumed by a bridge com-
2 pany in a transfer under section 1185 notwithstanding
3 any provision in an agreement or in applicable nonbank-
4 ruptcy law that—

5 “(1) prohibits, restricts, or conditions the as-
6 signment of the debt, contract, lease, or agreement;
7 or

8 “(2) accelerates, terminates, or modifies, or
9 permits a party other than the debtor to terminate
10 or modify, the debt, contract, lease, or agreement on
11 account of—

12 “(A) the assignment of the debt, contract,
13 lease, or agreement; or

14 “(B) a change in control of any party to
15 the debt, contract, lease, or agreement.

16 “(c)(1) A debt, contract, lease, or agreement of the
17 kind described in subparagraph (A) or (B) of subsection
18 (a)(2) may not be accelerated, terminated, or modified,
19 and any right or obligation under such debt, contract,
20 lease, or agreement may not be accelerated, terminated,
21 or modified, as to the bridge company solely because of
22 a provision in the debt, contract, lease, or agreement or
23 in applicable nonbankruptcy law—

24 “(A) of the kind described in subsection
25 (a)(1)(B) as applied to the debtor;

1 “(B) that prohibits, restricts, or conditions the
2 assignment of the debt, contract, lease, or agree-
3 ment; or

4 “(C) that accelerates, terminates, or modifies,
5 or permits a party other than the debtor to termi-
6 nate or modify, the debt, contract, lease or agree-
7 ment on account of—

8 “(i) the assignment of the debt, contract,
9 lease, or agreement; or

10 “(ii) a change in control of any party to
11 the debt, contract, lease, or agreement.

12 “(2) If there is a default by the debtor under a provi-
13 sion other than the kind described in paragraph (1) in
14 a debt, contract, lease or agreement of the kind described
15 in subparagraph (A) or (B) of subsection (a)(2), the
16 bridge company may assume such debt, contract, lease,
17 or agreement only if the bridge company—

18 “(A) shall cure the default;

19 “(B) compensates, or provides adequate assur-
20 ance in connection with a transfer under section
21 1185 that the bridge company will promptly com-
22 pensate, a party other than the debtor to the debt,
23 contract, lease, or agreement, for any actual pecu-
24 niary loss to the party resulting from the default;
25 and

1 “(C) provides adequate assurance in connection
2 with a transfer under section 1185 of future per-
3 formance under the debt, contract, lease, or agree-
4 ment, as determined by the court under section
5 1185(e)(4).

6 **“§ 1188. Treatment of qualified financial contracts**
7 **and affiliate contracts**

8 “(a) Notwithstanding sections 362(b)(6), 362(b)(7),
9 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and
10 561, a petition filed under section 1183 operates as a stay,
11 during the period specified in section 1187(a)(3)(A), ap-
12 plicable to all entities, of the exercise of a contractual
13 right—

14 “(1) to cause the modification, liquidation, ter-
15 mination, or acceleration of a qualified financial con-
16 tract of the debtor or an affiliate;

17 “(2) to offset or net out any termination value,
18 payment amount, or other transfer obligation arising
19 under or in connection with a qualified financial con-
20 tract of the debtor or an affiliate; or

21 “(3) under any security agreement or arrange-
22 ment or other credit enhancement forming a part of
23 or related to a qualified financial contract of the
24 debtor or an affiliate.

1 “(b)(1) During the period specified in section
2 1187(a)(3)(A), the trustee or the affiliate shall perform
3 all payment and delivery obligations under such qualified
4 financial contract of the debtor or the affiliate, as the case
5 may be, that become due after the commencement of the
6 case. The stay provided under subsection (a) terminates
7 as to a qualified financial contract of the debtor or an
8 affiliate immediately upon the failure of the trustee or the
9 affiliate, as the case may be, to perform any such obliga-
10 tion during such period.

11 “(2) Any failure by a counterparty to any qualified
12 financial contract of the debtor or any affiliate to perform
13 any payment or delivery obligation under such qualified
14 financial contract, including during the pendency of the
15 stay provided under subsection (a), shall constitute a
16 breach of such qualified financial contract by the
17 counterparty.

18 “(c) Subject to the court’s approval, a qualified finan-
19 cial contract between an entity and the debtor may be as-
20 signed to or assumed by the bridge company in a transfer
21 under, and in accordance with, section 1185 if and only
22 if—

23 “(1) all qualified financial contracts between
24 the entity and the debtor are assigned to and as-

1 sumed by the bridge company in the transfer under
2 section 1185;

3 “(2) all claims of the entity against the debtor
4 in respect of any qualified financial contract between
5 the entity and the debtor (other than any claim that,
6 under the terms of the qualified financial contract,
7 is subordinated to the claims of general unsecured
8 creditors) are assigned to and assumed by the bridge
9 company;

10 “(3) all claims of the debtor against the entity
11 under any qualified financial contract between the
12 entity and the debtor are assigned to and assumed
13 by the bridge company; and

14 “(4) all property securing or any other credit
15 enhancement furnished by the debtor for any quali-
16 fied financial contract described in paragraph (1) or
17 any claim described in paragraph (2) or (3) under
18 any qualified financial contract between the entity
19 and the debtor is assigned to and assumed by the
20 bridge company.

21 “(d) Notwithstanding any provision of a qualified fi-
22 nancial contract or of applicable nonbankruptcy law, a
23 qualified financial contract of the debtor that is assumed
24 or assigned in a transfer under section 1185 may not be
25 accelerated, terminated, or modified, after the entry of the

1 order approving a transfer under section 1185, and any
2 right or obligation under the qualified financial contract
3 may not be accelerated, terminated, or modified, after the
4 entry of the order approving a transfer under section 1185
5 solely because of a condition described in section
6 1187(c)(1), other than a condition of the kind specified
7 in section 1187(b) that occurs after property of the estate
8 no longer includes a direct beneficial interest or an indi-
9 rect beneficial interest through the special trustee, in more
10 than 50 percent of the equity securities of the bridge com-
11 pany.

12 “(e) Notwithstanding any provision of any agreement
13 or in applicable nonbankruptcy law, an agreement of an
14 affiliate (including an executory contract, an unexpired
15 lease, qualified financial contract, or an agreement under
16 which the affiliate issued or is obligated for debt) and any
17 right or obligation under such agreement may not be ac-
18 celerated, terminated, or modified, solely because of a con-
19 dition described in section 1187(c)(1), other than a condi-
20 tion of the kind specified in section 1187(b) that occurs
21 after the bridge company is no longer a direct or indirect
22 beneficial holder of more than 50 percent of the equity
23 securities of the affiliate, at any time after the commence-
24 ment of the case if—

1 “(1) all direct or indirect interests in the affil-
2 iate that are property of the estate are transferred
3 under section 1185 to the bridge company within the
4 period specified in subsection (a);

5 “(2) the bridge company assumes—

6 “(A) any guarantee or other credit en-
7 hancement issued by the debtor relating to the
8 agreement of the affiliate; and

9 “(B) any obligations in respect of rights of
10 setoff, netting arrangement, or debt of the debt-
11 or that directly arises out of or directly relates
12 to the guarantee or credit enhancement; and

13 “(3) any property of the estate that directly
14 serves as collateral for the guarantee or credit en-
15 hancement is transferred to the bridge company.

16 **“§ 1189. Licenses, permits, and registrations**

17 “(a) Notwithstanding any otherwise applicable non-
18 bankruptcy law, if a request is made under section 1185
19 for a transfer of property of the estate, any Federal, State,
20 or local license, permit, or registration that the debtor or
21 an affiliate had immediately before the commencement of
22 the case and that is proposed to be transferred under sec-
23 tion 1185 may not be accelerated, terminated, or modified
24 at any time after the request solely on account of—

1 “(1) the insolvency or financial condition of the
2 debtor at any time before the closing of the case;

3 “(2) the commencement of a case under this
4 title concerning the debtor;

5 “(3) the appointment of or taking possession by
6 a trustee in a case under this title concerning the
7 debtor or by a custodian before the commencement
8 of the case; or

9 “(4) a transfer under section 1185.

10 “(b) Notwithstanding any otherwise applicable non-
11 bankruptcy law, any Federal, State, or local license, per-
12 mit, or registration that the debtor had immediately before
13 the commencement of the case that is included in a trans-
14 fer under section 1185 shall be valid and all rights and
15 obligations thereunder shall vest in the bridge company.

16 **“§ 1190. Exemption from securities laws**

17 “For purposes of section 1145, a security of the
18 bridge company shall be deemed to be a security of a suc-
19 cessor to the debtor under a plan if the court approves
20 the disclosure statement for the plan as providing ade-
21 quate information (as defined in section 1125(a)) about
22 the bridge company and the security.

23 **“§ 1191. Inapplicability of certain avoiding powers**

24 “A transfer made or an obligation incurred by the
25 debtor to an affiliate prior to or after the commencement

1 of the case, including any obligation released by the debtor
2 or the estate to or for the benefit of an affiliate, in con-
3 templation of or in connection with a transfer under sec-
4 tion 1185 is not avoidable under section 544, 547,
5 548(a)(1)(B), or 549, or under any similar nonbankruptcy
6 law.

7 **“§ 1192. Consideration of financial stability**

8 “The court may consider the effect that any decision
9 in connection with this subchapter may have on financial
10 stability in the United States.”.

11 **SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.**

12 (a) AMENDMENT TO CHAPTER 13.—Chapter 13 of
13 title 28, United States Code, is amended by adding at the
14 end the following:

15 **“§ 298. Judge for a case under subchapter V of chap-**
16 **ter 11 of title 11**

17 “(a)(1) Notwithstanding section 295, the Chief Jus-
18 tice of the United States shall designate not fewer than
19 10 bankruptcy judges to be available to hear a case under
20 subchapter V of chapter 11 of title 11. Bankruptcy judges
21 may request to be considered by the Chief Justice of the
22 United States for such designation.

23 “(2) Notwithstanding section 155, a case under sub-
24 chapter V of chapter 11 of title 11 shall be heard under
25 section 157 by a bankruptcy judge designated under para-

1 graph (1), who shall be randomly assigned to hear such
2 case by the chief judge of the court of appeals for the cir-
3 cuit embracing the district in which the case is pending.
4 To the greatest extent practicable, the approvals required
5 under section 155 should be obtained.

6 “(3) If the bankruptcy judge assigned to hear a case
7 under paragraph (2) is not assigned to the district in
8 which the case is pending, the bankruptcy judge shall be
9 temporarily assigned to the district.

10 “(b) A case under subchapter V of chapter 11 of title
11 11, and all proceedings in the case, shall take place in
12 the district in which the case is pending.

13 “(c) In this section, the term ‘covered financial cor-
14 poration’ has the meaning given that term in section
15 101(9A) of title 11.”.

16 (b) AMENDMENT TO SECTION 1334 OF TITLE 28.—
17 Section 1334 of title 28, United States Code, is amended
18 by adding at the end the following:

19 “(f) This section does not grant jurisdiction to the
20 district court after a transfer pursuant to an order under
21 section 1185 of title 11 of any proceeding related to a spe-
22 cial trustee appointed, or to a bridge company formed, in
23 connection with a case under subchapter V of chapter 11
24 of title 11.”.

25 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

1 Report shall be limited to this division and shall apply for
2 purposes of determining the allocation of funds provided
3 by, and the implementation of, this division.

4 SPENDING REDUCTION ACCOUNT

5 SEC. 1103. \$0.

6 SEC. 1104. None of the funds appropriated by this
7 Act may be used to plan for, begin, continue, complete,
8 process, or approve a public-private competition under the
9 Office of Management and Budget Circular A-76.

10 SEC. 1105. None of the funds made available by this
11 Act may be used to authorize a transaction by a U.S. fi-
12 nancial institution (as defined under section 561.309 of
13 title 31, Code of Federal Regulations) that is ordinarily
14 incident to the export or re-export of a commercial pas-
15 senger aircraft to the Islamic Republic of Iran.

16 SEC. 1106. None of the funds made available to the
17 Department of Treasury by this division may be used to
18 issue a license pursuant to any Office of Foreign Assets
19 Control (OFAC) memo regarding Section 5.1.1 of Annex
20 II to the Joint Comprehensive Plan of Action of July 14,
21 2015 (JCPOA), including the January 16, 2016, OFAC
22 memo titled, “Statement of Licensing Policy For Activi-
23 ties Related to the Export Or Re-Export to Iran of Com-
24 mercial Passenger Aircraft and Related Parts and Serv-
25 ices” and any other OFAC memo of the same substance.

1 SEC. 1107. None of the funds made available by this
2 Act (including title IV and title VIII) may be used to carry
3 out the Reproductive Health Non-Discrimination Amend-
4 ment Act of 2014 (D.C. Law 20–261) or to implement
5 any rule or regulation promulgated to carry out such Act.

6 SEC. 1108. None of the funds made available by this
7 Act may be used to implement, administer, or enforce a
8 rule issued pursuant to section 13(p) of the Securities Ex-
9 change Act of 1934.

10 This division may be cited as the “Financial Services
11 and General Government Appropriations Act, 2018”.

12 **DIVISION E—DEPARTMENT OF HOME-**
13 **LAND SECURITY APPROPRIATIONS**
14 **ACT, 2018**

15 The following sums are appropriated, out of any
16 money in the Treasury not otherwise appropriated, for the
17 Department of Homeland Security for the fiscal year end-
18 ing September 30, 2018, and for other purposes, namely:

1 TITLE I
2 DEPARTMENTAL MANAGEMENT, OPERATIONS,
3 INTELLIGENCE, AND OVERSIGHT
4 OFFICE OF THE SECRETARY AND EXECUTIVE
5 MANAGEMENT
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Office of the Secretary
8 and for executive management for operations and support,
9 \$138,997,000 (reduced by \$7,000,000) (reduced by
10 \$10,000,000) (reduced by \$5,000,000) (reduced by
11 \$1,000,000) (reduced by \$1,000,000) (increased by
12 \$1,000,000): *Provided*, That not to exceed \$30,000 shall
13 be for official reception and representation expenses.

14 MANAGEMENT DIRECTORATE
15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Management Direc-
17 torate for operations and support, \$696,131,000 (reduced
18 by \$76,400,000) (reduced by \$5,000,000) (reduced by
19 \$1,000,000), of which \$227,516,000 shall remain avail-
20 able until September 30, 2019: *Provided*, That not to ex-
21 ceed \$2,000 shall be for official reception and representa-
22 tion expenses.

23 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

24 For necessary expenses of the Management Direc-
25 torate for procurement, construction, and improvements,

1 \$27,755,000, to remain available until September 30,
2 2019.

3 RESEARCH AND DEVELOPMENT

4 For necessary expenses of the Management Direc-
5 torate for research and development, \$2,545,000, to re-
6 main available until September 30, 2019.

7 INTELLIGENCE, ANALYSIS, AND OPERATIONS

8 COORDINATION

9 OPERATIONS AND SUPPORT

10 For necessary expenses of the Office of Intelligence
11 and Analysis and the Office of Operations Coordination
12 for operations and support, \$252,405,000, of which
13 \$77,915,000 shall remain available until September 30,
14 2019: *Provided*, That not to exceed \$3,825 shall be for
15 official reception and representation expenses.

16 OFFICE OF INSPECTOR GENERAL

17 OPERATIONS AND SUPPORT

18 For necessary expenses of the Office of Inspector
19 General for operations and support, \$154,830,000 (in-
20 creased by \$25,600,000): *Provided*, That not to exceed
21 \$300,000 may be used for certain confidential operational
22 expenses, including the payment of informants, to be ex-
23 pended at the direction of the Inspector General.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. Hereafter, the Secretary of Homeland Se-
3 curity shall submit to the Committees on Appropriations
4 of the Senate and the House of Representatives, at the
5 time the President's budget proposal is submitted pursu-
6 ant to section 1105(a) of title 31, United States Code,
7 the Future Years Homeland Security Program, as author-
8 ized by section 874 of the Homeland Security Act of 2002
9 (6 U.S.C. 454).

10 SEC. 102. Hereafter, the Chief Financial Officer of
11 the Department of Homeland Security shall submit to the
12 Committees on Appropriations of the Senate and the
13 House of Representatives a monthly budget and staffing
14 report that includes total obligations of the Department
15 for that month and for the fiscal year at the appropriation
16 and program, project, and activity levels, by the source
17 year of the appropriation, not later than 30 days after the
18 last day of each month.

19 SEC. 103. (a) Notwithstanding section 518 of division
20 F of the Consolidated Appropriations Act, 2016 (Public
21 Law 114–113), the Secretary of Homeland Security shall
22 submit a report not later than October 15, 2018, to the
23 Inspector General of the Department of Homeland Secu-
24 rity listing all grants and contracts awarded by any means

1 other than full and open competition during fiscal years
2 2017 and 2018.

3 (b) The Inspector General shall review the report re-
4 quired by subsection (a) to assess departmental compli-
5 ance with applicable laws and regulations and report the
6 results of that review to the Committees on Appropriations
7 of the Senate and the House of Representatives not later
8 than February 15, 2019.

9 SEC. 104. The Secretary of Homeland Security shall
10 require that all contracts of the Department of Homeland
11 Security that provide award fees link such fees to success-
12 ful acquisition outcomes, which shall be specified in terms
13 of cost, schedule, and performance.

14 SEC. 105. The Secretary of Homeland Security, in
15 consultation with the Secretary of the Treasury, shall no-
16 tify the Committees on Appropriations of the Senate and
17 the House of Representatives of any proposed transfers
18 of funds available under section 9703(g)(4)(B) of title 31,
19 United States Code (as added by Public Law 102–393)
20 from the Department of the Treasury Forfeiture Fund to
21 any agency within the Department of Homeland Security:
22 *Provided*, That none of the funds identified for such a
23 transfer may be obligated until the Committees on Appro-
24 priations of the Senate and the House of Representatives
25 are notified of the proposed transfers.

1 SEC. 106. (a) All official costs associated with the
2 use of Government aircraft by Department of Homeland
3 Security personnel to support official travel of the Sec-
4 retary and the Deputy Secretary shall be paid from
5 amounts made available for the Office of the Secretary.

6 (b) A travel report of all direct and indirect costs of
7 official and nonofficial travel by the Secretary and Deputy
8 Secretary by appropriation to the Committees on Appro-
9 priations of the Senate and the House of Representatives
10 not later than 30 days after the end of fiscal year 2018.

11 SEC. 107. (a) Not later than 30 days after the date
12 of enactment of this Act, the Secretary of Homeland Secu-
13 rity shall submit to the Committees on Appropriations of
14 the Senate and the House of Representatives, the Commit-
15 tees on the Judiciary of the Senate and the House of Rep-
16 resentatives, the Committee on Homeland Security and
17 Governmental Affairs of the Senate, and the Committee
18 on Homeland Security of the House of Representatives,
19 a report for fiscal year 2017 on visa overstay data by
20 country as required by section 1376 of title 8, United
21 States Code: *Provided*, That the report on visa overstay
22 data shall also include—

23 (1) overstays from all nonimmigrant visa cat-
24 egories under the immigration laws, delineated by

1 each of the classes and sub-classes of such cat-
2 egories; and

3 (2) numbers as well as rates of overstays for
4 each class and sub-class of such nonimmigrant cat-
5 egories on a per-country basis.

6 (b) The Secretary of Homeland Security shall publish
7 on the Department's website the metrics developed to
8 measure the effectiveness of security between the ports of
9 entry, including the methodology and data supporting the
10 resulting measures.

11 TITLE II

12 SECURITY, ENFORCEMENT, AND

13 INVESTIGATIONS

14 U.S. CUSTOMS AND BORDER PROTECTION

15 OPERATIONS AND SUPPORT

16 For necessary expenses of U.S. Customs and Border
17 Protection for operations and support, including the trans-
18 portation of unaccompanied minor aliens; the provision of
19 air and marine support to Federal, State, and local agen-
20 cies in the enforcement or administration of laws enforced
21 by the Department of Homeland Security; at the discre-
22 tion of the Secretary of Homeland Security, the provision
23 of such support to Federal, State, and local agencies in
24 other law enforcement and emergency humanitarian ef-
25 forts; the purchase and lease of up to 7,500 (6,500 for

1 replacement only) police-type vehicles; the purchase, main-
2 tenance, or operation of marine vessels, aircraft, and un-
3 manned aerial systems; and contracting with individuals
4 for personal services abroad; \$11,553,315,000 (reduced by
5 \$20,000,000) (increased by \$10,000,000); of which
6 \$3,274,000 shall be derived from the Harbor Maintenance
7 Trust Fund for administrative expenses related to the col-
8 lection of the Harbor Maintenance Fee pursuant to section
9 9505(e)(3) of the Internal Revenue Code of 1986 (26
10 U.S.C. 9505(e)(3)) and notwithstanding section
11 1511(e)(1) of the Homeland Security Act of 2002 (6
12 U.S.C. 551(e)(1)); of which \$681,441,500 shall be avail-
13 able until September 30, 2019; and of which such sums
14 as become available in the Customs User Fee Account, ex-
15 cept sums subject to section 13031(f)(3) of the Consoli-
16 dated Omnibus Budget Reconciliation Act of 1985 (19
17 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
18 *vided*, That not to exceed \$34,425 shall be for official re-
19 ception and representation expenses: *Provided further*,
20 That not to exceed \$15,000,000 may be transferred to the
21 Bureau of Indian Affairs for the maintenance and repair
22 of roads on Native American reservations, as required by
23 the Border Patrol: *Provided further*, That not to exceed
24 \$150,000 shall be available for payment for rental space
25 in connection with preclearance operations: *Provided fur-*

1 *ther*, That not to exceed \$1,000,000 shall be for awards
2 of compensation to informants, to be accounted for solely
3 under the certificate of the Secretary of Homeland Secu-
4 rity.

5 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

6 For U.S. Customs and Border Protection for pro-
7 curement, construction and improvements, in addition to
8 amounts otherwise made available under this heading by
9 the Department of Homeland Security Border Infrastruc-
10 ture Construction Appropriations Act, 2018,
11 \$437,480,000, of which \$377,705,000 shall remain avail-
12 able until September 30, 2020, and of which \$59,775,000
13 shall remain available until September 30,2022: *Provided*,
14 That such aggregate amount shall be available as follows:
15 \$8,955,000 for Cross Border Tunnel Threat, \$17,438,000
16 for Integrated Fixed Towers, \$1,600,000 for Mobile Video
17 Surveillance Systems, \$20,000,000 for Unattended
18 Ground Sensors, \$49,738,000 for border road construc-
19 tion, \$33,193,000 for Remote Video Surveillance Systems,
20 \$109,240,000 for non-intrusive inspection systems,
21 \$55,530,000 for two multi-role enforcement aircraft,
22 \$3,300,000 for FAA Next Generation radar systems,
23 \$7,800,000 for various sensor upgrades, \$14,034,000 for
24 one medium-lift helicopter, \$13,250,000 for Air and Ma-
25 rine tactical communications, \$12,421,000 for two light

1 enforcement helicopters, \$3,573,000 for coastal intercep-
2 tors, \$1,200,000 for Department of Defense reuse,
3 \$45,000,000 for the Brown Field Border Patrol Station,
4 \$14,775,000 for Office of Field Operations Facilities, and
5 \$26,433,000 for revenue modernization.

6 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

7 OPERATIONS AND SUPPORT

8 For necessary expenses of U.S. Immigration and
9 Customs Enforcement for operations and support, includ-
10 ing the purchase and lease of up to 3,790 (2,350 for re-
11 placement only) police-type vehicles; overseas vetted units;
12 and maintenance, minor construction, and minor leasehold
13 improvements at owned and leased facilities;
14 \$7,002,043,000 (increased by \$5,000,000) (reduced by
15 \$10,000,000); of which \$6,000,000 shall remain available
16 until expended for efforts to enforce laws against forced
17 child labor; of which \$33,700,000 shall remain available
18 until September 30, 2019; of which not less than
19 \$4,413,244,000 shall be for enforcement, detention, and
20 removal operations, including transportation of unaccom-
21 panied minor aliens: *Provided*, That not to exceed \$11,475
22 shall be for official reception and representation expenses:
23 *Provided further*, That not to exceed \$10,000,000 shall be
24 available until expended for conducting special operations
25 under section 3131 of the Customs Enforcement Act of

1 1986 (19 U.S.C. 2081): *Provided further*, That not to ex-
2 ceed \$2,000,000 shall be for awards of compensation to
3 informants, to be accounted for solely under the certificate
4 of the Secretary of Homeland Security: *Provided further*,
5 That not to exceed \$11,216,000 shall be available to fund
6 or reimburse other Federal agencies for the costs associ-
7 ated with the care, maintenance, and repatriation of
8 smuggled aliens unlawfully present in the United States.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of U.S. Immigration and
11 Customs Enforcement for procurement, construction, and
12 improvements, \$52,899,000, to remain available until Sep-
13 tember 30, 2020.

14 TRANSPORTATION SECURITY ADMINISTRATION

15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Transportation Secu-
17 rity Administration for operations and support,
18 \$7,082,874,000, of which \$1,770,719,000 shall remain
19 available until September 30, 2019: *Provided*, That not
20 to exceed \$7,650 shall be for official reception and rep-
21 resentation expenses: *Provided further*, That security serv-
22 ice fees authorized under section 44940 of title 49, United
23 States Code, shall be credited to this appropriation as off-
24 setting collections and shall be available only for aviation
25 security: *Provided further*, That the sum appropriated

1 under this heading from the general fund shall be reduced
2 on a dollar-for-dollar basis as such offsetting collections
3 are received during fiscal year 2018 so as to result in a
4 final fiscal year appropriation from the general fund esti-
5 mated at not more than \$4,612,874,000.

6 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

7 For necessary expenses of the Transportation Secu-
8 rity Administration for procurement, construction, and
9 improvements, \$53,314,000, to remain available until Sep-
10 tember 30, 2020.

11 RESEARCH AND DEVELOPMENT

12 For necessary expenses of the Transportation Secu-
13 rity Administration for research and development,
14 \$20,190,000 (increased by \$10,000,000), to remain avail-
15 able until September 30, 2019.

16 COAST GUARD

17 OPERATING EXPENSES

18 For necessary expenses for the operations and main-
19 tenance of the Coast Guard, not otherwise provided for;
20 purchase or lease of not to exceed 25 passenger motor ve-
21 hicles, which shall be for replacement only; purchase or
22 lease of small boats for contingent and emergent require-
23 ments (at a unit cost of not more than \$700,000) and
24 repairs and service-life replacements, not to exceed a total
25 of \$31,000,000; purchase, lease, or improvement of other

1 equipment (at a unit cost of not more than \$250,000);
2 minor shore construction projects not exceeding
3 \$1,000,000 in total cost on any location; payments pursu-
4 ant to section 156 of Public Law 97-377 (42 U.S.C. 402
5 note; 96 Stat. 1920); and recreation and welfare;
6 \$7,163,464,000 (reduced by \$5,000,000); of which
7 \$340,000,000 shall be for defense-related activities; of
8 which \$24,500,000 shall be derived from the Oil Spill Li-
9 ability Trust Fund to carry out the purposes of section
10 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
11 2712(a)(5)): *Provided*, That not to exceed \$23,000 shall
12 be for official reception and representation expenses.

13 ENVIRONMENTAL COMPLIANCE AND RESTORATION

14 For necessary expenses to carry out the environ-
15 mental compliance and restoration functions of the Coast
16 Guard under chapter 19 of title 14, United States Code,
17 \$13,397,000, to remain available until September 30,
18 2022.

19 RESERVE TRAINING

20 For necessary expenses of the Coast Guard Reserve;
21 operations and maintenance of the Coast Guard Reserve
22 Program; personnel and training costs; and equipment
23 and services; \$114,875,000.

1 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Coast Guard for acqui-
3 sition, construction, renovation, and improvement of aids
4 to navigation, shore facilities (including facilities at De-
5 partment of Defense installations used by the Coast
6 Guard), vessels, and aircraft, including equipment related
7 thereto, \$1,298,745,000; of which \$20,000,000 shall be
8 derived from the Oil Spill Liability Trust Fund to carry
9 out the purposes of section 1012(a)(5) of the Oil Pollution
10 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
11 \$1,256,655,000 shall be available until September 30,
12 2022.

13 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

14 For necessary expenses of the Coast Guard for re-
15 search, development, test, and evaluation; and for mainte-
16 nance, rehabilitation, lease, and operation of facilities and
17 equipment; \$18,641,000 (increased by \$5,000,000); to re-
18 main available until September 30, 2020, of which
19 \$500,000 shall be derived from the Oil Spill Liability
20 Trust Fund to carry out the purposes of section
21 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
22 2712(a)(5)): *Provided*, That there may be credited to and
23 used for the purposes of this appropriation funds received
24 from State and local governments, other public authori-
25 ties, private sources, and foreign countries for expenses

1 incurred for research, development, testing, and evalua-
2 tion.

3 RETIRED PAY

4 For retired pay, including the payment of obligations
5 otherwise chargeable to lapsed appropriations for this pur-
6 pose, payments under the Retired Serviceman's Family
7 Protection and Survivor Benefits Plans, payment for ca-
8 reer status bonuses, concurrent receipts, and combat-re-
9 lated special compensation, and payments for medical care
10 of retired personnel and their dependents under chapter
11 55 of title 10, United States Code, \$1,673,000,000, to re-
12 main 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 replace-
18 ment only; hire of passenger motor vehicles; purchase of
19 motorcycles made in the United States; hire of aircraft;
20 rental of buildings in the District of Columbia; fencing,
21 lighting, guard booths, and other facilities on private or
22 other property not in Government ownership or control,
23 as may be necessary to perform protective functions; con-
24 duct of and participation in firearms matches; presen-
25 tation of awards; conduct of behavioral research in sup-

1 port of protective intelligence and operations; payment in
2 advance for commercial accommodations as may be nec-
3 essary to perform protective functions; and payment, with-
4 out regard to section 5702 of title 5, United States Code,
5 of subsistence expenses of employees who are on protective
6 missions, whether at or away from their duty stations;
7 \$1,893,215,000; of which \$33,692,000 shall remain avail-
8 able until September 30, 2019, of which \$6,000,000 shall
9 be for a grant for activities related to investigations of
10 missing and exploited children; and of which not less than
11 \$13,869,000 shall be for activities related to training in
12 electronic crimes investigations and forensics: *Provided*,
13 That not to exceed \$19,125 shall be for official reception
14 and representation expenses: *Provided further*, That not
15 to exceed \$100,000 shall be to provide technical assistance
16 and equipment to foreign law enforcement organizations
17 in counterfeit investigations.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the United States Secret
20 Service for procurement, construction, and improvements,
21 \$64,030,000, to remain available until September 30,
22 2020.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the United States Secret
3 Service for research and development, \$250,000, to re-
4 main available until September 30, 2019.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 201. Section 201 of the Department of Home-
7 land Security Appropriations Act, 2017 (division F of
8 Public Law 115–31), related to overtime compensation
9 limitations, shall apply with respect to funds made avail-
10 able in this Act in the same manner as such section ap-
11 plied to funds made available in that Act.

12 SEC. 202. Funding made available under the heading
13 “U.S. Customs and Border Protection—Operations and
14 Support” and “U.S. Customs and Border Protection—
15 Procurement, Construction, and Improvements” shall be
16 available for customs expenses when necessary to maintain
17 operations and prevent adverse personnel actions in Puer-
18 to Rico in addition to funding provided by 48 U.S.C. 740.

19 SEC. 203. Hereafter, no U.S. Customs and Border
20 Protection aircraft or other related equipment, with the
21 exception of aircraft that are one of a kind and have been
22 identified as excess to U.S. Customs and Border Protec-
23 tion requirements and aircraft that have been damaged
24 beyond repair, shall be transferred to any other Federal
25 agency, department, or office outside of the Department

1 of Homeland Security without prior notice to the Commit-
2 tees on Appropriations of the Senate and the House of
3 Representatives.

4 SEC. 204. As authorized by section 601(b) of the
5 United States-Colombia Trade Promotion Agreement Im-
6 plementation Act (Public Law 112–42), fees collected
7 from passengers arriving from Canada, Mexico, or an ad-
8 jacent island pursuant to section 13031(a)(5) of the Con-
9 solidated Omnibus Budget Reconciliation Act of 1985 (19
10 U.S.C. 58c(a)(5)) shall be available until expended.

11 SEC. 205. For an additional amount for “U.S. Cus-
12 toms and Border Protection—Operations and Support”,
13 \$39,000,000, to remain available until expended, to be re-
14 duced by amounts collected and credited to this appropria-
15 tion in fiscal year 2018 from amounts authorized to be
16 collected by section 286(i) of the Immigration and Nation-
17 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
18 Security and Rural Investment Act of 2002 (7 U.S.C.
19 8311), and section 817 of the Trade Facilitation and
20 Trade Enforcement Act of 2015 (Public Law 114–125):
21 *Provided*, That to the extent that amounts realized from
22 such collections exceed \$39,000,000, those amounts in ex-
23 cess of \$39,000,000 shall be credited to this appropriation,
24 to remain available until expended.

1 SEC. 206. None of the funds made available in this
2 Act for U.S. Customs and Border Protection may be used
3 to prevent an individual not in the business of importing
4 a prescription drug (within the meaning of section 801(g)
5 of the Federal Food, Drug, and Cosmetic Act) from im-
6 porting a prescription drug from Canada that complies
7 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
8 That this section shall apply only to individuals trans-
9 porting on their person a personal-use quantity of the pre-
10 scription drug, not to exceed a 90-day supply: *Provided*
11 *further*, That the prescription drug may not be—

12 (1) a controlled substance, as defined in section
13 102 of the Controlled Substances Act (21 U.S.C.
14 802); or

15 (2) a biological product, as defined in section
16 351 of the Public Health Service Act (42 U.S.C.
17 262).

18 SEC. 207. Notwithstanding any other provision of
19 law, none of the funds provided in this or any other Act
20 shall be used to approve a waiver of the navigation and
21 vessel-inspection laws pursuant to section 501(b) of title
22 46, United States Code, for the transportation of crude
23 oil distributed from and to the Strategic Petroleum Re-
24 serve until the Secretary of Homeland Security, after con-
25 sultation with the Secretaries of the Departments of En-

1 ergy and Transportation and representatives from the
2 United States flag maritime industry, takes adequate
3 measures to ensure the use of United States flag vessels
4 for such transportation: *Provided*, That the Secretary
5 shall notify the Committees on Appropriations of the Sen-
6 ate and the House of Representatives, the Committee on
7 Commerce, Science, and Transportation of the Senate,
8 and the Committee on Transportation and Infrastructure
9 of the House of Representatives within 2 business days
10 of any request for waivers of navigation and vessel-inspec-
11 tion laws pursuant to such section with respect to such
12 transportation, and the disposition of such requests.

13 SEC. 208. (a) None of the funds made available by
14 this Act may be used to approve, license, facilitate, author-
15 ize, or otherwise allow the trafficking or import of prop-
16 erty confiscated by the Cuban Government.

17 (b) In this section, the terms “confiscated”, “Cuban
18 Government”, “property”, and “traffic” have the mean-
19 ings given such terms in paragraphs (4), (5), (12)(A), and
20 (13), respectively, of section 4 of the Cuban Liberty and
21 Democratic Solidarity (LIBERTAD) Act of 1996 (2216
22 U.S.C. 6023).

23 SEC. 209. Without regard to the limitation as to time
24 and condition of section 503(d), the Secretary may repro-
25 gram within and transfer funds to “U.S. Immigration and

1 Customs Enforcement—Operations and Support” as nec-
2 essary to ensure the detention of aliens prioritized for re-
3 moval.

4 SEC. 210. None of the funds provided under the
5 heading “U.S. Immigration and Customs Enforcement—
6 Operations and Support” may be used to continue a dele-
7 gation of law enforcement authority authorized under sec-
8 tion 287(g) of the Immigration and Nationality Act (8
9 U.S.C. 1357(g)) if the Department of Homeland Security
10 Inspector General determines that the terms of the agree-
11 ment governing the delegation of authority have been ma-
12 terially violated.

13 SEC. 211. None of the funds provided under the
14 heading “U.S. Immigration and Customs Enforcement—
15 Operations and Support” may be used to continue any
16 contract for the provision of detention services if the two
17 most recent overall performance evaluations received by
18 the contracted facility are less than “adequate” or the
19 equivalent median score in any subsequent performance
20 evaluation system.

21 SEC. 212. Members of the House of Representatives
22 and the Senate, including the leadership; the heads of
23 Federal agencies and commissions, including the Sec-
24 retary, Deputy Secretary, Under Secretaries, and Assist-
25 ant Secretaries of the Department of Homeland Security;

1 the Attorney General, Deputy Attorney General, Assistant
2 Attorneys General, and United States Attorneys; and sen-
3 ior members of the Executive Office of the President, in-
4 cluding the Director of the Office of Management and
5 Budget, shall not be exempt from Federal passenger and
6 baggage screening.

7 SEC. 213. Notwithstanding section 44923 of title 49,
8 United States Code, for fiscal year 2018, any funds in
9 the Aviation Security Capital Fund established by section
10 44923(h) of title 49, United States Code, may be used
11 for the procurement and installation of explosives detec-
12 tion systems or for the issuance of other transaction agree-
13 ments for the purpose of funding projects described in sec-
14 tion 44923(a) of such title.

15 SEC. 214. None of the funds made available by this
16 Act under the heading “Coast Guard—Operating Ex-
17 penses” shall be for expenses incurred for recreational ves-
18 sels under section 12114 of title 46, United States Code,
19 except to the extent fees are collected from owners of
20 yachts and credited to the appropriation made available
21 by this Act under the heading “Coast Guard—Operating
22 Expenses”: *Provided*, That to the extent such fees are in-
23 sufficient to pay expenses of recreational vessel docu-
24 mentation under such section 12114, and there is a back-
25 log of recreational vessel applications, personnel per-

1 forming non-recreational vessel documentation functions
2 under subchapter II of chapter 121 of title 46, United
3 States Code, may perform documentation under section
4 12114.

5 SEC. 215. Without regard to the limitation as to time
6 and condition of section 503(d), after June 30, up to
7 \$10,000,000 may be reprogrammed to or from the Mili-
8 tary Pay and Allowances funding category within “Coast
9 Guard—Operating Expenses” in accordance with sub-
10 section (a) of section 503.

11 SEC. 216. The United States Secret Service is au-
12 thorized to obligate funds in anticipation of reimburse-
13 ments from Federal agencies and entities, as defined in
14 section 105 of title 5, United States Code, for personnel
15 receiving training sponsored by the James J. Rowley
16 Training Center, except that total obligations at the end
17 of the fiscal year shall not exceed total budgetary re-
18 sources available under the heading “United States Secret
19 Service—Operations and Support” at the end of the fiscal
20 year.

21 SEC. 217. None of the funds made available to the
22 United States Secret Service by this Act or by previous
23 appropriations Acts may be made available for the protec-
24 tion of the head of a Federal agency other than the Sec-
25 retary of Homeland Security: *Provided*, That the Director

1 of the Secret Service may enter into agreements to provide
2 such protection on a fully reimbursable basis.

3 SEC. 218. For purposes of section 503(a)(3) of this
4 Act, up to \$15,000,000 may be reprogrammed within
5 “United States Secret Service—Operations and Support”.

6 SEC. 219. Funding made available in this Act for
7 “United States Secret Service—Operations and Support”
8 is available for travel of United States Secret Service em-
9 ployees on protective missions without regard to the limi-
10 tations on such expenditures in this or any other Act if
11 the Director of the United States Secret Service or a des-
12 ignee notifies the Committees on Appropriations of the
13 Senate and the House of Representatives 10 or more days
14 in advance, or as early as practicable, prior to such ex-
15 penditures.

16 TITLE III

17 PROTECTION, PREPAREDNESS, RESPONSE, AND 18 RECOVERY

19 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE 20 OPERATIONS AND SUPPORT

21 For necessary expenses of the National Protection
22 and Programs Directorate for operations and support,
23 \$1,427,062,000, (increased by \$1) (reduced by \$1) of
24 which \$8,912,000 shall remain available until September

1 30, 2019: *Provided*, That not to exceed \$3,825 shall be
2 for official reception and representation expenses.

3 FEDERAL PROTECTIVE SERVICE

4 The revenues and collections of security fees credited
5 to this account shall be available until expended for nec-
6 essary expenses related to the protection of federally
7 owned and leased buildings and for the operations of the
8 Federal Protective Service.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of the National Protection
11 and Programs Directorate for procurement, construction,
12 and improvements, \$335,033,000, to remain available
13 until September 30, 2019.

14 RESEARCH AND DEVELOPMENT

15 For necessary expenses of the National Protection
16 and Programs Directorate for research and development,
17 \$11,126,000, to remain available until September 30,
18 2019.

19 OFFICE OF HEALTH AFFAIRS

20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Office of Health Af-
22 fairs for operations and support, \$119,319,000, of which
23 \$13,520,000 shall remain available until September 30,
24 2019.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Federal Emergency
4 Management Agency for operations and support,
5 \$1,027,135,000: *Provided*, That not to exceed \$2,250
6 shall be for official reception and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Federal Emergency
9 Management Agency for procurement, construction, and
10 improvements, \$76,578,000, to remain available until Sep-
11 tember 30, 2019.

12 FEDERAL ASSISTANCE

13 For activities of the Federal Emergency Management
14 Agency for Federal assistance through grants, contracts,
15 cooperative agreements, and other activities,
16 \$3,003,798,000 (increased by \$7,000,000) (increased by
17 \$5,000,000) (increased by \$1,000,000) (increased by
18 \$20,000,000), which shall be allocated as follows:

19 (1) \$467,000,000 for the State Homeland Secu-
20 rity Grant Program under section 2004 of the
21 Homeland Security Act of 2002 (6 U.S.C. 605), of
22 which \$55,000,000 shall be for Operation
23 Stonegarden: *Provided*, That notwithstanding sub-
24 section (c)(4) of such section 2004, for fiscal year
25 2018, the Commonwealth of Puerto Rico shall make

1 available to local and tribal governments amounts
2 provided to the Commonwealth of Puerto Rico under
3 this paragraph in accordance with subsection (c)(1)
4 of such section 2004.

5 (2) \$630,000,000 (increased by \$5,000,000) for
6 the Urban Area Security Initiative under section
7 2003 of the Homeland Security Act of 2002 (6
8 U.S.C. 604), of which \$50,000,000 shall be for orga-
9 nizations (as described under section 501(c)(3) of
10 the Internal Revenue Code of 1986 and exempt from
11 tax under section 501(a) of such code) determined
12 by the Secretary of Homeland Security to be at high
13 risk of a terrorist attack.

14 (3) \$100,000,000 for Public Transportation Se-
15 curity Assistance and Railroad Security Assistance
16 under sections 1406 and 1513 of the Implementing
17 Recommendations of the 9/11 Commission Act of
18 2007 (6 U.S.C. 1135 and 1163), of which
19 \$10,000,000 shall be for Amtrak security.

20 (4) \$100,000,000 for Port Security Grants in
21 accordance with section 70107 of title 46, United
22 States Code.

23 (5) \$690,000,000 (increased by \$20,000,000),
24 to remain available until September 30, 2018, of
25 which \$345,000,000 shall be for Assistance to Fire-

1 fighter Grants and \$345,000,000 (increased by
2 \$20,000,000) shall be for Staffing for Adequate Fire
3 and Emergency Response Grants under sections 33
4 and 34 respectively of the Federal Fire Prevention
5 and Control Act of 1974 (15 U.S.C. 2229 and
6 2229a).

7 (6) \$350,000,000 for emergency management
8 performance grants under the National Flood Insur-
9 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
10 Stafford Disaster Relief and Emergency Assistance
11 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
12 duction Act of 1977 (42 U.S.C. 7701), 6 U.S.C.
13 762, and Reorganization Plan No. 3 of 1978 (5
14 U.S.C. App.).

15 (7) \$100,000,000 (increased by \$7,000,000) for
16 the National Predisaster Mitigation Fund under sec-
17 tion 203 of the Robert T. Stafford Disaster Relief
18 and Emergency Assistance Act (42 U.S.C. 5133), to
19 remain available until expended.

20 (8) \$177,531,000 for necessary expenses for
21 Flood Hazard Mapping and Risk Analysis, in addi-
22 tion to and to supplement any other sums appro-
23 priated under the National Flood Insurance Fund,
24 and such additional sums as may be provided by
25 States or other political subdivisions for cost-shared

1 mapping activities under section 1360(f)(2) of the
2 National Flood Insurance Act of 1968 (42 U.S.C.
3 4101(f)(2)), to remain available until expended.

4 (9) \$120,000,000 for the emergency food and
5 shelter program under title III of the McKinney-
6 Vento Homeless Assistance Act (42 U.S.C. 11331),
7 to remain available until expended: *Provided*, That
8 not to exceed 3.5 percent shall be for total adminis-
9 trative costs.

10 (10) \$269,267,000 (increased by \$1,000,000)
11 to sustain current operations for training, exercises,
12 technical assistance, and other programs.

13 DISASTER RELIEF FUND

14 For necessary expenses in carrying out the Robert
15 T. Stafford Disaster Relief and Emergency Assistance Act
16 (42 U.S.C. 5121 et seq.), \$7,327,720,000, to remain avail-
17 able until expended, of which \$6,793,000,000 shall be for
18 major disasters declared pursuant to the Robert T. Staf-
19 ford Disaster Relief and Emergency Assistance Act (42
20 U.S.C. 5121 et seq.) and is designated by the Congress
21 as being for disaster relief pursuant to section
22 251(b)(2)(D) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 NATIONAL FLOOD INSURANCE FUND

2 For activities under the National Flood Insurance
3 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
4 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
5 Biggert-Waters Flood Insurance Reform Act of 2012
6 (Public Law 112–141, 126 Stat. 916), and the Home-
7 owner Flood Insurance Affordability Act of 2014 (Public
8 Law 113–89; 128 Stat. 1020), \$203,500,000, to remain
9 available until September 30, 2019, which shall be derived
10 from offsetting amounts collected under section 1308(d)
11 of the National Flood Insurance Act of 1968 (42 U.S.C.
12 4015(d)); of which \$13,573,000 shall be available for mis-
13 sion support associated with flood management; and of
14 which \$189,927,000 shall be available for flood plain man-
15 agement and flood mapping: *Provided*, That any addi-
16 tional fees collected pursuant to section 1308(d) of the
17 National Flood Insurance Act of 1968 (42 U.S.C.
18 4015(d)) shall be credited as offsetting collections to this
19 account, to be available for flood plain management and
20 flood mapping: *Provided further*, That in fiscal year 2017,
21 no funds shall be available from the National Flood Insur-
22 ance Fund under section 1310 of the National Flood In-
23 surance Act of 1968 (42 U.S.C. 4017) in excess of—

1 (1) \$165,224,000 for operating expenses and
2 salaries and expenses associated with flood insurance
3 operations;

4 (2) \$1,123,000,000 for commissions and taxes
5 of agents;

6 (3) such sums as are necessary for interest on
7 Treasury borrowings; and

8 (4) \$175,000,000, which shall remain available
9 until expended, for flood mitigation actions and for
10 flood mitigation assistance under section 1366 of the
11 National Flood Insurance Act of 1968 (42 U.S.C.
12 4104e), notwithstanding sections 1366(e) and
13 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

14 *Provided further*, That the amounts collected under section
15 102 of the Flood Disaster Protection Act of 1973 (42
16 U.S.C. 4012a) and section 1366(e) of the National Flood
17 Insurance Act of 1968 shall be deposited in the National
18 Flood Insurance Fund to supplement other amounts speci-
19 fied as available for section 1366 of the National Flood
20 Insurance Act of 1968, notwithstanding section 102(f)(8),
21 section 1366(e), and paragraphs (1) through (3) of section
22 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
23 4104d(b)(1)–(3)): *Provided further*, That total administra-
24 tive costs shall not exceed 4 percent of the total appropria-
25 tion: *Provided further*, That up to \$5,000,000 is available

1 to carry out section 24 of the Homeowner Flood Insurance
2 Affordability Act of 2014 (42 U.S.C. 4033).

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 301. Notwithstanding section 2008(a)(12) of
6 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
7 or any other provision of law, not more than 5 percent
8 of the amount of a grant made available in paragraphs
9 (1) through (4) under “Federal Emergency Management
10 Agency—Federal Assistance”, may be used by the grantee
11 for expenses directly related to administration of the
12 grant.

13 SEC. 302. Applications for grants under the heading
14 “Federal Emergency Management Agency—Federal As-
15 sistance”, for paragraphs (1) through (4), shall be made
16 available to eligible applicants not later than 60 days after
17 the date of enactment of this Act, eligible applicants shall
18 submit applications not later than 80 days after the grant
19 announcement, and the Administrator of the Federal
20 Emergency Management Agency shall act within 65 days
21 after the receipt of an application.

22 SEC. 303. Under the heading “Federal Emergency
23 Management Agency—Federal Assistance”, for grants
24 under paragraphs (1) through (4), the Administrator of
25 the Federal Emergency Management Agency shall brief

1 the Committees on Appropriations of the Senate and the
2 House of Representatives 5 full business days in advance
3 of announcing publicly the intention of making an award.

4 SEC. 304. Under the heading “Federal Emergency
5 Management Agency—Federal Assistance”, for grants
6 under paragraphs (1) and (2), the installation of commu-
7 nications towers is not considered construction of a build-
8 ing or other physical facility.

9 SEC. 305. Notwithstanding any other provision of
10 law, grants awarded to States along the Southwest Border
11 of the United States under sections 2003 or 2004 of the
12 Homeland Security Act of 2002 (6 U.S.C. 604 and 605)
13 using funds provided under the heading “Federal Emer-
14 gency Management Agency—Federal Assistance” for
15 grants under paragraph (1) in this Act, or under the head-
16 ing “Federal Emergency Management Agency—State and
17 Local Programs” in Public Law 114–4, division F of Pub-
18 lic Law 113–76, or division D of Public Law 113–6 may
19 be used by recipients or sub-recipients for costs, or reim-
20 bursement of costs, related to providing humanitarian re-
21 lief to unaccompanied alien children and alien adults ac-
22 companied by an alien minor where they are encountered
23 after entering the United States, provided that such costs
24 were incurred between January 1, 2014, and December
25 31, 2014, or during the award period of performance.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of U.S. Citizenship and Im-
3 migration Services for procurement, construction, and im-
4 provements of the E-Verify Program, \$22,657,000, to re-
5 main available until September 30, 2021.

6 FEDERAL LAW ENFORCEMENT TRAINING CENTERS

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Federal Law Enforce-
9 ment Training Centers for operations and support, includ-
10 ing the purchase of not to exceed 117 vehicles for police-
11 type use and hire of passenger motor vehicles, and services
12 as authorized by section 3109 of title 5, United States
13 Code, \$260,099,000, of which \$49,409,000 shall remain
14 available until September 30, 2019: *Provided*, That not
15 to exceed \$7,180 shall be for official reception and rep-
16 resentation expenses.

17 SCIENCE AND TECHNOLOGY DIRECTORATE

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Science and Tech-
20 nology Directorate for operations and support, including
21 the purchase or lease of not to exceed 5 vehicles,
22 \$254,618,000 (increased by \$42,300,000), of which
23 \$134,795,000 shall remain available until September 30,
24 2019: *Provided*, That not to exceed \$7,650 shall be for
25 official reception and representation expenses.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Science and Tech-
3 nology Directorate for research and development,
4 \$383,482,000 (increased by \$34,100,000), to remain
5 available until September 30, 2020.

6 DOMESTIC NUCLEAR DETECTION OFFICE

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Domestic Nuclear De-
9 tection Office for operations and support, \$54,664,000:
10 *Provided*, That not to exceed \$2,250 shall be for official
11 reception and representation expenses.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the Domestic Nuclear De-
14 tection Office for procurement, construction, and improve-
15 ments, \$87,096,000, to remain available until September
16 30, 2020.

17 RESEARCH AND DEVELOPMENT

18 For necessary expenses of the Domestic Nuclear De-
19 tection Office for research and development,
20 \$144,161,000, to remain available until September 30,
21 2020.

22 FEDERAL ASSISTANCE

23 For necessary expenses of the Domestic Nuclear De-
24 tection Office for Federal assistance through grants, con-
25 tracts, cooperative agreements, and other activities,

1 \$44,519,000 (increased by \$1,000,000), to remain avail-
2 able until September 30, 2020.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 401. Notwithstanding any other provision of
5 law, funds otherwise made available to U.S. Citizenship
6 and Immigration Services may be used to acquire, operate,
7 equip, and dispose of up to 5 vehicles, for replacement
8 only, for areas where the Administrator of General Serv-
9 ices does not provide vehicles for lease: *Provided*, That the
10 Director of U.S. Citizenship and Immigration Services
11 may authorize employees who are assigned to those areas
12 to use such vehicles to travel between the employees' resi-
13 dences and places of employment.

14 SEC. 402. None of the funds made available in this
15 Act may be used by U.S. Citizenship and Immigration
16 Services to grant an immigration benefit unless the results
17 of background checks required by law to be completed
18 prior to the granting of the benefit have been received by
19 U.S. Citizenship and Immigration Services, and the re-
20 sults do not preclude the granting of the benefit.

21 SEC. 403. None of the funds appropriated by this Act
22 may be used to process or approve a competition under
23 Office of Management and Budget Circular A-76 for serv-
24 ices provided by employees (including employees serving
25 on a temporary or term basis) of U.S. Citizenship and Im-

1 migration Services of the Department of Homeland Secu-
2 rity who are known as Immigration Information Officers,
3 Immigration Service Analysts, Contact Representatives,
4 Investigative Assistants, or Immigration Services Officers.

5 SEC. 404. (a) Notwithstanding section 1356(n) of
6 title 8, United States Code, of the funds deposited into
7 the Immigration Examinations Fee Account, up to
8 \$10,000,000 may be allocated by U.S. Citizenship and Im-
9 migration Services in fiscal year 2018 for the purpose of
10 providing an immigrant integration grants program.

11 (b) None of the funds made available to U.S. Citizen-
12 ship and Immigration Services for grants for immigrant
13 integration under subsection (a) may be used to provide
14 services to aliens who have not been lawfully admitted for
15 permanent residence.

16 SEC. 405. The Director of the Federal Law Enforce-
17 ment Training Centers is authorized to distribute funds
18 to Federal law enforcement agencies for expenses incurred
19 participating in training accreditation.

20 SEC. 406. The Federal Law Enforcement Training
21 Accreditation Board, including representatives from the
22 Federal law enforcement community and non-Federal ac-
23 creditation experts involved in law enforcement training,
24 shall lead the Federal law enforcement training accredita-
25 tion process to continue the implementation of measuring

1 and assessing the quality and effectiveness of Federal law
2 enforcement training programs, facilities, and instructors.

3 SEC. 407. (a) There is to be established a “Federal
4 Law Enforcement Training Centers—Procurement, Con-
5 struction, and Improvements” appropriations account for
6 planning, operational development, engineering, and pur-
7 chases prior to sustainment and for information tech-
8 nology-related procurement, construction, and improve-
9 ments, including non-tangible assets of the Federal Law
10 Enforcement Training Centers.

11 (b) The Director of the Federal Law Enforcement
12 Training Centers may accept transfers to the account es-
13 tablished by subsection (a) from Government agencies re-
14 questing the construction of special use facilities, as au-
15 thorized by the Economy Act (31 U.S.C. 1535(b)): *Pro-*
16 *vided*, That the Federal Law Enforcement Training Cen-
17 ters maintain administrative control and ownership upon
18 completion of such facilities.

19 SEC. 408. The functions of the Federal Law Enforce-
20 ment Training Centers instructor staff shall be classified
21 as inherently governmental for the purpose of the Federal
22 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
23 note).

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the components in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2018, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or eliminates a program, project, or activity, or increases funds for any program, project,

1 or activity for which funds have been denied or re-
2 stricted by the Congress;

3 (2) contracts out any function or activity pres-
4 ently performed by Federal employees or any new
5 function or activity proposed to be performed by
6 Federal employees in the President's budget pro-
7 posal for fiscal year 2018 for the Department of
8 Homeland Security;

9 (3) augments funding for existing programs,
10 projects, or activities in excess of \$5,000,000 or 10
11 percent, whichever is less;

12 (4) reduces funding for any program, project,
13 or activity, or numbers of personnel, by 10 percent
14 or more;

15 (5) reorganizes components; or

16 (6) results from any general savings from a re-
17 duction in personnel that would result in a change
18 in funding levels for programs, projects, or activities
19 as approved by the Congress.

20 (b) Subsection (a) shall not apply if the Committees
21 on Appropriations of the Senate and the House of Rep-
22 resentatives are notified at least 15 days in advance of
23 such reprogramming.

24 (c) Up to 5 percent of any appropriation made avail-
25 able for the current fiscal year for the Department of

1 Homeland Security by this Act or provided by previous
2 appropriations Acts may be transferred between such ap-
3 propriations if the Committees on Appropriations of the
4 Senate and the House of Representatives are notified at
5 least 30 days in advance of such transfer, but no such
6 appropriation, except as otherwise specifically provided,
7 shall be increased by more than 10 percent by such trans-
8 fer.

9 (d) Notwithstanding subsections (a), (b), and (c), no
10 funds shall be reprogrammed within or transferred be-
11 tween appropriations based upon an initial notification
12 provided after June 30, except in extraordinary cir-
13 cumstances that imminently threaten the safety of human
14 life or the protection of property.

15 (e) The notification thresholds and procedures set
16 forth in subsections (a), (b), (c), and (d) shall apply to
17 any use of deobligated balances of funds provided in pre-
18 vious Department of Homeland Security Appropriations
19 Acts.

20 (f) Notwithstanding subsection (c), the Secretary of
21 Homeland Security may transfer to the fund established
22 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
23 priations available to the Department of Homeland Secu-
24 rity: *Provided*, That the Secretary shall notify the Com-

1 mittees on Appropriations of the Senate and the House
2 of Representatives 5 days in advance of such transfer.

3 SEC. 504. Section 504 of the Department of Home-
4 land Security Appropriations Act, 2017 (division F of
5 Public Law 115–31), related to the operations of a work-
6 ing capital fund, shall apply with respect to funds made
7 available in this Act in the same manner as such section
8 applied to funds made available in that Act.

9 SEC. 505. Except as otherwise specifically provided
10 by law, not to exceed 50 percent of unobligated balances
11 remaining available at the end of fiscal year 2018, as re-
12 corded in the financial records at the time of a reprogram-
13 ming notification, but not later than June 30, 2019, from
14 appropriations for “Operations and Support” and for
15 “Coast Guard—Operating Expenses”, and salaries and
16 expenses for “Coast Guard—Acquisition, Construction,
17 and Improvements” and “Coast Guard—Reserve Train-
18 ing” for fiscal year 2018 in this Act shall remain available
19 through September 30, 2019, in the account and for the
20 purposes for which the appropriations were provided: *Pro-*
21 *vided*, That prior to the obligation of such funds, a notifi-
22 cation shall be submitted to the Committees on Appropria-
23 tions of the Senate and the House of Representatives in
24 accordance with section 503.

1 SEC. 506. Funds made available by this Act for intel-
2 ligence activities are deemed to be specifically authorized
3 by the Congress for purposes of section 504 of the Na-
4 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
5 year 2018 until the enactment of an Act authorizing intel-
6 ligence activities for fiscal year 2018.

7 SEC. 507. (a) The Secretary of Homeland Security,
8 or the designee of the Secretary, shall notify the Commit-
9 tees on Appropriations of the Senate and the House of
10 Representatives at least 3 full business days in advance
11 of—

12 (1) making or awarding a grant allocation,
13 grant, contract, other transaction agreement, or task
14 or delivery order on a Department of Homeland Se-
15 curity multiple award contract, or to issue a letter
16 of intent totaling in excess of \$1,000,000;

17 (2) awarding a task or delivery order requiring
18 an obligation of funds in an amount greater than
19 \$10,000,000 from multi-year Department of Home-
20 land Security funds;

21 (3) making a sole-source grant award; or

22 (4) announcing publicly the intention to make
23 or award items under paragraph (1), (2), or (3), in-
24 cluding a contract covered by the Federal Acquisi-
25 tion Regulation.

1 (b) If the Secretary of Homeland Security determines
2 that compliance with this section would pose a substantial
3 risk to human life, health, or safety, an award may be
4 made without notification, and the Secretary shall notify
5 the Committees on Appropriations of the Senate and the
6 House of Representatives not later than 5 full business
7 days after such an award is made or letter issued.

8 (c) A notification under this section—

9 (1) may not involve funds that are not available
10 for obligation; and

11 (2) shall include the amount of the award; the
12 fiscal year for which the funds for the award were
13 appropriated; the type of contract; and the account
14 from which the funds are being drawn.

15 SEC. 508. Notwithstanding any other provision of
16 law, no agency shall purchase, construct, or lease any ad-
17 ditional facilities, except within or contiguous to existing
18 locations, to be used for the purpose of conducting Federal
19 law enforcement training without advance notification to
20 the Committees on Appropriations of the Senate and the
21 House of Representatives, except that the Federal Law
22 Enforcement Training Centers is authorized to obtain the
23 temporary use of additional facilities by lease, contract,
24 or other agreement for training that cannot be accommo-
25 dated in existing Center facilities.

1 SEC. 509. None of the funds appropriated or other-
2 wise made available by this Act may be used for expenses
3 for any construction, repair, alteration, or acquisition
4 project for which a prospectus otherwise required under
5 chapter 33 of title 40, United States Code, has not been
6 approved, except that necessary funds may be expended
7 for each project for required expenses for the development
8 of a proposed prospectus.

9 SEC. 510. Sections 520, 522, and 530 of the Depart-
10 ment of Homeland Security Appropriations Act, 2008 (di-
11 vision E of Public Law 110–161; 121 Stat. 2073 and
12 2074) shall apply with respect to funds made available in
13 this Act in the same manner as such sections applied to
14 funds made available in that Act.

15 SEC. 511. None of the funds made available in this
16 Act may be used in contravention of the applicable provi-
17 sions of the Buy American Act: *Provided*, That for pur-
18 poses of the preceding sentence, the term “Buy American
19 Act” means chapter 83 of title 41, United States Code.

20 SEC. 512. None of the funds made available in this
21 Act may be used to amend the oath of allegiance required
22 by section 337 of the Immigration and Nationality Act
23 (8 U.S.C. 1448).

24 SEC. 513. Section 519 of division F of Public Law
25 114–113, regarding a prohibition on funding for any posi-

1 tion designated as a Principal Federal Official, shall apply
2 with respect to funds made available in this Act in the
3 same manner as such section applied to funds made avail-
4 able in that Act.

5 SEC. 514. None of the funds made available in this
6 Act may be used for planning, testing, piloting, or devel-
7 oping a national identification card.

8 SEC. 515. Any official that is required by this Act
9 to report or to certify to the Committees on Appropria-
10 tions of the Senate and the House of Representatives may
11 not delegate such authority to perform that act unless spe-
12 cifically authorized herein.

13 SEC. 516. None of the funds appropriated or other-
14 wise made available in this or any other Act may be used
15 to transfer, release, or assist in the transfer or release to
16 or within the United States, its territories, or possessions
17 Khalid Sheikh Mohammed or any other detainee who—

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

20 (2) is or was held on or after June 24, 2009,
21 at the United States Naval Station, Guantanamo
22 Bay, Cuba, by the Department of Defense.

23 SEC. 517. None of the funds made available in this
24 Act may be used for first-class travel by the employees
25 of agencies funded by this Act in contravention of sections

1 301–10.122 through 301–10.124 of title 41, Code of Fed-
2 eral Regulations.

3 SEC. 518. None of the funds made available in this
4 Act may be used to employ workers described in section
5 274A(h)(3) of the Immigration and Nationality Act (8
6 U.S.C. 1324a(h)(3)).

7 SEC. 519. Notwithstanding any other provision of
8 this Act, none of the funds appropriated or otherwise
9 made available by this Act may be used to pay award or
10 incentive fees for contractor performance that has been
11 judged to be below satisfactory performance or perform-
12 ance that does not meet the basic requirements of a con-
13 tract.

14 SEC. 520. None of the funds appropriated or other-
15 wise made available by this Act may be used by the De-
16 partment of Homeland Security to enter into any Federal
17 contract unless such contract is entered into in accordance
18 with the requirements of subtitle I of title 41, United
19 States Code, or chapter 137 of title 10, United States
20 Code, and the Federal Acquisition Regulation, unless such
21 contract is otherwise authorized by statute to be entered
22 into without regard to the above referenced statutes.

23 SEC. 521. (a) For an additional amount for financial
24 systems modernization, \$42,233,000 (reduced by

1 \$33,000,000), to remain available until September 30,
2 2019.

3 (b) Funds made available in subsection (a) for finan-
4 cial systems modernization may be transferred by the Sec-
5 retary of Homeland Security between appropriations for
6 the same purpose, notwithstanding section 503 of this Act.

7 (c) No transfer described in subsection (b) shall occur
8 until 15 days after the Committees on Appropriations of
9 the Senate and the House of Representatives are notified
10 of such transfer.

11 SEC. 522. (a) None of the funds made available in
12 this Act may be used to maintain or establish a computer
13 network unless such network blocks the viewing,
14 downloading, and exchanging of pornography.

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

19 SEC. 523. None of the funds made available in this
20 Act may be used by a Federal law enforcement officer to
21 facilitate the transfer of an operable firearm to an indi-
22 vidual if the Federal law enforcement officer knows or sus-
23 pects that the individual is an agent of a drug cartel unless
24 law enforcement personnel of the United States continu-
25 ously monitor or control the firearm at all times.

1 SEC. 524. None of the funds made available in this
2 Act may be used to pay for the travel to or attendance
3 of more than 50 employees of a single component of the
4 Department of Homeland Security, who are stationed in
5 the United States, at a single international conference un-
6 less the Secretary of Homeland Security, or a designee,
7 determines that such attendance is in the national interest
8 and notifies the Committees on Appropriations of the Sen-
9 ate and the House of Representatives within at least 10
10 days of that determination and the basis for that deter-
11 mination: *Provided*, That for purposes of this section the
12 term “international conference” shall mean a conference
13 occurring outside of the United States attended by rep-
14 resentatives of the United States Government and of for-
15 eign governments, international organizations, or non-
16 governmental organizations: *Provided further*, That the
17 total cost to the Department of Homeland Security of any
18 such conference shall not exceed \$500,000.

19 SEC. 525. None of the funds made available in this
20 Act may be used to reimburse any Federal department
21 or agency for its participation in a National Special Secu-
22 rity Event.

23 SEC. 526. None of the funds made available to the
24 Department of Homeland Security by this or any other
25 Act may be obligated for any structural pay reform that

1 affects more than 100 full-time positions or costs more
2 than \$5,000,000 in a single year before the end of the
3 30-day period beginning on the date on which the Sec-
4 retary of Homeland Security submits to Congress a notifi-
5 cation that includes—

6 (1) the number of full-time positions affected by
7 such change;

8 (2) funding required for such change for the
9 current year and through the Future Years Home-
10 land Security Program;

11 (3) justification for such change; and

12 (4) an analysis of compensation alternatives to
13 such change that were considered by the Depart-
14 ment.

15 SEC. 527. (a) Any agency receiving funds made avail-
16 able in this Act shall, subject to subsections (b) and (c),
17 post on the public website of that agency any report re-
18 quired to be submitted by the Committees on Appropria-
19 tions of the Senate and the House of Representatives in
20 this Act, upon the determination by the head of the agency
21 that it shall serve the national interest.

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

23 (1) the public posting of the report com-
24 promises homeland or national security; or

25 (2) the report contains proprietary information.

1 (c) The head of the agency posting such report shall
2 do so only after such report has been made available to
3 the Committees on Appropriations of the Senate and the
4 House of Representatives for not less than 45 days except
5 as otherwise specified in law.

6 SEC. 528. (a) Funding provided in this Act for “Op-
7 erations and Support” may be used for minor procure-
8 ment, construction, and improvements.

9 (b) For purposes of subsection (a), “minor” refers
10 to end items with a unit cost of \$250,000 or less for per-
11 sonal property, and \$2,000,000 or less for real property.

12 SEC. 529. None of the funds made available by this
13 Act may be obligated or expended to implement the Arms
14 Trade Treaty until the Senate approves a resolution of
15 ratification for the Treaty.

16 SEC. 530. For fiscal year 2018, the Secretary of
17 Homeland Security may provide, out of funds available to
18 the Department of Homeland Security, for the primary
19 and secondary schooling of dependents of Department of
20 Homeland Security personnel who are stationed outside
21 the continental United States and for the transportation
22 of such dependents in the same manner and to the same
23 extent that, pursuant to 14 U.S.C. 544, the Secretary may
24 provide, out of funds appropriated to or for the use of
25 the Coast Guard, for the primary and secondary schooling

1 of, and the transportation of, dependents of Coast Guard
2 personnel stationed outside the continental United States.

3 (RESCISSIONS)

4 SEC. 531. Of the funds appropriated to the Depart-
5 ment of Homeland Security, the following funds are here-
6 by rescinded from the following accounts and programs
7 in the specified amounts: *Provided*, That no amounts may
8 be rescinded from amounts that were designated by the
9 Congress as an emergency requirement pursuant to a con-
10 current resolution on the budget or the Balanced Budget
11 and Emergency Deficit Control Act of 1985 (Public Law
12 99–177):

13 (1) \$12,928,000 from Public Law 115–31
14 under the heading “Transportation Security Admin-
15 istration—Operations and Support”;

16 (2) \$1,785,697 from Public Law 108–334
17 under the heading “Coast Guard—Alteration of
18 Bridges”;

19 (3) \$1,920,100 from Public Law 109–90 under
20 the heading “Coast Guard—Alteration of Bridges”;

21 (4) \$1,791,454 from Public Law 109–295
22 under the heading “Coast Guard—Alteration of
23 Bridges”;

1 senger arrivals during the most recent calendar year in
2 which federal passenger data is available; (b) ensure a suf-
3 ficient number of United States Customs and Border Pro-
4 tection officers are available at any airport designated as
5 a port of entry under subsection (a) in order for landing
6 rights requests to be granted in accordance with section
7 122.14 of title 19, Code of Federal Regulations.

8 SEC. 534. None of the funds appropriated by this Act
9 for U.S. Immigration and Customs Enforcement shall be
10 available to pay for an abortion, except where the life of
11 the mother would be endangered if the fetus were carried
12 to term, or in the case of rape or incest: *Provided*, That
13 should this prohibition be declared unconstitutional by a
14 court of competent jurisdiction, this section shall be null
15 and void.

16 SEC. 535. None of the funds appropriated by this Act
17 for U.S. Immigration and Customs Enforcement shall be
18 used to require any person to perform, or facilitate in any
19 way the performance of, any abortion.

20 SEC. 536. Nothing in the preceding section shall re-
21 move the obligation of the Assistant Secretary of Home-
22 land Security for U.S. Immigration and Customs Enforce-
23 ment to provide escort services necessary for a female de-
24 tainee to receive such service outside the detention facility:
25 *Provided*, That nothing in this section in any way dimin-

1 ishes the effect of section _____ [preceding section]
2 intended to address the philosophical beliefs of individual
3 employees of U.S. Immigration and Customs Enforce-
4 ment.

5 SEC. 537. In fiscal year 2018, nonimmigrants shall
6 be admitted to the United States under section
7 101(a)(15)(H)(ii)(a) of the Immigration and Nationality
8 Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to perform agricul-
9 tural labor or services, without regard to whether such
10 labor is, or services are, of a temporary or seasonal nature.

11 SEC. 538. (a) Notwithstanding subsections (a) and
12 (b) of section 201 of the Immigration and Nationality Act,
13 Christopher William Gard, Constance Rhoda Keely Yates,
14 and Charles Matthew William Gard shall each be eligible
15 for issuance of an immigrant visa or for adjustment of
16 status to that of an alien lawfully admitted for permanent
17 residence upon filing an application for issuance of an im-
18 migrant visa under section 204 of such Act or for adjust-
19 ment of status to lawful permanent resident.

20 (b) If Christopher William Gard, Constance Rhoda
21 Keely Yates, or Charles Matthew William Gard enters the
22 United States before the filing deadline specified in sub-
23 section (c), he or she shall be considered to have entered
24 and remained lawfully and shall, if otherwise eligible, be
25 eligible for adjustment of status under section 245 of the

1 Immigration and Nationality Act as of the date of the en-
2 actment of this Act.

3 (c) Subsections (a) and (b) shall apply only if the ap-
4 plication for issuance of an immigrant visa or the applica-
5 tion for adjustment of status is filed with appropriate fees
6 within 2 years after the date of the enactment of this Act.

7 (d) Upon the granting of an immigrant visa or per-
8 manent residence to Christopher William Gard, Constance
9 Rhoda Keely Yates, and Charles Matthew William Gard,
10 the Secretary of State shall instruct the proper officer to
11 reduce by 3, during the current or next following fiscal
12 year, the total number of immigrant visas that are made
13 available to natives of the country of the aliens' birth
14 under section 203(a) of the Immigration and Nationality
15 Act or, if applicable, the total number of immigrant visas
16 that are made available to natives of the country of the
17 aliens' birth under section 202(e) of such Act.

18 (e) The natural parents, brothers, and sisters of
19 Christopher William Gard, Constance Rhoda Keely Yates,
20 and Charles Matthew William Gard shall not, by virtue
21 of such relationship, be accorded any right, privilege, or
22 status under the Immigration and Nationality Act.

23 STATUTE OF LIMITATIONS

24 SEC. 539. (a) IN GENERAL.—Section 705 of the Rob-
25 ert T. Stafford Disaster Relief and Emergency Assistance
26 Act (42 U.S.C. 5205) is amended—

1 (1) in subsection (a)(1)—

2 (A) by striking “Except” and inserting
3 “Notwithstanding section 3716(e) of title 31,
4 United States Code, and except”; and

5 (B) by striking “report for the disaster or
6 emergency” and inserting “report for project
7 completion as certified by the grantee”; and

8 (2) in subsection (b)—

9 (A) in paragraph (1) by striking “report
10 for the disaster or emergency” and inserting
11 “report for project completion as certified by
12 the grantee”; and

13 (B) in paragraph (3) by inserting “for
14 project completion as certified by the grantee”
15 after “final expenditure report”.

16 (b) APPLICABILITY.—

17 (1) IN GENERAL.—With respect to disaster or
18 emergency assistance provided to a State or local
19 government on or after January 1, 2004—

20 (A) no administrative action may be taken
21 to recover a payment of such assistance after
22 the date of enactment of this Act if the action
23 is prohibited under section 705(a)(1) of the
24 Robert T. Stafford Disaster Relief and Emer-

1 agency Assistance Act (42 U.S.C. 5205(a)(1));
2 and

3 (B) any administrative action to recover a
4 payment of such assistance that is pending on
5 such date of enactment shall be terminated if
6 the action is prohibited under section 705(a)(1)
7 of such Act.

8 (2) LIMITATION.—This section and the amend-
9 ments made by this section, may not be construed
10 to invalidate or otherwise affect any administration
11 action completed before the date of enactment of
12 this Act.

13 REFERENCES TO ACT

14 SEC. 540. Except as expressly provided otherwise,
15 any reference to “this Act” contained in this division shall
16 be treated as referring only to the provisions of this divi-
17 sion.

18 REFERENCE TO REPORT

19 SEC. 541. Any reference to a “report accompanying
20 this Act” contained in this division or the Department of
21 Homeland Security Border Infrastructure Construction
22 Appropriations Act, 2018, shall be treated as a reference
23 to House Report 115–239. The effect of such Report shall
24 be limited to this division and such Act and shall apply
25 for purposes of determining the allocation of funds pro-

1 vided by, and the implementation of, this division and such
2 Act.

3 SEC. 542. None of the funds made available in this
4 Act may be used in contravention of section 44917 of title
5 49, United States Code.

6 SPENDING REDUCTION ACCOUNT

7 SEC. 543. \$0.

8 SEC. 544. None of the funds made available by this
9 Act may be used in contravention of section 235B of the
10 Immigration and Nationality Act.

11 SEC. 545. None of the funds made available in this
12 Act may be used to establish an anchorage on the Hudson
13 River between Yonkers, New York and Kingston, New
14 York.

15 SEC. 546. None of the funds made available by this
16 Act may be used by the Coast Guard to enforce Executive
17 Order No. 13449 or section 697.7(b) of title 50, Code of
18 Federal Regulations, in the Block Island Transit Zone (as
19 that term is defined in section 697.7(b)(3) of such title).

20 SEC. 547. None of the funds made available by this
21 Act or divisions A, C, D, or F may be used for a new
22 hire who has not been verified through the E-Verify pro-
23 gram.

24 This division may be cited as the “Department of
25 Homeland Security Appropriations Act, 2018”.

1 **DIVISION F—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2018**

5 The following sums are appropriated, out of any
6 money in the Treasury not otherwise appropriated, for the
7 Departments of Labor, Health and Human Services, and
8 Education, and related agencies for the fiscal year ending
9 September 30, 2018, and for other purposes, namely:

10 **TITLE I**

11 **DEPARTMENT OF LABOR**

12 **EMPLOYMENT AND TRAINING ADMINISTRATION**

13 **TRAINING AND EMPLOYMENT SERVICES**

14 For necessary expenses of the Workforce Innovation
15 and Opportunity Act (referred to in this Act as “WIOA”),
16 the Second Chance Act of 2007, \$3,042,720,000 (in-
17 creased by \$10,000,000), plus reimbursements, shall be
18 available. Of the amounts provided:

19 (1) for grants to States for adult employment
20 and training activities, youth activities, and dis-
21 located worker employment and training activities,
22 \$2,624,108,000 (increased by \$10,000,000) as fol-
23 lows:

24 (A) \$776,736,000 for adult employment
25 and training activities, of which \$64,736,000

1 shall be available for the period July 1, 2018
2 through June 30, 2019, and of which
3 \$712,000,000 shall be available for the period
4 October 1, 2018 through June 30, 2019;

5 (B) \$831,842,000 (increased by
6 \$10,000,000) for youth activities, which shall
7 be available for the period April 1, 2018
8 through June 30, 2019; and

9 (C) \$1,015,530,000 for dislocated worker
10 employment and training activities, of which
11 \$155,530,000 shall be available for the period
12 July 1, 2018 through June 30, 2019, and of
13 which \$860,000,000 shall be available for the
14 period October 1, 2018 through June 30, 2019:

15 *Provided*, That the funds available for allotment to
16 outlying areas to carry out subtitle B of title I of the
17 WIOA shall not be subject to the requirements of
18 section 127(b)(1)(B)(ii) of such Act; and

19 (2) for national programs, \$418,612,000 as fol-
20 lows:

21 (A) \$130,000,000 for the dislocated work-
22 ers assistance national reserve, which shall be
23 available for the period October 1, 2017
24 through September 30, 2019: *Provided*, That
25 funds provided to carry out section

1 132(a)(2)(A) of the WIOA may be used to pro-
2 vide assistance to a State for statewide or local
3 use in order to address cases where there have
4 been worker dislocations across multiple sectors
5 or across multiple local areas and such workers
6 remain dislocated; coordinate the State work-
7 force development plan with emerging economic
8 development needs; and train such eligible dis-
9 located workers: *Provided further*, That funds
10 provided to carry out section 168(b) of the
11 WIOA may be used for technical assistance
12 projects that provide assistance to new entrants
13 in the workforce and incumbent workers: *Pro-*
14 *vided further*, That notwithstanding section
15 168(b) of the WIOA, of the funds provided
16 under this subparagraph, the Secretary of
17 Labor (referred to in this title as “Secretary”)
18 may reserve not more than 10 percent of such
19 funds to provide technical assistance and carry
20 out additional activities related to the transition
21 to the WIOA: *Provided further*, That, of the
22 funds provided under this subparagraph, up to
23 \$66,000,000 may be made available for applica-
24 tions submitted in accordance with section 170
25 of the WIOA for training and employment as-

1 sistance for workers in the Appalachian region,
2 as defined by 40 U.S.C. 14102 (a)(1);

3 (B) \$50,000,000 for Native American pro-
4 grams under section 166 of the WIOA, which
5 shall be available for the period July 1, 2018
6 through June 30, 2019;

7 (C) \$72,000,000 for migrant and seasonal
8 farmworker programs under section 167 of the
9 WIOA, including \$66,716,000 for formula
10 grants (of which not less than 70 percent shall
11 be for employment and training services),
12 \$4,850,000 for migrant and seasonal housing
13 (of which not less than 70 percent shall be for
14 permanent housing), and \$434,000 for other
15 discretionary purposes, which shall be available
16 for the period July 1, 2018 through June 30,
17 2019: *Provided*, That notwithstanding any
18 other provision of law or related regulation, the
19 Department of Labor shall take no action lim-
20 iting the number or proportion of eligible par-
21 ticipants receiving related assistance services or
22 discouraging grantees from providing such serv-
23 ices;

24 (D) \$84,534,000 for YouthBuild activities
25 as described in section 171 of the WIOA, which

1 shall be available for the period April 1, 2018
2 through June 30, 2019; and

3 (E) \$82,078,000 for ex-offender activities,
4 under the authority of section 169 of the WIOA
5 and section 212 of the Second Chance Act of
6 2007, which shall be available for the period
7 April 1, 2018 through June 30, 2019: *Provided,*
8 That of this amount, \$25,000,000 shall be for
9 competitive grants to national and regional
10 intermediaries for activities that prepare young
11 ex-offenders and school dropouts for employ-
12 ment, with a priority for projects serving high-
13 crime, high-poverty areas.

14 JOB CORPS

15 (INCLUDING TRANSFER OF FUNDS)

16 To carry out subtitle C of title I of the WIOA, includ-
17 ing Federal administrative expenses, the purchase and
18 hire of passenger motor vehicles, the construction, alter-
19 ation, and repairs of buildings and other facilities, and the
20 purchase of real property for training centers as author-
21 ized by the WIOA, \$1,688,155,000 (increased by
22 \$16,000,000), plus reimbursements, as follows:

23 (1) \$1,572,886,000 (increased by \$16,000,000)
24 for Job Corps Operations, which shall be available
25 for the period July 1, 2018 through June 30, 2019;

1 (2) \$83,000,000 for construction, rehabilitation
2 and acquisition of Job Corps Centers, which shall be
3 available for the period July 1, 2018 through June
4 30, 2021, and which may include the acquisition,
5 maintenance, and repair of major items of equip-
6 ment: *Provided*, That the Secretary may transfer up
7 to 15 percent of such funds to meet the operational
8 needs of such centers or to achieve administrative ef-
9 ficiencies: *Provided further*, That any funds trans-
10 ferred pursuant to the preceding proviso shall not be
11 available for obligation after June 30, 2019: *Pro-*
12 *vided further*, That the Committees on Appropria-
13 tions of the House of Representatives and the Sen-
14 ate are notified at least 15 days in advance of any
15 transfer; and

16 (3) \$32,269,000 for necessary expenses of Job
17 Corps, which shall be available for obligation for the
18 period October 1, 2017 through September 30,
19 2018:

20 *Provided*, That no funds from any other appropriation
21 shall be used to provide meal services at or for Job Corps
22 centers.

23 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

24 For payments during fiscal year 2018 of trade ad-
25 justment benefit payments and allowances under part I

1 of subchapter B of chapter 2 of title II of the Trade Act
2 of 1974, and section 246 of that Act; and for training,
3 employment and case management services, allowances for
4 job search and relocation, and related State administrative
5 expenses under part II of subchapter B of chapter 2 of
6 title II of the Trade Act of 1974, and including benefit
7 payments, allowances, training, employment and case
8 management services, and related State administration
9 provided pursuant to section 231(a) of the Trade Adjust-
10 ment Assistance Extension Act of 2011 and section 405(a)
11 of the Trade Preferences Extension Act of 2015,
12 \$790,000,000 together with such amounts as may be nec-
13 essary to be charged to the subsequent appropriation for
14 payments for any period subsequent to September 15,
15 2018: *Provided*, That notwithstanding section 502 of this
16 Act, any part of the appropriation provided under this
17 heading may remain available for obligation beyond the
18 current fiscal year pursuant to the authorities of section
19 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

20 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT

21 SERVICE OPERATIONS

22 For authorized administrative expenses,
23 \$70,000,000, together with not to exceed \$2,760,903,000
24 which may be expended from the Employment Security

1 Administration Account in the Unemployment Trust Fund
2 (“the Trust Fund”), of which:

3 (1) \$2,665,775,000 from the Trust Fund is for
4 grants to States for the administration of State un-
5 employment insurance laws as authorized under title
6 III of the Social Security Act (including not less
7 than \$160,000,000 to conduct in-person reemploy-
8 ment and eligibility assessments and unemployment
9 insurance improper payment reviews, and to provide
10 reemployment services and referrals to training as
11 appropriate, for claimants of unemployment insur-
12 ance for ex-service members under 5 U.S.C. 8521 et.
13 seq. and for claimants of regular unemployment
14 compensation, including those who are profiled as
15 most likely to exhaust their benefits in each State,
16 and \$6,000,000 for continued support of the Unem-
17 ployment Insurance Integrity Center of Excellence),
18 the administration of unemployment insurance for
19 Federal employees and for ex-service members as
20 authorized under 5 U.S.C. 8501–8523, and the ad-
21 ministration of trade readjustment allowances, reem-
22 ployment trade adjustment assistance, and alter-
23 native trade adjustment assistance under the Trade
24 Act of 1974 and under section 231(a) of the Trade
25 Adjustment Assistance Extension Act of 2011 and

1 section 405(a) of the Trade Preferences Extension
2 Act of 2015, and shall be available for obligation by
3 the States through December 31, 2018, except that
4 funds used for automation shall be available for
5 Federal obligation through December 31, 2018, and
6 for State obligation through September 30, 2020, or,
7 if the automation is being carried out through con-
8 sortia of States, for State obligation through Sep-
9 tember 30, 2023, and for expenditure through Sep-
10 tember 30, 2024, and funds for competitive grants
11 awarded to States for improved operations and to
12 conduct in-person reemployment and eligibility as-
13 sessments and unemployment insurance improper
14 payment reviews and provide reemployment services
15 and referrals to training, as appropriate, shall be
16 available for Federal obligation through December
17 31, 2018, and for obligation by the States through
18 September 30, 2020, and funds for the Unemploy-
19 ment Insurance Integrity Center of Excellence shall
20 be available for obligation by the State through Sep-
21 tember 30, 2019, and funds used for unemployment
22 insurance workloads experienced through September
23 30, 2018 shall be available for Federal obligation
24 through December 31, 2018;

1 (2) \$13,000,000 from the Trust Fund is for na-
2 tional activities necessary to support the administra-
3 tion of the Federal-State unemployment insurance
4 system;

5 (3) \$19,818,000 from the Trust Fund is for na-
6 tional activities of the Employment Service, includ-
7 ing administration of the work opportunity tax cred-
8 it under section 51 of the Internal Revenue Code of
9 1986, and the provision of technical assistance and
10 staff training under the Wagner-Peyser Act;

11 (4) \$62,310,000 from the Trust Fund is for the
12 administration of foreign labor certifications and re-
13 lated activities under the Immigration and Nation-
14 ality Act and related laws, of which \$48,028,000
15 shall be available for the Federal administration of
16 such activities, and \$14,282,000 shall be available
17 for grants to States for the administration of such
18 activities; and

19 (5) \$70,000,000 from the General Fund is to
20 provide workforce information, national electronic
21 tools, and one-stop system building under the Wag-
22 ner-Peyser Act and shall be available for Federal ob-
23 ligation for the period July 1, 2018 through June
24 30, 2019:

1 *Provided*, That to the extent that the Average Weekly In-
2 sured Unemployment (“AWIU”) for fiscal year 2018 is
3 projected by the Department of Labor to exceed
4 2,246,000, an additional \$28,600,000 from the Trust
5 Fund shall be available for obligation for every 100,000
6 increase in the AWIU level (including a pro rata amount
7 for any increment less than 100,000) to carry out title
8 III of the Social Security Act: *Provided further*, That
9 funds appropriated in this Act that are allotted to a State
10 to carry out activities under title III of the Social Security
11 Act may be used by such State to assist other States in
12 carrying out activities under such title III if the other
13 States include areas that have suffered a major disaster
14 declared by the President under the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act: *Provided*
16 *further*, That the Secretary may use funds appropriated
17 for grants to States under title III of the Social Security
18 Act to make payments on behalf of States for the use of
19 the National Directory of New Hires under section
20 453(j)(8) of such Act: *Provided further*, That the Sec-
21 retary may use funds appropriated for grants to States
22 under title III of the Social Security Act to make pay-
23 ments on behalf of States to the entity operating the State
24 Information Data Exchange System: *Provided further*,
25 That the Secretary may use funds appropriated for grants

1 to States under title III of the Social Security Act to make
2 payments on behalf of States to the entity operating the
3 Unemployment Insurance Integrity Center of Excellence:
4 *Provided further*, That funds appropriated in this Act
5 which are used to establish a national one-stop career cen-
6 ter system, or which are used to support the national ac-
7 tivities of the Federal-State unemployment insurance, em-
8 ployment service, or immigration programs, may be obli-
9 gated in contracts, grants, or agreements with States and
10 non-State entities: *Provided further*, That States awarded
11 competitive grants for improved operations under title III
12 of the Social Security Act, or awarded grants to support
13 the national activities of the Federal-State unemployment
14 insurance system, may award subgrants to other States
15 and non-State entities under such grants, subject to the
16 conditions applicable to the grants: *Provided further*, That
17 funds appropriated under this Act for activities authorized
18 under title III of the Social Security Act and the Wagner-
19 Peysner Act may be used by States to fund integrated Un-
20 employment Insurance and Employment Service automa-
21 tion efforts, notwithstanding cost allocation principles pre-
22 scribed under the final rule entitled “Uniform Administra-
23 tive Requirements, Cost Principles, and Audit Require-
24 ments for Federal Awards” at part 200 of title 2, Code
25 of Federal Regulations: *Provided further*, That the Sec-

1 retary, at the request of a State participating in a consor-
2 tium with other States, may reallocate funds allotted to such
3 State under title III of the Social Security Act to other
4 States participating in the consortium in order to carry
5 out activities that benefit the administration of the unem-
6 ployment compensation law of the State making the re-
7 quest: *Provided further*, That the Secretary may collect
8 fees for the costs associated with additional data collec-
9 tion, analyses, and reporting services relating to the Na-
10 tional Agricultural Workers Survey requested by State
11 and local governments, public and private institutions of
12 higher education, and nonprofit organizations and may
13 utilize such sums, in accordance with the provisions of 29
14 U.S.C. 9a, for the National Agricultural Workers Survey
15 infrastructure, methodology, and data to meet the infor-
16 mation collection and reporting needs of such entities,
17 which shall be credited to this appropriation and shall re-
18 main available until September 30, 2019, for such pur-
19 poses.

20 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
21 OTHER FUNDS

22 For repayable advances to the Unemployment Trust
23 Fund as authorized by sections 905(d) and 1203 of the
24 Social Security Act, and to the Black Lung Disability
25 Trust Fund as authorized by section 9501(c)(1) of the In-

1 ternal Revenue Code of 1986; and for nonrepayable ad-
2 vances to the revolving fund established by section 901(e)
3 of the Social Security Act, to the Unemployment Trust
4 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
5 Unemployment Benefits and Allowances” account, such
6 sums as may be necessary, which shall be available for
7 obligation through September 30, 2019.

8 PROGRAM ADMINISTRATION

9 For expenses of administering employment and train-
10 ing programs, \$106,461,000, together with not to exceed
11 \$49,887,000 which may be expended from the Employ-
12 ment Security Administration Account in the Unemploy-
13 ment Trust Fund.

14 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses for the Employee Benefits
17 Security Administration, \$175,600,000.

18 PENSION BENEFIT GUARANTY CORPORATION

19 PENSION BENEFIT GUARANTY CORPORATION FUND

20 The Pension Benefit Guaranty Corporation (“Cor-
21 poration”) is authorized to make such expenditures, in-
22 cluding financial assistance authorized by subtitle E of
23 title IV of the Employee Retirement Income Security Act
24 of 1974, within limits of funds and borrowing authority
25 available to the Corporation, and in accord with law, and

1 to make such contracts and commitments without regard
2 to fiscal year limitations, as provided by 31 U.S.C. 9104,
3 as may be necessary in carrying out the program, includ-
4 ing associated administrative expenses, through Sep-
5 tember 30, 2018, for the Corporation: *Provided*, That
6 none of the funds available to the Corporation for fiscal
7 year 2018 shall be available for obligations for administra-
8 tive expenses in excess of \$424,417,000: *Provided further*,
9 That to the extent that the number of new plan partici-
10 pants in plans terminated by the Corporation exceeds
11 100,000 in fiscal year 2018, an amount not to exceed an
12 additional \$9,200,000 shall be available through Sep-
13 tember 30, 2019, for obligation for administrative ex-
14 penses for every 20,000 additional terminated partici-
15 pants: *Provided further*, That obligations in excess of the
16 amounts provided in this paragraph may be incurred for
17 unforeseen and extraordinary pretermination expenses or
18 extraordinary multiemployer program related expenses
19 after approval by the Office of Management and Budget
20 and notification of the Committees on Appropriations of
21 the House of Representatives and the Senate.

22 WAGE AND HOUR DIVISION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Wage and Hour Divi-
25 sion, including reimbursement to State, Federal, and local

1 agencies and their employees for inspection services ren-
2 dered, \$217,500,000.

3 OFFICE OF LABOR-MANAGEMENT STANDARDS

4 SALARIES AND EXPENSES

5 For necessary expenses for the Office of Labor-Man-
6 agement Standards, \$41,129,000.

7 OFFICE OF FEDERAL CONTRACT COMPLIANCE

8 PROGRAMS

9 SALARIES AND EXPENSES

10 For necessary expenses for the Office of Federal Con-
11 tract Compliance Programs, \$94,500,000.

12 OFFICE OF WORKERS' COMPENSATION PROGRAMS

13 SALARIES AND EXPENSES

14 For necessary expenses for the Office of Workers'
15 Compensation Programs, \$114,377,000, together with
16 \$2,173,000 which may be expended from the Special Fund
17 in accordance with sections 39(c), 44(d), and 44(j) of the
18 Longshore and Harbor Workers' Compensation Act.

19 SPECIAL BENEFITS

20 (INCLUDING TRANSFER OF FUNDS)

21 For the payment of compensation, benefits, and ex-
22 penses (except administrative expenses) accruing during
23 the current or any prior fiscal year authorized by 5 U.S.C.
24 81; continuation of benefits as provided for under the
25 heading "Civilian War Benefits" in the Federal Security

1 Agency Appropriation Act, 1947; the Employees' Com-
2 pensation Commission Appropriation Act, 1944; section
3 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-
4 tions incurred under the War Hazards Compensation Act
5 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
6 compensation and benefits required by section 10(h) of the
7 Longshore and Harbor Workers' Compensation Act,
8 \$220,000,000, together with such amounts as may be nec-
9 essary to be charged to the subsequent year appropriation
10 for the payment of compensation and other benefits for
11 any period subsequent to August 15 of the current year,
12 for deposit into and to assume the attributes of the Em-
13 ployees' Compensation Fund established under 5 U.S.C.
14 8147(a): *Provided*, That amounts appropriated may be
15 used under 5 U.S.C. 8104 by the Secretary to reimburse
16 an employer, who is not the employer at the time of injury,
17 for portions of the salary of a re-employed, disabled bene-
18 ficiary: *Provided further*, That balances of reimbursements
19 unobligated on September 30, 2017, shall remain available
20 until expended for the payment of compensation, benefits,
21 and expenses: *Provided further*, That in addition there
22 shall be transferred to this appropriation from the Postal
23 Service and from any other corporation or instrumentality
24 required under 5 U.S.C. 8147(c) to pay an amount for
25 its fair share of the cost of administration, such sums as

1 the Secretary determines to be the cost of administration
2 for employees of such fair share entities through Sep-
3 tember 30, 2018: *Provided further*, That of those funds
4 transferred to this account from the fair share entities to
5 pay the cost of administration of the Federal Employees'
6 Compensation Act, \$71,188,000 shall be made available
7 to the Secretary as follows:

8 (1) For enhancement and maintenance of auto-
9 mated data processing systems operations and tele-
10 communications systems, \$24,540,000;

11 (2) For automated workload processing oper-
12 ations, including document imaging, centralized mail
13 intake, and medical bill processing, \$22,968,000;

14 (3) For periodic roll disability management and
15 medical review, \$21,946,000;

16 (4) For program integrity, \$1,734,000; and

17 (5) The remaining funds shall be paid into the
18 Treasury as miscellaneous receipts:

19 *Provided further*, That the Secretary may require that any
20 person filing a notice of injury or a claim for benefits
21 under 5 U.S.C. 81, or the Longshore and Harbor Work-
22 ers' Compensation Act, provide as part of such notice and
23 claim, such identifying information (including Social Secu-
24 rity account number) as such regulations may prescribe.

1 SPECIAL BENEFITS FOR DISABLED COAL MINERS

2 For carrying out title IV of the Federal Mine Safety
3 and Health Act of 1977, as amended by Public Law 107–
4 275, \$54,319,000, to remain available until expended.

5 For making after July 31 of the current fiscal year,
6 benefit payments to individuals under title IV of such Act,
7 for costs incurred in the current fiscal year, such amounts
8 as may be necessary.

9 For making benefit payments under title IV for the
10 first quarter of fiscal year 2019, \$15,000,000, to remain
11 available until expended.

12 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

13 OCCUPATIONAL ILLNESS COMPENSATION FUND

14 For necessary expenses to administer the Energy
15 Employees Occupational Illness Compensation Program
16 Act, \$59,846,000, to remain available until expended: *Pro-*
17 *vided*, That the Secretary may require that any person fil-
18 ing a claim for benefits under the Act provide as part of
19 such claim such identifying information (including Social
20 Security account number) as may be prescribed.

21 BLACK LUNG DISABILITY TRUST FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 Such sums as may be necessary from the Black Lung
24 Disability Trust Fund (the “Fund”), to remain available
25 until expended, for payment of all benefits authorized by

1 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
2 enue Code of 1986; and repayment of, and payment of
3 interest on advances, as authorized by section 9501(d)(4)
4 of that Act. In addition, the following amounts may be
5 expended from the Fund for fiscal year 2018 for expenses
6 of operation and administration of the Black Lung Bene-
7 fits program, as authorized by section 9501(d)(5): not to
8 exceed \$38,246,000 for transfer to the Office of Workers'
9 Compensation Programs, "Salaries and Expenses"; not to
10 exceed \$30,595,000 for transfer to Departmental Manage-
11 ment, "Salaries and Expenses"; not to exceed \$330,000
12 for transfer to Departmental Management, "Office of In-
13 spector General"; and not to exceed \$356,000 for pay-
14 ments into miscellaneous receipts for the expenses of the
15 Department of the Treasury.

16 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
17 SALARIES AND EXPENSES

18 For necessary expenses for the Occupational Safety
19 and Health Administration, \$531,470,000, including not
20 to exceed \$100,850,000 which shall be the maximum
21 amount available for grants to States under section 23(g)
22 of the Occupational Safety and Health Act (the "Act"),
23 which grants shall be no less than 50 percent of the costs
24 of State occupational safety and health programs required
25 to be incurred under plans approved by the Secretary

1 under section 18 of the Act; and, in addition, notwith-
2 standing 31 U.S.C. 3302, the Occupational Safety and
3 Health Administration may retain up to \$499,000 per fis-
4 cal year of training institute course tuition and fees, other-
5 wise authorized by law to be collected, and may utilize
6 such sums for occupational safety and health training and
7 education: *Provided*, That notwithstanding 31 U.S.C.
8 3302, the Secretary is authorized, during the fiscal year
9 ending September 30, 2018, to collect and retain fees for
10 services provided to Nationally Recognized Testing Lab-
11 oratories, and may utilize such sums, in accordance with
12 the provisions of 29 U.S.C. 9a, to administer national and
13 international laboratory recognition programs that ensure
14 the safety of equipment and products used by workers in
15 the workplace: *Provided further*, That none of the funds
16 appropriated under this paragraph shall be obligated or
17 expended to prescribe, issue, administer, or enforce any
18 standard, rule, regulation, or order under the Act which
19 is applicable to any person who is engaged in a farming
20 operation which does not maintain a temporary labor
21 camp and employs 10 or fewer employees: *Provided fur-*
22 *ther*, That no funds appropriated under this paragraph
23 shall be obligated or expended to administer or enforce
24 any standard, rule, regulation, or order under the Act with
25 respect to any employer of 10 or fewer employees who is

1 included within a category having a Days Away, Re-
2 stricted, or Transferred (“DART”) occupational injury
3 and illness rate, at the most precise industrial classifica-
4 tion code for which such data are published, less than the
5 national average rate as such rates are most recently pub-
6 lished by the Secretary, acting through the Bureau of
7 Labor Statistics, in accordance with section 24 of the Act,
8 except—

9 (1) to provide, as authorized by the Act, con-
10 sultation, technical assistance, educational and train-
11 ing services, and to conduct surveys and studies;

12 (2) to conduct an inspection or investigation in
13 response to an employee complaint, to issue a cita-
14 tion for violations found during such inspection, and
15 to assess a penalty for violations which are not cor-
16 rected within a reasonable abatement period and for
17 any willful violations found;

18 (3) to take any action authorized by the Act
19 with respect to imminent dangers;

20 (4) to take any action authorized by the Act
21 with respect to health hazards;

22 (5) to take any action authorized by the Act
23 with respect to a report of an employment accident
24 which is fatal to one or more employees or which re-
25 sults in hospitalization of two or more employees,

1 and to take any action pursuant to such investiga-
2 tion authorized by the Act; and

3 (6) to take any action authorized by the Act
4 with respect to complaints of discrimination against
5 employees for exercising rights under the Act:

6 *Provided further*, That the foregoing proviso shall not
7 apply to any person who is engaged in a farming operation
8 which does not maintain a temporary labor camp and em-
9 ploys 10 or fewer employees: *Provided further*, That not
10 less than \$3,500,000 shall be for Voluntary Protection
11 Programs.

12 MINE SAFETY AND HEALTH ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Mine Safety and
15 Health Administration, \$359,975,000, including purchase
16 and bestowal of certificates and trophies in connection
17 with mine rescue and first-aid work, and the hire of pas-
18 senger motor vehicles, including up to \$2,000,000 for
19 mine rescue and recovery activities and not less than
20 \$10,537,000 for State assistance grants: *Provided*, That
21 amounts available for State assistance grants may be used
22 for the purchase and maintenance of new equipment re-
23 quired by the final rule entitled “Lowering Miners’ Expo-
24 sure to Respirable Coal Mine Dust, Including Continuous
25 Personal Dust Monitors” published by the Department of

1 Labor in the Federal Register on May 1, 2014 (79 Fed.
2 Reg. 24813 et seq.), for operators that demonstrate finan-
3 cial need as determined by the Secretary: *Provided further*,
4 That notwithstanding 31 U.S.C. 3302, not to exceed
5 \$750,000 may be collected by the National Mine Health
6 and Safety Academy for room, board, tuition, and the sale
7 of training materials, otherwise authorized by law to be
8 collected, to be available for mine safety and health edu-
9 cation and training activities: *Provided further*, That not-
10 withstanding 31 U.S.C. 3302, the Mine Safety and Health
11 Administration is authorized to collect and retain up to
12 \$2,499,000 from fees collected for the approval and cer-
13 tification of equipment, materials, and explosives for use
14 in mines, and may utilize such sums for such activities:
15 *Provided further*, That the Secretary is authorized to ac-
16 cept lands, buildings, equipment, and other contributions
17 from public and private sources and to prosecute projects
18 in cooperation with other agencies, Federal, State, or pri-
19 vate: *Provided further*, That the Mine Safety and Health
20 Administration is authorized to promote health and safety
21 education and training in the mining community through
22 cooperative programs with States, industry, and safety as-
23 sociations: *Provided further*, That the Secretary is author-
24 ized to recognize the Joseph A. Holmes Safety Association
25 as a principal safety association and, notwithstanding any

1 other provision of law, may provide funds and, with or
2 without reimbursement, personnel, including service of
3 Mine Safety and Health Administration officials as offi-
4 cers in local chapters or in the national organization: *Pro-*
5 *vided further*, That any funds available to the Department
6 of Labor may be used, with the approval of the Secretary,
7 to provide for the costs of mine rescue and survival oper-
8 ations in the event of a major disaster.

9 BUREAU OF LABOR STATISTICS

10 SALARIES AND EXPENSES

11 For necessary expenses for the Bureau of Labor Sta-
12 tistics, including advances or reimbursements to State,
13 Federal, and local agencies and their employees for serv-
14 ices rendered, \$544,000,000 (increased by \$1) (reduced
15 by \$1) (reduced by \$1,064,000), together with not to ex-
16 ceed \$65,000,000 which may be expended from the Em-
17 ployment Security Administration account in the Unem-
18 ployment Trust Fund.

19 OFFICE OF DISABILITY EMPLOYMENT POLICY

20 SALARIES AND EXPENSES

21 For necessary expenses for the Office of Disability
22 Employment Policy to provide leadership, develop policy
23 and initiatives, and award grants furthering the objective
24 of eliminating barriers to the training and employment of
25 people with disabilities, \$36,800,000.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$272,539,000 (reduced by \$16,000,000) (increased by
7 \$906,000) (reduced by \$906,000) (reduced by
8 \$10,000,000) (increased by \$1,064,000), together with
9 not to exceed \$308,000, which may be expended from the
10 Employment Security Administration account in the Un-
11 employment Trust Fund: *Provided* , That funds available
12 to the Bureau of International Labor Affairs may be used
13 to administer or operate international labor activities, bi-
14 lateral and multilateral technical assistance, and micro-
15 finance programs, by or through contracts, grants, sub-
16 grants and other arrangements: *Provided further*, That
17 \$8,040,000 shall be used for program evaluation and shall
18 be available for obligation through September 30, 2019:
19 *Provided further*, That funds available for program evalua-
20 tion may be used to administer grants for the purpose of
21 evaluation: *Provided further*, That grants made for the
22 purpose of evaluation shall be awarded through fair and
23 open competition: *Provided further*, That funds available
24 for program evaluation may be transferred to any other
25 appropriate account in the Department for such purpose:

1 *Provided further*, That the Committees on Appropriations
2 of the House of Representatives and the Senate are noti-
3 fied at least 15 days in advance of any transfer: *Provided*
4 *further*, That the funds available to the Women's Bureau
5 may be used for grants to serve and promote the interests
6 of women in the workforce: *Provided further*, That of the
7 amounts made available to the Women's Bureau,
8 \$994,000 (increased by \$906,000) shall be used for grants
9 authorized by the Women in Apprenticeship and Nontradi-
10 tional Occupations Act.

11 VETERANS EMPLOYMENT AND TRAINING

12 Not to exceed \$236,514,000 may be derived from the
13 Employment Security Administration account in the Un-
14 employment Trust Fund to carry out the provisions of
15 chapters 41, 42, and 43 of title 38, United States Code,
16 of which:

17 (1) \$175,000,000 is for Jobs for Veterans State
18 grants under 38 U.S.C. 4102A(b)(5) to support dis-
19 abled veterans' outreach program specialists under
20 section 4103A of such title and local veterans' em-
21 ployment representatives under section 4104(b) of
22 such title, and for the expenses described in section
23 4102A(b)(5)(C), which shall be available for obliga-
24 tion by the States through December 31, 2018, and
25 not to exceed 3 percent for the necessary Federal ex-

1 penditures for data systems and contract support to
2 allow for the tracking of participant and perform-
3 ance information: *Provided*, That, in addition, such
4 funds may be used to support such specialists and
5 representatives in the provision of services to
6 transitioning members of the Armed Forces who
7 have participated in the Transition Assistance Pro-
8 gram and have been identified as in need of inten-
9 sive services, to members of the Armed Forces who
10 are wounded, ill, or injured and receiving treatment
11 in military treatment facilities or warrior transition
12 units, and to the spouses or other family caregivers
13 of such wounded, ill, or injured members;

14 (2) \$16,073,000 is for carrying out the Transi-
15 tion Assistance Program under 38 U.S.C. 4113 and
16 10 U.S.C. 1144;

17 (3) \$42,027,000 is for Federal administration
18 of chapters 41, 42, and 43 of title 38, United States
19 Code: *Provided*, That of such amounts, not more
20 than \$1,000,000 shall be available for necessary ex-
21 penses of the HIRE Vets Medallion Award Program
22 authorized by the HIRE Vets Act (Division O of the
23 Consolidated Appropriations Act, 2017 (Public Law
24 115–31; 38 U.S.C. 4100 note)), which shall be in
25 addition to amounts available in the HIRE Vets Me-

1 dallion Award Fund established by section 5 of such
2 Act; and

3 (4) \$3,414,000 is for the National Veterans'
4 Employment and Training Services Institute under
5 38 U.S.C. 4109:

6 *Provided*, That the Secretary may reallocate among the
7 appropriations provided under paragraphs (1) through (4)
8 above an amount not to exceed 3 percent of the appropria-
9 tion from which such reallocation is made: *Provided fur-*
10 *ther*, That the HIRE Vets Medallion Award Fund shall
11 be available to the Secretary for necessary expenses of the
12 HIRE Vets Medallion Award Program authorized by the
13 Hire Vets Act (Division O of the Consolidated Appropria-
14 tions Act, 2017 (Public Law 115–31; 38 U.S.C. 4100
15 note)).

16 In addition, from the General Fund of the Treasury,
17 \$47,537,000 is for carrying out programs to assist home-
18 less veterans and veterans at risk of homelessness who are
19 transitioning from certain institutions under sections
20 2021, 2021A, and 2023 of title 38, United States Code:
21 *Provided*, That notwithstanding subsections (c)(3) and (d)
22 of section 2023, the Secretary may award grants through
23 September 30, 2018, to provide services under such sec-
24 tion: *Provided further*, That services provided under sec-
25 tion 2023 may include, in addition to services to the indi-

1 viduals described in subsection (e) of such section, services
2 to veterans recently released from incarceration who are
3 at risk of homelessness.

4 IT MODERNIZATION

5 For necessary expenses for Department of Labor cen-
6 tralized infrastructure technology investment activities re-
7 lated to support systems and modernization, \$20,769,000,
8 which shall be available through September 30, 2019.

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$83,487,000, together with not to
13 exceed \$5,660,000 which may be expended from the Em-
14 ployment Security Administration account in the Unem-
15 ployment Trust Fund.

16 GENERAL PROVISIONS

17 SEC. 101. None of the funds appropriated by this Act
18 for the Job Corps shall be used to pay the salary and bo-
19 nuses of an individual, either as direct costs or any prora-
20 tion as an indirect cost, at a rate in excess of Executive
21 Level II.

22 (TRANSFER OF FUNDS)

23 SEC. 102. Not to exceed 1 percent of any discre-
24 tionary funds (pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985) which are appro-

1 priated for the current fiscal year for the Department of
2 Labor in this Act may be transferred between a program,
3 project, or activity, but no such program, project, or activ-
4 ity shall be increased by more than 3 percent by any such
5 transfer: *Provided*, That the transfer authority granted by
6 this section shall not be used to create any new program
7 or to fund any project or activity for which no funds are
8 provided in this Act: *Provided further*, That the Commit-
9 tees on Appropriations of the House of Representatives
10 and the Senate are notified at least 15 days in advance
11 of any transfer.

12 SEC. 103. In accordance with Executive Order No.
13 13126, none of the funds appropriated or otherwise made
14 available pursuant to this Act shall be obligated or ex-
15 pended for the procurement of goods mined, produced,
16 manufactured, or harvested or services rendered, in whole
17 or in part, by forced or indentured child labor in industries
18 and host countries already identified by the United States
19 Department of Labor prior to enactment of this Act.

20 SEC. 104. Except as otherwise provided in this sec-
21 tion, none of the funds made available to the Department
22 of Labor for grants under section 414(c) of the American
23 Competitiveness and Workforce Improvement Act of 1998
24 (29 U.S.C. 2916a) may be used for any purpose other
25 than competitive grants for training individuals who are

1 ment and Training Administration by this Act, either di-
2 rectly or through a set-aside, for technical assistance serv-
3 ices to grantees to “Program Administration” when it is
4 determined that those services will be more efficiently per-
5 formed by Federal employees: *Provided*, That this section
6 shall not apply to section 171 of the WIOA.

7 (b) Notwithstanding section 102, the Secretary may
8 transfer not more than 0.5 percent of each discretionary
9 appropriation made available to the Employment and
10 Training Administration by this Act to “Program Admin-
11 istration” in order to carry out program integrity activities
12 relating to any of the programs or activities that are fund-
13 ed under any such discretionary appropriations: *Provided*,
14 That funds transferred from under paragraphs (1) and
15 (2) of the “Office of Job Corps” account shall be available
16 under paragraph (3) of such account in order to carry out
17 program integrity activities relating to the Job Corps pro-
18 gram: *Provided further*, That funds transferred under this
19 subsection shall be available for obligation through Sep-
20 tember 30, 2019.

21 (TRANSFER OF FUNDS)

22 SEC. 107. (a) The Secretary may reserve not more
23 than 0.75 percent from each appropriation made available
24 in this Act identified in subsection (b) in order to carry
25 out evaluations of any of the programs or activities that

1 are funded under such accounts. Any funds reserved under
2 this section shall be transferred to “Departmental Man-
3 agement” for use by the Office of the Chief Evaluation
4 Officer within the Department of Labor, and shall be
5 available for obligation through September 30, 2019: *Pro-*
6 *vided*, That such funds shall only be available if the Chief
7 Evaluation Officer of the Department of Labor submits
8 a plan to the Committees on Appropriations of the House
9 of Representatives and the Senate describing the evalua-
10 tions to be carried out 15 days in advance of any transfer.

11 (b) The accounts referred to in subsection (a) are:
12 “Training and Employment Services”, “Job Corps”,
13 “Community Service Employment for Older Americans”,
14 “State Unemployment Insurance and Employment Service
15 Operations”, “Employee Benefits Security Administra-
16 tion”, “Office of Workers’ Compensation Programs”,
17 “Wage and Hour Division”, “Office of Federal Contract
18 Compliance Programs”, “Office of Labor Management
19 Standards”, “Occupational Safety and Health Adminis-
20 tration”, “Mine Safety and Health Administration”, “Of-
21 fice of Disability Employment Policy”, funding made
22 available to the “Bureau of International Labor Affairs”
23 and “Women’s Bureau” within the “Departmental Man-
24 agement, Salaries and Expenses” account, and “Veterans
25 Employment and Training”.

1 SEC. 108. Notwithstanding any other provision of
2 law, beginning October 1, 2017, the Secretary of Labor,
3 in consultation with the Secretary of Agriculture may se-
4 lect an entity to operate a Civilian Conservation Center
5 on a competitive basis in accordance with section 147 of
6 the WIOA, if the Secretary of Labor determines such Cen-
7 ter has had consistently low performance under the per-
8 formance accountability system in effect for the Job Corps
9 program prior to July 1, 2016, or with respect to expected
10 levels of performance established under section 159(c) of
11 such Act beginning July 1, 2016.

12 SEC. 109. (a) Section 7 of the Fair Labor Standards
13 Act of 1938 (29 U.S.C. 207) shall be applied as if the
14 following text is part of such section:

15 “(s)(1) The provisions of this section shall not apply
16 for a period of 2 years after the occurrence of a major
17 disaster to any employee—

18 “(A) employed to adjust or evaluate claims re-
19 sulting from or relating to such major disaster, by
20 an employer not engaged, directly or through an af-
21 filiate, in underwriting, selling, or marketing prop-
22 erty, casualty, or liability insurance policies or con-
23 tracts;

24 “(B) who receives from such employer on aver-
25 age weekly compensation of not less than \$591.00

1 per week or any minimum weekly amount estab-
2 lished by the Secretary, whichever is greater, for the
3 number of weeks such employee is engaged in any
4 of the activities described in subparagraph (C); and

5 “(C) whose duties include any of the following:

6 “(i) interviewing insured individuals, indi-
7 viduals who suffered injuries or other damages
8 or losses arising from or relating to a disaster,
9 witnesses, or physicians;

10 “(ii) inspecting property damage or review-
11 ing factual information to prepare damage esti-
12 mates;

13 “(iii) evaluating and making recommenda-
14 tions regarding coverage or compensability of
15 claims or determining liability or value aspects
16 of claims;

17 “(iv) negotiating settlements; or

18 “(v) making recommendations regarding
19 litigation.

20 “(2) The exemption in this subsection shall not affect
21 the exemption provided by section 13(a)(1).

22 “(3) For purposes of this subsection—

23 “(A) the term ‘major disaster’ means any dis-
24 aster or catastrophe declared or designated by any
25 State or Federal agency or department;

1 lie Law 115–31, \$200,000,000 is rescinded, to be derived
2 from the amount made available in paragraph (2)(A)
3 under such heading for the period October 1, 2017,
4 through September 30, 2018.

5 SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE
6 CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE
7 SEAFOOD INDUSTRY.—

8 (1) IN GENERAL.—Subject to paragraph (2), if
9 a petition for H–2B nonimmigrants filed by an em-
10 ployer in the seafood industry is granted, the em-
11 ployer may bring the nonimmigrants described in
12 the petition into the United States at any time dur-
13 ing the 120-day period beginning on the start date
14 for which the employer is seeking the services of the
15 nonimmigrants without filing another petition.

16 (2) REQUIREMENTS FOR CROSSINGS AFTER
17 90TH DAY.—An employer in the seafood industry
18 may not bring H–2B nonimmigrants into the United
19 States after the date that is 90 days after the start
20 date for which the employer is seeking the services
21 of the nonimmigrants unless the employer—

22 (A) completes a new assessment of the
23 local labor market by—

24 (i) listing job orders in local news-
25 papers on 2 separate Sundays; and

1 (ii) posting the job opportunity on the
2 appropriate Department of Labor Elec-
3 tronic Job Registry and at the employer's
4 place of employment; and

5 (B) offers the job to an equally or better
6 qualified United States worker who—

7 (i) applies for the job; and

8 (ii) will be available at the time and
9 place of need.

10 (3) EXEMPTION FROM RULES WITH RESPECT
11 TO STAGGERING.—The Secretary of Labor shall not
12 consider an employer in the seafood industry who
13 brings H-2B nonimmigrants into the United States
14 during the 120-day period specified in paragraph (1)
15 to be staggering the date of need in violation of sec-
16 tion 655.20(d) of title 20, Code of Federal Regula-
17 tions, or any other applicable provision of law.

18 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
19 tion, the term “H-2B nonimmigrants” means aliens ad-
20 mitted to the United States pursuant to section
21 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
22 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

23 SEC. 112. The determination of prevailing wage for
24 the purposes of the H-2B program shall be the greater
25 of—(1) the actual wage level paid by the employer to other

1 employees with similar experience and qualifications for
2 such position in the same location; or (2) the prevailing
3 wage level for the occupational classification of the posi-
4 tion in the geographic area in which the H-2B non-
5 immigrant will be employed, based on the best information
6 available at the time of filing the petition. In the deter-
7 mination of prevailing wage for the purposes of the H-
8 2B program, the Secretary shall accept private wage sur-
9 veys even in instances where Occupational Employment
10 Statistics survey data are available unless the Secretary
11 determines that the methodology and data in the provided
12 survey are not statistically supported.

13 SEC. 113. None of the funds in this Act shall be used
14 to enforce the definition of corresponding employment
15 found in 20 CFR 655.5 or the three-fourths guarantee
16 rule definition found in 20 CFR 655.20, or any references
17 thereto. Further, for the purpose of regulating admission
18 of temporary workers under the H-2B program, the defi-
19 nition of temporary need shall be that provided in 8 CFR
20 214.2(h)(6)(ii)(B).

21 SEC. 114. Notwithstanding any other provision of
22 law, the final rule issued by the Department of Labor enti-
23 tled “Definition of the Term “Fiduciary”; Conflict of In-
24 terest Rule-Retirement Investment Advice” and published
25 by the Department of Labor in the Federal Register on

1 April 8, 2016 (81 Fed. Reg. 20946 et seq.), shall have
2 no force or effect.

3 This title may be cited as the “Department of Labor
4 Appropriations Act, 2018”.

5 TITLE II
6 DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 HEALTH RESOURCES AND SERVICES ADMINISTRATION
9 PRIMARY HEALTH CARE

10 For carrying out titles II and III of the Public Health
11 Service Act (referred to in this Act as the “PHS Act”)
12 with respect to primary health care and the Native Hawai-
13 ian Health Care Act of 1988, \$1,491,522,000: *Provided*,
14 That no more than \$100,000 shall be available until ex-
15 pended for carrying out the provisions of section 224(o)
16 of the PHS Act: *Provided further*, That no more than
17 \$99,893,000 shall be available until expended for carrying
18 out the provisions of sections 224(g)–(n) and (q) of the
19 PHS Act, and for expenses incurred by the Department
20 of Health and Human Services (referred to in this Act
21 as “HHS”) pertaining to administrative claims made
22 under such law.

23 HEALTH WORKFORCE

24 For carrying out titles III, VII, and VIII of the PHS
25 Act with respect to the health workforce, sections 1128E

1 and 1921 of the Social Security Act, and the Health Care
2 Quality Improvement Act of 1986, \$748,236,000 (reduced
3 by \$18,270,000) (increased by \$18,270,000): *Provided*,
4 That sections 736(h)(1), 747(c)(2), 751(j)(2), 762(k), and
5 the proportional funding amounts in paragraphs (1)
6 through (4) of section 756(f) of the PHS Act shall not
7 apply to funds made available under this heading: *Pro-*
8 *vided further*, That for any program operating under sec-
9 tion 751 of the PHS Act on or before January 1, 2009,
10 the Secretary of Health and Human Services (referred to
11 in this title as the “Secretary”) may hereafter waive any
12 of the requirements contained in sections 751(d)(2)(A)
13 and 751(d)(2)(B) of such Act for the full project period
14 of a grant under such section: *Provided further*, That no
15 funds shall be available for section 340G–1 of the PHS
16 Act: *Provided further*, That fees collected for the disclosure
17 of information under section 427(b) of the Health Care
18 Quality Improvement Act of 1986 and sections
19 1128E(d)(2) and 1921 of the Social Security Act shall be
20 sufficient to recover the full costs of operating the pro-
21 grams authorized by such sections and shall remain avail-
22 able until expended for the National Practitioner Data
23 Bank: *Provided further*, That funds transferred to this ac-
24 count to carry out section 846 and subpart 3 of part D

1 of title III of the PHS Act may be used to make prior
2 year adjustments to awards made under such sections.

3 MATERNAL AND CHILD HEALTH

4 For carrying out titles III, XI, XII, and XIX of the
5 PHS Act with respect to maternal and child health, title
6 V of the Social Security Act, and section 712 of the Amer-
7 ican Jobs Creation Act of 2004, \$848,617,000 (increased
8 by \$1,000,000) (increased by \$24,800,000): *Provided*,
9 That notwithstanding sections 502(a)(1) and 502(b)(1) of
10 the Social Security Act, not more than \$80,593,000 shall
11 be available for carrying out special projects of regional
12 and national significance pursuant to section 501(a)(2) of
13 such Act and \$10,276,000 shall be available for projects
14 described in subparagraphs (A) through (F) of section
15 501(a)(3) of such Act.

16 RYAN WHITE HIV/AIDS PROGRAM

17 For carrying out title XXVI of the PHS Act with
18 respect to the Ryan White HIV/AIDS program,
19 \$2,318,781,000, of which \$1,970,881,000 shall remain
20 available to the Secretary through September 30, 2020,
21 for parts A and B of title XXVI of the PHS Act, and
22 of which not less than \$900,313,000 shall be for State
23 AIDS Drug Assistance Programs under the authority of
24 section 2616 or 311(c) of such Act.

1 HEALTH CARE SYSTEMS

2 For carrying out titles III and XII of the PHS Act
3 with respect to health care systems, and the Stem Cell
4 Therapeutic and Research Act of 2005, \$100,518,000.

5 RURAL HEALTH

6 For carrying out titles III and IV of the PHS Act
7 with respect to rural health, section 427(a) of the Federal
8 Coal Mine Health and Safety Act of 1969, and sections
9 711 and 1820 of the Social Security Act, \$156,060,000,
10 of which \$43,609,000 from general revenues, notwith-
11 standing section 1820(j) of the Social Security Act, shall
12 be available for carrying out the Medicare rural hospital
13 flexibility grants program: *Provided*, That of the funds
14 made available under this heading for Medicare rural hos-
15 pital flexibility grants, \$14,942,000 shall be available for
16 the Small Rural Hospital Improvement Grant Program
17 for quality improvement and adoption of health informa-
18 tion technology and up to \$1,000,000 shall be to carry
19 out section 1820(g)(6) of the Social Security Act, with
20 funds provided for grants under section 1820(g)(6) avail-
21 able for the purchase and implementation of telehealth
22 services, including pilots and demonstrations on the use
23 of electronic health records to coordinate rural veterans
24 care between rural providers and the Department of Vet-
25 erans Affairs electronic health record system: *Provided*

1 *further*, That notwithstanding section 338J(k) of the PHS
2 Act, \$10,000,000 shall be available for State Offices of
3 Rural Health.

4 PROGRAM MANAGEMENT

5 For program support in the Health Resources and
6 Services Administration, \$151,993,000: *Provided*, That
7 funds made available under this heading may be used to
8 supplement program support funding provided under the
9 headings “Primary Health Care”, “Health Workforce”,
10 “Maternal and Child Health”, “Ryan White HIV/AIDS
11 Program”, “Health Care Systems”, and “Rural Health”.

12 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

13 For payments from the Vaccine Injury Compensation
14 Program Trust Fund (the “Trust Fund”), such sums as
15 may be necessary for claims associated with vaccine-re-
16 lated injury or death with respect to vaccines administered
17 after September 30, 1988, pursuant to subtitle 2 of title
18 XXI of the PHS Act, to remain available until expended:
19 *Provided*, That for necessary administrative expenses, not
20 to exceed \$8,250,000 shall be available from the Trust
21 Fund to the Secretary.

22 CENTERS FOR DISEASE CONTROL AND PREVENTION

23 IMMUNIZATION AND RESPIRATORY DISEASES

24 For carrying out titles II, III, XVII, and XXI, and
25 section 2821 of the PHS Act, titles II and IV of the Immi-

1 gration and Nationality Act, and section 501 of the Ref-
2 ugee Education Assistance Act, with respect to immuniza-
3 tion and respiratory diseases, \$470,700,000.

4 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED
5 DISEASES, AND TUBERCULOSIS PREVENTION

6 For carrying out titles II, III, XVII, and XXIII of
7 the PHS Act with respect to HIV/AIDS, viral hepatitis,
8 sexually transmitted diseases, and tuberculosis prevention,
9 \$1,117,278,000.

10 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

11 For carrying out titles II, III, and XVII, and section
12 2821 of the PHS Act, titles II and IV of the Immigration
13 and Nationality Act, and section 501 of the Refugee Edu-
14 cation Assistance Act, with respect to emerging and
15 zoonotic infectious diseases, \$499,522,000 (increased by
16 \$300,000) (increased by \$1,000,000).

17 CHRONIC DISEASE PREVENTION AND HEALTH
18 PROMOTION

19 For carrying out titles II, III, XI, XV, XVII, and
20 XIX of the PHS Act with respect to chronic disease pre-
21 vention and health promotion, \$703,696,000: *Provided*,
22 That funds appropriated under this account may be avail-
23 able for making grants under section 1509 of the PHS
24 Act for not less than 21 States, tribes, or tribal organiza-
25 tions: *Provided further*, That of the funds available under

1 this heading, \$10,000,000 shall be available to continue
2 and expand community specific extension and outreach
3 programs to combat obesity in counties with the highest
4 levels of obesity: *Provided further*, That the proportional
5 funding requirements under section 1503(a) of the PHS
6 Act shall not apply to funds made available under this
7 heading.

8 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
9 DISABILITIES AND HEALTH

10 For carrying out titles II, III, XI, and XVII of the
11 PHS Act with respect to birth defects, developmental dis-
12 abilities, disabilities and health, \$137,560,000.

13 PUBLIC HEALTH SCIENTIFIC SERVICES

14 For carrying out titles II, III, and XVII of the PHS
15 Act with respect to health statistics, surveillance, health
16 informatics, and workforce development, \$328,697,000:
17 *Provided*, That in addition to amounts provided herein,
18 \$150,700,000 shall be available from amounts available
19 under section 241 of the PHS Act to carry out Public
20 Health Scientific Services.

21 ENVIRONMENTAL HEALTH

22 For carrying out titles II, III, and XVII of the PHS
23 Act with respect to environmental health, \$142,750,000
24 (increased by \$1,000,000) (increased by \$400,000).

1 INJURY PREVENTION AND CONTROL

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to injury prevention and control,
4 \$286,059,000 (increased by \$1,000,000): *Provided*, That
5 of the funds provided under this heading, \$112,000,000
6 shall be available for an evidence-based opioid drug over-
7 dose prevention program.

8 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
9 HEALTH

10 For carrying out titles II, III, and XVII of the PHS
11 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
12 of the Federal Mine Safety and Health Act, section 13
13 of the Mine Improvement and New Emergency Response
14 Act, and sections 20, 21, and 22 of the Occupational Safe-
15 ty and Health Act, with respect to occupational safety and
16 health, \$325,200,000.

17 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
18 COMPENSATION PROGRAM

19 For necessary expenses to administer the Energy
20 Employees Occupational Illness Compensation Program
21 Act, \$55,358,000, to remain available until expended: *Pro-*
22 *vided*, That this amount shall be available consistent with
23 the provision regarding administrative expenses in section
24 151(b) of division B, title I of Public Law 106–554.

1 GLOBAL HEALTH

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to global health, \$435,121,000, of which
4 \$128,421,000 for international HIV/AIDS shall remain
5 available through September 30, 2019: *Provided*, That
6 funds may be used for purchase and insurance of official
7 motor vehicles in foreign countries.

8 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

9 For carrying out titles II, III, and XVII of the PHS
10 Act with respect to public health preparedness and re-
11 sponse, and for expenses necessary to support activities
12 related to countering potential biological, nuclear, radio-
13 logical, and chemical threats to civilian populations,
14 \$1,450,000,000 (reduced by \$400,000), of which
15 \$600,000,000 shall remain available until expended for
16 the Strategic National Stockpile: *Provided*, That in the
17 event the Director of the Centers for Disease Control and
18 Prevention (referred to in this title as “CDC”) activates
19 the Emergency Operations Center, the Director of the
20 CDC may detail CDC staff without reimbursement for up
21 to 90 days to support the work of the CDC Emergency
22 Operations Center, so long as the Director provides a no-
23 tice to the Committees on Appropriations of the House
24 of Representatives and the Senate within 15 days of the
25 use of this authority and a full report within 30 days after

1 use of this authority which includes the number of staff
2 and funding level broken down by the originating center
3 and number of days detailed: *Provided further*, That funds
4 appropriated under this heading may be used to support
5 a contract for the operation and maintenance of an air-
6 craft in direct support of activities throughout CDC to en-
7 sure the agency is prepared to address public health pre-
8 paredness emergencies.

9 BUILDINGS AND FACILITIES

10 (INCLUDING TRANSFER OF FUNDS)

11 For acquisition of real property, equipment, construc-
12 tion, demolition, and renovation of facilities, \$10,000,000,
13 to remain available until September 30, 2022: *Provided*,
14 That funds previously set-aside by CDC for repair and up-
15 grade of the Lake Lynn Experimental Mine and Labora-
16 tory shall be used to acquire a replacement mine safety
17 research facility: *Provided further*, That in addition, the
18 prior year unobligated balance of any amounts assigned
19 to former employees in accounts of CDC made available
20 for Individual Learning Accounts shall be credited to and
21 merged with the amounts made available under this head-
22 ing to support the replacement of the mine safety research
23 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 activi-
4 ties and program support for activities funded in other
5 appropriations included in this Act for the Centers for
6 Disease Control and Prevention, \$103,570,000: *Provided*,
7 That paragraphs (1) through (3) of subsection (b) of sec-
8 tion 2821 of the PHS Act shall not apply to funds appro-
9 priated under this heading and in all other accounts of
10 the CDC: *Provided further*, That employees of CDC or the
11 Public Health Service, both civilian and commissioned of-
12 ficers, detailed to States, municipalities, or other organiza-
13 tions under authority of section 214 of the PHS Act, or
14 in overseas assignments, shall be treated as non-Federal
15 employees for reporting purposes only and shall not be in-
16 cluded within any personnel ceiling applicable to the Agen-
17 cy, Service, or HHS during the period of detail or assign-
18 ment: *Provided further*, That CDC may use up to \$10,000
19 from amounts appropriated to CDC in this Act for official
20 reception and representation expenses when specifically
21 approved by the Director of CDC: *Provided further*, That
22 in addition, such sums as may be derived from authorized
23 user fees, which shall be credited to the appropriation
24 charged with the cost thereof: *Provided further*, That with
25 respect to the previous proviso, authorized user fees from

1 the Vessel Sanitation Program and the Respirator Certifi-
2 cation Program shall be available through September 30,
3 2019.

4 NATIONAL INSTITUTES OF HEALTH

5 NATIONAL CANCER INSTITUTE

6 For carrying out section 301 and title IV of the PHS
7 Act with respect to cancer, \$5,471,181,000 (increased by
8 \$1,000,000) (increased by \$3,819,000), of which up to
9 \$10,000,000 may be used for facilities repairs and im-
10 provements at the National Cancer Institute—Frederick
11 Federally Funded Research and Development Center in
12 Frederick, Maryland.

13 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to cardiovascular, lung, and blood dis-
16 eases, and blood and blood products, \$3,256,521,000.

17 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
18 RESEARCH

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to dental and craniofacial diseases,
21 \$432,363,000.

1 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
2 KIDNEY DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to diabetes and digestive and kidney dis-
5 ease, \$1,899,733,000.

6 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
7 AND STROKE

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to neurological disorders and stroke,
10 \$1,810,011,000.

11 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
12 DISEASES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to allergy and infectious diseases,
15 \$5,005,813,000.

16 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to general medical sciences,
19 \$2,713,775,000, of which \$824,443,000 shall be from
20 funds available under section 241 of the PHS Act: *Pro-*
21 *vided*, That not less than \$373,361,000 is provided for
22 the Institutional Development Awards program.

1 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
2 CHILD 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 \$1,401,727,000.

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 \$743,881,000.

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 \$725,387,000.

15 NATIONAL INSTITUTE ON AGING

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to aging, \$2,458,733,000.

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, \$566,515,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$443,624,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$152,599,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$490,796,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,107,497,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$1,625,461,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$536,774,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$362,506,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$136,741,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$293,583,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$73,353,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to health information communications,
23 \$413,848,000: *Provided*, That of the amounts available for
24 improvement of information systems, \$4,000,000 shall be
25 available until September 30, 2019: *Provided further*, That

1 in fiscal year 2018, the National Library of Medicine may
2 enter into personal services contracts for the provision of
3 services in facilities owned, operated, or constructed under
4 the jurisdiction of the National Institutes of Health (re-
5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to translational sciences, \$718,867,000:
10 *Provided*, That up to \$25,835,000 shall be available to im-
11 plement section 480 of the PHS Act, relating to the Cures
12 Acceleration Network: *Provided further*, That at least
13 \$526,120,000 is provided to the Clinical and Translational
14 Sciences Awards program.

15 OFFICE OF THE DIRECTOR

16 For carrying out the responsibilities of the Office of
17 the Director, NIH, \$1,705,248,000: *Provided*, That fund-
18 ing shall be available for the purchase of not to exceed
19 29 passenger motor vehicles for replacement only: *Pro-*
20 *vided further*, That all funds credited to the NIH Manage-
21 ment Fund shall remain available for one fiscal year after
22 the fiscal year in which they are deposited: *Provided fur-*
23 *ther*, That \$165,000,000 shall be for the National Chil-
24 dren’s Study Follow-on: *Provided further*, That
25 \$682,980,000 shall be available for the Common Fund es-

1 tablished under section 402A(c)(1) of the PHS Act: *Pro-*
2 *vided further*, That of the funds provided, \$10,000 shall
3 be for official reception and representation expenses when
4 specifically approved by the Director of the NIH: *Provided*
5 *further*, That the Office of AIDS Research within the Of-
6 fice of the Director of the NIH may spend up to
7 \$8,000,000 to make grants for construction or renovation
8 of facilities as provided for in section 2354(a)(5)(B) of the
9 PHS Act.

10 In addition to other funds appropriated for the Com-
11 mon Fund established under section 402A(c) of the PHS
12 Act, \$12,600,000 is appropriated to the Common Fund
13 from the 10-year Pediatric Research Initiative Fund de-
14 scribed in section 9008 of title 26, United States Code,
15 for the purpose of carrying out section 402(b)(7)(B)(ii)
16 of the PHS Act (relating to pediatric research), as author-
17 ized in the Gabriella Miller Kids First Research Act.

18 BUILDINGS AND FACILITIES

19 For the study of, construction or demolition of, ren-
20 ovation of, and acquisition of equipment for, facilities of
21 or used by NIH, including the acquisition of real property,
22 \$128,863,000, to remain available through September 30,
23 2022.

NIH INNOVATION ACCOUNT

1
2 For necessary expenses to carry out the purposes de-
3 scribed in section 1001(b)(4) of the 21st Century Cures
4 Act, in addition to amounts available for such purposes
5 in the appropriations provided to the NIH in this Act,
6 \$496,000,000, to remain available until expended: *Pro-*
7 *vided*, That such amounts are appropriated pursuant to
8 section 1001(b)(3) of such Act and are to be derived from
9 amounts transferred under section 1001(b)(2)(A) of such
10 Act: *Provided further*, That of the amount appropriated
11 under this heading, \$300,000,000 shall be transferred to
12 the “National Cancer Institute” account for the purposes
13 described in section 1001(b)(4)(C) of such Act,
14 \$43,000,000 shall be transferred to the “National Insti-
15 tute of Neurological Disorders and Stroke” account for
16 the purposes described in section 1001(b)(4)(B) of such
17 Act, and \$43,000,000 shall be transferred to the “Na-
18 tional Institute of Mental Health” account for the pur-
19 poses described in section 1001(b)(4)(B) of such Act: *Pro-*
20 *vided further*, That remaining amounts may be transferred
21 by the Director of the NIH to any accounts of the NIH:
22 *Provided further*, That upon a determination by the Direc-
23 tor that funds transferred pursuant to any of the previous
24 provisos are not necessary for the purposes provided, such
25 amounts may be transferred back to this account: *Pro-*

1 *vided further*, That the transfer authority provided under
2 this heading is in addition to any other transfer authority
3 provided by law.

4 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
5 ADMINISTRATION
6 MENTAL HEALTH

7 For carrying out titles III, V, and XIX of the PHS
8 Act with respect to mental health, and the Protection and
9 Advocacy for Individuals with Mental Illness Act,
10 \$928,668,000 (reduced by \$12,500,000) (increased by
11 \$12,500,000) (increased by \$231,330,000): *Provided*,
12 That notwithstanding section 520A(f)(2) of the PHS Act,
13 no funds appropriated for carrying out section 520A shall
14 be available for carrying out section 1971 of the PHS Act:
15 *Provided further*, That in addition to amounts provided
16 herein, \$21,039,000 shall be available under section 241
17 of the PHS Act to carry out subpart I of part B of title
18 XIX of the PHS Act to fund section 1920(b) technical
19 assistance, national data, data collection and evaluation
20 activities, and further that the total available under this
21 Act for section 1920(b) activities shall not exceed 5 per-
22 cent of the amounts appropriated for subpart I of part
23 B of title XIX: *Provided further*, That States shall expend
24 at least 10 percent of the amount each receives for car-
25 rying out section 1911 of the PHS Act to support evi-

1 dence-based programs that address the needs of individ-
2 uals with early serious mental illness, including psychotic
3 disorders, regardless of the age of the individual at onset:
4 *Provided further*, That none of the funds provided for sec-
5 tion 1911 of the PHS Act shall be subject to section 241
6 of such Act: *Provided further*, That of the funds made
7 available under this heading, \$15,000,000 shall be to
8 carry out section 224 of the Protecting Access to Medicare
9 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
10 note).

11 SUBSTANCE ABUSE TREATMENT

12 For carrying out titles III and V of the PHS Act
13 with respect to substance abuse treatment and title XIX
14 of such Act with respect to substance abuse treatment and
15 prevention, \$2,130,306,000: *Provided*, That in addition to
16 amounts provided herein, \$81,200,000 shall be available
17 under section 241 of the PHS Act to supplement funds
18 otherwise available for substance abuse treatment activi-
19 ties and to carry out subpart II of part B of title XIX
20 of the PHS Act to fund section 1935(b) technical assist-
21 ance, national data, data collection and evaluation activi-
22 ties, and further that the total available under this Act
23 for section 1935(b) activities shall not exceed 5 percent
24 of the amounts appropriated for subpart II of part B of
25 title XIX: *Provided further*, That none of the funds pro-

1 vided for section 1921 of the PHS Act shall be subject
2 to section 241 of such Act.

3 SUBSTANCE ABUSE PREVENTION

4 For carrying out titles III and V of the PHS Act
5 with respect to substance abuse prevention, \$165,373,000.

6 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

7 For program support and cross-cutting activities that
8 supplement activities funded under the headings “Mental
9 Health”, “Substance Abuse Treatment”, and “Substance
10 Abuse Prevention” in carrying out titles III, V, and XIX
11 of the PHS Act and the Protection and Advocacy for Indi-
12 viduals with Mental Illness Act in the Substance Abuse
13 and Mental Health Services Administration,
14 \$108,922,000: *Provided*, That in addition to amounts pro-
15 vided herein, \$23,426,000 shall be available under section
16 241 of the PHS Act to supplement funds available to
17 carry out national surveys on drug abuse and mental
18 health, to collect and analyze program data, and to con-
19 duct public awareness and technical assistance activities:
20 *Provided further*, That, in addition, fees may be collected
21 for the costs of publications, data, data tabulations, and
22 data analysis completed under title V of the PHS Act and
23 provided to a public or private entity upon request, which
24 shall be credited to this appropriation and shall remain
25 available until expended for such purposes: *Provided fur-*

1 *ther*, That amounts made available in this Act for carrying
2 out section 501(o) of the PHS Act shall remain available
3 through September 30, 2019: *Provided further*, That funds
4 made available under this heading may be used to supple-
5 ment program support funding provided under the head-
6 ings “Mental Health”, “Substance Abuse Treatment”,
7 and “Substance Abuse Prevention”.

8 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
9 HEALTHCARE RESEARCH AND QUALITY

10 For carrying out titles III and IX of the PHS Act,
11 part A of title XI of the Social Security Act, and section
12 1013 of the Medicare Prescription Drug, Improvement,
13 and Modernization Act of 2003, \$300,000,000: *Provided*,
14 That section 947(c) of the PHS Act shall not apply in
15 fiscal year 2018: *Provided further*, That in addition,
16 amounts received from Freedom of Information Act fees,
17 reimbursable and interagency agreements, and the sale of
18 data shall be credited to this appropriation and shall re-
19 main available until September 30, 2019.

20 CENTERS FOR MEDICARE AND MEDICAID SERVICES
21 GRANTS TO STATES FOR MEDICAID

22 For carrying out, except as otherwise provided, titles
23 XI and XIX of the Social Security Act, \$284,798,384,000,
24 to remain available until expended.

1 For making, after May 31, 2018, payments to States
2 under title XIX or in the case of section 1928 on behalf
3 of States under title XIX of the Social Security Act for
4 the last quarter of fiscal year 2018 for unanticipated costs
5 incurred for the current fiscal year, such sums as may be
6 necessary.

7 For making payments to States or in the case of sec-
8 tion 1928 on behalf of States under title XIX of the Social
9 Security Act for the first quarter of fiscal year 2019,
10 \$134,847,759,000, to remain available until expended.

11 Payment under such title XIX may be made for any
12 quarter with respect to a State plan or plan amendment
13 in effect during such quarter, if submitted in or prior to
14 such quarter and approved in that or any subsequent
15 quarter.

16 PAYMENTS TO HEALTH CARE TRUST FUNDS

17 For payment to the Federal Hospital Insurance
18 Trust Fund and the Federal Supplementary Medical In-
19 surance Trust Fund, as provided under sections 217(g),
20 1844, and 1860D–16 of the Social Security Act, sections
21 103(e) and 111(d) of the Social Security Amendments of
22 1965, section 278(d)(3) of Public Law 97–248, and for
23 administrative expenses incurred pursuant to section
24 201(g) of the Social Security Act, \$323,497,300,000.

1 In addition, for making matching payments under
2 section 1844 and benefit payments under section 1860D–
3 16 of the Social Security Act that were not anticipated
4 in budget estimates, such sums as may be necessary.

5 PROGRAM MANAGEMENT

6 For carrying out, except as otherwise provided, titles
7 XI, XVIII, XIX, and XXI of the Social Security Act, titles
8 XIII and XXVII of the PHS Act, and the Clinical Labora-
9 tory Improvement Amendments of 1988, not to exceed
10 \$3,451,141,000, to be transferred from the Federal Hos-
11 pital Insurance Trust Fund and the Federal Supple-
12 mentary Medical Insurance Trust Fund, as authorized by
13 section 201(g) of the Social Security Act; together with
14 all funds collected in accordance with section 353 of the
15 PHS Act and section 1857(e)(2) of the Social Security
16 Act, funds retained by the Secretary pursuant to section
17 1893(h) of the Social Security Act; and such sums as may
18 be collected from authorized user fees and the sale of data,
19 which shall be credited to this account and remain avail-
20 able until expended: *Provided*, That no funds shall be de-
21 rived from offsetting collections through fees collected
22 from qualified health plans offered through an Exchange
23 established under Public Law 111–148 to operate such an
24 Exchange: *Provided further*, That all funds derived in ac-
25 cordance with 31 U.S.C. 9701 from organizations estab-

1 lished under title XIII of the PHS Act shall be credited
2 to and available for carrying out the purposes of this ap-
3 propriation: *Provided further*, That the Secretary is di-
4 rected to collect fees in fiscal year 2018 from Medicare
5 Advantage organizations pursuant to section 1857(e)(2)
6 of the Social Security Act and from eligible organizations
7 with risk-sharing contracts under section 1876 of that Act
8 pursuant to section 1876(k)(4)(D) of that Act.

9 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

10 In addition to amounts otherwise available for pro-
11 gram integrity and program management, \$745,000,000,
12 to remain available through September 30, 2019, to be
13 transferred from the Federal Hospital Insurance Trust
14 Fund and the Federal Supplementary Medical Insurance
15 Trust Fund, as authorized by section 201(g) of the Social
16 Security Act, of which \$486,936,000 shall be for the Medi-
17 care Integrity Program at the Centers for Medicare and
18 Medicaid Services, including administrative costs, to con-
19 duct oversight activities for Medicare Advantage under
20 Part C and the Medicare Prescription Drug Program
21 under Part D of the Social Security Act and for activities
22 described in section 1893(b) of such Act, of which
23 \$82,132,000 shall be for the Department of Health and
24 Human Services Office of Inspector General to carry out
25 fraud and abuse activities authorized by section

1 1817(k)(3) of such Act, of which \$82,132,000 shall be for
2 the Medicaid and Children’s Health Insurance Program
3 (“CHIP”) program integrity activities, and of which
4 \$93,800,000 shall be for the Department of Justice to
5 carry out fraud and abuse activities authorized by section
6 1817(k)(3) of such Act: *Provided*, That the report re-
7 quired by section 1817(k)(5) of the Social Security Act
8 for fiscal year 2018 shall include measures of the oper-
9 ational efficiency and impact on fraud, waste, and abuse
10 in the Medicare, Medicaid, and CHIP programs for the
11 funds provided by this appropriation: *Provided further*,
12 That of the amount provided under this heading,
13 \$311,000,000 is provided to meet the terms of section
14 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended, and
16 \$434,000,000 is additional new budget authority specified
17 for purposes of section 251(b)(2)(C) of such Act: *Provided*
18 *further*, That the Secretary shall support the Senior Medi-
19 care Patrol program to combat health care fraud and
20 abuse from the funds provided to this account.

21 ADMINISTRATION FOR CHILDREN AND FAMILIES

22 PAYMENTS TO STATES FOR CHILD SUPPORT

23 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

24 For carrying out, except as otherwise provided, titles
25 I, IV–D, X, XI, XIV, and XVI of the Social Security Act

1 and the Act of July 5, 1960, \$2,995,400,000, to remain
2 available until expended; and for such purposes for the
3 first quarter of fiscal year 2019, \$1,400,000,000, to re-
4 main available until expended.

5 For carrying out, after May 31 of the current fiscal
6 year, except as otherwise provided, titles I, IV–D, X, XI,
7 XIV, and XVI of the Social Security Act and the Act of
8 July 5, 1960, for the last 3 months of the current fiscal
9 year for unanticipated costs, incurred for the current fiscal
10 year, such sums as may be necessary.

11 LOW INCOME HOME ENERGY ASSISTANCE

12 For making payments under subsections (b) and (d)
13 of section 2602 of the Low Income Home Energy Assist-
14 ance Act of 1981, \$3,390,304,000: *Provided*, That all but
15 \$491,000,000 of this amount shall be allocated as though
16 the total appropriation for such payments for fiscal year
17 2018 was less than \$1,975,000,000: *Provided further*,
18 That notwithstanding section 2609A(a), of the amounts
19 appropriated under section 2602(b), not more than
20 \$2,988,000 of such amounts may be reserved by the Sec-
21 retary for technical assistance, training, and monitoring
22 of program activities for compliance with internal controls,
23 policies and procedures and may, in addition to the au-
24 thorities provided in section 2609A(a)(1), use such funds

1 through contracts with private entities that do not qualify
2 as nonprofit organizations.

3 REFUGEE AND ENTRANT ASSISTANCE

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for refugee and entrant as-
6 sistance activities authorized by section 414 of the Immi-
7 gration and Nationality Act and section 501 of the Ref-
8 ugee Education Assistance Act of 1980, and for carrying
9 out section 462 of the Homeland Security Act of 2002,
10 section 235 of the William Wilberforce Trafficking Victims
11 Protection Reauthorization Act of 2008, the Trafficking
12 Victims Protection Act of 2000 (“TVPA”), and the Tor-
13 ture Victims Relief Act of 1998, \$1,022,811,000, of which
14 \$993,321,000 shall remain available through September
15 30, 2020 for carrying out such sections 414, 501, 462,
16 and 235: *Provided*, That amounts available under this
17 heading to carry out the TVPA shall also be available for
18 research and evaluation with respect to activities under
19 such Act: *Provided further*, That the limitation in section
20 205 of this Act regarding transfers increasing any appro-
21 priation shall apply to transfers to appropriations under
22 this heading by substituting “10 percent” for “3 percent”.

1 CHILDREN AND FAMILIES SERVICES PROGRAMS

2 For carrying out, except as otherwise provided, the
3 Runaway and Homeless Youth Act, the Head Start Act,
4 the Every Student Succeeds Act, the Child Abuse Preven-
5 tion and Treatment Act, sections 303 and 313 of the
6 Family Violence Prevention and Services Act, the Native
7 American Programs Act of 1974, title II of the Child
8 Abuse Prevention and Treatment and Adoption Reform
9 Act of 1978 (adoption opportunities), part B–1 of title IV
10 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
11 of the Social Security Act, and the Community Services
12 Block Grant Act (“CSBG Act”); for necessary administra-
13 tive expenses to carry out titles I, IV, V, X, XI, XIV, XVI,
14 and XX–A of the Social Security Act, the Act of July 5,
15 1960, the Low-Income Home Energy Assistance Act of
16 1981, the Child Care and Development Block Grant Act
17 of 2014, the Assets for Independence Act, title IV of the
18 Immigration and Nationality Act, and section 501 of the
19 Refugee Education Assistance Act of 1980,
20 \$11,181,500,000 (reduced by \$1,000,000) (increased by
21 \$1,000,000) (reduced by \$5,000,000) (increased by
22 \$5,000,000), of which \$37,943,000, to remain available
23 through September 30, 2019, shall be for grants to States
24 for adoption and legal guardianship incentive payments,
25 as defined by section 473A of the Social Security Act and

1 may be made for adoptions and legal guardianships com-
2 pleted before September 30, 2018: *Provided*, That
3 \$9,275,000,000 shall be for making payments under the
4 Head Start Act: *Provided further*, That of the amount in
5 the previous proviso, \$8,610,000,000 shall be available for
6 payments under section 640 of the Head Start Act, of
7 which \$21,905,000 shall be available for a cost of living
8 adjustment notwithstanding section 640(a)(3)(A) of such
9 Act: *Provided further*, That of the amount provided for
10 making payments under the Head Start Act, \$25,000,000
11 shall be available for allocation by the Secretary to supple-
12 ment activities described in paragraphs (7)(B) and (9) of
13 section 641(c) of such Act under the Designation Renewal
14 System, established under the authority of sections
15 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Pro-*
16 *vided further*, That notwithstanding such section 640, of
17 the amount provided for making payments under the
18 Head Start Act, and in addition to funds otherwise avail-
19 able under such section 640 for such purposes,
20 \$640,000,000 shall be available through March 31, 2019
21 for Early Head Start programs as described in section
22 645A of such Act, for conversion of Head Start services
23 to Early Head Start services as described in section
24 645(a)(5)(A) of such Act, for discretionary grants for high
25 quality infant and toddler care through Early Head Start-

1 Child Care Partnerships, to entities defined as eligible
2 under section 645A(d) of such Act, for training and tech-
3 nical assistance for such activities, and for up to
4 \$14,000,000 in Federal costs of administration and eval-
5 uation, and, notwithstanding section 645A(c)(2) of such
6 Act, these funds are available to serve children under age
7 4: *Provided further*, That funds described in the preceding
8 two provisos shall not be included in the calculation of
9 “base grant” in subsequent fiscal years, as such term is
10 used in section 640(a)(7)(A) of such Act: *Provided further*,
11 That \$250,000,000 shall be available until December 31,
12 2018 for carrying out sections 9212 and 9213 of the
13 Every Student Succeeds Act: *Provided further*, That up
14 to 3 percent of the funds in the preceding proviso shall
15 be available for technical assistance and evaluation related
16 to grants awarded under such section 9212: *Provided fur-*
17 *ther*, That \$617,500,000 shall be for making payments
18 under the CSBG Act: *Provided further*, That \$17,850,000
19 shall be for sections 680 and 678E(b)(2) of the CSBG
20 Act, of which not less than \$10,000,000 shall be for sec-
21 tion 680(a)(2) and not less than \$7,500,000 shall be for
22 section 680(a)(3)(B) of such Act: *Provided further*, That,
23 notwithstanding section 675C(a)(3) of such Act, to the ex-
24 tent Community Services Block Grant funds are distrib-
25 uted as grant funds by a State to an eligible entity as

1 provided under such Act, and have not been expended by
2 such entity, they shall remain with such entity for carry-
3 over into the next fiscal year for expenditure by such enti-
4 ty consistent with program purposes: *Provided further,*
5 That the Secretary shall establish procedures regarding
6 the disposition of intangible assets and program income
7 that permit such assets acquired with, and program in-
8 come derived from, grant funds authorized under section
9 680 of the CSBG Act to become the sole property of such
10 grantees after a period of not more than 12 years after
11 the end of the grant period for any activity consistent with
12 section 680(a)(2)(A) of the CSBG Act: *Provided further,*
13 That intangible assets in the form of loans, equity invest-
14 ments and other debt instruments, and program income
15 may be used by grantees for any eligible purpose con-
16 sistent with section 680(a)(2)(A) of the CSBG Act: *Pro-*
17 *vided further,* That these procedures shall apply to such
18 grant funds made available after November 29, 1999: *Pro-*
19 *vided further,* That funds appropriated for section
20 680(a)(2) of the CSBG Act shall be available for financing
21 construction and rehabilitation and loans or investments
22 in private business enterprises owned by community devel-
23 opment corporations: *Provided further,* That \$1,864,000
24 shall be for a human services case management system
25 for federally declared disasters, to include a comprehensive

1 national case management contract and Federal costs of
2 administering the system: *Provided further*, That up to
3 \$2,000,000 shall be for improving the Public Assistance
4 Reporting Information System, including grants to States
5 to support data collection for a study of the system's effec-
6 tiveness.

7 PROMOTING SAFE AND STABLE FAMILIES

8 For carrying out, except as otherwise provided, sec-
9 tion 436 of the Social Security Act, \$325,000,000 and,
10 for carrying out, except as otherwise provided, section 437
11 of such Act, \$59,765,000: *Provided*, That notwithstanding
12 sections 438(c)(3)(A) and 436(b)(2) of such Act,
13 \$10,000,000 shall be available for such section 436(b)(2),
14 of which no funds shall be available for carrying out sec-
15 tions 438(c)(3)(A)(ii) and (iii) of such Act.

16 PAYMENTS FOR FOSTER CARE AND PERMANENCY

17 For carrying out, except as otherwise provided, title
18 IV–E of the Social Security Act, \$6,225,000,000.

19 For carrying out, except as otherwise provided, title
20 IV–E of the Social Security Act, for the first quarter of
21 fiscal year 2019, \$2,700,000,000.

22 For carrying out, after May 31 of the current fiscal
23 year, except as otherwise provided, section 474 of title IV–
24 E of the Social Security Act, for the last 3 months of the

1 current fiscal year for unanticipated costs, incurred for the
2 current fiscal year, such sums as may be necessary.

3 ADMINISTRATION FOR COMMUNITY LIVING
4 AGING AND DISABILITY SERVICES PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out, to the extent not otherwise pro-
7 vided, the Older Americans Act of 1965 (“OAA”), titles
8 III and XXIX of the PHS Act, sections 1252 and 1253
9 of the PHS Act, section 119 of the Medicare Improve-
10 ments for Patients and Providers Act of 2008, title XX-
11 B of the Social Security Act, the Developmental Disabil-
12 ities Assistance and Bill of Rights Act, parts 2 and 5 of
13 subtitle D of title II of the Help America Vote Act of
14 2002, the Assistive Technology Act of 1998, titles II and
15 VII (and section 14 with respect to such titles) of the Re-
16 habilitation Act of 1973, and for Department-wide coordi-
17 nation of policy and program activities that assist individ-
18 uals with disabilities, \$2,237,224,000 (increased by
19 \$14,232,847): *Provided*, That amounts appropriated
20 under this heading may be used for grants to States under
21 section 361 of the OAA only for disease prevention and
22 health promotion programs and activities which have been
23 demonstrated through rigorous evaluation to be evidence-
24 based and effective: *Provided further*, That of the amounts
25 provided under this heading, \$300,000,000 shall be avail-

1 able for carrying out title V of the OAA: *Provided further*,
2 That with respect to the previous proviso, such funds shall
3 be available through June 30, 2019, and may be recap-
4 tured and reobligated in accordance with section 517(c)
5 of the OAA: *Provided further*, That of amounts made
6 available under this heading to carry out sections 311,
7 331, and 336 of the OAA, up to one percent of such
8 amounts shall be available for developing and imple-
9 menting evidence-based practices for enhancing senior nu-
10 trition: *Provided further*, That notwithstanding any other
11 provision of this Act, funds made available under this
12 heading to carry out section 311 of the OAA may be trans-
13 ferred to the Secretary of Agriculture in accordance with
14 such section: *Provided further*, That \$2,000,000 shall be
15 for competitive grants to support alternative financing
16 programs that provide for the purchase of assistive tech-
17 nology devices, such as a low-interest loan fund; an inter-
18 est buy-down program; a revolving loan fund; a loan guar-
19 antee; or an insurance program: *Provided further*, That
20 applicants shall provide an assurance that, and informa-
21 tion describing the manner in which, the alternative fi-
22 nancing program will expand and emphasize consumer
23 choice and control: *Provided further*, That State agencies
24 and community-based disability organizations that are di-
25 rected by and operated for individuals with disabilities

1 shall be eligible to compete: *Provided further*, That none
2 of the funds made available under this heading may be
3 used by an eligible system (as defined in section 102 of
4 the Protection and Advocacy for Individuals with Mental
5 Illness Act (42 U.S.C. 10802)) to continue to pursue any
6 legal action in a Federal or State court on behalf of an
7 individual or group of individuals with a developmental
8 disability (as defined in section 102(8)(A) of the Develop-
9 mental Disabilities and Assistance and Bill of Rights Act
10 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
11 a mental impairment (or a combination of mental and
12 physical impairments), that has as the requested remedy
13 the closure of State operated intermediate care facilities
14 for people with intellectual or developmental disabilities,
15 unless reasonable public notice of the action has been pro-
16 vided to such individuals (or, in the case of mental inca-
17 pacitation, the legal guardians who have been specifically
18 awarded authority by the courts to make healthcare and
19 residential decisions on behalf of such individuals) who are
20 affected by such action, within 90 days of instituting such
21 legal action, which informs such individuals (or such legal
22 guardians) of their legal rights and how to exercise such
23 rights consistent with current Federal Rules of Civil Pro-
24 cedure: *Provided further*, That the limitations in the imme-
25 diately preceding proviso shall not apply in the case of an

1 individual who is neither competent to consent nor has a
2 legal guardian, nor shall the proviso apply in the case of
3 individuals who are a ward of the State or subject to pub-
4 lic guardianship.

5 OFFICE OF THE SECRETARY

6 GENERAL DEPARTMENTAL MANAGEMENT

7 For necessary expenses, not otherwise provided, for
8 general departmental management, including hire of six
9 passenger motor vehicles, and for carrying out titles III,
10 XVII, XXI, and section 229 of the PHS Act, the United
11 States-Mexico Border Health Commission Act, and re-
12 search studies under section 1110 of the Social Security
13 Act, \$292,881,000 (reduced by \$3,000,000) (reduced by
14 \$300,000) (reduced by \$1,000,000) (reduced by
15 \$1,000,000) (reduced by \$3,819,000) (reduced by
16 \$24,800,000) (reduced by \$219,620,000) (reduced by
17 \$2,000,000) (increased by \$2,000,000), together with
18 \$57,465,000 from the amounts available under section
19 241 of the PHS Act to carry out national health or human
20 services research and evaluation activities: *Provided*, That
21 of the funds made available under this heading,
22 \$20,000,000 shall be for making competitive grants which
23 exclusively implement education in sexual risk avoidance
24 (defined as voluntarily refraining from non-marital sexual
25 activity): *Provided further*, That funding for such competi-

1 tive grants for sexual risk avoidance shall use medically
2 accurate information referenced to peer-reviewed publica-
3 tions by educational, scientific, governmental, or health or-
4 ganizations; implement an evidence-based approach inte-
5 grating research findings with practical implementation
6 that aligns with the needs and desired outcomes for the
7 intended audience; and teach the benefits associated with
8 self-regulation, success sequencing for poverty prevention,
9 healthy relationships, goal setting, and resisting sexual co-
10 ercion, dating violence, and other youth risk behaviors
11 such as underage drinking or illicit drug use without nor-
12 malizing 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 pro-
16 grams: *Provided further*, That funds provided in this Act
17 for embryo adoption activities may be used to provide to
18 individuals adopting embryos, through grants and other
19 mechanisms, medical and administrative services deemed
20 necessary for such adoptions: *Provided further*, That such
21 services shall be provided consistent with 42 CFR
22 59.5(a)(4).

1 STATE RESPONSE TO THE OPIOID ABUSE CRISIS

2 ACCOUNT, CURES ACT

3 For necessary expenses to carry out the purposes de-
4 scribed under section 1003(e) of the 21st Century Cures
5 Act, \$500,000,000, to remain available until expended:
6 *Provided*, That such amounts are appropriated pursuant
7 to section 1003(b)(3) of the 21st Century Cures Act, are
8 to be derived from amounts transferred under section
9 1003(b)(2)(A) of such Act, and may be transferred by the
10 Secretary of Health and Human Services to other ac-
11 counts of the Department solely for the purposes provided
12 in such Act: *Provided further*, That such transfer authority
13 is in addition to any other transfer authority provided by
14 law.

15 OFFICE OF MEDICARE HEARINGS AND APPEALS

16 For expenses necessary for the Office of Medicare
17 Hearings and Appeals, \$112,381,000, to be transferred in
18 appropriate part from the Federal Hospital Insurance
19 Trust Fund and the Federal Supplementary Medical In-
20 surance Trust Fund: *Provided*, That of amounts the Sec-
21 retary retains for adjudications related to Recovery Audit
22 Contractor (RAC) appeals under section 1893(h)(1)(c) of
23 the Social Security Act, \$5,000,000 shall be used as addi-
24 tional funds for the necessary expenses of the Office of
25 Medicare Hearings and Appeals and the Departmental

1 Appeals Board to process RAC-related appeals, and to es-
2 tablish a process to provide educational feedback from
3 such Office and Board to the Centers for Medicare and
4 Medicaid Services to reduce the claims overturn rate from
5 the claims that are reviewed by such Office or Board.

6 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
7 INFORMATION TECHNOLOGY

8 For expenses necessary for the Office of the National
9 Coordinator for Health Information Technology, including
10 grants, contracts, and cooperative agreements for the de-
11 velopment and advancement of interoperable health infor-
12 mation technology, \$38,381,000.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector
15 General, including the hire of passenger motor vehicles for
16 investigations, in carrying out the provisions of the Inspec-
17 tor General Act of 1978, \$80,000,000: *Provided*, That of
18 such amount, necessary sums shall be available for pro-
19 viding protective services to the Secretary and inves-
20 tigating non-payment of child support cases for which non-
21 payment is a Federal offense under 18 U.S.C. 228.

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, \$38,798,000.

1 chased with funds provided under this heading may, at
2 the discretion of the Secretary, be deposited in the Stra-
3 tegic National Stockpile pursuant to section 319F-2 of
4 the PHS Act: *Provided further*, That \$5,000,000 of the
5 amounts made available to support emergency operations
6 shall remain available through September 30, 2020.

7 For expenses necessary for procuring security coun-
8 termeasures (as defined in section 319F-2(c)(1)(B) of the
9 PHS Act), \$530,000,000, to remain available until ex-
10 pended.

11 For an additional amount for expenses necessary to
12 prepare for or respond to an influenza pandemic,
13 \$250,000,000, of which \$210,000,000 shall be available
14 until expended, for activities including the development
15 and purchase of vaccine, antivirals, necessary medical sup-
16 plies, diagnostics, and other surveillance tools: *Provided*,
17 That notwithstanding section 496(b) of the PHS Act,
18 funds may be used for the construction or renovation of
19 privately owned facilities for the production of pandemic
20 influenza vaccines and other biologics, if the Secretary
21 finds such construction or renovation necessary to secure
22 sufficient supplies of such vaccines or biologics: *Provided*
23 *further*, That the limitation in section 205 of this Act re-
24 garding transfers increasing any appropriation shall apply

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the execution
20 of a contract awarded in fiscal year 2018 under section
21 338B of such Act.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

9 SEC. 209. None of the funds appropriated by this Act
10 (including funds appropriated to any trust fund) may be
11 used to carry out the Medicare Advantage program if the
12 Secretary denies participation in such program to an oth-
13 erwise eligible entity (including a Provider Sponsored Or-
14 ganization) because the entity informs the Secretary that
15 it will not provide, pay for, provide coverage of, or provide
16 referrals for abortions: *Provided*, That the Secretary shall
17 make appropriate prospective adjustments to the capita-
18 tion payment to such an entity (based on an actuarially
19 sound estimate of the expected costs of providing the serv-
20 ice to such entity's enrollees): *Provided further*, That noth-
21 ing in this section shall be construed to change the Medi-
22 care program's coverage for such services and a Medicare
23 Advantage organization described in this section shall be
24 responsible for informing enrollees where to obtain infor-
25 mation about all Medicare covered services.

1 SEC. 210. None of the funds made available in this
2 title may be used, in whole or in part, to advocate or pro-
3 mote gun control.

4 SEC. 211. The Secretary shall make available through
5 assignment not more than 60 employees of the Public
6 Health Service to assist in child survival activities and to
7 work in AIDS programs through and with funds provided
8 by the Agency for International Development, the United
9 Nations International Children's Emergency Fund or the
10 World Health Organization.

11 SEC. 212. In order for HHS to carry out inter-
12 national health activities, including HIV/AIDS and other
13 infectious disease, chronic and environmental disease, and
14 other health activities abroad during fiscal year 2018:

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

1 (2) The Secretary is authorized to provide such
2 funds by advance or reimbursement to the Secretary
3 of State as may be necessary to pay the costs of ac-
4 quisition, lease, alteration, renovation, and manage-
5 ment of facilities outside of the United States for
6 the use of HHS. The Department of State shall co-
7 operate fully with the Secretary to ensure that HHS
8 has secure, safe, functional facilities that comply
9 with applicable regulation governing location, set-
10 back, and other facilities requirements and serve the
11 purposes established by this Act. The Secretary is
12 authorized, in consultation with the Secretary of
13 State, through grant or cooperative agreement, to
14 make available to public or nonprofit private institu-
15 tions or agencies in participating foreign countries,
16 funds to acquire, lease, alter, or renovate facilities in
17 those countries as necessary to conduct programs of
18 assistance for international health activities, includ-
19 ing activities relating to HIV/AIDS and other infec-
20 tious diseases, chronic and environmental diseases,
21 and other health activities abroad.

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

(TRANSFER OF FUNDS)

1

2 SEC. 214. Of the amounts made available in this Act
3 for NIH, the amount for research related to the human
4 immunodeficiency virus, as jointly determined by the Di-
5 rector of NIH and the Director of the Office of AIDS Re-
6 search, shall be made available to the “Office of AIDS
7 Research” account. The Director of the Office of AIDS
8 Research shall transfer from such account amounts nec-
9 essary to carry out section 2353(d)(3) of the PHS Act.

10 SEC. 215. (a) AUTHORITY.—Notwithstanding any
11 other provision of law, the Director of NIH (“Director”)
12 may use funds authorized under section 402(b)(12) of the
13 PHS Act to enter into transactions (other than contracts,
14 cooperative agreements, or grants) to carry out research
15 identified pursuant to or research and activities described
16 in such section 402(b)(12).

17 (b) PEER REVIEW.—In entering into transactions
18 under subsection (a), the Director may utilize such peer
19 review procedures (including consultation with appropriate
20 scientific experts) as the Director determines to be appro-
21 priate to obtain assessments of scientific and technical
22 merit. Such procedures shall apply to such transactions
23 in lieu of the peer review and advisory council review pro-
24 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

7 (B) for the estimated costs associated with
8 a necessary termination of the contract; and

9 (2) the Secretary determines that a multi-year
10 contract will serve the best interests of the Federal
11 Government by encouraging full and open competi-
12 tion or promoting economy in administration, per-
13 formance, and operation of BARDA’s programs.

14 (b) A contract entered into under this section—

15 (1) shall include a termination clause as de-
16 scribed by subsection (c) of section 3903 of title 41,
17 United States Code; and

18 (2) shall be subject to the congressional notice
19 requirement stated in subsection (d) of such section.

20 SEC. 219. (a) The Secretary shall establish a publicly
21 accessible Web site to provide information regarding the
22 uses of funds made available under section 4002 of the
23 Patient Protection and Affordable Care Act of 2010
24 (“ACA”).

1 (b) With respect to funds provided under section
2 4002 of the ACA, the Secretary shall include on the Web
3 site established under subsection (a) at a minimum the
4 following information:

5 (1) In the case of each transfer of funds under
6 section 4002(c), a statement indicating the program
7 or activity receiving funds, the operating division or
8 office that will administer the funds, and the
9 planned uses of the funds, to be posted not later
10 than the day after the transfer is made.

11 (2) Identification (along with a link to the full
12 text) of each funding opportunity announcement, re-
13 quest for proposals, or other announcement or solici-
14 tation of proposals for grants, cooperative agree-
15 ments, or contracts intended to be awarded using
16 such funds, to be posted not later than the day after
17 the announcement or solicitation is issued.

18 (3) Identification of each grant, cooperative
19 agreement, or contract with a value of \$25,000 or
20 more awarded using such funds, including the pur-
21 pose of the award and the identity of the recipient,
22 to be posted not later than 5 days after the award
23 is made.

24 (4) A report detailing the uses of all funds
25 transferred under section 4002(c) during the fiscal

1 year, to be posted not later than 90 days after the
2 end of the fiscal year.

3 (c) With respect to awards made in fiscal years 2013
4 through 2018, the Secretary shall also include on the Web
5 site established under subsection (a), semi-annual reports
6 from each entity awarded a grant, cooperative agreement,
7 or contract from such funds with a value of \$25,000 or
8 more, summarizing the activities undertaken and identi-
9 fying any sub-grants or sub-contracts awarded (including
10 the purpose of the award and the identity of the recipient),
11 to be posted not later than 30 days after the end of each
12 6-month period.

13 (d) In carrying out this section, the Secretary shall—

14 (1) present the information required in sub-
15 section (b)(1) on a single webpage or on a single
16 database;

17 (2) ensure that all information required in this
18 section is directly accessible from the single webpage
19 or database; and

20 (3) ensure that all information required in this
21 section is able to be organized by program or State.

22 SEC. 220. (a) The Secretary shall publish in the fiscal
23 year 2019 budget justification and on Departmental Web
24 sites information concerning the employment of full-time
25 equivalent Federal employees or contractors for the pur-

1 poses of implementing, administering, enforcing, or other-
2 wise carrying out the provisions of the ACA, and the
3 amendments made by that Act, in the proposed fiscal year
4 and each fiscal year since the enactment of the ACA.

5 (b) With respect to employees or contractors sup-
6 ported by all funds appropriated for purposes of carrying
7 out the ACA (and the amendments made by that Act),
8 the Secretary shall include, at a minimum, the following
9 information:

10 (1) For each such fiscal year, the section of
11 such Act under which such funds were appropriated,
12 a statement indicating the program, project, or ac-
13 tivity receiving such funds, the Federal operating di-
14 vision or office that administers such program, and
15 the amount of funding received in discretionary or
16 mandatory appropriations.

17 (2) For each such fiscal year, the number of
18 full-time equivalent employees or contracted employ-
19 ees assigned to each authorized and funded provision
20 detailed in accordance with paragraph (1).

21 (c) In carrying out this section, the Secretary may
22 exclude from the report employees or contractors who—

23 (1) are supported through appropriations en-
24 acted in laws other than the ACA and work on pro-
25 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. 221. The Secretary shall publish, as part of the
8 fiscal year 2019 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare and Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2019. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the committee report accom-
18 panying this Act.

19 SEC. 222. (a) The Secretary shall provide to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate:

22 (1) Detailed monthly enrollment figures from
23 the Exchanges established under the Patient Protec-
24 tion and Affordable Care Act of 2010 pertaining to
25 enrollments during the open enrollment period; and

1 the heading "Prevention and Public Health Fund" in the
2 committee report accompanying this Act.

3 (b) Notwithstanding section 4002(c) of the ACA, the
4 Secretary may not further transfer these amounts.

5 (c) Funds transferred for activities authorized under
6 section 2821 of the PHS Act shall be made available with-
7 out reference to section 2821(b) of such Act.

8 SEC. 226. None of the funds appropriated in this Act
9 may be used to carry out title X of the PHS Act.

10 SEC. 227. Effective during the period beginning on
11 November 1, 2015 and ending January 1, 2020, any pro-
12 vision of law that refers (including through cross-reference
13 to another provision of law) to the current recommenda-
14 tions of the United States Preventive Services Task Force
15 with respect to breast cancer screening, mammography,
16 and prevention shall be administered by the Secretary in-
17 volved as if—

18 (1) such reference to such current recommenda-
19 tions were a reference to the recommendations of
20 such Task Force with respect to breast cancer
21 screening, mammography, and prevention last issued
22 before 2009; and

23 (2) such recommendations last issued before
24 2009 applied to any screening mammography modal-

1 ity under section 1861(jj) of the Social Security Act
2 (42 U.S.C. 1395x(jj)).

3 SEC. 228. In making Federal financial assistance, the
4 NIH shall continue to apply the provisions relating to indi-
5 rect costs in part 75 of title 45, Code of Federal Regula-
6 tions, including with respect to the approval of deviations
7 from negotiated rates, to the same extent and in the same
8 manner as the NIH applied such provisions in the third
9 quarter of fiscal year 2017. None of the funds appro-
10 priated by this Act may be used by the NIH to develop
11 or implement a modified approach to such provisions, or
12 to intentionally or substantially expand the fiscal effect of
13 the approval of such deviations from negotiated rates be-
14 yond the proportional effect of such approvals in such
15 quarter.

16 SEC. 229. None of the funds appropriated in this Act
17 may be used to implement, further, enforce, or advance
18 the Navigators program as provided under section 1311(i)
19 of Public Law 111–148 and title I and subtitle B of title
20 II of Public Law 111–152.

21 This title may be cited as the “Department of Health
22 and Human Services Appropriations Act, 2018”.

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$15,953,790,000, of which
9 \$5,035,990,000 shall become available on July 1, 2018,
10 and shall remain available through September 30, 2019,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2018, and shall remain available through Sep-
13 tember 30, 2019, for academic year 2018–2019: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2017, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$3,819,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$3,819,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That \$27,000,000 shall be for carrying out subpart
3 2 of part B of title II: *Provided further*, That \$44,623,000
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VII of the
8 ESEA, \$1,333,603,000, of which \$1,194,233,000 shall be
9 for basic support payments under section 7003(b),
10 \$48,316,000 shall be for payments for children with dis-
11 abilities under section 7003(d), \$17,406,000, to remain
12 available for obligation through September 30, 2019, shall
13 be for construction under section 7007(b), \$68,813,000
14 shall be for Federal property payments under section
15 7002, and \$4,835,000, to remain available until expended,
16 shall be for facilities maintenance under section 7008:
17 *Provided*, That for purposes of computing the amount of
18 a payment for an eligible local educational agency under
19 section 7003(a) for school year 2017–2018, children en-
20 rolled in a school of such agency that would otherwise be
21 eligible for payment under section 7003(a)(1)(B) of such
22 Act, but due to the deployment of both parents or legal
23 guardians, or a parent or legal guardian having sole cus-
24 tody of such children, or due to the death of a military
25 parent or legal guardian while on active duty (so long as

1 such children reside on Federal property as described in
2 section 7003(a)(1)(B)), are no longer eligible under such
3 section, shall be considered as eligible students under such
4 section, provided such students remain in average daily
5 attendance at a school in the same local educational agen-
6 cy they attended prior to their change in eligibility status.

7 SCHOOL IMPROVEMENT PROGRAMS

8 For carrying out school improvement activities au-
9 thorized by part B of title I, subpart 1 of part A of title
10 IV, part B of title IV, part B of title V, and parts B and
11 C of title VI of the ESEA; the McKinney-Vento Homeless
12 Assistance Act; section 203 of the Educational Technical
13 Assistance Act of 2002; the Compact of Free Association
14 Amendments Act of 2003; and the Civil Rights Act of
15 1964, \$2,261,072,000 (increased by \$8,900,000) (in-
16 creased by \$100,000,000), of which \$2,121,940,000 (in-
17 creased by \$8,900,000) (increased by \$100,000,000) shall
18 become available on July 1, 2018, and remain available
19 through September 30, 2019, for academic year 2018–
20 2019: *Provided*, That \$369,100,000 (increased by
21 \$8,900,000) shall be for part B of title I: *Provided further*,
22 That \$1,000,000,000 (increased by \$100,000,000) shall
23 be for part B of title IV: *Provided further*, That
24 \$33,397,000 shall be for part B of title VI and may be
25 used for construction, renovation, and modernization of

1 any elementary school, secondary school, or structure re-
2 lated to an elementary school or secondary school, run by
3 the Department of Education of the State of Hawaii, that
4 serves a predominantly Native Hawaiian student body:
5 *Provided further*, That \$32,453,000 shall be for part C
6 of title VI and shall be awarded on a competitive basis,
7 and also may be used for construction: *Provided further*,
8 That \$50,000,000 shall be available to carry out section
9 203 of the Educational Technical Assistance Act of 2002
10 and the Secretary shall make such arrangements as deter-
11 mined to be necessary to ensure that the Bureau of Indian
12 Education has access to services provided under this sec-
13 tion: *Provided further*, That \$16,699,000 shall be available
14 to carry out the Supplemental Education Grants program
15 for the Federated States of Micronesia and the Republic
16 of the Marshall Islands: *Provided further*, That the Sec-
17 retary may reserve up to 5 percent of the amount referred
18 to in the previous proviso to provide technical assistance
19 in the implementation of these grants: *Provided further*,
20 That \$175,840,000 shall be for part B of title V: *Provided*
21 *further*, That \$500,000,000 (increased by
22 \$1,150,000,000) (reduced by \$1,150,000,000) shall be
23 available for grants under subpart 1 of part A of title IV.

1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent
3 not otherwise provided, title VI, part A of the ESEA,
4 \$164,939,000, of which \$57,993,000 shall be for subpart
5 2 of part A of title VI and \$6,565,000 shall be for subpart
6 3 of part A of title VI.

7 INNOVATION AND IMPROVEMENT

8 For carrying out activities authorized by subparts 1,
9 3 and 4 of part B of title II, and parts C and D and
10 subpart 4 of part F of title IV of the ESEA, \$747,904,000
11 (increased by \$10,000,000).

12 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

13 For carrying out activities authorized by subparts 2
14 and 3 of part F of title IV of the ESEA, \$138,000,000:
15 *Provided*, That \$68,000,000 shall be available for section
16 4631, of which up to \$5,000,000, to remain available until
17 expended, shall be for the Project School Emergency Re-
18 sponse to Violence (“Project SERV”) program: *Provided*
19 *further*, That \$10,000,000 shall be available for section
20 4625: *Provided further*, That \$60,000,000 shall be avail-
21 able through December 31, 2018, for section 4624: *Pro-*
22 *vided further*, That section 4623(b) of the ESEA shall
23 apply to funds appropriated for Promise Neighborhoods
24 under this heading in prior appropriations acts.

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,
4 2018, and shall remain available through September 30,
5 2019, except that 6.5 percent of such amount shall be
6 available on October 1, 2017, and shall remain available
7 through September 30, 2019, to carry out activities under
8 section 3111(c)(1)(C).

9 SPECIAL EDUCATION

10 For carrying out the Individuals with Disabilities
11 Education Act (IDEA) \$13,251,691,000, of which
12 \$1,864,818,000 shall become available on July 1, 2018,
13 and shall remain available through September 30, 2019,
14 and of which \$11,164,824,000 shall become available on
15 October 1, 2018, and shall remain available through Sep-
16 tember 30, 2019, for academic year 2018–2019: *Provided*,
17 That the amount for section 611(b)(2) of the IDEA shall
18 be equal to the lesser of the amount available for that ac-
19 tivity during fiscal year 2016, increased by the amount
20 of inflation as specified in section 619(d)(2)(B) of the
21 IDEA, or the percent change in the funds appropriated
22 under section 611(i) of the IDEA, but not less than the
23 amount for that activity during fiscal year 2016: *Provided*
24 *further*, That the Secretary shall, without regard to section
25 611(d) of the IDEA, distribute to all other States (as that

1 term is defined in section 611(g)(2)), subject to the third
2 proviso, any amount by which a State's allocation under
3 section 611, from funds appropriated under this heading,
4 is reduced under section 612(a)(18)(B), according to the
5 following: 85 percent on the basis of the States' relative
6 populations of children aged 3 through 21 who are of the
7 same age as children with disabilities for whom the State
8 ensures the availability of a free appropriate public edu-
9 cation under this part, and 15 percent to States on the
10 basis of the States' relative populations of those children
11 who are living in poverty: *Provided further*, That the Sec-
12 retary may not distribute any funds under the previous
13 proviso to any State whose reduction in allocation from
14 funds appropriated under this heading made funds avail-
15 able for such a distribution: *Provided further*, That the
16 States shall allocate such funds distributed under the sec-
17 ond proviso to local educational agencies in accordance
18 with section 611(f): *Provided further*, That the amount by
19 which a State's allocation under section 611(d) of the
20 IDEA is reduced under section 612(a)(18)(B) and the
21 amounts distributed to States under the previous provisos
22 in fiscal year 2012 or any subsequent year shall not be
23 considered in calculating the awards under section 611(d)
24 for fiscal year 2013 or for any subsequent fiscal years:
25 *Provided further*, That, notwithstanding the provision in

1 section 612(a)(18)(B) regarding the fiscal year in which
2 a State's allocation under section 611(d) is reduced for
3 failure to comply with the requirement of section
4 612(a)(18)(A), the Secretary may apply the reduction
5 specified in section 612(a)(18)(B) over a period of con-
6 secutive fiscal years, not to exceed five, until the entire
7 reduction is applied: *Provided further*, That the Secretary
8 may, in any fiscal year in which a State's allocation under
9 section 611 is reduced in accordance with section
10 612(a)(18)(B), reduce the amount a State may reserve
11 under section 611(e)(1) by an amount that bears the same
12 relation to the maximum amount described in that para-
13 graph as the reduction under section 612(a)(18)(B) bears
14 to the total allocation the State would have received in
15 that fiscal year under section 611(d) in the absence of the
16 reduction: *Provided further*, That the Secretary shall ei-
17 ther reduce the allocation of funds under section 611 for
18 any fiscal year following the fiscal year for which the State
19 fails to comply with the requirement of section
20 612(a)(18)(A) as authorized by section 612(a)(18)(B), or
21 seek to recover funds under section 452 of the General
22 Education Provisions Act (20 U.S.C. 1234a): *Provided*
23 *further*, That the funds reserved under 611(c) of the
24 IDEA may be used to provide technical assistance to
25 States to improve the capacity of the States to meet the

1 data collection requirements of sections 616 and 618 and
2 to administer and carry out other services and activities
3 to improve data collection, coordination, quality, and use
4 under parts B and C of the IDEA: *Provided further*, That
5 the Secretary may use funds made available for the State
6 Personnel Development Grants program under part D,
7 subpart 1 of IDEA to evaluate program performance
8 under such subpart.

9 REHABILITATION SERVICES

10 For carrying out, to the extent not otherwise pro-
11 vided, the Rehabilitation Act of 1973 and the Helen Keller
12 National Center Act, \$3,562,582,000, of which
13 \$3,452,931,000 shall be for grants for vocational rehabili-
14 tation services under title I of the Rehabilitation Act: *Pro-*
15 *vided*, That the Secretary may use amounts provided in
16 this Act that remain available subsequent to the reallocot-
17 ment of funds to States pursuant to section 110(b) of the
18 Rehabilitation Act for innovative activities aimed at im-
19 proving the outcomes of individuals with disabilities as de-
20 fined in section 7(20)(B) of the Rehabilitation Act, includ-
21 ing activities aimed at improving the education and post-
22 school outcomes of children receiving Supplemental Secu-
23 rity Income (“SSI”) and their families that may result
24 in long-term improvement in the SSI child recipient’s eco-
25 nomic status and self-sufficiency: *Provided further*, That

1 States may award subgrants for a portion of the funds
2 to other public and private, nonprofit entities: *Provided*
3 *further*, That any funds made available subsequent to real-
4 lotment for innovative activities aimed at improving the
5 outcomes of individuals with disabilities shall remain avail-
6 able until September 30, 2019.

7 SPECIAL INSTITUTIONS FOR PERSONS WITH
8 DISABILITIES

9 AMERICAN PRINTING HOUSE FOR THE BLIND

10 For carrying out the Act to promote the Education
11 of the Blind of March 3, 1879, \$26,431,000.

12 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

13 For the National Technical Institute for the Deaf
14 under titles I and II of the Education of the Deaf Act
15 of 1986, \$70,016,000: *Provided*, That from the total
16 amount available, the Institute may at its discretion use
17 funds for the endowment program as authorized under
18 section 207 of such Act.

19 GALLAUDET UNIVERSITY

20 For the Kendall Demonstration Elementary School,
21 the Model Secondary School for the Deaf, and the partial
22 support of Gallaudet University under titles I and II of
23 the Education of the Deaf Act of 1986, \$128,000,000:
24 *Provided*, That from the total amount available, the Uni-

1 versity may at its discretion use funds for the endowment
2 program as authorized under section 207 of such Act.

3 CAREER, TECHNICAL, AND ADULT EDUCATION

4 For carrying out, to the extent not otherwise pro-
5 vided, the Carl D. Perkins Career and Technical Edu-
6 cation Act of 2006 and the Adult Education and Family
7 Literacy Act (“AEFLA”), \$1,720,686,000, of which
8 \$929,686,000 shall become available on July 1, 2018, and
9 shall remain available through September 30, 2019, and
10 of which \$791,000,000 shall become available on October
11 1, 2018, and shall remain available through September 30,
12 2019: *Provided*, That of the amounts made available for
13 AEFLA, \$13,712,000 shall be for national leadership ac-
14 tivities under section 242.

15 STUDENT FINANCIAL ASSISTANCE

16 For carrying out subparts 1, 3, and 10 of part A,
17 and part C of title IV of the HEA, \$24,198,210,000,
18 which shall remain available through September 30, 2019.

19 The maximum Pell Grant for which a student shall
20 be eligible during award year 2018–2019 shall be \$4,860.

21 STUDENT AID ADMINISTRATION

22 For Federal administrative expenses to carry out part
23 D of title I, and subparts 1, 3, 9, and 10 of part A, and
24 parts B, C, D, and E of title IV of the HEA, and subpart
25 1 of part A of title VII of the Public Health Service Act,

1 \$1,697,711,000, to remain available through September
2 30, 2019.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-
5 vided, titles III, IV, V, VI, and VII of the HEA, and sec-
6 tion 117 of the Carl D. Perkins Career and Technical
7 Education Act of 2006, \$2,038,126,000: *Provided*, That
8 notwithstanding any other provision of law, funds made
9 available in this Act to carry out title VI of the HEA may
10 be used to support visits and study in foreign countries
11 by individuals who are participating in advanced foreign
12 language training and international studies in areas that
13 are vital to United States national security and who plan
14 to apply their language skills and knowledge of these coun-
15 tries in the fields of government, the professions, or inter-
16 national development: *Provided further*, That of the funds
17 referred to in the preceding proviso up to 1 percent may
18 be used for program evaluation, national outreach, and in-
19 formation dissemination activities: *Provided further*, That
20 up to 1.5 percent of the funds made available under chap-
21 ter 2 of subpart 2 of part A of title IV of the HEA may
22 be used for evaluation.

23 HOWARD UNIVERSITY

24 For partial support of Howard University,
25 \$221,821,000, of which not less than \$3,405,000 shall be

1 for a matching endowment grant pursuant to the Howard
2 University Endowment Act and shall remain available
3 until expended.

4 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
5 PROGRAM

6 For Federal administrative expenses to carry out ac-
7 tivities related to existing facility loans pursuant to section
8 121 of the HEA, \$434,000.

9 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
10 CAPITAL FINANCING PROGRAM ACCOUNT

11 For the cost of guaranteed loans, \$20,112,000, as au-
12 thorized pursuant to part D of title III of the HEA, which
13 shall remain available through September 30, 2019: *Pro-*
14 *vided*, That such costs, including the cost of modifying
15 such loans, shall be as defined in section 502 of the Con-
16 gressional Budget Act of 1974: *Provided further*, That
17 these funds are available to subsidize total loan principal,
18 any part of which is to be guaranteed, not to exceed
19 \$313,513,000: *Provided further*, That these funds may be
20 used to support loans to public and private Historically
21 Black Colleges and Universities without regard to the limi-
22 tations within section 344(a) of the HEA.

23 In addition, for administrative expenses to carry out
24 the Historically Black College and University Capital Fi-

1 nancing Program entered into pursuant to part D of title
2 III of the HEA, \$333,000.

3 INSTITUTE OF EDUCATION SCIENCES

4 For carrying out activities authorized by the Edu-
5 cation Sciences Reform Act of 2002, the National Assess-
6 ment of Educational Progress Authorization Act, section
7 208 of the Educational Technical Assistance Act of 2002,
8 and section 664 of the Individuals with Disabilities Edu-
9 cation Act, \$605,267,000, which shall remain available
10 through September 30, 2019: *Provided*, That funds avail-
11 able to carry out section 208 of the Educational Technical
12 Assistance Act may be used to link Statewide elementary
13 and secondary data systems with early childhood, postsec-
14 ondary, and workforce data systems, or to further develop
15 such systems: *Provided further*, That up to \$6,000,000 of
16 the funds available to carry out section 208 of the Edu-
17 cational Technical Assistance Act may be used for awards
18 to public or private organizations or agencies to support
19 activities to improve data coordination, quality, and use
20 at the local, State, and national levels.

21 DEPARTMENTAL MANAGEMENT

22 PROGRAM ADMINISTRATION

23 For carrying out, to the extent not otherwise pro-
24 vided, the Department of Education Organization Act, in-
25 cluding rental of conference rooms in the District of Co-

1 lumbia and hire of three passenger motor vehicles,
2 \$431,000,000 (reduced by \$14,232,847) (reduced by
3 \$8,900,000) (reduced by \$10,000,000) (reduced by
4 \$11,710,000) (reduced by \$100,000,000).

5 OFFICE FOR CIVIL RIGHTS

6 For expenses necessary for the Office for Civil
7 Rights, as authorized by section 203 of the Department
8 of Education Organization Act, \$108,500,000.

9 OFFICE OF INSPECTOR GENERAL

10 For expenses necessary for the Office of Inspector
11 General, as authorized by section 212 of the Department
12 of Education Organization Act, \$59,256,000.

13 GENERAL PROVISIONS

14 SEC. 301. No funds appropriated in this Act may be
15 used for the transportation of students or teachers (or for
16 the purchase of equipment for such transportation) in
17 order to overcome racial imbalance in any school or school
18 system, or for the transportation of students or teachers
19 (or for the purchase of equipment for such transportation)
20 in order to carry out a plan of racial desegregation of any
21 school or school system.

22 SEC. 302. None of the funds contained in this Act
23 shall be used to require, directly or indirectly, the trans-
24 portation of any student to a school other than the school
25 which is nearest the student's home, except for a student

1 representatives and the Senate are notified at least 15 days
2 in advance of any transfer.

3 SEC. 305. Section 105(f)(1)(B)(ix) of the Compact
4 of Free Association Amendments Act of 2003 (48 U.S.C.
5 1921d(f)(1)(B)(ix)) shall be applied by substituting
6 “2018” for “2017”.

7 SEC. 306. Funds appropriated in this Act and con-
8 solidated for evaluation purposes under section 8601(c) of
9 the ESEA shall be available from July 1, 2018, through
10 September 30, 2019.

11 SEC. 307. (a) An institution of higher education that
12 maintains an endowment fund supported with funds ap-
13 propriated for title III or V of the HEA for fiscal year
14 2018 may use the income from that fund to award schol-
15 arships to students, subject to the limitation in section
16 331(c)(3)(B)(i) of the HEA. The use of such income for
17 such purposes, prior to the enactment of this Act, shall
18 be considered to have been an allowable use of that in-
19 come, subject to that limitation.

20 (b) Subsection (a) shall be in effect until titles III
21 and V of the HEA are reauthorized.

22 SEC. 308. Section 114(f) of the HEA (20 U.S.C.
23 1011c(f)) is amended by striking “2017” and inserting
24 “2018”.

1 That such agreement shall contain such auditing, over-
2 sight, and reporting provisions as necessary to implement
3 chapter 85 of title 41, United States Code: *Provided fur-*
4 *ther*, That such agreement shall include the elements listed
5 under this heading in the explanatory statement accom-
6 panying Public Law 114–113: *Provided further*, That any
7 such central nonprofit agency may not charge a fee under
8 section 51–3.5 of title 41, Code of Federal Regulations,
9 unless such fee is under the terms of the written agree-
10 ment between the Committee and any such central non-
11 profit agency: *Provided further*, That no less than
12 \$1,250,000 shall be available for the Office of Inspector
13 General to remain available through September 30, 2019.

14 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
15 OPERATING EXPENSES

16 For necessary expenses for the Corporation for Na-
17 tional and Community Service (referred to in this title as
18 “CNCS”) to carry out the Domestic Volunteer Service Act
19 of 1973 (referred to in this title as “1973 Act”) and the
20 National and Community Service Act of 1990 (referred
21 to in this title as “1990 Act”), \$736,029,000, notwith-
22 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
23 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
24 amounts provided under this heading: (1) up to 1 percent
25 of program grant funds may be used to defray the costs

1 of conducting grant application reviews, including the use
2 of outside peer reviewers and electronic management of
3 the grants cycle; (2) \$16,538,000 shall be available to pro-
4 vide assistance to State commissions on national and com-
5 munity service, under section 126(a) of the 1990 Act and
6 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
7 \$30,000,000 shall be available to carry out subtitle E of
8 the 1990 Act; and (4) \$3,800,000 shall be available for
9 expenses authorized under section 501(a)(4)(F) of the
10 1990 Act, which, notwithstanding the provisions of section
11 198P shall be awarded by CNCS on a competitive basis:
12 *Provided further*, That for the purposes of carrying out
13 the 1990 Act, satisfying the requirements in section
14 122(c)(1)(D) may include a determination of need by the
15 local community.

16 PAYMENT TO THE NATIONAL SERVICE TRUST
17 (INCLUDING TRANSFER OF FUNDS)

18 For payment to the National Service Trust estab-
19 lished under subtitle D of title I of the 1990 Act,
20 \$206,842,000, to remain available until expended: *Pro-*
21 *vided*, That CNCS may transfer additional funds from the
22 amount provided within “Operating Expenses” allocated
23 to grants under subtitle C of title I of the 1990 Act to
24 the National Service Trust upon determination that such
25 transfer is necessary to support the activities of national

1 service participants and after notice is transmitted to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate: *Provided further*, That amounts ap-
4 propriated for or transferred to the National Service Trust
5 may be invested under section 145(b) of the 1990 Act
6 without regard to the requirement to apportion funds
7 under 31 U.S.C. 1513(b).

8 SALARIES AND EXPENSES

9 For necessary expenses of administration as provided
10 under section 501(a)(5) of the 1990 Act and under section
11 504(a) of the 1973 Act, including payment of salaries, au-
12 thorized travel, hire of passenger motor vehicles, the rental
13 of conference rooms in the District of Columbia, the em-
14 ployment of experts and consultants authorized under 5
15 U.S.C. 3109, and not to exceed \$2,500 for official recep-
16 tion and representation expenses, \$81,737,000.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General in carrying out the Inspector General Act of 1978,
20 \$5,750,000.

21 ADMINISTRATIVE PROVISIONS

22 SEC. 401. CNCS shall make any significant changes
23 to program requirements, service delivery or policy only
24 through public notice and comment rulemaking. For fiscal
25 year 2018, during any grant selection process, an officer

1 or employee of CNCS shall not knowingly disclose any cov-
2 ered grant selection information regarding such selection,
3 directly or indirectly, to any person other than an officer
4 or employee of CNCS that is authorized by CNCS to re-
5 ceive such information.

6 SEC. 402. AmeriCorps programs receiving grants
7 under the National Service Trust program shall meet an
8 overall minimum share requirement of 24 percent for the
9 first 3 years that they receive AmeriCorps funding, and
10 thereafter shall meet the overall minimum share require-
11 ment as provided in section 2521.60 of title 45, Code of
12 Federal Regulations, without regard to the operating costs
13 match requirement in section 121(e) or the member sup-
14 port Federal share limitations in section 140 of the 1990
15 Act, and subject to partial waiver consistent with section
16 2521.70 of title 45, Code of Federal Regulations.

17 SEC. 403. Donations made to CNCS under section
18 196 of the 1990 Act for the purposes of financing pro-
19 grams and operations under titles I and II of the 1973
20 Act or subtitle B, C, D, or E of title I of the 1990 Act
21 shall be used to supplement and not supplant current pro-
22 grams and operations.

23 SEC. 404. In addition to the requirements in section
24 146(a) of the 1990 Act, use of an educational award for
25 the purpose described in section 148(a)(4) shall be limited

1 to individuals who are veterans as defined under section
2 101 of the Act.

3 SEC. 405. For the purpose of carrying out section
4 189D of the 1990 Act—

5 (1) entities described in paragraph (a) of such
6 section shall be considered “qualified entities” under
7 section 3 of the National Child Protection Act of
8 1993 (“NCPA”);

9 (2) individuals described in such section shall
10 be considered “volunteers” under section 3 of
11 NCPA; and

12 (3) State Commissions on National and Com-
13 munity Service established pursuant to section 178
14 of the 1990 Act, are authorized to receive criminal
15 history record information, consistent with Public
16 Law 92–544.

17 CORPORATION FOR PUBLIC BROADCASTING

18 For payment to the Corporation for Public Broad-
19 casting (“CPB”), as authorized by the Communications
20 Act of 1934, an amount which shall be available within
21 limitations specified by that Act, for the fiscal year 2020,
22 \$445,000,000: *Provided*, That none of the funds made
23 available to CPB by this Act shall be used to pay for re-
24 ceptions, parties, or similar forms of entertainment for
25 Government officials or employees: *Provided further*, That

1 none of the funds made available to CPB by this Act shall
2 be available or used to aid or support any program or ac-
3 tivity from which any person is excluded, or is denied ben-
4 efits, or is discriminated against, on the basis of race,
5 color, national origin, religion, or sex: *Provided further*,
6 That none of the funds made available to CPB by this
7 Act shall be used to apply any political test or qualification
8 in selecting, appointing, promoting, or taking any other
9 personnel action with respect to officers, agents, and em-
10 ployees of CPB: *Provided further*, That none of the funds
11 made available to CPB by this Act shall be used to support
12 the Television Future Fund or any similar purpose.

13 FEDERAL MEDIATION AND CONCILIATION SERVICE

14 SALARIES AND EXPENSES

15 For expenses necessary for the Federal Mediation
16 and Conciliation Service (“Service”) to carry out the func-
17 tions vested in it by the Labor-Management Relations Act,
18 1947, including hire of passenger motor vehicles; for ex-
19 penses necessary for the Labor-Management Cooperation
20 Act of 1978; and for expenses necessary for the Service
21 to carry out the functions vested in it by the Civil Service
22 Reform Act, \$46,650,000, including up to \$900,000 to re-
23 main available through September 30, 2019, for activities
24 authorized by the Labor-Management Cooperation Act of
25 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,

1 fees charged, up to full-cost recovery, for special training
2 activities and other conflict resolution services and tech-
3 nical assistance, including those provided to foreign gov-
4 ernments and international organizations, and for arbitra-
5 tion services shall be credited to and merged with this ac-
6 count, and shall remain available until expended: *Provided*
7 *further*, That fees for arbitration services shall be available
8 only for education, training, and professional development
9 of the agency workforce: *Provided further*, That the Direc-
10 tor of the Service is authorized to accept and use on behalf
11 of the United States gifts of services and real, personal,
12 or other property in the aid of any projects or functions
13 within the Director's jurisdiction.

14 FEDERAL MINE SAFETY AND HEALTH REVIEW

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mine Safety
18 and Health Review Commission, \$17,134,000.

19 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

20 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

21 AND ADMINISTRATION

22 For carrying out the Museum and Library Services
23 Act of 1996 and the National Museum of African Amer-
24 ican History and Culture Act, \$231,000,000.

1 tions, hearings, directives, or orders concerning bargaining
2 units composed of agricultural laborers as referred to in
3 section 2(3) of the Act of July 5, 1935, and as amended
4 by the Labor-Management Relations Act, 1947, and as de-
5 fined in section 3(f) of the Act of June 25, 1938, and
6 including in said definition employees engaged in the
7 maintenance and operation of ditches, canals, reservoirs,
8 and waterways when maintained or operated on a mutual,
9 nonprofit basis and at least 95 percent of the water stored
10 or supplied thereby is used for farming purposes.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 406. None of the funds provided by this Act
13 or previous Acts making appropriations for the National
14 Labor Relations Board may be used to issue any new ad-
15 ministrative directive or regulation that would provide em-
16 ployees any means of voting through any electronic means
17 in an election to determine a representative for the pur-
18 poses of collective bargaining.

19 SEC. 407. (a) None of the funds made available by
20 this Act may be used to enforce the National Labor Rela-
21 tions Act (29 U.S.C. 152) against any Indian Tribe, in-
22 cluding any enterprise or institution owned and operated
23 by an Indian Tribe and located on its Indian lands.

24 (b) For purposes of this section—

1 (1) the term “Indian Tribe” means any Indian
2 Tribe, band, nation, pueblo, Native Alaskan group,
3 or other organized group or community which is rec-
4 ognized as eligible for the special programs and serv-
5 ices provided by the United States to Indians be-
6 cause of their status as Indians;

7 (2) the term “Indian” means any individual
8 who is a member of an Indian Tribe; and

9 (3) the term “Indian lands’ ” means—

10 (A) all lands within the limits of any In-
11 dian reservation;

12 (B) any lands title to which is either held
13 in trust by the United States for the benefit of
14 any Indian Tribe or individual or held by any
15 Indian Tribe or individual subject to restriction
16 by the United States against alienation; and

17 (C) any lands in the State of Oklahoma
18 that are within the boundaries of a former res-
19 ervation (as defined by the Secretary of the In-
20 terior) of a federally recognized Indian Tribe.

21 SEC. 408. None of the funds made available by this
22 Act may be used to issue, enforce, or litigate any adminis-
23 trative directive, regulation, representation issue, or unfair
24 labor practice proceeding, or any other administrative
25 complaint, charge, claim, or proceeding based on the

1 standard for determining whether entities are “joint em-
2 ployers” set forth by the National Labor Relations Board
3 in *Browning-Ferris Industries of California, Inc.*, 362
4 NLRB No. 186 (August 27, 2015).

5 SEC. 409. None of the funds made available by this
6 Act may be used to—

7 (1) implement, create, apply, or enforce through
8 prosecution, adjudication, rulemaking, or the issuing
9 of any interpretation, opinion, certification, decision,
10 or policy, any standard for initial bargaining unit
11 determinations that conflicts with the standard ar-
12 ticulated in the majority opinion in *Wheeling Island*
13 *Gaming Inc. and United Food and Commercial*
14 *Workers International Union, Local 23*, 355 NLRB
15 127 (August 27, 2010) (including the majority opin-
16 ion in footnote 2), except for unit determinations
17 governed by section 103.30 of title 34, Code of Fed-
18 eral Regulations, for employers covered by such sec-
19 tion; or

20 (2) implement, create, apply, or enforce through
21 prosecution, adjudication, rulemaking, or the issuing
22 of any interpretation, opinion, certification, decision,
23 or policy, any standard for initial bargaining unit
24 determinations that utilize the overwhelming com-
25 munity of interest test except in accretion cases.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, including emergency boards ap-
5 pointed by the President, \$13,500,000.

6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

7 COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Occupational Safety
10 and Health Review Commission, \$12,875,000.

11 RAILROAD RETIREMENT BOARD

12 DUAL BENEFITS PAYMENTS ACCOUNT

13 For payment to the Dual Benefits Payments Ac-
14 count, authorized under section 15(d) of the Railroad Re-
15 tirement Act of 1974, \$22,000,000, which shall include
16 amounts becoming available in fiscal year 2018 pursuant
17 to section 224(c)(1)(B) of Public Law 98–76; and in addi-
18 tion, an amount, not to exceed 2 percent of the amount
19 provided herein, shall be available proportional to the
20 amount by which the product of recipients and the average
21 benefit received exceeds the amount available for payment
22 of vested dual benefits: *Provided*, That the total amount
23 provided herein shall be credited in 12 approximately
24 equal amounts on the first day of each month in the fiscal
25 year.

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT
2 ACCOUNTS

3 For payment to the accounts established in the
4 Treasury for the payment of benefits under the Railroad
5 Retirement Act for interest earned on unnegotiated
6 checks, \$150,000, to remain available through September
7 30, 2019, which shall be the maximum amount available
8 for payment pursuant to section 417 of Public Law 98–
9 76.

10 LIMITATION ON ADMINISTRATION

11 For necessary expenses for the Railroad Retirement
12 Board (“Board”) for administration of the Railroad Re-
13 tirement Act and the Railroad Unemployment Insurance
14 Act, \$113,500,000, to be derived in such amounts as de-
15 termined by the Board from the railroad retirement ac-
16 counts and from moneys credited to the railroad unem-
17 ployment insurance administration fund: *Provided*, That
18 notwithstanding section 7(b)(9) of the Railroad Retire-
19 ment Act this limitation may be used to hire attorneys
20 only through the excepted service: *Provided further*, That
21 the previous proviso shall not change the status under
22 Federal employment laws of any attorney hired by the
23 Railroad Retirement Board prior to January 1, 2013.

1 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General for audit, investigatory and review activities, as
4 authorized by the Inspector General Act of 1978, not more
5 than \$10,000,000, to be derived from the railroad retire-
6 ment accounts and railroad unemployment insurance ac-
7 count.

8 SOCIAL SECURITY ADMINISTRATION

9 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10 For payment to the Federal Old-Age and Survivors
11 Insurance Trust Fund and the Federal Disability Insur-
12 ance Trust Fund, as provided under sections 201(m) and
13 1131(b)(2) of the Social Security Act, \$11,400,000.

14 SUPPLEMENTAL SECURITY INCOME PROGRAM

15 For carrying out titles XI and XVI of the Social Se-
16 curity Act, section 401 of Public Law 92–603, section 212
17 of Public Law 93–66, as amended, and section 405 of
18 Public Law 95–216, including payment to the Social Secu-
19 rity trust funds for administrative expenses incurred pur-
20 suant to section 201(g)(1) of the Social Security Act,
21 \$38,591,635,000, to remain available until expended: *Pro-*
22 *vided*, That any portion of the funds provided to a State
23 in the current fiscal year and not obligated by the State
24 during that year shall be returned to the Treasury: *Pro-*
25 *vided further*, That not more than \$101,000,000 shall be

1 available for research and demonstrations under sections
2 1110, 1115, and 1144 of the Social Security Act, and re-
3 main available through September 30, 2020.

4 For making, after June 15 of the current fiscal year,
5 benefit payments to individuals under title XVI of the So-
6 cial Security Act, for unanticipated costs incurred for the
7 current fiscal year, such sums as may be necessary.

8 For making benefit payments under title XVI of the
9 Social Security Act for the first quarter of fiscal year
10 2019, \$19,500,000,000, to remain available until ex-
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire of two pas-
14 senger motor vehicles, and not to exceed \$20,000 for offi-
15 cial reception and representation expenses, not more than
16 \$12,273,945,000 may be expended, as authorized by sec-
17 tion 201(g)(1) of the Social Security Act, from any one
18 or all of the trust funds referred to in such section: *Pro-*
19 *vided*, That not less than \$2,300,000 shall be for the So-
20 cial Security Advisory Board: *Provided further*, That unob-
21 ligated balances of funds provided under this paragraph
22 at the end of fiscal year 2018 not needed for fiscal year
23 2018 shall remain available until expended to invest in the
24 Social Security Administration information technology
25 and telecommunications hardware and software infra-

1 structure, including related equipment and non-payroll ad-
2 ministrative expenses associated solely with this informa-
3 tion technology and telecommunications infrastructure:
4 *Provided further*, That the Commissioner of Social Secu-
5 rity shall notify the Committees on Appropriations of the
6 House of Representatives and the Senate prior to making
7 unobligated balances available under the authority in the
8 previous proviso: *Provided further*, That reimbursement to
9 the trust funds under this heading for expenditures for
10 official time for employees of the Social Security Adminis-
11 tration pursuant to 5 U.S.C. 7131, and for facilities or
12 support services for labor organizations pursuant to poli-
13 cies, regulations, or procedures referred to in section
14 7135(b) of such title shall be made by the Secretary of
15 the Treasury, with interest, from amounts in the general
16 fund not otherwise appropriated, as soon as possible after
17 such expenditures are made.

18 Of the total amount made available under this head-
19 ing, not more than \$1,735,000,000, to remain available
20 through March 31, 2019, is for the costs associated with
21 continuing disability reviews under titles II and XVI of
22 the Social Security Act, including work-related continuing
23 disability reviews to determine whether earnings derived
24 from services demonstrate an individual's ability to engage
25 in substantial gainful activity, for the cost associated with

1 conducting redeterminations of eligibility under title XVI
2 of the Social Security Act, for the cost of co-operative dis-
3 ability investigation units, and for the cost associated with
4 the prosecution of fraud in the programs and operations
5 of the Social Security Administration by Special Assistant
6 United States Attorneys: *Provided*, That, of such amount,
7 \$273,000,000 is provided to meet the terms of section
8 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985, as amended, and
10 \$1,462,000,000 is additional new budget authority speci-
11 fied for purposes of section 251(b)(2)(B) of such Act: *Pro-*
12 *vided further*, That the Commissioner shall provide to the
13 Congress (at the conclusion of the fiscal year) a report
14 on the obligation and expenditure of these funds, similar
15 to the reports that were required by section 103(d)(2) of
16 Public Law 104–121 for fiscal years 1996 through 2002.

17 In addition, \$118,000,000 to be derived from admin-
18 istration fees in excess of \$5.00 per supplementary pay-
19 ment collected pursuant to section 1616(d) of the Social
20 Security Act or section 212(b)(3) of Public Law 93–66,
21 which shall remain available until expended. To the extent
22 that the amounts collected pursuant to such sections in
23 fiscal year 2018 exceed \$118,000,000, the amounts shall
24 be available in fiscal year 2019 only to the extent provided
25 in advance 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
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$30,000,000, together with not to
10 exceed \$75,500,000, to be transferred and expended as
11 authorized by section 201(g)(1) of the Social Security Act
12 from the Federal Old-Age and Survivors Insurance Trust
13 Fund and the Federal Disability Insurance Trust Fund.

14 In addition, an amount not to exceed 3 percent of
15 the 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 trans-
20 fers shall be transmitted promptly to the Committees on
21 Appropriations of the House of Representatives and the
22 Senate 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
16 Public Law 111–148 shall be used, other than for normal
17 and recognized executive-legislative relationships, for pub-
18 licity or propaganda purposes, for the preparation, dis-
19 tribution, or use of any kit, pamphlet, booklet, publication,
20 electronic communication, radio, television, or video pres-
21 entation designed to support or defeat the enactment of
22 legislation before the Congress or any State or local legis-
23 lature or legislative body, except in presentation to the
24 Congress or any State or local legislature itself, or de-
25 signed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

1 SEC. 504. The Secretaries of Labor and Education
2 are authorized to make available not to exceed \$28,000
3 and \$20,000, respectively, from funds available for sala-
4 ries and expenses under titles I and III, respectively, for
5 official reception and representation expenses; the Direc-
6 tor of the Federal Mediation and Conciliation Service is
7 authorized to make available for official reception and rep-
8 resentation expenses not to exceed \$5,000 from the funds
9 available for “Federal Mediation and Conciliation Service,
10 Salaries and Expenses”; and the Chairman of the Na-
11 tional Mediation Board is authorized to make available for
12 official reception and representation expenses not to ex-
13 ceed \$5,000 from funds available for “National Mediation
14 Board, Salaries and Expenses”.

15 SEC. 505. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state—

22 (1) the percentage of the total costs of the pro-
23 gram or project which will be financed with Federal
24 money;

1 (2) the dollar amount of Federal funds for the
2 project or program; and

3 (3) percentage and dollar amount of the total
4 costs of the project or program that will be financed
5 by non-governmental sources.

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any abortion.

10 (b) None of the funds appropriated in this Act, and
11 none of the funds in any trust fund to which funds are
12 appropriated in this Act, shall be expended for health ben-
13 efits coverage that includes coverage of abortion.

14 (c) The term “health benefits coverage” means the
15 package of services covered by a managed care provider
16 or organization pursuant to a contract or other arrange-
17 ment.

18 SEC. 507. (a) The limitations established in the pre-
19 ceding section shall not apply to an abortion—

20 (1) if the pregnancy is the result of an act of
21 rape or incest; or

22 (2) in the case where a woman suffers from a
23 physical disorder, physical injury, or physical illness,
24 including a life-endangering physical condition
25 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-
4 strued as prohibiting the expenditure by a State, locality,
5 entity, or private person of State, local, or private funds
6 (other than a State's or locality's contribution of Medicaid
7 matching funds).

8 (c) Nothing in the preceding section shall be con-
9 strued as restricting the ability of any managed care pro-
10 vider from offering abortion coverage or the ability of a
11 State or locality to contract separately with such a pro-
12 vider for such coverage with State funds (other than a
13 State's or locality's contribution of Medicaid matching
14 funds).

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"
23 includes an individual physician or other health care pro-
24 fessional, a hospital, a provider-sponsored organization, a
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or
2 plan.

3 SEC. 508. (a) None of the funds made available in
4 this Act may be used for—

5 (1) the creation of a human embryo or embryos
6 for research purposes; or

7 (2) research in which a human embryo or em-
8 bryos are destroyed, discarded, or knowingly sub-
9 jected to risk of injury or death greater than that
10 allowed for research on fetuses in utero under 45
11 CFR 46.204(b) and section 498(b) of the Public
12 Health Service Act (42 U.S.C. 289g(b)).

13 (b) For purposes of this section, the term “human
14 embryo or embryos” includes any organism, not protected
15 as a human subject under 45 CFR 46 as of the date of
16 the enactment of this Act, that is derived by fertilization,
17 parthenogenesis, cloning, or any other means from one or
18 more human gametes or human diploid cells.

19 SEC. 509. (a) None of the funds made available in
20 this Act may be used for any activity that promotes the
21 legalization of any drug or other substance included in
22 schedule I of the schedules of controlled substances estab-
23 lished under section 202 of the Controlled Substances Act
24 except for normal and recognized executive-congressional
25 communications.

1 (b) The limitation in subsection (a) shall not apply
2 when there is significant medical evidence of a therapeutic
3 advantage to the use of such drug or other substance or
4 that federally sponsored clinical trials are being conducted
5 to determine therapeutic advantage.

6 SEC. 510. None of the funds made available in this
7 Act may be used to promulgate or adopt any final stand-
8 ard under section 1173(b) of the Social Security Act pro-
9 viding for, or providing for the assignment of, a unique
10 health identifier for an individual (except in an individ-
11 ual's capacity as an employer or a health care provider),
12 until legislation is enacted specifically approving the
13 standard.

14 SEC. 511. None of the funds made available in this
15 Act may be obligated or expended to enter into or renew
16 a contract with an entity if—

17 (1) such entity is otherwise a contractor with
18 the United States and is subject to the requirement
19 in 38 U.S.C. 4212(d) regarding submission of an
20 annual report to the Secretary of Labor concerning
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as
23 required by that section for the most recent year for
24 which such requirement was applicable to such enti-
25 ty.

1 SEC. 512. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government, except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 513. None of the funds made available by this
7 Act to carry out the Library Services and Technology Act
8 may be made available to any library covered by para-
9 graph (1) of section 224(f) of such Act, as amended by
10 the Children’s Internet Protection Act, unless such library
11 has made the certifications required by paragraph (4) of
12 such section.

13 SEC. 514. (a) None of the funds provided under this
14 Act, or provided under previous appropriations Acts to the
15 agencies funded by this Act that remain available for obli-
16 gation or expenditure in fiscal year 2018, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted;

1 (4) relocates an office or employees;

2 (5) reorganizes or renames offices;

3 (6) reorganizes programs or activities; or

4 (7) contracts out or privatizes any functions or
5 activities presently performed by Federal employees;

6 unless the Committees on Appropriations of the House of
7 Representatives and the Senate are consulted 15 days in
8 advance of such reprogramming or of an announcement
9 of intent relating to such reprogramming, whichever oc-
10 curs earlier, and are notified in writing 10 days in advance
11 of such reprogramming.

12 (b) None of the funds provided under this Act, or
13 provided under previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in fiscal year 2018, or provided from any
16 accounts in the Treasury of the United States derived by
17 the collection of fees available to the agencies funded by
18 this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds in excess of \$500,000
20 or 10 percent, whichever is less, that—

21 (1) augments existing programs, projects (in-
22 cluding construction projects), or activities;

23 (2) reduces by 10 percent funding for any exist-
24 ing program, project, or activity, or numbers of per-
25 sonnel by 10 percent as approved by Congress; or

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement
8 of intent relating to such reprogramming, whichever oc-
9 curs earlier, and are notified in writing 10 days in advance
10 of such reprogramming.

11 SEC. 515. (a) None of the funds made available in
12 this Act may be used to request that a candidate for ap-
13 pointment to a Federal scientific advisory committee dis-
14 close the political affiliation or voting history of the can-
15 didate or the position that the candidate holds with re-
16 spect to political issues not directly related to and nec-
17 essary for the work of the committee involved.

18 (b) None of the funds made available in this Act may
19 be used to disseminate information that is deliberately
20 false or misleading.

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2018 that are different than those specified

1 in this Act, the accompanying detailed table in the com-
2 mittee report accompanying this Act, or the fiscal year
3 2018 budget request.

4 SEC. 517. The Secretaries of Labor, Health and
5 Human Services, and Education shall each prepare and
6 submit to the Committees on Appropriations of the House
7 of Representatives and the Senate a report on the number
8 and amount of contracts, grants, and cooperative agree-
9 ments exceeding \$500,000 in value and awarded by the
10 Department on a non-competitive basis during each quar-
11 ter of fiscal year 2018, but not to include grants awarded
12 on a formula basis or directed by law. Such report shall
13 include the name of the contractor or grantee, the amount
14 of funding, the governmental purpose, including a jus-
15 tification for issuing the award on a non-competitive basis.
16 Such report shall be transmitted to the Committees within
17 30 days after the end of the quarter for which the report
18 is submitted.

19 SEC. 518. None of the funds appropriated in this Act
20 shall be expended or obligated by the Commissioner of So-
21 cial Security, for purposes of administering Social Security
22 benefit payments under title II of the Social Security Act,
23 to process any claim for credit for a quarter of coverage
24 based on work performed under a social security account
25 number that is not the claimant's number and the per-

1 formance of such work under such number has formed the
2 basis for a conviction of the claimant of a violation of sec-
3 tion 208(a)(6) or (7) of the Social Security Act.

4 SEC. 519. None of the funds appropriated by this Act
5 may be used by the Commissioner of Social Security or
6 the Social Security Administration to pay the compensa-
7 tion of employees of the Social Security Administration
8 to administer Social Security benefit payments, under any
9 agreement between the United States and Mexico estab-
10 lishing totalization arrangements between the social secu-
11 rity system established by title II of the Social Security
12 Act and the social security system of Mexico, which would
13 not otherwise be payable but for such agreement.

14 SEC. 520. Notwithstanding any other provision of
15 this Act, no funds appropriated in this Act shall be used
16 to purchase sterile needles or syringes for the hypodermic
17 injection of any illegal drug: *Provided*, That such limita-
18 tion does not apply to the use of funds for elements of
19 a program other than making such purchases if the rel-
20 evant State or local health department, in consultation
21 with the Centers for Disease Control and Prevention, de-
22 termines that the State or local jurisdiction, as applicable,
23 is experiencing, or is at risk for, a significant increase in
24 hepatitis infections or an HIV outbreak due to injection

1 drug use, and such program is operating in accordance
2 with State and local law.

3 SEC. 521. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

11 SEC. 522. None of the funds made available under
12 this or any other Act, or any prior Appropriations Act,
13 may be provided to the Association of Community Organi-
14 zations for Reform Now (ACORN), or any of its affiliates,
15 subsidiaries, allied organizations, or successors.

16 SEC. 523. For purposes of carrying out Executive
17 Order No. 13589, Office of Management and Budget
18 Memorandum M-12-12 dated May 11, 2012, and require-
19 ments contained in the annual appropriations bills relating
20 to conference attendance and expenditures:

21 (1) the operating divisions of HHS shall be con-
22 sidered independent agencies; and

23 (2) attendance at and support for scientific con-
24 ferences shall be tabulated separately from and not
25 included in agency totals.

1 SEC. 524. Federal agencies funded under this Act
2 shall clearly state within the text, audio, or video used for
3 advertising or educational purposes, including emails or
4 Internet postings, that the communication is printed, pub-
5 lished, or produced and disseminated at U.S. taxpayer ex-
6 pense. The funds used by a Federal agency to carry out
7 this requirement shall be derived from amounts made
8 available to the agency for advertising or other commu-
9 nications regarding the programs and activities of the
10 agency.

11 SEC. 525. (a) Federal agencies may use Federal dis-
12 cretionary funds that are made available in this Act to
13 carry out up to 10 Performance Partnership Pilots. Such
14 Pilots shall be governed by the provisions of section 526
15 of division H of Public Law 113–76, except that in car-
16 rying out such Pilots section 526 shall be applied by sub-
17 stituting “FISCAL YEAR 2018” for “FISCAL YEAR 2014”
18 in the title of subsection (b) and by substituting “Sep-
19 tember 30, 2022” for “September 30, 2018” each place
20 it appears: *Provided*, That such pilots shall include com-
21 munities that have experienced civil unrest.

22 (b) In addition, Federal agencies may use Federal
23 discretionary funds that are made available in this Act to
24 participate in Performance Partnership Pilots that are
25 being carried out pursuant to the authority provided by

1 section 526 of division H of Public Law 113–76, section
2 524 of division G of Public Law 113–235, and section 525
3 of division H of Public Law 114–113.

4 (c) Pilot sites selected under authorities in this Act
5 and prior appropriations Acts may be granted by relevant
6 agencies up to an additional 5 years to operate under such
7 authorities.

8 SEC. 526. Not later than 30 days after the end of
9 each calendar quarter, beginning with the first quarter of
10 fiscal year 2013, the Departments of Labor, Health and
11 Human Services and Education and the Social Security
12 Administration shall provide the Committees on Appro-
13 priations of the House of Representatives and Senate a
14 quarterly report on the status of balances of appropria-
15 tions: *Provided*, That for balances that are unobligated
16 and uncommitted, committed, and obligated but unex-
17 pended, the quarterly reports shall separately identify the
18 amounts attributable to each source year of appropriation
19 (beginning with fiscal year 2012, or, to the extent feasible,
20 earlier fiscal years) from which balances were derived.

21 SEC. 527. None of the funds made available in this
22 Act may be used to implement, administer, enforce, or fur-
23 ther any provision of Public Law 111–148 or title I or
24 subtitle B of title II of Public Law 111–152 and the
25 amendment made by such provision: *Provided*, That funds

1 in this Act may be used to implement, administer, enforce,
2 or further the rate setting process for calendar year 2018
3 and fiscal year 2019 for Medicare under title XVIII of
4 the Social Security Act: *Provided further*, That funds in
5 this Act may be used to implement, administer, enforce,
6 or further the final rules for the provisions of (and amend-
7 ments made by) sections 2501(c), 2501(d), and 2503 of
8 Public Law 111–148, as amended by sections 1206(a) and
9 1101(c) of Public Law 111–152, insofar as each respective
10 rule relates to calendar year 2018.

11 SEC. 528. None of the funds made available by this
12 Act may be used to conduct or support research using
13 human fetal tissue if such tissue is obtained pursuant to
14 an induced abortion.

15 SEC. 529 (a) IN GENERAL.—Notwithstanding any
16 other provision of law, none of the funds made available
17 by this Act may be made available either directly, through
18 a State (including through managed care contracts with
19 a State), or through any other means, to a prohibited enti-
20 ty.

21 (b) PROHIBITED ENTITY.—The term “prohibited en-
22 tity” means an entity, including its affiliates, subsidiaries,
23 successors, and clinics—

24 (1) that, as of the date of enactment of this
25 Act—

1 (A) is an organization described in section
2 501(c)(3) of the Internal Revenue Code of 1986
3 and exempt from taxation under section 501(a)
4 of such Code;

5 (B) is an essential community provider de-
6 scribed in section 156.235 of title 45, Code of
7 Federal Regulations (as in effect on the date of
8 enactment of this Act), that is primarily en-
9 gaged in family planning services, reproductive
10 health, and related medical care; and

11 (C) performs, or provides any funds to any
12 other entity that performs abortions, other than
13 an abortion performed—

14 (i) in the case of a pregnancy that is
15 the result of an act of rape or incest; or

16 (ii) in the case where a woman suffers
17 from a physical disorder, physical injury,
18 or physical illness that would, as certified
19 by a physician, place the woman in danger
20 of death unless an abortion is performed,
21 including a life endangering physical condi-
22 tion caused by, or arising from, the preg-
23 nancy itself; and

24 (2) for which the total amount of Federal
25 grants to such entity, including grants to any affili-

1 year 2018 under section 2104(n)(2) of the Social Security
2 Act and the income derived from investment of those
3 funds pursuant to section 2104(n)(2)(C) of that Act, shall
4 not be available for obligation in this fiscal year.

5 (RESCISSION)

6 SEC. 533. Of the unobligated balances of amounts ap-
7 propriated under section 1101(g) of Public Law 111–148
8 (42 U.S.C. 18001(g)), \$323,000,000 is rescinded.

9 (RESCISSION)

10 SEC. 534. Of the funds made available for purposes
11 of carrying out section 2105(a)(3) of the Social Security
12 Act, \$88,613,000 are hereby rescinded.

13 (RESCISSION)

14 SEC. 535. Of any available amounts appropriated
15 under section 301(b)(3) of Public Law 114–10,
16 \$3,945,905,000 are hereby rescinded.

17 SEC. 536. (a) This section may be cited as the “Con-
18 science Protection Act of 2017”.

19 (b) Congress finds as follows:

20 (1) Thomas Jefferson stated a conviction com-
21 mon to our Nation’s founders when he declared in
22 1809 that “[n]o provision in our Constitution ought
23 to be dearer to man than that which protects the
24 rights of conscience against the enterprises of the
25 civil authority”.

1 (2) In 1973, the Supreme Court concluded that
2 the government must leave the abortion decision “to
3 the medical judgment of the pregnant woman’s at-
4 tending physician”, recognizing that a physician may
5 choose not to participate in abortion. *Roe v. Wade*,
6 410 U.S. 113, 164 (1973). The Court cited with ap-
7 proval a policy that “neither physician, hospital, nor
8 hospital personnel shall be required to perform any
9 act violative of personally-held moral principles”,
10 410 U.S. at 143 n. 38, and cited State laws uphold-
11 ing this principle. *Doe v. Bolton*, 410 U.S. 179,
12 197–8 (1973).

13 (3) Congress’s enactments to protect this right
14 of conscience in health care include the Church
15 amendment of 1973 (42 U.S.C. 300a–7), the Coats/
16 Snowe amendment of 1996 (42 U.S.C. 238n), and
17 the Weldon amendment approved by Congresses and
18 Presidents of both parties every year since 2004.

19 (4) None of these laws explicitly provides a
20 “private right of action” so victims of discrimination
21 can defend their conscience rights in court, and ad-
22 ministrative enforcement by the Department of
23 Health and Human Services Office for Civil Rights
24 has been lax, at times allowing cases to languish for
25 years without resolution.

1 (5) Defying the Federal Weldon amendment,
2 California's Department of Managed Health Care
3 has mandated coverage for all elective abortions in
4 all health plans under its jurisdiction. Other States
5 such as New York and Washington have taken or
6 considered similar action, and some States may go
7 farther to require all physicians and hospitals to pro-
8 vide or facilitate abortions. On June 21, 2016, the
9 Obama Administration concluded a nearly two-year
10 investigation of this matter by determining that
11 California's decision to require insurance plans
12 under the California Department for Managed
13 Health Care authority to cover all legal abortion
14 services did not violate the Weldon amendment.
15 Until the new Administration is able to reverse this
16 finding, individuals will have to choose between ig-
17 noring their conscience or forgoing health care cov-
18 erage.

19 (6) The vast majority of medical professionals
20 do not perform abortions, with 86 percent of ob/gyns
21 unwilling to provide them in a recent study (Obstet-
22 rics & Gynecology, Sept. 2011) and the great major-
23 ity of hospitals choosing to do so in rare cases or not
24 at all.

1 (7) A health care provider’s decision not to par-
2 ticipate in an abortion, like Congress’s decision not
3 to fund most abortions, erects no new barrier to
4 those seeking to perform or undergo abortions but
5 leaves each party free to act as he or she wishes.

6 (8) Such protection poses no conflict with other
7 Federal laws, such as the law requiring emergency
8 stabilizing treatment for a pregnant woman and her
9 unborn child when either is in distress (Emergency
10 Medical Treatment and Active Labor Act). As the
11 previous Administration has said, these areas of law
12 have operated side by side for many years and both
13 should be fully enforced (76 Fed. Reg. 9968–77
14 (2011) at 9973).

15 (9) Reaffirming longstanding Federal policy on
16 conscience rights and providing a right of action in
17 cases where it is violated allows longstanding and
18 widely supported Federal laws to work as intended.

19 (c) Title II of the Public Health Service Act (42
20 U.S.C. 202 et seq.) is amended by inserting after section
21 245 the following:

1 **“SEC. 245A. PROHIBITING GOVERNMENTAL DISCRIMINA-**
2 **TION AGAINST PROVIDERS OF HEALTH SERV-**
3 **ICES THAT ARE NOT INVOLVED IN ABORTION.**

4 “(a) IN GENERAL.—Notwithstanding any other law,
5 the Federal Government, and any State or local govern-
6 ment that receives Federal financial assistance, may not
7 penalize, retaliate against, or otherwise discriminate
8 against a health care provider on the basis that the pro-
9 vider does not—

10 “(1) perform, refer for, pay for, or otherwise
11 participate in abortion;

12 “(2) provide or sponsor abortion coverage; or

13 “(3) facilitate or make arrangements for any of
14 the activities specified in this subsection.

15 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed—

17 “(1) to prevent any health care provider from
18 voluntarily electing to participate in abortions or
19 abortion referrals;

20 “(2) to prevent any health care provider from
21 voluntarily electing to provide or sponsor abortion
22 coverage or health benefits coverage that includes
23 abortion;

24 “(3) to prevent an accrediting agency, the Fed-
25 eral Government, or a State or local government
26 from establishing standards of medical competency

1 applicable only to those who have knowingly, volun-
2 tarily, and specifically elected to perform abortions,
3 or from enforcing contractual obligations applicable
4 only to those who, as part of such contract, know-
5 ingly, voluntarily, and specifically elect to provide
6 abortions;

7 “(4) to affect, or be affected by, section 1867
8 of the Social Security Act (42 U.S.C. 1395dd, com-
9 monly referred to as the ‘Emergency Medical Treat-
10 ment and Active Labor Act’); or

11 “(5) to supersede any law enacted by any State
12 for the purpose of regulating insurance, except as
13 specified in subsection (a).

14 “(c) ADMINISTRATION.—The Secretary shall des-
15 ignate the Director of the Office for Civil Rights of the
16 Department of Health and Human Services—

17 “(1) to receive complaints alleging a violation of
18 this section, section 245 of this Act, or any of sub-
19 sections (b) through (e) of section 401 of the Health
20 Programs Extension Act of 1973; and

21 “(2) to pursue the investigation of such com-
22 plaints in coordination with the Attorney General.

23 “(d) DEFINITIONS.—For purposes of this section:

24 “(1) FEDERAL FINANCIAL ASSISTANCE.—The
25 term ‘Federal financial assistance’ means Federal

1 payments to cover the cost of health care services or
2 benefits, or other Federal payments, grants, or loans
3 to promote or otherwise facilitate health-related ac-
4 tivities.

5 “(2) HEALTH CARE PROVIDER.—The term
6 ‘health care provider’ means—

7 “(A) an individual physician, nurse, or
8 other health care professional;

9 “(B) a hospital, health system, or other
10 health care facility or organization (including a
11 party to a proposed merger or other collabo-
12 rative arrangement relating to health services,
13 and an entity resulting therefrom);

14 “(C) a provider-sponsored organization, an
15 accountable care organization, or a health
16 maintenance organization;

17 “(D) a social services provider that pro-
18 vides or authorizes referrals for health care
19 services;

20 “(E) a program of training in the health
21 professions or an applicant to or participant in
22 such a program;

23 “(F) an issuer of health insurance cov-
24 erage; or

1 “(G) a group health plan or student health
2 plan, or a sponsor or administrator thereof.

3 “(3) STATE OR LOCAL GOVERNMENT THAT RE-
4 CEIVES FEDERAL FINANCIAL ASSISTANCE.—The
5 term ‘State or local government that receives Fed-
6 eral financial assistance’ includes every agency and
7 other governmental unit and subdivision of a State
8 or local government, if such State or local govern-
9 ment, or any agency or governmental unit or sub-
10 division thereof, receives Federal financial assist-
11 ance.

12 **“SEC. 245B. CIVIL ACTION FOR CERTAIN VIOLATIONS.**

13 “(a) IN GENERAL.—A qualified party may, in a civil
14 action, obtain appropriate relief with regard to a des-
15 ignated violation.

16 “(b) DEFINITIONS.—For purposes of this section:

17 “(1) QUALIFIED PARTY.—The term ‘qualified
18 party’ means—

19 “(A) the Attorney General of the United
20 States; or

21 “(B) any person or entity adversely af-
22 fected by the designated violation.

23 “(2) DESIGNATED VIOLATION.—The term ‘des-
24 ignated violation’ means an actual or threatened vio-
25 lation of—

1 “(A) section 245 or 245A of this Act; or

2 “(B) any of subsections (b) through (e) of
3 section 401 of the Health Programs Extension
4 Act of 1973 regarding an objection to abortion.

5 “(c) ADMINISTRATIVE REMEDIES NOT REQUIRED.—
6 An action under this section may be commenced, and relief
7 may be granted, without regard to whether the party com-
8 mencing the action has sought or exhausted available ad-
9 ministrative remedies.

10 “(d) DEFENDANTS IN ACTIONS UNDER THIS SEC-
11 TION MAY INCLUDE GOVERNMENTAL ENTITIES AS WELL
12 AS OTHERS.—

13 “(1) IN GENERAL.—An action under this sec-
14 tion may be maintained against, among others, a
15 party that is a Federal or State governmental entity.
16 Relief in an action under this section may include
17 money damages even if the defendant is such a gov-
18 ernmental entity.

19 “(2) DEFINITION.—For the purposes of this
20 subsection, the term ‘State governmental entity’
21 means a State, a local government within a State,
22 and any agency or other governmental unit or sub-
23 division of a State or of such a local government.

24 “(e) NATURE OF RELIEF.—In an action under this
25 section, the court shall grant—

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCE TO REPORT

4 SEC. 539. Any reference to a “report accompanying
5 this Act” contained in this division shall be treated as a
6 reference to House Report 115–244. The effect of such
7 Report shall be limited to this division and shall apply for
8 purposes of determining the allocation of funds provided
9 by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 540. \$0.

12 SEC. 541. For “Health Resources and Services Ad-
13 ministration—Health Workforce” for establishing and
14 carrying out the training demonstration grant program,
15 as authorized by section 760 of the Public Health Service
16 Act (42 U.S.C. 294k), there is hereby appropriated
17 \$10,000,000, and the amount otherwise provided by this
18 Act for “Health Resources and Services Administration—
19 Program Management” is hereby reduced by \$11,750,000.

20 SEC. 542. None of the funds made available by this
21 Act to carry out the Child Care Development Block Grant
22 Act of 1990 may be distributed to any child care provider
23 if a localized list of providers (as mentioned in part 98
24 of title 45 of the Code of Federal Regulations, applicable
25 to the Department of Health and Human Services, Ad-

1 ministration of Children and Families, and in the final
2 rule published in the Federal Register, Vol. 81, No. 190,
3 on Sept. 30, 2016) indicates that a serious injury or death
4 occurred at the provider due to a substantiated health or
5 safety violation.

6 SEC. 543. For “Health Resources and Services Ad-
7 ministration–Rural Health” to carry out section 427(a) of
8 the Federal Coal Mine Safety and Health Act of 1969,
9 there is hereby appropriated, and the amount otherwise
10 provided by this Act for “Health Resources and Services
11 Administration–Program Management” is hereby reduced
12 by, \$2,734,000.

13 SEC. 544. For “Substance Abuse and Mental Health
14 Services Administration—Mental Health” for carrying out
15 the Strengthening Community Crisis Response Systems
16 grant program, as authorized by section 520F of the Pub-
17 lic Health Service Act (42 U.S.C. 290bb–37), there is
18 hereby appropriated, and the amount otherwise provided
19 by this Act for “Substance Abuse and Mental Health
20 Services Administration—Health Surveillance and Pro-
21 gram Support” is hereby reduced by, \$10,000,000.

22 SEC. 545. For “Substance Abuse and Mental Health
23 Services Administration–Substance Abuse Treatment” for
24 the Controlled Substance Monitoring Program, as author-
25 ized by section 399O of the Public Health Service Act (42

1 U.S.C. 280g-3), there is hereby appropriated, and the
2 amount otherwise provided by this Act for “Office of the
3 Secretary—General Departmental Management” is here-
4 by reduced by, \$10,000,000.

5 SEC. 546. No funds made available by this Act may
6 be used to undertake any activities to prepare for or facili-
7 tate the transfer of responsibilities or functions from the
8 Office of Federal Contract Compliance Programs of the
9 Department of Labor to the Equal Employment Oppor-
10 tunity Commission.

11 SEC. 547. For “Health Resources and Services Ad-
12 ministration—Maternal and Child Health” for estab-
13 lishing and carrying out grants to eligible entities to de-
14 velop, maintain, or enhance infant and early childhood
15 mental health promotion, intervention, and treatment pro-
16 grams for children up to 12 years of age, as authorized
17 by section 399Z-2 of the Public Health Service Act (42
18 U.S.C. 280h-6) there is hereby appropriated, and the
19 amount otherwise provided by this Act for “Health Re-
20 sources and Services Administration—Program Manage-
21 ment” is hereby reduced by, \$5,000,000.

22 SEC. 548. For “Health Resources and Services Ad-
23 ministration—Maternal and Child Health” for carrying
24 out the Pediatric Mental Health Care Access grant pro-
25 gram, as authorized by section 330M of the Public Health

1 Service Act (42 U.S.C. 254c–19), there is hereby appro-
2 priated, and the amount otherwise provided by this Act
3 for “Health Resources and Services Administration—Pro-
4 gram Management” is hereby reduced by, \$9,000,000.

5 SEC. 549. None of the funds made available by this
6 Act may be used to implement, administer, or enforce the
7 final rule on “Representation—Case Procedures” pub-
8 lished in the Federal Register by the National Labor Rela-
9 tions Board on December 15, 2014 (79 Fed. Reg. 74308
10 et seq.) or any rule of the same substance.

11 SEC. 550. None of the funds made available by this
12 Act may be used to implement, administer, or enforce the
13 final regulations on “Improve Tracking of Workplace In-
14 juries and Illnesses” published by the Department of
15 Labor in the Federal Register on May 12, 2016 (81 Fed.
16 Reg. 29624 et seq.).

17 This division may be cited as the “Departments of
18 Labor, Health and Human Services, and Education, and
19 Related Agencies Appropriations Act, 2018”.

20 **DIVISION G—DEPARTMENT OF STATE,**
21 **FOREIGN OPERATIONS, AND RELATED**
22 **PROGRAMS APPROPRIATIONS ACT,**
23 **2018**

24 The following sums are appropriated, out of any
25 money in the Treasury not otherwise appropriated, for the

1 Department of State, foreign operations, and related pro-
2 grams for the fiscal year ending September 30, 2018, and
3 for other purposes, namely:

4 TITLE I

5 DEPARTMENT OF STATE AND RELATED

6 AGENCY

7 DEPARTMENT OF STATE

8 ADMINISTRATION OF FOREIGN AFFAIRS

9 DIPLOMATIC AND CONSULAR PROGRAMS

10 For necessary expenses of the Department of State
11 and the Foreign Service not otherwise provided for,
12 \$5,449,289,000, of which up to \$610,000,000 may remain
13 available until September 30, 2019, and of which up to
14 \$1,380,752,000 may remain available until expended for
15 Worldwide Security Protection: *Provided*, That funds
16 made available under this heading shall be allocated in ac-
17 cordance with paragraphs (1) through (4) as follows:

18 (1) HUMAN RESOURCES.—For necessary ex-
19 penses for training, human resources management,
20 and salaries, including employment without regard
21 to civil service and classification laws of persons on
22 a temporary basis (not to exceed \$700,000), as au-
23 thorized by section 801 of the United States Infor-
24 mation and Educational Exchange Act of 1948,

1 \$2,522,390,000, of which up to \$476,879,000 is for
2 Worldwide Security Protection.

3 (2) OVERSEAS PROGRAMS.—For necessary ex-
4 penses for the regional bureaus of the Department
5 of State and overseas activities as authorized by law,
6 \$1,260,517,000.

7 (3) DIPLOMATIC POLICY AND SUPPORT.—For
8 necessary expenses for the functional bureaus of the
9 Department of State, including representation to
10 certain international organizations in which the
11 United States participates pursuant to treaties rati-
12 fied pursuant to the advice and consent of the Sen-
13 ate or specific Acts of Congress, general administra-
14 tion, and arms control, nonproliferation and disar-
15 mament activities as authorized, \$740,052,000 (re-
16 duced by \$10,000,000) (increased by \$10,000,000).

17 (4) SECURITY PROGRAMS.—For necessary ex-
18 penses for security activities, \$926,330,000, of which
19 up to \$903,873,000 is for Worldwide Security Pro-
20 tection.

21 (5) FEES AND PAYMENTS COLLECTED.—In ad-
22 dition to amounts otherwise made available under
23 this heading—

24 (A) as authorized by section 810 of the
25 United States Information and Educational Ex-

1 change Act, not to exceed \$5,000,000, to re-
2 main available until expended, may be credited
3 to this appropriation from fees or other pay-
4 ments received from English teaching, library,
5 motion pictures, and publication programs and
6 from fees from educational advising and coun-
7 seling and exchange visitor programs; and

8 (B) not to exceed \$15,000, which shall be
9 derived from reimbursements, surcharges, and
10 fees for use of Blair House facilities.

11 (6) TRANSFER, REPROGRAMMING, AND OTHER
12 MATTERS.—

13 (A) Notwithstanding any other provision of
14 this Act, funds may be reprogrammed within
15 and between paragraphs (1) through (4) under
16 this heading subject to section 7015 of this Act.

17 (B) Of the amount made available under
18 this heading, not to exceed \$10,000,000 may be
19 transferred to, and merged with, funds made
20 available by this Act under the heading “Emer-
21 gencies in the Diplomatic and Consular Serv-
22 ice”, to be available only for emergency evacu-
23 ations and rewards, as authorized.

24 (C) Funds appropriated under this heading
25 are available for acquisition by exchange or pur-

1 chase of passenger motor vehicles as authorized
2 by law and, pursuant to section 1108(g) of title
3 31, United States Code, for the field examina-
4 tion of programs and activities in the United
5 States funded from any account contained in
6 this title.

7 (D) Funds appropriated under this head-
8 ing may be made available for Conflict Sta-
9 bilization Operations and for related reconstruc-
10 tion and stabilization assistance to prevent or
11 respond to conflict or civil strife in foreign
12 countries or regions, or to enable transition
13 from such strife.

14 (E) Funds appropriated under this head-
15 ing in this Act that are designated for World-
16 wide Security Protection shall continue to be
17 made available for support of security-related
18 training at sites in existence prior to the enact-
19 ment of this Act.

20 CAPITAL INVESTMENT FUND

21 For necessary expenses of the Capital Investment
22 Fund, as authorized, \$15,000,000, to remain available
23 until expended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General, \$73,869,000, notwithstanding section 209(a)(1)
4 of the Foreign Service Act of 1980 (Public Law 96–465),
5 as it relates to post inspections: *Provided*, That of the
6 funds appropriated under this heading, \$13,060,000 may
7 remain available until September 30, 2019.

8 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

9 For expenses of educational and cultural exchange
10 programs, as authorized, \$590,900,000, to remain avail-
11 able until expended, of which not less than \$236,000,000
12 shall be for the Fulbright Program and not less than
13 \$111,360,000 shall be for Citizen Exchange Program, in-
14 cluding \$4,125,000 for the Congress-Bundestag Youth
15 Exchange: *Provided*, That fees or other payments received
16 from, or in connection with, English teaching, educational
17 advising and counseling programs, and exchange visitor
18 programs as authorized may be credited to this account,
19 to remain available until expended: *Provided further*, That
20 any substantive modifications from the prior fiscal year
21 to programs funded by this Act under this heading shall
22 be subject to prior consultation with, and the regular noti-
23 fication procedures of, the Committees on Appropriations.

1 REPRESENTATION EXPENSES

2 For representation expenses as authorized,
3 \$7,000,000.

4 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

5 For expenses, not otherwise provided, to enable the
6 Secretary of State to provide for extraordinary protective
7 services, as authorized, \$30,890,000, to remain available
8 until September 30, 2019.

9 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

10 For necessary expenses for carrying out the Foreign
11 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
12 preserving, maintaining, repairing, and planning for build-
13 ings that are owned or directly leased by the Department
14 of State, renovating, in addition to funds otherwise avail-
15 able, the Harry S Truman Building, and carrying out the
16 Diplomatic Security Construction Program as authorized,
17 \$754,459,000, to remain available until expended, of
18 which not to exceed \$25,000 may be used for domestic
19 and overseas representation expenses as authorized: *Pro-*
20 *vided*, That none of the funds appropriated in this para-
21 graph shall be available for acquisition of furniture, fur-
22 nishings, or generators for other departments and agen-
23 cies of the United States Government.

24 In addition, for the costs of worldwide security up-
25 grades, acquisition, and construction as authorized,

1 \$1,488,237,000, to remain available until expended: *Pro-*
2 *vided*, That not later than 45 days after enactment of this
3 Act, the Secretary of State shall submit to the Committees
4 on Appropriations the proposed allocation of funds made
5 available under this heading and the actual and antici-
6 pated proceeds of sales for all projects in fiscal year 2018.

7 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

8 SERVICE

9 For necessary expenses to enable the Secretary of
10 State to meet unforeseen emergencies arising in the Diplo-
11 matic and Consular Service, as authorized, \$7,885,000, to
12 remain available until expended, of which not to exceed
13 \$1,000,000 may be transferred to, and merged with, funds
14 appropriated by this Act under the heading “Repatriation
15 Loans Program Account”, subject to the same terms and
16 conditions.

17 REPATRIATION LOANS PROGRAM ACCOUNT

18 For the cost of direct loans, \$1,300,000, as author-
19 ized: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That such funds are available to subsidize gross obli-
23 gations for the principal amount of direct loans not to ex-
24 ceed \$2,440,856.

1 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

2 For necessary expenses to carry out the Taiwan Rela-
3 tions Act (Public Law 96–8), \$30,557,000.

4 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
5 COLUMBIA

6 Not to exceed \$1,806,600 shall be derived from fees
7 collected from other executive agencies for lease or use of
8 facilities at the International Center in accordance with
9 section 4 of the International Center Act (Public Law 90–
10 553), and, in addition, as authorized by section 5 of such
11 Act, \$743,000, to be derived from the reserve authorized
12 by such section, to be used for the purposes set out in
13 that section.

14 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
15 DISABILITY FUND

16 For payment to the Foreign Service Retirement and
17 Disability Fund, as authorized, \$158,900,000.

18 INTERNATIONAL ORGANIZATIONS

19 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

20 For necessary expenses, not otherwise provided for,
21 to meet annual obligations of membership in international
22 multilateral organizations, pursuant to treaties ratified
23 pursuant to the advice and consent of the Senate, conven-
24 tions or specific Acts of Congress, \$1,074,645,000 (re-
25 duced by \$10,000,000): *Provided*, That the Secretary of

1 State shall, at the time of the submission of the Presi-
2 dent's budget to Congress under section 1105(a) of title
3 31, United States Code, transmit to the Committees on
4 Appropriations the most recent biennial budget prepared
5 by the United Nations for the operations of the United
6 Nations: *Provided further*, That the Secretary of State
7 shall notify the Committees on Appropriations at least 15
8 days in advance (or in an emergency, as far in advance
9 as is practicable) of any United Nations action to increase
10 funding for any United Nations program without identi-
11 fying an offsetting decrease elsewhere in the United Na-
12 tions budget: *Provided further*, That not later than June
13 1, 2018, and 30 days after the end of fiscal year 2018,
14 the Secretary of State shall report to the Committees on
15 Appropriations any credits attributable to the United
16 States, including from the United Nations Tax Equali-
17 zation Fund, and provide updated fiscal year 2018 and
18 fiscal year 2019 assessment costs including offsets from
19 available credits and updated foreign currency exchange
20 rates: *Provided further*, That any such credits shall only
21 be available for United States assessed contributions to
22 the United Nations regular budget, and the Committees
23 on Appropriations shall be notified when such credits are
24 applied to any assessed contribution, including any pay-
25 ment of arrearages: *Provided further*, That any notifica-

1 tion regarding funds appropriated or otherwise made
2 available under this heading in this Act or prior Acts mak-
3 ing appropriations for the Department of State, foreign
4 operations, and related programs submitted pursuant to
5 section 7015 of this Act, section 34 of the State Depart-
6 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
7 any operating plan submitted pursuant to section 7076
8 of this Act, shall include an estimate of all known credits
9 currently attributable to the United States and provide
10 updated assessment costs, including offsets from available
11 credits and updated foreign currency exchange rates: *Pro-*
12 *vided further*, That any payment of arrearages under this
13 heading shall be directed to activities that are mutually
14 agreed upon by the United States and the respective inter-
15 national organization and shall be subject to the regular
16 notification procedures of the Committees on Appropria-
17 tions: *Provided further*, That none of the funds appro-
18 priated under this heading shall be available for a United
19 States contribution to an international organization for
20 the United States share of interest costs made known to
21 the United States Government by such organization for
22 loans incurred on or after October 1, 1984, through exter-
23 nal borrowings.

1 ployees, contractor personnel, and peacekeeping troops
2 serving in such mission from trafficking in persons, ex-
3 ploiting victims of trafficking, or committing acts of sexual
4 exploitation and abuse or other violations of human rights,
5 and to bring to justice individuals who engage in such acts
6 while participating in such mission, including prosecution
7 in their home countries and making information about
8 such prosecutions publicly available on the Web site of the
9 United Nations: *Provided further*, That the Secretary of
10 State shall work with the United Nations and foreign gov-
11 ernments contributing peacekeeping troops to implement
12 effective vetting procedures to ensure that such troops
13 have not violated human rights: *Provided further*, That
14 funds shall be available for peacekeeping expenses unless
15 the Secretary of State determines that United States man-
16 ufacturers and suppliers are not being given opportunities
17 to provide equipment, services, and material for United
18 Nations peacekeeping activities equal to those being given
19 to foreign manufacturers and suppliers: *Provided further*,
20 That none of the funds appropriated or otherwise made
21 available under this heading may be used for any United
22 Nations peacekeeping mission that will involve United
23 States Armed Forces under the command or operational
24 control of a foreign national, unless the President's mili-
25 tary advisors have submitted to the President a rec-

1 ommendation that such involvement is in the national in-
2 terest of the United States and the President has sub-
3 mitted to Congress such a recommendation: *Provided fur-*
4 *ther*, That not later than June 1, 2018, and 30 days after
5 the end of fiscal year 2018, the Secretary of State shall
6 report to the Committees on Appropriations any credits
7 attributable to the United States, including those resulting
8 from United Nations peacekeeping missions or the United
9 Nations Tax Equalization Fund, and provide updated fis-
10 cal year 2018 and fiscal year 2019 assessment costs in-
11 cluding offsets from available credits: *Provided further*,
12 That any such credits shall only be available for United
13 States assessed contributions to United Nations peace-
14 keeping missions, and the Committees on Appropriations
15 shall be notified when such credits are applied to any as-
16 sessed contribution, including any payment of arrearages:
17 *Provided further*, That any notification regarding funds
18 appropriated or otherwise made available under this head-
19 ing in this Act or prior Acts making appropriations for
20 the Department of State, foreign operations, and related
21 programs submitted pursuant to section 7015 of this Act,
22 section 34 of the State Department Basic Authorities Act
23 of 1956 (22 U.S.C. 2706), or any operating plan sub-
24 mitted pursuant to section 7076 of this Act, shall include
25 an estimate of all known credits currently attributable to

1 the United States and provide updated assessment costs,
2 including offsets from available credits: *Provided further*,
3 That any payment of arrearages with funds appropriated
4 by this Act shall be subject to the regular notification pro-
5 cedures of the Committees on Appropriations: *Provided*
6 *further*, That the Secretary of State shall work with the
7 United Nations and members of the United Nations Secu-
8 rity Council to evaluate and prioritize peacekeeping mis-
9 sions, and to consider a draw down when mission goals
10 have been substantially achieved.

11 INTERNATIONAL COMMISSIONS

12 For necessary expenses, not otherwise provided for,
13 to meet obligations of the United States arising under
14 treaties, or specific Acts of Congress, as follows:

15 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

16 UNITED STATES AND MEXICO

17 For necessary expenses for the United States Section
18 of the International Boundary and Water Commission,
19 United States and Mexico, and to comply with laws appli-
20 cable to the United States Section, including not to exceed
21 \$6,000 for representation expenses; as follows:

22 SALARIES AND EXPENSES

23 For salaries and expenses, not otherwise provided for,
24 \$44,748,000.

1 CONSTRUCTION

2 For detailed plan preparation and construction of au-
3 thorized projects, \$27,900,000, to remain available until
4 expended, as authorized.

5 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

6 For necessary expenses, not otherwise provided, for
7 the International Joint Commission and the International
8 Boundary Commission, United States and Canada, as au-
9 thorized by treaties between the United States and Can-
10 ada or Great Britain, and the Border Environment Co-
11 operation Commission as authorized by the North Amer-
12 ican Free Trade Agreement Implementation Act (Public
13 Law 103–182), \$12,184,000: *Provided*, That of the
14 amount provided under this heading for the International
15 Joint Commission, up to \$500,000 may remain available
16 until September 30, 2019, and \$9,000 may be made avail-
17 able for representation expenses.

18 INTERNATIONAL FISHERIES COMMISSIONS

19 For necessary expenses for international fisheries
20 commissions, not otherwise provided for, as authorized by
21 law, \$34,176,000: *Provided*, That the United States share
22 of such expenses may be advanced to the respective com-
23 missions pursuant to section 3324 of title 31, United
24 States Code.

1 RELATED AGENCY

2 BROADCASTING BOARD OF GOVERNORS

3 INTERNATIONAL BROADCASTING OPERATIONS

4 For necessary expenses to enable the Broadcasting
5 Board of Governors (BBG), as authorized, to carry out
6 international communication activities, and to make and
7 supervise grants for radio, Internet, and television broad-
8 casting to the Middle East, \$764,936,000: *Provided*, That
9 in addition to amounts otherwise available for such pur-
10 poses, up to \$34,935,000 of the amount appropriated
11 under this heading may remain available until expended
12 for satellite transmissions and Internet freedom programs,
13 of which not less than \$13,800,000 shall be for Internet
14 freedom programs: *Provided further*, That of the total
15 amount appropriated under this heading, not to exceed
16 \$35,000 may be used for representation expenses, of
17 which \$10,000 may be used for such expenses within the
18 United States as authorized, and not to exceed \$30,000
19 may be used for representation expenses of Radio Free
20 Europe/Radio Liberty: *Provided further*, That the BBG
21 shall notify the Committees on Appropriations within 15
22 days of any determination by the BBG that any of its
23 broadcast entities, including its grantee organizations,
24 provides an open platform for international terrorists or
25 those who support international terrorism, or is in viola-

1 tion of the principles and standards set forth in sub-
2 sections (a) and (b) of section 303 of the United States
3 International Broadcasting Act of 1994 (22 U.S.C. 6202)
4 or the entity's journalistic code of ethics: *Provided further*,
5 That significant modifications to BBG broadcast hours
6 previously justified to Congress, including changes to
7 transmission platforms (shortwave, medium wave, sat-
8 ellite, Internet, and television), for all BBG language serv-
9 ices shall be subject to the regular notification procedures
10 of the Committees on Appropriations: *Provided further*,
11 That in addition to funds made available under this head-
12 ing, and notwithstanding any other provision of law, up
13 to \$5,000,000 in receipts from advertising and revenue
14 from business ventures, up to \$500,000 in receipts from
15 cooperating international organizations, and up to
16 \$1,000,000 in receipts from privatization efforts of the
17 Voice of America and the International Broadcasting Bu-
18 reau, shall remain available until expended for carrying
19 out authorized purposes.

20 BROADCASTING CAPITAL IMPROVEMENTS

21 For the purchase, rent, construction, repair, preser-
22 vation, and improvement of facilities for radio, television,
23 and digital transmission and reception; the purchase, rent,
24 and installation of necessary equipment for radio, tele-
25 vision, and digital transmission and reception, including

1 to Cuba, as authorized; and physical security worldwide,
2 in addition to amounts otherwise available for such pur-
3 poses, \$4,791,000, to remain available until expended, as
4 authorized.

5 RELATED PROGRAMS

6 THE ASIA FOUNDATION

7 For a grant to The Asia Foundation, as authorized
8 by The Asia Foundation Act (22 U.S.C. 4402),
9 \$15,810,000, to remain available until expended.

10 UNITED STATES INSTITUTE OF PEACE

11 For necessary expenses of the United States Institute
12 of Peace, as authorized by the United States Institute of
13 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-
14 main available until September 30, 2019, which shall not
15 be used for construction activities.

16 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

17 TRUST FUND

18 For necessary expenses of the Center for Middle
19 Eastern-Western Dialogue Trust Fund, as authorized by
20 section 633 of the Departments of Commerce, Justice, and
21 State, the Judiciary, and Related Agencies Appropriations
22 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
23 est and earnings accruing to such Fund on or before Sep-
24 tember 30, 2018, to remain available until expended.

1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

2 For necessary expenses of Eisenhower Exchange Fel-
3 lowships, Incorporated, as authorized by sections 4 and
4 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
5 U.S.C. 5204–5205), all interest and earnings accruing to
6 the Eisenhower Exchange Fellowship Program Trust
7 Fund on or before September 30, 2018, to remain avail-
8 able until expended: *Provided*, That none of the funds ap-
9 propriated herein shall be used to pay any salary or other
10 compensation, or to enter into any contract providing for
11 the payment thereof, in excess of the rate authorized by
12 section 5376 of title 5, United States Code; or for pur-
13 poses which are not in accordance with section 200 of title
14 2 of the Code of Federal Regulations, including the re-
15 strictions on compensation for personal services.

16 ISRAELI ARAB SCHOLARSHIP PROGRAM

17 For necessary expenses of the Israeli Arab Scholar-
18 ship Program, as authorized by section 214 of the Foreign
19 Relations Authorization Act, Fiscal Years 1992 and 1993
20 (22 U.S.C. 2452), all interest and earnings accruing to
21 the Israeli Arab Scholarship Fund on or before September
22 30, 2018, to remain available until expended.

23 NATIONAL ENDOWMENT FOR DEMOCRACY

24 For grants made by the Department of State to the
25 National Endowment for Democracy, as authorized by the

1 National Endowment for Democracy Act (22 U.S.C.
2 4412), \$170,000,000, to remain available until expended,
3 of which \$117,500,000 shall be allocated in the traditional
4 and customary manner, including for the core institutes,
5 and \$52,500,000 shall be for democracy programs.

6 OTHER COMMISSIONS

7 COMMISSION FOR THE PRESERVATION OF AMERICA'S

8 HERITAGE ABROAD

9 SALARIES AND EXPENSES

10 For necessary expenses for the Commission for the
11 Preservation of America's Heritage Abroad, \$675,000, as
12 authorized by chapter 3123 of title 54, United States
13 Code: *Provided*, That the Commission may procure tem-
14 porary, intermittent, and other services notwithstanding
15 paragraph (3) of section 312304(b) of such chapter: *Pro-*
16 *vided further*, That such authority shall terminate on Oc-
17 tober 1, 2018: *Provided further*, That the Commission
18 shall notify the Committees on Appropriations prior to ex-
19 ercising such authority.

20 UNITED STATES COMMISSION ON INTERNATIONAL

21 RELIGIOUS FREEDOM

22 SALARIES AND EXPENSES

23 For necessary expenses for the United States Com-
24 mission on International Religious Freedom, as authorized
25 by title II of the International Religious Freedom Act of

1 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
2 available until September 30, 2019, including not more
3 than \$4,000 for representation expenses.

4 COMMISSION ON SECURITY AND COOPERATION IN
5 EUROPE
6 SALARIES AND EXPENSES

7 For necessary expenses of the Commission on Secu-
8 rity and Cooperation in Europe, as authorized by Public
9 Law 94–304, \$2,579,000, including not more than \$4,000
10 for representation expenses, to remain available until Sep-
11 tember 30, 2019.

12 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
13 PEOPLE’S REPUBLIC OF CHINA
14 SALARIES AND EXPENSES

15 For necessary expenses of the Congressional-Execu-
16 tive Commission on the People’s Republic of China, as au-
17 thorized by title III of the U.S.-China Relations Act of
18 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
19 more than \$3,000 for representation expenses, to remain
20 available until September 30, 2019.

21 UNITED STATES-CHINA ECONOMIC AND SECURITY
22 REVIEW COMMISSION
23 SALARIES AND EXPENSES

24 For necessary expenses of the United States-China
25 Economic and Security Review Commission, as authorized

1 by section 1238 of the Floyd D. Spence National Defense
2 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
3 \$3,500,000, including not more than \$4,000 for represen-
4 tation expenses, to remain available until September 30,
5 2019: *Provided*, That the authorities, requirements, limi-
6 tations, and conditions contained in the second through
7 sixth provisos under this heading in the Department of
8 State, Foreign Operations, and Related Programs Appro-
9 priations Act, 2010 (division F of Public Law 111–117)
10 shall continue in effect during fiscal year 2018 and shall
11 apply to funds appropriated under this heading as if in-
12 cluded in this Act.

13 TITLE II

14 UNITED STATES AGENCY FOR INTERNATIONAL 15 DEVELOPMENT

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 OPERATING EXPENSES

18 For necessary expenses to carry out the provisions
19 of section 667 of the Foreign Assistance Act of 1961,
20 \$1,133,906,000, of which up to \$170,085,000 may remain
21 available until September 30, 2019: *Provided*, That none
22 of the funds appropriated under this heading and under
23 the heading “Capital Investment Fund” in this title may
24 be made available to finance the construction (including
25 architect and engineering services), purchase, or long-term

1 lease of offices for use by the United States Agency for
2 International Development, unless the USAID Adminis-
3 trator has identified such proposed use of funds in a re-
4 port submitted to the Committees on Appropriations at
5 least 15 days prior to the obligation of funds for such pur-
6 poses: *Provided further*, That contracts or agreements en-
7 tered into with funds appropriated under this heading may
8 entail commitments for the expenditure of such funds
9 through the following fiscal year: *Provided further*, That
10 the authority of sections 610 and 109 of the Foreign As-
11 sistance Act of 1961 may be exercised by the Secretary
12 of State to transfer funds appropriated to carry out chap-
13 ter 1 of part I of such Act to “Operating Expenses” in
14 accordance with the provisions of those sections: *Provided*
15 *further*, That of the funds appropriated or made available
16 under this heading, not to exceed \$250,000 may be avail-
17 able for representation and entertainment expenses, of
18 which not to exceed \$5,000 may be available for entertain-
19 ment expenses, and not to exceed \$100,500 shall be for
20 official residence expenses, for USAID during the current
21 fiscal year.

22 CAPITAL INVESTMENT FUND

23 For necessary expenses for overseas construction and
24 related costs, and for the procurement and enhancement
25 of information technology and related capital investments,

1 pursuant to section 667 of the Foreign Assistance Act of
2 1961, \$174,985,000, to remain available until expended:
3 *Provided*, That this amount is in addition to funds other-
4 wise available for such purposes: *Provided further*, That
5 funds appropriated under this heading shall be available
6 subject to the regular notification procedures of the Com-
7 mittees on Appropriations.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses to carry out the provisions
10 of section 667 of the Foreign Assistance Act of 1961,
11 \$69,000,000, of which up to \$10,350,000 may remain
12 available until September 30, 2019, for the Office of In-
13 spector General of the United States Agency for Inter-
14 national Development.

15 TITLE III

16 BILATERAL ECONOMIC ASSISTANCE

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 For necessary expenses to enable the President to
19 carry out the provisions of the Foreign Assistance Act of
20 1961, and for other purposes, as follows:

21 GLOBAL HEALTH PROGRAMS

22 For necessary expenses to carry out the provisions
23 of chapters 1 and 10 of part I of the Foreign Assistance
24 Act of 1961, for global health activities, in addition to
25 funds otherwise available for such purposes,

1 \$2,651,000,000, to remain available until September 30,
2 2019, and which shall be apportioned directly to the
3 United States Agency for International Development: *Pro-*
4 *vided*, That this amount shall be made available for train-
5 ing, equipment, and technical assistance to build the ca-
6 pacity of public health institutions and organizations in
7 developing countries, and for such activities as: (1) child
8 survival and maternal health programs; (2) immunization
9 and oral rehydration programs; (3) other health, nutrition,
10 water and sanitation programs which directly address the
11 needs of mothers and children, and related education pro-
12 grams; (4) assistance for children displaced or orphaned
13 by causes other than AIDS; (5) programs for the preven-
14 tion, treatment, control of, and research on HIV/AIDS,
15 tuberculosis, polio, malaria, and other infectious diseases
16 including neglected tropical diseases, and for assistance to
17 communities severely affected by HIV/AIDS, including
18 children infected or affected by AIDS; (6) disaster pre-
19 paredness training for health crises; (7) programs to pre-
20 vent, prepare for, and respond to, unanticipated and
21 emerging global health threats; and (8) family planning/
22 reproductive health: *Provided further*, That funds appro-
23 priated under this paragraph may be made available for
24 a United States contribution to the GAVI Alliance and
25 the United Nations Children's Fund: *Provided further*,

1 That none of the funds made available in this Act nor
2 any unobligated balances from prior appropriations Acts
3 may be made available to any organization or program
4 which, as determined by the President of the United
5 States, supports or participates in the management of a
6 program of coercive abortion or involuntary sterilization:
7 *Provided further*, That any determination made under the
8 previous proviso must be made not later than 6 months
9 after the date of enactment of this Act, and must be ac-
10 companied by the evidence and criteria utilized to make
11 the determination: *Provided further*, That none of the
12 funds made available under this Act may be used to pay
13 for the performance of abortion as a method of family
14 planning or to motivate or coerce any person to practice
15 abortions: *Provided further*, That nothing in this para-
16 graph shall be construed to alter any existing statutory
17 prohibitions against abortion under section 104 of the
18 Foreign Assistance Act of 1961: *Provided further*, That
19 none of the funds made available under this Act may be
20 used to lobby for or against abortion: *Provided further*,
21 That in order to reduce reliance on abortion in developing
22 nations, funds shall be available only to voluntary family
23 planning projects which offer, either directly or through
24 referral to, or information about access to, a broad range
25 of family planning methods and services, and that any

1 such voluntary family planning project shall meet the fol-
2 lowing requirements: (1) service providers or referral
3 agents in the project shall not implement or be subject
4 to quotas, or other numerical targets, of total number of
5 births, number of family planning acceptors, or acceptors
6 of a particular method of family planning (this provision
7 shall not be construed to include the use of quantitative
8 estimates or indicators for budgeting and planning pur-
9 poses); (2) the project shall not include payment of incen-
10 tives, bribes, gratuities, or financial reward to: (A) an indi-
11 vidual in exchange for becoming a family planning accep-
12 tor; or (B) program personnel for achieving a numerical
13 target or quota of total number of births, number of fam-
14 ily planning acceptors, or acceptors of a particular method
15 of family planning; (3) the project shall not deny any right
16 or benefit, including the right of access to participate in
17 any program of general welfare or the right of access to
18 health care, as a consequence of any individual's decision
19 not to accept family planning services; (4) the project shall
20 provide family planning acceptors comprehensible infor-
21 mation on the health benefits and risks of the method cho-
22 sen, including those conditions that might render the use
23 of the method inadvisable and those adverse side effects
24 known to be consequent to the use of the method; and
25 (5) the project shall ensure that experimental contracep-

1 tive drugs and devices and medical procedures are pro-
2 vided only in the context of a scientific study in which
3 participants are advised of potential risks and benefits;
4 and, not less than 60 days after the date on which the
5 USAID Administrator determines that there has been a
6 violation of the requirements contained in paragraph (1),
7 (2), (3), or (5) of this proviso, or a pattern or practice
8 of violations of the requirements contained in paragraph
9 (4) of this proviso, the Administrator shall submit to the
10 Committees on Appropriations a report containing a de-
11 scription of such violation and the corrective action taken
12 by the Agency: *Provided further*, That in awarding grants
13 for natural family planning under section 104 of the For-
14 eign Assistance Act of 1961 no applicant shall be discrimi-
15 nated against because of such applicant's religious or con-
16 scientious commitment to offer only natural family plan-
17 ning; and, additionally, all such applicants shall comply
18 with the requirements of the previous proviso: *Provided*
19 *further*, That for purposes of this or any other Act author-
20 izing or appropriating funds for the Department of State,
21 foreign operations, and related programs, the term "moti-
22 vate", as it relates to family planning assistance, shall not
23 be construed to prohibit the provision, consistent with
24 local law, of information or counseling about all pregnancy
25 options: *Provided further*, That information provided

1 about the use of condoms as part of projects or activities
2 that are funded from amounts appropriated by this Act
3 shall be medically accurate and shall include the public
4 health benefits and failure rates of such use.

5 In addition, for necessary expenses to carry out the
6 provisions of the Foreign Assistance Act of 1961 for the
7 prevention, treatment, and control of, and research on,
8 HIV/AIDS, \$5,670,000,000, to remain available until
9 September 30, 2022, which shall be apportioned directly
10 to the Department of State: *Provided*, That funds appro-
11 priated under this paragraph may be made available, not-
12 withstanding any other provision of law, except for the
13 United States Leadership Against HIV/AIDS, Tuber-
14 culosis, and Malaria Act of 2003 (Public Law 108–25),
15 as amended, for a United States contribution to the Global
16 Fund to Fight AIDS, Tuberculosis and Malaria (Global
17 Fund), and shall be expended at the minimum rate nec-
18 essary to make timely payment for projects and activities:
19 *Provided further*, That up to 5 percent of the aggregate
20 amount of funds made available to the Global Fund in
21 fiscal year 2018 may be made available to USAID for
22 technical assistance related to the activities of the Global
23 Fund, subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That of
25 the funds appropriated under this paragraph, up to

1 \$17,000,000 may be made available, in addition to
2 amounts otherwise available for such purposes, for admin-
3 istrative expenses of the Office of the United States Global
4 AIDS Coordinator.

5 DEVELOPMENT ASSISTANCE

6 For necessary expenses to carry out the provisions
7 of sections 103, 105, 106, 214, and sections 251 through
8 255, and chapter 10 of part I of the Foreign Assistance
9 Act of 1961, \$2,780,971,000, to remain available until
10 September 30, 2019.

11 INTERNATIONAL DISASTER ASSISTANCE

12 For necessary expenses to carry out the provisions
13 of section 491 of the Foreign Assistance Act of 1961 for
14 international disaster relief, rehabilitation, and recon-
15 struction assistance, \$1,033,483,000, to remain available
16 until expended.

17 TRANSITION INITIATIVES

18 For necessary expenses for international disaster re-
19 habilitation and reconstruction assistance administered by
20 the Office of Transition Initiatives, United States Agency
21 for International Development, pursuant to section 491 of
22 the Foreign Assistance Act of 1961, \$30,000,000, to re-
23 main available until expended, to support transition to de-
24 mocracy and long-term development of countries in crisis:
25 *Provided*, That such support may include assistance to de-

1 velop, strengthen, or preserve democratic institutions and
2 processes, revitalize basic infrastructure, and foster the
3 peaceful resolution of conflict: *Provided further*, That the
4 USAID Administrator shall submit a report to the Com-
5 mittees on Appropriations at least 5 days prior to begin-
6 ning a new program of assistance: *Provided further*, That
7 if the Secretary of State determines that it is important
8 to the national interest of the United States to provide
9 transition assistance in excess of the amount appropriated
10 under this heading, up to \$15,000,000 of the funds appro-
11 priated by this Act to carry out the provisions of part I
12 of the Foreign Assistance Act of 1961 may be used for
13 purposes of this heading and under the authorities appli-
14 cable to funds appropriated under this heading: *Provided*
15 *further*, That funds made available pursuant to the pre-
16 vious proviso shall be made available subject to prior con-
17 sultation with the Committees on Appropriations.

18 DEVELOPMENT CREDIT AUTHORITY

19 For the cost of direct loans and loan guarantees pro-
20 vided by the United States Agency for International De-
21 velopment, as authorized by sections 256 and 635 of the
22 Foreign Assistance Act of 1961, up to \$50,000,000 may
23 be derived by transfer from funds appropriated by this Act
24 to carry out part I of such Act and under the heading
25 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*

1 *vided*, That funds provided under this paragraph and
2 funds provided as a gift that are used for purposes of this
3 paragraph pursuant to section 635(d) of the Foreign As-
4 sistance Act of 1961 shall be made available only for
5 micro- and small enterprise programs, urban programs,
6 and other programs which further the purposes of part
7 I of such Act: *Provided further*, That funds provided as
8 a gift that are used for purposes of this paragraph shall
9 be subject to prior consultation with, and the regular noti-
10 fication procedures of, the Committees on Appropriations:
11 *Provided further*, That such costs, including the cost of
12 modifying such direct and guaranteed loans, shall be as
13 defined in section 502 of the Congressional Budget Act
14 of 1974, as amended: *Provided further*, That funds made
15 available by this paragraph may be used for the cost of
16 modifying any such guaranteed loans under this Act or
17 prior Acts making appropriations for the Department of
18 State, foreign operations, and related programs, and funds
19 used for such cost, including if the cost results in a nega-
20 tive subsidy, shall be subject to the regular notification
21 procedures of the Committees on Appropriations: *Provided*
22 *further*, That the provisions of section 107A(d) (relating
23 to general provisions applicable to the Development Credit
24 Authority) of the Foreign Assistance Act of 1961, as con-
25 tained in section 306 of H.R. 1486 as reported by the

1 House Committee on International Relations on May 9,
2 1997, shall be applicable to direct loans and loan guaran-
3 tees provided under this heading, except that the principal
4 amount of loans made or guaranteed under this heading
5 with respect to any single country shall not exceed
6 \$300,000,000: *Provided further*, That these funds are
7 available to subsidize total loan principal, any portion of
8 which is to be guaranteed, of up to \$1,750,000,000.

9 In addition, for administrative expenses to carry out
10 credit programs administered by USAID, \$9,120,000, of
11 which up to \$1,300,000 may remain available until Sep-
12 tember 30, 2019.

13 ECONOMIC SUPPORT FUND

14 For necessary expenses to carry out the provisions
15 of chapter 4 of part II of the Foreign Assistance Act of
16 1961, \$1,041,761,000, to remain available until Sep-
17 tember 30, 2019.

18 DEMOCRACY FUND

19 For necessary expenses to carry out the provisions
20 of the Foreign Assistance Act of 1961 for the promotion
21 of democracy globally, including to carry out the purposes
22 of section 502(b)(3) and (5) of Public Law 98–164 (22
23 U.S.C. 4411), \$145,375,000, to remain available until
24 September 30, 2019, which shall be made available for the
25 Human Rights and Democracy Fund of the Bureau of De-

1 mocracy, Human Rights, and Labor, Department of
2 State: *Provided*, That funds appropriated under this head-
3 ing that are made available to the National Endowment
4 for Democracy and its core institutes are in addition to
5 amounts otherwise available by this Act for such purposes:
6 *Provided further*, That the Assistant Secretary for Democ-
7 racy, Human Rights, and Labor, Department of State,
8 shall consult with the Committees on Appropriations prior
9 to the obligation of funds appropriated under this para-
10 graph.

11 For an additional amount for such purposes,
12 \$65,125,000, to remain available until September 30,
13 2019, which shall be made available for the Bureau for
14 Democracy, Conflict, and Humanitarian Assistance,
15 United States Agency for International Development.

16 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

17 For necessary expenses to carry out the provisions
18 of the Foreign Assistance Act of 1961, the FREEDOM
19 Support Act (Public Law 102–511), and the Support for
20 Eastern European Democracy (SEED) Act of 1989 (Pub-
21 lic Law 101–179), \$691,571,000 (reduced by \$1,500,000)
22 (increased by \$1,500,000), to remain available until Sep-
23 tember 30, 2019, which shall be available, notwithstanding
24 any other provision of law, except section 7070 of this Act,
25 for assistance and related programs for countries identi-

1 fied in section 3 of Public Law 102–511 and section 3(c)
2 of Public Law 101–179, in addition to funds otherwise
3 available for such purposes: *Provided*, That funds appro-
4 priated by this Act under the headings “Global Health
5 Programs” and “Economic Support Fund” that are made
6 available for assistance for such countries shall be admin-
7 istered in accordance with the responsibilities of the coor-
8 dinator designated pursuant to section 102 of Public Law
9 102–511 and section 601 of Public Law 101–179: *Pro-*
10 *vided further*, That funds appropriated under this heading
11 shall be considered to be economic assistance under the
12 Foreign Assistance Act of 1961 for purposes of making
13 available the administrative authorities contained in that
14 Act for the use of economic assistance.

15 DEPARTMENT OF STATE

16 MIGRATION AND REFUGEE ASSISTANCE

17 For necessary expenses not otherwise provided for,
18 to enable the Secretary of State to carry out the provisions
19 of section 2(a) and (b) of the Migration and Refugee As-
20 sistance Act of 1962, and other activities to meet refugee
21 and migration needs; salaries and expenses of personnel
22 and dependents as authorized by the Foreign Service Act
23 of 1980; allowances as authorized by sections 5921
24 through 5925 of title 5, United States Code; purchase and
25 hire of passenger motor vehicles; and services as author-

1 ized by section 3109 of title 5, United States Code,
2 \$877,802,000, to remain available until expended, of
3 which not less than \$35,000,000 shall be made available
4 to respond to small-scale emergency humanitarian require-
5 ments, and \$7,500,000 shall be made available for refu-
6 gees resettling in Israel.

7 INDEPENDENT AGENCIES

8 PEACE CORPS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses to carry out the provisions
11 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
12 the purchase of not to exceed five passenger motor vehicles
13 for administrative purposes for use outside of the United
14 States, \$398,221,000, of which \$5,500,000 is for the Of-
15 fice of Inspector General, to remain available until Sep-
16 tember 30, 2019: *Provided*, That the Director of the Peace
17 Corps may transfer to the Foreign Currency Fluctuations
18 Account, as authorized by section 16 of the Peace Corps
19 Act (22 U.S.C. 2515), an amount not to exceed
20 \$5,000,000: *Provided further*, That funds transferred pur-
21 suant to the previous proviso may not be derived from
22 amounts made available for Peace Corps overseas oper-
23 ations: *Provided further*, That of the funds appropriated
24 under this heading, not to exceed \$104,000 may be avail-
25 able for representation expenses, of which not to exceed

1 \$4,000 may be made available for entertainment expenses:
2 *Provided further*, That any decision to open, close, signifi-
3 cantly reduce, or suspend a domestic or overseas office or
4 country program shall be subject to prior consultation
5 with, and the regular notification procedures of, the Com-
6 mittees on Appropriations, except that prior consultation
7 and regular notification procedures may be waived when
8 there is a substantial security risk to volunteers or other
9 Peace Corps personnel, pursuant to section 7015(e) of this
10 Act: *Provided further*, That none of the funds appropriated
11 under this heading shall be used to pay for abortions: *Pro-*
12 *vided further*, That notwithstanding the previous proviso,
13 section 614 of division E of Public Law 113–76 shall
14 apply to funds appropriated under this heading.

15 MILLENNIUM CHALLENGE CORPORATION

16 For necessary expenses to carry out the provisions
17 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
18 et seq.) (MCA), \$697,600,000, to remain available until
19 expended: *Provided*, That up to 5 percent of the funds
20 appropriated under this heading may be made available
21 to carry out the purposes of section 616 of the MCA for
22 fiscal year 2018: *Provided further*, That section 605(e) of
23 the MCA shall apply to funds appropriated under this
24 heading: *Provided further*, That funds appropriated under
25 this heading may be made available for a Millennium Chal-

1 lenge Compact entered into pursuant to section 609 of the
2 MCA only if such Compact obligates, or contains a com-
3 mitment to obligate subject to the availability of funds and
4 the mutual agreement of the parties to the Compact to
5 proceed, the entire amount of the United States Govern-
6 ment funding anticipated for the duration of the Compact:
7 *Provided further*, That the Millennium Challenge Corpora-
8 tion (MCC) Chief Executive Officer shall notify the Com-
9 mittees on Appropriations not later than 15 days prior to
10 commencing negotiations for any country compact or
11 threshold country program; signing any such compact or
12 threshold program; or terminating or suspending any such
13 compact or threshold program: *Provided further*, That
14 funds appropriated under this heading by this Act and
15 prior Acts making appropriations for the Department of
16 State, foreign operations, and related programs that are
17 available to implement section 609(g) of the MCA shall
18 be subject to the regular notification procedures of the
19 Committees on Appropriations: *Provided further*, That no
20 country should be eligible for a threshold program after
21 such country has completed a country compact: *Provided*
22 *further*, That any funds that are deobligated from a Mil-
23 lennium Challenge Compact shall be subject to the regular
24 notification procedures of the Committees on Appropria-
25 tions prior to re-obligation: *Provided further*, That not-

1 withstanding section 606(a)(2) of the MCA, a country
2 shall be a candidate country for purposes of eligibility for
3 assistance for the fiscal year if the country has a per cap-
4 ita income equal to or below the World Bank's lower mid-
5 dle income country threshold for the fiscal year and is
6 among the 75 lowest per capita income countries as identi-
7 fied by the World Bank; and the country meets the re-
8 quirements of section 606(a)(1)(B) of the MCA: *Provided*
9 *further*, That notwithstanding section 606(b)(1) of the
10 MCA, in addition to countries described in the preceding
11 proviso, a country shall be a candidate country for pur-
12 poses of eligibility for assistance for the fiscal year if the
13 country has a per capita income equal to or below the
14 World Bank's lower middle income country threshold for
15 the fiscal year and is not among the 75 lowest per capita
16 income countries as identified by the World Bank; and the
17 country meets the requirements of section 606(a)(1)(B)
18 of the MCA: *Provided further*, That any MCC candidate
19 country under section 606 of the MCA with a per capita
20 income that changes in the fiscal year such that the coun-
21 try would be reclassified from a low income country to a
22 lower middle income country or from a lower middle in-
23 come country to a low income country shall retain its can-
24 didacy status in its former income classification for the
25 fiscal year and the 2 subsequent fiscal years: *Provided fur-*

1 *ther*, That publication in the Federal Register of a notice
2 of availability of a copy of a Compact on the MCC Web
3 site shall be deemed to satisfy the requirements of section
4 610(b)(2) of the MCA for such Compact: *Provided further*,
5 That none of the funds made available by this Act or prior
6 Acts making appropriations for the Department of State,
7 foreign operations, and related programs shall be available
8 for a threshold program in a country that is not currently
9 a candidate country.

10 In addition, for the administrative expenses of the
11 MCC, \$102,400,000, of which up to \$15,360,000 may re-
12 main available until September 30, 2019: *Provided*, That
13 of the funds appropriated under this paragraph, not to
14 exceed \$100,000 may be available for representation and
15 entertainment expenses, of which not to exceed \$5,000
16 may be available for entertainment expenses.

17 INTER-AMERICAN FOUNDATION

18 For necessary expenses to carry out the functions of
19 the Inter-American Foundation in accordance with the
20 provisions of section 401 of the Foreign Assistance Act
21 of 1969, \$11,250,000, to remain available until September
22 30, 2019: *Provided*, That of the funds appropriated under
23 this heading, not to exceed \$1,000 may be available for
24 representation expenses.

1 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

2 For necessary expenses to carry out title V of the
3 International Security and Development Cooperation Act
4 of 1980 (Public Law 96–533), \$15,000,000, to remain
5 available until September 30, 2019, of which not to exceed
6 \$1,000 may be available for representation expenses: *Pro-*
7 *vided*, That funds made available to grantees may be in-
8 vested pending expenditure for project purposes when au-
9 thorized by the Board of Directors of the United States
10 African Development Foundation (USADF): *Provided fur-*
11 *ther*, That interest earned shall be used only for the pur-
12 poses for which the grant was made: *Provided further*,
13 That notwithstanding section 505(a)(2) of the African De-
14 velopment Foundation Act (22 U.S.C. 290h–3(a)(2)), in
15 exceptional circumstances the Board of Directors of the
16 USADF may waive the \$250,000 limitation contained in
17 that section with respect to a project and a project may
18 exceed the limitation by up to 10 percent if the increase
19 is due solely to foreign currency fluctuation: *Provided fur-*
20 *ther*, That the USADF shall submit a report to the appro-
21 priate congressional committees after each time such waiv-
22 er authority is exercised: *Provided further*, That the
23 USADF may make rent or lease payments in advance
24 from appropriations available for such purpose for offices,
25 buildings, grounds, and quarters in Africa as may be nec-

1 essary to carry out its functions: *Provided further*, That
2 the USADF may maintain bank accounts outside the
3 United States Treasury and retain any interest earned on
4 such accounts, in furtherance of the purposes of the Afri-
5 can Development Foundation Act: *Provided further*, That
6 the USADF may not withdraw any appropriation from the
7 Treasury prior to the need of spending such funds for pro-
8 gram purposes.

9 DEPARTMENT OF THE TREASURY

10 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

11 For necessary expenses to carry out the provisions
12 of section 129 of the Foreign Assistance Act of 1961,
13 \$25,455,000 (increased by \$4,545,000), of which
14 \$3,182,000 may remain available until September 30,
15 2019.

16 TITLE IV

17 INTERNATIONAL SECURITY ASSISTANCE

18 DEPARTMENT OF STATE

19 INTERNATIONAL NARCOTICS CONTROL AND LAW

20 ENFORCEMENT

21 For necessary expenses to carry out section 481 of
22 the Foreign Assistance Act of 1961, \$848,139,000 (in-
23 creased by \$10,000,000), to remain available until Sep-
24 tember 30, 2019: *Provided*, That the Department of State
25 may use the authority of section 608 of the Foreign As-

1 sistance Act of 1961, without regard to its restrictions,
2 to receive excess property from an agency of the United
3 States Government for the purpose of providing such
4 property to a foreign country or international organization
5 under chapter 8 of part I of such Act, subject to the reg-
6 ular notification procedures of the Committees on Appro-
7 priations: *Provided further*, That section 482(b) of the
8 Foreign Assistance Act of 1961 shall not apply to funds
9 appropriated under this heading, except that any funds
10 made available notwithstanding such section shall be sub-
11 ject to the regular notification procedures of the Commit-
12 tees on Appropriations: *Provided further*, That funds ap-
13 propriated under this heading shall be made available to
14 support training and technical assistance for foreign law
15 enforcement, corrections, and other judicial authorities,
16 utilizing regional partners: *Provided further*, That funds
17 made available under this heading that are transferred to
18 another department, agency, or instrumentality of the
19 United States Government pursuant to section 632(b) of
20 the Foreign Assistance Act of 1961 valued in excess of
21 \$5,000,000, and any agreement made pursuant to section
22 632(a) of such Act, shall be subject to the regular notifica-
23 tion procedures of the Committees on Appropriations.

1 Program” between the IAEA and the Islamic Republic of
2 Iran, in classified form if necessary, if such information
3 becomes known to the Department of State: *Provided fur-*
4 *ther*, That funds made available under this heading for
5 the Nonproliferation and Disarmament Fund shall be
6 made available, notwithstanding any other provision of law
7 and subject to prior consultation with, and the regular no-
8 tification procedures of, the Committees on Appropria-
9 tions, to promote bilateral and multilateral activities relat-
10 ing to nonproliferation, disarmament, and weapons de-
11 struction, and shall remain available until expended: *Pro-*
12 *vided further*, That such funds may also be used for such
13 countries other than the Independent States of the former
14 Soviet Union and international organizations when it is
15 in the national security interest of the United States to
16 do so: *Provided further*, That funds appropriated under
17 this heading may be made available for the IAEA unless
18 the Secretary of State determines that Israel is being de-
19 nied its right to participate in the activities of that Agen-
20 cy: *Provided further*, That funds made available for con-
21 ventional weapons destruction programs, including
22 demining and related activities, in addition to funds other-
23 wise available for such purposes, may be used for adminis-
24 trative expenses related to the operation and management
25 of such programs and activities, subject to the regular no-

1 tification procedures of the Committees on Appropria-
2 tions.

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961,
6 \$135,041,000: *Provided*, That funds appropriated under
7 this heading may be used, notwithstanding section 660 of
8 such Act, to provide assistance to enhance the capacity
9 of foreign civilian security forces, including gendarmes, to
10 participate in peacekeeping operations: *Provided further*,
11 That of the funds appropriated under this heading, not
12 less than \$31,000,000 shall be made available for a United
13 States contribution to the Multinational Force and Ob-
14 servers mission in the Sinai: *Provided further*, That none
15 of the funds appropriated under this heading shall be obli-
16 gated except as provided through the regular notification
17 procedures of the Committees on Appropriations.

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 INTERNATIONAL MILITARY EDUCATION AND TRAINING

20 For necessary expenses to carry out the provisions
21 of section 541 of the Foreign Assistance Act of 1961,
22 \$105,160,000, of which up to \$11,000,000 may remain
23 available until September 30, 2019: *Provided*, That the
24 civilian personnel for whom military education and train-
25 ing may be provided under this heading may include civil-

1 ians who are not members of a government whose partici-
2 pation would contribute to improved civil-military rela-
3 tions, civilian control of the military, or respect for human
4 rights: *Provided further*, That of the funds appropriated
5 under this heading, not to exceed \$55,000 may be avail-
6 able for entertainment expenses.

7 FOREIGN MILITARY FINANCING PROGRAM

8 For necessary expenses for grants to enable the
9 President to carry out the provisions of section 23 of the
10 Arms Export Control Act, \$5,625,863,000 (reduced by
11 \$4,545,000): *Provided*, That to expedite the provision of
12 assistance to foreign countries and international organiza-
13 tions, the Secretary of State, following consultation with
14 the Committees on Appropriations and subject to the reg-
15 ular notification procedures of such Committees, may use
16 the funds appropriated under this heading to procure de-
17 fense articles and services to enhance the capacity of for-
18 eign security forces: *Provided further*, That of the funds
19 appropriated under this heading, not less than
20 \$3,100,000,000 shall be available for grants only for
21 Israel: *Provided further*, That funds appropriated under
22 this heading for grants only for Israel shall be disbursed
23 within 30 days of enactment of this Act: *Provided further*,
24 That to the extent that the Government of Israel requests
25 that funds be used for such purposes, grants made avail-

1 able for Israel under this heading shall, as agreed by the
2 United States and Israel, be available for advanced weap-
3 ons systems, of which not less than \$815,300,000 shall
4 be available for the procurement in Israel of defense arti-
5 cles and defense services, including research and develop-
6 ment: *Provided further*, That none of the funds made
7 available under this heading shall be made available to
8 support or continue any program initially funded under
9 the authority of section 1206 of the National Defense Au-
10 thorization Act for Fiscal Year 2006 (Public Law 109–
11 163; 119 Stat. 3456), section 2282 of title 10, United
12 States Code, section 333 of title 10, United States Code,
13 as added by section 1241 of the National Defense Author-
14 ization Act for Fiscal Year 2017 (Public Law 114–328;
15 130 Stat. 2497), or any successor authorities, unless the
16 Secretary of State, in coordination with the Secretary of
17 Defense, has justified such program to the Committees on
18 Appropriations: *Provided further*, That funds appropriated
19 or otherwise made available under this heading shall be
20 nonrepayable notwithstanding any requirement in section
21 23 of the Arms Export Control Act: *Provided further*, That
22 funds made available under this heading shall be obligated
23 upon apportionment in accordance with paragraph (5)(C)
24 of section 1501(a) of title 31, United States Code.

1 None of the funds made available under this heading
2 shall be available to finance the procurement of defense
3 articles, defense services, or design and construction serv-
4 ices that are not sold by the United States Government
5 under the Arms Export Control Act unless the foreign
6 country proposing to make such procurement has first
7 signed an agreement with the United States Government
8 specifying the conditions under which such procurement
9 may be financed with such funds: *Provided*, That all coun-
10 try and funding level increases in allocations shall be sub-
11 mitted through the regular notification procedures of sec-
12 tion 7015 of this Act: *Provided further*, That funds made
13 available under this heading may be used, notwithstanding
14 any other provision of law, for demining, the clearance of
15 unexploded ordnance, and related activities, and may in-
16 clude activities implemented through nongovernmental
17 and international organizations: *Provided further*, That
18 only those countries for which assistance was justified for
19 the “Foreign Military Sales Financing Program” in the
20 fiscal year 1989 congressional presentation for security as-
21 sistance programs may utilize funds made available under
22 this heading for procurement of defense articles, defense
23 services, or design and construction services that are not
24 sold by the United States Government under the Arms
25 Export Control Act: *Provided further*, That funds appro-

1 priated under this heading shall be expended at the min-
2 imum rate necessary to make timely payment for defense
3 articles and services: *Provided further*, That not more than
4 \$80,000,000 of the funds appropriated under this heading
5 may be obligated for necessary expenses, including the
6 purchase of passenger motor vehicles for replacement only
7 for use outside of the United States, for the general costs
8 of administering military assistance and sales, except that
9 this limitation may be exceeded only through the regular
10 notification procedures of the Committees on Appropria-
11 tions: *Provided further*, That of the funds made available
12 under this heading for general costs of administering mili-
13 tary assistance and sales, not to exceed \$4,000 may be
14 available for entertainment expenses and not to exceed
15 \$130,000 may be available for representation expenses:
16 *Provided further*, That not more than \$950,000,000 of
17 funds realized pursuant to section 21(e)(1)(A) of the Arms
18 Export Control Act may be obligated for expenses incurred
19 by the Department of Defense during fiscal year 2018
20 pursuant to section 43(b) of the Arms Export Control Act,
21 except that this limitation may be exceeded only through
22 the regular notification procedures of the Committees on
23 Appropriations.

1 TITLE V
2 MULTILATERAL ASSISTANCE
3 INTERNATIONAL FINANCIAL INSTITUTIONS
4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
5 ASSOCIATION

6 For payment to the International Development Asso-
7 ciation by the Secretary of the Treasury, \$658,661,000,
8 to remain available until September 30, 2019.

9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10 For payment to the Asian Development Bank's Asian
11 Development Fund by the Secretary of the Treasury,
12 \$47,395,000, to remain available until September 30,
13 2019.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

15 For payment to the African Development Bank by
16 the Secretary of the Treasury for the United States share
17 of the paid-in portion of the increase in capital stock,
18 \$32,418,000, to remain available until September 30,
19 2019.

20 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

21 The United States Governor of the African Develop-
22 ment Bank may subscribe without fiscal year limitation
23 to the callable capital portion of the United States share
24 of such capital stock in an amount not to exceed
25 \$507,860,808.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For payment to the African Development Fund by
3 the Secretary of the Treasury, \$109,387,000, to remain
4 available until September 30, 2019.

5 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
6 AGRICULTURAL DEVELOPMENT

7 For payment to the International Fund for Agricul-
8 tural Development by the Secretary of the Treasury,
9 \$30,000,000, to remain available until September 30,
10 2019.

11 TITLE VI

12 EXPORT AND INVESTMENT ASSISTANCE

13 EXPORT-IMPORT BANK OF THE UNITED STATES

14 INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, as amended, \$5,700,000, of which
18 up to \$855,000 may remain available until September 30,
19 2019.

20 PROGRAM ACCOUNT

21 The Export-Import Bank of the United States is au-
22 thorized to make such expenditures within the limits of
23 funds and borrowing authority available to such corpora-
24 tion, and in accordance with law, and to make such con-
25 tracts and commitments without regard to fiscal year limi-

1 tations, as provided by section 104 of the Government
2 Corporation Control Act, as may be necessary in carrying
3 out the program for the current fiscal year for such cor-
4 poration: *Provided*, That none of the funds available dur-
5 ing the current fiscal year may be used to make expendi-
6 tures, contracts, or commitments for the export of nuclear
7 equipment, fuel, or technology to any country, other than
8 a nuclear-weapon state as defined in Article IX of the
9 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
10 ble to receive economic or military assistance under this
11 Act, that has detonated a nuclear explosive after the date
12 of the enactment of this Act.

13 ADMINISTRATIVE EXPENSES

14 For administrative expenses to carry out the direct
15 and guaranteed loan and insurance programs, including
16 hire of passenger motor vehicles and services as authorized
17 by section 3109 of title 5, United States Code, and not
18 to exceed \$30,000 for official reception and representation
19 expenses for members of the Board of Directors, not to
20 exceed \$95,500,000, of which up to \$14,325,000 may re-
21 main available until September 30, 2019: *Provided*, That
22 the Export-Import Bank (the Bank) may accept, and use,
23 payment or services provided by transaction participants
24 for legal, financial, or technical services in connection with
25 any transaction for which an application for a loan, guar-

1 antee or insurance commitment has been made: *Provided*
2 *further*, That the Bank shall charge fees for necessary ex-
3 penses (including special services performed on a contract
4 or fee basis, but not including other personal services) in
5 connection with the collection of moneys owed the Bank,
6 repossession or sale of pledged collateral or other assets
7 acquired by the Bank in satisfaction of moneys owed the
8 Bank, or the investigation or appraisal of any property,
9 or the evaluation of the legal, financial, or technical as-
10 pects of any transaction for which an application for a
11 loan, guarantee or insurance commitment has been made,
12 or systems infrastructure directly supporting transactions:
13 *Provided further*, That in addition to other funds appro-
14 priated for administrative expenses, such fees shall be
15 credited to this account for such purposes, to remain avail-
16 able until expended.

17 RECEIPTS COLLECTED

18 Receipts collected pursuant to the Export-Import
19 Bank Act of 1945, as amended, and the Federal Credit
20 Reform Act of 1990, as amended, in an amount not to
21 exceed the amount appropriated herein, shall be credited
22 as offsetting collections to this account: *Provided*, That the
23 sums herein appropriated from the General Fund shall be
24 reduced on a dollar-for-dollar basis by such offsetting col-

1 lections so as to result in a final fiscal year appropriation
2 from the General Fund estimated at \$0.

3 OVERSEAS PRIVATE INVESTMENT CORPORATION

4 NONCREDIT ACCOUNT

5 The Overseas Private Investment Corporation is au-
6 thorized to make, without regard to fiscal year limitations,
7 as provided by section 9104 of title 31, United States
8 Code, such expenditures and commitments within the lim-
9 its of funds available to it and in accordance with law as
10 may be necessary: *Provided*, That the amount available for
11 administrative expenses to carry out the credit and insur-
12 ance programs (including an amount for official reception
13 and representation expenses which shall not exceed
14 \$35,000) shall not exceed \$60,800,000: *Provided further*,
15 That project-specific transaction costs, including direct
16 and indirect costs incurred in claims settlements, and
17 other direct costs associated with services provided to spe-
18 cific investors or potential investors pursuant to section
19 234 of the Foreign Assistance Act of 1961, shall not be
20 considered administrative expenses for the purposes of this
21 heading.

22 PROGRAM ACCOUNT

23 For the cost of direct and guaranteed loans as au-
24 thorized by section 234 of the Foreign Assistance Act of
25 1961, \$10,000,000, to be derived by transfer from the

1 Overseas Private Investment Corporation Noncredit Ac-
2 count, to remain available until September 30, 2020: *Pro-*
3 *vided*, That such costs, including the cost of modifying
4 such loans, shall be as defined in section 502 of the Con-
5 gressional Budget Act of 1974: *Provided further*, That
6 funds so obligated in fiscal year 2018 remain available for
7 disbursement through 2026; funds obligated in fiscal year
8 2019 remain available for disbursement through 2027;
9 and funds obligated in fiscal year 2020 remain available
10 for disbursement through 2028: *Provided further*, That
11 notwithstanding any other provision of law, the Overseas
12 Private Investment Corporation is authorized to undertake
13 any program authorized by title IV of chapter 2 of part
14 I of the Foreign Assistance Act of 1961 in Iraq: *Provided*
15 *further*, That funds made available pursuant to the au-
16 thority of the previous proviso shall be subject to the reg-
17 ular notification procedures of the Committees on Appro-
18 priations.

19 In addition, such sums as may be necessary for ad-
20 ministrative expenses to carry out the credit program may
21 be derived from amounts available for administrative ex-
22 penses to carry out the credit and insurance programs in
23 the Overseas Private Investment Corporation Noncredit
24 Account and merged with said account.

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$70,500,000, to remain available until September 30,
5 2019: *Provided*, That of the funds appropriated under this
6 heading, not more than \$5,000 may be available for rep-
7 resentation and entertainment expenses.

8 TITLE VII

9 GENERAL PROVISIONS

10 ALLOWANCES AND DIFFERENTIALS

11 SEC. 7001. Funds appropriated under title I of this
12 Act shall be available, except as otherwise provided, for
13 allowances and differentials as authorized by subchapter
14 59 of title 5, United States Code; for services as author-
15 ized by section 3109 of such title and for hire of passenger
16 transportation pursuant to section 1343(b) of title 31,
17 United States Code.

18 UNOBLIGATED BALANCES REPORT

19 SEC. 7002. Any department or agency of the United
20 States Government to which funds are appropriated or
21 otherwise made available by this Act shall provide to the
22 Committees on Appropriations a quarterly accounting of
23 cumulative unobligated balances and obligated, but unex-
24 pended, balances by program, project, and activity, and
25 Treasury Account Fund Symbol of all funds received by

1 such department or agency in fiscal year 2018 or any pre-
2 vious fiscal year, disaggregated by fiscal year: *Provided*,
3 That the report required by this section shall be submitted
4 not later than 30 days after the end of each fiscal quarter
5 and should specify by account the amount of funds obli-
6 gated pursuant to bilateral agreements which have not
7 been further sub-obligated.

8 CONSULTING SERVICES

9 SEC. 7003. The expenditure of any appropriation
10 under title I of this Act for any consulting service through
11 procurement contract, pursuant to section 3109 of title
12 5, United States Code, shall be limited to those contracts
13 where such expenditures are a matter of public record and
14 available for public inspection, except where otherwise pro-
15 vided under existing law, or under existing Executive order
16 issued pursuant to existing law.

17 DIPLOMATIC FACILITIES

18 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
19 INFORMATION.—The Secretary of State shall promptly in-
20 form the Committees on Appropriations of each instance
21 in which a Federal department or agency is delinquent in
22 providing the full amount of funding required by section
23 604(e) of the Secure Embassy Construction and Counter-
24 terrorism Act of 1999 (22 U.S.C. 4865 note).

1 (b) EXCEPTION.—Notwithstanding paragraph (2) of
2 section 604(e) of the Secure Embassy Construction and
3 Counterterrorism Act of 1999 (as enacted into law by sec-
4 tion 1000(a)(7) of Public Law 106–113 and contained in
5 appendix G of that Act), as amended by section 111 of
6 the Department of State Authorities Act, Fiscal Year
7 2017 (Public Law 114–323), a project to construct a facil-
8 ity of the United States may include office space or other
9 accommodations for members of the United States Marine
10 Corps.

11 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
12 poses of calculating the fiscal year 2018 costs of providing
13 new United States diplomatic facilities in accordance with
14 section 604(e) of the Secure Embassy Construction and
15 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
16 Secretary of State, in consultation with the Director of
17 the Office of Management and Budget, shall determine the
18 annual program level and agency shares in a manner that
19 is proportional to the contribution of the Department of
20 State for this purpose.

21 (d) CONSULTATION AND NOTIFICATION REQUIRE-
22 MENTS.—Funds appropriated by this Act and prior Acts
23 making appropriations for the Department of State, for-
24 eign operations, and related programs, which may be made
25 available for the acquisition of property or award of con-

1 struction contracts for overseas United States diplomatic
2 facilities during fiscal year 2018, shall be subject to prior
3 consultation with, and the regular notification procedures
4 of, the Committees on Appropriations: *Provided*, That no-
5 tifications pursuant to this subsection shall include the in-
6 formation enumerated under the heading “Embassy Secu-
7 rity, Construction, and Maintenance” in the report accom-
8 panying this Act.

9 (e) INTERIM AND TEMPORARY FACILITIES
10 ABROAD.—

11 (1) Funds appropriated by this Act under the
12 heading “Embassy Security, Construction, and
13 Maintenance” shall be made available to address se-
14 curity vulnerabilities at interim and temporary
15 United States diplomatic facilities abroad, including
16 physical security upgrades and local guard staffing.

17 (2) Notwithstanding any other provision of law,
18 the opening, closure, or any significant modification
19 to an interim or temporary United States diplomatic
20 facility shall be subject to prior consultation with the
21 appropriate congressional committees and the reg-
22 ular notification procedures of the Committees on
23 Appropriations, except that such consultation and
24 notification may be waived if there is a security risk
25 to personnel.

1 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
2 propriated under the heading “Diplomatic and Consular
3 Programs”, including for Worldwide Security Protection,
4 and under the heading “Embassy Security, Construction,
5 and Maintenance” in titles I and VIII of this Act may
6 be transferred to, and merged with, funds appropriated
7 by such titles under such headings if the Secretary of
8 State determines and reports to the Committees on Appro-
9 priations that to do so is necessary to implement the rec-
10 ommendations of the Benghazi Accountability Review
11 Board, or to prevent or respond to security situations and
12 requirements, following consultation with, and subject to
13 the regular notification procedures of, such Committees:
14 *Provided*, That such transfer authority is in addition to
15 any transfer authority otherwise available under any other
16 provision of law.

17 (g) SOFT TARGETS.—Funds appropriated by this Act
18 under the heading “Embassy Security, Construction, and
19 Maintenance” shall be made available for security en-
20 hancements for soft targets in accordance with section 29
21 of the State Department Basic Authorities Act of 1956
22 (22 U.S.C. 2701).

23 (h) REPORTS.—

24 (1) None of the funds appropriated under the
25 heading “Embassy Security, Construction, and

1 Maintenance” in this Act and prior Acts making ap-
2 propriations for the Department of State, foreign
3 operations, and related programs, made available
4 through Federal agency Capital Security Cost Shar-
5 ing contributions and reimbursements, or generated
6 from the proceeds of real property sales, other than
7 from real property sales located in London, United
8 Kingdom, may be made available for site acquisition
9 and mitigation, planning, design, or construction of
10 the New London Embassy: *Provided*, That the re-
11 porting requirement contained in section 7004(f)(2)
12 of the Department of State, Foreign Operations, and
13 Related Programs Appropriations Act, 2012 (divi-
14 sion I of Public Law 112–74) shall remain in effect
15 during fiscal year 2018.

16 (2) Within 45 days of enactment of this Act
17 and every 4 months thereafter until September 30,
18 2019, the Secretary of State shall submit to the
19 Committees on Appropriations a report on the new
20 Mexico City Embassy and Beirut Embassy projects:
21 *Provided*, That such report shall include, for each of
22 the projects—

23 (A) a detailed breakout of the project fac-
24 tors that formed the basis of the initial cost es-
25 timate used to justify such project to the Com-

1 mittees on Appropriations, as described under
2 the heading “Embassy Security Construction
3 and Maintenance” in the report accompanying
4 this Act;

5 (B) a comparison of the current project
6 factors as compared to the project factors sub-
7 mitted pursuant to subparagraph (A) of this
8 subsection, and an explanation of any changes;
9 and

10 (C) the impact of currency exchange rate
11 fluctuations on project costs.

12 PERSONNEL ACTIONS

13 SEC. 7005. Any costs incurred by a department or
14 agency funded under title I of this Act resulting from per-
15 sonnel actions taken in response to funding reductions in-
16 cluded in this Act shall be absorbed within the total budg-
17 etary resources available under title I to such department
18 or agency: *Provided*, That the authority to transfer funds
19 between appropriations accounts as may be necessary to
20 carry out this section is provided in addition to authorities
21 included elsewhere in this Act: *Provided further*, That use
22 of funds to carry out this section shall be treated as a
23 reprogramming of funds under section 7015 of this Act.

1 DEPARTMENT OF STATE MANAGEMENT

2 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
3 MENT.—Funds appropriated by this Act for the operations
4 of the Department of State under the headings “Diplo-
5 matic and Consular Programs” and “Capital Investment
6 Fund” shall be made available to implement the rec-
7 ommendations contained in the Foreign Assistance Data
8 Review Findings Report (FADR) and the Office of Inspec-
9 tor General (OIG) report entitled “Department Financial
10 Systems Are Insufficient to Track and Report on Foreign
11 Assistance Funds”: *Provided*, That not later than 45 days
12 after enactment of this Act, the Secretary of State shall
13 submit to the Committees on Appropriations an update
14 to the plan required under section 7006 of the Department
15 of State, Foreign Operations, and Related Programs Ap-
16 propriations Act, 2017 (division J of Public Law 115–31)
17 for implementing the FADR and OIG recommendations:
18 *Provided further*, That such funds may not be obligated
19 for enhancements to, or expansions of, the Budget System
20 Modernization Financial System, Central Resource Man-
21 agement System, Joint Financial Management System, or
22 Foreign Assistance Coordination and Tracking System
23 until such updated plan is submitted to the Committees
24 on Appropriations: *Provided further*, That such funds may
25 not be obligated for new, or expansion of existing, ad hoc

1 electronic systems to track commitments, obligations or
2 expenditures of funds unless the Secretary of State, fol-
3 lowing consultation with the Chief Information Officer of
4 the Department of State, has reviewed and certified that
5 such new system or expansion is consistent with the
6 FADR and OIG recommendations.

7 (b) WORKING CAPITAL FUND.—Funds appropriated
8 by this Act or otherwise made available to the Department
9 of State for payments to the Working Capital Fund may
10 only be used for the service centers included in the Con-
11 gressional Budget Justification, Department of State,
12 Foreign Operations, and Related Programs, Fiscal Year
13 2018: *Provided*, That the amounts for such service centers
14 shall be the amounts included in such budget justification,
15 except as provided in section 7015(b) of this Act: *Provided*
16 *further*, That Federal agency components shall be charged
17 only for their direct usage of each Working Capital Fund
18 service: *Provided further*, That prior to increasing the per-
19 centage charged to Department of State bureaus and of-
20 fices for procurement-related activities, the Secretary of
21 State shall include the proposed increase in the Depart-
22 ment of State budget justification or, at least 60 days
23 prior to the increase, provide the Committees on Appro-
24 priations a justification for such increase, including a de-
25 tailed assessment of the cost and benefit of the services

1 provided by the procurement fee: *Provided further*, That
2 Federal agency components may only pay for Working
3 Capital Fund services that are consistent with the purpose
4 and authorities of such components: *Provided further*,
5 That the Working Capital Fund shall be paid in advance
6 or reimbursed at rates which will return the full cost of
7 each service.

8 (c) CERTIFICATION REQUIREMENT.—Prior to the ini-
9 tial obligation of funds appropriated under titles III and
10 IV of this Act that are made available to a Department
11 of State bureau or office with responsibility for the over-
12 sight or management of such funds, the Secretary of State
13 shall certify and report to the Committees on Appropria-
14 tions, on an individual bureau or office basis, that such
15 bureau or office is in compliance with Department and
16 Federal financial management policies, procedures and
17 regulations, as applicable: *Provided*, That if the Secretary
18 is unable to make such certification for an individual bu-
19 reau or office, the Secretary shall submit a plan and
20 timeline to such Committees detailing the steps to be
21 taken to ensure such compliance.

22 (d) REPORT ON SOLE SOURCE AWARDS.—Not later
23 than December 31, 2018, the Secretary of State shall sub-
24 mit a report to the appropriate congressional committees
25 detailing all sole-source awards made by the Department

1 of State during the previous fiscal year in excess of
2 \$2,000,000: *Provided*, That such report should be posted
3 on the Department of State Web site.

4 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
5 COUNTRIES

6 SEC. 7007. None of the funds appropriated or other-
7 wise made available pursuant to titles III through VI of
8 this Act shall be obligated or expended to finance directly
9 any assistance or reparations for the governments of
10 Cuba, North Korea, Iran, or Syria: *Provided*, That for
11 purposes of this section, the prohibition on obligations or
12 expenditures shall include direct loans, credits, insurance,
13 and guarantees of the Export-Import Bank or its agents.

14 COUPS D'ÉTAT

15 SEC. 7008. None of the funds appropriated or other-
16 wise made available pursuant to titles III through VI of
17 this Act shall be obligated or expended to finance directly
18 any assistance to the government of any country whose
19 duly elected head of government is deposed by military
20 coup d'état or decree or, after the date of enactment of
21 this Act, a coup d'état or decree in which the military
22 plays a decisive role: *Provided*, That assistance may be re-
23 sumed to such government if the Secretary of State cer-
24 tifies and reports to the appropriate congressional commit-
25 tees that subsequent to the termination of assistance a

1 democratically elected government has taken office: *Pro-*
2 *vided further*, That the provisions of this section shall not
3 apply to assistance to promote democratic elections or
4 public participation in democratic processes: *Provided fur-*
5 *ther*, That funds made available pursuant to the previous
6 provisos shall be subject to the regular notification proce-
7 dures of the Committees on Appropriations.

8 TRANSFER OF FUNDS AUTHORITY

9 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-
10 CASTING BOARD OF GOVERNORS.—

11 (1) Not to exceed 5 percent of any appropria-
12 tion made available for the current fiscal year for
13 the Department of State under title I of this Act
14 may be transferred between, and merged with, such
15 appropriations, but no such appropriation, except as
16 otherwise specifically provided, shall be increased by
17 more than 10 percent by any such transfers, and no
18 such transfer may be made to increase the appro-
19 priation under the heading “Representation Ex-
20 penses”.

21 (2) Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for
23 the Broadcasting Board of Governors under title I
24 of this Act may be transferred between, and merged
25 with, such appropriations, but no such appropria-

1 tion, except as otherwise specifically provided, shall
2 be increased by more than 10 percent by any such
3 transfers.

4 (3) Any transfer pursuant to this subsection
5 shall be treated as a reprogramming of funds under
6 section 7015 of this Act and shall not be available
7 for obligation or expenditure except in compliance
8 with the procedures set forth in that section.

9 (b) TITLE VI AGENCIES.—Not to exceed 5 percent
10 of any appropriation other than for administrative ex-
11 penses made available for fiscal year 2018, for programs
12 under title VI of this Act may be transferred between such
13 appropriations for use for any of the purposes, programs,
14 and activities for which the funds in such receiving ac-
15 count may be used, but no such appropriation, except as
16 otherwise specifically provided, shall be increased by more
17 than 25 percent by any such transfer: *Provided*, That the
18 exercise of such authority shall be subject to the regular
19 notification procedures of the Committees on Appropria-
20 tions.

21 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
22 TWEEN AGENCIES.—

23 (1) None of the funds made available under ti-
24 tles II through V of this Act may be transferred to
25 any department, agency, or instrumentality of the

1 United States Government, except pursuant to a
2 transfer made by, or transfer authority provided in,
3 this Act or any other appropriations Act.

4 (2) Notwithstanding paragraph (1), in addition
5 to transfers made by, or authorized elsewhere in,
6 this Act, funds appropriated by this Act to carry out
7 the purposes of the Foreign Assistance Act of 1961
8 may be allocated or transferred to agencies of the
9 United States Government pursuant to the provi-
10 sions of sections 109, 610, and 632 of the Foreign
11 Assistance Act of 1961.

12 (3) Any agreement entered into by the United
13 States Agency for International Development or the
14 Department of State with any department, agency,
15 or instrumentality of the United States Government
16 pursuant to section 632(b) of the Foreign Assistance
17 Act of 1961 valued in excess of \$1,000,000 and any
18 agreement made pursuant to section 632(a) of such
19 Act, with funds appropriated by this Act or prior
20 Acts making appropriations for the Department of
21 State, foreign operations, and related programs
22 under the headings “Global Health Programs”, “De-
23 velopment Assistance”, “Economic Support Fund”,
24 and “Assistance for Europe, Eurasia and Central
25 Asia” shall be subject to the regular notification pro-

1 cedures of the Committees on Appropriations: *Pro-*
2 *vided*, That the requirement in the previous sentence
3 shall not apply to agreements entered into between
4 USAID and the Department of State.

5 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
6 None of the funds made available under titles II through
7 V of this Act may be obligated under an appropriations
8 account to which such funds were not appropriated, except
9 for transfers specifically provided for in this Act, unless
10 the President, not less than 5 days prior to the exercise
11 of any authority contained in the Foreign Assistance Act
12 of 1961 to transfer funds, consults with and provides a
13 written policy justification to the Committees on Appro-
14 priations.

15 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
16 FUNDS.—Any agreement for the transfer or allocation of
17 funds appropriated by this Act or prior Acts making ap-
18 propriations for the Department of State, foreign oper-
19 ations and related programs, entered into between the De-
20 partment of State or USAID and another agency of the
21 United States Government under the authority of section
22 632(a) of the Foreign Assistance Act of 1961 or any com-
23 parable provision of law, shall expressly provide that the
24 Inspector General (IG) for the agency receiving the trans-
25 fer or allocation of such funds, or other entity with audit

1 responsibility if the receiving agency does not have an IG,
2 shall perform periodic program and financial audits of the
3 use of such funds and report to the Department of State
4 or USAID, as appropriate, upon completion of such au-
5 dits: *Provided*, That such audits shall be transmitted to
6 the Committees on Appropriations by the Department of
7 State or USAID, as appropriate: *Provided further*, That
8 funds transferred under such authority may be made
9 available for the cost of such audits.

10 (f) REPORT.—Not later than 90 days after enactment
11 of this Act, the Secretary of State and the USAID Admin-
12 istrator shall each submit a report to the Committees on
13 Appropriations detailing all transfers to another agency
14 of the United States Government made pursuant to sec-
15 tions 632(a) and 632(b) of the Foreign Assistance Act of
16 1961 with funds provided in the Department of State,
17 Foreign Operations, and Related Programs Appropria-
18 tions Act, 2017 (division J of Public Law 115–31) as of
19 the date of enactment of this Act: *Provided*, That such
20 reports shall include a list of each transfer made pursuant
21 to such sections with the respective funding level, appro-
22 priation account, and the receiving agency.

23 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

24 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
25 funds made available by this Act may be used for first-

1 class travel by employees of United States Government de-
2 partments and agencies funded by this Act in contraven-
3 tion of section 301–10.122 through 301–10.124 of title
4 41, Code of Federal Regulations.

5 (b) COMPUTER NETWORKS.—None of the funds
6 made available by this Act for the operating expenses of
7 any United States Government department or agency may
8 be used to establish or maintain a computer network for
9 use by such department or agency unless such network
10 has filters designed to block access to sexually explicit Web
11 sites: *Provided*, That nothing in this subsection shall limit
12 the use of funds necessary for any Federal, State, tribal,
13 or local law enforcement agency, or any other entity car-
14 rying out the following activities: criminal investigations,
15 prosecutions, and adjudications; administrative discipline;
16 and the monitoring of such Web sites undertaken as part
17 of official business.

18 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
19 None of the funds made available by this Act should be
20 available to promote the sale or export of tobacco or to-
21 bacco products, or to seek the reduction or removal by any
22 foreign country of restrictions on the marketing of tobacco
23 or tobacco products, except for restrictions which are not
24 applied equally to all tobacco or tobacco products of the
25 same type.

1 AVAILABILITY OF FUNDS

2 SEC. 7011. No part of any appropriation contained
3 in this Act shall remain available for obligation after the
4 expiration of the current fiscal year unless expressly so
5 provided by this Act: *Provided*, That funds appropriated
6 for the purposes of chapters 1 and 8 of part I, section
7 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
8 Assistance Act of 1961, section 23 of the Arms Export
9 Control Act, and funds provided under the headings “De-
10 velopment Credit Authority” and “Assistance for Europe,
11 Eurasia and Central Asia” shall remain available for an
12 additional 4 years from the date on which the availability
13 of such funds would otherwise have expired, if such funds
14 are initially obligated before the expiration of their respec-
15 tive periods of availability contained in this Act: *Provided*
16 *further*, That the availability of funds pursuant to the pre-
17 vious proviso shall not be applicable to such funds until
18 the Secretary of State submits the reports required under
19 section 7011 of the Department of State, Foreign Oper-
20 ations, and Related Programs Appropriations Act, 2016
21 (division K of Public Law 114–113) and under section
22 7011 of the Department of State, Foreign Operations, and
23 Related Programs Appropriations Act, 2017 (division J of
24 Public Law 115–31): *Provided further*, That the Secretary
25 of State shall provide a report to the Committees on Ap-

1 appropriations not later than October 30, 2018, detailing by
2 account and source year, the use of this authority during
3 the previous fiscal year.

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

5 SEC. 7012. No part of any appropriation provided
6 under titles III through VI in this Act shall be used to
7 furnish assistance to the government of any country which
8 is in default during a period in excess of 1 calendar year
9 in payment to the United States of principal or interest
10 on any loan made to the government of such country by
11 the United States pursuant to a program for which funds
12 are appropriated under this Act unless the President de-
13 termines, following consultations with the Committees on
14 Appropriations, that assistance for such country is in the
15 national interest of the United States.

16 PROHIBITION ON TAXATION OF UNITED STATES

17 ASSISTANCE

18 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
19 of the funds appropriated under titles III through VI of
20 this Act may be made available to provide assistance for
21 a foreign country under a new bilateral agreement gov-
22 erning the terms and conditions under which such assist-
23 ance is to be provided unless such agreement includes a
24 provision stating that assistance provided by the United
25 States shall be exempt from taxation, or reimbursed, by

1 the foreign government, and the Secretary of State and
2 the Administrator of the United States Agency for Inter-
3 national Development shall expeditiously seek to negotiate
4 amendments to existing bilateral agreements, as nec-
5 essary, to conform with this requirement.

6 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
7 EIGN TAXES.—An amount equivalent to 200 percent of
8 the total taxes assessed during fiscal year 2018 on funds
9 appropriated by this Act and prior Acts making appropria-
10 tions for the Department of State, foreign operations, and
11 related programs by a foreign government or entity
12 against United States assistance programs, either directly
13 or through grantees, contractors, and subcontractors shall
14 be withheld from obligation from funds appropriated for
15 assistance for fiscal year 2019 and for prior fiscal years
16 and allocated for the central government of such country
17 or for the West Bank and Gaza program if, not later than
18 September 30, 2019, such taxes have not been reimbursed:
19 *Provided*, That the Secretary of State shall report to the
20 Committees on Appropriations by such date on the foreign
21 governments and entities that have not reimbursed such
22 taxes, including any amount of funds withheld pursuant
23 to this subsection.

1 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
2 minimis nature shall not be subject to the provisions of
3 subsection (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 assist-
7 ance for countries which do not assess taxes on United
8 States assistance or which have an effective arrangement
9 that is providing substantial reimbursement of such taxes,
10 and that can reasonably accommodate such assistance in
11 a programmatically responsible manner.

12 (e) DETERMINATIONS.—

13 (1) The provisions of this section shall not
14 apply to any foreign government or entity that as-
15 sesses such taxes if the Secretary of State reports to
16 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
21 United States outweigh the purpose of this sec-
22 tion to ensure that United States assistance is
23 not subject to taxation.

24 (2) The Secretary of State shall consult with
25 the Committees on Appropriations at least 15 days

1 prior to exercising the authority of this subsection
2 with regard to any foreign government or entity.

3 (f) IMPLEMENTATION.—The Secretary of State shall
4 issue rules, regulations, or policy guidance, as appropriate,
5 to implement the prohibition against the taxation of assist-
6 ance contained in this section.

7 (g) DEFINITIONS.—As used in this section—

8 (1) the term “bilateral agreement” refers to a
9 framework bilateral agreement between the Govern-
10 ment of the United States and the government of
11 the country receiving assistance that describes the
12 privileges and immunities applicable to United
13 States foreign assistance for such country generally,
14 or an individual agreement between the Government
15 of the United States and such government that de-
16 scribes, among other things, the treatment for tax
17 purposes that will be accorded the United States as-
18 sistance provided under that agreement; and

19 (2) the term “taxes and taxation” shall include
20 value added taxes and customs duties but shall not
21 include individual income taxes assessed to local
22 staff.

23 (h) REPORT.—The Secretary of State, in consultation
24 with the heads of other relevant departments or agencies
25 of the United States Government, shall submit an update

1 istrator, as appropriate, determines and reports promptly
2 to the Committees on Appropriations that the termination
3 of assistance to a country or a significant change in cir-
4 cumstances makes it unlikely that such designated funds
5 can be obligated during the original period of availability:
6 *Provided*, That such designated funds that continue to be
7 available for an additional fiscal year shall be obligated
8 only for the purpose of such designation.

9 (c) OTHER ACTS.—Ceilings and specifically des-
10 igned funding levels contained in this Act shall not be
11 applicable to funds or authorities appropriated or other-
12 wise made available by any subsequent Act unless such
13 Act specifically so directs: *Provided*, That specifically des-
14 igned funding levels or minimum funding requirements
15 contained in any other Act shall not be applicable to funds
16 appropriated by this Act.

17 NOTIFICATION REQUIREMENTS

18 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
19 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
20 made available in titles I and II of this Act or prior Acts
21 making appropriations for the Department of State, for-
22 eign operations, and related programs to the departments
23 and agencies funded by this Act that remain available for
24 obligation in fiscal year 2018, or provided from any ac-
25 counts in the Treasury of the United States derived by

1 the collection of fees or of currency reflows or other offset-
2 ting collections, or made available by transfer, to the de-
3 partments and agencies funded by this Act, shall be avail-
4 able for obligation to—

5 (1) create new programs;

6 (2) eliminate a program, project, or activity;

7 (3) close, suspend, open, or reopen a mission or
8 post;

9 (4) create, close, reorganize, or rename bureaus,
10 centers, or offices; or

11 (5) contract out or privatize any functions or
12 activities presently performed by Federal employees;

13 unless previously justified to the Committees on Appro-
14 priations or such Committees are notified 15 days in ad-
15 vance of such obligation.

16 (b) NOTIFICATION OF REPROGRAMMING OF
17 FUNDS.—None of the funds provided under titles I and
18 II of this Act or prior Acts making appropriations for the
19 Department of State, foreign operations, and related pro-
20 grams, to the departments and agencies funded under ti-
21 tles I and II of this Act that remain available for obliga-
22 tion in fiscal year 2018, or provided from any accounts
23 in the Treasury of the United States derived by the collec-
24 tion of fees available to the department and agency funded
25 under title I of this Act, shall be available for obligation

1 or expenditure for activities, programs, or projects
2 through a reprogramming of funds in excess of
3 \$1,000,000 or 10 percent, whichever is less, that—

4 (1) augments or changes existing programs,
5 projects, or activities;

6 (2) relocates an existing office or employees;

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

10 (4) results from any general savings, including
11 savings from a reduction in personnel, which would
12 result in a change in existing programs, activities, or
13 projects as approved by Congress;

14 unless the Committees on Appropriations are notified 15
15 days in advance of such reprogramming of funds.

16 (c) NOTIFICATION REQUIREMENT.—None of the
17 funds made available by this Act under the headings
18 “Global Health Programs”, “Development Assistance”,
19 “Trade and Development Agency”, “International Nar-
20 cotics Control and Law Enforcement”, “Economic Sup-
21 port Fund”, “Democracy Fund”, “Assistance for Europe,
22 Eurasia and Central Asia”, “Peacekeeping Operations”,
23 “Nonproliferation, Anti-terrorism, Demining and Related
24 Programs”, “Millennium Challenge Corporation”, “For-
25 eign Military Financing Program”, “International Mili-

1 tary Education and Training”, and “Peace Corps”, shall
2 be available for obligation for activities, programs,
3 projects, type of materiel assistance, countries, or other
4 operations not justified or in excess of the amount justi-
5 fied to the Committees on Appropriations for obligation
6 under any of these specific headings unless the Commit-
7 tees on Appropriations are notified 15 days in advance of
8 such commitment: *Provided*, That the President shall not
9 enter into any commitment of funds appropriated for the
10 purposes of section 23 of the Arms Export Control Act
11 for the provision of major defense equipment, other than
12 conventional ammunition, or other major defense items
13 defined to be aircraft, ships, missiles, or combat vehicles,
14 not previously justified to Congress or 20 percent in excess
15 of the quantities justified to Congress unless the Commit-
16 tees on Appropriations are notified 15 days in advance of
17 such commitment: *Provided further*, That requirements of
18 this subsection or any similar provision of this or any
19 other Act shall not apply to any reprogramming for an
20 activity, program, or project for which funds are appro-
21 priated under titles III through VI of this Act of less than
22 10 percent of the amount previously justified to Congress
23 for obligation for such activity, program, or project for the
24 current fiscal year: *Provided further*, That any notification
25 submitted pursuant to subsection (f) of this section shall

1 include information (if known on the date of transmittal
2 of such notification) on the use of notwithstanding author-
3 ity: *Provided further*, That if subsequent to the notification
4 of assistance it becomes necessary to rely on notwith-
5 standing authority, the Committees on Appropriations
6 should be informed at the earliest opportunity and to the
7 extent practicable.

8 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
9 withstanding any other provision of law, with the excep-
10 tion of funds transferred to, and merged with, funds ap-
11 propriated under title I of this Act, funds transferred by
12 the Department of Defense to the Department of State
13 and the United States Agency for International Develop-
14 ment for assistance for foreign countries and international
15 organizations, and funds made available for programs pre-
16 viously authorized under section 1206 of the National De-
17 fense Authorization Act for Fiscal Year 2006 (Public Law
18 109–163; 119 Stat. 3456), section 2282 of title 10, United
19 States Code, section 333 of title 10, United States Code,
20 as added by section 1241 of the National Defense Author-
21 ization Act for Fiscal Year 2017 (Public Law 114–328),
22 or any successor authorities, shall be subject to the regular
23 notification procedures of the Committees on Appropria-
24 tions.

1 (e) WAIVER.—The requirements of this section or
2 any similar provision of this Act or any other Act, includ-
3 ing any prior Act requiring notification in accordance with
4 the regular notification procedures of the Committees on
5 Appropriations, may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided*, That in case of any such waiver, notification to the
8 Committees on Appropriations shall be provided as early
9 as practicable, but in no event later than 3 days after tak-
10 ing the action to which such notification requirement was
11 applicable, in the context of the circumstances necessi-
12 tating such waiver: *Provided further*, That any notification
13 provided pursuant to such a waiver shall contain an expla-
14 nation of the emergency circumstances.

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bolivia, Burma, Cambodia, Colombia, Cuba,
19 Ecuador, El Salvador, Ethiopia, Guatemala, Haiti, Hon-
20 duras, Iran, Iraq, Lebanon, Libya, Pakistan, Philippines,
21 the Russian Federation, Somalia, South Sudan, Sri
22 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
23 Zimbabwe except as provided through the regular notifica-
24 tion procedures of the Committees on Appropriations.

1 (g) TRUST FUNDS.—Funds appropriated or other-
2 wise made available in title III of this Act and prior Acts
3 making funds available for the Department of State, for-
4 eign operations, and related programs that are made avail-
5 able for a trust fund held by an international financial
6 institution as defined by section 7034(o)(3) of this Act
7 shall be subject to the regular notification procedures of
8 the Committees on Appropriations: *Provided*, That such
9 notification shall include the information specified under
10 this section in the report accompanying this Act.

11 (h) WITHHOLDING OF FUNDS.—Funds appropriated
12 by this Act under titles III and IV that are withheld from
13 obligation or otherwise not programmed as a result of ap-
14 plication of a provision of law in this or any other Act
15 shall, if reprogrammed, be subject to the regular notifica-
16 tion procedures of the Committees on Appropriations.

17 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

18 SEC. 7016. Prior to providing excess Department of
19 Defense articles in accordance with section 516(a) of the
20 Foreign Assistance Act of 1961, the Department of De-
21 fense shall notify the Committees on Appropriations to the
22 same extent and under the same conditions as other com-
23 mittees pursuant to subsection (f) of that section: *Pro-*
24 *vided*, That before issuing a letter of offer to sell excess
25 defense articles under the Arms Export Control Act, the

1 Department of Defense shall notify the Committees on
2 Appropriations in accordance with the regular notification
3 procedures of such Committees if such defense articles are
4 significant military equipment (as defined in section 47(9)
5 of the Arms Export Control Act) or are valued (in terms
6 of original acquisition cost) at \$7,000,000 or more, or if
7 notification is required elsewhere in this Act for the use
8 of appropriated funds for specific countries that would re-
9 ceive such excess defense articles: *Provided further*, That
10 such Committees shall also be informed of the original ac-
11 quisition cost of such defense articles.

12 LIMITATION ON AVAILABILITY OF FUNDS FOR
13 INTERNATIONAL ORGANIZATIONS AND PROGRAMS
14 SEC. 7017. Subject to the regular notification proce-
15 dures of the Committees on Appropriations, funds appro-
16 priated under titles I and III through V of this Act, which
17 are returned or not made available for organizations and
18 programs because of the implementation of section 307(a)
19 of the Foreign Assistance Act of 1961, shall remain avail-
20 able for obligation until September 30, 2019: *Provided*,
21 That the requirement to withhold funds for programs in
22 Burma under section 307(a) of the Foreign Assistance Act
23 of 1961 shall not apply to funds appropriated by this Act.

1 PROHIBITION ON FUNDING FOR ABORTIONS AND
2 INVOLUNTARY STERILIZATION

3 SEC. 7018. None of the funds made available to carry
4 out part I of the Foreign Assistance Act of 1961, as
5 amended, may be used to pay for the performance of abor-
6 tions as a method of family planning or to motivate or
7 coerce any person to practice abortions. None of the funds
8 made available to carry out part I of the Foreign Assist-
9 ance Act of 1961, as amended, may be used to pay for
10 the performance of involuntary sterilization as a method
11 of family planning or to coerce or provide any financial
12 incentive to any person to undergo sterilizations. None of
13 the funds made available to carry out part I of the Foreign
14 Assistance Act of 1961, as amended, may be used to pay
15 for any biomedical research which relates in whole or in
16 part, to methods of, or the performance of, abortions or
17 involuntary sterilization as a means of family planning.
18 None of the funds made available to carry out part I of
19 the Foreign Assistance Act of 1961, as amended, may be
20 obligated or expended for any country or organization if
21 the President certifies that the use of these funds by any
22 such country or organization would violate any of the
23 above provisions related to abortions and involuntary steri-
24 lizations.

1 ALLOCATIONS

2 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
3 subsection (b), funds appropriated by this Act under titles
4 III through V shall be made available in the amounts spe-
5 cifically designated in the respective tables included in the
6 report accompanying this Act: *Provided*, That such des-
7 ignated amounts for foreign countries and international
8 organizations shall serve as the amounts for such coun-
9 tries and international organizations transmitted to Con-
10 gress in the report required by section 653(a) of the For-
11 eign Assistance Act of 1961.

12 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
13 provided for by this Act, the Secretary of State and the
14 Administrator of the United States Agency for Inter-
15 national Development, as applicable, may only deviate up
16 to 5 percent from the amounts specifically designated in
17 the respective tables included in the report accompanying
18 this Act: *Provided*, That such percentage may be exceeded
19 only to respond to significant, exigent, or unforeseen
20 events, or to address other exceptional circumstances di-
21 rectly related to the national interest: *Provided further*,
22 That deviations pursuant to the previous proviso shall be
23 subject to prior consultation with, and the regular notifica-
24 tion procedures of, the Committees on Appropriations.

1 (c) LIMITATION.—For specifically designated
2 amounts that are included, pursuant to subsection (a), in
3 the report required by section 653(a) of the Foreign As-
4 sistance Act of 1961, no deviations authorized by sub-
5 section (b) may take place until submission of such report.

6 (d) EXCEPTIONS.—Subsections (a) and (b) shall not
7 apply to—

8 (1) amounts designated for “International Mili-
9 tary Education and Training” in the respective ta-
10 bles included in the report accompanying this Act;
11 and

12 (2) funds for which the initial period of avail-
13 ability has expired.

14 REPRESENTATION AND ENTERTAINMENT EXPENSES

15 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
16 partment, agency, or entity funded in titles I or II of this
17 Act, and the Department of the Treasury and independent
18 agencies funded in titles III or VI of this Act, shall take
19 steps to ensure that domestic and overseas representation
20 and entertainment expenses further official agency busi-
21 ness and United States foreign policy interests—

22 (1) are primarily for fostering relations outside
23 of the Executive Branch;

24 (2) are principally for meals and events of a
25 protocol nature;

1 (3) are not for employee-only events; and

2 (4) do not include activities that are substan-
3 tially of a recreational character.

4 (b) LIMITATIONS.—None of the funds appropriated
5 or otherwise made available by this Act under the head-
6 ings “International Military Education and Training” or
7 “Foreign Military Financing Program” for Informational
8 Program activities or under the headings “Global Health
9 Programs”, “Development Assistance”, “Economic Sup-
10 port Fund”, and “Assistance for Europe, Eurasia and
11 Central Asia” may be obligated or expended to pay for—

12 (1) alcoholic beverages; or

13 (2) entertainment expenses for activities that
14 are substantially of a recreational character, includ-
15 ing but not limited to entrance fees at sporting
16 events, theatrical and musical productions, and
17 amusement parks.

18 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

19 SUPPORTING INTERNATIONAL TERRORISM

20 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
21 PORTS.—

22 (1) PROHIBITION.—None of the funds appro-
23 priated or otherwise made available by titles III
24 through VI of this Act may be made available to any
25 foreign government which provides lethal military

1 equipment to a country the government of which the
2 Secretary of State has determined supports inter-
3 national terrorism for purposes of section 6(j) of the
4 Export Administration Act of 1979 as continued in
5 effect pursuant to the International Emergency Eco-
6 nomic Powers Act: *Provided*, That the prohibition
7 under this section with respect to a foreign govern-
8 ment shall terminate 12 months after that govern-
9 ment ceases to provide such military equipment:
10 *Provided further*, That this section applies with re-
11 spect to lethal military equipment provided under a
12 contract entered into after October 1, 1997.

13 (2) DETERMINATION.—Assistance restricted by
14 paragraph (1) or any other similar provision of law,
15 may be furnished if the President determines that to
16 do so is important to the national interest of the
17 United States.

18 (3) REPORT.—Whenever the President makes a
19 determination pursuant to paragraph (2), the Presi-
20 dent shall submit to the Committees on Appropria-
21 tions a report with respect to the furnishing of such
22 assistance, including a detailed explanation of the
23 assistance to be provided, the estimated dollar
24 amount of such assistance, and an explanation of

1 how the assistance furthers United States national
2 interest.

3 (b) BILATERAL ASSISTANCE.—

4 (1) LIMITATIONS.—Funds appropriated for bi-
5 lateral assistance in titles III through VI of this Act
6 and funds appropriated under any such title in prior
7 Acts making appropriations for the Department of
8 State, foreign operations, and related programs,
9 shall not be made available to any foreign govern-
10 ment which the President determines—

11 (A) grants sanctuary from prosecution to
12 any individual or group which has committed
13 an act of international terrorism;

14 (B) otherwise supports international ter-
15 rorism; or

16 (C) is controlled by an organization des-
17 ignated as a terrorist organization under sec-
18 tion 219 of the Immigration and Nationality
19 Act (8 U.S.C. 1189).

20 (2) WAIVER.—The President may waive the ap-
21 plication of paragraph (1) to a government if the
22 President determines that national security or hu-
23 manitarian reasons justify such waiver: *Provided*,
24 That the President shall publish each such waiver in
25 the Federal Register and, at least 15 days before the

1 waiver takes effect, shall notify the Committees on
2 Appropriations of the waiver (including the justifica-
3 tion for the waiver) in accordance with the regular
4 notification procedures of the Committees on Appro-
5 priations.

6 AUTHORIZATION REQUIREMENTS

7 SEC. 7022. Funds appropriated by this Act, except
8 funds appropriated under the heading “Trade and Devel-
9 opment Agency”, may be obligated and expended notwith-
10 standing section 10 of Public Law 91–672 (22 U.S.C.
11 2412), section 15 of the State Department Basic Authori-
12 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
13 eign Relations Authorization Act, Fiscal Years 1994 and
14 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
15 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

17 SEC. 7023. For the purpose of titles II through VI
18 of this Act “program, project, and activity” shall be de-
19 fined at the appropriations Act account level and shall in-
20 clude all appropriations and authorizations Acts funding
21 directives, ceilings, and limitations with the exception that
22 for the following accounts: “Economic Support Fund”,
23 “Assistance for Europe, Eurasia and Central Asia”, and
24 “Foreign Military Financing Program”, “program,
25 project, and activity” shall also be considered to include

1 country, regional, and central program level funding with-
2 in each such account; and for the development assistance
3 accounts of the United States Agency for International
4 Development, “program, project, and activity” shall also
5 be considered to include central, country, regional, and
6 program level funding, either as—

7 (1) justified to Congress; or

8 (2) allocated by the Executive Branch in ac-
9 cordance with a report, to be provided to the Com-
10 mittees on Appropriations within 30 days of the en-
11 actment of this Act, as required by section 653(a)
12 of the Foreign Assistance Act of 1961 or as modi-
13 fied pursuant to section 7019 of this Act.

14 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
15 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
16 OPMENT FOUNDATION

17 SEC. 7024. Unless expressly provided to the contrary,
18 provisions of this or any other Act, including provisions
19 contained in prior Acts authorizing or making appropria-
20 tions for the Department of State, foreign operations, and
21 related programs, shall not be construed to prohibit activi-
22 ties authorized by or conducted under the Peace Corps
23 Act, the Inter-American Foundation Act or the African
24 Development Foundation Act: *Provided*, That prior to con-
25 ducting activities in a country for which assistance is pro-

1 hibited, the agency shall consult with the Committees on
2 Appropriations and report to such Committees within 15
3 days of taking such action.

4 COMMERCE, TRADE AND SURPLUS COMMODITIES

5 SEC. 7025. (a) WORLD MARKETS.—None of the
6 funds appropriated or made available pursuant to titles
7 III through VI of this Act for direct assistance and none
8 of the funds otherwise made available to the Export-Im-
9 port Bank and the Overseas Private Investment Corpora-
10 tion shall be obligated or expended to finance any loan,
11 any assistance, or any other financial commitments for es-
12 tablishing or expanding production of any commodity for
13 export by any country other than the United States, if
14 the commodity is likely to be in surplus on world markets
15 at the time the resulting productive capacity is expected
16 to become operative and if the assistance will cause sub-
17 stantial injury to United States producers of the same,
18 similar, or competing commodity: *Provided*, That such
19 prohibition shall not apply to the Export-Import Bank if
20 in the judgment of its Board of Directors the benefits to
21 industry and employment in the United States are likely
22 to outweigh the injury to United States producers of the
23 same, similar, or competing commodity, and the Chairman
24 of the Board so notifies the Committees on Appropria-

1 tions: *Provided further*, That this subsection shall not pro-
2 hibit—

3 (1) activities in a country that is eligible for as-
4 sistance from the International Development Asso-
5 ciation, is not eligible for assistance from the Inter-
6 national Bank for Reconstruction and Development,
7 and does not export on a consistent basis the agri-
8 cultural commodity with respect to which assistance
9 is furnished; or

10 (2) activities in a country the President deter-
11 mines is recovering from widespread conflict, a hu-
12 manitarian crisis, or a complex emergency.

13 (b) EXPORTS.—None of the funds appropriated by
14 this or any other Act to carry out chapter 1 of part I
15 of the Foreign Assistance Act of 1961 shall be available
16 for any testing or breeding feasibility study, variety im-
17 provement or introduction, consultancy, publication, con-
18 ference, or training in connection with the growth or pro-
19 duction in a foreign country of an agricultural commodity
20 for export which would compete with a similar commodity
21 grown or produced in the United States: *Provided*, That
22 this subsection shall not prohibit—

23 (1) activities designed to increase food security
24 in developing countries where such activities will not

1 have a significant impact on the export of agricul-
2 tural commodities of the United States;

3 (2) research activities intended primarily to
4 benefit United States producers;

5 (3) activities in a country that is eligible for as-
6 sistance from the International Development Asso-
7 ciation, is not eligible for assistance from the Inter-
8 national Bank for Reconstruction and Development,
9 and does not export on a consistent basis the agri-
10 cultural commodity with respect to which assistance
11 is furnished; or

12 (4) activities in a country the President deter-
13 mines is recovering from widespread conflict, a hu-
14 manitarian crisis, or a complex emergency.

15 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

16 The Secretary of the Treasury shall instruct the United
17 States executive directors of the international financial in-
18 stitutions, as defined in section 7034(o)(3) of this Act, to
19 use the voice and vote of the United States to oppose any
20 assistance by such institutions, using funds appropriated
21 or made available by this Act, for the production or extrac-
22 tion of any commodity or mineral for export, if it is in
23 surplus on world markets and if the assistance will cause
24 substantial injury to United States producers of the same,
25 similar, or competing commodity.

1 SEPARATE ACCOUNTS

2 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
3 CURRENCIES.—

4 (1) AGREEMENTS.—If assistance is furnished to
5 the government of a foreign country under chapters
6 1 and 10 of part I or chapter 4 of part II of the
7 Foreign Assistance Act of 1961 under agreements
8 which result in the generation of local currencies of
9 that country, the Administrator of the United States
10 Agency for International Development shall—

11 (A) require that local currencies be depos-
12 ited in a separate account established by that
13 government;

14 (B) enter into an agreement with that gov-
15 ernment which sets forth—

16 (i) the amount of the local currencies
17 to be generated; and

18 (ii) the terms and conditions under
19 which the currencies so deposited may be
20 utilized, consistent with this section; and

21 (C) establish by agreement with that gov-
22 ernment the responsibilities of USAID and that
23 government to monitor and account for deposits
24 into and disbursements from the separate ac-
25 count.

1 (2) USES OF LOCAL CURRENCIES.—As may be
2 agreed upon with the foreign government, local cur-
3 rencies deposited in a separate account pursuant to
4 subsection (a), or an equivalent amount of local cur-
5 rencies, shall be used only—

6 (A) to carry out chapter 1 or 10 of part
7 I or chapter 4 of part II of the Foreign Assist-
8 ance Act of 1961 (as the case may be), for such
9 purposes as—

10 (i) project and sector assistance activi-
11 ties; or

12 (ii) debt and deficit financing; or

13 (B) for the administrative requirements of
14 the United States Government.

15 (3) PROGRAMMING ACCOUNTABILITY.—USAID
16 shall take all necessary steps to ensure that the
17 equivalent of the local currencies disbursed pursuant
18 to subsection (a)(2)(A) from the separate account
19 established pursuant to subsection (a)(1) are used
20 for the purposes agreed upon pursuant to subsection
21 (a)(2).

22 (4) TERMINATION OF ASSISTANCE PRO-
23 GRAMS.—Upon termination of assistance to a coun-
24 try under chapter 1 or 10 of part I or chapter 4 of
25 part II of the Foreign Assistance Act of 1961 (as

1 the case may be), any unencumbered balances of
2 funds which remain in a separate account estab-
3 lished pursuant to subsection (a) shall be disposed of
4 for such purposes as may be agreed to by the gov-
5 ernment of that country and the United States Gov-
6 ernment.

7 (5) REPORTING REQUIREMENT.—The USAID
8 Administrator shall report as part of the congres-
9 sional budget justification submitted to the Commit-
10 tees on Appropriations on the use of local currencies
11 for the administrative requirements of the United
12 States Government as authorized in subsection
13 (a)(2)(B), and such report shall include the amount
14 of local currency (and United States dollar equiva-
15 lent) used or to be used for such purpose in each ap-
16 plicable country.

17 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

18 (1) IN GENERAL.—If assistance is made avail-
19 able to the government of a foreign country, under
20 chapter 1 or 10 of part I or chapter 4 of part II of
21 the Foreign Assistance Act of 1961, as cash transfer
22 assistance or as nonproject sector assistance, that
23 country shall be required to maintain such funds in
24 a separate account and not commingle with any
25 other funds.

1 (2) APPLICABILITY OF OTHER PROVISIONS OF
2 LAW.—Such funds may be obligated and expended
3 notwithstanding provisions of law which are incon-
4 sistent with the nature of this assistance including
5 provisions which are referenced in the Joint Explan-
6 atory Statement of the Committee of Conference ac-
7 companying House Joint Resolution 648 (House Re-
8 port No. 98–1159).

9 (3) NOTIFICATION.—At least 15 days prior to
10 obligating any such cash transfer or nonproject sec-
11 tor assistance, the President shall submit a notifica-
12 tion through the regular notification procedures of
13 the Committees on Appropriations, which shall in-
14 clude a detailed description of how the funds pro-
15 posed to be made available will be used, with a dis-
16 cussion of the United States interests that will be
17 served by such assistance (including, as appropriate,
18 a description of the economic policy reforms that will
19 be promoted by such assistance).

20 (4) EXEMPTION.—Nonproject sector assistance
21 funds may be exempt from the requirements of para-
22 graph (1) only through the regular notification pro-
23 cedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

1
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
7 appropriated by this Act to carry out the provisions of
8 chapters 1, 10, 11, and 12 of part I and chapter 4 of
9 part II of the Foreign Assistance Act of 1961 and from
10 funds appropriated under the heading “Assistance for Eu-
11 rope, Eurasia and Central Asia”: *Provided*, That before
12 using the authority of this subsection to furnish assistance
13 in support of programs of nongovernmental organizations,
14 the President shall notify the Committees on Appropria-
15 tions pursuant to the regular notification procedures, in-
16 cluding a description of the program to be assisted, the
17 assistance to be provided, and the reasons for furnishing
18 such assistance: *Provided further*, That nothing in this
19 subsection shall be construed to alter any existing statu-
20 tory prohibitions against abortion or involuntary steriliza-
21 tions contained in 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 re-
25 strict assistance under the Food for Peace Act (Public

1 Law 83–480): *Provided*, That none of the funds appro-
2 priated to carry out title I of such Act and made available
3 pursuant to this subsection may be obligated or expended
4 except as provided through the regular notification proce-
5 dures 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 sup-
10 port international terrorism; or

11 (2) with respect to section 116 of the Foreign
12 Assistance Act of 1961 or any comparable provision
13 of 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 appro-
19 priated by this Act that are made available to the United
20 States Agency for International Development may only be
21 made available for limited competitions through local enti-
22 ties if—

23 (1) prior to the determination to limit competi-
24 tion to local entities, USAID has—

1 (A) assessed the level of local capacity to
2 effectively 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
9 determined to be responsible in accordance with
10 USAID guidelines; and

11 (B) effective monitoring and evaluation
12 systems are in place to ensure that award fund-
13 ing is used for its intended purposes; and

14 (3) no level of acceptable fraud is assumed.

15 (b) REPORTING REQUIREMENT.—In addition to the
16 requirements of subsection (a)(1), the USAID Adminis-
17 trator shall report to the appropriate congressional com-
18 mittees not later than 45 days after the end of fiscal year
19 2018 on all awards subject to limited or no competition
20 for local entities: *Provided*, That such report should be
21 posted on the USAID Web site: *Provided further*, That
22 the requirements of this subsection shall only apply to
23 awards in excess of \$3,000,000 and sole source awards
24 to local entities in excess of \$2,000,000.

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
3 Secretary of the Treasury shall instruct the United States
4 executive director of each international financial institu-
5 tion to seek to require that such institution adopts and
6 implements a publicly available policy, including the stra-
7 tegic use of peer reviews and external experts, to conduct
8 independent, in-depth evaluations of the effectiveness of
9 at least 25 percent of all loans, grants, programs, and sig-
10 nificant analytical non-lending activities in advancing the
11 institution’s goals of reducing poverty and promoting equi-
12 table economic growth, consistent with relevant safe-
13 guards, to ensure that decisions to support such loans,
14 grants, programs, and activities are based on accurate
15 data and objective analysis: *Provided*, That not later than
16 45 days after enactment of this Act, the Secretary shall
17 submit a report to the Committees on Appropriations on
18 steps taken by the United States executive directors and
19 the international financial institutions consistent with this
20 subsection.

21 (b) COMPENSATION.—None of the funds appro-
22 priated under title V of this Act may be made as payment
23 to any international financial institution while the United
24 States executive director to such institution is com-
25 pensated by the institution at a rate which, together with

1 whatever compensation such executive director receives
2 from the United States, is in excess of the rate provided
3 for an individual occupying a position at level IV of the
4 Executive Schedule under section 5315 of title 5, United
5 States Code, or while any alternate United States execu-
6 tive director to such institution is compensated by the in-
7 stitution at a rate in excess of the rate provided for an
8 individual occupying a position at level V of the Executive
9 Schedule under section 5316 of title 5, United States
10 Code.

11 (c) HUMAN RIGHTS.—The Secretary of the Treasury
12 shall instruct the United States executive director of each
13 international financial institution to seek to require that
14 such institution conducts rigorous human rights due dili-
15 gence and risk management, as appropriate, in connection
16 with any loan, grant, policy, or strategy of such institu-
17 tion: *Provided*, That prior to voting on any such loan,
18 grant, policy, or strategy the executive director shall con-
19 sult with the Assistant Secretary for Democracy, Human
20 Rights, and Labor, Department of State, if the executive
21 director has reason to believe that such loan, grant, policy,
22 or strategy could result in forced displacement or other
23 violation of human rights.

24 (d) FRAUD AND CORRUPTION.—The Secretary of the
25 Treasury shall instruct the United States executive direc-

1 tor of each international financial institution to promote
2 in loan, grant, and other financing agreements improve-
3 ments in borrowing countries' financial management and
4 judicial capacity to investigate, prosecute, and punish
5 fraud and corruption.

6 (e) WHISTLEBLOWER PROTECTIONS.—The Secretary
7 of the Treasury shall instruct the United States executive
8 director of each international financial institution to seek
9 to require that each such institution is effectively imple-
10 menting and enforcing policies and procedures which re-
11 flect best practices for the protection of whistleblowers
12 from retaliation, including best practices for—

13 (1) protection against retaliation for internal
14 and lawful public disclosure;

15 (2) legal burdens of proof;

16 (3) statutes of limitation for reporting retalia-
17 tion;

18 (4) access to independent adjudicative bodies,
19 including external arbitration; and

20 (5) results that eliminate the effects of proven
21 retaliation.

22 DEBT-FOR-DEVELOPMENT

23 SEC. 7030. In order to enhance the continued partici-
24 pation of nongovernmental organizations in debt-for-devel-
25 opment and debt-for-nature exchanges, a nongovern-

1 mental organization which is a grantee or contractor of
2 the United States Agency for International Development
3 may place in interest bearing accounts local currencies
4 which accrue to that organization as a result of economic
5 assistance provided under title III of this Act and, subject
6 to the regular notification procedures of the Committees
7 on Appropriations, any interest earned on such investment
8 shall be used for the purpose for which the assistance was
9 provided to that organization.

10 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

11 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
12 MENT-TO-GOVERNMENT ASSISTANCE.—

13 (1) REQUIREMENTS.—Funds appropriated by
14 this Act may be made available for direct govern-
15 ment-to-government assistance only if—

16 (A)(i) each implementing agency or min-
17 istry to receive assistance has been assessed
18 and is considered to have the systems required
19 to manage such assistance and any identified
20 vulnerabilities or weaknesses of such agency or
21 ministry have been addressed;

22 (ii) the recipient agency or ministry em-
23 ploys and utilizes staff with the necessary tech-
24 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
5 systems are in place to ensure that such assist-
6 ance is used for its intended purposes;

7 (v) no level of acceptable fraud is assumed;
8 and

9 (vi) the government of the recipient coun-
10 try is taking steps to publicly disclose on an an-
11 nual basis its national budget, to include in-
12 come and expenditures;

13 (B) the recipient government is in compli-
14 ance with the principles set forth in section
15 7013 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
19 under section 219 of the Immigration and Na-
20 tionality Act (8 U.S.C. 1189);

21 (D) the Government of the United States
22 and the government of the recipient country
23 have agreed, in writing, on clear and achievable
24 objectives for the use of such assistance, which

1 should be made available on a cost-reimbursable
2 basis; and

3 (E) the recipient government is taking
4 steps to protect the rights of civil society, in-
5 cluding freedoms of expression, association, and
6 assembly.

7 (2) CONSULTATION AND NOTIFICATION.—In
8 addition to the requirements in paragraph (1), no
9 funds may be made available for direct government-
10 to-government assistance without prior consultation
11 with, and notification of, the Committees on Appro-
12 priations: *Provided*, That such notification shall con-
13 tain an explanation of how the proposed activity
14 meets the requirements of paragraph (1): *Provided*
15 *further*, That the requirements of this paragraph
16 shall only apply to direct government-to-government
17 assistance in excess of \$10,000,000 and all funds
18 available for cash transfer, budget support, and cash
19 payments to individuals.

20 (3) SUSPENSION OF ASSISTANCE.—The Admin-
21 istrator of the United States Agency for Inter-
22 national Development or the Secretary of State, as
23 appropriate, shall suspend any direct government-to-
24 government assistance if the Administrator or the
25 Secretary has credible information of material mis-

1 use of such assistance, unless the Administrator or
2 the Secretary reports to the Committees on Appro-
3 priations that it is in the national interest of the
4 United States to continue such assistance, including
5 a justification, or that such misuse has been appro-
6 priately addressed.

7 (4) SUBMISSION OF INFORMATION.—The Sec-
8 retary of State shall submit to the Committees on
9 Appropriations, concurrent with the fiscal year 2019
10 congressional budget justification materials, amounts
11 planned for assistance described in paragraph (1) by
12 country, proposed funding amount, source of funds,
13 and type of assistance.

14 (5) REPORT.—Not later than 90 days after the
15 enactment of this Act and 6 months thereafter until
16 September 30, 2019, the USAID Administrator
17 shall submit to the Committees on Appropriations a
18 report that—

19 (A) details all assistance described in para-
20 graph (1) provided during the previous 6-month
21 period by country, funding amount, source of
22 funds, and type of such assistance; and

23 (B) the type of procurement instrument or
24 mechanism utilized and whether the assistance
25 was provided on a reimbursable basis.

1 (6) DEBT SERVICE PAYMENT PROHIBITION.—

2 None of the funds made available by this Act may
3 be used by the government of any foreign country
4 for debt service payments owed by any country to
5 any international financial institution: *Provided*,
6 That for purposes of this paragraph, the term
7 “international financial institution” has the meaning
8 given the term in section 7034(o)(3) of this Act.

9 (b) NATIONAL BUDGET AND CONTRACT TRANS-
10 PARENCY.—

11 (1) MINIMUM REQUIREMENTS OF FISCAL
12 TRANSPARENCY.—The Secretary of State shall con-
13 tinue to update and strengthen the “minimum re-
14 quirements of fiscal transparency” for each govern-
15 ment receiving assistance appropriated by this Act,
16 as identified in the report required by section
17 7031(b) of the Department of State, Foreign Oper-
18 ations, and Related Programs Appropriations Act,
19 2014 (division K of Public 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),
5 the Secretary of State, not later than 180 days after
6 enactment of this Act, shall make or update any de-
7 termination of “significant progress” or “no signifi-
8 cant progress” in meeting the minimum require-
9 ments of fiscal transparency, and make such deter-
10 minations publicly available in an annual “Fiscal
11 Transparency Report” to be posted on the Depart-
12 ment of State Web site: *Provided*, That the Sec-
13 retary shall identify the significant progress made by
14 each such government to publicly disclose national
15 budget documentation, contracts, and licenses which
16 are additional to such information disclosed in pre-
17 vious fiscal years, and include specific recommenda-
18 tions of short- and long-term steps such government
19 should take to improve fiscal transparency: *Provided*
20 *further*, That the annual report shall include a de-
21 tailed description of how funds appropriated by this
22 Act are being used to improve fiscal transparency,
23 and identify benchmarks 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: *Pro-*
7 *vided further*, That a description of the uses of such
8 funds shall be included in the annual “Fiscal Trans-
9 parency Report” required by paragraph (3).

10 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

11 (1)(A) INELIGIBILITY.—Officials of foreign gov-
12 ernments and their immediate family members about
13 whom the Secretary of State has credible informa-
14 tion have been involved in significant corruption, in-
15 cluding corruption related to the extraction of nat-
16 ural resources, or a gross violation of human rights
17 shall be ineligible for entry into the United States.

18 (B) The Secretary shall also publicly or pri-
19 vately designate or identify officials of foreign gov-
20 ernments and their immediate family members about
21 whom the Secretary has such credible information
22 without regard to whether the individual has applied
23 for a visa.

24 (2) EXCEPTION.—Individuals shall not be ineli-
25 gible if entry into the United States would further

1 important United States law enforcement objectives
2 or is necessary to permit the United States to fulfill
3 its obligations under the United Nations Head-
4 quarters Agreement: *Provided*, That nothing in
5 paragraph (1) shall be construed to derogate from
6 United States Government obligations under applica-
7 ble international agreements.

8 (3) WAIVER.—The Secretary may waive the ap-
9 plication of paragraph (1) if the Secretary deter-
10 mines that the waiver would serve a compelling na-
11 tional interest or that the circumstances which
12 caused the individual to be ineligible have changed
13 sufficiently.

14 (4) REPORT.—Not later than 6 months after
15 enactment of this Act, the Secretary of State shall
16 submit a report, including a classified annex if nec-
17 essary, to the Committees on Appropriations and the
18 Committees on the Judiciary describing the informa-
19 tion related to corruption or violation of human
20 rights concerning each of the individuals found ineli-
21 gible in the previous 12 months pursuant to para-
22 graph (1)(A) as well as the individuals who the Sec-
23 retary designated or identified pursuant to para-
24 graph (1)(B), or who would be ineligible but for the
25 application of paragraph (2), a list of any waivers

1 provided under paragraph (3), and the justification
2 for each waiver.

3 (5) POSTING OF REPORT.—Any unclassified
4 portion of the report required under paragraph (4)
5 shall be posted on the Department of State Web
6 site.

7 (6) CLARIFICATION.—For purposes of para-
8 graphs (1)(B), (4), and (5), the records of the De-
9 partment of State and of diplomatic and consular of-
10 fices of the United States pertaining to the issuance
11 or refusal of visas or permits to enter the United
12 States shall not be considered confidential.

13 (d) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
14 priated by this Act under titles I and II, and funds made
15 available for any independent agency in title III, as appro-
16 priate, shall be made available to support the provision
17 of additional information on United States Government
18 foreign assistance on the Department of State foreign as-
19 sistance Web site: *Provided*, That all Federal agencies
20 funded under this Act shall provide such information on
21 foreign assistance, upon request, to the Department of
22 State.

1 DEMOCRACY PROGRAMS

2 SEC. 7032. (a) FUNDING.—Of the funds appro-
3 priated by this Act, not less than \$2,308,517,000 shall
4 be made available for democracy programs.

5 (b) AUTHORITY.—Funds made available by this Act
6 for democracy programs may be made available notwith-
7 standing any other provision of law, and with regard to
8 the National Endowment for Democracy, any regulation.

9 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
10 purposes of funds appropriated by this Act, the term “de-
11 mocracy programs” means programs that support good
12 governance, credible and competitive elections, freedom of
13 expression, association, assembly, and religion, human
14 rights, labor rights, independent media, and the rule of
15 law, and that otherwise strengthen the capacity of demo-
16 cratic political parties, governments, nongovernmental or-
17 ganizations and institutions, and citizens to support the
18 development of democratic states, and institutions that are
19 responsive and accountable to citizens.

20 (d) PROGRAM PRIORITIZATION.—Funds made avail-
21 able pursuant to this section that are made available for
22 programs to strengthen government institutions shall be
23 prioritized for those institutions that demonstrate a com-
24 mitment to democracy and the rule of law, as determined
25 by the Secretary of State or the Administrator of the

1 United States Agency for International Development, as
2 appropriate.

3 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
4 spect to the provision of assistance for democracy pro-
5 grams in this Act, the organizations implementing such
6 assistance, the specific nature of that assistance, and the
7 participants in such programs shall not be subject to the
8 prior approval by the government of any foreign country:
9 *Provided*, That the Secretary of State, in coordination
10 with the USAID Administrator, shall report to the Com-
11 mittees on Appropriations, not later than 120 days after
12 enactment of this Act, detailing steps taken by the Depart-
13 ment of State and USAID to comply with the require-
14 ments of this subsection.

15 (f) CONTINUATION OF CURRENT PRACTICES.—
16 USAID shall continue to implement civil society and polit-
17 ical competition and consensus building programs abroad
18 with funds appropriated by this Act in a manner that rec-
19 ognizes the unique benefits of grants and cooperative
20 agreements in implementing such programs: *Provided*,
21 That nothing in this paragraph shall be construed to af-
22 fect the ability of any entity, including United States small
23 businesses, from competing for proposals for USAID-
24 funded civil society and political competition and con-
25 sensus building programs.

1 (g) COMMUNICATION AND REPORTING REQUIRE-
2 MENTS.—

3 (1) INFORMING THE NATIONAL ENDOWMENT
4 FOR DEMOCRACY.—The Assistant Secretary for De-
5 mocracy, Human Rights, and Labor, Department of
6 State, and the Assistant Administrator for Democ-
7 racy, Conflict, and Humanitarian Assistance,
8 USAID, shall regularly inform the National Endow-
9 ment for Democracy of democracy programs that
10 are planned and supported by funds made available
11 by this Act and prior Acts making appropriations
12 for the Department of State, foreign operations, and
13 related programs.

14 (2) REPORT ON FUNDING INSTRUMENTS.—Not
15 later than September 30, 2018, the Secretary of
16 State and USAID Administrator shall each submit
17 to the Committees on Appropriations a report detail-
18 ing the use of contracts, grants, and cooperative
19 agreements in the conduct of democracy programs
20 with funds made available by the Department of
21 State, Foreign Operations, and Related Programs
22 Appropriations Act, 2017 (division J of Public Law
23 115–31), which shall include funding level, account,
24 program sector and subsector, and a brief summary
25 of purpose.

1 (3) REPORT ON PROGRAM CHANGES.—The Sec-
2 retary of State or the USAID Administrator, as ap-
3 propriate, shall report to the appropriate congres-
4 sional committees within 30 days of a decision to
5 significantly change the objectives or the content of
6 a democracy program or to close such a program
7 due to the increasingly repressive nature of the host
8 country government: *Provided*, That the report shall
9 also include a strategy for continuing support for de-
10 mocracy promotion, if such programming is feasible,
11 and may be submitted in classified form, if nec-
12 essary.

13 INTERNATIONAL RELIGIOUS FREEDOM

14 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
15 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
16 GIOUS FREEDOM.—

17 (1) Funds appropriated by this Act under the
18 heading “Diplomatic and Consular Programs” shall
19 be made available for the Office of International Re-
20 ligious Freedom, Bureau of Democracy, Human
21 Rights, and Labor, Department of State, the Office
22 of the Ambassador-at-Large for International Reli-
23 gious Freedom, and the Special Envoy to Promote
24 Religious Freedom of Religious Minorities in the
25 Near East and South Central Asia, as authorized in

1 the Near East and South Central Asia Religious
2 Freedom Act of 2014 (Public Law 113–161), includ-
3 ing for support staff at not less than the amounts
4 specified for such offices in the table under such
5 heading in the report accompanying this Act.

6 (2) Funds appropriated under the heading
7 “Diplomatic and Consular Programs” and des-
8 ignated for the Office of International Religious
9 Freedom shall be made available for the development
10 and implementation of an international religious
11 freedom curriculum in accordance with section
12 708(a)(2) of the Foreign Service Act of 1980 (22
13 U.S.C. 4028).

14 (b) ASSISTANCE.—

15 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
16 GRAMS.—Of the funds appropriated by this Act
17 under the heading “Democracy Fund” and available
18 for the Human Rights and Democracy Fund
19 (HRDF), not less than \$10,000,000 shall be made
20 available for international religious freedom pro-
21 grams.

22 (2) PROTECTION AND INVESTIGATION PRO-
23 GRAMS.—Of the funds appropriated by this Act
24 under the heading “Economic Support Fund”, not
25 less than \$10,000,000 shall be made available for

1 programs to protect vulnerable and persecuted reli-
2 gious minorities, including for assistance authorized
3 by section 5 of H.R. 390, the Iraq and Syria Geno-
4 cide Emergency Relief and Accountability Act of
5 2017, as passed by the House of Representatives on
6 June 6, 2017.

7 (3) HUMANITARIAN PROGRAMS.—Funds appro-
8 priated by this Act under the headings “Inter-
9 national Disaster Assistance” and “Migration and
10 Refugee Assistance” shall be made available for hu-
11 manitarian assistance for vulnerable and persecuted
12 religious minorities, including victims of genocide
13 designated by the Secretary of State and other
14 groups that have suffered crimes against humanity
15 and ethnic cleansing, to—

16 (A) accelerate the implementation of an
17 immediate, coordinated, and sustained response
18 to provide humanitarian assistance;

19 (B) enhance protection of conflict victims,
20 including those facing a dire humanitarian cri-
21 sis and severe persecution because of their faith
22 or ethnicity; and

23 (C) improve access to secure locations for
24 obtaining humanitarian and resettlement serv-
25 ices.

1 (c) INTERNATIONAL BROADCASTING.—Funds appro-
2 priated by this Act under the heading “Broadcasting
3 Board of Governors, International Broadcasting Oper-
4 ations” shall be made available for programs related to
5 international religious freedom, including reporting on the
6 condition of vulnerable and persecuted religious groups.

7 SPECIAL PROVISIONS

8 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
9 DREN, AND DISPLACED BURMESE.—Funds appropriated
10 in titles III and VI of this Act that are made available
11 for victims of war, displaced children, displaced Burmese,
12 and to combat trafficking in persons and assist victims
13 of such trafficking, may be made available notwith-
14 standing any other provision of law.

15 (b) LAW ENFORCEMENT AND SECURITY.—

16 (1) CHILD SOLDIERS.—Funds appropriated by
17 this Act should not be used to support any military
18 training or operations that include child soldiers.

19 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
20 INTEGRATION.—Section 7034(d) of the Department
21 of State, Foreign Operations, and Related Programs
22 Appropriations Act, 2015 (division J of Public Law
23 113–235) shall continue in effect during fiscal year
24 2018.

25 (3) FORENSIC ASSISTANCE.—

1 (A) Of the funds appropriated by this Act
2 under the heading “Economic Support Fund”,
3 not less than \$6,500,000 shall be made avail-
4 able for forensic anthropology assistance related
5 to the exhumation of mass graves and the iden-
6 tification of victims of war crimes, genocide,
7 and crimes against humanity, including in Iraq,
8 Guatemala, Colombia, El Salvador, Syria, and
9 Sri Lanka, which shall be administered by the
10 Assistant Secretary for Democracy, Human
11 Rights, and Labor, Department of State.

12 (B) Of the funds appropriated by this Act
13 under the heading “International Narcotics
14 Control and Law Enforcement”, not less than
15 \$6,000,000 shall be made available for DNA fo-
16 rensic technology programs to combat human
17 trafficking in Central America and Mexico.

18 (4) INTERNATIONAL PRISON CONDITIONS.—
19 Section 7065 of the Department of State, Foreign
20 Operations, and Related Programs Appropriations
21 Act, 2015 (division J of Public Law 113–235) shall
22 continue in effect during fiscal year 2018.

23 (5) RECONSTITUTING CIVILIAN POLICE AU-
24 THORITY.—In providing assistance with funds ap-
25 propriated by this Act under section 660(b)(6) of

1 the Foreign Assistance Act of 1961, support for a
2 nation emerging from instability may be deemed to
3 mean support for regional, district, municipal, or
4 other sub-national entity emerging from instability,
5 as well as a nation emerging from instability.

6 (6) SECURITY ASSISTANCE REPORT.—Not later
7 than 120 days after enactment of this Act, the Sec-
8 retary of State shall submit to the Committees on
9 Appropriations a report on funds obligated and ex-
10 pended during fiscal year 2017, by country and pur-
11 pose of assistance, under the headings “Peace-
12 keeping Operations”, “International Military Edu-
13 cation and Training”, and “Foreign Military Fi-
14 nancing Program”.

15 (7) FOREIGN MILITARY SALES AND FOREIGN
16 MILITARY FINANCING PROGRAM.—

17 (A) AVAILABILITY.—Funds appropriated
18 by this Act under the heading “Foreign Mili-
19 tary Financing Program” for the general costs
20 of administering military assistance and sales
21 shall be made available to increase the effi-
22 ciency and effectiveness of programs authorized
23 by Chapter 2 of the Arms Export Control Act:
24 *Provided*, That prior to the obligation of funds

1 for such purposes, the Secretary of State shall
2 consult with the Committees on Appropriations.

3 (B) QUARTERLY STATUS REPORT.—Fol-
4 lowing the submission of the quarterly report
5 required by section 36 of Public Law 90–629
6 (22 U.S.C. 2776), the Secretary of State, in co-
7 ordination with the Secretary of Defense, shall
8 submit to the Committees on Appropriations a
9 status report that contains the information de-
10 scribed under the heading “Foreign Military Fi-
11 nancing Program” in the report accompanying
12 this Act.

13 (c) WORLD FOOD PROGRAMME.—Funds managed by
14 the Bureau for Democracy, Conflict, and Humanitarian
15 Assistance, United States Agency for International Devel-
16 opment, from this or any other Act, may be made available
17 as a general contribution to the World Food Programme.

18 (d) DIRECTIVES AND AUTHORITIES.—

19 (1) RESEARCH AND TRAINING.—Funds appro-
20 priated by this Act under the heading “Assistance
21 for Europe, Eurasia and Central Asia” shall be
22 made available to carry out the Program for Re-
23 search and Training on Eastern Europe and the
24 Independent States of the Former Soviet Union as

1 authorized by the Soviet-Eastern European Research
2 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

3 (2) GENOCIDE VICTIMS MEMORIAL SITES AND
4 TRIBUNALS.—Funds appropriated by this Act and
5 prior Acts making appropriations for the Depart-
6 ment of State, foreign operations, and related pro-
7 grams under the headings “Economic Support
8 Fund” and “Assistance for Europe, Eurasia and
9 Central Asia” may be made available as contribu-
10 tions to establish and maintain memorial sites of
11 genocide, subject to the regular notification proce-
12 dures of the Committees on Appropriations.

13 (3) ADDITIONAL AUTHORITY.—Of the amount
14 made available under the heading “Diplomatic and
15 Consular Programs”, not to exceed \$1,000,000 may
16 be used to make grants to carry out the activities of
17 the Cultural Antiquities Task Force.

18 (4) INNOVATION.—The USAID Administrator
19 may use funds appropriated by this Act under title
20 III to make innovation incentive awards: *Provided*,
21 That each individual award may not exceed
22 \$100,000: *Provided further*, That no more than 10
23 such awards may be made during fiscal year 2018:
24 *Provided further*, That for purposes of this para-
25 graph the term “innovation incentive award” means

1 the provision of funding on a competitive basis
2 that—

3 (A) encourages and rewards the develop-
4 ment of solutions for a particular, well-defined
5 problem related to the alleviation of poverty; or

6 (B) helps identify and promote a broad
7 range of ideas and practices facilitating further
8 development of an idea or practice by third par-
9 ties.

10 (5) REPORT.—The report required by section
11 502(d) of the Intelligence Authorization Act for Fis-
12 cal Year 2017 (division N of Public Law 115–31)
13 shall be provided to the Committees on Appropria-
14 tions.

15 (e) PARTNER VETTING.—The Secretary of State and
16 USAID Administrator may initiate a partner vetting pro-
17 gram to mitigate the risk of diversion of foreign assist-
18 ance, or make significant modifications to any existing
19 partner vetting program, only following consultation with
20 the Committees on Appropriations: *Provided*, That the
21 Secretary and Administrator should provide a direct vet-
22 ting option for prime awardees in any partner vetting pro-
23 gram initiated after the date of the enactment of this Act.

24 (f) CONTINGENCIES.—During fiscal year 2018, the
25 President may use up to \$125,000,000 under the author-

1 ity of section 451 of the Foreign Assistance Act of 1961,
2 notwithstanding any other provision of law.

3 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
4 retary of State should withhold funds appropriated under
5 title III of this Act for assistance for the central govern-
6 ment of any country that is not taking appropriate steps
7 to comply with the Convention on the Civil Aspects of
8 International Child Abductions, done at the Hague on Oc-
9 tober 25, 1980: *Provided*, That the Secretary shall report
10 to the Committees on Appropriations within 15 days of
11 withholding funds under this subsection.

12 (h) CULTURAL PRESERVATION PROJECT DETER-
13 MINATION.—None of the funds appropriated in titles I and
14 III of this Act may be used for the preservation of reli-
15 gious sites unless the Secretary of State or the USAID
16 Administrator, as appropriate, determines and reports to
17 the Committees on Appropriations that such sites are his-
18 torically, artistically, or culturally significant, that the
19 purpose of the project is neither to advance nor to inhibit
20 the free exercise of religion, and that the project is in the
21 national interest of the United States.

22 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
23 TECTION.—The Secretary of State may transfer to, and
24 merge with, funds under the heading “Protection of For-
25 eign Missions and Officials” unobligated balances of ex-

1 pired funds appropriated under the heading “Diplomatic
2 and Consular Programs” for fiscal year 2018, except for
3 funds designated for Overseas Contingency Operations/
4 Global War on Terrorism pursuant to section
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, at no later than the end of
7 the fifth fiscal year after the last fiscal year for which such
8 funds are available for the purposes for which appro-
9 priated: *Provided*, That not more than \$50,000,000 may
10 be transferred.

11 (j) GREEN CLIMATE FUND PROHIBITION.—None of
12 the funds appropriated or otherwise made available by this
13 Act or prior Acts making appropriations for the Depart-
14 ment of State, foreign operations, and related programs
15 may be made available as a contribution, grant, or any
16 other payment to the Green Climate Fund.

17 (k) EXTENSION OF AUTHORITIES.—

18 (1) PASSPORT FEES.—Section 1(b)(2) of the
19 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
20 shall be applied by substituting “September 30,
21 2018” for “September 30, 2010”.

22 (2) INCENTIVES FOR CRITICAL POSTS.—The
23 authority contained in section 1115(d) of the Sup-
24 plemental Appropriations Act, 2009 (Public Law

1 111–32) shall remain in effect through September
2 30, 2018.

3 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
4 ER.—Section 625(j)(1) of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
6 by substituting “September 30, 2018” for “October
7 1, 2010” in subparagraph (B).

8 (4) CATEGORICAL ELIGIBILITY.—The Foreign
9 Operations, Export Financing, and Related Pro-
10 grams Appropriations Act, 1990 (Public Law 101–
11 167) is amended—

12 (A) in section 599D (8 U.S.C. 1157
13 note)—

14 (i) in subsection (b)(3), by striking
15 “and 2017” and inserting “2017, and
16 2018”; and

17 (ii) in subsection (e), by striking
18 “2017” each place it appears and inserting
19 “2018”; and

20 (B) in section 599E (8 U.S.C. 1255 note)
21 in subsection (b)(2), by striking “2017” and in-
22 serting “2018”.

23 (5) INSPECTOR GENERAL ANNUITANT WAIV-
24 ER.—The authorities provided in section 1015(b) of
25 the Supplemental Appropriations Act, 2010 (Public

1 Law 111–212) shall remain in effect through Sep-
2 tember 30, 2018.

3 (6) EXTENSION OF WAR RESERVES STOCKPILE
4 AUTHORITY.—

5 (A) Section 12001(d) of the Department of
6 Defense Appropriations Act, 2005 (Public Law
7 108–287; 118 Stat. 1011) is amended by strik-
8 ing “2018” and inserting “2019”.

9 (B) Section 514(b)(2)(A) of the Foreign
10 Assistance Act of 1961 (22 U.S.C.
11 2321h(b)(2)(A)) is amended by striking “and
12 2018” and inserting “2018, and 2019”.

13 (I) DEPARTMENT OF STATE AND THE UNITED
14 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—
15 Prior to implementing any reorganization of the Depart-
16 ment of State or USAID, including any action taken pur-
17 suant to the March 13, 2017 Executive Order No. 13781
18 on a Comprehensive Plan for Reorganizing the Executive
19 Branch, the Secretary of State shall submit a report to
20 the appropriate congressional committees on such reorga-
21 nization: *Provided*, That such report shall include—

22 (1) a detailed justification and analysis for each
23 major element of such reorganization plans, includ-
24 ing any proposals to—

1 (A) eliminate or consolidate covered de-
2 partments, agencies, or organizations, including
3 bureaus and offices within such departments,
4 agencies, or organizations, with duplicative or
5 overlapping programs or missions;

6 (B) expand, reconfigure, eliminate, or con-
7 solidate the United States official presence
8 overseas, including through the disposal of ex-
9 cess property, at bilateral, regional, or multilat-
10 eral embassies and missions;

11 (C) reduce, modernize, or otherwise modify
12 the workforce of the Department of State and
13 USAID, including Civil Service and Foreign
14 Service, eligible family members, and locally
15 employed staff; and

16 (D) improve the efficiency, effectiveness,
17 performance, and accountability of the Depart-
18 ment of State and USAID, including through
19 modernizing information technology platforms
20 and streamlining administrative functions; and

21 (2) projections of cost savings and efficiencies
22 achieved through implementation of each element,
23 an analysis of the impact of any such change on the
24 ability to advance the national interests of the
25 United States through diplomacy and development

1 and to conduct adequate monitoring and oversight of
2 foreign assistance programs, and any legislative
3 change necessary to implement such proposals.

4 (m) HIV/AIDS WORKING CAPITAL FUND.—Funds
5 available in the HIV/AIDS Working Capital Fund estab-
6 lished pursuant to section 525(b)(1) of the Foreign Oper-
7 ations, Export Financing, and Related Programs Appro-
8 priations Act, 2005 (Public Law 108–477) may be made
9 available for pharmaceuticals and other products for child
10 survival, malaria, and tuberculosis to the same extent as
11 HIV/AIDS pharmaceuticals and other products, subject to
12 the terms and conditions in such section: *Provided*, That
13 the authority in section 525(b)(5) of the Foreign Oper-
14 ations, Export Financing, and Related Programs Appro-
15 priation Act, 2005 (Public Law 108–477) shall be exer-
16 cised by the Assistant Administrator for Global Health,
17 USAID, with respect to funds deposited for such non-
18 HIV/AIDS pharmaceuticals and other products, and shall
19 be subject to the regular notification procedures of the
20 Committees on Appropriations: *Provided further*, That the
21 Secretary of State shall include in the congressional budg-
22 et justification an accounting of budgetary resources, dis-
23 bursements, balances, and reimbursements related to such
24 fund.

1 (n) LOAN GUARANTEES.—Funds appropriated under
2 the headings “Economic Support Fund” and “Assistance
3 for Europe, Eurasia and Central Asia” by this Act and
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs may be
6 made available for the costs, as defined in section 502 of
7 the Congressional Budget Act of 1974, of loan guarantees
8 for Jordan, Ukraine, Iraq, Egypt, and Tunisia, which are
9 authorized to be provided: *Provided*, That amounts made
10 available under this paragraph for the costs of such guar-
11 antees shall not be considered assistance for the purposes
12 of provisions of law limiting assistance to a country: *Pro-*
13 *vided further*, That funds made available pursuant to this
14 subsection shall be subject to prior consultation with the
15 appropriate congressional committees, and the regular no-
16 tification procedures of the Committees on Appropria-
17 tions: *Provided further*, That amounts made available pur-
18 suant to this subsection from prior Acts that were pre-
19 viously designated by the Congress for Overseas Contingency
20 Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985, are designated
23 by the Congress for Overseas Contingency Operations/
24 Global War on Terrorism pursuant to section
25 251(b)(2)(A)(ii) of such Act and shall be available only

1 if the President subsequently so designates all such
2 amounts and transmits such designations to the Congress.

3 (o) DEFINITIONS.—

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—Unless otherwise defined in this Act, for
6 purposes of this Act the term “appropriate congres-
7 sional committees” means the Committees on Appro-
8 priations and Foreign Relations of the Senate and
9 the Committees on Appropriations and Foreign Af-
10 fairs of the House of Representatives.

11 (2) FUNDS APPROPRIATED BY THIS ACT AND
12 PRIOR ACTS.—Unless otherwise defined in this Act,
13 for purposes of this Act the term “funds appro-
14 priated by this Act and prior Acts making appro-
15 priations for the Department of State, foreign oper-
16 ations, and related programs” means funds that re-
17 main available for obligation, and have not expired.

18 (3) INTERNATIONAL FINANCIAL INSTITU-
19 TIONS.—In this Act “international financial institu-
20 tions” means the International Bank for Recon-
21 struction and Development, the International Devel-
22 opment Association, the International Finance Cor-
23 poration, the Inter-American Development Bank, the
24 International Monetary Fund, the Asian Develop-
25 ment Bank, the Asian Development Fund, the Inter-

1 American Investment Corporation, the North Amer-
2 ican Development Bank, the European Bank for Re-
3 construction and Development, the African Develop-
4 ment Bank, the African Development Fund, and the
5 Multilateral Investment Guarantee Agency.

6 (4) SOUTHERN KORDOFAN REFERENCE.—Any
7 reference to Southern Kordofan in this or any other
8 Act making appropriations for the Department of
9 State, foreign operations, and related programs shall
10 be deemed to include portions of Western Kordofan
11 that were previously part of Southern Kordofan
12 prior to the 2013 division of Southern Kordofan.

13 (5) USAID.—In this Act, the term “USAID”
14 means the United States Agency for International
15 Development.

16 (6) CLARIFICATION.—Unless otherwise provided
17 for in this Act, for the purposes of this Act the
18 terms “under this heading”, “under the heading”,
19 “under the headings”, or similar phrases mean
20 funds appropriated or otherwise made available
21 under such heading or headings in all titles of this
22 Act: *Provided*, That the term “under the heading in
23 this title” or similar phrases means funds appro-
24 priated or otherwise made available only in such
25 title.

1 (7) SPEND PLAN.—In this Act, the term
2 “spend plan” means a plan for the uses of funds ap-
3 propriated for a particular entity, country, program,
4 purpose, or account and which shall include, at a
5 minimum, a description of—

6 (A) realistic and sustainable goals and cri-
7 teria for measuring progress and a timeline for
8 achieving such goals; and

9 (B) amounts and sources of funds by ac-
10 count.

11 ARAB LEAGUE BOYCOTT OF ISRAEL

12 SEC. 7035. It is the sense of the Congress that—

13 (1) the Arab League boycott of Israel, and the
14 secondary boycott of American firms that have com-
15 mercial ties with Israel, is an impediment to peace
16 in the region and to United States investment and
17 trade in the Middle East and North Africa;

18 (2) the Arab League boycott, which was regret-
19 tably reinstated in 1997, should be immediately and
20 publicly terminated, and the Central Office for the
21 Boycott of Israel immediately disbanded;

22 (3) all Arab League states should normalize re-
23 lations with their neighbor Israel;

24 (4) the President and the Secretary of State
25 should continue to vigorously oppose the Arab

1 League boycott of Israel and find concrete steps to
2 demonstrate that opposition by, for example, taking
3 into consideration the participation of any recipient
4 country in the boycott when determining to sell
5 weapons to said country; and

6 (5) the President should report to Congress an-
7 nually on specific steps being taken by the United
8 States to encourage Arab League states to normalize
9 their relations with Israel to bring about the termi-
10 nation of the Arab League boycott of Israel, includ-
11 ing those to encourage allies and trading partners of
12 the United States to enact laws prohibiting busi-
13 nesses from complying with the boycott and penal-
14 izing businesses that do comply.

15 PALESTINIAN STATEHOOD

16 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
17 of the funds appropriated under titles III through VI of
18 this Act may be provided to support a Palestinian state
19 unless the Secretary of State determines and certifies to
20 the appropriate congressional committees that—

21 (1) the governing entity of a new Palestinian
22 state—

23 (A) has demonstrated a firm commitment
24 to peaceful co-existence with the State of Israel;
25 and

1 (B) is taking appropriate measures to
2 counter terrorism and terrorist financing in the
3 West Bank and Gaza, including the dismantling
4 of terrorist infrastructures, and is cooperating
5 with appropriate Israeli and other appropriate
6 security organizations; and

7 (2) the Palestinian Authority (or the governing
8 entity of a new Palestinian state) is working with
9 other countries in the region to vigorously pursue ef-
10 forts to establish a just, lasting, and comprehensive
11 peace in the Middle East that will enable Israel and
12 an independent Palestinian state to exist within the
13 context of full and normal relationships, which
14 should include—

15 (A) termination of all claims or states of
16 belligerency;

17 (B) respect for and acknowledgment of the
18 sovereignty, territorial integrity, and political
19 independence of every state in the area through
20 measures including the establishment of demili-
21 tarized zones;

22 (C) their right to live in peace within se-
23 cure and recognized boundaries free from
24 threats or acts of force;

1 (D) freedom of navigation through inter-
2 national waterways in the area; and

3 (E) a framework for achieving a just set-
4 tlement of the refugee problem.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the governing entity should enact a constitution
7 assuring the rule of law, an independent judiciary, and
8 respect for human rights for its citizens, and should enact
9 other laws and regulations assuring transparent and ac-
10 countable governance.

11 (c) WAIVER.—The President may waive subsection
12 (a) if the President determines that it is important to the
13 national security interest of the United States to do so.

14 (d) EXEMPTION.—The restriction in subsection (a)
15 shall not apply to assistance intended to help reform the
16 Palestinian Authority and affiliated institutions, or the
17 governing entity, in order to help meet the requirements
18 of subsection (a), consistent with the provisions of section
19 7040 of this Act (“Limitation on Assistance for the Pales-
20 tinian Authority”).

21 RESTRICTIONS CONCERNING THE PALESTINIAN

22 AUTHORITY

23 SEC. 7037. None of the funds appropriated under ti-
24 tles II through VI of this Act may be obligated or ex-
25 pended to create in any part of Jerusalem a new office

1 of any department or agency of the United States Govern-
2 ment for the purpose of conducting official United States
3 Government business with the Palestinian Authority over
4 Gaza and Jericho or any successor Palestinian governing
5 entity provided for in the Israel-PLO Declaration of Prin-
6 ciples: *Provided*, That this restriction shall not apply to
7 the acquisition of additional space for the existing Con-
8 sulate General in Jerusalem: *Provided further*, That meet-
9 ings between officers and employees of the United States
10 and officials of the Palestinian Authority, or any successor
11 Palestinian governing entity provided for in the Israel-
12 PLO Declaration of Principles, for the purpose of con-
13 ducting official United States Government business with
14 such authority should continue to take place in locations
15 other than Jerusalem: *Provided further*, That as has been
16 true in the past, officers and employees of the United
17 States Government may continue to meet in Jerusalem on
18 other subjects with Palestinians (including those who now
19 occupy positions in the Palestinian Authority), have social
20 contacts, and have incidental discussions.

21 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

22 BROADCASTING CORPORATION

23 SEC. 7038. None of the funds appropriated or other-
24 wise made available by this Act may be used to provide
25 equipment, technical support, consulting services, or any

1 other form of assistance to the Palestinian Broadcasting
2 Corporation.

3 ASSISTANCE FOR THE WEST BANK AND GAZA

4 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018,
5 30 days prior to the initial obligation of funds for the bi-
6 lateral West Bank and Gaza Program, the Secretary of
7 State shall certify to the Committees on Appropriations
8 that procedures have been established to assure the Comp-
9 troller General of the United States will have access to
10 appropriate United States financial information in order
11 to review the uses of United States assistance for the Pro-
12 gram funded under the heading “Economic Support
13 Fund” for the West Bank and Gaza.

14 (b) VETTING.—Prior to the obligation of funds ap-
15 propriated by this Act under the heading “Economic Sup-
16 port Fund” for assistance for the West Bank and Gaza,
17 the Secretary of State shall take all appropriate steps to
18 ensure that such assistance is not provided to or through
19 any individual, private or government entity, or edu-
20 cational institution that the Secretary knows or has reason
21 to believe advocates, plans, sponsors, engages in, or has
22 engaged in, terrorist activity nor, with respect to private
23 entities or educational institutions, those that have as a
24 principal officer of the entity’s governing board or gov-
25 erning board of trustees any individual that has been de-

1 terminated to be involved in, or advocating terrorist activity
2 or determined to be a member of a designated foreign ter-
3 rorist organization: *Provided*, That the Secretary of State
4 shall, as appropriate, establish procedures specifying the
5 steps to be taken in carrying out this subsection and shall
6 terminate assistance to any individual, entity, or edu-
7 cational institution which the Secretary has determined to
8 be involved in or advocating terrorist activity.

9 (c) PROHIBITION.—

10 (1) RECOGNITION OF ACTS OF TERRORISM.—

11 None of the funds appropriated under titles III
12 through VI of this Act for assistance under the West
13 Bank and Gaza Program may be made available for
14 the purpose of recognizing or otherwise honoring in-
15 dividuals, including family members of Palestinians,
16 who commit, or have committed acts of terrorism.

17 (2) SECURITY ASSISTANCE AND REPORTING RE-

18 QUIREMENT.—Notwithstanding any other provision
19 of law, none of the funds made available by this or
20 prior appropriations Acts, including funds made
21 available by transfer, may be made available for obli-
22 gation for security assistance for the West Bank and
23 Gaza until the Secretary of State reports to the
24 Committees on Appropriations on the benchmarks
25 that have been established for security assistance for

1 the West Bank and Gaza and reports on the extent
2 of Palestinian compliance with such benchmarks.

3 (d) AUDITS BY THE UNITED STATES AGENCY FOR
4 INTERNATIONAL DEVELOPMENT.—

5 (1) The Administrator of the United States
6 Agency for International Development shall ensure
7 that Federal or non-Federal audits of all contractors
8 and grantees, and significant subcontractors and
9 sub-grantees, under the West Bank and Gaza Pro-
10 gram, are conducted at least on an annual basis to
11 ensure, among other things, compliance with this
12 section.

13 (2) Of the funds appropriated by this Act up to
14 \$500,000 may be used by the Office of Inspector
15 General of the United States Agency for Inter-
16 national Development for audits, inspections, and
17 other activities in furtherance of the requirements of
18 this subsection: *Provided*, That such funds are in ad-
19 dition to funds otherwise available for such pur-
20 poses.

21 (e) COMPTROLLER GENERAL OF THE UNITED
22 STATES AUDIT.—Subsequent to the certification specified
23 in subsection (a), the Comptroller General of the United
24 States shall conduct an audit and an investigation of the
25 treatment, handling, and uses of all funds for the bilateral

1 West Bank and Gaza Program, including any funds pro-
2 vided as cash transfer assistance, in fiscal year 2018
3 under the heading “Economic Support Fund”, and such
4 audit shall address—

5 (1) the extent to which such Program complies
6 with the requirements of subsections (b) and (c);
7 and

8 (2) an examination of all programs, projects,
9 and activities carried out under such Program, in-
10 cluding both obligations and expenditures.

11 (f) NOTIFICATION PROCEDURES.—Funds made
12 available in this Act for West Bank and Gaza shall be
13 subject to the regular notification procedures of the Com-
14 mittees on Appropriations.

15 (g) REPORT.—Not later than 180 days after enact-
16 ment of this Act, the Secretary of State shall submit a
17 report to the Committees on Appropriations updating the
18 report contained in section 2106 of chapter 2 of title II
19 of the Emergency Supplemental Appropriations Act for
20 Defense, the Global War on Terror, and Tsunami Relief,
21 2005 (Public Law 109–13).

22 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
23 AUTHORITY

24 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
25 the funds appropriated by this Act to carry out the provi-

1 sions of chapter 4 of part II of the Foreign Assistance
2 Act of 1961 may be obligated or expended with respect
3 to providing funds to the Palestinian Authority.

4 (b) WAIVER.—The prohibition included in subsection
5 (a) shall not apply if the President certifies in writing to
6 the Speaker of the House of Representatives, the Presi-
7 dent pro tempore of the Senate, and the Committees on
8 Appropriations that waiving such prohibition is important
9 to the national security interest of the United States.

10 (c) PERIOD OF APPLICATION OF WAIVER.—Any
11 waiver pursuant to subsection (b) shall be effective for no
12 more than a period of 6 months at a time and shall not
13 apply beyond 12 months after the enactment of this Act.

14 (d) REPORT.—Whenever the waiver authority pursu-
15 ant to subsection (b) is exercised, the President shall sub-
16 mit a report to the Committees on Appropriations detail-
17 ing the justification for the waiver, the purposes for which
18 the funds will be spent, and the accounting procedures in
19 place to ensure that the funds are properly disbursed: *Pro-*
20 *vided*, That the report shall also detail the steps the Pales-
21 tinian Authority has taken to arrest terrorists, confiscate
22 weapons and dismantle the terrorist infrastructure.

23 (e) CERTIFICATION.—If the President exercises the
24 waiver authority under subsection (b), the Secretary of
25 State must certify and report to the Committees on Ap-

1 appropriations prior to the obligation of funds that the Pal-
2 estinian Authority has established a single treasury ac-
3 count for all Palestinian Authority financing and all fi-
4 nancing mechanisms flow through this account, no parallel
5 financing mechanisms exist outside of the Palestinian Au-
6 thority treasury account, and there is a single comprehen-
7 sive civil service roster and payroll, and the Palestinian
8 Authority is acting to counter incitement of violence
9 against Israelis and is supporting activities aimed at pro-
10 moting peace, coexistence, and security cooperation with
11 Israel.

12 (f) PROHIBITION TO HAMAS AND THE PALESTINE
13 LIBERATION ORGANIZATION.—

14 (1) None of the funds appropriated in titles III
15 through VI of this Act may be obligated for salaries
16 of personnel of the Palestinian Authority located in
17 Gaza or may be obligated or expended for assistance
18 to Hamas or any entity effectively controlled by
19 Hamas, any power-sharing government of which
20 Hamas is a member, or that results from an agree-
21 ment with Hamas.

22 (2) Notwithstanding the limitation of paragraph
23 (1), assistance may be provided to a power-sharing
24 government only if the President certifies and re-
25 ports to the Committees on Appropriations that such

1 government, including all of its ministers or such
2 equivalent, has publicly accepted and is complying
3 with the principles contained in section 620K(b)(1)
4 (A) and (B) of the Foreign Assistance Act of 1961,
5 as amended.

6 (3) The President may exercise the authority in
7 section 620K(e) of the Foreign Assistance Act of
8 1961, as added by the Palestinian Anti-Terrorism
9 Act of 2006 (Public Law 109–446) with respect to
10 this subsection.

11 (4) Whenever the certification pursuant to
12 paragraph (2) is exercised, the Secretary of State
13 shall submit a report to the Committees on Appro-
14 priations within 120 days of the certification and
15 every quarter thereafter on whether such govern-
16 ment, including all of its ministers or such equiva-
17 lent are continuing to comply with the principles
18 contained in section 620K(b)(1) (A) and (B) of the
19 Foreign Assistance Act of 1961, as amended: *Pro-*
20 *vided*, That the report shall also detail the amount,
21 purposes and delivery mechanisms for any assistance
22 provided pursuant to the abovementioned certifi-
23 cation and a full accounting of any direct support of
24 such government.

1 (5) None of the funds appropriated under titles
2 III through VI of this Act may be obligated for as-
3 sistance for the Palestine Liberation Organization.

4 MIDDLE EAST AND NORTH AFRICA

5 SEC. 7041. (a) EGYPT.—

6 (1) CERTIFICATION AND REPORT.—Funds ap-
7 propriated by this Act that are available for assist-
8 ance for Egypt may be made available notwith-
9 standing any other provision of law restricting as-
10 sistance for Egypt, except for this subsection and
11 section 620M of the Foreign Assistance Act of 1961,
12 and may only be made available for assistance for
13 the Government of Egypt if the Secretary of State
14 certifies and reports to the Committees on Appro-
15 priations that such government is—

16 (A) sustaining the strategic relationship
17 with the United States; and

18 (B) meeting its obligations under the 1979
19 Egypt-Israel Peace Treaty.

20 (2) REPORT ON GOVERNANCE.—

21 (A) Not later than 90 days after enact-
22 ment of this Act and every 90 days thereafter
23 until September 30, 2018, the Secretary of
24 State shall report to the appropriate congres-

1 sional committees on steps taken by the Gov-
2 ernment of Egypt to—

3 (i) advance democracy and human
4 rights in Egypt, including to govern demo-
5 cratically and protect the rights of reli-
6 gious minorities and women;

7 (ii) implement reforms that protect
8 freedoms of expression, association, and
9 peaceful assembly, including the ability of
10 civil society organizations and the media to
11 function without interference; and

12 (iii) improve the transparency and ac-
13 countability of security forces.

14 (B) The report required by subparagraph
15 (A) may be provided in classified form if nec-
16 essary.

17 (3) ECONOMIC SUPPORT FUND.—

18 (A) FUNDING.—Of the funds appropriated
19 by this Act under the heading “Economic Sup-
20 port Fund”, not less than \$150,000,000 shall
21 be made available for assistance for Egypt, sub-
22 ject to prior consultation with the appropriate
23 congressional committees and the regular notifi-
24 cation procedures of the Committees on Appro-
25 priations and section 634A of the Foreign As-

1 sistance Act of 1961: *Provided*, That such
2 funds may be made available for democracy
3 programs and for development programs in the
4 Sinai: *Provided further*, That such funds may
5 not be made available for cash transfer assist-
6 ance or budget support unless the Secretary of
7 State certifies and reports to the appropriate
8 congressional committees that the Government
9 of Egypt is taking consistent and effective steps
10 to stabilize the economy and implement market-
11 based economic reforms.

12 (B) WITHHOLDING.—The Secretary of
13 State shall withhold from obligation funds ap-
14 propriated by this Act under the heading “Eco-
15 nomic Support Fund” for assistance for Egypt,
16 an amount of such funds that the Secretary de-
17 termines to be equivalent to that expended by
18 the United States Government for bail, and by
19 nongovernmental organizations for legal and
20 court fees, associated with democracy-related
21 trials in Egypt until the Secretary certifies and
22 reports to the Committees on Appropriations
23 that the Government of Egypt has dismissed
24 the convictions issued by the Cairo Criminal

1 Court on June 4, 2013, in “Public Prosecution
2 Case No. 1110 for the Year 2012”.

3 (4) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Of the funds appropriated by this Act under
5 the heading “Foreign Military Financing Program”,
6 \$1,300,000,000, to remain available until September
7 30, 2019, shall be made available for assistance for
8 Egypt, which may be transferred to an interest bear-
9 ing account in the Federal Reserve Bank of New
10 York, following consultation with the Committees on
11 Appropriations.

12 (5) CONSULTATION REQUIREMENTS.—Not later
13 than 90 days after enactment of this Act, the Sec-
14 retary of State shall consult with the Committees on
15 Appropriations on any plan to restructure military
16 assistance for Egypt.

17 (b) IRAN.—

18 (1) FUNDING.—Funds appropriated by this Act
19 under the headings “Diplomatic and Consular Pro-
20 grams”, “Economic Support Fund”, and “Non-
21 proliferation, Anti-terrorism, Demining and Related
22 Programs” shall be used by the Secretary of State—

23 (A) to support the United States policy to
24 prevent Iran from achieving the capability to
25 produce or otherwise obtain a nuclear weapon;

1 (B) to support an expeditious response to
2 any violation of the Joint Comprehensive Plan
3 of Action or United Nations Security Council
4 Resolution 2231;

5 (C) to support the implementation and en-
6 forcement of sanctions against Iran for support
7 of terrorism, human rights abuses, and ballistic
8 missile and weapons proliferation; and

9 (D) for democracy programs for Iran, to
10 be administered by the Assistant Secretary for
11 Near Eastern Affairs, Department of State, in
12 consultation with the Assistant Secretary for
13 Democracy, Human Rights, and Labor, Depart-
14 ment of State.

15 (2) CONTINUATION OF PROHIBITION.—The
16 terms and conditions of paragraph (2) of section
17 7041(e) in division I of Public Law 112–74 shall
18 continue in effect during fiscal year 2018.

19 (3) REPORTS.—

20 (A) The Secretary of State shall submit to
21 the Committees on Appropriations the semi-an-
22 nual report required by section 2 of the Iran
23 Nuclear Agreement Review Act of 2015 (42
24 U.S.C. 2160e(d)(4)).

1 (B) Not later than 180 days after the date
2 of enactment of this Act, the Secretary of
3 State, in consultation with the Secretary of the
4 Treasury, shall submit to the appropriate con-
5 gressional committees a report on the status of
6 the implementation and enforcement of bilateral
7 United States and multilateral sanctions
8 against Iran and actions taken by the United
9 States and the international community to en-
10 force such sanctions against Iran: *Provided*,
11 That the report shall also include any entities
12 involved in providing significant support for the
13 development of a ballistic missile by the Govern-
14 ment of Iran after October 1, 2015, including
15 shipping and financing, and note whether such
16 entities are currently under United States sanc-
17 tions: *Provided further*, That such report shall
18 be submitted in an unclassified form, but may
19 contain a classified annex if necessary.

20 (c) IRAQ.—

21 (1) PURPOSES.—Funds appropriated by this
22 Act shall be made available for assistance for Iraq
23 to promote governance, security, and internal and
24 regional stability, including in the Kurdistan Region
25 of Iraq and other areas impacted by the conflict in

1 Syria, and among religious and ethnic minority pop-
2 ulations in Iraq.

3 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-
4 GRAMS.—Funds appropriated by this Act under the
5 heading “Nonproliferation, Anti-terrorism, Demining
6 and Related Programs” shall be made available for
7 explosive ordnance disposal programs in areas liber-
8 ated from extremist organizations in Iraq.

9 (3) KURDISTAN REGION.—

10 (A) Funds appropriated by this Act under
11 the headings “International Narcotics Control
12 and Law Enforcement” and “Foreign Military
13 Financing Program” that are available for as-
14 sistance for Iraq shall be made available to en-
15 hance the capacity of Kurdistan Regional Gov-
16 ernment security services and for security pro-
17 grams in the Kurdistan Region of Iraq to ad-
18 dress requirements arising from the violence in
19 Syria and Iraq: *Provided*, That the Secretary of
20 State shall consult with the Committees on Ap-
21 propriations prior to obligating such funds.

22 (B) Funds appropriated by this Act under
23 the headings “International Disaster Assist-
24 ance” and “Migration and Refugee Assistance”
25 should be made available for assistance for the

1 Kurdistan Region of Iraq to address the needs
2 of internally displaced persons (IDPs) and refu-
3 gees: *Provided*, That funds appropriated by this
4 Act under the heading “Economic Support
5 Fund” shall be made available for programs to
6 mitigate the impact of such IDPs and refugees
7 in such Region, including for assistance for
8 communities hosting such persons.

9 (4) BASING RIGHTS AGREEMENT.—None of the
10 funds appropriated or otherwise made available by
11 this Act may be used by the Government of the
12 United States to enter into a permanent basing
13 rights agreement between the United States and
14 Iraq.

15 (d) JORDAN.—Of the funds appropriated by this Act
16 under titles III and IV, not less than \$1,280,000,000 shall
17 be made available for assistance for Jordan, of which not
18 less than \$475,000,000 shall be for budget support for
19 the Government of Jordan.

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 Leb-
24 anese Armed Forces (LAF) if the ISF or the LAF
25 is controlled by a foreign terrorist organization, as

1 designated pursuant to section 219 of the Immigra-
2 tion and Nationality Act (8 U.S.C. 1189).

3 (2) CONSULTATION REQUIREMENT.—Funds ap-
4 propriated by this Act under the headings “Inter-
5 national Narcotics Control and Law Enforcement”
6 and “Foreign Military Financing Program” that are
7 available for assistance for Lebanon may be made
8 available for programs and equipment for the ISF
9 and the LAF to address security and stability re-
10 quirements in areas affected by the conflict in Syria,
11 following consultation with the appropriate congres-
12 sional committees.

13 (3) FOREIGN MILITARY FINANCING PRO-
14 GRAM.—In addition to the activities described in
15 paragraph (2), funds appropriated by this Act under
16 the heading “Foreign Military Financing Program”
17 for assistance for Lebanon may be made available
18 only to professionalize the LAF and to strengthen
19 border security and combat terrorism, including
20 training and equipping the LAF to secure Lebanon’s
21 borders, interdicting arms shipments, preventing the
22 use of Lebanon as a safe haven for terrorist groups,
23 and to implement United Nations Security Council
24 Resolution 1701: *Provided*, That funds may not be
25 obligated for assistance for the LAF until the Sec-

1 retary of State submits to the Committees on Appro-
2 priations a spend plan, including actions to be taken
3 to ensure equipment provided to the LAF is only
4 used for the intended purposes, except such plan
5 may not be considered as meeting the notification
6 requirements under section 7015 of this Act or
7 under section 634A of the Foreign Assistance Act of
8 1961, and shall be submitted not later than Sep-
9 tember 1, 2018: *Provided further*, That any notifica-
10 tion submitted pursuant to such sections shall in-
11 clude any funds specifically intended for lethal mili-
12 tary equipment.

13 (f) LIBYA.—

14 (1) LIMITATION.—None of the funds appro-
15 priated by this Act may be made available for assist-
16 ance for the central Government of Libya unless the
17 Secretary of State certifies and reports to the Com-
18 mittees on Appropriations that such government is
19 cooperating with United States Government efforts
20 to investigate and bring to justice those responsible
21 for the attack on United States personnel and facili-
22 ties in Benghazi, Libya in September 2012: *Pro-*
23 *vided*, That the limitation in this paragraph shall
24 not apply to funds made available for the purpose of

1 protecting United States Government personnel or
2 facilities.

3 (2) CERTIFICATION REQUIREMENT.—Prior to
4 the initial obligation of funds made available by this
5 Act for assistance for Libya, the Secretary of State
6 shall certify and report to the Committees on Appro-
7 priations that all practicable steps have been taken
8 to ensure that mechanisms are in place for moni-
9 toring, oversight, and control of funds made avail-
10 able by this subsection for assistance for Libya.

11 (3) REPORTING REQUIREMENT.—The Secretary
12 of State shall promptly inform the appropriate con-
13 gressional committees of each instance in which as-
14 sistance provided pursuant to this subsection has
15 been diverted or destroyed, to include the type and
16 amount of assistance, a description of the incident
17 and parties involved, and an explanation of the re-
18 sponse of the Department of State.

19 (g) MOROCCO.—Funds appropriated under title III
20 of this Act that are made available for assistance for Mo-
21 rocco shall also be made available for assistance for any
22 region or territory administered by Morocco, including the
23 Western Sahara: *Provided*, That not later than 45 days
24 after enactment of this Act and prior to the obligation of
25 such funds, the Secretary of State, in consultation with

1 the Administrator of the United States Agency for Inter-
2 national Development, shall consult with the Committees
3 on Appropriations on the proposed uses of such funds
4 based on the requirements described under this section in
5 the report accompanying this Act.

6 (h) REFUGEE ASSISTANCE IN NORTH AFRICA.—The
7 Secretary of State, in consultation with the United Na-
8 tions High Commissioner for Refugees and the Executive
9 Director of the World Food Programme, shall take all
10 practicable steps to strengthen monitoring of the delivery
11 of humanitarian assistance provided for refugees in North
12 Africa, including the establishment of registration systems
13 where they do not exist and any other efforts to ensure
14 that all vulnerable refugees are receiving such assistance.

15 (i) STRATEGY REQUIREMENT.—Not later than 60
16 days after enactment of this Act, the Secretary of State,
17 in consultation with the Secretary of Defense, shall submit
18 to the appropriate congressional committees a strategy for
19 United States engagement in North Africa, which shall in-
20 clude detailed information on how diplomatic engagement
21 and assistance will be prioritized for such region, including
22 to address economic and security needs.

23 (j) SYRIA.—

24 (1) NON-LETHAL ASSISTANCE.—Funds appro-
25 priated under title III of this Act shall be made

1 available, to the extent practicable and notwith-
2 standing any other provision of law, for non-lethal
3 assistance for programs to address the needs of civil-
4 ians affected by conflict in Syria, and for programs
5 that seek to—

6 (A) establish governance in Syria that is
7 representative, inclusive, and accountable;

8 (B) empower women through political and
9 economic programs, and address the psycho-
10 social needs of women and their families in
11 Syria and neighboring countries;

12 (C) develop and implement political proc-
13 esses that are democratic, transparent, and
14 strengthen the rule of law;

15 (D) further the legitimacy and viability of
16 the Syrian opposition through cross-border pro-
17 grams;

18 (E) develop and sustain civil society and
19 independent media in Syria;

20 (F) promote stability and economic devel-
21 opment in Syria;

22 (G) document, investigate, and prosecute
23 human rights violations in Syria, including
24 through transitional justice programs and sup-
25 port for nongovernmental organizations;

1 (H) expand the role of women in negotia-
2 tions to end the violence and in any political
3 transition in Syria;

4 (I) assist Syrian refugees whose education
5 has been interrupted by the ongoing conflict to
6 complete higher education requirements at uni-
7 versities and other academic institutions in the
8 region, and through distance learning;

9 (J) assist vulnerable populations in Syria
10 and in neighboring countries;

11 (K) protect and preserve the cultural iden-
12 tity of the people of Syria as a counterbalance
13 to extremism, particularly those living in neigh-
14 boring countries and among youth;

15 (L) protect and preserve cultural heritage
16 sites in Syria, particularly those damaged and
17 destroyed by extremists; and

18 (M) counter extremism in Syria.

19 (2) STRATEGY UPDATE.—Funds appropriated
20 by this Act that are made available for assistance for
21 Syria pursuant to the authority of this subsection
22 may only be made available after the Secretary of
23 State, in consultation with the heads of relevant
24 United States Government agencies, submits, in
25 classified form if necessary, an update to the com-

1 prehensive strategy required in section 7041(i)(3) of
2 Public Law 113–76.

3 (3) MONITORING AND OVERSIGHT.—Prior to
4 the obligation of funds appropriated by this Act and
5 made available for assistance for Syria, the Sec-
6 retary of State shall take all practicable steps to en-
7 sure that mechanisms are in place for monitoring,
8 oversight, and control of such assistance inside
9 Syria: *Provided*, That the Secretary shall promptly
10 inform the appropriate congressional committees of
11 each instance in which assistance provided pursuant
12 to this subsection has been diverted or destroyed, to
13 include the type and amount of assistance, a descrip-
14 tion of the incident and parties involved, and an ex-
15 planation of the response of the Department of
16 State.

17 (4) CONSULTATION AND NOTIFICATION.—
18 Funds made available pursuant to this subsection
19 may only be made available following consultation
20 with the appropriate congressional committees, and
21 shall be subject to the regular notification proce-
22 dures of the Committees on Appropriations.

23 (k) TUNISIA.—Of the funds appropriated under titles
24 III and IV of this Act, not less than \$165,400,000 shall
25 be made available for assistance for Tunisia.

1 (l) WEST BANK AND GAZA.—

2 (1) REPORT ON ASSISTANCE.—Prior to the ini-
3 tial obligation of funds made available by this Act
4 under the heading “Economic Support Fund” for
5 assistance for the West Bank and Gaza, the Sec-
6 retary of State shall report to the Committees on
7 Appropriations that the purpose of such assistance
8 is to—

9 (A) advance Middle East peace;

10 (B) improve security in the region;

11 (C) continue support for transparent and
12 accountable government institutions;

13 (D) promote a private sector economy; or

14 (E) address urgent humanitarian needs.

15 (2) LIMITATIONS.—

16 (A) None of the funds appropriated under
17 the heading “Economic Support Fund” in this
18 Act may be made available for assistance for
19 the Palestinian Authority, if after the date of
20 enactment of this Act—

21 (i) the Palestinians obtain the same
22 standing as member states or full member-
23 ship as a state in the United Nations or
24 any specialized agency thereof outside an

1 agreement negotiated between Israel and
2 the Palestinians; or

3 (ii) the Palestinians initiate an Inter-
4 national Criminal Court (ICC) judicially
5 authorized investigation, or actively sup-
6 port such an investigation, that subjects
7 Israeli nationals to an investigation for al-
8 leged crimes against Palestinians.

9 (B)(i) The President may waive the provi-
10 sions of section 1003 of the Foreign Relations
11 Authorization Act, Fiscal Years 1988 and 1989
12 (Public Law 100–204) if the President deter-
13 mines and certifies in writing to the Speaker of
14 the House of Representatives, the President pro
15 tempore of the Senate, and the appropriate con-
16 gressional committees that the Palestinians
17 have not, after the date of enactment of this
18 Act—

19 (I) obtained in the United Nations or
20 any specialized agency thereof the same
21 standing as member states or full member-
22 ship as a state outside an agreement nego-
23 tiated between Israel and the Palestinians;
24 and

1 (II) initiated or actively supported an
2 ICC investigation against Israeli nationals
3 for alleged crimes against Palestinians.

4 (ii) Not less than 90 days after the Presi-
5 dent is unable to make the certification pursu-
6 ant to clause (i) of this subparagraph, the
7 President may waive section 1003 of Public
8 Law 100–204 if the President determines and
9 certifies in writing to the Speaker of the House
10 of Representatives, the President pro tempore
11 of the Senate, and the Committees on Appro-
12 priations that the Palestinians have entered
13 into direct and meaningful negotiations with
14 Israel: *Provided*, That any waiver of the provi-
15 sions of section 1003 of Public Law 100–204
16 under clause (i) of this subparagraph or under
17 previous provisions of law must expire before
18 the waiver under the preceding sentence may be
19 exercised.

20 (iii) Any waiver pursuant to this subpara-
21 graph shall be effective for no more than a pe-
22 riod of 6 months at a time and shall not apply
23 beyond 12 months after the enactment of this
24 Act.

1 (3) REDUCTION.—The Secretary of State shall
2 reduce the amount of assistance made available by
3 this Act under the heading “Economic Support
4 Fund” for the Palestinian Authority by an amount
5 the Secretary determines is equivalent to the amount
6 expended by the Palestinian Authority, the Palestine
7 Liberation Organization, and any successor or affili-
8 ated organizations with such entities for payments
9 to individuals and the families of such individuals
10 who are imprisoned for acts of terrorism or who died
11 committing such acts during the previous calendar
12 year: *Provided*, That the Secretary shall report to
13 the appropriate congressional committees on the
14 amount reduced for fiscal year 2018 prior to the ob-
15 ligation of funds for the Palestinian Authority: *Pro-*
16 *vided further*, That the report required by the pre-
17 vious proviso shall also include steps taken to pre-
18 vent any such payments.

19 (4) SECURITY REPORT.—The reporting require-
20 ments contained in section 1404 of the Supple-
21 mental Appropriations Act, 2008 (Public Law 110–
22 252) shall apply to funds made available by this Act,
23 including a description of modifications, if any, to
24 the security strategy of the Palestinian Authority.

1 organization Boko Haram, consistent with the provi-
2 sions of section 7059 of this Act, and for individuals
3 displaced by Boko Haram violence; and

4 (2) may be made available for counterterrorism
5 programs to combat Boko Haram.

6 (c) CENTRAL AFRICAN REPUBLIC.—Funds made
7 available by this Act for assistance for the Central African
8 Republic shall be made available for reconciliation and
9 peacebuilding programs, including activities to promote
10 inter-faith dialogue at the national and local levels, and
11 for programs to prevent crimes against humanity.

12 (d) LORD’S RESISTANCE ARMY.—Funds appro-
13 priated by this Act shall be made available for programs
14 and activities in areas affected by the Lord’s Resistance
15 Army (LRA) consistent with the goals of the Lord’s Re-
16 sistance Army Disarmament and Northern Uganda Recov-
17 ery Act (Public Law 111–172), including to improve phys-
18 ical access, telecommunications infrastructure, and early-
19 warning mechanisms and to support the disarmament, de-
20 mobilization, and reintegration of former LRA combat-
21 ants, especially child soldiers.

22 (e) MALAWI.—Of the funds appropriated by this Act
23 under the heading “Development Assistance”, not less
24 than \$56,000,000 shall be made available for assistance

1 for Malawi, of which \$10,000,000 shall be made available
2 for higher education programs.

3 (f) SOUTH SUDAN.—

4 (1) STRATEGY UPDATE.—Not later than 60
5 days after enactment of this Act the Secretary of
6 State, in consultation with the Administrator of the
7 United States Agency for International Develop-
8 ment, shall submit an update to the strategy re-
9 quired in section 7042(i) of the Department of
10 State, Foreign Operations, and Related Programs
11 Appropriations Act, 2017 (division J of Public Law
12 115–31).

13 (2) CERTIFICATION.—None of the funds appro-
14 priated by this Act that are available for assistance
15 for the central Government of South Sudan may be
16 made available until the Secretary of State certifies
17 and reports to the Committees on Appropriations
18 that such government is taking effective steps to—

19 (A) end hostilities and pursue good faith
20 negotiations for a political settlement of the
21 conflict;

22 (B) provide access for humanitarian orga-
23 nizations;

24 (C) end the recruitment and use of child
25 soldiers;

1 (D) protect freedoms of expression, asso-
2 ciation, and assembly;

3 (E) reduce corruption related to the ex-
4 traction and sale of oil and gas;

5 (F) establish democratic institutions;

6 (G) establish accountable military and po-
7 lice forces under civilian authority; and

8 (H) investigate and prosecute individuals
9 credibly alleged to have committed gross viola-
10 tions of human rights, including at the Terrain
11 compound in Juba, South Sudan on July 11,
12 2016.

13 (3) EXCLUSIONS.—The limitation of paragraph
14 (2) shall not apply to—

15 (A) humanitarian assistance;

16 (B) assistance to support South Sudan
17 peace negotiations or to advance or implement
18 a peace agreement; and

19 (C) assistance to support implementation
20 of outstanding issues of the Comprehensive
21 Peace Agreement and mutual arrangements re-
22 lated to such Agreement.

23 (4) CONSULTATION.—Prior to the initial obliga-
24 tion of funds made available for the central Govern-
25 ment of South Sudan pursuant to paragraphs (3)(B)

1 and (C), the Secretary of State shall consult with
2 the Committees on Appropriations on the intended
3 uses of such funds, steps taken by such government
4 to advance or implement a peace agreement, and
5 progress made by the Government of South Sudan
6 in meeting the requirements in paragraph (2).

7 (g) SUDAN.—

8 (1) LIMITATION.—Notwithstanding any other
9 provision of law, none of the funds appropriated by
10 this Act may be made available for assistance for the
11 Government of Sudan.

12 (2) LIMITATION ON LOANS.—None of the funds
13 appropriated by this Act may be made available for
14 the cost, as defined in section 502 of the Congres-
15 sional Budget Act of 1974, of modifying loans and
16 loan guarantees held by the Government of Sudan,
17 including the cost of selling, reducing, or canceling
18 amounts owed to the United States, and modifying
19 concessional loans, guarantees, and credit agree-
20 ments.

21 (3) EXCLUSIONS.—The limitations of para-
22 graphs (1) and (2) shall not apply to—

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

1 (C) assistance for the Darfur region,
2 Southern Kordofan State, Blue Nile State,
3 other marginalized areas and populations in
4 Sudan, and Abyei; and

5 (D) assistance to support implementation
6 of outstanding issues of the Comprehensive
7 Peace Agreement, mutual arrangements related
8 to post-referendum issues associated with such
9 Agreement, or any other internationally recog-
10 nized viable peace agreement in Sudan.

11 (h) ZIMBABWE.—

12 (1) INSTRUCTION.—The Secretary of the Treas-
13 ury shall instruct the United States executive direc-
14 tor of each international financial institution to vote
15 against any extension by the respective institution of
16 any loan or grant to the Government of Zimbabwe,
17 except to meet basic human needs or to promote de-
18 mocracy, unless the Secretary of State certifies and
19 reports to the Committees on Appropriations that
20 the rule of law has been restored, including respect
21 for ownership and title to property, and freedoms of
22 expression, association, and assembly.

23 (2) LIMITATIONS.—None of the funds appro-
24 priated by this Act shall be made available for as-
25 sistance for the central Government of Zimbabwe,

1 except for health and education, unless the Secretary
2 of State certifies and reports as required in para-
3 graph (1), and funds may be made available for
4 macroeconomic growth assistance if the Secretary
5 reports to the Committees on Appropriations that
6 such government is implementing transparent fiscal
7 policies, including public disclosure of revenues from
8 the extraction of natural resources.

9 EAST ASIA AND THE PACIFIC

10 SEC. 7043. (a) BURMA.—

11 (1) BILATERAL ECONOMIC ASSISTANCE.—

12 (A) Funds appropriated by this Act under
13 the heading “Economic Support Fund” for as-
14 sistance for Burma may be made available not-
15 withstanding any other provision of law, except
16 for this subsection, and following consultation
17 with the appropriate congressional committees.

18 (B) Funds appropriated under title III of
19 this Act for assistance for Burma—

20 (i) shall be made available to
21 strengthen civil society organizations in
22 Burma and for programs to strengthen
23 independent media;

24 (ii) shall be made available for com-
25 munity-based organizations operating in

1 Thailand to provide food, medical, and
2 other humanitarian assistance to internally
3 displaced persons in eastern Burma, in ad-
4 dition to assistance for Burmese refugees
5 from funds appropriated by this Act under
6 the heading “Migration and Refugee As-
7 sistance”;

8 (iii) shall be made available for pro-
9 grams to promote ethnic and religious tol-
10 erance, including in Rakhine and Kachin
11 states;

12 (iv) shall be made available to pro-
13 mote rural economic development in
14 Burma, including through microfinance
15 and sustainable power generation pro-
16 grams;

17 (v) shall be made available to increase
18 opportunities for foreign direct investment
19 by strengthening the rule of law, trans-
20 parency, and accountability;

21 (vi) may not be made available to any
22 individual or organization if the Secretary
23 of State has credible information that such
24 individual or organization has committed a
25 gross violation of human rights, including

1 against Rohingya and other minority
2 groups, or that advocates violence against
3 ethnic or religious groups and individuals
4 in Burma;

5 (vii) may not be made available to any
6 organization or entity controlled by the
7 military of Burma; and

8 (viii) may be made available for pro-
9 grams administered by the Office of Tran-
10 sition Initiatives, United States Agency for
11 International Development, for ethnic
12 groups and civil society in Burma to help
13 sustain ceasefire agreements and further
14 prospects for reconciliation and peace,
15 which may include support to representa-
16 tives of ethnic armed groups for this pur-
17 pose.

18 (2) INTERNATIONAL SECURITY ASSISTANCE.—

19 None of the funds appropriated by this Act under
20 the headings “International Military Education and
21 Training” and “Foreign Military Financing Pro-
22 gram” may be made available for assistance for
23 Burma: *Provided*, That the Department of State
24 may continue consultations with the armed forces of
25 Burma only on human rights and disaster response

1 in a manner consistent with the prior fiscal year,
2 and following consultation with the appropriate con-
3 gressional committees.

4 (3) PROGRAMS, POSITION, AND RESPONSIBIL-
5 ITIES.—

6 (A) Any new program or activity in Burma
7 initiated in fiscal year 2017 shall be subject to
8 prior consultation with the appropriate congres-
9 sional committees.

10 (B) Section 7043(b)(7) of the Department
11 of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2015 (division J of
13 Public Law 113–235) shall continue in effect
14 during fiscal year 2018.

15 (b) CAMBODIA.—

16 (1) CONDITIONS ON ASSISTANCE.—Of the funds
17 appropriated in title IV of this Act that are made
18 available for assistance for the central Government
19 of Cambodia, 25 percent shall be withheld from obli-
20 gation until the Secretary of State certifies and re-
21 ports to the Committees on Appropriations that such
22 government—

23 (A) is taking effective steps to strengthen
24 regional security and stability, particularly re-

1 garding territorial disputes in the South China
2 Sea;

3 (B) has ceased efforts to intimidate civil
4 society and the political opposition in Cam-
5 bodia, is credibly investigating the murder of
6 social and political activists, and is taking ac-
7 tions to address the concerns detailed in the
8 September 14, 2016 United Nations Human
9 Rights Situation in Cambodia—Joint State-
10 ment; and

11 (C) is supporting the conduct of free and
12 fair elections in Cambodia through a non-par-
13 tisan election commission; fair election proc-
14 esses; credible post-election dispute resolution
15 mechanisms; open and inclusive participation,
16 to include the return of exiled former opposition
17 leaders; and respect for freedoms of assembly
18 and speech.

19 (2) KHMER ROUGE TRIBUNAL.—Funds appro-
20 priated by this Act that are made available for as-
21 sistance for Cambodia may only be made available
22 for a contribution to the Extraordinary Chambers in
23 the Court of Cambodia if the Secretary of State cer-
24 tifies and reports to the appropriate congressional
25 committees that such contribution is in the national

1 interest of the United States and will support the
2 prosecution and punishment of individuals respon-
3 sible for genocide in Cambodia in a credible manner.

4 (c) NORTH KOREA.—

5 (1) BROADCASTS.—Funds appropriated by this
6 Act under the heading “International Broadcasting
7 Operations” shall be made available to maintain
8 broadcasting hours into North Korea at levels not
9 less than the prior fiscal year.

10 (2) REFUGEES.—Funds appropriated by this
11 Act under the heading “Migration and Refugee As-
12 sistance” should be made available for assistance for
13 refugees from North Korea, including protection ac-
14 tivities in the People’s Republic of China and other
15 countries in Asia.

16 (3) LIMITATION ON USE OF FUNDS.—None of
17 the funds made available by this Act under the
18 heading “Economic Support Fund” may be made
19 available for assistance for the Government of North
20 Korea.

21 (d) PEOPLE’S REPUBLIC OF CHINA.—

22 (1) LIMITATION ON USE OF FUNDS.—None of
23 the funds appropriated under the heading “Diplo-
24 matic and Consular Programs” in this Act may be
25 obligated or expended for processing licenses for the

1 export of satellites of United States origin (including
2 commercial satellites and satellite components) to
3 the People's Republic of China (PRC) unless, at
4 least 15 days in advance, the Committees on Appro-
5 priations are notified of such proposed action.

6 (2) PEOPLE'S LIBERATION ARMY.—The terms
7 and requirements of section 620(h) of the Foreign
8 Assistance Act of 1961 shall apply to foreign assist-
9 ance projects or activities of the People's Liberation
10 Army (PLA) of the PRC, to include such projects or
11 activities by any entity that is owned or controlled
12 by, or an affiliate of, the PLA: *Provided*, That none
13 of the funds appropriated or otherwise made avail-
14 able pursuant to this Act may be used to finance
15 any grant, contract, or cooperative agreement with
16 the PLA, or any entity that the Secretary of State
17 has reason to believe is owned or controlled by, or
18 an affiliate of, the PLA.

19 (3) COUNTER INFLUENCE PROGRAMS.—Funds
20 appropriated by this Act for public diplomacy under
21 title I and for assistance under titles III and IV
22 shall be made available to counter the influence of
23 the PRC, in accordance with the strategy required
24 by section 7043(e)(3) of the Department of State,
25 Foreign Operations, and Related Programs Appro-

1 priations Act, 2014 (division K of Public Law 113–
2 76), following consultation with the Committees on
3 Appropriations.

4 (4) PROHIBITION.—

5 (A) None of the funds appropriated by this
6 Act under the headings “Global Health Pro-
7 grams”, “Development Assistance”, and “Eco-
8 nomic Support Fund” may be made available
9 for assistance for the Government of the Peo-
10 ple’s Republic of China.

11 (B) The limitation of subparagraph (A)
12 shall not apply to assistance described in para-
13 graph (2) of subsection (f) of this section and
14 for programs to detect, prevent, and treat infec-
15 tious disease.

16 (e) PHILIPPINES.—Prior to the initial obligation of
17 funds appropriated by this Act for assistance for the Phil-
18 ippines, but not later than 180 days after enactment of
19 this Act, the Secretary of State shall submit a report to
20 the Committees on Appropriations, which shall include the
21 information required under this section in the report ac-
22 companying this Act.

23 (f) TIBET.—

24 (1) FINANCING OF PROJECTS IN TIBET.—The
25 Secretary of the Treasury should instruct the United

1 States executive director of each international finan-
2 cial institution to use the voice and vote of the
3 United States to support financing of projects in
4 Tibet if such projects do not provide incentives for
5 the migration and settlement of non-Tibetans into
6 Tibet or facilitate the transfer of ownership of Ti-
7 betan land and natural resources to non-Tibetans,
8 are based on a thorough needs-assessment, foster
9 self-sufficiency of the Tibetan people and respect Ti-
10 betan culture and traditions, and are subject to ef-
11 fective monitoring.

12 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

13 (A) Notwithstanding any other provision of
14 law, funds appropriated by this Act under the
15 heading “Economic Support Fund” shall be
16 made available to nongovernmental organiza-
17 tions to support activities which preserve cul-
18 tural traditions and promote sustainable devel-
19 opment, education, and environmental conserva-
20 tion in Tibetan communities in the Tibetan Au-
21 tonomous Region and in other Tibetan commu-
22 nities in China.

23 (B) Funds appropriated by this Act under
24 the heading “Economic Support Fund” shall be
25 made available for programs to promote and

1 preserve Tibetan culture, development, and the
2 resilience of Tibetan communities in India and
3 Nepal, and to assist in the education and devel-
4 opment of the next generation of Tibetan lead-
5 ers from such communities: *Provided*, That
6 such funds are in addition to amounts made
7 available in subparagraph (A) for programs in-
8 side Tibet.

9 SOUTH AND CENTRAL ASIA

10 SEC. 7044. (a) AFGHANISTAN.—

11 (1) PERSONNEL REPORT.—Not later than 30
12 days after enactment of this Act and every 120 days
13 thereafter until September 30, 2019, the Secretary
14 of State shall submit a report, in classified form if
15 necessary, to the appropriate congressional commit-
16 tees detailing by agency the number of personnel
17 present in Afghanistan under Chief of Mission au-
18 thority per section 3927 of title 22, United States
19 Code, at the end of the 120 day period preceding the
20 submission of such report: *Provided*, That such re-
21 port shall also include the number of locally em-
22 ployed staff and contractors supporting United
23 States Embassy operations in Afghanistan during
24 the reporting period.

25 (2) ASSISTANCE AND CONDITIONS.—

1 (A) FUNDING AND LIMITATIONS.—Funds
2 appropriated by this Act under the headings
3 “Economic Support Fund” and “International
4 Narcotics Control and Law Enforcement” may
5 be made available for assistance for Afghani-
6 stan: *Provided*, That such funds may not be ob-
7 ligated for any project or activity that—

8 (i) includes the participation of any
9 Afghan individual or organization, includ-
10 ing government entity, that the Secretary
11 of State determines to be involved in cor-
12 rupt practices, illicit narcotics production
13 or trafficking, or a violation of human
14 rights;

15 (ii) cannot be sustained, as appro-
16 priate, by the Government of Afghanistan
17 or another Afghan entity;

18 (iii) is not regularly accessible for the
19 purposes of conducting effective oversight
20 in accordance with applicable Federal stat-
21 utes and regulations;

22 (iv) initiates any new, major infra-
23 structure development; or

24 (v) legitimizes the Taliban or other
25 extremist organizations in areas not under

1 the control of the Government of Afghani-
2 stan.

3 (B) CERTIFICATION AND REPORT.—Prior
4 to the initial obligation of funds made available
5 by this Act under the headings “Economic Sup-
6 port Fund” and “International Narcotics Con-
7 trol and Law Enforcement” for assistance for
8 the central Government of Afghanistan, the
9 Secretary of State shall certify and report to
10 the Committees on Appropriations, after con-
11 sultation with the Government of Afghanistan,
12 that—

13 (i) goals and benchmarks for the spe-
14 cific uses of such funds have been estab-
15 lished by the Governments of the United
16 States and Afghanistan;

17 (ii) conditions are in place that in-
18 crease the transparency and accountability
19 of the Government of Afghanistan for
20 funds obligated under the New Develop-
21 ment Partnership or other incentive-based
22 programs;

23 (iii) the Government of Afghanistan is
24 implementing laws and policies to govern

1 democratically and protect the rights of in-
2 dividuals, civil society, and the media;

3 (iv) the Government of Afghanistan is
4 taking consistent steps to protect and ad-
5 vance the rights of women and girls in Af-
6 ghanistan;

7 (v) the Government of Afghanistan is
8 effectively implementing a whole-of-govern-
9 ment, anti-corruption strategy that has
10 been endorsed by the High Council on
11 Rule of Law and Anti-Corruption, as
12 agreed to at the Brussels Conference on
13 Afghanistan in October 2016, and is pros-
14 ecuting individuals alleged to be involved in
15 corrupt or illegal activities in Afghanistan;

16 (vi) monitoring and oversight frame-
17 works for programs implemented with such
18 funds are in accordance with all applicable
19 audit policies of the Department of State
20 and the United States Agency for Inter-
21 national Development, including in areas
22 under the control of the Taliban or other
23 extremist organizations;

24 (vii) the necessary policies and proce-
25 dures are in place to ensure Government of

1 Afghanistan compliance with section 7013
2 of this Act, “Prohibition on Taxation of
3 United States Assistance”; and

4 (viii) the Government of Afghanistan
5 is publicly reporting its national budget,
6 including revenues and expenditures.

7 (C) WAIVER.—The Secretary of State may
8 waive the certification requirement of subpara-
9 graph (B) if the Secretary determines that to
10 do so is important to the national security in-
11 terest of the United States and the Secretary
12 submits a report to the Committees on Appro-
13 priations, in classified form if necessary, on the
14 justification for the waiver and the reasons why
15 any of the requirements of subparagraph (B)
16 cannot be met.

17 (D) PROGRAMS.—Funds appropriated by
18 this Act that are made available for assistance
19 for Afghanistan shall be made available in the
20 following manner—

21 (i) for programs that protect and
22 strengthen the rights of women and girls
23 and promote the political and economic
24 empowerment of women, including their
25 meaningful inclusion in political processes;

1 (ii) for programs in South and Cen-
2 tral Asia to expand linkages between Af-
3 ghanistan and countries in the region; and

4 (iii) to assist the Government of Af-
5 ghanistan in developing and executing a
6 transparent and consistently applied sys-
7 tem of legitimate revenue generation and
8 expenditures.

9 (E) TAXATION.—None of the funds appro-
10 priated by this Act for assistance for Afghani-
11 stan may be made available for direct govern-
12 ment-to-government assistance unless the Sec-
13 retary of State certifies and reports to the Com-
14 mittees on Appropriations that United States
15 companies and organizations that are imple-
16 menting United States foreign assistance pro-
17 grams in Afghanistan in a manner consistent
18 with United States laws and regulations are not
19 subjected by such government to taxes or other
20 fees in contravention of diplomatic and other
21 agreements between the Governments of the
22 United States and Afghanistan, or to retaliation
23 for the nonpayment of taxes or fees imposed in
24 the past: *Provided*, That not later than 90 days
25 after enactment of this Act, the Secretary of

1 State shall submit to the Committees on Appro-
2 priations an assessment of the dollar value of
3 improper taxes or fees levied by such govern-
4 ment against such companies and organizations
5 in fiscal years 2015, 2016, and 2017.

6 (3) GOALS AND BENCHMARKS.—Not later than
7 90 days after enactment of this Act, the Secretary
8 of State shall submit to the appropriate congres-
9 sional committees a report describing the goals and
10 benchmarks required in paragraph (2)(B)(i): *Pro-*
11 *vided*, That not later than 6 months after the sub-
12 mission of such report and every 6 months there-
13 after until September 30, 2019, the Secretary of
14 State shall submit a report to such committees on
15 the status of achieving such goals and benchmarks:
16 *Provided further*, That the Secretary of State should
17 suspend assistance for the Government of Afghani-
18 stan if any report required by this paragraph indi-
19 cates that such government is failing to make meas-
20 urable progress in meeting such goals and bench-
21 marks.

22 (4) AUTHORITIES.—

23 (A) Funds appropriated by this Act under
24 title III through VI that are made available for

1 assistance for Afghanistan may be made avail-
2 able—

3 (i) notwithstanding section 7012 of
4 this Act or any similar provision of law
5 and section 660 of the Foreign Assistance
6 Act of 1961;

7 (ii) for reconciliation programs and
8 disarmament, demobilization, and re-
9 integration activities for former combat-
10 ants who have renounced violence against
11 the Government of Afghanistan, in accord-
12 ance with section 7046(a)(2)(B)(ii) of the
13 Department of State, Foreign Operations,
14 and Related Programs Appropriations Act,
15 2012 (division I of Public Law 112–74);
16 and

17 (iii) for an endowment to empower
18 women and girls.

19 (B) Section 7046(a)(2)(A) of division I of
20 Public Law 112–74 shall apply to funds appro-
21 priated by this Act for assistance for Afghani-
22 stan.

23 (5) BASING RIGHTS AGREEMENT.—None of the
24 funds made available by this Act may be used by the
25 United States Government to enter into a perma-

1 nent basing rights agreement between the United
2 States and Afghanistan.

3 (b) PAKISTAN.—

4 (1) CERTIFICATION REQUIREMENT.—None of
5 the funds appropriated or otherwise made available
6 by this Act under the headings “Economic Support
7 Fund”, “International Narcotics Control and Law
8 Enforcement”, and “Foreign Military Financing
9 Program” for assistance for the Government of
10 Pakistan may be made available unless the Secretary
11 of State certifies and reports to the Committees on
12 Appropriations that the Government of Pakistan
13 is—

14 (A) cooperating with the United States in
15 counterterrorism efforts against the Haqqani
16 Network, the Quetta Shura Taliban, Lashkar e-
17 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
18 other domestic and foreign terrorist organiza-
19 tions, including taking effective steps to end
20 support for such groups and prevent them from
21 basing and operating in Pakistan and carrying
22 out cross border attacks into neighboring coun-
23 tries;

24 (B) not supporting terrorist activities
25 against United States or coalition forces in Af-

1 ghanistan, and Pakistan's military and intel-
2 ligence agencies are not intervening extra-judi-
3 cially into political and judicial processes in
4 Pakistan;

5 (C) not financing or otherwise supporting
6 schools supported by, affiliated with, or run by
7 the Taliban or any designated foreign terrorist
8 organization;

9 (D) dismantling improvised explosive de-
10 vice (IED) networks and interdicting precursor
11 chemicals used in the manufacture of IEDs;

12 (E) preventing the proliferation of nuclear-
13 related material and expertise;

14 (F) issuing visas in a timely manner for
15 United States visitors engaged in counterter-
16 rorism efforts and assistance programs in Paki-
17 stan; and

18 (G) providing humanitarian organizations
19 access to detainees, internally displaced per-
20 sons, and other Pakistani civilians affected by
21 the conflict.

22 (2) WAIVER.—The Secretary of State, after
23 consultation with the Secretary of Defense, may
24 waive the certification requirement of paragraph (1)
25 if the Secretary determines that to do so is impor-

1 tant to the national security interest of the United
2 States and the Secretary submits a report to the
3 Committees on Appropriations, in classified form if
4 necessary, on the justification for the waiver and the
5 reasons why any part of the certification require-
6 ment of paragraph (1) has not been met.

7 (3) ASSISTANCE.—

8 (A) Funds appropriated by this Act under
9 the heading “Foreign Military Financing Pro-
10 gram” for assistance for Pakistan may be made
11 available only to support counterterrorism and
12 counterinsurgency capabilities in Pakistan.

13 (B) Funds appropriated by this Act under
14 the headings “Economic Support Fund” and
15 “Nonproliferation, Anti-terrorism, Demining
16 and Related Programs” that are available for
17 assistance for Pakistan shall be made available
18 to interdict precursor materials from Pakistan
19 to Afghanistan that are used to manufacture
20 IEDs, including calcium ammonium nitrate; to
21 support programs to train border and customs
22 officials in Pakistan and Afghanistan; and for
23 agricultural extension programs that encourage
24 alternative fertilizer use among Pakistani farm-
25 ers.

1 (4) SCHOLARSHIPS FOR WOMEN.—The author-
2 ity and directives of section 7044(d)(4) of the De-
3 partment of State, Foreign Operations, and Related
4 Programs Appropriations Act, 2015 (division J of
5 Public Law 113–235) shall apply to funds appro-
6 priated by this Act that are made available for as-
7 sistance for Pakistan: *Provided*, That prior to the
8 obligation of funds for such purposes, the USAID
9 Administrator shall consult with the Committees on
10 Appropriations.

11 (5) REPORTS.—

12 (A)(i) The spend plan required by section
13 7076 of this Act for assistance for Pakistan
14 shall include achievable and sustainable goals,
15 benchmarks for measuring progress, and ex-
16 pected results regarding combating poverty and
17 furthering development in Pakistan, countering
18 terrorism and extremism, and establishing con-
19 ditions conducive to the rule of law and trans-
20 parent and accountable governance: *Provided*,
21 That not later than 6 months after submission
22 of such spend plan, and each 6 months there-
23 after until September 30, 2019, the Secretary
24 of State shall submit a report to the Commit-

1 tees on Appropriations on the status of achiev-
2 ing the goals and benchmarks in such plan.

3 (ii) The Secretary of State should suspend
4 assistance for the Government of Pakistan if
5 any report required by clause (i) indicates that
6 Pakistan is failing to make measurable progress
7 in meeting such goals or benchmarks.

8 (B) Not later than 90 days after enact-
9 ment of this Act, the Secretary of State shall
10 submit a report to the appropriate congress-
11 sional committees detailing the costs and objec-
12 tives associated with significant infrastructure
13 projects supported by the United States in
14 Pakistan, and an assessment of the extent to
15 which such projects achieve such objectives.

16 (6) OVERSIGHT.—The Secretary of State shall
17 take all practicable steps to ensure that mechanisms
18 are in place for monitoring, oversight, and control of
19 funds made available by this subsection for assist-
20 ance for Pakistan.

21 (c) SRI LANKA.—

22 (1) BILATERAL ECONOMIC ASSISTANCE.—
23 Funds appropriated by this Act under the heading
24 “Economic Support Fund” shall be made available
25 for assistance for Sri Lanka for democracy and eco-

1 nomic development programs, particularly in areas
2 recovering from ethnic and religious conflict: *Pro-*
3 *vided*, That such funds shall be made available for
4 programs to assist in the identification and resolu-
5 tion of cases of missing persons.

6 (2) CERTIFICATION.—Funds appropriated by
7 this Act for assistance for the central Government of
8 Sri Lanka may be made available only if the Sec-
9 retary of State certifies and reports to the Commit-
10 tees on Appropriations that the Government of Sri
11 Lanka is taking steps to—

12 (A) address the underlying causes of con-
13 flict in Sri Lanka;

14 (B) increase accountability and trans-
15 parency in governance; and

16 (C) fulfill commitments with respect to
17 transitional justice and the restoration of civil
18 and human rights.

19 (3) INTERNATIONAL SECURITY ASSISTANCE.—
20 Funds appropriated under title IV of this Act that
21 are available for assistance for Sri Lanka shall be
22 subject to the following conditions—

23 (A) not to exceed \$400,000 under the
24 heading “Foreign Military Financing Program”
25 may only be made available for programs to

1 support humanitarian and disaster response ef-
2 forts; to redeploy out of former conflict zones;
3 and to restructure and reduce the size of the
4 Sri Lankan armed forces; and

5 (B) funds under the heading “Peace-
6 keeping Operations” may only be made avail-
7 able for training and equipment related to
8 international peacekeeping operations.

9 (d) REGIONAL PROGRAMS.—

10 (1) CROSS BORDER PROGRAMS.—Funds appro-
11 priated by this Act under the heading “Economic
12 Support Fund” for assistance for Afghanistan and
13 Pakistan may be provided, notwithstanding any
14 other provision of law that restricts assistance to
15 foreign countries, for cross border stabilization and
16 development programs between Afghanistan and
17 Pakistan, or between either country and the Central
18 Asian countries.

19 (2) SECURITY AND JUSTICE PROGRAMS.—
20 Funds appropriated by this Act under the headings
21 “Economic Support Fund”, “International Narcotics
22 Control and Law Enforcement”, and “Assistance for
23 Europe, Eurasia and Central Asia” that are avail-
24 able for assistance for countries in South and Cen-
25 tral Asia shall be made available to enhance the re-

1 cruitment, retention, and professionalism of women
2 in the judiciary, police, and other security forces.

3 LATIN AMERICA AND THE CARIBBEAN

4 SEC. 7045. (a) CENTRAL AMERICA.—

5 (1) FUNDING.—Subject to the requirements of
6 this subsection, of the funds appropriated under ti-
7 tles III and IV of this Act, \$615,000,000 should be
8 made available for assistance for countries in Cen-
9 tral America to implement the updated United
10 States Strategy for Engagement in Central America:
11 *Provided*, That such funds shall be made available to
12 the maximum extent practicable on a cost-matching
13 basis.

14 (2) PRE-OBLIGATION REQUIREMENTS.—Prior
15 to the obligation of funds made available pursuant
16 to paragraph (1), the Secretary of State shall submit
17 to the Committees on Appropriations a multi-year
18 spend plan as described under this section in the re-
19 port accompanying this Act, including a description
20 of how such funds shall prioritize addressing the key
21 factors in countries in Central America that con-
22 tribute to the migration of undocumented Central
23 Americans to the United States.

24 (3) ASSISTANCE FOR THE CENTRAL GOVERN-
25 MENTS OF EL SALVADOR, GUATEMALA, AND HON-

1 DURAS.—Of the funds made available pursuant to
2 paragraph (1) that are available for assistance for
3 each of the central governments of El Salvador,
4 Guatemala, and Honduras, except for funds made
5 available for the International Commission against
6 Impunity in Guatemala or the Mission to Support
7 the Fight against Corruption and Impunity in Hon-
8 duras, the following amounts shall be withheld from
9 obligation and may only be made available as fol-
10 lows:

11 (A) 25 percent may only be obligated after
12 the Secretary of State certifies and reports to
13 the appropriate congressional committees that
14 such government is taking effective steps, which
15 are in addition to those steps taken since the
16 certification and report submitted during the
17 prior year, if applicable, to—

18 (i) inform its citizens of the dangers
19 of the journey to the southwest border of
20 the United States;

21 (ii) combat human smuggling and
22 trafficking;

23 (iii) improve border security, including
24 to prevent illegal migration, human smug-

1 gling and trafficking, and trafficking of il-
2 licit drugs and other contraband; and

3 (iv) cooperate with United States Gov-
4 ernment agencies and other governments
5 in the region to facilitate the return, repa-
6 triation, and reintegration of illegal mi-
7 grants arriving at the southwest border of
8 the United States who do not qualify for
9 asylum, consistent with international law.

10 (B) An additional 50 percent may only be
11 obligated after the Secretary of State certifies
12 and reports to the appropriate congressional
13 committees that such government is taking ef-
14 fective steps, which are in addition to those
15 steps taken since the certification and report
16 submitted during the prior year, if applicable,
17 to—

18 (i) work cooperatively with an autono-
19 mous, publicly accountable entity to pro-
20 vide oversight of the Plan of the Alliance
21 for Prosperity in the Northern Triangle in
22 Central America (the Plan);

23 (ii) combat corruption, including in-
24 vestigating and prosecuting current and

1 former government officials credibly al-
2 leged to be corrupt;

3 (iii) implement reforms, policies, and
4 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 Attor-
8 ney General;

9 (iv) implement a policy to ensure that
10 local communities, civil society organiza-
11 tions (including indigenous and other
12 marginalized groups), and local govern-
13 ments are consulted in the design, and
14 participate in the implementation and eval-
15 uation of, activities of the Plan that affect
16 such communities, organizations, and gov-
17 ernments;

18 (v) counter the activities of criminal
19 gangs, drug traffickers, and organized
20 crime;

21 (vi) investigate and prosecute in the
22 civilian justice system government per-
23 sonnel, including military and police per-
24 sonnel, who are credibly alleged to have
25 violated human rights, and ensure that

1 such personnel are cooperating in such
2 cases;

3 (vii) cooperate with commissions
4 against corruption and impunity and with
5 regional human rights entities;

6 (viii) support programs to reduce pov-
7 erty, expand education and vocational
8 training for at-risk youth, create jobs, and
9 promote equitable economic growth par-
10 ticularly in areas contributing to large
11 numbers of migrants;

12 (ix) implement a plan that includes
13 goals, benchmarks and timelines to create
14 a 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) protect the right of political oppo-
19 sition parties, journalists, trade unionists,
20 human rights defenders, and other civil so-
21 ciety activists to operate without inter-
22 ference;

23 (xi) increase government revenues, in-
24 cluding by implementing tax reforms and
25 strengthening customs agencies; and

1 (xii) resolve commercial disputes, in-
2 cluding the confiscation of real property,
3 between United States entities and such
4 government.

5 (4) NORTHERN TRIANGLE INCENTIVE
6 AWARD.—Amounts designated as “Northern Tri-
7 angle Incentive Award” in the table under this sec-
8 tion in the report accompanying this Act may be
9 made available to El Salvador, Guatemala, or Hon-
10 duras, only if the Secretary of State determines and
11 reports to the appropriate congressional committees
12 that the country has made extraordinary progress in
13 meeting two or more of the conditions enumerated
14 in paragraph (3): *Provided*, That such award shall
15 be made in accordance with the requirements de-
16 scribed under this section in the report accom-
17 panying this Act.

18 (5) SUSPENSION OF ASSISTANCE AND PERIODIC
19 REVIEW.—

20 (A) The Secretary of State shall periodi-
21 cally review the progress of each of the central
22 governments of El Salvador, Guatemala, and
23 Honduras in meeting the requirements of para-
24 graphs (3)(A) and (3)(B): *Provided*, That if the
25 Secretary determines that sufficient progress

1 has not been made by a central government, the
2 Secretary shall suspend, in whole or in part, as-
3 sistance for such government for programs sup-
4 porting such requirement, and shall notify the
5 appropriate congressional committees in writing
6 of such action: *Provided further*, That the Sec-
7 retary may resume funding for such programs
8 only after the Secretary certifies to such com-
9 mittees that corrective measures have been
10 taken.

11 (B) The Secretary of State shall, following
12 a change of national government in El Sal-
13 vador, Guatemala, or Honduras, determine and
14 report to the appropriate congressional commit-
15 tees that any new government has committed to
16 take the steps to meet the requirements of
17 paragraphs (3)(A) and (3)(B): *Provided*, That
18 if the Secretary is unable to make such a deter-
19 mination in a timely manner, assistance made
20 available under this subsection for such central
21 government shall be suspended, in whole or in
22 part, until such time as such determination and
23 report can be made.

24 (6) TRANSFER OF FUNDS.—The Department of
25 State and USAID may, following consultation with

1 the Committees on Appropriations, transfer funds
2 made available by this Act under the heading “De-
3 velopment Assistance” to the Inter-American Devel-
4 opment Bank and the Inter-American Foundation to
5 support the Strategy.

6 (b) COLOMBIA.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act under titles III and IV, not less than
9 \$335,925,000 shall be made available for assistance
10 for Colombia, including to support the efforts of the
11 Government of Colombia to—

12 (A) conduct a unified campaign against
13 narcotics trafficking, organizations designated
14 as foreign terrorist organizations pursuant to
15 section 219 of the Immigration and Nationality
16 Act (8 U.S.C. 1189), and other criminal or ille-
17 gal armed groups: *Provided*, That aircraft sup-
18 ported by funds made available by this Act and
19 prior Acts making appropriations for the De-
20 partment of State, foreign operations, and re-
21 lated programs may be used to transport per-
22 sonnel and supplies involved in drug eradication
23 and interdiction, including security for such ac-
24 tivities, and to provide transport in support of

1 alternative development programs and inves-
2 tigations by civilian judicial authorities;

3 (B) enhance security and stability in Co-
4 lombia and the region;

5 (C) strengthen and expand governance, the
6 rule of law, and access to justice throughout
7 Colombia;

8 (D) promote economic and social develop-
9 ment, including by improving access to areas
10 impacted by conflict through demining pro-
11 grams; and

12 (E) implement a peace agreement between
13 the Government of Colombia and illegal armed
14 groups, in accordance with constitutional and
15 legal requirements in Colombia:

16 *Provided*, That such funds shall be subject to prior
17 consultation with, and the regular notification proce-
18 dures of, the Committees on Appropriations.

19 (2) LIMITATION.—None of the funds appro-
20 priated by this Act or prior Acts making appropria-
21 tions for the Department of State, foreign oper-
22 ations, and related programs that are made available
23 for assistance for Colombia may be made available
24 for payment of reparations to conflict victims or
25 compensation to demobilized combatants associated

1 with a peace agreement between the Government of
2 Colombia and illegal armed groups.

3 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
4 to the initial obligation of funds made available pur-
5 suant to paragraph (1), the Secretary of State, in
6 consultation with the USAID Administrator, shall
7 submit to the Committees on Appropriations a
8 multi-year spend plan as described under this sec-
9 tion in the report accompanying this Act.

10 (4) COUNTERNARCOTICS.—Of the funds made
11 available by this Act under the headings “Economic
12 Support Fund” and “International Narcotics Con-
13 trol and Law Enforcement” for assistance for Co-
14 lombia, 30 percent may be obligated only in accord-
15 ance with the conditions set forth under this section
16 in the report accompanying this Act.

17 (5) EXCEPTIONS.—The limitation of paragraph
18 (4) shall not apply to funds made available for hu-
19 manitarian assistance, aviation instruction and
20 maintenance, and maritime and riverine security
21 programs.

22 (c) CUBA.—

23 (1) DIPLOMATIC FACILITIES.—

24 (A) None of the funds appropriated or oth-
25 erwise made available by this Act and prior acts

1 making appropriations for the Department of
2 State, foreign operations, and related programs
3 may be obligated or expended for—

4 (i) the establishment or operation of a
5 United States diplomatic presence, includ-
6 ing an embassy, consulate, or liaison office,
7 in Cuba beyond that which was in exist-
8 ence prior to December 17, 2014, includ-
9 ing the hiring of additional staff, unless
10 such staff are necessary for protecting the
11 health, safety, or security of diplomatic
12 personnel or facilities in Cuba;

13 (ii) the facilitation of the establish-
14 ment or operation of a diplomatic mission
15 of Cuba, including an embassy, consulate,
16 or liaison office, in the United States be-
17 yond that which was in existence prior to
18 December 17, 2014; and

19 (iii) the support of Locally Employed
20 Staff in contravention of section 512 of the
21 Intelligence Authorization Act for Fiscal
22 Year 2016 (division M of Public Law 114–
23 113).

24 (B) The limitation on the use of funds
25 under subparagraph (A) shall not apply—

1 (i) with respect to assistance or sup-
2 port in furtherance of democracy-building
3 efforts for Cuba described in section 109
4 of the Cuban Liberty and Democratic Soli-
5 darity (LIBERTAD) Act of 1996 (22
6 U.S.C. 6039); and

7 (ii) if the President determines and
8 reports to the appropriate congressional
9 committees that the government in Cuba
10 has met the requirements and factors spec-
11 ified in section 205 of the Cuban Liberty
12 and Democratic Solidarity (LIBERTAD)
13 Act of 1996 (22 U.S.C. 6065), including
14 the extent to which such government has
15 extradited or otherwise rendered to the
16 United States all persons sought by the
17 United States Department of Justice for
18 crimes committed in the United States.

19 (2) DEMOCRACY PROMOTION.—Of the funds ap-
20 propriated by this Act under the heading “Economic
21 Support Fund”, \$30,000,000 shall be made avail-
22 able to promote democracy and strengthen civil soci-
23 ety in Cuba: *Provided*, That no funds shall be obli-
24 gated for business promotion, economic reform, en-
25 trepreneurship, or any other assistance that is not

1 democracy-building as expressly authorized in the
2 Cuban Liberty and Democratic Solidarity
3 (LIBERTAD) Act of 1996 and the Cuban Democ-
4 racy Act of 1992.

5 (d) HAITI.—

6 (1) CERTIFICATION.—Funds appropriated by
7 this Act under the headings “Development Assist-
8 ance” and “Economic Support Fund” that are made
9 available for assistance for Haiti may not be made
10 available for assistance for the central Government
11 of Haiti unless the Secretary of State certifies and
12 reports to the Committees on Appropriations that
13 such government is taking effective steps, which are
14 in addition to steps taken since the certification and
15 report submitted during the prior year, if applicable,
16 to—

17 (A) strengthen the rule of law in Haiti, in-
18 cluding by—

19 (i) selecting judges in a transparent
20 manner based on merit;

21 (ii) reducing pre-trial detention; and

22 (iii) respecting the independence of
23 the judiciary.

1 (B) combat corruption, including by imple-
2 menting the anti-corruption law enacted in
3 2014 and prosecuting corrupt officials; and

4 (C) increase government revenues, includ-
5 ing by implementing tax reforms, and increase
6 expenditures on public services.

7 (2) HAITIAN COAST GUARD.—The Government
8 of Haiti shall be eligible to purchase defense articles
9 and services under the Arms Export Control Act (22
10 U.S.C. 2751 et seq.) for the Coast Guard.

11 EUROPE AND EURASIA

12 SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the
13 funds appropriated by this Act under titles III and IV,
14 not less than \$410,465,000 shall be made available for
15 assistance for Ukraine.

16 (b) LIMITATION.—None of the funds appropriated by
17 this Act may be made available for assistance for a govern-
18 ment of an Independent State of the former Soviet Union
19 if such government directs any action in violation of the
20 territorial integrity or national sovereignty of any other
21 Independent State of the former Soviet Union, such as
22 those violations included in the Helsinki Final Act: *Pro-*
23 *vided*, That except as otherwise provided in section
24 7070(a) of this Act, funds may be made available without
25 regard to the restriction in this subsection if the President

1 determines that to do so is in the national security interest
2 of the United States: *Provided further*, That prior to exe-
3 cuting the authority contained in the previous proviso the
4 Secretary of State shall consult with the Committees on
5 Appropriations on how such assistance supports the na-
6 tional security interest of the United States.

7 (c) SECTION 907 OF THE FREEDOM SUPPORT
8 ACT.—Section 907 of the FREEDOM Support Act shall
9 not apply to—

10 (1) activities to support democracy or assist-
11 ance under title V of the FREEDOM Support Act
12 and section 1424 of the Defense Against Weapons
13 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
14 or non-proliferation assistance;

15 (2) any assistance provided by the Trade and
16 Development Agency under section 661 of the For-
17 eign Assistance Act of 1961 (22 U.S.C. 2421);

18 (3) any activity carried out by a member of the
19 United States and Foreign Commercial Service while
20 acting within his or her official capacity;

21 (4) any insurance, reinsurance, guarantee, or
22 other assistance provided by the Overseas Private
23 Investment Corporation under title IV of chapter 2
24 of part I of the Foreign Assistance Act of 1961 (22
25 U.S.C. 2191 et seq.);

1 (1) Of the funds appropriated under title I of
2 this Act that are available for contributions to the
3 United Nations (including the Department of Peace-
4 keeping Operations), any United Nations agency, or
5 the Organization of American States, 15 percent
6 may not be obligated for such organization, depart-
7 ment, or agency until the Secretary of State deter-
8 mines and reports to the Committees on Appropria-
9 tions that the organization, department, or agency
10 is—

11 (A) posting on a publicly available Web
12 site, consistent with privacy regulations and due
13 process, regular financial and programmatic au-
14 dits of such organization, department, or agen-
15 cy, and providing the United States Govern-
16 ment with necessary access to such financial
17 and performance audits;

18 (B) effectively implementing and enforcing
19 policies and procedures which reflect best prac-
20 tices for the protection of whistleblowers from
21 retaliation, including best practices for—

22 (i) protection against retaliation for
23 internal and lawful public disclosures;

24 (ii) legal burdens of proof;

1 (iii) statutes of limitation for report-
2 ing 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 regarding travel, includ-
9 ing a prohibition on first class travel.

10 (2) The restrictions imposed by or pursuant to
11 paragraph (1) may be waived on a case-by-case basis
12 if the Secretary of State determines and reports to
13 the Committees on Appropriations that such waiver
14 is necessary to avert or respond to a humanitarian
15 crisis.

16 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
17 TIONS AND ORGANIZATIONS.—

18 (1) None of the funds made available by this
19 Act may be used to pay expenses for any United
20 States delegation to any specialized agency, body, or
21 commission of the United Nations if such agency,
22 body, or commission is chaired or presided over by
23 a country, the government of which the Secretary of
24 State has determined, for purposes of section 6(j)(1)
25 of the Export Administration Act of 1979 as contin-

1 ued in effect pursuant to the International Emer-
2 gency Economic Powers Act (50 U.S.C. App.
3 2405(j)(1)), supports international terrorism.

4 (2) None of the funds made available by this
5 Act may be used by the Secretary of State as a con-
6 tribution to any organization, agency, commission,
7 or program within the United Nations system if
8 such organization, agency, commission, or program
9 is chaired or presided over by a country the govern-
10 ment of which the Secretary of State has deter-
11 mined, for purposes of section 620A of the Foreign
12 Assistance Act of 1961, section 40 of the Arms Ex-
13 port Control Act, section 6(j)(1) of the Export Ad-
14 ministration Act of 1979, or any other provision of
15 law, is a government that has repeatedly provided
16 support for acts of international terrorism.

17 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
18 None of the funds appropriated by this Act may be made
19 available in support of the United Nations Human Rights
20 Council unless the Secretary of State determines and re-
21 ports to the Committees on Appropriations that participa-
22 tion in the Council is in the national security interest of
23 the United States and that such Council is taking signifi-
24 cant steps to remove Israel as a permanent agenda item
25 and increase transparency in the election of members to

1 such Council: *Provided*, That such report shall include a
2 description of the national security interest served and the
3 steps taken to remove Israel as a permanent agenda item
4 and increase transparency in the election of members to
5 such Council: *Provided further*, That the Secretary of
6 State shall report to the Committees on Appropriations
7 not later than September 30, 2018, on the resolutions con-
8 sidered in the United Nations Human Rights Council dur-
9 ing the previous 12 months, and on steps taken to remove
10 Israel as a permanent agenda item and increase trans-
11 parency in the election of members to such Council.

12 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
13 CY.—None of the funds made available by this Act under
14 the heading “Migration and Refugee Assistance” may be
15 made available as a contribution to the United Nations
16 Relief and Works Agency (UNRWA) until the Secretary
17 of State certifies and reports to the Committees on Appro-
18 priations, in writing, that UNRWA is—

- 19 (1) utilizing Operations Support Officers in the
20 West Bank, Gaza, and other fields of operation to
21 inspect UNRWA installations and reporting any in-
22 appropriate use;
- 23 (2) acting promptly to address any staff or ben-
24 efiary violation of its own policies (including the
25 policies on neutrality and impartiality of employees)

1 and the legal requirements under section 301(e) of
2 the Foreign Assistance Act of 1961;

3 (3) implementing procedures to maintain the
4 neutrality of its facilities, including implementing a
5 no-weapons policy, and conducting regular inspec-
6 tions of its installations, to ensure they are only
7 used for humanitarian or other appropriate pur-
8 poses;

9 (4) taking necessary and appropriate measures
10 to ensure it is operating in compliance with the con-
11 ditions of section 301(e) of the Foreign Assistance
12 Act of 1961 and continuing regular reporting to the
13 Department of State on actions it has taken to en-
14 sure conformance with such conditions;

15 (5) taking steps to ensure the content of all
16 educational materials currently taught in UNRWA-
17 administered schools and summer camps is con-
18 sistent with the values of human rights, dignity, and
19 tolerance and does not induce incitement;

20 (6) not engaging in operations with financial in-
21 stitutions or related entities in violation of relevant
22 United States law, and is taking steps to improve
23 the financial transparency of the organization; and

24 (7) in compliance with the United Nations
25 Board of Auditors' biennial audit requirements and

1 is implementing in a timely fashion the Board's rec-
2 ommendations.

3 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
4 TIONS MEMBERS.—None of the funds appropriated or
5 made available pursuant to titles III through VI of this
6 Act for carrying out the Foreign Assistance Act of 1961,
7 may be used to pay in whole or in part any assessments,
8 arrearages, or dues of any member of the United Nations
9 or, from funds appropriated by this Act to carry out chap-
10 ter 1 of part I of the Foreign Assistance Act of 1961,
11 the costs for participation of another country's delegation
12 at international conferences held under the auspices of
13 multilateral or international organizations.

14 (f) CAPITAL PROJECTS.—None of the funds made
15 available by this Act may be used for the design, renova-
16 tion, or construction of the United Nations Headquarters
17 in New York: *Provided*, That any operating plan sub-
18 mitted pursuant to this Act for funds made available
19 under the heading "Contributions to International Organi-
20 zations" shall include information on capital projects, as
21 described under such heading in the report accompanying
22 this Act.

23 (g) WITHHOLDING REPORT.—Not later than 45 days
24 after enactment of this Act, the Secretary of State shall
25 submit a report to the Committees on Appropriations de-

1 tailing the amount of funds available for obligation or ex-
2 penditure in fiscal year 2018 for contributions to any or-
3 ganization, department, agency, or program within the
4 United Nations system or any international program that
5 are withheld from obligation or expenditure due to any
6 provision of law: *Provided*, That the Secretary of State
7 shall update such report each time additional funds are
8 withheld by operation of any provision of law: *Provided*
9 *further*, That the reprogramming of any withheld funds
10 identified in such report, including updates thereof, shall
11 be subject to prior consultation with, and the regular noti-
12 fication procedures of, the Committees on Appropriations.

13 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
14 KEEPING OPERATIONS.—Funds appropriated by this Act
15 shall be made available to implement section 301 of the
16 Department of State Authorities Act, Fiscal Year 2017
17 (Public Law 114–323).

18 (i) ADDITIONAL AVAILABILITY.—Funds appropriated
19 under title I of this Act which are returned or not made
20 available due to the implementation of subsection (a) or
21 the second proviso under the heading “Contributions for
22 International Peacekeeping Activities” of such title shall
23 remain available for obligation until September 30, 2019.

24 (j) WAIVER.—The restrictions imposed by or pursu-
25 ant to subsection (d) may be waived on a case-by-case

1 basis by the Secretary of State if the Secretary determines
2 and reports to the Committees on Appropriations that
3 such waiver is necessary to avert or respond to a humani-
4 tarian crisis.

5 COMMUNITY-BASED POLICE ASSISTANCE

6 SEC. 7049. (a) AUTHORITY.—Funds made available
7 by titles III and IV of this Act to carry out the provisions
8 of chapter 1 of part I and chapters 4 and 6 of part II
9 of the Foreign Assistance Act of 1961, may be used, not-
10 withstanding section 660 of that Act, to enhance the effec-
11 tiveness and accountability of civilian police authority
12 through training and technical assistance in human rights,
13 the rule of law, anti-corruption, strategic planning, and
14 through assistance to foster civilian police roles that sup-
15 port democratic governance, including assistance for pro-
16 grams to prevent conflict, respond to disasters, address
17 gender-based violence, and foster improved police relations
18 with the communities they serve.

19 (b) NOTIFICATION.—Assistance provided under sub-
20 section (a) shall be subject to the regular notification pro-
21 cedures of the Committees on Appropriations.

22 PROHIBITION ON PUBLICITY OR PROPAGANDA

23 SEC. 7050. No part of any appropriation contained
24 in this Act shall be used for publicity or propaganda pur-
25 poses within the United States not authorized before the

1 date of the enactment of this Act by Congress: *Provided*,
2 That not to exceed \$25,000 may be made available to
3 carry out the provisions of section 316 of the International
4 Security and Development Cooperation Act of 1980 (Pub-
5 lic Law 96–533).

6 INTERNATIONAL CONFERENCES

7 SEC. 7051. None of the funds made available in this
8 Act may be used to send or otherwise pay for the attend-
9 ance of more than 50 employees of agencies or depart-
10 ments of the United States Government who are stationed
11 in the United States, at any single international con-
12 ference occurring outside the United States, unless the
13 Secretary of State reports to the Committees on Appro-
14 priations at least 5 days in advance that such attendance
15 is important to the national interest: *Provided*, That for
16 purposes of this section the term “international con-
17 ference” shall mean a conference attended by representa-
18 tives of the United States Government and of foreign gov-
19 ernments, international organizations, or nongovern-
20 mental organizations.

21 AIRCRAFT TRANSFER, COORDINATION, AND USE

22 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
23 standing any other provision of law or regulation, aircraft
24 procured with funds appropriated by this Act and prior
25 Acts making appropriations for the Department of State,

1 foreign operations, and related programs under the head-
2 ings “Diplomatic and Consular Programs”, “International
3 Narcotics Control and Law Enforcement”, “Andean
4 Counterdrug Initiative”, and “Andean Counterdrug Pro-
5 grams” may be used for any other program and in any
6 region.

7 (b) PROPERTY DISPOSAL.—The authority provided
8 in subsection (a) shall apply only after the Secretary of
9 State determines and reports to the Committees on Appro-
10 priations that the equipment is no longer required to meet
11 programmatic purposes in the designated country or re-
12 gion: *Provided*, That any such transfer shall be subject
13 to prior consultation with, and the regular notification
14 procedures of, the Committees on Appropriations.

15 (c) AIRCRAFT COORDINATION.—

16 (1) The uses of aircraft purchased or leased by
17 the Department of State and the United States
18 Agency for International Development with funds
19 made available in this Act or prior Acts making ap-
20 propriations for the Department of State, foreign
21 operations, and related programs shall be coordi-
22 nated under the authority of the appropriate Chief
23 of Mission: *Provided*, That such aircraft may be
24 used to transport, on a reimbursable or non-reim-
25 bursable basis, Federal and non-Federal personnel

1 supporting Department of State and USAID pro-
2 grams and activities: *Provided further*, That official
3 travel for other agencies for other purposes may be
4 supported on a reimbursable basis, or without reim-
5 bursement when traveling on a space available basis:
6 *Provided further*, That funds received by the Depart-
7 ment of State in connection with the use of aircraft
8 owned, leased, or chartered by the Department of
9 State may be credited to the Working Capital Fund
10 of the Department and shall be available for ex-
11 penses related to the purchase, lease, maintenance,
12 chartering, or operation of such aircraft.

13 (2) The requirement and authorities of this
14 subsection shall only apply to aircraft, the primary
15 purpose of which is the transportation of personnel.

16 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
17 To the maximum extent practicable, the costs of oper-
18 ations and maintenance, including fuel, of aircraft funded
19 by this Act shall be borne by the recipient country.

20 PARKING FINES AND REAL PROPERTY TAXES OWED BY
21 FOREIGN GOVERNMENTS

22 SEC. 7053. The terms and conditions of section 7055
23 of the Department of State, Foreign Operations, and Re-
24 lated Programs Appropriations Act, 2011 (division F of
25 Public Law 111–117) shall apply to this Act: *Provided*,

1 That the date “September 30, 2009” in subsection
2 (f)(2)(B) of such section shall be deemed to be “Sep-
3 tember 30, 2017”.

4 LANDMINES AND CLUSTER MUNITIONS

5 SEC. 7054. (a) LANDMINES.—Notwithstanding any
6 other provision of law, demining equipment available to
7 the United States Agency for International Development
8 and the Department of State and used in support of the
9 clearance of landmines and unexploded ordnance for hu-
10 manitarian purposes may be disposed of on a grant basis
11 in foreign countries, subject to such terms and conditions
12 as the Secretary of State may prescribe.

13 (b) CLUSTER MUNITIONS.—No military assistance
14 shall be furnished for cluster munitions, no defense export
15 license for cluster munitions may be issued, and no cluster
16 munitions or cluster munitions technology shall be sold or
17 transferred, unless—

18 (1) the submunitions of the cluster munitions,
19 after arming, do not result in more than 1 percent
20 unexploded ordnance across the range of intended
21 operational environments, and the agreement appli-
22 cable to the assistance, transfer, or sale of such clus-
23 ter munitions or cluster munitions technology speci-
24 fies that the cluster munitions will only be used
25 against clearly defined military targets and will not

1 be used where civilians are known to be present or
2 in areas normally inhabited by civilians; or

3 (2) such assistance, license, sale, or transfer is
4 for the purpose of demilitarizing or permanently dis-
5 posing of such cluster munitions.

6 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF
7 ECONOMIC AND MILITARY ASSISTANCE

8 SEC. 7055. (a) Under the direction of the President,
9 the Secretary of State should be responsible for the contin-
10 uous supervision and general direction of economic assist-
11 ance, law enforcement and justice sector assistance, mili-
12 tary assistance, and military education and training pro-
13 grams, including but not limited to determining whether
14 there shall be a military assistance (including civic action)
15 or a military education and training program for a country
16 and the value thereof, to the end that such programs are
17 effectively integrated both at home and abroad and the
18 foreign policy of the United States is best served thereby.

19 (b) Consistent with section 481(b) of the Foreign As-
20 sistance Act of 1961, the Secretary of State shall be re-
21 sponsible for coordinating all assistance provided by the
22 United States Government to support international efforts
23 to combat illicit narcotics production or trafficking: *Pro-*
24 *vided*, That the provision of assistance by the Department
25 of Defense which is comparable to assistance that may be

1 for International Development to hire and employ individ-
2 uals in the United States and overseas on a limited ap-
3 pointment basis pursuant to the authority of sections 308
4 and 309 of the Foreign Service Act of 1980.

5 (b) RESTRICTIONS.—

6 (1) The number of individuals hired in any fis-
7 cal year pursuant to the authority contained in sub-
8 section (a) may not exceed 175.

9 (2) The authority to hire individuals contained
10 in subsection (a) shall expire on September 30,
11 2019.

12 (c) CONDITIONS.—The authority of subsection (a)
13 should only be used to the extent that an equivalent num-
14 ber of positions that are filled by personal services contrac-
15 tors or other non-direct hire employees of USAID, who
16 are compensated with funds appropriated to carry out part
17 I of the Foreign Assistance Act of 1961, including funds
18 appropriated under the heading “Assistance for Europe,
19 Eurasia and Central Asia”, are eliminated.

20 (d) PROGRAM ACCOUNT CHARGED.—The account
21 charged for the cost of an individual hired and employed
22 under the authority of this section shall be the account
23 to which the responsibilities of such individual primarily
24 relate: *Provided*, That funds made available to carry out
25 this section may be transferred to, and merged with, funds

1 appropriated by this Act in title II under the heading “Op-
2 erating Expenses”.

3 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
4 viduals hired and employed by USAID, with funds made
5 available in this Act or prior Acts making appropriations
6 for the Department of State, foreign operations, and re-
7 lated programs, pursuant to the authority of section 309
8 of the Foreign Service Act of 1980, may be extended for
9 a period of up to 4 years notwithstanding the limitation
10 set forth in such section.

11 (f) DISASTER SURGE CAPACITY.—Funds appro-
12 priated under title III of this Act to carry out part I of
13 the Foreign Assistance Act of 1961, including funds ap-
14 propriated under the heading “Assistance for Europe,
15 Eurasia and Central Asia”, may be used, in addition to
16 funds otherwise available for such purposes, for the cost
17 (including the support costs) of individuals detailed to or
18 employed by USAID whose primary responsibility is to
19 carry out programs in response to natural disasters, or
20 man-made disasters subject to the regular notification
21 procedures of the Committees on Appropriations.

22 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
23 propriated by this Act to carry out chapter 1 of part I,
24 chapter 4 of part II, and section 667 of the Foreign As-
25 sistance Act of 1961, and title II of the Food for Peace

1 Act (Public Law 83–480), may be used by USAID to em-
2 ploy up to 40 personal services contractors in the United
3 States, notwithstanding any other provision of law, for the
4 purpose of providing direct, interim support for new or
5 expanded overseas programs and activities managed by
6 the agency until permanent direct hire personnel are hired
7 and trained: *Provided*, That not more than 15 of such con-
8 tractors shall be assigned to any bureau or office: *Provided*
9 *further*, That such funds appropriated to carry out title
10 II of the Food for Peace Act (Public Law 83–480), may
11 be made available only for personal services contractors
12 assigned to the Office of Food for Peace.

13 (h) SMALL BUSINESS.—In entering into multiple
14 award indefinite-quantity contracts with funds appro-
15 priated by this Act, USAID may provide an exception to
16 the fair opportunity process for placing task orders under
17 such contracts when the order is placed with any category
18 of small or small disadvantaged business.

19 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
20 MENTS.—Individuals hired pursuant to the authority pro-
21 vided by section 7059(o) of the Department of State, For-
22 eign Operations, and Related Programs Appropriations
23 Act, 2011 (division F of Public Law 111–117) may be
24 assigned to or support programs in Afghanistan or Paki-
25 stan with funds made available in this Act and prior Acts

1 making appropriations for the Department of State, for-
2 eign operations, and related programs.

3 GLOBAL HEALTH ACTIVITIES

4 SEC. 7058. (a) IN GENERAL.—Funds appropriated
5 by titles III and IV of this Act that are made available
6 for bilateral assistance for child survival activities or dis-
7 ease programs including activities relating to research on,
8 and the prevention, treatment and control of, HIV/AIDS
9 may be made available notwithstanding any other provi-
10 sion of law except for provisions under the heading “Glob-
11 al Health Programs” and the United States Leadership
12 Against HIV/AIDS, Tuberculosis, and Malaria Act of
13 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
14 ed.

15 (b) LIMITATION.—Of the funds appropriated by this
16 Act, not more than \$461,000,000 may be made available
17 for family planning/reproductive health.

18 (c) GLOBAL FUND.—Of the funds appropriated by
19 this Act that are available for a contribution to the Global
20 Fund to Fight AIDS, Tuberculosis and Malaria (Global
21 Fund), 10 percent should be withheld from obligation until
22 the Secretary of State determines and reports to the Com-
23 mittees on Appropriations that the Global Fund is—

24 (1) maintaining and implementing a policy of
25 transparency, including the authority of the Global

1 Fund Office of the Inspector General (OIG) to pub-
2 lish OIG reports on a public Web site;

3 (2) providing sufficient resources to maintain
4 an independent OIG that—

5 (A) reports directly to the Board of the
6 Global Fund;

7 (B) maintains a mandate to conduct thor-
8 ough investigations and programmatic audits,
9 free from undue interference; and

10 (C) compiles regular, publicly published
11 audits and investigations of financial, pro-
12 grammatic, and reporting aspects of the Global
13 Fund, its grantees, recipients, sub-recipients,
14 and Local Fund Agents;

15 (3) effectively implementing and enforcing poli-
16 cies and procedures which reflect best practices for
17 the protection of whistleblowers from retaliation, in-
18 cluding best practices for—

19 (A) protection against retaliation for inter-
20 nal and lawful public disclosures;

21 (B) legal burdens of proof;

22 (C) statutes of limitation for reporting re-
23 taliation;

24 (D) access to independent adjudicative
25 bodies, including external arbitration; and

1 (E) results that eliminate the effects of
2 proven retaliation; and

3 (4) implementing the recommendations con-
4 tained in the Consolidated Transformation Plan ap-
5 proved by the Board of the Global Fund on Novem-
6 ber 21, 2011:

7 *Provided*, That such withholding shall not be in addition
8 to funds that are withheld from the Global Fund in fiscal
9 year 2018 pursuant to the application of any other provi-
10 sion contained in this or any other Act.

11 (d) CONTAGIOUS INFECTIOUS DISEASE OUT-
12 BREAKS.—

13 (1) EMERGENCY RESERVE FUND.—Of the
14 funds appropriated by this Act under the heading
15 “Global Health Programs”, \$10,000,000 shall be for
16 the Emergency Reserve Fund established pursuant
17 to section 7058(c)(1) of the Department of State,
18 Foreign Operations, and Related Programs Appro-
19 priations Act, 2017 (division J of Public Law 115–
20 31) and shall be available under the same terms and
21 conditions of such section.

22 (2) EXTRAORDINARY MEASURES.—If the Sec-
23 retary of State determines and reports to the Com-
24 mittees on Appropriations that an international in-
25 fectious disease outbreak is sustained, severe, and is

1 spreading internationally, or that it is in the na-
2 tional interest to respond to a Public Health Emer-
3 gency of International Concern, funds appropriated
4 by this Act under the headings “Global Health Pro-
5 grams”, “Development Assistance”, “International
6 Disaster Assistance”, “Economic Support Fund”,
7 “Democracy Fund”, “Assistance for Europe, Eur-
8 asia and Central Asia”, “Migration and Refugee As-
9 sistance”, and “Millennium Challenge Corporation”
10 may be made available to combat such infectious dis-
11 ease or public health emergency, and may be trans-
12 ferred to, and merged with, funds appropriated
13 under such headings for the purposes of this para-
14 graph.

15 (3) OVERSIGHT OF FUNDS.—Funds made avail-
16 able pursuant to the authority of this subsection
17 shall be subject to prior consultation with the appro-
18 priate congressional committees and the regular no-
19 tification procedures of the Committees on Appro-
20 priations.

21 (e) MALARIA AND OTHER INFECTIOUS DISEASES.—
22 Of the unobligated balances available under the heading
23 “Bilateral Economic Assistance” in title IX of division J
24 of the Consolidated and Further Continuing Appropria-
25 tions Act, 2015 (Public Law 113–235), \$250,000,000

1 shall be available for assistance or research to detect, pre-
2 vent, treat, and control malaria, and \$72,500,000 shall be
3 for assistance or research to detect, prevent, treat, and
4 control emerging infectious diseases in countries at risk
5 of such diseases: *Provided*, That amounts made available
6 under this section are designated by the Congress as an
7 emergency requirement pursuant to section
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985 and shall be available only
10 if the President subsequently so designates all such
11 amounts and transmits such designations to the Congress.

12 GENDER EQUALITY

13 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
14 priated by this Act shall be made available to promote gen-
15 der equality in United States Government diplomatic and
16 development efforts by raising the status, increasing the
17 participation, and protecting the rights of women and girls
18 worldwide.

19 (b) WOMEN'S LEADERSHIP.—Of the funds appro-
20 priated by title III of this Act, not less than \$50,000,000
21 shall be made available to increase leadership opportuni-
22 ties for women in countries where women and girls suffer
23 discrimination due to law, policy, or practice, by strength-
24 ening protections for women's political status, expanding
25 women's participation in political parties and elections,

1 and increasing women's opportunities for leadership posi-
2 tions in the public and private sectors at the local, provin-
3 cial, and national levels.

4 (c) GENDER-BASED VIOLENCE.—

5 (1)(A) Of the funds appropriated by titles III
6 and IV of this Act, not less than \$150,000,000 shall
7 be made available to implement a multi-year strat-
8 egy to prevent and respond to gender-based violence
9 in countries where it is common in conflict and non-
10 conflict settings.

11 (B) Funds appropriated by titles III and IV of
12 this Act that are available to train foreign police, ju-
13 dicial, and military personnel, including for inter-
14 national peacekeeping operations, shall address,
15 where appropriate, prevention and response to gen-
16 der-based violence and trafficking in persons, and
17 shall promote the integration of women into the po-
18 lice and other security forces.

19 (2) Department of State and United States
20 Agency for International Development gender pro-
21 grams shall incorporate coordinated efforts to com-
22 bat a variety of forms of gender-based violence, in-
23 cluding child marriage, rape, female genital cutting
24 and mutilation, and domestic violence, among other

1 forms of gender-based violence in conflict and non-
2 conflict settings.

3 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
4 priated by this Act under the headings “Development As-
5 sistance”, “Economic Support Fund”, “Assistance for Eu-
6 rope, Eurasia and Central Asia”, and “International Nar-
7 cotics Control and Law Enforcement” should be made
8 available to support a multi-year strategy to expand, and
9 improve coordination of, United States Government ef-
10 forts to empower women as equal partners in conflict pre-
11 vention, peace building, transitional processes, and recon-
12 struction efforts in countries affected by conflict or in po-
13 litical transition, and to ensure the equitable provision of
14 relief and recovery assistance to women and girls.

15 SECTOR ALLOCATIONS

16 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
17 EDUCATION.—

18 (1) BASIC EDUCATION.—

19 (A) Of the funds appropriated under title
20 III of this Act, not less than \$800,000,000
21 shall be made available for assistance for basic
22 education, and such funds may be made avail-
23 able notwithstanding any other provision of law
24 that restricts assistance to foreign countries.

1 (B) Not later than 30 days after enact-
2 ment of this Act, the Administrator of the
3 United States Agency for International Devel-
4 opment shall report to the Committees on Ap-
5 propriations on the status of cumulative unobli-
6 gated balances and obligated, but unexpended,
7 balances in each country where USAID pro-
8 vides basic education assistance and such report
9 shall also include details on the types of con-
10 tracts and grants provided and the goals and
11 objectives of such assistance: *Provided*, That
12 the USAID Administrator shall update such re-
13 port on a quarterly basis until September 30,
14 2019.

15 (C) Of the funds appropriated under title
16 III of this Act for assistance for basic education
17 programs, not less than \$87,500,000 shall be
18 made available for a contribution to multilateral
19 partnerships that support education.

20 (2) HIGHER EDUCATION.—Of the funds appro-
21 priated by title III of this Act, not less than
22 \$235,000,000 shall be made available for assistance
23 for higher education, including not less than
24 \$35,000,000 for new and ongoing partnerships for
25 human and institutional capacity building between

1 higher education institutions in the United States
2 and developing countries.

3 (b) CONSERVATION PROGRAMS AND LIMITATIONS.—

4 (1) BIODIVERSITY.—

5 (A) Of the funds appropriated under title
6 III of this Act, not less than \$265,000,000
7 shall be made available for biodiversity con-
8 servation programs.

9 (B) Of the funds appropriated by this Act
10 under the heading “Economic Support Fund”,
11 \$102,375,000 shall be made available for a
12 multilateral funding facility to support biodiver-
13 sity conservation programs: *Provided*, That
14 such funds may only be made available on a
15 grant basis: *Provided further*, That such funds
16 are in addition to amounts specified in subpara-
17 graph (A) and are subject to prior consultation
18 with, and the regular notification procedures of,
19 the Committees on Appropriations.

20 (2) WILDLIFE POACHING AND TRAFFICKING.—

21 (A) Not less than \$90,664,000 of the
22 funds appropriated under titles III and IV of
23 this Act shall be made available to combat the
24 transnational threat of wildlife poaching and
25 trafficking.

1 (B) 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
5 determines has been credibly alleged to have
6 participated in wildlife poaching or trafficking,
7 unless the Secretary reports to the appropriate
8 congressional committees that to do so is in the
9 national security interest of the United States.

10 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-
11 priated by this Act under the heading “Development As-
12 sistance”, not less than \$26,000,000 shall be made avail-
13 able for the American Schools and Hospitals Abroad pro-
14 gram, and not less than \$12,000,000 shall be made avail-
15 able for cooperative development programs of USAID.

16 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
17 MENT.—Of the funds appropriated under title III of this
18 Act, not less than \$1,000,600,000 should be made avail-
19 able to carry out the provisions of the Global Food Secu-
20 rity Act of 2016 (Public Law 114–195), of which not less
21 than \$60,000,000 shall be made available for the Feed
22 the Future Innovation Labs: *Provided*, That funds may
23 be made available for a contribution as authorized by sec-
24 tion 3202 of the Food, Conservation, and Energy Act of

1 2008 (Public Law 110–246), as amended by section 3206
2 of the Agricultural Act of 2014 (Public Law 113–79).

3 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
4 funds appropriated by this Act, not less than
5 \$265,000,000 should be made available for microenter-
6 prise and microfinance development programs for the
7 poor, especially women.

8 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
9 SONS.—Of the funds appropriated by this Act under the
10 headings “Development Assistance”, “Economic Support
11 Fund”, “Assistance for Europe, Eurasia and Central
12 Asia”, and “International Narcotics Control and Law En-
13 forcement”, not less than \$65,000,000 shall be made
14 available for activities to combat trafficking in persons
15 internationally, of which not less than \$40,000,000 shall
16 be from funds made available under the heading “Inter-
17 national Narcotics Control and Law Enforcement”: *Pro-*
18 *vided*, That not later than 120 days after enactment of
19 this Act, the Secretary of State shall submit an update
20 to the report required pursuant to section 7060(f)(1) of
21 the Department of State, Foreign Operations, and Related
22 Programs Appropriations Act, 2017 (division J of Public
23 Law 115–31).

24 (g) WATER AND SANITATION.—Of the funds appro-
25 priated by this Act, not less than \$400,000,000 shall be

1 made available for water supply and sanitation projects
2 pursuant to the Senator Paul Simon Water for the Poor
3 Act of 2005 (Public Law 109–121), of which not less than
4 \$145,000,000 shall be for programs in sub-Saharan Afri-
5 ca.

6 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE

7 POPULATIONS OR INTERNALLY DISPLACED PERSONS

8 SEC. 7061. Funds appropriated by this Act under the
9 headings “Development Assistance” and “Economic Sup-
10 port Fund” shall be made available for programs in coun-
11 tries affected by significant populations of internally dis-
12 placed persons or refugees to—

13 (1) expand and improve host government social
14 services and basic infrastructure to accommodate the
15 needs of such populations and persons;

16 (2) alleviate the social and economic strains
17 placed on host communities, including through pro-
18 grams to promote livelihoods, vocational training,
19 and formal and informal education;

20 (3) improve coordination of such assistance in
21 a more effective and sustainable manner; and

22 (4) leverage increased assistance from donors
23 other than the United States Government for central
24 governments and local communities in such coun-
25 tries.

1 ARMS TRADE TREATY

2 SEC. 7062. None of the funds appropriated by this
3 Act may be obligated or expended to implement the Arms
4 Trade Treaty until the Senate approves a resolution of
5 ratification for the Treaty.

6 INSPECTORS GENERAL

7 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—
8 None of the funds appropriated by this Act may be used
9 to deny an Inspector General funded under this Act timely
10 access to any records, documents, or other materials avail-
11 able to the department or agency of the United States
12 Government over which such Inspector General has re-
13 sponsibilities under the Inspector General Act of 1978 (5
14 U.S.C. App.), or to prevent or impede the access of such
15 Inspector General to such records, documents, or other
16 materials, under any provision of law, except a provision
17 of law that expressly refers to such Inspector General and
18 expressly limits the right of access of such Inspector Gen-
19 eral.

20 (b) TIMELY ACCESS.—A department or agency of the
21 United States Government covered by this section shall
22 provide its Inspector General access to all records, docu-
23 ments, and other materials in a timely manner.

24 (c) COMPLIANCE.—Each Inspector General covered
25 by this section shall ensure compliance with statutory limi-

1 tations on disclosure relevant to the information provided
2 by the department or agency over which that Inspector
3 General has responsibilities under the Inspector General
4 Act of 1978 (5 U.S.C. App.).

5 (d) REPORT REQUIREMENT.—Each Inspector Gen-
6 eral covered by this section shall report to the Committees
7 on Appropriations within 5 calendar days of any failure
8 by any department or agency of the United States Govern-
9 ment to provide its Inspector General access to all re-
10 quested records, documents, and other materials.

11 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS
12 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA
13 SEC. 7064. Not later than 5 days after the conclusion
14 of an agreement with a country, including a state with
15 a compact of free association with the United States, to
16 receive by transfer or release individuals detained at
17 United States Naval Station, Guantánamo Bay, Cuba, the
18 Secretary of State shall notify the Committees on Appro-
19 priations in writing of the terms of the agreement, includ-
20 ing whether funds appropriated by this Act or prior Acts
21 making appropriations for the Department of State, for-
22 eign operations, and related programs will be made avail-
23 able for assistance for such country pursuant to such
24 agreement.

MULTI-YEAR PLEDGES

1
2 SEC. 7065. None of the funds appropriated by this
3 Act may be used to make any pledge for future year fund-
4 ing for any multilateral or bilateral program funded in ti-
5 tles III through VI of this Act unless such pledge was—

6 (1) previously justified, including the projected
7 future year costs, in a congressional budget justifica-
8 tion;

9 (2) included in an Act making appropriations
10 for the Department of State, foreign operations, and
11 related programs or previously authorized by an Act
12 of Congress;

13 (3) notified in accordance with the regular noti-
14 fication procedures of the Committees on Appropria-
15 tions, including the projected future year costs; or

16 (4) the subject of prior consultation with the
17 Committees on Appropriations and such consultation
18 was conducted at least 7 days in advance of the
19 pledge.

PROHIBITION ON USE OF TORTURE

20
21 SEC. 7066. None of the funds made available in this
22 Act may be used to support or justify the use of torture,
23 cruel, or inhumane treatment by any official or contract
24 employee of the United States Government.

EXTRADITION

1
2 SEC. 7067. (a) LIMITATION.—None of the funds ap-
3 propriated in this Act may be used to provide assistance
4 (other than funds provided under the headings “Inter-
5 national Disaster Assistance”, “International Narcotics
6 Control and Law Enforcement”, “Migration and Refugee
7 Assistance”, and “Nonproliferation, Anti-terrorism,
8 Demining and Related Assistance”) for the central gov-
9 ernment of a country which has notified the Department
10 of State of its refusal to extradite to the United States
11 any individual indicted for a criminal offense for which
12 the maximum penalty is life imprisonment without the
13 possibility of parole or for killing a law enforcement offi-
14 cer, as specified in a United States extradition request.

15 (b) CLARIFICATION.—Subsection (a) shall only apply
16 to the central government of a country with which the
17 United States maintains diplomatic relations and with
18 which the United States has an extradition treaty and the
19 government of that country is in violation of the terms
20 and conditions of the treaty.

21 (c) WAIVER.—The Secretary of State may waive the
22 restriction in subsection (a) on a case-by-case basis if the
23 Secretary certifies to the Committees on Appropriations
24 that such waiver is important to the national interests of
25 the United States.

1 contribution to the North American Development Bank” in
2 the Department of State, Foreign Operations, and Related
3 Programs Appropriations Act, 2016 (division K of Public
4 Law 114–113) are rescinded.

5 (c) EXPORT-IMPORT BANK.—Of the unobligated bal-
6 ances under the heading “Export and Investment Assist-
7 ance, Export-Import Bank of the United States, Subsidy
8 Appropriation” for tied-aid grants in prior Acts making
9 appropriations for the Department of State, foreign oper-
10 ations, and related programs, \$165,000,000 are rescinded.

11 (d) SEC. 129 OF PUBLIC LAW 110–329.—Of the un-
12 obligated balances available for “Department of Energy—
13 Energy Programs—Advanced Technology Vehicles Manu-
14 facturing Loan Program Account” under section 129 of
15 the Continuing Appropriations Resolution, 2009 (division
16 A of Public Law 110–329), \$1,965,575,000 is hereby re-
17 scinded.

18 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

19 SEC. 7070. (a) LIMITATION.—None of the funds ap-
20 propriated by this Act may be made available for assist-
21 ance for the central Government of the Russian Federa-
22 tion.

23 (b) ANNEXATION OF CRIMEA.—

24 (1) None of the funds appropriated by this Act
25 may be made available for assistance for the central

1 government of a country that the Secretary of State
2 determines and reports to the Committees on Appro-
3 priations has taken affirmative steps intended to
4 support or be supportive of the Russian Federation
5 annexation of Crimea: *Provided*, That except as oth-
6 erwise provided in subsection (a), the Secretary may
7 waive the restriction on assistance required by this
8 paragraph if the Secretary determines and reports to
9 such Committees that to do so is in the national in-
10 terest of the United States, and includes a justifica-
11 tion for such interest.

12 (2) None of the funds appropriated by this Act
13 may be made available for—

14 (A) the implementation of any action or
15 policy that recognizes the sovereignty of the
16 Russian Federation over Crimea;

17 (B) the facilitation, financing, or guarantee
18 of United States Government investments in
19 Crimea, if such activity includes the participa-
20 tion of Russian Government officials, or other
21 Russian owned or controlled financial entities;
22 or

23 (C) assistance for Crimea, if such assist-
24 ance includes the participation of Russian Gov-

1 ernment officials, or other Russian owned or
2 controlled financial entities.

3 (3) The Secretary of the Treasury shall instruct
4 the United States executive directors of each inter-
5 national financial institution to vote against any as-
6 sistance by such institution (including any loan,
7 credit, or guarantee) for any program that violates
8 the sovereignty or territorial integrity of Ukraine.

9 (4) The requirements and limitations of this
10 subsection shall cease to be in effect if the Secretary
11 of State determines and reports to the Committees
12 on Appropriations that the Government of Ukraine
13 has reestablished sovereignty over Crimea.

14 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
15 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

16 (1) None of the funds appropriated by this Act
17 may be made available for assistance for the central
18 government of a country that the Secretary of State
19 determines and reports to the Committees on Appro-
20 priations has recognized the independence of, or has
21 established diplomatic relations with, the Russian oc-
22 cupied Georgian territories of Abkhazia and
23 Tskhinvali Region/South Ossetia: *Provided*, That the
24 Secretary shall publish on the Department of State
25 Web site a list of any such central governments in

1 a timely manner: *Provided further*, That the Sec-
2 retary may waive the restriction on assistance re-
3 quired by this paragraph if the Secretary determines
4 and reports to the Committees on Appropriations
5 that to do so is in the national interest of the United
6 States, and includes a justification for such interest.

7 (2) None of the funds appropriated by this Act
8 may be made available to support the Russian occu-
9 pation of the Georgian territories of Abkhazia and
10 Tskhinvali Region/South Ossetia.

11 (3) The Secretary of the Treasury shall instruct
12 the United States executive directors of each inter-
13 national financial institution to vote against any as-
14 sistance by such institution (including any loan,
15 credit, or guarantee) for any program that violates
16 the sovereignty and territorial integrity of Georgia.

17 (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-
18 GRESSION.—

19 (1) Funds appropriated by this Act under the
20 headings “Assistance for Europe, Eurasia and Cen-
21 tral Asia”, “International Narcotics Control and
22 Law Enforcement”, “International Military Edu-
23 cation and Training”, and “Foreign Military Fi-
24 nancing Program” shall be made available for assist-

1 ance to counter Russian influence and aggression in
2 countries in Europe and Eurasia.

3 (2) Funds appropriated by this Act and made
4 available for assistance for the Eastern Partnership
5 countries shall be made available to advance the im-
6 plementation of Association Agreements and trade
7 agreements with the European Union, and to reduce
8 their vulnerability to external economic and political
9 pressure from the Russian Federation.

10 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
11 this Act shall be made available to support democracy pro-
12 grams in the Russian Federation, including to promote
13 Internet freedom, and shall also be made available to sup-
14 port the democracy and rule of law strategy required by
15 section 7071(d) of the Department of State, Foreign Op-
16 erations, and Related Programs Appropriations Act, 2014
17 (division K of Public Law 113–76).

18 (f) REPORTS.—Not later than 45 days after enact-
19 ment of this Act, the Secretary of State shall update the
20 reports required by subsections (b)(2) and (e) of section
21 7071 of the Department of State, Foreign Operations, and
22 Related Programs Appropriations Act, 2014 (division K
23 of Public Law 113–76).

1 INTERNATIONAL MONETARY FUND

2 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
3 tions of sections 7086(b) (1) and (2) and 7090(a) of the
4 Department of State, Foreign Operations, and Related
5 Programs Appropriations Act, 2010 (division F of Public
6 Law 111–117) shall apply to this Act.

7 (b) REPAYMENT.—The Secretary of the Treasury
8 shall instruct the United States Executive Director of the
9 International Monetary Fund (IMF) to seek to ensure
10 that any loan will be repaid to the IMF before other pri-
11 vate creditors.

12 SPECIAL DEFENSE ACQUISITION FUND

13 SEC. 7072. Not to exceed \$900,000,000 may be obli-
14 gated pursuant to section 51(c)(2) of the Arms Export
15 Control Act for the purposes of the Special Defense Acqui-
16 sition Fund (Fund), to remain available for obligation
17 until September 30, 2020: *Provided*, That the provision
18 of defense articles and defense services to foreign coun-
19 tries or international organizations from the Fund shall
20 be subject to the concurrence of the Secretary of State.

21 COUNTERING FOREIGN FIGHTERS AND EXTREMIST

22 ORGANIZATIONS

23 SEC. 7073. (a) FUNDING.— Funds appropriated
24 under titles III and IV of this Act shall be made available
25 for programs and activities to counter and defeat violent

1 extremism and foreign fighters abroad, which shall include
2 components to—

3 (1) counter the recruitment, radicalization,
4 movement, and financing of such extremists and for-
5 eign fighters;

6 (2) secure borders of countries impacted by ex-
7 tremism;

8 (3) assist countries impacted by extremism to
9 implement and establish criminal laws and policies
10 to counter extremists and foreign fighters; and

11 (4) promote and strengthen democratic institu-
12 tions and practices in countries impacted by extre-
13 mism.

14 (b) CONDITIONS.—The Secretary of State shall—

15 (1) promptly inform the appropriate congres-
16 sional committees of each instance in which assist-
17 ance provided pursuant to this section has been di-
18 verted or destroyed, to include the type and amount
19 of assistance, a description of the incident and par-
20 ties involved, and an explanation of the response of
21 the Department of State or the United States Agen-
22 cy for International Development, as appropriate;
23 and

24 (2) ensure programs to counter and defeat vio-
25 lent extremism and foreign fighters abroad are co-

1 shall notify the Committees on Appropriations in writing
2 within 5 days of such determination, the basis for such
3 determination and any resulting changes to program and
4 policy.

5 BUDGET DOCUMENTS

6 SEC. 7076. (a) OPERATING AND REORGANIZATION
7 PLANS.—

8 (1) Not later than 45 days after the date of en-
9 actment of this Act, each department, agency, or or-
10 ganization funded in titles I, II, and VI of this Act,
11 and the Department of the Treasury and Inde-
12 pendent Agencies funded in title III of this Act, in-
13 cluding the Inter-American Foundation and the
14 United States African Development Foundation,
15 shall submit to the Committees on Appropriations
16 an operating plan for funds appropriated to such de-
17 partment, agency, or organization in such titles of
18 this Act, or funds otherwise available for obligation
19 in fiscal year 2018, that provides details of the uses
20 of such funds at the program, project, and activity
21 level: *Provided*, That such plans shall include, as ap-
22 plicable, a comparison between the congressional
23 budget justification funding levels, the most recent
24 congressional directives or approved funding levels,
25 and the funding levels proposed by the department

1 or agency; and a clear, concise, and informative de-
2 scription/justification: *Provided further*, That if such
3 department, agency, or organization receives an ad-
4 ditional amount under the same heading in title VIII
5 of this Act, operating plans required by this sub-
6 section shall include consolidated information on all
7 such funds: *Provided further*, That operating plans
8 that include changes in levels of funding for pro-
9 grams, projects, and activities specified in the con-
10 gressional budget justification, in this Act, or
11 amounts specifically designated in the respective ta-
12 bles included in the report accompanying this Act,
13 as applicable, shall be subject to the notification and
14 reprogramming requirements of section 7015 of this
15 Act.

16 (2) Concurrent with the submission of an oper-
17 ating plan pursuant to paragraph (1), each covered
18 department, agency, or organization shall submit to
19 the Committees on Appropriations information de-
20 tailing any planned reorganization of such depart-
21 ment, agency, or organization, including any action
22 planned pursuant to the March 13, 2017 Executive
23 Order No. 13781 on a Comprehensive Plan for Re-
24 organizing the Executive Branch, including—

1 (A) a detailed explanation of the plan, in-
2 cluding any policies and procedures currently or
3 expected to be used to comply with Executive
4 Order No. 13781;

5 (B) a detailed organization chart, including
6 a brief description of each operating unit; and

7 (C) the number of employees for each op-
8 erating unit.

9 (b) SPEND PLANS.—

10 (1) Prior to the initial obligation of funds, the
11 Secretary of State or Administrator of the United
12 States Agency for International Development, as ap-
13 propriate, shall submit to the Committees on Appro-
14 priations a spend plan for funds made available by
15 this Act, for—

16 (A) assistance for Afghanistan, Iraq, Leb-
17 anon, Pakistan, and the West Bank and Gaza;

18 (B) regional security initiatives listed
19 under this section in the report accompanying
20 this Act: *Provided*, That the spend plan for
21 such initiatives shall include the amount of as-
22 sistance planned for each country by account,
23 to the maximum extent practicable; and

1 (C) democracy programs and sectors enu-
2 merated in subsections (a), (b), (d), (f), and (g)
3 of section 7060 of this Act.

4 (2) Not later than 45 days after enactment of
5 this Act, the Secretary of the Treasury shall submit
6 to the Committees on Appropriations a detailed
7 spend plan for funds made available by this Act
8 under the heading “Department of the Treasury,
9 International Affairs Technical Assistance” in title
10 III.

11 (c) SPENDING REPORT.—Not later than 45 days
12 after enactment of this Act, the USAID Administrator
13 shall submit to the Committees on Appropriations a de-
14 tailed report on spending of funds made available during
15 fiscal year 2017 under the heading “Development Credit
16 Authority”.

17 (d) NOTIFICATIONS.—The spend plans referenced in
18 subsection (b) shall not be considered as meeting the noti-
19 fication requirements in this Act or under section 634A
20 of the Foreign Assistance Act of 1961.

21 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

22 (1) The congressional budget justification for
23 Department of State operations and foreign oper-
24 ations shall be provided to the Committees on Ap-
25 propriations concurrent with the date of submission

1 of the President's budget for fiscal year 2019: *Pro-*
2 *vided*, That any appendices for such justification
3 shall be provided to the Committees on Appropria-
4 tions not later than 10 calendar days thereafter.

5 (2) The Secretary of State and the USAID Ad-
6 ministrator shall include in the congressional budget
7 justification a detailed justification for multi-year
8 availability for any funds requested under the head-
9 ings "Diplomatic and Consular Programs" and "Op-
10 erating Expenses".

11 REPORTS AND RECORDS MANAGEMENT

12 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

13 (1) REQUIREMENT.—Any agency receiving
14 funds made available by this Act shall, subject to
15 paragraphs (2) and (3), post on the publicly avail-
16 able Web site of such agency any report required by
17 this Act to be submitted to the Committees on Ap-
18 propriations, upon a determination by the head of
19 such agency that to do so is in the national interest.

20 (2) EXCEPTIONS.—Paragraph (1) shall not
21 apply to a report if—

22 (A) the public posting of such report would
23 compromise national security, including the
24 conduct of diplomacy; or

1 (B) the report contains proprietary, privi-
2 leged, or sensitive information.

3 (3) TIMING AND INTENTION.—The head of the
4 agency posting such report shall, unless otherwise
5 provided for in this Act, do so only after such report
6 has been made available to the Committees on Ap-
7 propriations for not less than 45 days: *Provided*,
8 That any report required by this Act to be submitted
9 to the Committees on Appropriations shall include
10 information from the submitting agency on whether
11 such report will be publicly posted.

12 (b) REQUESTS FOR DOCUMENTS.—None of the funds
13 appropriated or made available pursuant to titles III
14 through VI of this Act shall be available to a nongovern-
15 mental organization, including any contractor, which fails
16 to provide upon timely request any document, file, or
17 record necessary to the auditing requirements of the De-
18 partment of State and the United States Agency for Inter-
19 national Development.

20 (c) RECORDS MANAGEMENT.—

21 (1) LIMITATION.—None of the funds appro-
22 priated by this Act under the headings “Diplomatic
23 and Consular Programs” and “Capital Investment
24 Fund” in title I, and “Operating Expenses” and
25 “Capital Investment Fund” in title II that are made

1 available to the Department of State and USAID
2 may be made available to support the use or estab-
3 lishment of email accounts or email servers created
4 outside the .gov domain or not fitted for automated
5 records management as part of a Federal govern-
6 ment records management program in contravention
7 of the Presidential and Federal Records Act Amend-
8 ments of 2014 (Public Law 113–187).

9 (2) DIRECTIVES.—The Secretary of State and
10 USAID Administrator shall—

11 (A) update the policies, directives, and
12 oversight necessary to comply with Federal
13 statutes, regulations, and presidential executive
14 orders and memoranda concerning the preserva-
15 tion of all records made or received in the con-
16 duct of official business, including record
17 emails, instant messaging, and other online
18 tools;

19 (B) use funds appropriated by this Act
20 under the headings “Diplomatic and Consular
21 Programs” and “Capital Investment Fund” in
22 title I, and “Operating Expenses” and “Capital
23 Investment Fund” in title II, as appropriate, to
24 improve Federal records management pursuant
25 to the Federal Records Act (44 U.S.C. Chap-

1 ters 21, 29, 31, and 33) and other applicable
2 Federal records management statutes, regula-
3 tions, or policies for the Department of State
4 and USAID;

5 (C) direct departing employees that all
6 Federal records generated by such employees,
7 including senior officials, belong to the Federal
8 Government; and

9 (D) significantly improve the response time
10 for identifying and retrieving Federal records,
11 including requests made pursuant to the Free-
12 dom of Information Act.

13 (3) REPORT.—Not later than 45 days after en-
14 actment of this Act, the Secretary of State and
15 USAID Administrator shall each submit a report to
16 the Committees on Appropriations and to the Na-
17 tional Archives and Records Administration detail-
18 ing, as appropriate and where applicable—

19 (A) any updates or modifications made to
20 the policy of each agency regarding the use or
21 the establishment of email accounts or email
22 servers created outside the .gov domain or not
23 fitted for automated records management as
24 part of a Federal government records manage-
25 ment program since the submission to the Com-

1 mittees on Appropriations of the report re-
2 quired by section 7077(e)(3) of the Department
3 of State, Foreign Operations, and Related Pro-
4 grams Appropriations Act, 2017 (division J of
5 Public Law 115–31);

6 (B) the extent to which each agency is in
7 compliance with applicable Federal records
8 management statutes, regulations, and policies,
9 including meeting Directive goal 1.2 of the
10 Managing Government Records Directive (M–
11 12–18) by December 31, 2016; and

12 (C) any steps taken since the submission
13 of the report referenced in subparagraph (A)
14 to—

15 (i) comply with paragraph (1)(B) of
16 this subsection;

17 (ii) ensure that all employees at every
18 level have been instructed in procedures
19 and processes to ensure that the docu-
20 mentation of their official duties is cap-
21 tured, preserved, managed, protected, and
22 accessible in official Government systems
23 of the Department of State and USAID;

24 (iii) implement recommendation 1
25 made by the Office of Inspector General

1 (OIG), Department of State, in the Janu-
2 ary 2016 Evaluation of the Department of
3 State’s FOIA Process for Requests Involv-
4 ing the Office of the Secretary (ESP–16–
5 01);

6 (iv) reduce the backlog of Freedom of
7 Information Act (FOIA) and Congressional
8 oversight requests, and measurably im-
9 prove the response time for answering such
10 requests; and

11 (v) strengthen cyber security meas-
12 ures to mitigate vulnerabilities, including
13 those resulting from the use of personal
14 email accounts or servers outside the .gov
15 domain, improve the process to identify
16 and remove inactive user accounts, update
17 and enforce guidance related to the control
18 of national security information, and im-
19 plement the recommendations of the cor-
20 responding reports of the OIG as detailed
21 under this section in the report accom-
22 panying this Act.

23 (4) OPERATING PLANS.—The operating plans
24 required by section 7076(a) of this Act for funds ap-

1 appropriated under the headings listed in paragraph
2 (1) shall include funds planned for—

3 (A) implementing the recommendations of
4 the OIG reports referenced in clauses (iii) and
5 (v); and

6 (B) measurably reducing the FOIA and
7 Congressional oversight requests backlog.

8 GLOBAL INTERNET FREEDOM

9 SEC. 7078. (a) FUNDING.—Of the funds available for
10 obligation during fiscal year 2018 under the headings
11 “International Broadcasting Operations”, “Economic
12 Support Fund”, “Democracy Fund”, and “Assistance for
13 Europe, Eurasia and Central Asia”, not less than
14 \$50,500,000 shall be made available for programs to pro-
15 mote Internet freedom globally: *Provided*, That such pro-
16 grams shall be prioritized for countries whose governments
17 restrict freedom of expression on the Internet, and that
18 are important to the national interests of the United
19 States: *Provided further*, That funds made available pursu-
20 ant to this section shall be matched, to the maximum ex-
21 tent practicable, by sources other than the United States
22 Government, including from the private sector.

23 (b) REQUIREMENTS.—

24 (1) Funds appropriated by this Act under the
25 headings “Economic Support Fund”, “Democracy

1 Fund”, and “Assistance for Europe, Eurasia and
2 Central Asia” that are made available pursuant to
3 subsection (a) shall be—

4 (A) coordinated with other democracy pro-
5 grams funded by this Act under such headings,
6 and shall be incorporated into country assist-
7 ance and democracy promotion strategies, as
8 appropriate;

9 (B) for programs to implement the May
10 2011, International Strategy for Cyberspace;
11 the Department of State International Cyber-
12 space Policy Strategy required by section 402
13 of the Cybersecurity Act of 2015 (division N of
14 Public Law 114–113); and the comprehensive
15 strategy to promote Internet freedom and ac-
16 cess to information in Iran, as required by sec-
17 tion 414 of the Iran Threat Reduction and
18 Syria Human Rights Act of 2012 (22 U.S.C.
19 8754);

20 (C) made available for programs that sup-
21 port the efforts of civil society to counter the
22 development of repressive Internet-related laws
23 and regulations, including countering threats to
24 Internet freedom at international organizations;
25 to combat violence against bloggers and other

1 users; and to enhance digital security training
2 and capacity building for democracy activists;

3 (D) made available for research of key
4 threats to Internet freedom; the continued de-
5 velopment of technologies that provide or en-
6 hance access to the Internet, including cir-
7 cumvention tools that bypass Internet blocking,
8 filtering, and other censorship techniques used
9 by authoritarian governments; and maintenance
10 of the technological advantage of the United
11 States Government over such censorship tech-
12 niques: *Provided*, That the Secretary of State,
13 in consultation with the Chief Executive Officer
14 (CEO) of the Broadcasting Board of Governors
15 (BBG), shall coordinate any such research and
16 development programs with other relevant
17 United States Government departments and
18 agencies in order to share information, tech-
19 nologies, and best practices, and to assess the
20 effectiveness of such technologies; and

21 (E) the responsibility of the Assistant Sec-
22 retary for Democracy, Human Rights, and
23 Labor, Department of State.

24 (2) Funds appropriated by this Act under the
25 heading “International Broadcasting Operations”

1 that are made available pursuant to subsection (a)
2 shall be—

3 (A) made available only for tools and tech-
4 niques to securely develop and distribute BBG
5 digital content; facilitate audience access to
6 such content on Web sites that are censored;
7 coordinate the distribution of BBG digital con-
8 tent to targeted regional audiences; and to pro-
9 mote and distribute such tools and techniques,
10 including digital security techniques;

11 (B) coordinated with programs funded by
12 this Act under the heading “International
13 Broadcasting Operations”, and shall be incor-
14 porated into country broadcasting strategies, as
15 appropriate;

16 (C) coordinated by the BBG CEO to pro-
17 vide Internet circumvention tools and tech-
18 niques for audiences in countries that are stra-
19 tegic priorities for the BBG and in a manner
20 consistent with the BBG Internet freedom
21 strategy; and

22 (D) made available for the research and
23 development of new tools or techniques author-
24 ized in paragraph (A) only after the BBG CEO,
25 in consultation with the Secretary of State and

1 other relevant United States Government de-
2 partments and agencies, evaluates the risks and
3 benefits of such new tools or techniques, and
4 establishes safeguards to minimize the use of
5 such new tools or techniques for illicit purposes.

6 (c) COORDINATION AND SPEND PLANS.—After con-
7 sultation among the relevant agency heads to coordinate
8 and de-conflict planned activities, but not later than 90
9 days after enactment of this Act, the Secretary of State
10 and the BBG CEO shall submit to the Committees on Ap-
11 propriations spend plans for funds made available by this
12 Act for programs to promote Internet freedom globally,
13 which shall include a description of safeguards established
14 by relevant agencies to ensure that such programs are not
15 used for illicit purposes: *Provided*, That the Department
16 of State spend plan shall include funding for all such pro-
17 grams for all relevant Department of State and USAID
18 offices and bureaus.

19 IMPACT ON JOBS IN THE UNITED STATES

20 SEC. 7079. None of the funds appropriated or other-
21 wise made available under titles III through VI of this
22 Act may be obligated or expended to provide—

23 (1) any financial incentive to a business enter-
24 prise currently located in the United States for the
25 purpose of inducing such an enterprise to relocate

1 outside the United States if such incentive or in-
2 ducement is likely to reduce the number of employ-
3 ees of such business enterprise in the United States
4 because United States production is being replaced
5 by such enterprise outside the United States;

6 (2) assistance for any program, project, or ac-
7 tivity that contributes to the violation of internation-
8 ally recognized workers' rights, as defined in section
9 507(4) of the Trade Act of 1974, of workers in the
10 recipient country, including any designated zone or
11 area in that country: *Provided*, That the application
12 of section 507(4)(D) and (E) of such Act should be
13 commensurate with the level of development of the
14 recipient country and sector, and shall not preclude
15 assistance for the informal sector in such country,
16 micro and small-scale enterprise, and smallholder
17 agriculture;

18 (3) any assistance to an entity outside the
19 United States if such assistance is for the purpose
20 of directly relocating or transferring jobs from the
21 United States to other countries and adversely im-
22 pacts the labor force in the United States; or

23 (4) for the enforcement of any rule, regulation,
24 policy, or guidelines implemented pursuant to—

1 (A) the third proviso of subsection 7079(b)
2 of the Consolidated Appropriations Act, 2010;

3 (B) the modification proposed by the Over-
4 seas Private Investment Corporation in Novem-
5 ber 2013 to the Corporation's Environmental
6 and Social Policy Statement relating to coal;

7 (C) the Supplemental Guidelines for High
8 Carbon Intensity Projects approved by the Ex-
9 port-Import Bank of the United States on De-
10 cember 12, 2013; or

11 (D) the World Bank Group's Directions
12 for the World Bank Group's Energy Sector re-
13 leased on July 16, 2013,

14 when enforcement of such rule, regulation, policy, or
15 guidelines would prohibit, or have the effect of pro-
16 hibiting, any coal-fired or other power-generation
17 project the purpose of which is to increase exports
18 of goods and services from the United States or pre-
19 vent the loss of jobs from the United States.

1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,975,971,000, to remain available
10 until September 30, 2019, of which \$2,376,122,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$5,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That such
22 amount is designated by the Congress for Overseas Con-
23 tingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 OFFICE OF INSPECTOR GENERAL

2 For an additional amount for “Office of Inspector
3 General”, \$68,100,000, to remain available until Sep-
4 tember 30, 2019, of which \$54,900,000 shall be for the
5 Special Inspector General for Afghanistan Reconstruction
6 (SIGAR) for reconstruction oversight: *Provided*, That
7 printing and reproduction costs of SIGAR shall not exceed
8 amounts for such costs during fiscal year 2017: *Provided*
9 *further*, That notwithstanding any other provision of law,
10 any employee of SIGAR who completes at least 12 months
11 of continuous service after the date of enactment of this
12 Act or who is employed on the date on which SIGAR ter-
13 minates, whichever occurs first, shall acquire competitive
14 status for appointment to any position in the competitive
15 service for which the employee possesses the required
16 qualifications: *Provided further*, That such amount is des-
17 ignated by the Congress for Overseas Contingency Oper-
18 ations/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 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

22 For an additional amount for “Embassy Security,
23 Construction, and Maintenance”, \$71,778,000, to remain
24 available until expended, for Worldwide Security Up-
25 grades, acquisition, and construction as authorized: *Pro-*

1 *vided*, That such amount is designated by the Congress
2 for Overseas Contingency Operations/Global War on Ter-
3 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For an additional amount for “Contributions to
8 International Organizations”, \$96,240,000: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

14 ACTIVITIES

15 For an additional amount for “Contributions for
16 International Peacekeeping Activities”, \$965,906,000, to
17 remain available until September 30, 2019: *Provided*,
18 That such amount is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OPERATING EXPENSES

5 For an additional amount for “Operating Expenses”,
6 \$136,555,000, to remain available until September 30,
7 2019: *Provided*, That such amount is designated by the
8 Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985.

12 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for “Office of Inspector
14 General”, \$2,500,000, to remain available until September
15 30, 2019: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 BILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 INTERNATIONAL DISASTER ASSISTANCE

23 For an additional amount for “International Disaster
24 Assistance”, \$1,788,203,000, to remain available until ex-
25 pended: *Provided*, That such amount is designated by the

1 until expended, except that such funds shall not be made
2 available for the resettlement costs of refugees in the
3 United States: *Provided*, That such amount is designated
4 by the Congress for Overseas Contingency Operations/
5 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 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 INTERNATIONAL NARCOTICS CONTROL AND LAW

11 ENFORCEMENT

12 For an additional amount for “International Nar-
13 cotics Control and Law Enforcement”, \$417,951,000, to
14 remain available until September 30, 2019: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

20 RELATED PROGRAMS

21 For an additional amount for “Nonproliferation,
22 Anti-terrorism, Demining and Related Programs”,
23 \$220,583,000, to remain available until September 30,
24 2019: *Provided*, That such amount is designated by the
25 Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 PEACEKEEPING OPERATIONS

5 For an additional amount for “Peacekeeping Oper-
6 ations”, \$325,213,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided further*, That funds
12 available for obligation under this heading in this Act may
13 be used to pay assessed expenses of international peace-
14 keeping activities in Somalia, subject to the regular notifi-
15 cation procedures of the Committees on Appropriations.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 FOREIGN MILITARY FINANCING PROGRAM

18 For an additional amount for “Foreign Military Fi-
19 nancing Program”, \$460,000,000, to remain available
20 until September 30, 2019: *Provided*, That such amount
21 is designated by the Congress for Overseas Contingency
22 Operations/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 GENERAL PROVISIONS

2 ADDITIONAL APPROPRIATIONS

3 SEC. 8001. Notwithstanding any other provision of
4 law, funds appropriated in this title are in addition to
5 amounts appropriated or otherwise made available in this
6 Act for fiscal year 2018.

7 EXTENSION OF AUTHORITIES AND CONDITIONS

8 SEC. 8002. Unless otherwise provided for in this Act,
9 the additional amounts appropriated by this title to appro-
10 priations accounts in this Act shall be available under the
11 authorities and conditions applicable to such appropria-
12 tions accounts.

13 COUNTERTERRORISM PARTNERSHIPS FUND

14 SEC. 8003. Funds appropriated by this Act under the
15 heading “Nonproliferation, Anti-terrorism, Demining and
16 Related Programs” shall be made available for the
17 Counterterrorism Partnerships Fund for security pro-
18 grams in areas liberated from, under the influence of, or
19 adversely affected by, the Islamic State of Iraq and Syria
20 or other terrorist organizations: *Provided*, That such areas
21 shall include the Kurdistan Region of Iraq: *Provided fur-*
22 *ther*, That prior to the obligation of funds made available
23 pursuant to this subsection, the Secretary of State shall
24 take all practicable steps to ensure that mechanisms are
25 in place for monitoring, oversight, and control of such

1 funds: *Provided further*, That the Secretary shall promptly
2 inform the appropriate congressional committees of each
3 instance in which assistance provided pursuant to this sec-
4 tion has been diverted or destroyed, to include the type
5 and amount of assistance, a description of the incident
6 and parties involved, and an explanation of the response
7 of the Department of State: *Provided further*, That funds
8 made available pursuant to this section shall be subject
9 to prior consultation with the appropriate congressional
10 committees and the regular notification procedures of the
11 Committees on Appropriations.

12 RESCISSION

13 (INCLUDING RESCISSION OF FUNDS)

14 SEC. 8004. Of the unobligated balances available to
15 the President under the heading “Economic Support
16 Fund”, \$156,913,000, which shall be derived from
17 amounts under such heading previously designated by
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985, are hereby rescinded: *Provided*, That such
22 amounts are designated by Congress for Overseas Cont-
23 ingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 DESIGNATION

2 SEC. 8005. Each amount designated in this Act by
3 the Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 shall be available (or rescinded, if applicable) only
7 if the President subsequently so designates all such
8 amounts and transmits such designations to the Congress.

9 TITLE IX—ADDITIONAL GENERAL PROVISION

10 REFERENCES TO ACT

11 SEC. 9001. Except as expressly provided otherwise,
12 any reference to “this Act” contained in this division shall
13 be treated as referring only to the provisions of this divi-
14 sion.

15 REFERENCE TO REPORT

16 SEC. 9002. Any reference to a “report accompanying
17 this Act” contained in this division shall be treated as a
18 reference to House Report 115–253. The effect of such
19 Report shall be limited to this division and shall apply for
20 purposes of determining the allocation of funds provided
21 by, and the implementation of, this division.

22 SEC. 9003. None of the of funds made available by
23 this division may be used by the Department of State to
24 close or merge the Office of International Religious Free-
25 dom.

1 SPENDING REDUCTION ACCOUNT

2 SEC. 9004. \$0.

3 LIMITATION ON CONFERENCE ATTENDANCE

4 SEC. 9005. None of the funds appropriated or other-
5 wise made available by this Act may be used to attend
6 the Canadian Water Resources Association's National
7 2018 Conference, "Our Common Water Future: Building
8 Resilience through Innovation".

9 SEC. 9006. None of the funds appropriated or other-
10 wise made available by this Act may be used to close the
11 Office of the Special Envoy to Monitor and Combat Anti-
12 Semitism of the Department of State or to merge such
13 Office with any other office or entity in the Department
14 of State.

15 SEC. 9007. None of the funds appropriated or other-
16 wise made available by this Act may be used to close the
17 Office of Global Criminal Justice of the Department of
18 State or to merge such Office with any other office or enti-
19 ty in the Department of State.

20 SEC. 9008. None of the funds made available in this
21 Act may be used to reduce the number of fellows in the
22 Charles B. Rangel International Affairs Program, the
23 Thomas R. Pickering Foreign Affairs Fellowship Pro-
24 gram, or the Donald M. Payne International Development
25 Fellowship Program below current levels.

1 SEC. 9009. None of the funds made available by this
2 Act may be used to provide assistance to any of the fol-
3 lowing:

4 (1) The Dalal Mughrabi High School for Girls–
5 Gaza.

6 (2) The Dalal Mughrabi High School for Girls–
7 Hebron.

8 (3) The Dalal Mughrabi Elementary School for
9 Girls–Hebron.

10 (4) The Shadia Abu Ghazaleh School for Girls–
11 Gaza.

12 (5) The Shadia Abu Ghazalah High School for
13 Boys–Jabaliya.

14 (6) The Khalil Al-Wazir (Abu Jihad) Elemen-
15 tary School for Girls–Hebron.

16 (7) The Martyr Khalil Al-Wazir Elementary
17 School for Boys–Hebron.

18 (8) The Martyr Khalil Al-Wazir Elementary
19 School for Boys–Jenin.

20 (9) The Abu Jihad High School for Boys–
21 Jenin.

22 (10) The Abu Jihad High School for Boys–He-
23 bron.

24 (11) The Salah Khalaf Elementary School for
25 Girls–Gaza.

- 1 (12) The Salah Khalaf Junior High School–
2 Gaza.
- 3 (13) The Martyr Abu Iyad School–Rafah.
- 4 (14) The Salah Khalaf School–Tulkarem.
- 5 (15) The Martyr Ahmed Yassin School for
6 Boys–Jenin.
- 7 (16) The Martyr Abdullah Azzam Elementary
8 School for Boys–Jenin.
- 9 (17) The Abu Ali Iyad High School for Girls–
10 Qalqilya.
- 11 (18) The Martyr Nash’at Abu Jabara High
12 School for Girls–Tulkarem.
- 13 (19) The Abu Ali Mustafa Elementary School
14 for Boys–Jenin.
- 15 (20) The Abu Ali Mustafa Elementary School
16 for Girls–Jenin.
- 17 (21) The Mustafa Hafez Elementary School for
18 Boys–Khan Younis.
- 19 (22) The Mustafa Hafez School–Gaza.
- 20 (23) The Martyr Izzat Abu Al-Rubb High
21 School–Jenin.
- 22 (24) The Martyr Izz Al-Din Al-Qassam High
23 School for Boys–Yaa’bad.
- 24 (25) The Martyr Izz Al-Din (Al-Qassam) Ele-
25 mentary School–Jenin.

1 (26) The Martyr Osama Al-Najjar School–
2 Khan Yunis.

3 (27) The Kamal Adwan High School for Boys–
4 Rafah.

5 (28) The Martyr Saa'd Sayel Elementary
6 School for Boys–Nablus.

7 (29) The Amin Al-Husseini Elementary School–
8 El-Bireh.

9 (30) The Hassan Salameh Junior High School
10 for Girls–Gaza.

11 (31) The Hassan Salameh Elementary School–
12 Gaza.

13 This division may be cited as the “Department of
14 State, Foreign Operations, and Related Programs Appro-
15 priations Act, 2018”.

16 **DIVISION H—TRANSPORTATION, HOUSING**
17 **AND URBAN DEVELOPMENT, AND RE-**
18 **LATED AGENCIES APPROPRIATIONS**
19 **ACT, 2018**

20 The following sums are appropriated, out of any
21 money in the Treasury not otherwise appropriated, for the
22 Departments of Transportation, and Housing and Urban
23 Development, and related agencies for the fiscal year end-
24 ing September 30, 2018, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF TRANSPORTATION
3 OFFICE OF THE SECRETARY
4 SALARIES AND EXPENSES
5 For necessary expenses of the Office of the Secretary,
6 \$108,899,000 (reduced by \$15,000,000) (reduced by
7 \$7,000,000) (reduced by \$9,000,000), of which not to ex-
8 ceed \$2,758,000 (reduced by \$400,000) shall be available
9 for the immediate Office of the Secretary; not to exceed
10 \$1,040,000 shall be available for the immediate Office of
11 the Deputy Secretary; not to exceed \$20,772,000 (reduced
12 by \$3,000,000) shall be available for the Office of the Gen-
13 eral Counsel; not to exceed \$10,033,000 shall be available
14 for the Office of the Under Secretary of Transportation
15 for Policy; not to exceed \$14,019,000 (reduced by
16 \$4,000,000) (reduced by \$3,000,000) shall be available for
17 the Office of the Assistant Secretary for Budget and Pro-
18 grams; not to exceed \$2,546,000 shall be available for the
19 Office of the Assistant Secretary for Governmental Af-
20 fairs; not to exceed \$24,255,000 (reduced by \$4,600,000)
21 (reduced by \$4,000,000) shall be available for the Office
22 of the Assistant Secretary for Administration; not to ex-
23 ceed \$2,142,000 shall be available for the Office of Public
24 Affairs; not to exceed \$1,760,000 shall be available for
25 the Office of the Executive Secretariat; not to exceed

1 \$11,089,000 shall be available for the Office of Intel-
2 ligence, Security, and Emergency Response; and not to ex-
3 ceed \$18,485,000 (reduced by \$3,000,000) shall be avail-
4 able for the Office of the Chief Information Officer: *Pro-*
5 *vided*, That the Secretary of Transportation is authorized
6 to transfer funds appropriated for any office of the Office
7 of the Secretary to any other office of the Office of the
8 Secretary: *Provided further*, That no appropriation for any
9 office shall be increased or decreased by more than 10 per-
10 cent by all such transfers: *Provided further*, That notice
11 of any change in funding greater than 10 percent shall
12 be submitted for approval to the House and Senate Com-
13 mittees on Appropriations: *Provided further*, That not to
14 exceed \$60,000 shall be for allocation within the Depart-
15 ment for official reception and representation expenses as
16 the Secretary may determine: *Provided further*, That not-
17 withstanding any other provision of law, excluding fees au-
18 thorized in Public Law 107–71, there may be credited to
19 this appropriation up to \$2,500,000 in funds received in
20 user fees.

21 RESEARCH AND TECHNOLOGY

22 For necessary expenses related to the Office of the
23 Assistant Secretary for Research and Technology,
24 \$8,465,109 (increased by \$15,000,000), of which
25 \$2,618,000 shall remain available until September 30,

1 2020: *Provided*, That there may be credited to this appro-
2 priation, to be available until expended, funds received
3 from States, counties, municipalities, other public authori-
4 ties, and private sources for expenses incurred for train-
5 ing: *Provided further*, That any reference in law, regula-
6 tion, judicial proceedings, or elsewhere to the Research
7 and Innovative Technology Administration shall continue
8 to be deemed to be a reference to the Office of the Assist-
9 ant Secretary for Research and Technology of the Depart-
10 ment of Transportation.

11 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
12 FINANCE BUREAU

13 For necessary expenses of the National Surface
14 Transportation and Innovative Finance Bureau author-
15 ized by 49 U.S.C. 116, \$1,000,000 *Provided*, That the
16 Secretary is required to notify the House and Senate Com-
17 mittees on Appropriations prior to exercising the authori-
18 ties of 49 U.S.C. 116(h).

19 CYBER SECURITY INITIATIVES

20 For necessary expenses for cyber security initiatives,
21 including necessary upgrades to wide area network and
22 information technology infrastructure, improvement of
23 network perimeter controls and identity management,
24 testing and assessment of information technology against
25 business, security, and other requirements, implementa-

1 tion of Federal cyber security initiatives and information
2 infrastructure enhancements, and implementation of en-
3 hanced security controls on network devices, \$15,000,000,
4 to remain available through September 30, 2019.

5 OFFICE OF CIVIL RIGHTS

6 For necessary expenses of the Office of Civil Rights,
7 \$9,500,000.

8 TRANSPORTATION PLANNING, RESEARCH, AND
9 DEVELOPMENT

10 For necessary expenses for conducting transportation
11 planning, research, systems development, development ac-
12 tivities, and making grants, to remain available until ex-
13 pended, \$8,500,001: *Provided*, That of such amount,
14 \$3,000,000 shall be for necessary expenses of the Inter-
15 agency Infrastructure Permitting Improvement Center
16 (IIPIC): *Provided further*, That there may be transferred
17 to this appropriation, to remain available until expended,
18 amounts transferred from other Federal agencies for ex-
19 penses incurred under this heading for IIPIC activities not
20 related to transportation infrastructure: *Provided further*,
21 That the tools and analysis developed by the IIPIC shall
22 be available to other Federal agencies for the permitting
23 and review of major infrastructure projects not related to
24 transportation only to the extent that other Federal agen-

1 cies provide funding to the Department as provided for
2 under the previous proviso.

3 WORKING CAPITAL FUND

4 For necessary expenses for operating costs and cap-
5 ital outlays of the Working Capital Fund, not to exceed
6 \$202,245,000 shall be paid from appropriations made
7 available to the Department of Transportation: *Provided*,
8 That such services shall be provided on a competitive basis
9 to entities within the Department of Transportation: *Pro-*
10 *vided further*, That the above limitation on operating ex-
11 penses shall not apply to non-DOT entities: *Provided fur-*
12 *ther*, That no funds appropriated in this Act to an agency
13 of the Department shall be transferred to the Working
14 Capital Fund without majority approval of the Working
15 Capital Fund Steering Committee and approval of the
16 Secretary: *Provided further*, That no assessments may be
17 levied against any program, budget activity, subactivity or
18 project funded by this Act unless notice of such assess-
19 ments and the basis therefor are presented to the House
20 and Senate Committees on Appropriations and are ap-
21 proved by such Committees.

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

23 For necessary expenses of the Minority Business Re-
24 source Center, the provision of financial education out-
25 reach activities to eligible transportation-related small

1 businesses, the monitoring of existing loans in the guaran-
2 teed loan program, and the modification of such loans of
3 the Minority Business Resource Center, \$500,301, as au-
4 thorized by 49 U.S.C. 332; *Provided*, That notwith-
5 standing that section, these funds may be for business op-
6 portunities related to any mode of transportation.

7 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
8 OUTREACH

9 For necessary expenses for small and disadvantaged
10 business utilization and outreach activities, \$3,999,093, to
11 remain available until September 30, 2019: *Provided*,
12 That notwithstanding 49 U.S.C. 332, these funds may be
13 used for business opportunities related to any mode of
14 transportation.

15 PAYMENTS TO AIR CARRIERS

16 (AIRPORT AND AIRWAY TRUST FUND)

17 In addition to funds made available from any other
18 source to carry out the essential air service program under
19 49 U.S.C. 41731 through 41742, \$150,000,000, to be de-
20 rived from the Airport and Airway Trust Fund, to remain
21 available until expended: *Provided*, That in determining
22 between or among carriers competing to provide service
23 to a community, the Secretary may consider the relative
24 subsidy requirements of the carriers: *Provided further*,
25 That basic essential air service minimum requirements

1 shall not include the 15-passenger capacity requirement
2 under subsection 41732(b)(3) of title 49, United States
3 Code: *Provided further*, That none of the funds in this Act
4 or any other Act shall be used to enter into a new contract
5 with a community located less than 40 miles from the
6 nearest small hub airport before the Secretary has nego-
7 tiated with the community over a local cost share: *Pro-*
8 *vided further*, That amounts authorized to be distributed
9 for the essential air service program under subsection
10 41742(b) of title 49, United States Code, shall be made
11 available immediately from amounts otherwise provided to
12 the Administrator of the Federal Aviation Administration:
13 *Provided further*, That the Administrator may reimburse
14 such amounts from fees credited to the account estab-
15 lished under section 45303 of title 49, United States Code.

16 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
17 SECRETARY OF TRANSPORTATION
18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 101. None of the funds made available in this
20 Act to the Department of Transportation may be obligated
21 for the Office of the Secretary of Transportation to ap-
22 prove assessments or reimbursable agreements pertaining
23 to funds appropriated to the modal administrations in this
24 Act, except for activities underway on the date of enact-
25 ment of this Act, unless such assessments or agreements

1 have completed the normal reprogramming process for
2 Congressional notification.

3 SEC. 102. The Secretary shall post on the Web site
4 of the Department of Transportation a schedule of all
5 meetings of the Council on Credit and Finance, including
6 the agenda for each meeting, and require the Council on
7 Credit and Finance to record the decisions and actions
8 of each meeting.

9 SEC. 103. In addition to authority provided by section
10 327 of title 49, United States Code, the Department's
11 Working Capital Fund is hereby authorized to provide
12 partial or full payments in advance and accept subsequent
13 reimbursements from all Federal agencies from available
14 funds for transit benefit distribution services that are nec-
15 essary to carry out the Federal transit pass transportation
16 fringe benefit program under Executive Order No. 13150
17 and section 3049 of Public Law 109-59: *Provided*, That
18 the Department shall maintain a reasonable operating re-
19 serve in the Working Capital Fund, to be expended in ad-
20 vance to provide uninterrupted transit benefits to Govern-
21 ment employees; *Provided further*, That such reserve will
22 not exceed one month of benefits payable and may be used
23 only for the purpose of providing for the continuation of
24 transit benefits; *Provided further*, That the Working Cap-

1 ital Fund will be fully reimbursed by each customer agen-
2 cy for the actual cost of the transit benefit.

3 SEC. 104. Hereafter, the Secretary may transfer to
4 the National Surface Transportation and Innovative Fi-
5 nance Bureau, for the purposes of the Bureau, funds allo-
6 cated to the administrative costs of processing applications
7 for the programs referred to in 49 U.S.C. 116(d)(1) and
8 funds allocated to any office or office function that the
9 Secretary determines has duties, responsibilities, re-
10 sources, or expertise that support the purposes of the Bu-
11 reau: *Provided*, That any such funds, or portions thereof,
12 transferred to the Bureau may be transferred back to and
13 merged with the original account.

14 SEC. 105. Section 503(l)(4) of the Railroad Revital-
15 ization and Regulatory Reform Act of 1976 (45 U.S.C.
16 823(l)(4)) is amended—

17 (1) by striking the heading “SAFETY AND OP-
18 ERATIONS ACCOUNT” and inserting the heading
19 “NATIONAL SURFACE TRANSPORTATION AND INNO-
20 VATIVE FINANCE BUREAU ACCOUNT, OFFICE OF
21 THE SECRETARY”; and

22 (2) in subparagraph (A) by striking “the Safety
23 and Operations account of the Federal Railroad Ad-
24 ministration” and inserting “the National Surface

1 Transportation and Innovative Finance Bureau ac-
2 count.”

3 FEDERAL AVIATION ADMINISTRATION

4 OPERATIONS

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses of the Federal Aviation Ad-
7 ministration, not otherwise provided for, including oper-
8 ations and research activities related to commercial space
9 transportation, administrative expenses for research and
10 development, establishment of air navigation facilities, the
11 operation (including leasing) and maintenance of aircraft,
12 subsidizing the cost of aeronautical charts and maps sold
13 to the public, lease or purchase of passenger motor vehi-
14 cles for replacement only, in addition to amounts made
15 available by Public Law 112–95, \$10,185,482,000, to re-
16 main available until September 30, 2019, of which
17 \$8,859,900,000 shall be derived from the Airport and Air-
18 way Trust Fund, of which not to exceed \$7,691,814,000
19 shall be available for air traffic organization activities; not
20 to exceed \$1,309,749,000 shall be available for aviation
21 safety activities; not to exceed \$21,587,000 shall be avail-
22 able for commercial space transportation activities; not to
23 exceed \$777,506,000 shall be available for finance and
24 management activities; not to exceed \$59,951,000 shall be
25 available for NextGen and operations planning activities;

1 not to exceed \$112,622,000 shall be available for security
2 and hazardous materials safety; and not to exceed
3 \$212,253,000 shall be available for staff offices: *Provided*,
4 That not to exceed 5 percent of any budget activity, except
5 for aviation safety budget activity, may be transferred to
6 any budget activity under this heading: *Provided further*,
7 That no transfer may increase or decrease any appropria-
8 tion by more than 5 percent: *Provided further*, That any
9 transfer in excess of 5 percent shall be treated as a re-
10 programming of funds under section 405 of this Act and
11 shall not be available for obligation or expenditure except
12 in compliance with the procedures set forth in that section:
13 *Provided further*, That not later than March 31 of each
14 fiscal year hereafter, the Administrator of the Federal
15 Aviation Administration shall transmit to Congress an an-
16 nual update to the report submitted to Congress in De-
17 cember 2004 pursuant to section 221 of Public Law 108–
18 176: *Provided further*, That the amount herein appro-
19 priated shall be reduced by \$100,000 for each day after
20 March 31 that such report has not been submitted to the
21 Congress: *Provided further*, That not later than March 31
22 of each fiscal year hereafter, the Administrator shall
23 transmit to Congress a companion report that describes
24 a comprehensive strategy for staffing, hiring, and training
25 flight standards and aircraft certification staff in a format

1 similar to the one utilized for the controller staffing plan,
2 including stated attrition estimates and numerical hiring
3 goals by fiscal year: *Provided further*, That the amount
4 herein appropriated shall be reduced by \$100,000 per day
5 for each day after March 31 that such report has not been
6 submitted to Congress: *Provided further*, That funds may
7 be used to enter into a grant agreement with a nonprofit
8 standard-setting organization to assist in the development
9 of aviation safety standards: *Provided further*, That none
10 of the funds in this Act shall be available for new appli-
11 cants for the second career training program: *Provided*
12 *further*, That none of the funds in this Act shall be avail-
13 able for the Federal Aviation Administration to finalize
14 or implement any regulation that would promulgate new
15 aviation user fees not specifically authorized by law after
16 the date of the enactment of this Act: *Provided further*,
17 That there may be credited to this appropriation, as off-
18 setting collections, funds received from States, counties,
19 municipalities, foreign authorities, other public authori-
20 ties, and private sources for expenses incurred in the pro-
21 vision of agency services, including receipts for the mainte-
22 nance and operation of air navigation facilities, and for
23 issuance, renewal or modification of certificates, including
24 airman, aircraft, and repair station certificates, or for
25 tests related thereto, or for processing major repair or al-

1 teration forms: *Provided further*, That of the funds appro-
2 priated under this heading, not less than \$162,000,000
3 shall be for the contract tower program, including the con-
4 tract tower cost share program: *Provided further*, That
5 none of the funds in this Act for aeronautical charting
6 and cartography are available for activities conducted by,
7 or coordinated through, the Working Capital Fund: *Pro-*
8 *vided further*, That none of the funds appropriated or oth-
9 erwise made available by this Act or any other Act may
10 be used to eliminate the Contract Weather Observers pro-
11 gram at any airport.

12 FACILITIES AND EQUIPMENT

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For necessary expenses, not otherwise provided for,
15 for acquisition, establishment, technical support services,
16 improvement by contract or purchase, and hire of national
17 airspace systems and experimental facilities and equip-
18 ment, as authorized under part A of subtitle VII of title
19 49, United States Code, including initial acquisition of
20 necessary sites by lease or grant; engineering and service
21 testing, including construction of test facilities and acqui-
22 sition of necessary sites by lease or grant; construction
23 and furnishing of quarters and related accommodations
24 for officers and employees of the Federal Aviation Admin-
25 istration stationed at remote localities where such accom-

1 modations are not available; and the purchase, lease, or
2 transfer of aircraft from funds available under this head-
3 ing, including aircraft for aviation regulation and certifi-
4 cation; to be derived from the Airport and Airway Trust
5 Fund, \$2,855,000,000, of which \$493,000,000 shall re-
6 main available until September 30, 2019, \$2,247,000,000
7 shall remain available until September 30, 2020, and
8 \$115,000,000 shall remain available until expended: *Pro-*
9 *vided*, That there may be credited to this appropriation
10 funds received from States, counties, municipalities, other
11 public authorities, and private sources, for expenses in-
12 curred in the establishment, improvement, and moderniza-
13 tion of national airspace systems: *Provided further*, That
14 no later than March 31, the Secretary of Transportation
15 shall transmit to the Congress an investment plan for the
16 Federal Aviation Administration which includes funding
17 for each budget line item for fiscal years 2019 through
18 2023, with total funding for each year of the plan con-
19 strained to the funding targets for those years as esti-
20 mated and approved by the Office of Management and
21 Budget.

22 RESEARCH, ENGINEERING, AND DEVELOPMENT

23 (AIRPORT AND AIRWAY TRUST FUND)

24 For necessary expenses, not otherwise provided for,
25 for research, engineering, and development, as authorized

1 under part A of subtitle VII of title 49, United States
2 Code, including construction of experimental facilities and
3 acquisition of necessary sites by lease or grant,
4 \$170,000,000, to be derived from the Airport and Airway
5 Trust Fund and to remain available until September 30,
6 2020: *Provided*, That there may be credited to this appro-
7 priation as offsetting collections, funds received from
8 States, counties, municipalities, other public authorities,
9 and private sources, which shall be available for expenses
10 incurred for research, engineering, and development.

11 GRANTS-IN-AID FOR AIRPORTS

12 (LIQUIDATION OF CONTRACT AUTHORIZATION)

13 (LIMITATION ON OBLIGATIONS)

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For liquidation of obligations incurred for grants-in-
16 aid for airport planning and development, and noise com-
17 patibility planning and programs as authorized under sub-
18 chapter I of chapter 471 and subchapter I of chapter 475
19 of title 49, United States Code, and under other law au-
20 thorizing such obligations; for procurement, installation,
21 and commissioning of runway incursion prevention devices
22 and systems at airports of such title; for grants authorized
23 under section 41743 of title 49, United States Code; and
24 for inspection activities and administration of airport safe-
25 ty programs, including those related to airport operating

1 certificates under section 44706 of title 49, United States
2 Code, \$3,000,000,000 (increased by \$10,000,000), to be
3 derived from the Airport and Airway Trust Fund and to
4 remain available until expended: *Provided*, That none of
5 the funds under this heading shall be available for the
6 planning or execution of programs the obligations for
7 which are in excess of \$3,350,000,000 in fiscal year 2018,
8 notwithstanding section 47117(g) of title 49, United
9 States Code: *Provided further*, That none of the funds
10 under this heading shall be available for the replacement
11 of baggage conveyor systems, reconfiguration of terminal
12 baggage areas, or other airport improvements that are
13 necessary to install bulk explosive detection systems: *Pro-*
14 *vided further*, That notwithstanding section 47109(a) of
15 title 49, United States Code, the Government's share of
16 allowable project costs under paragraph (2) for subgrants
17 or paragraph (3) of that section shall be 95 percent for
18 a project at other than a large or medium hub airport
19 that is a successive phase of a multi-phased construction
20 project for which the project sponsor received a grant in
21 fiscal year 2011 for the construction project: *Provided fur-*
22 *ther*, That notwithstanding any other provision of law, of
23 funds limited under this heading, not more than
24 \$111,863,000 shall be available for administration, not
25 less than \$15,000,000 shall be available for the Airport

1 Cooperative Research Program, and not less than
2 \$33,210,000 shall be available for Airport Technology Re-
3 search.

4 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
5 ADMINISTRATION

6 SEC. 110. None of the funds in this Act may be used
7 to compensate in excess of 600 technical staff-years under
8 the federally funded research and development center con-
9 tract between the Federal Aviation Administration and the
10 Center for Advanced Aviation Systems Development dur-
11 ing fiscal year 2017.

12 SEC. 111. None of the funds in this Act shall be used
13 to pursue or adopt guidelines or regulations requiring air-
14 port sponsors to provide to the Federal Aviation Adminis-
15 tration without cost building construction, maintenance,
16 utilities and expenses, or space in airport sponsor-owned
17 buildings for services relating to air traffic control, air
18 navigation, or weather reporting: *Provided*, That the pro-
19 hibition of funds in this section does not apply to negotia-
20 tions between the agency and airport sponsors to achieve
21 agreement on “below-market” rates for these items or to
22 grant assurances that require airport sponsors to provide
23 land without cost to the FAA for air traffic control facili-
24 ties.

1 SEC. 112. The Administrator of the Federal Aviation
2 Administration may reimburse amounts made available to
3 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
4 49 U.S.C. 45303 and any amount remaining in such ac-
5 count at the close of that fiscal year may be made available
6 to satisfy section 41742(a)(1) for the subsequent fiscal
7 year.

8 SEC. 113. Amounts collected under section 40113(e)
9 of title 49, United States Code, shall be credited to the
10 appropriation current at the time of collection, to be
11 merged with and available for the same purposes of such
12 appropriation.

13 SEC. 114. None of the funds in this Act shall be avail-
14 able for paying premium pay under subsection 5546(a) of
15 title 5, United States Code, to any Federal Aviation Ad-
16 ministration employee unless such employee actually per-
17 formed work during the time corresponding to such pre-
18 mium pay.

19 SEC. 115. None of the funds in this Act may be obli-
20 gated or expended for an employee of the Federal Aviation
21 Administration to purchase a store gift card or gift certifi-
22 cate through use of a Government-issued credit card.

23 SEC. 116. None of the funds in this Act may be obli-
24 gated or expended for retention bonuses for an employee
25 of the Federal Aviation Administration without the prior

1 written approval of the Assistant Secretary for Adminis-
2 tration of the Department of Transportation.

3 SEC. 117. Notwithstanding any other provision of
4 law, none of the funds made available under this Act or
5 any prior Act may be used to implement or to continue
6 to implement any limitation on the ability of any owner
7 or operator of a private aircraft to obtain, upon a request
8 to the Administrator of the Federal Aviation Administra-
9 tion, a blocking of that owner's or operator's aircraft reg-
10 istration number from any display of the Federal Aviation
11 Administration's Aircraft Situational Display to Industry
12 data that is made available to the public, except data made
13 available to a Government agency, for the noncommercial
14 flights of that owner or operator.

15 SEC. 118. None of the funds in this Act shall be avail-
16 able for salaries and expenses of more than nine political
17 and Presidential appointees in the Federal Aviation Ad-
18 ministration.

19 SEC. 119. None of the funds made available under
20 this Act may be used to increase fees pursuant to section
21 44721 of title 49, United States Code, until the Federal
22 Aviation Administration provides to the House and Senate
23 Committees on Appropriations a report that justifies all
24 fees related to aeronautical navigation products and ex-

1 plains how such fees are consistent with Executive Order
2 No. 13642.

3 SEC. 119A. None of the funds in this Act may be
4 used to close a regional operations center of the Federal
5 Aviation Administration or reduce its services unless the
6 Administrator notifies the House and Senate Committees
7 on Appropriations not less than 90 full business days in
8 advance.

9 SEC. 119B. None of the funds appropriated or lim-
10 ited by this Act may be used to change weight restrictions
11 or prior permission rules at Teterboro airport in
12 Teterboro, New Jersey.

13 SEC. 119C. None of the funds provided under this
14 Act may be used by the Administrator of the Federal Avia-
15 tion Administration to withhold from consideration and
16 approval any application for participation in the Contract
17 Tower Program, or for reevaluation of Cost-share Pro-
18 gram participants, pending as of January 1, 2016, as long
19 as the Federal Aviation Administration has received an
20 application from the airport, and as long as the Adminis-
21 trator determines such tower is eligible using the factors
22 set forth in the Federal Aviation Administration report,
23 Establishment and Discontinuance Criteria for Airport
24 Traffic Control Towers (FAA-APO-90-7 as of August,
25 1990).

1 SEC. 119D. Notwithstanding any other provision of
2 law, none of the funds made available in this Act may be
3 obligated or expended to limit an Organization Designa-
4 tion Authorization holder from utilizing authorized dele-
5 gated functions, unless the FAA documents, through sur-
6 veillance, oversight or accident/incident finding, a systemic
7 airworthiness noncompliance performance issue on the
8 part of the ODA holder with regard to a specific function
9 or where an ODA's capability has not been previously es-
10 tablished in terms of a new compliance method or design
11 feature: *Provided*, that where the FAA has limited the au-
12 thority of the ODA the FAA shall work with the ODA
13 holder to develop the capability to execute that function
14 safely and effectively.

15 FEDERAL HIGHWAY ADMINISTRATION

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 (HIGHWAY TRUST FUND)

18 (INCLUDING TRANSFER OF FUNDS)

19 Not to exceed \$439,443,925, together with advances
20 and reimbursements received by the Federal Highway Ad-
21 ministration, shall be obligated for necessary expenses for
22 administration and operation of the Federal Highway Ad-
23 ministration. In addition, \$3,248,000 shall be transferred
24 to the Appalachian Regional Commission in accordance
25 with section 104(a) of title 23, United States Code.

1 FEDERAL-AID HIGHWAYS
2 (LIMITATION ON OBLIGATIONS)
3 (HIGHWAY TRUST FUND)

4 Funds available for the implementation or execution
5 of Federal-aid highway and highway safety construction
6 programs authorized under titles 23 and 49, United States
7 Code, and the provisions of the Fixing America's Surface
8 Transportation Act shall not exceed total obligations of
9 \$44,234,212,000 (reduced by \$12,000,000) (increased by
10 \$12,000,000) for fiscal year 2018: *Provided*, That the Sec-
11 retary may collect and spend fees, as authorized by title
12 23, United States Code, to cover the costs of services of
13 expert firms, including counsel, in the field of municipal
14 and project finance to assist in the underwriting and serv-
15 icing of Federal credit instruments and all or a portion
16 of the costs to the Federal Government of servicing such
17 credit instruments: *Provided further*, That such fees are
18 available until expended to pay for such costs: *Provided*
19 *further*, That such amounts are in addition to administra-
20 tive expenses that are also available for such purpose, and
21 are not subject to any obligation limitation or the limita-
22 tion on administrative expenses under section 608 of title
23 23, United States Code.

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

3 For the payment of obligations incurred in carrying
4 out Federal-aid highway and highway safety construction
5 programs authorized under title 23, United States Code,
6 \$44,973,212,000 derived from the Highway Trust Fund
7 (other than the Mass Transit Account), to remain avail-
8 able until expended.

9 (RESCISSION)

10 (HIGHWAY TRUST FUND)

11 Of the unobligated balances of funds apportioned
12 among the States under chapter 1 of title 23, United
13 States Code, a total of \$800,000,000 is hereby perma-
14 nently rescinded on November 30, 2017: *Provided*, That
15 such rescission shall not apply to funds that are exempt
16 from the obligation limitation or subject to special no-year
17 obligation limitation: *Provided further*, That the amount
18 to be rescinded from a State shall be determined by multi-
19 plying the total amount of the rescission by the ratio that
20 the unobligated balances subject to the rescission as of
21 September 30, 2017, for the State; bears to the unobli-
22 gated balances subject to the rescission as of September
23 30, 2017, for all States.

1 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

2 ADMINISTRATION

3 SEC. 120. (a) For fiscal year 2018, the Secretary of
4 Transportation shall—

5 (1) not distribute from the obligation limitation
6 for Federal-aid highways—

7 (A) amounts authorized for administrative
8 expenses and programs by section 104(a) of
9 title 23, United States Code; and

10 (B) amounts authorized for the Bureau of
11 Transportation Statistics;

12 (2) not distribute an amount from the obliga-
13 tion limitation for Federal-aid highways that is equal
14 to the unobligated balance of amounts—

15 (A) made available from the Highway
16 Trust Fund (other than the Mass Transit Ac-
17 count) for Federal-aid highway and highway
18 safety construction programs for previous fiscal
19 years the funds for which are allocated by the
20 Secretary (or apportioned by the Secretary
21 under sections 202 or 204 of title 23, United
22 States Code); and

23 (B) for which obligation limitation was
24 provided in a previous fiscal year;

25 (3) determine the proportion that—

1 (A) the obligation limitation for Federal-
2 aid highways, less the aggregate of amounts not
3 distributed under paragraphs (1) and (2) of
4 this subsection; bears to

5 (B) the total of the sums authorized to be
6 appropriated for the Federal-aid highway and
7 highway safety construction programs (other
8 than sums authorized to be appropriated for
9 provisions of law described in paragraphs (1)
10 through (11) of subsection (b) and sums au-
11 thorized to be appropriated for section 119 of
12 title 23, United States Code, equal to the
13 amount referred to in subsection (b)(12) for
14 such fiscal year), less the aggregate of the
15 amounts not distributed under paragraphs (1)
16 and (2) of this subsection;

17 (4) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2), for each
20 of the programs (other than programs to which
21 paragraph (1) applies) that are allocated by the Sec-
22 retary under the Fixing America's Surface Trans-
23 portation Act and title 23, United States Code, or
24 apportioned by the Secretary under sections 202 or
25 204 of that title, by multiplying—

1 (A) the proportion determined under para-
2 graph (3); by

3 (B) the amounts authorized to be appro-
4 priated for each such program for such fiscal
5 year; and

6 (5) distribute the obligation limitation for Fed-
7 eral-aid highways, less the aggregate amounts not
8 distributed under paragraphs (1) and (2) and the
9 amounts distributed under paragraph (4), for Fed-
10 eral-aid highway and highway safety construction
11 programs that are apportioned by the Secretary
12 under title 23, United States Code (other than the
13 amounts apportioned for the National Highway Per-
14 formance Program in section 119 of title 23, United
15 States Code, that are exempt from the limitation
16 under subsection (b)(12) and the amounts appor-
17 tioned under sections 202 and 204 of that title) in
18 the proportion that—

19 (A) amounts authorized to be appropriated
20 for the programs that are apportioned under
21 title 23, United States Code, to each State for
22 such fiscal year; bears to

23 (B) the total of the amounts authorized to
24 be appropriated for the programs that are ap-

1 portioned under title 23, United States Code, to
2 all States for such fiscal year.

3 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

4 The obligation limitation for Federal-aid highways shall
5 not apply to obligations under or for—

6 (1) section 125 of title 23, United States Code;

7 (2) section 147 of the Surface Transportation
8 Assistance Act of 1978 (23 U.S.C. 144 note; 92
9 Stat. 2714);

10 (3) section 9 of the Federal-Aid Highway Act
11 of 1981 (95 Stat. 1701);

12 (4) subsections (b) and (j) of section 131 of the
13 Surface Transportation Assistance Act of 1982 (96
14 Stat. 2119);

15 (5) subsections (b) and (c) of section 149 of the
16 Surface Transportation and Uniform Relocation As-
17 sistance Act of 1987 (101 Stat. 198);

18 (6) sections 1103 through 1108 of the Inter-
19 modal Surface Transportation Efficiency Act of
20 1991 (105 Stat. 2027);

21 (7) section 157 of title 23, United States Code
22 (as in effect on June 8, 1998);

23 (8) section 105 of title 23, United States Code
24 (as in effect for fiscal years 1998 through 2004, but

1 only in an amount equal to \$639,000,000 for each
2 of those fiscal years);

3 (9) Federal-aid highway programs for which ob-
4 ligation authority was made available under the
5 Transportation Equity Act for the 21st Century
6 (112 Stat. 107) or subsequent Acts for multiple
7 years or to remain available until expended, but only
8 to the extent that the obligation authority has not
9 lapsed or been used;

10 (10) section 105 of title 23, United States Code
11 (as in effect for fiscal years 2005 through 2012, but
12 only in an amount equal to \$639,000,000 for each
13 of those fiscal years);

14 (11) section 1603 of SAFETEA-LU (23
15 U.S.C. 118 note; 119 Stat. 1248), to the extent that
16 funds obligated in accordance with that section were
17 not subject to a limitation on obligations at the time
18 at which the funds were initially made available for
19 obligation; and

20 (12) section 119 of title 23, United States Code
21 (but, for each of fiscal years 2013 through 2018,
22 only in an amount equal to \$639,000,000).

23 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
24 THORITY.—Notwithstanding subsection (a), the Secretary
25 shall, after August 1 of such fiscal year—

1 (1) revise a distribution of the obligation limita-
2 tion made available under subsection (a) if an
3 amount distributed cannot be obligated during that
4 fiscal year; and

5 (2) redistribute sufficient amounts to those
6 States able to obligate amounts in addition to those
7 previously distributed during that fiscal year, giving
8 priority to those States having large unobligated bal-
9 ances of funds apportioned under sections 144 (as in
10 effect on the day before the date of enactment of
11 Public Law 112–141) and 104 of title 23, United
12 States Code.

13 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
14 TRANSPORTATION RESEARCH PROGRAMS.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), the obligation limitation for Federal-aid
17 highways shall apply to contract authority for trans-
18 portation research programs carried out under—

19 (A) chapter 5 of title 23, United States
20 Code; and

21 (B) title VI of the Fixing America’s Sur-
22 face Transportation Act.

23 (2) EXCEPTION.—Obligation authority made
24 available under paragraph (1) shall—

1 (A) remain available for a period of 4 fis-
2 cal years; and

3 (B) be in addition to the amount of any
4 limitation imposed on obligations for Federal-
5 aid highway and highway safety construction
6 programs for future fiscal years.

7 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
8 FUNDS.—

9 (1) IN GENERAL.—Not later than 30 days after
10 the date of distribution of obligation limitation
11 under subsection (a), the Secretary shall distribute
12 to the States any funds (excluding funds authorized
13 for the program under section 202 of title 23,
14 United States Code) that—

15 (A) are authorized to be appropriated for
16 such fiscal year for Federal-aid highway pro-
17 grams; and

18 (B) the Secretary determines will not be
19 allocated to the States (or will not be appor-
20 tioned to the States under section 204 of title
21 23, United States Code), and will not be avail-
22 able for obligation, for such fiscal year because
23 of the imposition of any obligation limitation for
24 such fiscal year.

1 (2) **RATIO.**—Funds shall be distributed under
2 paragraph (1) in the same proportion as the dis-
3 tribution of obligation authority under subsection
4 (a)(5).

5 (3) **AVAILABILITY.**—Funds distributed to each
6 State under paragraph (1) shall be available for any
7 purpose described in section 133(b) of title 23,
8 United States Code.

9 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
10 ceived by the Bureau of Transportation Statistics from the
11 sale of data products, for necessary expenses incurred pur-
12 suant to chapter 63 of title 49, United States Code, may
13 be credited to the Federal-aid highways account for the
14 purpose of reimbursing the Bureau for such expenses:
15 *Provided*, That such funds shall be subject to the obliga-
16 tion limitation for Federal-aid highway and highway safety
17 construction programs.

18 **SEC. 122.** Not less than 15 days prior to waiving,
19 under his or her statutory authority, any Buy America re-
20 quirement for Federal-aid highways projects, the Sec-
21 retary of Transportation shall make an informal public no-
22 tice and comment opportunity on the intent to issue such
23 waiver and the reasons therefor: *Provided*, That the Sec-
24 retary shall provide an annual report to the House and

1 Senate Committees on Appropriations on any waivers
2 granted under the Buy America requirements.

3 SEC. 123. None of the funds in this Act to the De-
4 partment of Transportation may be used to provide credit
5 assistance unless not less than 3 days before any applica-
6 tion approval to provide credit assistance under sections
7 603 and 604 of title 23, United States Code, the Secretary
8 of Transportation provides notification in writing to the
9 following committees: the House and Senate Committees
10 on Appropriations; the Committee on Environment and
11 Public Works and the Committee on Banking, Housing
12 and Urban Affairs of the Senate; and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives: *Provided*, That such notification shall in-
15 clude, but not be limited to, the name of the project spon-
16 sor; a description of the project; whether credit assistance
17 will be provided as a direct loan, loan guarantee, or line
18 of credit; and the amount of credit assistance.

19 SEC. 124. None of the funds in this Act may be used
20 to make a grant for a project under section 117 of title
21 23, United States Code, unless the Secretary, at least 60
22 days before making a grant under that section, provides
23 written notification to the House and Senate Committees
24 on Appropriations of the proposed grant, including an

1 evaluation and justification for the project and the amount
2 of the proposed grant award.

3 SEC. 125. For this fiscal year, the Federal Highway
4 Administration shall reinstate Interim Approval IA-5, re-
5 lating to the provisional use of an alternative lettering
6 style on certain highway guide signs, as it existed before
7 its termination, as announced in the Federal Register on
8 January 25, 2016 (81 Fed. Reg. 4083).

9 SEC. 126. Section 127(t) of title 23, United States
10 Code, is amended—

11 (1) in the subsection heading by inserting
12 “NORTH DAKOTA AND” before “IDAHO”;

13 (2) in the matter preceding paragraph (1) by
14 inserting “North Dakota or” before “Idaho”; and

15 (3) in paragraph (3) by striking “Idaho State
16 law” and inserting “the law of the relevant State”.

17 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

18 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (LIMITATION ON OBLIGATIONS)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in the implemen-
23 tation, execution and administration of motor carrier safe-
24 ty operations and programs pursuant to section 31110 of
25 title 49, United States Code, as amended by the Fixing

1 America’s Surface Transportation Act, \$283,000,000, to
2 be derived from the Highway Trust Fund (other than the
3 Mass Transit Account), together with advances and reim-
4 bursements received by the Federal Motor Carrier Safety
5 Administration, the sum of which shall remain available
6 until expended: *Provided*, That funds available for imple-
7 mentation, execution or administration of motor carrier
8 safety operations and programs authorized under title 49,
9 United States Code, shall not exceed total obligations of
10 \$283,000,000 for “Motor Carrier Safety Operations and
11 Programs” for fiscal year 2018, of which \$9,073,000, to
12 remain available for obligation until September 30, 2020,
13 is for the research and technology program, and of which
14 \$34,824,000, to remain available for obligation until Sep-
15 tember 30, 2020, is for information management.

16 MOTOR CARRIER SAFETY GRANTS
17 (LIQUIDATION OF CONTRACT AUTHORIZATION)
18 (LIMITATION ON OBLIGATIONS)
19 (HIGHWAY TRUST FUND)

20 For payment of obligations incurred in carrying out
21 sections 31102, 31103, 31104, and 31313 of title 49,
22 United States Code, as amended by the Fixing America’s
23 Surface Transportation Act, \$374,800,000, to be derived
24 from the Highway Trust Fund (other than the Mass Tran-
25 sit Account) and to remain available until expended: *Pro-*

1 *vided*, That funds available for the implementation or exe-
2 cution of motor carrier safety programs shall not exceed
3 total obligations of \$374,800,000 in fiscal year 2018 for
4 “Motor Carrier Safety Grants”; of which \$298,900,000
5 shall be available for the motor carrier safety assistance
6 program, \$31,800,000 shall be available for the commer-
7 cial driver’s license program implementation program,
8 \$43,100,000 shall be available for the high priority activi-
9 ties program, and \$1,000,000 shall be available for the
10 commercial motor vehicle operators grant program: *Pro-*
11 *vided further*, That of the amounts provided for Commer-
12 cial Vehicle Information Systems Network Development or
13 other Motor Carrier Safety grants in the Transportation
14 Equity Act for the 21st Century (Public Law 105–178),
15 SAFETEA–LU (Public Law 109–59), or other appropria-
16 tion or authorization acts prior to Fiscal Year 2017,
17 \$100,000,000 in additional obligation limitation is pro-
18 vided for a highly automated commercial vehicle research
19 and development program, in accordance with 49 U.S.C.
20 31108, and shall remain available until September 30,
21 2022: *Provided further*, That the activities funded by the
22 previous proviso may be accomplished through direct ex-
23 penditure, direct research activities, grants, cooperative
24 agreements, contracts, intra or interagency agreements,
25 other agreements with private and public organizations,

1 and transfers to other Federal agencies for activities
2 under this heading: *Provided further*, That such funds as
3 necessary for payment of obligations incurred in carrying
4 out this section shall be derived from the Highway Trust
5 Fund (other than the Mass Transit Account), to be avail-
6 able until expended.

7 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

8 CARRIER SAFETY ADMINISTRATION

9 SEC. 130. Funds appropriated or limited in this Act
10 shall be subject to the terms and conditions stipulated in
11 section 350 of Public Law 107–87 and section 6901 of
12 Public Law 110–28.

13 SEC. 131. The Federal Motor Carrier Safety Admin-
14 istration shall send notice of 49 CFR section 385.308 vio-
15 lations by certified mail, registered mail, or another man-
16 ner of delivery, which records the receipt of the notice by
17 the persons responsible for the violations.

18 SEC. 132. None of the funds appropriated or other-
19 wise made available to the Department of Transportation
20 by this Act or any other Act may be obligated or expended
21 to implement, administer, or enforce the requirements of
22 section 31137 of title 49, United States Code, or any regu-
23 lation issued by the Secretary pursuant to such section,
24 with respect to the use of electronic logging devices by op-
25 erators of commercial motor vehicles, as defined in section

1 31132(1) of such title, transporting livestock as defined
2 in section 602 of the Emergency Livestock Feed Assist-
3 ance Act of 1988 (7 U.S.C. 1471) or insects.

4 SEC. 133. None of the funds appropriated or other-
5 wise made available by this Act or any other Act may be
6 used to amend, revise or otherwise modify by rulemaking,
7 guidance, or interpretation the regulations in effect on De-
8 cember 4, 2015 relating to safety fitness determinations
9 for motor carriers until the Inspector General of the De-
10 partment of Transportation makes the certifications set
11 out in section 5223(a) of Public Law 114–94.

12 FEDERAL AUTHORITY

13 SEC. 134. (a) IN GENERAL.—Section 14501(c) of
14 title 49, United States Code, is amended—

15 (1) in paragraph (1) by striking “paragraphs
16 (2) and (3)” and inserting “paragraphs (3) and
17 (4)”;

18 (2) by redesignating paragraphs (2) through
19 (5) as paragraphs (3) through (6) respectively;

20 (3) by inserting after paragraph (1) the fol-
21 lowing:

22 “(2) ADDITIONAL LIMITATION.—

23 “(A) IN GENERAL.—A State, political sub-
24 division of a State, or political authority of 2 or
25 more States may not enact or enforce a law,
26 regulation, or other provision having the force

1 and effect of law prohibiting employees whose
2 hours of service are subject to regulation by the
3 Secretary under section 31502 from working to
4 the full extent permitted or at such times as
5 permitted under such section, or imposing any
6 additional obligations on motor carriers if such
7 employees work to the full extent or at such
8 times as permitted under such section, includ-
9 ing any related activities regulated under part
10 395 of title 49, Code of Federal Regulations.

11 “(B) STATUTORY CONSTRUCTION.—Noth-
12 ing in this paragraph may be construed to limit
13 the provisions of paragraph (1).”;

14 (4) in paragraph (3) (as redesignated) by strik-
15 ing “Paragraph (1)—” and inserting “Paragraphs
16 (1) and (2)—”; and

17 (5) in paragraph (4)(A) (as redesignated) by
18 striking “Paragraph (1)” and inserting “Paragraphs
19 (1) and (2)”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 this section shall have the force and effect as if enacted
22 on the date of enactment of the Federal Aviation Adminis-
23 tration Authorization Act of 1994 (Public Law 103–305).

1 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
2 OPERATIONS AND RESEARCH

3 For expenses necessary to discharge the functions of
4 the Secretary, with respect to traffic and highway safety
5 authorized under chapter 301 and part C of subtitle VI
6 of title 49, United States Code, \$180,075,000 (increased
7 by \$9,000,000), of which \$20,000,000 shall remain avail-
8 able through September 30, 2019.

9 OPERATIONS AND RESEARCH
10 (LIQUIDATION OF CONTRACT AUTHORIZATION)
11 (LIMITATION ON OBLIGATIONS)
12 (HIGHWAY TRUST FUND)

13 For payment of obligations incurred in carrying out
14 the provisions of 23 U.S.C. 403, section 4011 of the Fix-
15 ing America's Surface Transportation (FAST) Act, and
16 chapter 303 of title 49, United States Code,
17 \$149,000,000, to be derived from the Highway Trust
18 Fund (other than the Mass Transit Account) and to re-
19 main available until expended: *Provided*, That none of the
20 funds in this Act shall be available for the planning or
21 execution of programs the total obligations for which, in
22 fiscal year 2018, are in excess of \$149,000,000, of which
23 \$143,700,000 shall be for programs authorized under 23
24 U.S.C. 403 and \$5,300,000 shall be for the National Driv-
25 er Register authorized under chapter 303 of title 49,

1 United States Code: *Provided further*, That within the
2 \$149,000,000 obligation limitation for operations and re-
3 search, \$20,000,000 shall remain available until Sep-
4 tember 30, 2019, and shall be in addition to the amount
5 of any limitation imposed on obligations for future years.

6 HIGHWAY TRAFFIC SAFETY GRANTS

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (LIMITATION ON OBLIGATIONS)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in carrying out
11 provisions of 23 U.S.C. 402, 404 and 405, and section
12 4001(a)(6) of the Fixing America's Surface Transpor-
13 tation Act, to remain available until expended,
14 \$597,629,000, to be derived from the Highway Trust
15 Fund (other than the Mass Transit Account): *Provided*,
16 That none of the funds in this Act shall be available for
17 the planning or execution of programs the total obligations
18 for which, in fiscal year 2018, are in excess of
19 \$597,629,000 for programs authorized under 23 U.S.C.
20 402, 404 and 405, and section 4001(a)(6) of the Fixing
21 America's Surface Transportation Act, of which
22 \$261,200,000 shall be for "Highway Safety Programs"
23 under 23 U.S.C. 402; \$280,200,000 shall be for "National
24 Priority Safety Programs" under 23 U.S.C. 405;
25 \$29,900,000 shall be for "High Visibility Enforcement

1 Program” under 23 U.S.C. 404; \$26,329,000 shall be for
2 “Administrative Expenses” under section 4001(a)(6) of
3 the Fixing America’s Surface Transportation Act: *Pro-*
4 *vided further*, That none of these funds shall be used for
5 construction, rehabilitation, or remodeling costs, or for of-
6 fice furnishings and fixtures for State, local or private
7 buildings or structures: *Provided further*, That not to ex-
8 ceed \$500,000 of the funds made available for “National
9 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
10 paired Driving Countermeasures” (as described in sub-
11 section (d) of that section) shall be available for technical
12 assistance to the States: *Provided further*, That with re-
13 spect to the “Transfers” provision under 23 U.S.C.
14 405(a)(8), any amounts transferred to increase the
15 amounts made available under section 402 shall include
16 the obligation authority for such amounts: *Provided fur-*
17 *ther*, That the Administrator shall notify the House and
18 Senate Committees on Appropriations of any exercise of
19 the authority granted under the previous proviso or under
20 23 U.S.C. 405(a)(8) within 5 days.

21 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

22 TRAFFIC SAFETY ADMINISTRATION

23 SEC. 140. An additional \$130,000 shall be made
24 available to the National Highway Traffic Safety Adminis-
25 tration, out of the amount limited for section 402 of title

1 23, United States Code, to pay for travel and related ex-
2 penses for State management reviews and to pay for core
3 competency development training and related expenses for
4 highway safety staff.

5 SEC. 141. The limitations on obligations for the pro-
6 grams of the National Highway Traffic Safety Adminis-
7 tration set in this Act shall not apply to obligations for
8 which obligation authority was made available in previous
9 public laws but only to the extent that the obligation au-
10 thority has not lapsed or been used.

11 SEC. 142. None of the funds made available by this
12 Act may be used to obligate or award funds for the Na-
13 tional Highway Traffic Safety Administration's National
14 Roadside Survey.

15 SEC. 143. None of the funds made available by this
16 Act may be used to mandate global positioning system
17 (GPS) tracking in private passenger motor vehicles with-
18 out providing full and appropriate consideration of privacy
19 concerns under 5 U.S.C. chapter 5, subchapter II.

20 FEDERAL RAILROAD ADMINISTRATION

21 SAFETY AND OPERATIONS

22 For necessary expenses of the Federal Railroad Ad-
23 ministration, not otherwise provided for, \$218,298,000, of
24 which \$15,900,000 shall remain available until expended.

1 RAILROAD RESEARCH AND DEVELOPMENT

2 For necessary expenses for railroad research and de-
3 velopment, \$40,100,000 (reduced by \$1,000,000) (in-
4 creased by \$1,000,000), to remain available until ex-
5 pended.

6 RAILROAD REHABILITATION AND IMPROVEMENT

7 FINANCING PROGRAM

8 The Secretary of Transportation is authorized to
9 issue direct loans and loan guarantees pursuant to sec-
10 tions 501 through 504 of the Railroad Revitalization and
11 Regulatory Reform Act of 1976 (Public Law 94–210), as
12 amended, such authority shall exist as long as any such
13 direct loan or loan guarantee is outstanding: *Provided,*
14 That pursuant to section 502 of such Act, as amended,
15 no new direct loans or loan guarantee commitments shall
16 be made using Federal funds for the credit risk premium
17 during fiscal year 2018, except for federal funds awarded
18 in accordance with section 3028(c) of Public Law 114–
19 94.

20 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

21 REPAIR

22 For necessary expenses related to Federal-State
23 Partnership for State of Good Repair grants as authorized
24 by section 24911 of title 49, United States Code,
25 \$500,000,000 (reduced by \$500,000,000) (increased by

1 \$500,000,000), to remain available until expended: *Pro-*
2 *vided*, That the Secretary may withhold up to one percent
3 of the amount provided under this heading for the costs
4 of award and project management oversight of grants car-
5 ried out under section 24911 of title 49, United States
6 Code: *Provided further*, That in selecting an applicant for
7 a grant, the Secretary shall first give preference to eligible
8 projects for which the environmental impact statement re-
9 quired under the National Environmental Policy Act and
10 design work is already complete at the time of the grant
11 application review, or to projects that address major crit-
12 ical assets which have conditions that pose a substantial
13 risk now or in the future to the reliability of train service.

14 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

15 IMPROVEMENTS

16 For necessary expenses related to Consolidated Rail
17 Infrastructure and Safety Improvements Grants as au-
18 thorized by section 24407 of title 49, United States Code,
19 \$25,000,000, to remain available until expended: *Pro-*
20 *vided*, That the Secretary may withhold up to one percent
21 of the amount provided under this heading for the costs
22 of award and project management oversight of grants car-
23 ried out under section 24407 of title 49, United States
24 Code.

1 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2 RAILROAD PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation for
5 activities associated with the Northeast Corridor as au-
6 thorized by section 11101(a) of the Fixing America’s Sur-
7 face Transportation Act (division A of Public Law 114–
8 94), \$328,000,000, to remain available until expended:
9 *Provided*, That the Secretary may retain up to one-half
10 of 1 percent of the funds provided under both this heading
11 and the “National Network Grants to the National Rail-
12 road Passenger Corporation” heading to fund the costs
13 of project management and oversight of activities author-
14 ized by section 11101(c) of division A of Public Law 114–
15 94: *Provided further*, That in addition to the project man-
16 agement oversight funds authorized under section
17 11101(c) of division A of Public Law 114–94, the Sec-
18 retary may retain up to an additional \$5,000,000 of the
19 funds provided under this heading to fund expenses associ-
20 ated with the Northeast Corridor Commission established
21 under section 24905 of title 49, United States Code: *Pro-*
22 *vided further*, That of the amounts made available under
23 this heading and the “National Network Grants to the Na-
24 tional Railroad Passenger Corporation” heading, not less
25 than \$50,000,000 shall be made available to bring Am-

1 trak-served facilities and stations into compliance with the
2 Americans with Disabilities Act.

3 NATIONAL NETWORK GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 activities associated with the National Network as author-
8 ized by section 11101(b) of the Fixing America's Surface
9 Transportation Act (division A of Public Law 114–94),
10 \$1,100,000,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may retain up to an additional
12 \$2,000,000 of the funds provided under this heading to
13 fund expenses associated with the State-Supported Route
14 Committee established under section 24712 of title 49,
15 United States Code.

16 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
17 ADMINISTRATION

18 SEC. 150. None of the funds provided to the National
19 Railroad Passenger Corporation may be used to fund any
20 overtime costs in excess of \$35,000 for any individual em-
21 ployee: *Provided*, That the President of Amtrak may waive
22 the cap set in the previous proviso for specific employees
23 when the President of Amtrak determines such a cap
24 poses a risk to the safety and operational efficiency of the
25 system: *Provided further*, That the President of Amtrak

1 shall report to the House and Senate Committees on Ap-
2 propriations each quarter within 30 days of such quarter
3 of the calendar year on waivers granted to employees and
4 amounts paid above the cap for each month within such
5 quarter and delineate the reasons each waiver was grant-
6 ed: *Provided further*, That the President of Amtrak shall
7 report to the House and Senate Committees on Appropria-
8 tions by March 1, 2018, a summary of all overtime pay-
9 ments incurred by the Corporation for 2017 and the three
10 prior calendar years: *Provided further*, That such sum-
11 mary shall include the total number of employees that re-
12 ceived waivers and the total overtime payments the Cor-
13 poration paid to those employees receiving waivers for
14 each month for 2017 and for the three prior calendar
15 years.

16 SEC. 151. None of the funds made available by this
17 Act may be used for high-speed rail in the State of Cali-
18 fornia or for the California High-Speed Rail Authority,
19 nor may any be used by the Federal Railroad Administra-
20 tion to administer a grant agreement with the California
21 High-Speed Rail Authority that contains a tapered match-
22 ing requirement.

23 SEC. 152. None of the funds made available by this
24 Act shall be used by the Surface Transportation Board
25 to take any actions with respect to the construction of a

1 high speed rail project in California unless the permit is
2 issued by the Board with respect to the project in its en-
3 tirety.

4 FEDERAL TRANSIT ADMINISTRATION

5 ADMINISTRATIVE EXPENSES

6 For necessary administrative expenses of the Federal
7 Transit Administration's programs authorized by chapter
8 53 of title 49, United States Code, §110,794,692: *Pro-*
9 *vided*, That none of the funds provided or limited in this
10 Act may be used to create a permanent office of transit
11 security under this heading: *Provided further*, That upon
12 submission to the Congress of the fiscal year 2019 Presi-
13 dent's budget, the Secretary of Transportation shall trans-
14 mit to Congress the annual report on New Starts, includ-
15 ing proposed allocations for fiscal year 2019.

16 TRANSIT FORMULA GRANTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

20 For payment of obligations incurred in the Federal
21 Public Transportation Assistance Program in this ac-
22 count, and for payment of obligations incurred in carrying
23 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
24 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
25 5340, as amended by the Fixing America's Surface Trans-

1 portation Act, and section 20005(b) of Public Law 112–
2 141, and section 3006(b) of the Fixing America’s Surface
3 Transportation Act, \$10,300,000,000 (reduced by
4 \$10,000,000) (increased by \$10,000,000), to be derived
5 from the Mass Transit Account of the Highway Trust
6 Fund and to remain available until expended: *Provided*,
7 That funds available for the implementation or execution
8 of programs authorized under 49 U.S.C. 5305, 5307,
9 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337,
10 5339, and 5340, as amended by the Fixing America’s Sur-
11 face Transportation Act, and section 20005(b) of Public
12 Law 112–141, and section 3006(b) of the Fixing Amer-
13 ica’s Surface Transportation Act, shall not exceed total
14 obligations of \$9,733,353,407 in fiscal year 2018.

15 TECHNICAL ASSISTANCE AND TRAINING

16 For necessary expenses to carry out 49 U.S.C. 5314,
17 \$5,000,000.

18 CAPITAL INVESTMENT GRANTS

19 For necessary expenses to carry out 49 U.S.C. 5309,
20 \$1,752,989,851 (reduced by \$659,641,149) (increased by
21 \$659,641,149), to remain available until expended, of
22 which \$1,007,929,851 shall be available for projects au-
23 thorized under section 5309(d) of title 49, United States
24 Code, \$145,700,000 shall be available for projects author-
25 ized under section 5309(e) of such title, \$182,000,000

1 shall be available for projects authorized under section
2 5309(h) of the title, and \$400,000,000 shall be available
3 for projects authorized under section 5309(q): *Provided*,
4 That the Secretary shall continue to administer the Cap-
5 ital Investment Grant Program in accordance with the
6 procedural and substantive requirements of section 5309
7 of title 49.

8 GRANTS TO THE WASHINGTON METROPOLITAN AREA
9 TRANSIT AUTHORITY

10 For grants to the Washington Metropolitan Area
11 Transit Authority as authorized under section 601 of divi-
12 sion B of Public Law 110–432, \$150,000,000, to remain
13 available until expended: *Provided*, That the Secretary of
14 Transportation shall approve grants for capital and pre-
15 ventive maintenance expenditures for the Washington
16 Metropolitan Area Transit Authority only after receiving
17 and reviewing a request for each specific project: *Provided*
18 *further*, That prior to approving such grants, the Secretary
19 shall certify that the Washington Metropolitan Area Tran-
20 sit Authority is making progress to improve its safety
21 management system in response to the Federal Transit
22 Administration’s 2015 safety management inspection:
23 *Provided further*, That prior to approving such grants, the
24 Secretary shall certify that the Washington Metropolitan
25 Area Transit Authority is making progress toward full im-

1 plementation of the corrective actions identified in the
2 2014 Financial Management Oversight Review Report:
3 *Provided further*, That the Secretary shall determine that
4 the Washington Metropolitan Area Transit Authority has
5 placed the highest priority on those investments that will
6 improve the safety of the system before approving such
7 grants: *Provided further*, That the Secretary, in order to
8 ensure safety throughout the rail system, may waive the
9 requirements of section 601(e)(1) of division B of Public
10 Law 110–432 (112 Stat. 4968).

11 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

12 ADMINISTRATION

13 SEC. 160. The limitations on obligations for the pro-
14 grams of the Federal Transit Administration shall not
15 apply to any authority under 49 U.S.C. 5338, previously
16 made available for obligation, or to any other authority
17 previously made available for obligation.

18 SEC. 161. Notwithstanding any other provision of
19 law, funds appropriated or limited by this Act under the
20 heading “Fixed Guideway Capital Investment” of the Fed-
21 eral Transit Administration for projects specified in this
22 Act or identified in reports accompanying this Act not ob-
23 ligated by September 30, 2022, and other recoveries, shall
24 be directed to projects eligible to use the funds for the
25 purposes for which they were originally provided.

1 SEC. 162. Notwithstanding any other provision of
2 law, any funds appropriated before October 1, 2017, under
3 any section of chapter 53 of title 49, United States Code,
4 that remain available for expenditure, may be transferred
5 to and administered under the most recent appropriation
6 heading for any such section.

7 SEC. 163. (a) Except as provided in subsection (b),
8 none of the funds in this or any other Act may be available
9 to advance in any way a new light or heavy rail project
10 towards a full funding grant agreement as defined by 49
11 U.S.C. 5309 for the Metropolitan Transit Authority of
12 Harris County, Texas if the proposed capital project is
13 constructed on or planned to be constructed on Richmond
14 Avenue west of South Shepherd Drive or on Post Oak
15 Boulevard north of Richmond Avenue in Houston, Texas.

16 (b) The Metropolitan Transit Authority of Harris
17 County, Texas, may attempt to construct or construct a
18 new fixed guideway capital project, including light rail, in
19 the locations referred to in subsection (a) if—

20 (1) voters in the jurisdiction that includes such
21 locations approve a ballot proposition that specifies
22 routes on Richmond Avenue west of South Shepherd
23 Drive or on Post Oak Boulevard north of Richmond
24 Avenue in Houston, Texas; and

1 (2) the proposed construction of such routes is
2 part of a comprehensive, multi-modal, service-area
3 wide transportation plan that includes multiple addi-
4 tional segments of fixed guideway capital projects,
5 including light rail for the jurisdiction set forth in
6 the ballot proposition. The ballot language shall in-
7 clude reasonable cost estimates, sources of revenue
8 to be used and the total amount of bonded indebted-
9 ness to be incurred as well as a description of each
10 route and the beginning and end point of each pro-
11 posed transit project.

12 SEC. 164. Notwithstanding any other provision of
13 law, none of the funds made available in this Act shall
14 be used to enter into a full funding grant agreement for
15 a project with a New Starts share greater than 50 percent.

16 SAINT LAWRENCE SEAWAY DEVELOPMENT

17 CORPORATION

18 The Saint Lawrence Seaway Development Corpora-
19 tion is hereby authorized to make such expenditures, with-
20 in the limits of funds and borrowing authority available
21 to the Corporation, and in accord with law, and to make
22 such contracts and commitments without regard to fiscal
23 year limitations as provided by section 104 of the Govern-
24 ment Corporation Control Act, as amended, as may be

1 necessary in carrying out the programs set forth in the
2 Corporation's budget for the current fiscal year.

3 OPERATIONS AND MAINTENANCE

4 (HARBOR MAINTENANCE TRUST FUND)

5 For necessary expenses to conduct the operations,
6 maintenance, and capital asset renewal activities of those
7 portions of the St. Lawrence Seaway owned, operated, and
8 maintained by the Saint Lawrence Seaway Development
9 Corporation, \$31,346,012, to be derived from the Harbor
10 Maintenance Trust Fund, pursuant to Public Law 99-
11 662. Of that amount, \$12,500,000 to be used on asset
12 renewal activities shall be made available through Sep-
13 tember 30, 2019.

14 MARITIME ADMINISTRATION

15 MARITIME SECURITY PROGRAM

16 For necessary expenses to maintain and preserve a
17 U.S.-flag merchant fleet to serve the national security
18 needs of the United States, \$300,000,000, to remain avail-
19 able until expended.

20 OPERATIONS AND TRAINING

21 For necessary expenses of operations and training ac-
22 tivities authorized by law, \$175,620,000, of which
23 \$22,000,000 shall remain available until expended for
24 maintenance and repair of training ships at State Mari-
25 time Academies, and of which \$6,000,000 shall remain

1 available until expended for National Security Multi-Mis-
2 sion Vessel Program for State Maritime Academies and
3 National Security, and of which \$2,400,000 shall remain
4 available through September 30, 2019, for the Student In-
5 centive Program at State Maritime Academies, and of
6 which \$1,800,000 shall remain available until expended
7 for training ship fuel assistance payments, and of which
8 \$18,000,000 shall remain available until expended for fa-
9 cilities maintenance and repair, equipment, and capital
10 improvements at the United States Merchant Marine
11 Academy, and of which \$3,000,000 shall remain available
12 through September 30, 2019, for Maritime Environment
13 and Technology Assistance program authorized under sec-
14 tion 50307 of title 46, United States Code: *Provided*, That
15 not later than February 1, 2018, the Administrator of the
16 Maritime Administration shall transmit to the House and
17 Senate Committees on Appropriations the annual report
18 on sexual assault and sexual harassment at the United
19 States Merchant Marine Academy as required pursuant
20 to section 3507 of Public Law 110–417.

21 ASSISTANCE TO SMALL SHIPYARDS

22 To make grants to qualified shipyards as authorized
23 under section 54101 of title 46, United States Code, as
24 amended by Public Law 113–281, \$3,000,000 (increased
25 by \$7,000,000) to remain available until expended: *Pro-*

1 *vided*, That the Secretary shall issue the Notice of Fund-
2 ing Availability no later than 15 days after enactment of
3 this Act: *Provided further*, That from applications sub-
4 mitted under the previous proviso, the Secretary of Trans-
5 portation shall make grants no later than 120 days after
6 enactment of this Act in such amounts as the Secretary
7 determines: *Provided further*, That not to exceed 2 percent
8 of the funds appropriated under this heading shall be
9 available for necessary costs of grant administration.

10 SHIP DISPOSAL

11 For necessary expenses related to the disposal of ob-
12 solete vessels in the National Defense Reserve Fleet of the
13 Maritime Administration, \$9,000,000, to remain available
14 until expended.

15 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

16 ACCOUNT

17 (INCLUDING TRANSFER OF FUNDS)

18 For administrative expenses to carry out the guaran-
19 teed loan program, \$3,000,000, which shall be transferred
20 to and merged for use by the Office of the Secretary's
21 National Surface Transportation and Innovative Finance
22 Bureau to administer the Title XI program in addition
23 to those programs listed in 49 U.S.C. 116(d)(1).

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 SEC. 170. Notwithstanding any other provision of
4 this Act, in addition to any existing authority, the Mari-
5 time Administration is authorized to furnish utilities and
6 services and make necessary repairs in connection with
7 any lease, contract, or occupancy involving Government
8 property under control of the Maritime Administration:
9 *Provided*, That payments received therefor shall be cred-
10 ited to the appropriation charged with the cost thereof and
11 shall remain available until expended: *Provided further*,
12 That rental payments under any such lease, contract, or
13 occupancy for items other than such utilities, services, or
14 repairs shall be covered into the Treasury as miscellaneous
15 receipts.

16 SEC. 171. None of the funds available or appro-
17 priated in this Act shall be used by the United States De-
18 partment of Transportation or the United States Maritime
19 Administration to negotiate or otherwise execute, enter
20 into, facilitate or perform fee-for-service contracts for ves-
21 sel disposal, scrapping or recycling, unless there is no
22 qualified domestic ship recycler that will pay any sum of
23 money to purchase and scrap or recycle a vessel owned,
24 operated or managed by the Maritime Administration or
25 that is part of the National Defense Reserve Fleet: *Pro-*

1 *vided*, That such sales offers must be consistent with the
2 solicitation and provide that the work will be performed
3 in a timely manner at a facility qualified within the mean-
4 ing of section 3502 of Public Law 106–398: *Provided fur-*
5 *ther*, That nothing contained herein shall affect the Mari-
6 time Administration’s authority to award contracts at
7 least cost to the Federal Government and consistent with
8 the requirements of 54 U.S.C. 308704, section 3502, or
9 otherwise authorized under the Federal Acquisition Regu-
10 lation.

11

PENALTY WAGES

12 SEC. 172. (a) FOREIGN AND INTERCOASTAL VOY-
13 AGES.—Section 10313(g) of title 46, United States Code,
14 is amended—

15 (1) in paragraph (2)—

16 (A) by striking “all claims in a class action
17 suit by seamen” and inserting “each claim by
18 a seaman”; and

19 (B) by striking “the seamen” and inserting
20 “the seaman”; and

21 (2) in paragraph (3)—

22 (A) by striking “class action”; and

23 (B) in subparagraph (B), by striking “, by
24 a seaman who is a claimant in the suit,” and
25 inserting “by the seaman”.

1 (b) COASTWISE VOYAGES.—Section 10504(c) of such
2 title is amended—

3 (1) in paragraph (2)—

4 (A) by striking “all claims in a class action
5 suit by seamen” and inserting “each claim by
6 a seaman”; and

7 (B) by striking “the seamen” and inserting
8 “the seaman”; and

9 (2) in paragraph (3)—

10 (A) by striking “class action”; and

11 (B) in subparagraph (B), by striking “, by
12 a seaman who is a claimant in the suit” and in-
13 serting “by the seaman”.

14 PIPELINE AND HAZARDOUS MATERIALS SAFETY

15 ADMINISTRATION

16 OPERATIONAL EXPENSES

17 For necessary operational expenses of the Pipeline
18 and Hazardous Materials Safety Administration,
19 \$20,500,000.

20 HAZARDOUS MATERIALS SAFETY

21 For expenses necessary to discharge the hazardous
22 materials safety functions of the Pipeline and Hazardous
23 Materials Safety Administration, \$57,000,000, of which
24 \$7,570,000 shall remain available until September 30,
25 2020: *Provided*, That up to \$800,000 in fees collected

1 under 49 U.S.C. 5108(g) shall be deposited in the general
2 fund of the Treasury as offsetting receipts: *Provided fur-*
3 *ther*, That there may be credited to this appropriation, to
4 be available until expended, funds received from States,
5 counties, municipalities, other public authorities, and pri-
6 vate sources for expenses incurred for training, for reports
7 publication and dissemination, and for travel expenses in-
8 curred in performance of hazardous materials exemptions
9 and approvals functions.

10 PIPELINE SAFETY

11 (PIPELINE SAFETY FUND)

12 (OIL SPILL LIABILITY TRUST FUND)

13 For expenses necessary to conduct the functions of
14 the pipeline safety program, for grants-in-aid to carry out
15 a pipeline safety program, as authorized by 49 U.S.C.
16 60107, and to discharge the pipeline program responsibil-
17 ities of the Oil Pollution Act of 1990, \$162,000,000 (re-
18 duced by \$1,000,000) (increased by \$1,000,000), of which
19 \$23,000,000 shall be derived from the Oil Spill Liability
20 Trust Fund and shall remain available until September
21 30, 2020; and of which \$131,000,000 shall be derived
22 from the Pipeline Safety Fund, of which \$64,736,000
23 shall remain available until September 30, 2020; and of
24 which \$8,000,000 shall be derived from fees collected
25 under 49 U.S.C. 60302 and deposited in the Underground

1 Natural Gas Storage Facility Safety Account and shall re-
2 main available for carrying out 49 U.S.C. 60141, of which
3 \$6,000,000 shall remain available until September 30,
4 2020.

5 EMERGENCY PREPAREDNESS GRANTS

6 (EMERGENCY PREPAREDNESS FUND)

7 Notwithstanding the fiscal year limitation specified in
8 49 U.S.C. 5116, not more than \$28,318,000 shall be made
9 available for obligation in fiscal year 2018 from amounts
10 made available by 49 U.S.C. 5116(h), and 5128(b) and
11 (c): *Provided*, That notwithstanding 49 U.S.C.
12 5116(h)(4), not more than 4 percent of the amounts made
13 available from this account shall be available to pay ad-
14 ministrative costs: *Provided further*, That none of the
15 funds made available by 49 U.S.C. 5116(h), 5128(b), or
16 5128(c) shall be made available for obligation by individ-
17 uals other than the Secretary of Transportation, or his
18 or her designee: *Provided further*, That notwithstanding
19 49 U.S.C. 5128(b) and (c) and the current year obligation
20 limitation, prior year recoveries recognized in the current
21 year shall be available to develop a hazardous materials
22 response training curriculum for emergency responders,
23 including response activities for the transportation of
24 crude oil, ethanol and other flammable liquids by rail, con-
25 sistent with National Fire Protection Association stand-

1 ards, and to make such training available through an elec-
2 tronic format: *Provided further*, That the prior year recov-
3 eries made available under this heading shall also be avail-
4 able to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

5 OFFICE OF INSPECTOR GENERAL

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Inspector
8 General to carry out the provisions of the Inspector Gen-
9 eral Act of 1978, as amended, \$92,152,000: *Provided*,
10 That the Inspector General shall have all necessary au-
11 thority, in carrying out the duties specified in the Inspec-
12 tor General Act, as amended (5 U.S.C. App. 3), to inves-
13 tigate allegations of fraud, including false statements to
14 the government (18 U.S.C. 1001), by any person or entity
15 that is subject to regulation by the Department of Trans-
16 portation: *Provided further*, That the funds made available
17 under this heading may be used to investigate, pursuant
18 to section 41712 of title 49, United States Code: (1) un-
19 fair or deceptive practices and unfair methods of competi-
20 tion by domestic and foreign air carriers and ticket agents;
21 and (2) the compliance of domestic and foreign air carriers
22 with respect to item (1) of this proviso.

1 GENERAL PROVISIONS—DEPARTMENT OF
2 TRANSPORTATION

3 SEC. 180. (a) During the current fiscal year, applica-
4 ble appropriations to the Department of Transportation
5 shall be available for maintenance and operation of air-
6 craft; hire of passenger motor vehicles and aircraft; pur-
7 chase of liability insurance for motor vehicles operating
8 in foreign countries on official department business; and
9 uniforms or allowances therefor, as authorized by law (5
10 U.S.C. 5901–5902).

11 (b) During the current fiscal year, applicable appro-
12 priations to the Department and its operating administra-
13 tions shall be available for the purchase, maintenance, op-
14 eration, and deployment of unmanned aircraft systems
15 that advance the Department’s, or its operating adminis-
16 trations’, missions.

17 (c) Any unmanned aircraft system purchased or pro-
18 cured by the Department prior to the enactment of this
19 Act shall be deemed authorized.

20 SEC. 181. Appropriations contained in this Act for
21 the Department of Transportation shall be available for
22 services as authorized by 5 U.S.C. 3109, but at rates for
23 individuals not to exceed the per diem rate equivalent to
24 the rate for an Executive Level IV.

1 SEC. 182. (a) No recipient of funds made available
2 in this Act shall disseminate personal information (as de-
3 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
4 ment of motor vehicles in connection with a motor vehicle
5 record as defined in 18 U.S.C. 2725(1), except as provided
6 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
7 2721.

8 (b) Notwithstanding subsection (a), the Secretary
9 shall not withhold funds provided in this Act for any
10 grantee if a State is in noncompliance with this provision.

11 SEC. 183. Funds received by the Federal Highway
12 Administration and Federal Railroad Administration from
13 States, counties, municipalities, other public authorities,
14 and private sources for expenses incurred for training may
15 be credited respectively to the Federal Highway Adminis-
16 tration's "Federal-Aid Highways" account and to the Fed-
17 eral Railroad Administration's "Safety and Operations"
18 account, except for State rail safety inspectors partici-
19 pating in training pursuant to 49 U.S.C. 20105.

20 SEC. 184. (a) None of the funds provided in this Act
21 to the Department of Transportation may be used to make
22 a loan, loan guarantee, line of credit, or discretionary
23 grant totaling \$500,000 or more unless the Secretary of
24 Transportation notifies the House and Senate Committees
25 on Appropriations not less than 3 full business days before

1 any project competitively selected to receive any discre-
2 tionary grant award, letter of intent, loan commitment,
3 loan guarantee commitment, line of credit commitment, or
4 full funding grant agreement is announced by the Depart-
5 ment or its modal administrations: *Provided*, That the
6 Secretary gives concurrent notification to the House and
7 Senate Committees on Appropriations for any “quick re-
8 lease” of funds from the emergency relief program: *Pro-*
9 *vided further*, That no notification shall involve funds that
10 are not available for obligation.

11 (b) In addition to the notification required in sub-
12 section (a), none of the funds made available in this Act
13 to the Department of Transportation may be used to make
14 a loan, loan guarantee, line of credit, or discretionary
15 grant unless the Secretary of Transportation provides the
16 House and Senate Committees on Appropriations a com-
17 prehensive list of all such loans, loan guarantees, lines of
18 credit, or discretionary grants that will be announced not
19 less the 3 full business days before such announcement:
20 *Provided*, That the requirement to provide a list in this
21 subsection does not apply to any “quick release” of funds
22 from the emergency relief program: *Provided further*, That
23 no list shall involve funds that are not available for obliga-
24 tion.

1 SEC. 185. Rebates, refunds, incentive payments,
2 minor fees and other funds received by the Department
3 of Transportation from travel management centers,
4 charge card programs, the subleasing of building space,
5 and miscellaneous sources are to be credited to appropria-
6 tions of the Department of Transportation and allocated
7 to elements of the Department of Transportation using
8 fair and equitable criteria and such funds shall be avail-
9 able until expended.

10 SEC. 186. Amounts made available in this or any
11 other Act that the Secretary determines represent im-
12 proper payments by the Department of Transportation to
13 a third-party contractor under a financial assistance
14 award, which are recovered pursuant to law, shall be avail-
15 able—

16 (1) to reimburse the actual expenses incurred
17 by the Department of Transportation in recovering
18 improper payments; and

19 (2) to pay contractors for services provided in
20 recovering improper payments or contractor support
21 in the implementation of the Improper Payments In-
22 formation Act of 2002: *Provided*, That amounts in
23 excess of that required for paragraphs (1) and (2)—

24 (A) shall be credited to and merged with
25 the appropriation from which the improper pay-

1 ments were made, and shall be available for the
2 purposes and period for which such appropria-
3 tions are available: *Provided further*, That
4 where specific project or accounting information
5 associated with the improper payment or pay-
6 ments is not readily available, the Secretary
7 may credit an appropriate account, which shall
8 be available for the purposes and period associ-
9 ated with the account so credited; or

10 (B) if no such appropriation remains avail-
11 able, shall be deposited in the Treasury as mis-
12 cellaneous receipts: *Provided further*, That prior
13 to the transfer of any such recovery to an ap-
14 propriations account, the Secretary shall notify
15 the House and Senate Committees on Appro-
16 priations of the amount and reasons for such
17 transfer: *Provided further*, That for purposes of
18 this section, the term “improper payments” has
19 the same meaning as that provided in section
20 2(d)(2) of Public Law 107–300.

21 SEC. 187. Notwithstanding any other provision of
22 law, if any funds provided in or limited by this Act are
23 subject to a reprogramming action that requires notice to
24 be provided to the House and Senate Committees on Ap-
25 propriations, transmission of said reprogramming notice

1 shall be provided solely to the House and Senate Commit-
2 tees on Appropriations, and said reprogramming action
3 shall be approved or denied solely by the House and Sen-
4 ate Committees on Appropriations: *Provided*, That the
5 Secretary of Transportation may provide notice to other
6 congressional committees of the action of the House and
7 Senate Committees on Appropriations on such reprogram-
8 ming but not sooner than 30 days following the date on
9 which the reprogramming action has been approved or de-
10 nied by the House and Senate Committees on Appropria-
11 tions.

12 SEC. 188. Funds appropriated in this Act to the
13 modal administrations may be obligated for the Office of
14 the Secretary for the costs related to assessments or reim-
15 bursable agreements only when such amounts are for the
16 costs of goods and services that are purchased to provide
17 a direct benefit to the applicable modal administration or
18 administrations.

19 SEC. 189. The Secretary of Transportation is author-
20 ized to carry out a program that establishes uniform
21 standards for developing and supporting agency transit
22 pass and transit benefits authorized under section 7905
23 of title 5, United States Code, including distribution of
24 transit benefits by various paper and electronic media.

1 SEC. 190. The Department of Transportation may
2 use funds provided by this Act, or any other Act, to assist
3 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
4 geographic, economic, or any other hiring preference not
5 otherwise authorized by law, or to amend a rule, regula-
6 tion, policy or other measure that forbids a recipient of
7 a Federal Highway Administration or Federal Transit Ad-
8 ministration grant from imposing such hiring preference
9 on a contract or construction project with which the De-
10 partment of Transportation is assisting, only if the grant
11 recipient certifies the following:

12 (1) that except with respect to apprentices or
13 trainees, a pool of readily available but unemployed
14 individuals possessing the knowledge, skill, and abil-
15 ity to perform the work that the contract requires
16 resides in the jurisdiction;

17 (2) that the grant recipient will include appro-
18 priate provisions in its bid document ensuring that
19 the contractor does not displace any of its existing
20 employees in order to satisfy such hiring preference;
21 and

22 (3) that any increase in the cost of labor, train-
23 ing, or delays resulting from the use of such hiring
24 preference does not delay or displace any transpor-
25 tation project in the applicable Statewide Transpor-

1 be available for the Office of the Chief Financial Officer;
2 \$92,006,000 shall be available for the Office of the Gen-
3 eral Counsel; \$205,873,000 shall be available for the Of-
4 fice of Administration; \$38,245,000 shall be available for
5 the Office of the Chief Human Capital Officer;
6 \$49,588,000 shall be available for the Office of Field Pol-
7 icy and Management; \$19,065,000 shall be available for
8 the Office of the Chief Procurement Officer; \$3,570,000
9 shall be available for the Office of Departmental Equal
10 Employment Opportunity; \$4,975,000 shall be available
11 for the Office of Strategic Planning and Management; and
12 \$43,879,000 shall be available for the Office of the Chief
13 Information Officer: *Provided*, That funds provided under
14 this heading may be used for necessary administrative and
15 non-administrative expenses of the Department of Hous-
16 ing and Urban Development, not otherwise provided for,
17 including purchase of uniforms, or allowances therefor, as
18 authorized by 5 U.S.C. 5901–5902; hire of passenger
19 motor vehicles; and services as authorized by 5 U.S.C.
20 3109: *Provided further*, That notwithstanding any other
21 provision of law, funds appropriated under this heading
22 may be used for advertising and promotional activities
23 that directly support program activities funded in this
24 title: *Provided further*, That in addition to the transfer au-
25 thority under section 221 of this Act, of the amount ap-

1 appropriated for the Office of the Chief Operations Officer
2 under this heading, the Secretary may transfer up to
3 \$10,000,000 to the heading “Information Technology
4 Fund”: *Provided further*, That the Secretary shall provide
5 the House and Senate Committees on Appropriations
6 quarterly written notification regarding the status of
7 pending congressional reports: *Provided further*, That the
8 Secretary shall provide in electronic form all signed re-
9 ports required by Congress.

10 PROGRAM OFFICE SALARIES AND EXPENSES

11 PUBLIC AND INDIAN HOUSING

12 For necessary salaries and expenses of the Office of
13 Public and Indian Housing, \$216,633,000.

14 COMMUNITY PLANNING AND DEVELOPMENT

15 For necessary salaries and expenses of the Office of
16 Community Planning and Development, \$107,554,000.

17 HOUSING

18 For necessary salaries and expenses of the Office of
19 Housing, \$392,000,000.

20 POLICY DEVELOPMENT AND RESEARCH

21 For necessary salaries and expenses of the Office of
22 Policy Development and Research, \$24,065,000.

23 FAIR HOUSING AND EQUAL OPPORTUNITY

24 For necessary salaries and expenses of the Office of
25 Fair Housing and Equal Opportunity, \$69,808,000.

1 services, specified in the matter preceding the first pro-
2 viso, for which the appropriation would otherwise have
3 been available, and may transfer not to exceed an addi-
4 tional \$5,000,000, in aggregate, from all such appropria-
5 tions, to be merged with the Fund and to remain available
6 until expended for use for any office or agency: *Provided*
7 *further*, That amounts in the Fund shall be the only
8 amounts available to each office or agency of the Depart-
9 ment for the services, or portion of services, specified in
10 the matter preceding the first proviso: *Provided further*,
11 That with respect to the Fund, the authorities and condi-
12 tions under this heading shall supplement the authorities
13 and conditions provided under section 7(f): *Provided fur-*
14 *ther*, That up to \$6,550,000 in the Fund may be available
15 for the management reporting initiative to improve the ef-
16 fectiveness of enterprise data governance, analysis, and re-
17 porting, including information technology investments to
18 make such improvements: *Provided further*, That to carry
19 out the previous proviso, the Secretary shall transfer any
20 amounts for related information technology investments to
21 the heading “Information Technology Fund”.

1 PUBLIC AND INDIAN HOUSING
2 TENANT-BASED RENTAL ASSISTANCE
3 (INCLUDING TRANSFER OF FUNDS)

4 For activities and assistance for the provision of ten-
5 ant-based rental assistance authorized under the United
6 States Housing Act of 1937, as amended (42 U.S.C. 1437
7 et seq.) (“the Act” herein), not otherwise provided for,
8 \$16,486,725,000, to remain available until expended, shall
9 be available on October 1, 2017 (in addition to the
10 \$4,000,000,000 previously appropriated under this head-
11 ing that shall be available on October 1, 2017), and
12 \$4,000,000,000, to remain available until expended, shall
13 be available on October 1, 2018: *Provided*, That the
14 amounts made available under this heading are provided
15 as follows:

16 (1) \$18,709,725,000 shall be available for re-
17 newals of expiring section 8 tenant-based annual
18 contributions contracts (including renewals of en-
19 hanced vouchers under any provision of law author-
20 izing such assistance under section 8(t) of the Act)
21 and including renewal of other special purpose incre-
22 mental vouchers: *Provided*, That notwithstanding
23 any other provision of law, from amounts provided
24 under this paragraph and any carryover, the Sec-
25 retary for the calendar year 2018 funding cycle shall

1 provide renewal funding for each public housing
2 agency based on validated voucher management sys-
3 tem (VMS) leasing and cost data for the prior cal-
4 endar year and by applying an inflation factor as es-
5 tablished by the Secretary, by notice published in
6 the Federal Register, and by making any necessary
7 adjustments for the costs associated with the first-
8 time renewal of vouchers under this paragraph in-
9 cluding tenant protection, HOPE VI, and Choice
10 Neighborhoods vouchers: *Provided further*, That
11 none of the funds provided under this paragraph
12 may be used to fund a total number of unit months
13 under lease which exceeds a public housing agency's
14 authorized level of units under contract, except for
15 public housing agencies participating in the MTW
16 demonstration, which are instead governed by the
17 terms and conditions of their MTW agreements:
18 *Provided further*, That the Secretary shall, to the ex-
19 tent necessary to stay within the amount specified
20 under this paragraph (except as otherwise modified
21 under this paragraph), prorate each public housing
22 agency's allocation otherwise established pursuant to
23 this paragraph: *Provided further*, That except as
24 provided in the following provisos, the entire amount
25 specified under this paragraph (except as otherwise

1 modified under this paragraph) shall be obligated to
2 the public housing agencies based on the allocation
3 and pro rata method described above, and the Sec-
4 retary shall notify public housing agencies of their
5 annual budget by the later of 60 days after enact-
6 ment of this Act or March 1, 2018: *Provided further,*
7 That the Secretary may extend the notification pe-
8 riod with the prior written approval of the House
9 and Senate Committees on Appropriations: *Provided*
10 *further,* That public housing agencies participating
11 in the MTW demonstration shall be funded pursuant
12 to their MTW agreements and in accordance with
13 the requirements of the MTW program and shall be
14 subject to the same pro rata adjustments under the
15 previous provisos: *Provided further,* That the Sec-
16 retary may offset public housing agencies' calendar
17 year 2018 allocations based on the excess amounts
18 of public housing agencies' net restricted assets ac-
19 counts, including HUD held programmatic reserves
20 (in accordance with VMS data in calendar year 2017
21 that is verifiable and complete), as determined by
22 the Secretary: *Provided further,* That public housing
23 agencies participating in the MTW demonstration
24 shall also be subject to the offset, as determined by
25 the Secretary from the agencies' calendar year 2018

1 MTW funding allocation: *Provided further*, That the
2 Secretary shall use any offset referred to in the pre-
3 vious two provisos throughout the calendar year to
4 prevent the termination of rental assistance for fam-
5 ilies as the result of insufficient funding, as deter-
6 mined by the Secretary, and to avoid or reduce the
7 proration of renewal funding allocations: *Provided*
8 *further*, That up to \$100,000,000 shall be available
9 only: (1) for adjustments in the allocations for public
10 housing agencies, after application for an adjust-
11 ment by a public housing agency that experienced a
12 significant increase, as determined by the Secretary,
13 in renewal costs of vouchers resulting from unfore-
14 seen circumstances or from portability under section
15 8(r) of the Act; (2) for vouchers that were not in use
16 during the previous 12-month period in order to be
17 available to meet a commitment pursuant to section
18 8(o)(13) of the Act; (3) for adjustments for costs as-
19 sociated with HUD-Veterans Affairs Supportive
20 Housing (HUD-VASH) vouchers; and (4) for public
21 housing agencies that despite taking reasonable cost
22 savings measures, as determined by the Secretary,
23 would otherwise be required to terminate rental as-
24 sistance for families as a result of insufficient fund-
25 ing: *Provided further*, That the Secretary shall allo-

1 cate amounts under the previous proviso based on
2 need, as determined by the Secretary;

3 (2) \$60,000,000 shall be for section 8 rental as-
4 sistance for relocation and replacement of housing
5 units that are demolished or disposed of pursuant to
6 section 18 of the Act, conversion of section 23
7 projects to assistance under section 8, the family
8 unification program under section 8(x) of the Act,
9 relocation of witnesses in connection with efforts to
10 combat crime in public and assisted housing pursu-
11 ant to a request from a law enforcement or prosecu-
12 tion agency, enhanced vouchers under any provision
13 of law authorizing such assistance under section 8(t)
14 of the Act, HOPE VI and Choice Neighborhood
15 vouchers, mandatory and voluntary conversions, and
16 tenant protection assistance including replacement
17 and relocation assistance or for project-based assist-
18 ance to prevent the displacement of unassisted elder-
19 ly tenants currently residing in section 202 prop-
20 erties financed between 1959 and 1974 that are refi-
21 nanced pursuant to Public Law 106–569, as amend-
22 ed, or under the authority as provided under this
23 Act: *Provided*, That when a public housing develop-
24 ment is submitted for demolition or disposition
25 under section 18 of the Act, the Secretary may pro-

1 vide section 8 rental assistance when the units pose
2 an imminent health and safety risk to residents:
3 *Provided further*, That the Secretary may only pro-
4 vide replacement vouchers for units that were occu-
5 pied within the previous 24 months that cease to be
6 available as assisted housing, subject only to the
7 availability of funds: *Provided further*, That of the
8 amounts made available under this paragraph,
9 \$5,000,000 may be available to provide tenant pro-
10 tection assistance, not otherwise provided under this
11 paragraph, to residents residing in low vacancy
12 areas and who may have to pay rents greater than
13 30 percent of household income, as the result of: (A)
14 the maturity of a HUD-insured, HUD-held or sec-
15 tion 202 loan that requires the permission of the
16 Secretary prior to loan prepayment; (B) the expira-
17 tion of a rental assistance contract for which the
18 tenants are not eligible for enhanced voucher or ten-
19 ant protection assistance under existing law; or (C)
20 the expiration of affordability restrictions accom-
21 panying a mortgage or preservation program admin-
22 istered by the Secretary: *Provided further*, That such
23 tenant protection assistance made available under
24 the previous proviso may be provided under the au-
25 thority of section 8(t) or section 8(o)(13) of the

1 United States Housing Act of 1937 (42 U.S.C.
2 1437f(t)): *Provided further*, That any tenant protec-
3 tion voucher made available from amounts under
4 this paragraph shall not be reissued by any public
5 housing agency, except the replacement vouchers as
6 defined by the Secretary by notice, when the initial
7 family that received any such voucher no longer re-
8 ceives such voucher, and the authority for any public
9 housing agency to issue any such voucher shall cease
10 to exist: *Provided further*, That the Secretary may
11 provide section 8 rental assistance from amounts
12 made available under this paragraph for units as-
13 sisted under a project-based subsidy contract funded
14 under the “Project-Based Rental Assistance” head-
15 ing under this title where the owner has received a
16 Notice of Default and the units pose an imminent
17 health and safety risk to residents: *Provided further*,
18 That to the extent that the Secretary determines
19 that such units are not feasible for continued rental
20 assistance payments or transfer of the subsidy con-
21 tract associated with such units to another project
22 or projects and owner or owners, any remaining
23 amounts associated with such units under such con-
24 tract shall be recaptured and used to reimburse

1 amounts used under this paragraph for rental assist-
2 ance under the preceding proviso;

3 (3) \$1,550,000,000 shall be for administrative
4 and other expenses of public housing agencies in ad-
5 ministering the section 8 tenant-based rental assist-
6 ance program, of which up to \$10,000,000 shall be
7 available to the Secretary to allocate to public hous-
8 ing agencies that need additional funds to admin-
9 ister their section 8 programs, including fees associ-
10 ated with section 8 tenant protection rental assist-
11 ance, the administration of disaster related vouchers,
12 Veterans Affairs Supportive Housing vouchers, and
13 other special purpose incremental vouchers: *Pro-*
14 *vided*, That no less than \$1,540,000,000 of the
15 amount provided in this paragraph shall be allocated
16 to public housing agencies for the calendar year
17 2018 funding cycle based on section 8(q) of the Act
18 (and related Appropriation Act provisions) as in ef-
19 fect immediately before the enactment of the Quality
20 Housing and Work Responsibility Act of 1998 (Pub-
21 lic Law 105–276): *Provided further*, That if the
22 amounts made available under this paragraph are
23 insufficient to pay the amounts determined under
24 the previous proviso, the Secretary may decrease the
25 amounts allocated to agencies by a uniform percent-

1 age applicable to all agencies receiving funding
2 under this paragraph or may, to the extent nec-
3 essary to provide full payment of amounts deter-
4 mined under the previous proviso, utilize unobligated
5 balances, including recaptures and carryovers, re-
6 maining from funds appropriated to the Department
7 of Housing and Urban Development under this
8 heading from prior fiscal years, excluding special
9 purpose vouchers, notwithstanding the purposes for
10 which such amounts were appropriated: *Provided*
11 *further*, That all public housing agencies partici-
12 pating in the MTW demonstration shall be funded
13 pursuant to their MTW agreements, and in accord-
14 ance with the requirements of the MTW program
15 and shall be subject to the same uniform percentage
16 decrease as under the previous proviso: *Provided fur-*
17 *ther*, That amounts provided under this paragraph
18 shall be only for activities related to the provision of
19 tenant-based rental assistance authorized under sec-
20 tion 8, including related development activities;

21 (4) \$150,000,000 for the renewal of tenant-
22 based assistance contracts under section 811 of the
23 Cranston-Gonzalez National Affordable Housing Act
24 (42 U.S.C. 8013), including necessary administra-
25 tive expenses: *Provided*, That administrative and

1 other expenses of public housing agencies in admin-
2 istering the special purpose vouchers in this para-
3 graph shall be funded under the same terms and be
4 subject to the same pro rata reduction as the per-
5 cent decrease for administrative and other expenses
6 to public housing agencies under paragraph (3) of
7 this heading: *Provided further*, That any amounts
8 provided under this paragraph in this Act or prior
9 Acts, remaining available after funding renewals and
10 administrative expenses under this paragraph, shall
11 be available for incremental tenant-based assistance
12 contracts under such section 811, including nec-
13 essary administrative expenses;

14 (5) the Secretary shall separately track all spe-
15 cial purpose vouchers funded under this heading, in-
16 cluding the renewal, from amounts provided under
17 paragraph (1) under this heading, of HUD-VASH
18 vouchers, funded under this heading in prior Acts to
19 address veterans' homelessness, of no less than
20 \$577,000,000;

21 (6) \$7,000,000 shall be for renewal grants, in-
22 cluding rental assistance and associated administra-
23 tive fees for Tribal HUD-VA Supportive Housing to
24 serve Native American veterans that are homeless or
25 at-risk of homelessness living on or near a reserva-

1 tion or Indian areas: *Provided*, That such amount
2 shall be made available for renewal grants to the re-
3 cipients that received assistance under the rental as-
4 sistance and supportive housing demonstration pro-
5 gram for Native American veterans authorized under
6 the heading “Tenant-Based Rental Assistance” in
7 title II of division K of the Consolidated and Fur-
8 ther Continuing Appropriations Act, 2015 (Public
9 Law 113–235, 128 Stat. 2733): *Provided further*,
10 That the Secretary shall be authorized to specify cri-
11 teria for renewal grants, including data on the utili-
12 zation of assistance reported by grant recipients
13 under the demonstration program: *Provided further*,
14 That renewal grants under this paragraph shall be
15 administered by block grant recipients in accordance
16 with program requirements under the Native Amer-
17 ican Housing Assistance and Self-Determination Act
18 of 1996: *Provided further*, That assistance under
19 this paragraph shall be modeled after, with nec-
20 essary and appropriate adjustments for Native
21 American grant recipients and veterans, the rental
22 assistance and supportive housing program known
23 as HUD–VASH program, including administration
24 in conjunction with the Department of Veterans Af-
25 fairs and overall implementation of section 8(o)(19)

1 of the United States Housing Act of 1937: *Provided*
2 *further*, That the Secretary of Housing and Urban
3 Development may waive, or specify alternative re-
4 quirements for any provision of any statute or regu-
5 lation that the Secretary administers in connection
6 with the use of funds made available under this
7 paragraph (except requirements related to fair hous-
8 ing, nondiscrimination, labor standards, and the en-
9 vironment), upon a finding by the Secretary that
10 any such waiver or alternative requirements are nec-
11 essary for the effective delivery and administration
12 of such assistance: *Provided further*, That grant re-
13 cipients shall report to the Secretary on utilization
14 of such rental assistance and other program data, as
15 prescribed by the Secretary and;

16 (7) \$10,000,000 shall be available to support
17 modernization of public housing agency (PHA) in-
18 formation technology systems with respect to admin-
19 istration of program data and funding provided
20 under this heading, including related expenses; Pro-
21 vided, That the Secretary may transfer up to
22 \$10,000,000 of the amounts provided under this
23 paragraph to the “Public Housing Capital Fund”
24 heading under this title to support modernization of
25 PHA information technology systems with respect to

1 administration of program data and funding under
2 such heading, including related expenses.

3 HOUSING CERTIFICATE FUND

4 (INCLUDING RESCISSIONS)

5 Unobligated balances, including recaptures and car-
6 ryover, remaining from funds appropriated to the Depart-
7 ment of Housing and Urban Development under this
8 heading, the heading “Annual Contributions for Assisted
9 Housing” and the heading “Project-Based Rental Assist-
10 ance”, for fiscal year 2018 and prior years may be used
11 for renewal of or amendments to section 8 project-based
12 contracts and for performance-based contract administra-
13 tors, notwithstanding the purposes for which such funds
14 were appropriated: *Provided*, That any obligated balances
15 of contract authority from fiscal year 1974 and prior that
16 have been terminated shall be rescinded: *Provided further*,
17 That amounts heretofore recaptured, or recaptured during
18 the current fiscal year, from section 8 project-based con-
19 tracts from source years fiscal year 1975 through fiscal
20 year 1987 are hereby rescinded, and an amount of addi-
21 tional new budget authority, equivalent to the amount re-
22 scinded is hereby appropriated, to remain available until
23 expended, for the purposes set forth under this heading,
24 in addition to amounts otherwise available.

1 PUBLIC HOUSING CAPITAL FUND

2 For the Public Housing Capital Fund Program to
3 carry out capital and management activities for public
4 housing agencies, as authorized under section 9 of the
5 United States Housing Act of 1937 (42 U.S.C. 1437g)
6 (the “Act”) \$1,850,000,000 (increased by \$2,000,000), to
7 remain available until September 30, 2021: *Provided*,
8 That notwithstanding any other provision of law or regula-
9 tion, during fiscal year 2018, the Secretary of Housing
10 and Urban Development may not delegate to any Depart-
11 ment official other than the Deputy Secretary and the As-
12 sistant Secretary for Public and Indian Housing any au-
13 thority under paragraph (2) of section 9(j) regarding the
14 extension of the time periods under such section: *Provided*
15 *further*, That for purposes of such section 9(j), the term
16 “obligate” means, with respect to amounts, that the
17 amounts are subject to a binding agreement that will re-
18 sult in outlays, immediately or in the future: *Provided fur-*
19 *ther*, That up to \$8,300,000 shall be to support ongoing
20 public housing financial and physical assessment activities:
21 *Provided further*, That up to \$1,000,000 shall be to sup-
22 port the costs of administrative and judicial receiverships:
23 *Provided further*, That of the total amount provided under
24 this heading, not to exceed \$20,000,000 shall be available
25 for the Secretary to make grants, notwithstanding section

1 203 of this Act, to public housing agencies for emergency
2 capital needs including safety and security measures nec-
3 essary to address crime and drug-related activity as well
4 as needs resulting from unforeseen or unpreventable emer-
5 gencies and natural disasters excluding Presidentially de-
6 clared emergencies and natural disasters under the Robert
7 T. Stafford Disaster Relief and Emergency Act (42 U.S.C.
8 5121 et seq.) occurring in fiscal year 2018: *Provided fur-*
9 *ther*, That of the amount made available under the pre-
10 vious proviso, not less than \$5,000,000 shall be for safety
11 and security measures: *Provided further*, That of the total
12 amount provided under this heading \$35,000,000 shall be
13 for supportive services, service coordinator and congregate
14 services as authorized by section 34 of the Act (42 U.S.C.
15 1437z-6) and the Native American Housing Assistance
16 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
17 seq.): *Provided further*, That of the total amount made
18 available under this heading, up to \$15,000,000 shall be
19 for a Jobs-Plus initiative modeled after the Jobs-Plus
20 demonstration: *Provided further*, That funding provided
21 under the previous proviso shall be available for competi-
22 tive grants to partnerships between public housing au-
23 thorities, local workforce investment boards established
24 under section 117 of the Workforce Investment Act of
25 1998, and other agencies and organizations that provide

1 support to help public housing residents obtain employ-
2 ment and increase earnings: *Provided further*, That appli-
3 cants must demonstrate the ability to provide services to
4 residents, partner with workforce investment boards, and
5 leverage service dollars: *Provided further*, That the Sec-
6 retary may allow public housing agencies to request ex-
7 emptions from rent and income limitation requirements
8 under sections 3 and 6 of the United States Housing Act
9 of 1937 as necessary to implement the Jobs-Plus program,
10 on such terms and conditions as the Secretary may ap-
11 prove upon a finding by the Secretary that any such waiv-
12 ers or alternative requirements are necessary for the effec-
13 tive implementation of the Jobs-Plus initiative as a vol-
14 untary program for residents: *Provided further*, That the
15 Secretary shall publish by notice in the Federal Register
16 any waivers or alternative requirements pursuant to the
17 preceding proviso no later than 10 days before the effec-
18 tive date of such notice: *Provided further*, That for funds
19 provided under this heading, the limitation in section
20 9(g)(1) of the Act shall be 25 percent: *Provided further*,
21 That the Secretary may waive the limitation in the pre-
22 vious proviso to allow public housing agencies to fund ac-
23 tivities authorized under section 9(e)(1)(C) of the Act:
24 *Provided further*, That the Secretary shall notify public
25 housing agencies requesting waivers under the previous

1 proviso if the request is approved or denied within 14 days
2 of submitting the request: *Provided further*, That from the
3 funds made available under this heading, the Secretary
4 shall provide bonus awards in fiscal year 2018 to public
5 housing agencies that are designated high performers:
6 *Provided further*, That the Department shall notify public
7 housing agencies of their formula allocation within 60
8 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 author-
12 ized by section 9(e) of the United States Housing Act of
13 1937 (42 U.S.C. 1437g(e)), \$4,400,000,000 (reduced by
14 \$10,000,000), to remain available until September 30,
15 2019.

16 CHOICE NEIGHBORHOODS INITIATIVE

17 For competitive grants under the Choice Neighbor-
18 hoods Initiative (subject to section 24 of the United States
19 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
20 specified under this heading), for transformation, rehabili-
21 tation, and replacement housing needs of both public and
22 HUD-assisted housing and to transform neighborhoods of
23 poverty into functioning, sustainable mixed income neigh-
24 borhoods with appropriate services, schools, public assets,
25 transportation and access to jobs, \$20,000,000, to remain

1 available until September 30, 2020: *Provided*, That grant
2 funds may be used for resident and community services,
3 community development, and affordable housing needs in
4 the community, and for conversion of vacant or foreclosed
5 properties to affordable housing: *Provided further*, That
6 the use of funds made available under this heading shall
7 not be deemed to be public housing notwithstanding sec-
8 tion 3(b)(1) of such Act: *Provided further*, That grantees
9 shall commit to an additional period of affordability deter-
10 mined by the Secretary of not fewer than 20 years: *Pro-*
11 *vided further*, That grantees shall provide a match in
12 State, local, other Federal or private funds: *Provided fur-*
13 *ther*, That grantees may include local governments, tribal
14 entities, public housing authorities, and nonprofits: *Pro-*
15 *vided further*, That for-profit developers may apply jointly
16 with a public entity: *Provided further*, That for purposes
17 of environmental review, a grantee shall be treated as a
18 public housing agency under section 26 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437x), and
20 grants under this heading shall be subject to the regula-
21 tions issued by the Secretary to implement such section:
22 *Provided further*, That of the amount provided, not less
23 than \$10,000,000 shall be awarded to public housing
24 agencies: *Provided further*, That such grantees shall create
25 partnerships with other local organizations including as-

1 sisted housing owners, service agencies, and resident orga-
2 nizations: *Provided further*, That the Secretary shall con-
3 sult with the Secretaries of Education, Labor, Transpor-
4 tation, Health and Human Services, Agriculture, and
5 Commerce, the Attorney General, and the Administrator
6 of the Environmental Protection Agency to coordinate and
7 leverage other appropriate Federal resources: *Provided*
8 *further*, That no more than \$1,000,000 of funds made
9 available under this heading may be provided as grants
10 to undertake comprehensive local planning with input
11 from residents and the community: *Provided further*, That
12 unobligated balances, including recaptures, remaining
13 from funds appropriated under the heading “Revitaliza-
14 tion of Severely Distressed Public Housing (HOPE VI)”
15 in fiscal year 2011 and prior fiscal years may be used for
16 purposes under this heading, notwithstanding the pur-
17 poses for which such amounts were appropriated.

18 **FAMILY SELF-SUFFICIENCY**

19 For the Family Self-Sufficiency program to support
20 family self-sufficiency coordinators under section 23 of the
21 United States Housing Act of 1937, to promote the devel-
22 opment of local strategies to coordinate the use of assist-
23 ance under sections 8(o) and 9 of such Act with public
24 and private resources, and enable eligible families to
25 achieve economic independence and self-sufficiency,

1 \$75,000,000, to remain available until September 30,
2 2019: *Provided*, That the Secretary may, by Federal Reg-
3 ister notice, waive or specify alternative requirements
4 under sections b(3), b(4), b(5), or c(1) of section 23 of
5 such Act in order to facilitate the operation of a unified
6 self-sufficiency program for individuals receiving assist-
7 ance under different provisions of the Act, as determined
8 by the Secretary: *Provided further*, That owners of a pri-
9 vately owned multifamily property with a section 8 con-
10 tract may voluntarily make a Family Self-Sufficiency pro-
11 gram available to the assisted tenants of such property
12 in accordance with procedures established by the Sec-
13 retary: *Provided further*, That such procedures established
14 pursuant to the previous proviso shall permit participating
15 tenants to accrue escrow funds in accordance with section
16 23(d)(2) and shall allow owners to use funding from resid-
17 ual receipt accounts to hire coordinators for their own
18 Family Self-Sufficiency program.

19 NATIVE AMERICAN HOUSING BLOCK GRANTS

20 For the Native American Housing Block Grants pro-
21 gram, as authorized under title I of the Native American
22 Housing Assistance and Self-Determination Act of 1996
23 (NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to
24 remain available until September 30, 2022: *Provided*,
25 That, notwithstanding NAHASDA, to determine the

1 amount of the allocation under title I of such Act for each
2 Indian tribe, the Secretary shall apply the formula under
3 section 302 of such Act with the need component based
4 on single-race census data and with the need component
5 based on multi-race census data, and the amount of the
6 allocation for each Indian tribe shall be the greater of the
7 two resulting allocation amounts: *Provided further*, That
8 of the amounts made available under this heading,
9 \$3,500,000 shall be contracted for assistance for national
10 or regional organizations representing Native American
11 housing interests for providing training and technical as-
12 sistance to Indian housing authorities and tribally des-
13 igned housing entities as authorized under NAHASDA:
14 *Provided further*, That of the funds made available under
15 the previous proviso, not less than \$2,000,000 shall be
16 made available for a national organization as authorized
17 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*
18 *vided further*, That of the amounts made available under
19 this heading, \$3,500,000 shall be to support the inspection
20 of Indian housing units, contract expertise, training, and
21 technical assistance related to funding provided under this
22 heading and other headings under this Act for the needs
23 of Native American families and Indian country: *Provided*
24 *further*, That of the amount provided under this heading,
25 \$2,000,000 shall be made available for the cost of guaran-

1 teed notes and other obligations, as authorized by title VI
2 of NAHASDA: *Provided further*, That such costs, includ-
3 ing the costs of modifying such notes and other obliga-
4 tions, shall be as defined in section 502 of the Congres-
5 sional Budget Act of 1974, as amended: *Provided further*,
6 That these funds are available to subsidize the total prin-
7 cipal amount of any notes and other obligations, any part
8 of which is to be guaranteed, not to exceed \$17,391,304:
9 *Provided further*, That the Department will notify grantees
10 of their formula allocation within 60 days of the date of
11 enactment of this Act: *Provided further*, That notwith-
12 standing section 302(d) of NAHASDA, if on the date of
13 enactment of this Act, a recipient's total amount of
14 undisbursed block grant funds in the Department's line
15 of credit control system is greater than the sum of its prior
16 3 years' initial formula allocation calculations, the Sec-
17 retary shall adjust that recipient's formula allocation that
18 it would otherwise receive down by the difference between
19 its total amount of undisbursed block grant funds in the
20 Department's line of credit control system on the date of
21 enactment of this Act, and the sum of its prior 3 years'
22 initial formula allocation calculations: *Provided further*,
23 That grant amounts not allocated to a recipient pursuant
24 to the previous proviso shall be allocated under the need
25 component of the formula proportionately among all other

1 Indian tribes not subject to an adjustment under such pro-
2 viso: *Provided further*, That the second proviso shall not
3 apply to any Indian tribe that would otherwise receive a
4 formula allocation of less than \$5,000,000: *Provided fur-*
5 *ther*, That to take effect, the three previous provisos do
6 not require issuance or amendment of any regulation, shall
7 not be subject to a formula challenge by an Indian tribe,
8 and shall not be construed to confer hearing rights under
9 any section of NAHASDA or its implementing regula-
10 tions.

11 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

12 ACCOUNT

13 For the cost of guaranteed loans, as authorized by
14 section 184 of the Housing and Community Development
15 Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to re-
16 main available until expended: *Provided*, That such costs,
17 including the costs of modifying such loans, shall be as
18 defined in section 502 of the Congressional Budget Act
19 of 1974: *Provided further*, That these funds are available
20 to subsidize total loan principal, any part of which is to
21 be guaranteed, up to \$1,486,486,486, to remain available
22 until expended: *Provided further*, That up to \$750,000 of
23 this amount may be for administrative contract expenses
24 including management processes and systems to carry out
25 the loan guarantee program: *Provided further*, That an ad-

1 ditional \$1,727,000 shall be available until expended for
2 such costs of guaranteed loans authorized under such sec-
3 tion 184 issued to tribes and Indian housing authorities
4 for the construction of rental housing for law enforcement,
5 healthcare, educational, technical and other skilled work-
6 ers: *Provided further*, That the funds specified in the pre-
7 vious proviso are available to subsidize total loan principal,
8 any part of which is to be guaranteed, up to \$466,756,757
9 to remain available until expended: *Provided further*, That
10 the Secretary may specify any additional program require-
11 ments with respect to the previous two provisos through
12 publication of a Mortgagee Letter or Notice.

13 COMMUNITY PLANNING AND DEVELOPMENT

14 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

15 For carrying out the Housing Opportunities for Per-
16 sons with AIDS program, as authorized by the AIDS
17 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
18 \$356,000,000 (increased by \$19,000,000), to remain
19 available until September 30, 2019, except that amounts
20 allocated pursuant to section 854(c)(5) of such Act shall
21 remain available until September 30, 2020: *Provided*,
22 That the Secretary shall renew all expiring contracts for
23 permanent supportive housing that initially were funded
24 under section 854(c)(5) of such Act from funds made
25 available under this heading in fiscal year 2010 and prior

1 fiscal years that meet all program requirements before
2 awarding funds for new contracts under such section: *Pro-*
3 *vided further*, That the Department shall notify grantees
4 of their formula allocation within 60 days of enactment
5 of this Act.

6 COMMUNITY DEVELOPMENT FUND

7 For assistance to units of State and local govern-
8 ment, and to other entities, for economic and community
9 development activities, and for other purposes,
10 \$2,960,000,000 (increased by \$10,000,000) (increased by
11 \$100,000,000), to remain available until September 30,
12 2020, unless otherwise specified: *Provided*, That of the
13 total amount provided, \$2,900,000,000 (increased by
14 \$10,000,000) (increased by \$100,000,000) (reduced by
15 \$1,000,000) (increased by \$1,000,000) is for carrying out
16 the community development block grant program under
17 title I of the Housing and Community Development Act
18 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
19 et seq.): *Provided further*, That unless explicitly provided
20 for under this heading, not to exceed 20 percent of any
21 grant made with funds appropriated under this heading
22 shall be expended for planning and management develop-
23 ment and administration: *Provided further*, That a metro-
24 politan city, urban county, unit of general local govern-
25 ment, or Indian tribe, or insular area that directly or indi-

1 rectly receives funds under this heading may not sell,
2 trade, or otherwise transfer all or any portion of such
3 funds to another such entity in exchange for any other
4 funds, credits or non-Federal considerations, but must use
5 such funds for activities eligible under title I of the Act:
6 *Provided further*, That notwithstanding section 105(e)(1)
7 of the Act, no funds provided under this heading may be
8 provided to a for-profit entity for an economic develop-
9 ment project under section 105(a)(17) unless such project
10 has been evaluated and selected in accordance with guide-
11 lines required under subparagraph (e)(2): *Provided fur-*
12 *ther*, That the Department shall notify grantees of their
13 formula allocation within 60 days of enactment of this Act:
14 *Provided further*, That of the total amount provided under
15 this heading \$60,000,000 shall be for grants to Indian
16 tribes notwithstanding section 106(a)(1) of such Act, of
17 which, notwithstanding any other provision of law (includ-
18 ing section 203 of this Act), up to \$4,000,000 may be
19 used for emergencies that constitute imminent threats to
20 health and safety.

21 COMMUNITY DEVELOPMENT LOAN GUARANTEES

22 PROGRAM ACCOUNT

23 Subject to section 502 of the Congressional Budget
24 Act of 1974, during fiscal year 2018, commitments to
25 guarantee loans under section 108 of the Housing and

1 Community Development Act of 1974 (42 U.S.C. 5308),
2 any part of which is guaranteed, shall not exceed a total
3 principal amount of \$300,000,000, notwithstanding any
4 aggregate limitation on outstanding obligations guaran-
5 teed in subsection (k) of such section 108: *Provided*, That
6 the Secretary shall collect fees from borrowers, notwith-
7 standing subsection (m) of such section 108, to result in
8 a credit subsidy cost of zero for guaranteeing such loans,
9 and any such fees shall be collected in accordance with
10 section 502(7) of the Congressional Budget Act of 1974.

11 HOME INVESTMENT PARTNERSHIPS PROGRAM

12 For the HOME Investment Partnerships program, as
13 authorized under title II of the Cranston-Gonzalez Na-
14 tional Affordable Housing Act, as amended,
15 \$850,000,000, to remain available until September 30,
16 2021: *Provided*, That notwithstanding the amount made
17 available under this heading, the threshold reduction re-
18 quirements in sections 216(10) and 217(b)(4) of such Act
19 shall not apply to allocations of such amount: *Provided*
20 *further*, That the requirements under provisos 2 through
21 6 under this heading for fiscal year 2012 and such re-
22 quirements applicable pursuant to the “Full-Year Con-
23 tinuing Appropriations Act, 2013”, shall not apply to any
24 project to which funds were committed on or after August
25 23, 2013, but such projects shall instead be governed by

1 the Final Rule titled “Home Investment Partnerships
2 Program; Improving Performance and Accountability; Up-
3 dating Property Standards” which became effective on
4 such date: *Provided further*, That the Department shall
5 notify grantees of their formula allocation within 60 days
6 of enactment of this Act.

7 SELF-HELP AND ASSISTED HOMEOWNERSHIP

8 OPPORTUNITY PROGRAM

9 For the Self-Help and Assisted Homeownership Op-
10 portunity Program, as authorized under section 11 of the
11 Housing Opportunity Program Extension Act of 1996, as
12 amended, \$45,000,000 (increased by \$5,000,000), to re-
13 main available until September 30, 2020: *Provided*, That
14 of the total amount provided under this heading,
15 \$10,000,000 shall be made available to the Self-Help and
16 Assisted Homeownership Opportunity Program as author-
17 ized under section 11 of the Housing Opportunity Pro-
18 gram Extension Act of 1996, as amended: *Provided fur-*
19 *ther*, That of the total amount provided under this head-
20 ing, \$30,000,000 (increased by \$5,000,000) shall be made
21 available for the second, third, and fourth capacity build-
22 ing activities authorized under section 4(a) of the HUD
23 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
24 which not less than \$5,000,000 shall be made available
25 for rural capacity building activities: *Provided further*,

1 That of the total amount provided under this heading,
2 \$5,000,000 shall be made available for capacity building
3 by national rural housing organizations with experience
4 assessing national rural conditions and providing financ-
5 ing, training, technical assistance, information, and re-
6 search to local nonprofits, local governments and Indian
7 Tribes serving high need rural communities.

8 HOMELESS ASSISTANCE GRANTS

9 For the Emergency Solutions Grants program as au-
10 thorized under subtitle B of title IV of the McKinney-
11 Vento Homeless Assistance Act, as amended; the Con-
12 tinuum of Care program as authorized under subtitle C
13 of title IV of such Act; and the Rural Housing Stability
14 Assistance program as authorized under subtitle D of title
15 IV of such Act, \$2,383,000,000, to remain available until
16 September 30, 2020: *Provided*, That any rental assistance
17 amounts that are recaptured under such Continuum of
18 Care program shall remain available until expended: *Pro-*
19 *vided further*, That not less than \$270,000,000 of the
20 funds appropriated under this heading shall be available
21 for such Emergency Solutions Grants program: *Provided*
22 *further*, That not less than \$2,106,000,000 of the funds
23 appropriated under this heading shall be available for such
24 Continuum of Care and Rural Housing Stability Assist-
25 ance programs: *Provided further*, That up to \$7,000,000

1 of the funds appropriated under this heading shall be
2 available for the national homeless data analysis project:
3 *Provided further*, That all funds awarded for supportive
4 services under the Continuum of Care program and the
5 Rural Housing Stability Assistance program shall be
6 matched by not less than 25 percent in cash or in kind
7 by each grantee: *Provided further*, That for all match re-
8 quirements applicable to funds made available under this
9 heading for this fiscal year and prior years, a grantee may
10 use (or could have used) as a source of match funds other
11 funds administered by the Secretary and other Federal
12 agencies unless there is (or was) a specific statutory prohi-
13 bition on any such use of any such funds: *Provided further*,
14 That the Secretary shall collect system performance meas-
15 ures for each continuum of care, and that relative to fiscal
16 year 2015, under the Continuum of Care competition with
17 respect to funds made available under this heading, the
18 Secretary shall base an increasing share of the score on
19 performance criteria: *Provided further*, That none of the
20 funds provided under this heading shall be available to
21 provide funding for new projects, except for projects cre-
22 ated through reallocation, unless the Secretary determines
23 that the continuum of care has demonstrated that projects
24 are evaluated and ranked based on the degree to which
25 they improve the continuum of care's system performance:

1 *Provided further*, That the Secretary shall prioritize fund-
2 ing under the Continuum of Care program to continuums
3 of care that have demonstrated a capacity to reallocate
4 funding from lower performing projects to higher per-
5 forming projects: *Provided further*, That all awards of as-
6 sistance under this heading shall be required to coordinate
7 and integrate homeless programs with other mainstream
8 health, social services, and employment programs for
9 which homeless populations may be eligible: *Provided fur-*
10 *ther*, That any unobligated amounts remaining from funds
11 appropriated under this heading in fiscal year 2012 and
12 prior years for project-based rental assistance for rehabili-
13 tation projects with 10-year grant terms may be used for
14 purposes under this heading, notwithstanding the pur-
15 poses for which such funds were appropriated: *Provided*
16 *further*, That all balances for Shelter Plus Care renewals
17 previously funded from the Shelter Plus Care Renewal ac-
18 count and transferred to this account shall be available,
19 if recaptured, for Continuum of Care renewals in fiscal
20 year 2018: *Provided further*, That the Department shall
21 notify grantees of their formula allocation from amounts
22 allocated (which may represent initial or final amounts al-
23 located) for the Emergency Solutions Grant program with-
24 in 60 days of enactment of this Act: *Provided further*, That
25 youth aged 24 and under seeking assistance under this

1 heading shall not be required to provide third party docu-
2 mentation to establish their eligibility under 42 U.S.C.
3 11302(a) or (b) to receive services: *Provided further*, That
4 unaccompanied youth aged 24 and under or families head-
5 ed by youth aged 24 and under who are living in unsafe
6 situations may be served by youth-serving providers fund-
7 ed under this heading.

8 HOUSING PROGRAMS

9 PROJECT-BASED RENTAL ASSISTANCE

10 For activities and assistance for the provision of
11 project-based subsidy contracts under the United States
12 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
13 Act”), not otherwise provided for, \$10,682,000,000, to re-
14 main available until expended, shall be available on Octo-
15 ber 1, 2017 (in addition to the \$400,000,000 previously
16 appropriated under this heading that became available Oc-
17 tober 1, 2017), and \$400,000,000, to remain available
18 until expended, shall be available on October 1, 2018: *Pro-*
19 *vided*, That the amounts made available under this head-
20 ing shall be available for expiring or terminating section
21 8 project-based subsidy contracts (including section 8
22 moderate rehabilitation contracts), for amendments to sec-
23 tion 8 project-based subsidy contracts (including section
24 8 moderate rehabilitation contracts), for contracts entered
25 into pursuant to section 441 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11401), for renewal
2 of section 8 contracts for units in projects that are subject
3 to approved plans of action under the Emergency Low In-
4 come Housing Preservation Act of 1987 or the Low-In-
5 come Housing Preservation and Resident Homeownership
6 Act of 1990, and for administrative and other expenses
7 associated with project-based activities and assistance
8 funded under this paragraph: *Provided further*, That
9 amounts recaptured under this heading, the heading “An-
10 nual Contributions for Assisted Housing”, or the heading
11 “Housing Certificate Fund”, may be used for renewals of
12 or amendments to section 8 project-based contracts, not-
13 withstanding the purposes for which such amounts were
14 appropriated: *Provided further*, That, notwithstanding any
15 other provision of law, upon the request of the Secretary
16 of Housing and Urban Development, project funds that
17 are held in residual receipts accounts for any project sub-
18 ject to a section 8 project-based Housing Assistance Pay-
19 ments contract that authorizes HUD or a Housing Fi-
20 nance Agency to require that surplus project funds be de-
21 posited in an interest-bearing residual receipts account
22 and that are in excess of an amount to be determined by
23 the Secretary, shall be remitted to the Department and
24 deposited in this account, to be available until expended:
25 *Provided further*, That amounts deposited pursuant to the

1 previous proviso shall be available in addition to the
2 amount otherwise provided by this heading for uses au-
3 thorized under this heading.

4 HOUSING FOR THE ELDERLY

5 For amendments to capital advance contracts, for
6 housing for the elderly, as authorized by section 202 of
7 the Housing Act of 1959, as amended, and for project
8 rental assistance for the elderly under section 202(e)(2)
9 of such Act, including amendments to contracts for such
10 assistance and renewal of expiring contracts for such as-
11 sistance for up to a 1-year term, and for senior preserva-
12 tion rental assistance contracts, including renewals, as au-
13 thorized by section 811(e) of the American Housing and
14 Economic Opportunity Act of 2000, as amended, and for
15 supportive services associated with the housing,
16 \$573,000,000 (increased by \$2,500,000) to remain avail-
17 able until September 30, 2021: *Provided*, That of the
18 amount provided under this heading, up to \$90,000,000
19 shall be for service coordinators and the continuation of
20 existing congregate service grants for residents of assisted
21 housing projects: *Provided further*, That amounts under
22 this heading shall be available for Real Estate Assessment
23 Center inspections and inspection-related activities associ-
24 ated with section 202 projects: *Provided further*, That the
25 Secretary may waive the provisions of section 202 gov-

1 erving the terms and conditions of project rental assist-
2 ance, except that the initial contract term for such assist-
3 ance shall not exceed 5 years in duration: *Provided further*,
4 That upon request of the Secretary of Housing and Urban
5 Development, project funds that are held in residual re-
6 ceipts accounts for any project subject to a section 202
7 project rental assistance contract, and that upon termi-
8 nation of such contract are in excess of an amount to be
9 determined by the Secretary, shall be remitted to the De-
10 partment and deposited in this account, to be available
11 until September 30, 2021: *Provided further*, That amounts
12 deposited in this account pursuant to the previous proviso
13 shall be available, in addition to the amounts otherwise
14 provided by this heading, for amendments and renewals:
15 *Provided further*, That unobligated balances, including re-
16 captures and carryover, remaining from funds transferred
17 to or appropriated under this heading shall be available
18 for amendments and renewals notwithstanding the pur-
19 poses for which such funds originally were appropriated.

20 HOUSING FOR PERSONS WITH DISABILITIES

21 For amendments to capital advance contracts for
22 supportive housing for persons with disabilities, as author-
23 ized by section 811 of the Cranston-Gonzalez National Af-
24 fordable Housing Act (42 U.S.C. 8013), as amended, and
25 for project rental assistance for supportive housing for

1 persons with disabilities under section 811(d)(2) of such
2 Act and for project assistance contracts pursuant to sec-
3 tion 202(h) of the Housing Act of 1959 (Public Law 86-
4 372; 73 Stat. 667), including amendments to contracts for
5 such assistance and renewal of expiring contracts for such
6 assistance for up to a 1-year term, for project rental as-
7 sistance to State housing finance agencies and other ap-
8 propriate entities as authorized under section 811(b)(3)
9 of the Cranston-Gonzalez National Housing Act, and for
10 supportive services associated with the housing for persons
11 with disabilities as authorized by section 811(b)(1) of such
12 Act, \$147,000,000, to remain available until September
13 30, 2021: *Provided*, That amounts made available under
14 this heading shall be available for Real Estate Assessment
15 Center inspections and inspection-related activities associ-
16 ated with section 811 projects: *Provided further*, That, in
17 this fiscal year, upon the request of the Secretary of Hous-
18 ing and Urban Development, project funds that are held
19 in residual receipts accounts for any project subject to a
20 section 811 project rental assistance contract and that
21 upon termination of such contract are in excess of an
22 amount to be determined by the Secretary shall be remit-
23 ted to the Department and deposited in this account, to
24 be available until September 30, 2021: *Provided further*,
25 That amounts deposited in this account pursuant to the

1 previous proviso shall be available in addition to the
2 amounts otherwise provided by this heading for amend-
3 ments and renewals: *Provided further*, That unobligated
4 balances, including recaptures and carryover, remaining
5 from funds transferred to or appropriated under this
6 heading shall be used for amendments and renewals not-
7 withstanding the purposes for which such funds originally
8 were appropriated.

9 HOUSING COUNSELING ASSISTANCE

10 For contracts, grants, and other assistance excluding
11 loans, as authorized under section 106 of the Housing and
12 Urban Development Act of 1968, as amended,
13 \$50,000,000, to remain available until September 30,
14 2019, including up to \$4,500,000 for administrative con-
15 tract services: *Provided*, That grants made available from
16 amounts provided under this heading shall be awarded
17 within 180 days of enactment of this Act: *Provided further*,
18 That funds shall be used for providing counseling and ad-
19 vice to tenants and homeowners, both current and pro-
20 spective, with respect to property maintenance, financial
21 management/literacy, and such other matters as may be
22 appropriate to assist them in improving their housing con-
23 ditions, meeting their financial needs, and fulfilling the re-
24 sponsibilities of tenancy or homeownership; for program
25 administration; and for housing counselor training: *Pro-*

1 *vided further*, That for purposes of providing such grants
2 from amounts provided under this heading, the Secretary
3 may enter into multiyear agreements as appropriate, sub-
4 ject to the availability of annual appropriations.

5 RENTAL HOUSING ASSISTANCE

6 For amendments to contracts under section 101 of
7 the Housing and Urban Development Act of 1965 (12
8 U.S.C. 1701s) and section 236(f)(2) of the National
9 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
10 insured rental housing projects, \$14,000,000, to remain
11 available until expended: *Provided*, That such amount, to-
12 gether with unobligated balances from recaptured
13 amounts appropriated prior to fiscal year 2006 from ter-
14 minated contracts under such sections of law, and any un-
15 obligated balances, including recaptures and carryover, re-
16 maining from funds appropriated under this heading after
17 fiscal year 2005, shall also be available for extensions of
18 up to one year for expiring contracts under such sections
19 of law.

20 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

21 FUND

22 For necessary expenses as authorized by the National
23 Manufactured Housing Construction and Safety Stand-
24 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
25 \$11,000,000, to remain available until expended, of which

1 \$11,000,000 is to be derived from the Manufactured
2 Housing Fees Trust Fund: *Provided*, That not to exceed
3 the total amount appropriated under this heading shall be
4 available from the general fund of the Treasury to the ex-
5 tent necessary to incur obligations and make expenditures
6 pending the receipt of collections to the Fund pursuant
7 to section 620 of such Act: *Provided further*, That the
8 amount made available under this heading from the gen-
9 eral fund shall be reduced as such collections are received
10 during fiscal year 2018 so as to result in a final fiscal
11 year 2018 appropriation from the general fund estimated
12 at zero, and fees pursuant to such section 620 shall be
13 modified as necessary to ensure such a final fiscal year
14 2018 appropriation: *Provided further*, That for the dispute
15 resolution and installation programs, the Secretary of
16 Housing and Urban Development may assess and collect
17 fees from any program participant: *Provided further*, That
18 such collections shall be deposited into the Fund, and the
19 Secretary, as provided herein, may use such collections,
20 as well as fees collected under section 620, for necessary
21 expenses of such Act: *Provided further*, That, notwith-
22 standing the requirements of section 620 of such Act, the
23 Secretary may carry out responsibilities of the Secretary
24 under such Act through the use of approved service pro-

1 viders that are paid directly by the recipients of their serv-
2 ices.

3 FEDERAL HOUSING ADMINISTRATION

4 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

5 New commitments to guarantee single family loans
6 insured under the Mutual Mortgage Insurance Fund shall
7 not exceed \$400,000,000,000, to remain available until
8 September 30, 2019: *Provided*, That during fiscal year
9 2018, obligations to make direct loans to carry out the
10 purposes of section 204(g) of the National Housing Act,
11 as amended, shall not exceed \$5,000,000: *Provided fur-*
12 *ther*, That the foregoing amount in the previous proviso
13 shall be for loans to nonprofit and governmental entities
14 in connection with sales of single family real properties
15 owned by the Secretary and formerly insured under the
16 Mutual Mortgage Insurance Fund: *Provided further*, That
17 for administrative contract expenses of the Federal Hous-
18 ing Administration, \$135,000,000 (reduced by
19 \$5,000,000), to remain available until September 30,
20 2019: *Provided further*, That to the extent guaranteed
21 loan commitments exceed \$200,000,000,000 on or before
22 April 1, 2018, an additional \$1,400 for administrative
23 contract expenses shall be available for each \$1,000,000
24 in additional guaranteed loan commitments (including a
25 pro rata amount for any amount below \$1,000,000), but

1 in no case shall funds made available by this proviso ex-
2 ceed \$30,000,000: *Provided further*, That during fiscal
3 year 2018 the Secretary may insure and enter into new
4 commitments to insure mortgages under section 255 of
5 the National Housing Act only to the extent that the net
6 credit subsidy cost for such insurance does not exceed
7 zero.

8 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

9 New commitments to guarantee loans insured under
10 the General and Special Risk Insurance Funds, as author-
11 ized by sections 238 and 519 of the National Housing Act
12 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
13 \$30,000,000,000 in total loan principal, any part of which
14 is to be guaranteed, to remain available until September
15 30, 2019: *Provided*, That during fiscal year 2018, gross
16 obligations for the principal amount of direct loans, as au-
17 thorized by sections 204(g), 207(l), 238, and 519(a) of
18 the National Housing Act, shall not exceed \$5,000,000,
19 which shall be for loans to nonprofit and governmental en-
20 tities in connection with the sale of single family real prop-
21 erties owned by the Secretary and formerly insured under
22 such Act.

1 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
2 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
3 GUARANTEE PROGRAM ACCOUNT

4 New commitments to issue guarantees to carry out
5 the purposes of section 306 of the National Housing Act,
6 as amended (12 U.S.C. 1721(g)), shall not exceed
7 \$500,000,000,000, to remain available until September
8 30, 2019: *Provided*, That \$25,400,000 shall be available
9 for necessary salaries and expenses of the Office of Gov-
10 ernment National Mortgage Association: *Provided further*,
11 That to the extent that guaranteed loan commitments ex-
12 ceed \$155,000,000,000 on or before April 1, 2018, an ad-
13 ditional \$100 for necessary salaries and expenses shall be
14 available until expended for each \$1,000,000 in additional
15 guaranteed loan commitments (including a pro rata
16 amount for any amount below \$1,000,000), but in no case
17 shall funds made available by this proviso exceed
18 \$3,000,000: *Provided further*, That receipts from Commit-
19 ment and Multiclass fees collected pursuant to title III of
20 the National Housing Act, as amended, shall be credited
21 as offsetting collections to this account.

22 POLICY DEVELOPMENT AND RESEARCH
23 RESEARCH AND TECHNOLOGY

24 For contracts, grants, and necessary expenses of pro-
25 grams of research and studies relating to housing and

1 urban problems, not otherwise provided for, as authorized
2 by title V of the Housing and Urban Development Act
3 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
4 out the functions of the Secretary of Housing and Urban
5 Development under section 1(a)(1)(i) of Reorganization
6 Plan No. 2 of 1968, and for technical assistance,
7 \$85,000,000 (reduced by \$2,500,000), to remain available
8 until September 30, 2019: *Provided*, That with respect to
9 amounts made available under this heading, notwith-
10 standing section 203 of this title, the Secretary may enter
11 into cooperative agreements funded with philanthropic en-
12 tities, other Federal agencies, or State or local govern-
13 ments and their agencies for research projects: *Provided*
14 *further*, That with respect to the previous proviso, such
15 partners to the cooperative agreements must contribute at
16 least a 50 percent match toward the cost of the project:
17 *Provided further*, That for non-competitive agreements en-
18 tered into in accordance with the previous two provisos,
19 the Secretary of Housing and Urban Development shall
20 comply with section 2(b) of the Federal Funding Account-
21 ability and Transparency Act of 2006 (Public Law 109–
22 282, 31 U.S.C. note) in lieu of compliance with section
23 102(a)(4)(C) with respect to documentation of award deci-
24 sions: *Provided further*, That prior to obligation of tech-
25 nical assistance funding, the Secretary shall submit a

1 plan, for approval, to the House and Senate Committees
2 on Appropriations on how it will allocate funding for this
3 activity.

4 FAIR HOUSING AND EQUAL OPPORTUNITY

5 FAIR HOUSING ACTIVITIES

6 For contracts, grants, and other assistance, not oth-
7 erwise provided for, as authorized by title VIII of the Civil
8 Rights Act of 1968, as amended by the Fair Housing
9 Amendments Act of 1988, and section 561 of the Housing
10 and Community Development Act of 1987, as amended,
11 \$65,300,000 (reduced by \$28,375,000) (increased by
12 \$28,375,000), to remain available until September 30,
13 2019: *Provided*, That notwithstanding 31 U.S.C. 3302,
14 the Secretary may assess and collect fees to cover the costs
15 of the Fair Housing Training Academy, and may use such
16 funds to provide such training: *Provided further*, That no
17 funds made available under this heading shall be used to
18 lobby the executive or legislative branches of the Federal
19 Government in connection with a specific contract, grant,
20 or loan: *Provided further*, That of the funds made available
21 under this heading, \$300,000 shall be available to the Sec-
22 retary of Housing and Urban Development for the cre-
23 ation and promotion of translated materials and other pro-
24 grams that support the assistance of persons with limited

1 English proficiency in utilizing the services provided by
2 the Department of Housing and Urban Development.

3 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
4 HOMES
5 LEAD HAZARD REDUCTION

6 For the Lead Hazard Reduction Program, as author-
7 ized by section 1011 of the Residential Lead-Based Paint
8 Hazard Reduction Act of 1992, \$130,000,000, to remain
9 available until September 30, 2019, of which \$25,000,000
10 shall be for the Healthy Homes Initiative, pursuant to sec-
11 tions 501 and 502 of the Housing and Urban Develop-
12 ment Act of 1970, that shall include research, studies,
13 testing, and demonstration efforts, including education
14 and outreach concerning lead-based paint poisoning and
15 other housing-related diseases and hazards: *Provided*,
16 That for purposes of environmental review, pursuant to
17 the National Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.) and other provisions of the law that further
19 the purposes of such Act, a grant under the Healthy
20 Homes Initiative, or the Lead Technical Studies program
21 under this heading or under prior appropriations Acts for
22 such purposes under this heading, shall be considered to
23 be funds for a special project for purposes of section
24 305(e) of the Multifamily Housing Property Disposition
25 Reform Act of 1994: *Provided further*, That of the total

1 amount made available under this heading, \$50,000,000
2 shall be made available on a competitive basis for areas
3 with the highest lead-based paint abatement needs: *Pro-*
4 *vided further*, That each recipient of funds provided under
5 the previous proviso shall contribute an amount not less
6 than 25 percent of the total: *Provided further*, That each
7 applicant shall certify adequate capacity that is acceptable
8 to the Secretary to carry out the proposed use of funds
9 pursuant to a notice of funding availability: *Provided fur-*
10 *ther*, That amounts made available under this heading in
11 this or prior appropriations Acts, and that still remain
12 available, may be used for any purpose under this heading
13 notwithstanding the purpose for which such amounts were
14 appropriated if a program competition is undersubscribed
15 and there are other program competitions under this head-
16 ing that are oversubscribed.

17 INFORMATION TECHNOLOGY FUND

18 For the development of, modifications to, and infra-
19 structure for Department-wide and program-specific infor-
20 mation technology systems, for the continuing operation
21 and maintenance of both Department-wide and program-
22 specific information systems, and for program-related
23 maintenance activities, \$150,000,000 (reduced by
24 \$2,000,000) (reduced by \$19,000,000) (reduced by
25 \$100,000,000) shall remain available until September 30,

1 2019: *Provided*, That any amounts transferred to this
2 Fund under this Act shall remain available until expended:
3 *Provided further*, That any amounts transferred to this
4 Fund from amounts appropriated by previously enacted
5 appropriations Acts may be used for the purposes specified
6 under this Fund, in addition to any other information
7 technology purposes for which such amounts were appro-
8 priated.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary salaries and expenses of the Office of
11 Inspector General in carrying out the Inspector General
12 Act of 1978, as amended, \$128,082,000: *Provided*, That
13 the Inspector General shall have independent authority
14 over all personnel issues within this office.

15 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

16 URBAN DEVELOPMENT

17 (INCLUDING TRANSFER OF FUNDS)

18 (INCLUDING RESCISSION)

19 SEC. 201. Fifty percent of the amounts of budget au-
20 thority, or in lieu thereof 50 percent of the cash amounts
21 associated with such budget authority, that are recaptured
22 from projects described in section 1012(a) of the Stewart
23 B. McKinney Homeless Assistance Amendments Act of
24 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
25 case of cash, shall be remitted to the Treasury, and such

1 amounts of budget authority or cash recaptured and not
2 rescinded or remitted to the Treasury shall be used by
3 State housing finance agencies or local governments or
4 local housing agencies with projects approved by the Sec-
5 retary of Housing and Urban Development for which set-
6 tlement occurred after January 1, 1992, in accordance
7 with such section. Notwithstanding the previous sentence,
8 the Secretary may award up to 15 percent of the budget
9 authority or cash recaptured and not rescinded or remitted
10 to the Treasury to provide project owners with incentives
11 to refinance their project at a lower interest rate.

12 SEC. 202. None of the amounts made available under
13 this Act may be used during fiscal year 2018 to investigate
14 or prosecute under the Fair Housing Act any otherwise
15 lawful activity engaged in by one or more persons, includ-
16 ing the filing or maintaining of a nonfrivolous legal action,
17 that is engaged in solely for the purpose of achieving or
18 preventing action by a Government official or entity, or
19 a court of competent jurisdiction.

20 SEC. 203. Except as explicitly provided in law, any
21 grant, cooperative agreement or other assistance made
22 pursuant to title II of this Act shall be made on a competi-
23 tive basis and in accordance with section 102 of the De-
24 partment of Housing and Urban Development Reform Act
25 of 1989 (42 U.S.C. 3545).

1 SEC. 204. Funds of the Department of Housing and
2 Urban Development subject to the Government Corpora-
3 tion Control Act or section 402 of the Housing Act of
4 1950 shall be available, without regard to the limitations
5 on administrative expenses, for legal services on a contract
6 or fee basis, and for utilizing and making payment for
7 services and facilities of the Federal National Mortgage
8 Association, Government National Mortgage Association,
9 Federal Home Loan Mortgage Corporation, Federal Fi-
10 nancing Bank, Federal Reserve banks or any member
11 thereof, Federal Home Loan banks, and any insured bank
12 within the meaning of the Federal Deposit Insurance Cor-
13 poration Act, as amended (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
17 Development shall be available for any program, project
18 or activity in excess of amounts set forth in the budget
19 estimates submitted to Congress.

20 SEC. 206. Corporations and agencies of the Depart-
21 ment of Housing and Urban Development which are sub-
22 ject to the Government Corporation Control Act are here-
23 by authorized to make such expenditures, within the limits
24 of funds and borrowing authority available to each such
25 corporation 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 agen-
5 cy except as hereinafter provided: *Provided*, That collec-
6 tions of these corporations and agencies may be used for
7 new loan or mortgage purchase commitments only to the
8 extent expressly provided for in this Act (unless such loans
9 are in support of other forms of assistance provided for
10 in this or prior appropriations Acts), except that this pro-
11 viso shall not apply to the mortgage insurance or guaranty
12 operations of these corporations, or where loans or mort-
13 gage purchases are necessary to protect the financial in-
14 terest of the United States Government.

15 SEC. 207. The Secretary of Housing and Urban De-
16 velopment shall provide quarterly reports to the House
17 and Senate Committees on Appropriations regarding all
18 uncommitted, unobligated, recaptured and excess funds in
19 each program and activity within the jurisdiction of the
20 Department and shall submit additional, updated budget
21 information to these Committees upon request.

22 SEC. 208. The President's formal budget request for
23 fiscal year 2019, as well as the Department of Housing
24 and Urban Development's congressional budget justifica-
25 tions to be submitted to the Committees on Appropriations

1 of the House of Representatives and the Senate, shall use
2 the identical account and sub-account structure provided
3 under this Act.

4 SEC. 209. No funds provided under this title may be
5 used for an audit of the Government National Mortgage
6 Association 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
9 of law, subject to the conditions listed under this section,
10 for fiscal years 2018 and 2019, the Secretary of Housing
11 and Urban Development may authorize the transfer of
12 some or all project-based assistance, debt held or insured
13 by the Secretary and statutorily required low-income and
14 very low-income use restrictions if any, associated with one
15 or more multifamily housing project or projects to another
16 multifamily housing project or projects.

17 (b) PHASED TRANSFERS.—Transfers of project-
18 based assistance under this section may be done in phases
19 to accommodate the financing and other requirements re-
20 lated to rehabilitating or constructing the project or
21 projects to which the assistance is transferred, to ensure
22 that such project or projects meet the standards under
23 subsection (c).

24 (c) The transfer authorized in subsection (a) is sub-
25 ject to the following conditions:

1 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

2 (A) For occupied units in the transferring
3 project: The number of low-income and very
4 low-income units and the configuration (i.e.,
5 bedroom size) provided by the transferring
6 project shall be no less than when transferred
7 to the receiving project or projects and the net
8 dollar amount of Federal assistance provided to
9 the transferring project shall remain the same
10 in the receiving project or projects.

11 (B) For unoccupied units in the transfer-
12 ring project: The Secretary may authorize a re-
13 duction in the number of dwelling units in the
14 receiving project or projects to allow for a re-
15 configuration of bedroom sizes to meet current
16 market demands, as determined by the Sec-
17 retary and provided there is no increase in the
18 project-based assistance budget authority.

19 (2) The transferring project shall, as deter-
20 mined by the Secretary, be either physically obsolete
21 or economically nonviable.

22 (3) The receiving project or projects shall meet
23 or exceed applicable physical standards established
24 by the Secretary.

1 (4) The owner or mortgagor of the transferring
2 project shall notify and consult with the tenants re-
3 siding in the transferring project and provide a cer-
4 tification of approval by all appropriate local govern-
5 mental officials.

6 (5) The tenants of the transferring project who
7 remain eligible for assistance to be provided by the
8 receiving project or projects shall not be required to
9 vacate their units in the transferring project or
10 projects until new units in the receiving project are
11 available for occupancy.

12 (6) The Secretary determines that this transfer
13 is in the best interest of the tenants.

14 (7) If either the transferring project or the re-
15 ceiving project or projects meets the condition speci-
16 fied in subsection (d)(2)(A), any lien on the receiv-
17 ing project resulting from additional financing ob-
18 tained by the owner shall be subordinate to any
19 FHA-insured mortgage lien transferred to, or placed
20 on, such project by the Secretary, except that the
21 Secretary may waive this requirement upon deter-
22 mination that such a waiver is necessary to facilitate
23 the financing of acquisition, construction, and/or re-
24 habilitation of the receiving project or projects.

1 (8) If the transferring project meets the re-
2 quirements of subsection (d)(2), the owner or mort-
3 gagor of the receiving project or projects shall exe-
4 cute and record either a continuation of the existing
5 use agreement or a new use agreement for the
6 project where, in either case, any use restrictions in
7 such agreement are of no lesser duration than the
8 existing use restrictions.

9 (9) The transfer does not increase the cost (as
10 defined in section 502 of the Congressional Budget
11 Act of 1974, as amended) of any FHA-insured
12 mortgage, except to the extent that appropriations
13 are provided in advance for the amount of any such
14 increased cost.

15 (d) For purposes of this section—

16 (1) the terms “low-income” and “very low-in-
17 come” shall have the meanings provided by the stat-
18 ute and/or regulations governing the program under
19 which the project is insured or assisted;

20 (2) the term “multifamily housing project”
21 means housing that meets one of the following con-
22 ditions—

23 (A) housing that is subject to a mortgage
24 insured under the National Housing Act;

1 (B) housing that has project-based assist-
2 ance attached to the structure including
3 projects undergoing mark to market debt re-
4 structuring under the Multifamily Assisted
5 Housing Reform and Affordability Housing Act;

6 (C) housing that is assisted under section
7 202 of the Housing Act of 1959, as amended
8 by section 801 of the Cranston-Gonzales Na-
9 tional Affordable Housing Act;

10 (D) housing that is assisted under section
11 202 of the Housing Act of 1959, as such sec-
12 tion existed before the enactment of the Cran-
13 ston-Gonzales National Affordable Housing Act;

14 (E) housing that is assisted under section
15 811 of the Cranston-Gonzales National Afford-
16 able Housing Act; or

17 (F) housing or vacant land that is subject
18 to a use agreement;

19 (3) the term “project-based assistance”
20 means—

21 (A) assistance provided under section 8(b)
22 of the United States Housing Act of 1937;

23 (B) assistance for housing constructed or
24 substantially rehabilitated pursuant to assist-
25 ance provided under section 8(b)(2) of such Act

1 (as such section existed immediately before Oc-
2 tober 1, 1983);

3 (C) rent supplement payments under sec-
4 tion 101 of the Housing and Urban Develop-
5 ment Act of 1965;

6 (D) interest reduction payments under sec-
7 tion 236 and/or additional assistance payments
8 under section 236(f)(2) of the National Hous-
9 ing Act;

10 (E) assistance payments made under sec-
11 tion 202(e)(2) of the Housing Act of 1959; and

12 (F) assistance payments made under sec-
13 tion 811(d)(2) of the Cranston-Gonzalez Na-
14 tional Affordable Housing Act;

15 (4) the term “receiving project or projects”
16 means the multifamily housing project or projects to
17 which some or all of the project-based assistance,
18 debt, and statutorily required low-income and very
19 low-income use restrictions are to be transferred;

20 (5) the term “transferring project” means the
21 multifamily housing project which is transferring
22 some or all of the project-based assistance, debt, and
23 the statutorily required low-income and very low-in-
24 come use restrictions to the receiving project or
25 projects; and

1 (6) the term “Secretary” means the Secretary
2 of Housing and Urban Development.

3 (e) RESEARCH REPORT.—The Secretary shall con-
4 duct an evaluation of the transfer authority under this sec-
5 tion, including the effect of such transfers on the oper-
6 ational efficiency, contract rents, physical and financial
7 conditions, and long-term preservation of the affected
8 properties.

9 SEC. 211. (a) No assistance shall be provided under
10 section 8 of the United States Housing Act of 1937 (42
11 U.S.C. 1437f) to any individual who—

12 (1) is enrolled as a student at an institution of
13 higher education (as defined under section 102 of
14 the Higher Education Act of 1965 (20 U.S.C.
15 1002));

16 (2) is under 24 years of age;

17 (3) is not a veteran;

18 (4) is unmarried;

19 (5) does not have a dependent child;

20 (6) is not a person with disabilities, as such
21 term is defined in section 3(b)(3)(E) of the United
22 States Housing Act of 1937 (42 U.S.C.
23 1437a(b)(3)(E)) and was not receiving assistance
24 under such section 8 as of November 30, 2005;

1 (7) is not a youth who left foster care at age
2 14 or older and is at risk of becoming homeless; and
3 (8) is not otherwise individually eligible, or has
4 parents who, individually or jointly, are not eligible,
5 to receive assistance under section 8 of the United
6 States Housing Act of 1937 (42 U.S.C. 1437f).

7 (b) For purposes of determining the eligibility of a
8 person to receive assistance under section 8 of the United
9 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
10 cial assistance (in excess of amounts received for tuition
11 and any other required fees and charges) that an indi-
12 vidual receives under the Higher Education Act of 1965
13 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
14 tution of higher education (as defined under the Higher
15 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
16 ered income to that individual, except for a person over
17 the age of 23 with dependent children.

18 SEC. 212. The funds made available for Native Alas-
19 kans under the heading “Native American Housing Block
20 Grants” in title II of this Act shall be allocated to the
21 same Native Alaskan housing block grant recipients that
22 received funds in fiscal year 2005.

23 SEC. 213. Notwithstanding the limitation in the first
24 sentence of section 255(g) of the National Housing Act
25 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and

1 Urban Development may, until September 30, 2018, in-
2 sure and enter into commitments to insure mortgages
3 under such section 255.

4 SEC. 214. Notwithstanding any other provision of
5 law, in fiscal year 2018, in managing and disposing of any
6 multifamily property that is owned or has a mortgage held
7 by the Secretary of Housing and Urban Development, and
8 during the process of foreclosure on any property with a
9 contract for rental assistance payments under section 8
10 of the United States Housing Act of 1937 or other Fed-
11 eral programs, the Secretary shall maintain any rental as-
12 sistance payments under section 8 of the United States
13 Housing Act of 1937 and other programs that are at-
14 tached to any dwelling units in the property. To the extent
15 the Secretary determines, in consultation with the tenants
16 and the local government, that such a multifamily prop-
17 erty owned or held by the Secretary is not feasible for con-
18 tinued rental assistance payments under such section 8
19 or other programs, based on consideration of (1) the costs
20 of rehabilitating and operating the property and all avail-
21 able Federal, State, and local resources, including rent ad-
22 justments under section 524 of the Multifamily Assisted
23 Housing Reform and Affordability Act of 1997
24 (“MAHRAA”) and (2) environmental conditions that can-
25 not be remedied in a cost-effective fashion, the Secretary

1 may, in consultation with the tenants of that property,
2 contract for project-based rental assistance payments with
3 an owner or owners of other existing housing properties,
4 or provide other rental assistance. The Secretary shall also
5 take appropriate steps to ensure that project-based con-
6 tracts remain in effect prior to foreclosure, subject to the
7 exercise of contractual abatement remedies to assist relo-
8 cation of tenants for imminent major threats to health and
9 safety after written notice to and informed consent of the
10 affected tenants and use of other available remedies, such
11 as partial abatements or receivership. After disposition of
12 any multifamily property described under this section, the
13 contract and allowable rent levels on such properties shall
14 be subject to the requirements under section 524 of
15 MAHRAA.

16 SEC. 215. The commitment authority funded by fees
17 as provided under the heading “Community Development
18 Loan Guarantees Program Account” may be used to guar-
19 antee, or make commitments to guarantee, notes, or other
20 obligations issued by any State on behalf of non-entitle-
21 ment communities in the State in accordance with the re-
22 quirements of section 108 of the Housing and Community
23 Development Act of 1974: *Provided*, That any State re-
24 ceiving such a guarantee or commitment shall distribute
25 all funds subject to such guarantee to the units of general

1 local government in non-entitlement areas that received
2 the commitment.

3 SEC. 216. Public housing agencies that own and oper-
4 ate 400 or fewer public housing units may elect to be ex-
5 empt from any asset management requirement imposed by
6 the Secretary of Housing and Urban Development in con-
7 nection with the operating fund rule: *Provided*, That an
8 agency seeking a discontinuance of a reduction of subsidy
9 under the operating fund formula shall not be exempt
10 from asset management requirements.

11 SEC. 217. With respect to the use of amounts pro-
12 vided in this Act and in future Acts for the operation, cap-
13 ital improvement and management of public housing as
14 authorized by sections 9(d) and 9(e) of the United States
15 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
16 Secretary shall not impose any requirement or guideline
17 relating to asset management that restricts or limits in
18 any way the use of capital funds for central office costs
19 pursuant to section 9(g)(1) or 9(g)(2) of the United States
20 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
21 *vided*, That a public housing agency may not use capital
22 funds authorized under section 9(d) for activities that are
23 eligible under section 9(e) for assistance with amounts
24 from the operating fund in excess of the amounts per-
25 mitted under section 9(g)(1) or 9(g)(2).

1 SEC. 218. No official or employee of the Department
2 of Housing and Urban Development shall be designated
3 as an allotment holder unless the Office of the Chief Fi-
4 nancial Officer has determined that such allotment holder
5 has implemented an adequate system of funds control and
6 has received training in funds control procedures and di-
7 rectives. The Chief Financial Officer shall ensure that
8 there is a trained allotment holder for each HUD sub-
9 office under the accounts “Executive Offices” and “Ad-
10 ministrative Support Offices,” as well as each account re-
11 ceiving appropriations for “Program Office Salaries and
12 Expenses”, “Government National Mortgage Associa-
13 tion—Guarantees of Mortgage-Backed Securities Loan
14 Guarantee Program Account”, and “Office of Inspector
15 General” within the Department of Housing and Urban
16 Development.

17 SEC. 219. The Secretary of the Department of Hous-
18 ing and Urban Development shall, for fiscal year 2018,
19 notify the public through the Federal Register and other
20 means, as determined appropriate, of the issuance of a no-
21 tice of the availability of assistance or notice of funding
22 availability (NOFA) for any program or discretionary
23 fund administered by the Secretary that is to be competi-
24 tively awarded. Notwithstanding any other provision of
25 law, for fiscal year 2018, the Secretary may make the

1 NOFA available only on the Internet at the appropriate
2 Government web site or through other electronic media,
3 as determined by the Secretary.

4 SEC. 220. Payment of attorney fees in program-re-
5 lated litigation shall be paid from the individual program
6 office and Office of General Counsel salaries and expenses
7 appropriations. The annual budget submission for the pro-
8 gram offices and the Office of General Counsel shall in-
9 clude any such projected litigation costs for attorney fees
10 as a separate line item request. No funds provided in this
11 title may be used to pay any such litigation costs for attor-
12 ney fees until the Department submits for review a spend-
13 ing plan for such costs to the House and Senate Commit-
14 tees on Appropriations.

15 SEC. 221. The Secretary is authorized to transfer up
16 to 10 percent or \$4,000,000, whichever is less, of funds
17 appropriated for any office under the heading “Adminis-
18 trative Support Offices” or for any account under the gen-
19 eral heading “Program Office Salaries and Expenses” to
20 any other such office or account: *Provided*, That no appro-
21 priation for any such office or account shall be increased
22 or decreased by more than 10 percent or \$4,000,000,
23 whichever is less, without prior written approval of the
24 House and Senate Committees on Appropriations: *Pro-*
25 *vided further*, That the Secretary shall provide notification

1 to such Committees three business days in advance of any
2 such transfers under this section up to 10 percent or
3 \$4,000,000, whichever is less.

4 SEC. 222. (a) Any entity receiving housing assistance
5 payments shall maintain decent, safe, and sanitary condi-
6 tions, as determined by the Secretary of Housing and
7 Urban Development (in this section referred to as the
8 “Secretary”), and comply with any standards under appli-
9 cable State or local laws, rules, ordinances, or regulations
10 relating to the physical condition of any property covered
11 under a housing assistance payment contract.

12 (b) The Secretary shall take action under subsection
13 (c) when a multifamily housing project with a section 8
14 contract or contract for similar project-based assistance—

15 (1) receives a Uniform Physical Condition
16 Standards (UPCS) score of 60 or less; or

17 (2) fails to certify in writing to the Secretary
18 within 3 days that all Exigent Health and Safety de-
19 ficiencies identified by the inspector at the project
20 have been corrected.

21 Such requirements shall apply to insured and noninsured
22 projects with assistance attached to the units under sec-
23 tion 8 of the United States Housing Act of 1937 (42
24 U.S.C. 1437f), but do not apply to such units assisted
25 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to

1 public housing units assisted with capital or operating
2 funds under section 9 of the United States Housing Act
3 of 1937 (42 U.S.C. 1437g).

4 (c)(1) Within 15 days of the issuance of the REAC
5 inspection, the Secretary must provide the owner with a
6 Notice of Default with a specified timetable, determined
7 by the Secretary, for correcting all deficiencies. The Sec-
8 retary must also provide a copy of the Notice of Default
9 to the tenants, the local government, any mortgagees, and
10 any contract administrator. If the owner's appeal results
11 in a UPCS score of 60 or above, the Secretary may with-
12 draw the Notice of Default.

13 (2) At the end of the time period for correcting all
14 deficiencies specified in the Notice of Default, if the owner
15 fails to fully correct such deficiencies, the Secretary may—

16 (A) require immediate replacement of project
17 management with a management agent approved by
18 the Secretary;

19 (B) impose civil money penalties, which shall be
20 used solely for the purpose of supporting safe and
21 sanitary conditions at applicable properties, as des-
22 ignated by the Secretary, with priority given to the
23 tenants of the property affected by the penalty;

1 (C) abate the section 8 contract, including par-
2 tial abatement, as determined by the Secretary, until
3 all deficiencies have been corrected;

4 (D) pursue transfer of the project to an owner,
5 approved by the Secretary under established proce-
6 dures, which will be obligated to promptly make all
7 required repairs and to accept renewal of the assist-
8 ance contract as long as such renewal is offered;

9 (E) transfer the existing section 8 contract to
10 another project or projects and owner or owners;

11 (F) pursue exclusionary sanctions, including
12 suspensions or debarments from Federal programs;

13 (G) seek judicial appointment of a receiver to
14 manage the property and cure all project deficiencies
15 or seek a judicial order of specific performance re-
16 quiring the owner to cure all project deficiencies;

17 (H) work with the owner, lender, or other re-
18 lated party to stabilize the property in an attempt
19 to preserve the property through compliance, trans-
20 fer of ownership, or an infusion of capital provided
21 by a third-party that requires time to effectuate; or

22 (I) take any other regulatory or contractual
23 remedies available as deemed necessary and appro-
24 priate by the Secretary.

1 (d) The Secretary shall also take appropriate steps
2 to ensure that project-based contracts remain in effect,
3 subject to the exercise of contractual abatement remedies
4 to assist relocation of tenants for major threats to health
5 and safety after written notice to the affected tenants. To
6 the extent the Secretary determines, in consultation with
7 the tenants and the local government, that the property
8 is not feasible for continued rental assistance payments
9 under such section 8 or other programs, based on consid-
10 eration of—

11 (1) the costs of rehabilitating and operating the
12 property and all available Federal, State, and local
13 resources, including rent adjustments under section
14 524 of the Multifamily Assisted Housing Reform
15 and Affordability Act of 1997 (“MAHRAA”); and

16 (2) environmental conditions that cannot be
17 remedied in a cost-effective fashion, the Secretary
18 may contract for project-based rental assistance pay-
19 ments with an owner or owners of other existing
20 housing properties, or provide other rental assist-
21 ance.

22 (e) The Secretary shall report quarterly on all prop-
23 erties covered by this section that are assessed through
24 the Real Estate Assessment Center and have UPCS phys-
25 ical inspection scores of less than 60 or have received an

1 unsatisfactory management and occupancy review within
2 the past 36 months. The report shall include—

3 (1) the enforcement actions being taken to ad-
4 dress such conditions, including imposition of civil
5 money penalties and termination of subsidies, and
6 identify properties that have such conditions mul-
7 tiple times;

8 (2) actions that the Department of Housing
9 and Urban Development is taking to protect tenants
10 of such identified properties; and

11 (3) any administrative or legislative rec-
12 ommendations to further improve the living condi-
13 tions at properties covered under a housing assist-
14 ance payment contract.

15 SEC. 223. None of the funds made available by this
16 Act, or any other Act, for purposes authorized under sec-
17 tion 8 (only with respect to the tenant-based rental assist-
18 ance program) and section 9 of the United States Housing
19 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
20 any public housing agency for any amount of salary, in-
21 cluding bonuses, for the chief executive officer of which,
22 or any other official or employee of which, that exceeds
23 the annual rate of basic pay payable for a position at level
24 IV of the Executive Schedule at any time during any pub-
25 lic housing agency fiscal year 2018.

1 SEC. 224. None of the funds in this Act may be avail-
2 able for the doctoral dissertation research grant program
3 at the Department of Housing and Urban Development.

4 SEC. 225. Section 24 of the United States Housing
5 Act of 1937 (42 U.S.C. 1437v) is amended—

6 (1) in subsection (m)(1), by striking “fiscal
7 year” and all that follows through the period at the
8 end and inserting “fiscal year 2018.”; and

9 (2) in subsection (o), by striking “September”
10 and all that follows through the period at the end
11 and inserting “September 30, 2018.”.

12 SEC. 226. None of the funds in this Act provided to
13 the Department of Housing and Urban Development may
14 be used to make a grant award unless the Secretary noti-
15 fies the House and Senate Committees on Appropriations
16 not less than 3 full business days before any project,
17 State, locality, housing authority, tribe, nonprofit organi-
18 zation, or other entity selected to receive a grant award
19 is announced by the Department or its offices.

20 SEC. 227. None of the funds made available by this
21 Act may be used to require or enforce the Physical Needs
22 Assessment (PNA).

23 SEC. 228. None of the funds made available in this
24 Act shall be used by the Federal Housing Administration,
25 the Government National Mortgage Administration, or the

1 Department of Housing and Urban Development to in-
2 sure, securitize, or establish a Federal guarantee of any
3 mortgage or mortgage backed security that refinances or
4 otherwise replaces a mortgage that has been subject to
5 eminent domain condemnation or seizure, by a State, mu-
6 nicipality, or any other political subdivision of a State.

7 SEC. 229. None of the funds made available by this
8 Act may be used to terminate the status of a unit of gen-
9 eral local government as a metropolitan city (as defined
10 in section 102 of the Housing and Community Develop-
11 ment Act of 1974 (42 U.S.C. 5302)) with respect to
12 grants under section 106 of such Act (42 U.S.C. 5306).

13 SEC. 230. Amounts made available under this Act
14 which are either appropriated, allocated, advanced on a
15 reimbursable basis, or transferred to the Office of Policy
16 Development and Research in the Department of Housing
17 and Urban Development and functions thereof, for re-
18 search, evaluation, or statistical purposes, and which are
19 unexpended at the time of completion of a contract, grant,
20 or cooperative agreement, may be deobligated and shall
21 immediately become available and may be reobligated in
22 that fiscal year or the subsequent fiscal year for the re-
23 search, evaluation, or statistical purposes for which the
24 amounts are made available to that Office subject to re-
25 programming requirements in section 405 of this Act.

1 SEC. 231. Employees of the Department of Housing
2 and Urban Development who are subject to administrative
3 discipline in fiscal year 2018, including suspension from
4 work, shall not receive awards (including performance,
5 special act, or spot) for the remainder of fiscal year 2018
6 after the effective date of the disciplinary action.

7 SEC. 232. With respect to grant amounts awarded
8 under the heading “Homeless Assistance Grants” for fis-
9 cal years 2016, 2017, and 2018 for the continuum of care
10 (CoC) program as authorized under subtitle C of title IV
11 of the McKinney-Vento Homeless Assistance Act, costs
12 paid by program income of grant recipients may count to-
13 ward meeting the recipient’s matching requirements, pro-
14 vided the costs are eligible CoC costs that supplement the
15 recipients CoC program.

16 SEC. 233. (a) From amounts made available under
17 this title under the heading “Homeless Assistance
18 Grants”, the Secretary may award 1-year transition
19 grants to recipients of funds for activities under subtitle
20 C of the McKinney-Vento Homeless Assistance Act (42
21 U.S.C. 11381 et seq.) to transition from one Continuum
22 of Care program component to another.

23 (b) No more than 50 percent of each transition grant
24 may be used for costs of eligible activities of the program
25 component originally funded.

1 (c) Transition grants made under this section are eli-
2 gible for renewal in subsequent fiscal years for the eligible
3 activities of the new program component.

4 (d) In order to be eligible to receive a transition
5 grant, the funding recipient must have the consent of the
6 Continuum of Care and meet standards determined by the
7 Secretary.

8 SEC. 234. None of the funds made available by this
9 Act may be used by the Department of Housing and
10 Urban Development to direct a grantee to undertake spe-
11 cific changes to existing zoning laws as part of carrying
12 out the final rule entitled “Affirmatively Furthering Fair
13 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
14 notice entitled “Affirmatively Furthering Fair Housing
15 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
16 2014)).

17 SEC. 235. Section 579 of the Multifamily Assisted
18 Housing Reform and Affordability Act of 1997 (42 U.S.C.
19 1437f note) is amended by striking “October 1, 2017”
20 each place it appears and inserting in lieu thereof “Octo-
21 ber 1, 2022”.

22 SEC. 236. None of the funds made available under
23 this Act for new guarantees of mortgages insured under
24 the Mutual Mortgage Insurance Fund may be used to
25 guarantee or insure any mortgage on a property that is

1 subject to a loan or other obligation, including those billed
2 as taxes or assessments, for the purpose of financing any
3 improvements under a Property Assessed Clean Energy
4 or substantially similar program, if any portion of such
5 loan or obligation is or has the potential to be in a lien
6 position superior to the mortgage to be insured or guaran-
7 teed under the Mutual Mortgage Insurance Fund.

8 SEC. 237. The matter under the heading “Rental As-
9 sistance Demonstration” in the Department of Housing
10 and Urban Development Appropriations Act, 2012 (42
11 U.S.C. 1437f note), as amended, is amended—

12 (1) in the 14th proviso—

13 (A) by inserting “or nonprofit” before “en-
14 tity, then a capable entity,”; and

15 (B) by striking “preserves its interest” and
16 inserting “or a nonprofit entity preserves an in-
17 terest”;

18 (2) by striking the 18th proviso and inserting
19 the following: “*Provided further*, That for fiscal year
20 2012 and hereafter, owners of properties assisted or
21 previously assisted under section 101 of the Housing
22 and Urban Development Act of 1965, section
23 236(f)(2) of the National Housing Act, or section
24 8(e)(2) of the United States Housing Act of 1937,
25 for which a contract expires or terminates due to

1 prepayment on or after October 1, 2006, has caused
2 or results in the termination of rental assistance or
3 affordability restrictions or both and the issuance of
4 tenant protection vouchers under section 8(o) or sec-
5 tion 8(t) of the Act, or with a project rental assist-
6 ance contract under section 202(c)(2) of Housing
7 Act of 1959, shall be eligible, subject to require-
8 ments established by the Secretary, including but
9 not limited to tenant consultation procedures, for
10 conversion of assistance available or provided for
11 such vouchers or assistance contracts, to assistance
12 under a long-term project-based subsidy contract
13 under section 8 of the Act, which shall have a term
14 of no less than 20 years, which shall have initial
15 rents set at comparable market rents for the market
16 area, with subsequent rent adjustments only by an
17 operating cost factor established by the Secretary,
18 and which shall be eligible for renewal under section
19 524 of the Multifamily Assisted Housing Reform
20 and Affordability Act of 1997 (42 U.S.C. 1437f
21 note), or, subject to agreement of the administering
22 public housing agency, to assistance under section
23 8(o)(13) of the Act, to which the limitation under
24 subparagraph (B) of section 8(o)(13) of the Act
25 shall not apply and for which the Secretary may

1 waive or alter the provisions of subparagraphs (C)
2 and (D) of section 8(o)(13) of the Act (“Second
3 Component’ herein):”;

4 (3) by inserting before the 19th proviso the fol-
5 lowing: “*Provided further*, That conversions of assist-
6 ance under the Second Component may not be the
7 basis for re-screening or termination of assistance or
8 eviction of any tenant family in a property partici-
9 pating in the demonstration:”;

10 (4) in the 20th proviso, as so reordered by the
11 amendments made by the preceding provisions of
12 this section, by striking “previous proviso” and all
13 that follows through the end of the proviso and in-
14 serting “Second Component, except for conversion of
15 section 202 project rental assistance contracts, shall
16 be available for project-based subsidy contracts en-
17 tered into pursuant to the Second Component:”;

18 (5) in the 21st proviso, as so reordered by the
19 amendments made by the preceding provisions of
20 this section, by striking “previous two provisos” and
21 inserting “Second Component, except for conversion
22 of section 202 project rental assistance contracts,”;

23 (6) in the 22nd proviso, as so reordered by the
24 amendments made by the preceding provisions of
25 this section, by striking “three previous provisos”

1 and inserting “Second Component, except for con-
2 version of section 202 project rental assistance con-
3 tracts,”;

4 (7) by inserting before the last proviso the fol-
5 lowing: “*Provided further*, That the Secretary may
6 transfer amounts made available under the heading
7 ‘Housing for the Elderly’ to the accounts under the
8 headings ‘Project-Based Rental Assistance’ or ‘Ten-
9 ant-Based Rental Assistance’ to facilitate any sec-
10 tion 202 project rental assistance contract conver-
11 sions under the Second Component, and any in-
12 crease in cost for ‘Project-Based Rental Assistance’
13 or ‘Tenant-Based Rental Assistance’ associated with
14 such conversion shall be equal to amounts so trans-
15 ferred:”; and

16 (8) in the last proviso, by striking “previous
17 four provisos” and inserting “Second Component, as
18 applicable”.

19 This title may be cited as the “Department of Hous-
20 ing and Urban Development Appropriations Act, 2018”.

1 TITLE III
2 RELATED AGENCIES
3 ACCESS BOARD
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$8,190,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses.

11 FEDERAL MARITIME COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime
14 Commission as authorized by section 201(d) of the Mer-
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16 cluding services as authorized by 5 U.S.C. 3109; hire of
17 passenger motor vehicles as authorized by 31 U.S.C.
18 1343(b); and uniforms or allowances therefore, as author-
19 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That
20 not to exceed \$2,000 shall be available for official recep-
21 tion and representation expenses.

1 NATIONAL RAILROAD PASSENGER CORPORATION
2 OFFICE OF INSPECTOR GENERAL
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$23,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2018, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2018 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$106,000,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities,

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram.

5 SURFACE TRANSPORTATION BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Surface Transpor-
8 tation Board, including services authorized by 5 U.S.C.
9 3109, \$37,100,000: *Provided*, That notwithstanding any
10 other provision of law, not to exceed \$1,250,000 from fees
11 established by the Chairman of the Surface Transpor-
12 tation Board shall be credited to this appropriation as off-
13 setting collections and used for necessary and authorized
14 expenses under this heading: *Provided further*, That the
15 sum herein appropriated from the general fund shall be
16 reduced on a dollar-for-dollar basis as such offsetting col-
17 lections are received during fiscal year 2018, to result in
18 a final appropriation from the general fund estimated at
19 no more than \$35,850,000.

20 UNITED STATES INTERAGENCY COUNCIL ON

21 HOMELESSNESS

22 OPERATING EXPENSES

23 For closure of the United States Interagency Council
24 on Homelessness, \$570,000, notwithstanding section 209

1 of title II of the McKinney-Vento Homeless Assistance
2 Act, as amended.

3 TITLE IV

4 GENERAL PROVISIONS—THIS ACT

5 (INCLUDING RESCISSIONS)

6 SEC. 401. None of the funds in this Act shall be used
7 for the planning or execution of any program to pay the
8 expenses of, or otherwise compensate, non-Federal parties
9 intervening in regulatory or adjudicatory proceedings
10 funded in this Act.

11 SEC. 402. None of the funds appropriated in this Act
12 shall remain available for obligation beyond the current
13 fiscal year, nor may any be transferred to other appropria-
14 tions, unless expressly so provided herein.

15 SEC. 403. The expenditure of any appropriation
16 under this Act for any consulting service through a pro-
17 curement contract pursuant to section 3109 of title 5,
18 United States Code, shall be limited to those contracts
19 where such expenditures are a matter of public record and
20 available for public inspection, except where otherwise pro-
21 vided under existing law, or under existing Executive order
22 issued pursuant to existing law.

23 SEC. 404. (a) None of the funds made available in
24 this Act may be obligated or expended for any employee
25 training that—

1 (1) does not meet identified needs for knowl-
2 edge, skills, and abilities bearing directly upon the
3 performance of official duties;

4 (2) contains elements likely to induce high lev-
5 els of emotional response or psychological stress in
6 some participants;

7 (3) does not require prior employee notification
8 of the content and methods to be used in the train-
9 ing 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 Em-
13 ployment Opportunity Commission Notice N-
14 915.022, dated September 2, 1988; or

15 (5) is offensive to, or designed to change, par-
16 ticipants’ personal values or lifestyle outside the
17 workplace.

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 pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2018, or provided from any ac-

1 counts in the Treasury derived by the collection of fees
2 and available to the agencies funded by this Act, shall be
3 available for obligation or expenditure through a re-
4 programming of funds 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
12 on 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 ac-
17 tivities by \$5,000,000 or 10 percent, whichever is
18 less; or

19 (7) creates, reorganizes, or restructures a
20 branch, division, office, bureau, board, commission,
21 agency, administration, or department different from
22 the budget justifications submitted to the Commit-
23 tees on Appropriations or the table accompanying
24 the explanatory statement accompanying this Act,
25 whichever is more detailed, unless prior approval is

1 received from the House and Senate Committees on
2 Appropriations: *Provided*, That not later than 60
3 days after the date of enactment of this Act, each
4 agency funded by this Act shall submit a report to
5 the Committees on Appropriations of the Senate and
6 of the House of Representatives to establish the
7 baseline for application of reprogramming and trans-
8 fer authorities for the current fiscal year: *Provided*
9 *further*, That the report shall include—

10 (A) a table for each appropriation with a
11 separate column to display the prior year en-
12 acted level, the President’s budget request, ad-
13 justments made by Congress, adjustments due
14 to enacted rescissions, if appropriate, and the
15 fiscal year enacted level;

16 (B) a delineation in the table for each ap-
17 propriation and its respective prior year enacted
18 level by object class and program, project, and
19 activity as detailed in the budget appendix for
20 the respective appropriation; and

21 (C) an identification of items of special
22 congressional interest.

23 SEC. 406. Except as otherwise specifically provided
24 by law, not to exceed 50 percent of unobligated balances
25 remaining available at the end of fiscal year 2018 from

1 appropriations made available for salaries and expenses
2 for fiscal year 2018 in this Act, shall remain available
3 through September 30, 2019, for each such account for
4 the purposes authorized: *Provided*, That a request shall
5 be submitted to the House and Senate Committees on Ap-
6 propriations for approval prior to the expenditure of such
7 funds: *Provided further*, That these requests shall be made
8 in compliance with reprogramming guidelines under sec-
9 tion 405 of this Act.

10 SEC. 407. No funds in this Act may be used to sup-
11 port any Federal, State, or local projects that seek to use
12 the power of eminent domain, unless eminent domain is
13 employed only for a public use: *Provided*, That for pur-
14 poses of this section, public use shall not be construed to
15 include economic development that primarily benefits pri-
16 vate entities: *Provided further*, That any use of funds for
17 mass transit, railroad, airport, seaport or highway
18 projects, as well as utility projects which benefit or serve
19 the general public (including energy-related, communica-
20 tion-related, water-related and wastewater-related infra-
21 structure), other structures designated for use by the gen-
22 eral public or which have other common-carrier or public-
23 utility functions that serve the general public and are sub-
24 ject to regulation and oversight by the government, and
25 projects for the removal of an immediate threat to public

1 health and safety or brownfields as defined in the Small
2 Business Liability Relief and Brownfields Revitalization
3 Act (Public Law 107–118) shall be considered a public
4 use for purposes of eminent domain.

5 SEC. 408. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government, except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this Act or any other appropriations Act.

10 SEC. 409. No part of any appropriation contained in
11 this Act shall be available to pay the salary for any person
12 filling a position, other than a temporary position, for-
13 merly held by an employee who has left to enter the Armed
14 Forces of the United States and has satisfactorily com-
15 pleted his or her period of active military or naval service,
16 and has within 90 days after his or her release from such
17 service or from hospitalization continuing after discharge
18 for a period of not more than 1 year, made application
19 for restoration to his or her former position and has been
20 certified by the Office of Personnel Management as still
21 qualified to perform the duties of his or her former posi-
22 tion and has not been restored thereto.

23 SEC. 410. No funds appropriated pursuant to this
24 Act may be expended by an entity unless the entity agrees
25 that in expending the assistance the entity will comply

1 with sections 2 through 4 of the Act of March 3, 1933
2 (41 U.S.C. 8301–8305, popularly known as the “Buy
3 American Act”).

4 SEC. 411. No funds appropriated or otherwise made
5 available under this Act shall be made available to any
6 person or entity that has been convicted of violating the
7 Buy American Act (41 U.S.C. 8301–8305).

8 SEC. 412. None of the funds made available in this
9 Act may be used for first-class airline accommodations in
10 contravention of sections 301–10.122 and 301–10.123 of
11 title 41, Code of Federal Regulations.

12 SEC. 413. (a) None of the funds made available by
13 this Act may be used to approve a new foreign air carrier
14 permit under sections 41301 through 41305 of title 49,
15 United States Code, or exemption application under sec-
16 tion 40109 of that title of an air carrier already holding
17 an air operators certificate issued by a country that is
18 party to the U.S.-E.U.-Iceland-Norway Air Transport
19 Agreement where such approval would contravene United
20 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
21 way Air Transport Agreement.

22 (b) Nothing in this section shall prohibit, restrict or
23 otherwise preclude the Secretary of Transportation from
24 granting a foreign air carrier permit or an exemption to
25 such an air carrier where such authorization is consistent

1 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
2 ment and United States law.

3 SEC. 414. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 415. None of the funds appropriated or other-
18 wise made available under this Act may be used by the
19 Surface Transportation Board to charge or collect any fil-
20 ing fee for rate or practice complaints filed with the Board
21 in an amount in excess of the amount authorized for dis-
22 trict court civil suit filing fees under section 1914 of title
23 28, United States Code.

24 SEC. 416. (a) All unobligated balances, including re-
25 captures and carryover, remaining from funds appro-

1 priated in division K of Public Law 115–31 for “Depart-
2 ment of Transportation-Office of the Secretary-Salaries
3 and Expenses”, “Department of Transportation-Office of
4 the Secretary-Office of Civil Rights”, “Department of
5 Transportation-Office of the Secretary-Small and Dis-
6 advantaged Business Utilization and Outreach”, “Depart-
7 ment of Transportation-Federal Transit Administration-
8 Administrative Expenses”, “Department of Transpor-
9 tation-Pipeline and Hazardous Materials Safety Adminis-
10 tration-Operational Expenses”, “Surface Transportation
11 Board-Salaries and Expenses”, “Access Board-Salaries
12 and Expenses”, “Federal Maritime Commission-Salaries
13 and Expenses”, “National Railroad Passenger Corpora-
14 tion-Office of Inspector General-Salaries and Expenses”,
15 “National Transportation Safety Board-Salaries and Ex-
16 penses”, and “United States Interagency Council on
17 Homelessness-Operating Expenses” are rescinded.

18 (b) All unobligated balances, including recaptures
19 and carryover, remaining from funds appropriated in divi-
20 sion K of Public Law 115–31 for accounts under the head-
21 ings “Department of Housing and Urban Development-
22 Management and Administration” and “Department of
23 Housing and Urban Development-Program Office Salaries
24 and Expenses” are rescinded.

1 SEC. 422. None of the funds made available by this
2 Act may be used in contravention of section 5309 of title
3 49, United States Code.

4 SEC. 423. None of the funds made available by this
5 Act may be used to enter into an agreement for the estab-
6 lishment or collection of tolls on Interstate Route 5 or
7 Interstate Route 205 in the State of Oregon or Wash-
8 ington.

9 SEC. 424. None of the funds made available by this
10 Act may be used to implement, administer, or enforce—

11 (1) the final rule entitled “On-Site Completion
12 of Construction of Manufactured Homes”, published
13 by the Department of Housing and Urban Develop-
14 ment in the Federal Register on September 8, 2015
15 (80 Fed. Reg. 53712 et seq.);

16 (2) the “Interpretative Bulletin for Model Man-
17 ufactured Home Installation Standards Foundation
18 requirements in Freezing Temperature Areas Under
19 CFR 3285.312(b)”, published for comment in the
20 Federal Register on June 21, 2017 (82 Fed. Reg.
21 28279 et seq.); and

22 (3) the memorandum titled “Construction of
23 On-Site Installation of Add-Ons, such as an At-
24 tached Garage” published by the Department of
25 Housing and Urban Development on June 12, 2014.

1 SEC. 425. None of the funds made available by this
2 Act may be used to finalize the notice of proposed rule-
3 making entitled “Federal Motor Vehicle Safety Standards;
4 Federal Motor Carrier Safety Regulations; Parts and Ac-
5 cessories Necessary for Safe Operation; Speed Limiting
6 Devices” published by the National Highway Traffic Safe-
7 ty Administration and the Federal Motor Carrier Safety
8 Administration on September 7, 2016 (81 Fed. Reg.
9 61941).

10 SEC. 426. None of the funds made available by this
11 Act may be used for a new hire who has not been verified
12 through the E-Verify program.

13 SEC. 427. None of the funds made available by this
14 Act may be used in contravention of section 642(a) of the
15 Illegal Immigration Reform and Immigrant Responsibility
16 Act of 1996 (8 U.S.C. 1373(a)).

17 This division may be cited as the “Transportation,
18 Housing and Urban Development, and Related Agencies
19 Appropriations Act, 2018”.

20 **DIVISION I—DEPARTMENT OF DEFENSE**
21 **APPROPRIATIONS ACT, 2018**

22 The following sums are appropriated, out of any
23 money in the Treasury not otherwise appropriated, for the
24 fiscal year ending September 30, 2018, for military func-

1 tions administered by the Department of Defense and for
2 other purposes, namely:

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 sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the
11 Army on active duty (except members of reserve compo-
12 nents provided for elsewhere), cadets, and aviation cadets;
13 for members of the Reserve Officers' Training Corps; and
14 for payments pursuant to section 156 of Public Law 97-
15 377, as amended (42 U.S.C. 402 note), and to the Depart-
16 ment of Defense Military Retirement Fund,
17 \$41,427,054,000.

18 MILITARY PERSONNEL, NAVY

19 For pay, allowances, individual clothing, subsistence,
20 interest on deposits, gratuities, permanent change of sta-
21 tion travel (including all expenses thereof for organiza-
22 tional movements), and expenses of temporary duty travel
23 between permanent duty stations, for members of the
24 Navy on active duty (except members of the Reserve pro-
25 vided for elsewhere), midshipmen, and aviation cadets; for

1 members of the Reserve Officers' Training Corps; and for
2 payments pursuant to section 156 of Public Law 97-377,
3 as amended (42 U.S.C. 402 note), and to the Department
4 of Defense Military Retirement Fund, \$28,707,918,000
5 (reduced by \$2,000,000) (increased by \$2,000,000).

6 MILITARY PERSONNEL, MARINE CORPS

7 For pay, allowances, individual clothing, subsistence,
8 interest on deposits, gratuities, permanent change of sta-
9 tion travel (including all expenses thereof for organiza-
10 tional movements), and expenses of temporary duty travel
11 between permanent duty stations, for members of the Ma-
12 rine Corps on active duty (except members of the Reserve
13 provided for elsewhere); and for payments pursuant to sec-
14 tion 156 of Public Law 97-377, as amended (42 U.S.C.
15 402 note), and to the Department of Defense Military Re-
16 tirement Fund, \$13,165,714,000.

17 MILITARY PERSONNEL, AIR FORCE

18 For pay, allowances, individual clothing, subsistence,
19 interest on deposits, gratuities, permanent change of sta-
20 tion travel (including all expenses thereof for organiza-
21 tional movements), and expenses of temporary duty travel
22 between permanent duty stations, for members of the Air
23 Force on active duty (except members of reserve compo-
24 nents provided for elsewhere), cadets, and aviation cadets;
25 for members of the Reserve Officers' Training Corps; and

1 for payments pursuant to section 156 of Public Law 97–
2 377, as amended (42 U.S.C. 402 note), and to the Depart-
3 ment of Defense Military Retirement Fund,
4 \$28,738,320,000.

5 RESERVE PERSONNEL, ARMY

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Army Re-
8 serve on active duty under sections 10211, 10302, and
9 3038 of title 10, United States Code, or while serving on
10 active duty under section 12301(d) of title 10, United
11 States Code, in connection with performing duty specified
12 in section 12310(a) of title 10, United States Code, or
13 while undergoing reserve training, or while performing
14 drills or equivalent duty or other duty, and expenses au-
15 thorized by section 16131 of title 10, United States Code;
16 and for payments to the Department of Defense Military
17 Retirement Fund, \$4,721,128,000.

18 RESERVE PERSONNEL, NAVY

19 For pay, allowances, clothing, subsistence, gratuities,
20 travel, and related expenses for personnel of the Navy Re-
21 serve on active duty under section 10211 of title 10,
22 United States Code, or while serving on active duty under
23 section 12301(d) of title 10, United States Code, in con-
24 nection with performing duty specified in section 12310(a)
25 of title 10, United States Code, or while undergoing re-

1 serve training, or while performing drills or equivalent
2 duty, and expenses authorized by section 16131 of title
3 10, United States Code; and for payments to the Depart-
4 ment of Defense Military Retirement Fund,
5 \$1,987,662,000.

6 RESERVE PERSONNEL, MARINE CORPS

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Marine
9 Corps Reserve on active duty under section 10211 of title
10 10, United States Code, or while serving on active duty
11 under section 12301(d) of title 10, 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 reserve training, or while performing drills or equiv-
15 alent duty, and for members of the Marine Corps platoon
16 leaders class, and expenses authorized by section 16131
17 of title 10, United States Code; and for payments to the
18 Department of Defense Military Retirement Fund,
19 \$762,793,000.

20 RESERVE PERSONNEL, AIR FORCE

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Air Force
23 Reserve on active duty under sections 10211, 10305, and
24 8038 of title 10, United States Code, or while serving on
25 active duty under section 12301(d) of title 10, United

1 States Code, in connection with performing duty specified
2 in section 12310(a) of title 10, United States Code, or
3 while undergoing reserve training, or while performing
4 drills or equivalent duty or other duty, and expenses au-
5 thorized by section 16131 of title 10, United States Code;
6 and for payments to the Department of Defense Military
7 Retirement Fund, \$1,808,434,000.

8 NATIONAL GUARD PERSONNEL, ARMY

9 For pay, allowances, clothing, subsistence, gratuities,
10 travel, and related expenses for personnel of the Army Na-
11 tional Guard while on duty under sections 10211, 10302,
12 or 12402 of title 10 or section 708 of title 32, United
13 States Code, or while serving on duty under section
14 12301(d) of title 10 or section 502(f) of title 32, United
15 States Code, in connection with performing duty specified
16 in section 12310(a) of title 10, United States Code, or
17 while undergoing training, or while performing drills or
18 equivalent duty or other duty, and expenses authorized by
19 section 16131 of title 10, United States Code; and for pay-
20 ments to the Department of Defense Military Retirement
21 Fund, \$8,252,426,000.

22 NATIONAL GUARD PERSONNEL, AIR FORCE

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Air Na-
25 tional Guard on duty under sections 10211, 10305, or

1 12402 of title 10 or section 708 of title 32, United States
2 Code, or while serving on duty under section 12301(d) of
3 title 10 or section 502(f) of title 32, United States Code,
4 in connection with performing duty specified in section
5 12310(a) of title 10, United States Code, or while under-
6 going training, or while performing drills or equivalent
7 duty or other duty, and expenses authorized by section
8 16131 of title 10, United States Code; and for payments
9 to the Department of Defense Military Retirement Fund,
10 \$3,406,137,000.

11 TITLE II

12 OPERATION AND MAINTENANCE

13 OPERATION AND MAINTENANCE, ARMY

14 For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of the Army, as author-
16 ized by law, \$38,483,846,000 (reduced by \$5,000,000)
17 (reduced by \$5,600,000) (reduced by \$6,000,000): *Pro-*
18 *vided*, That not to exceed \$12,478,000 can be used for
19 emergencies and extraordinary expenses, to be expended
20 on the approval or authority of the Secretary of the Army,
21 and payments may be made on his certificate of necessity
22 for confidential military purposes.

23 OPERATION AND MAINTENANCE, NAVY

24 For expenses, not otherwise provided for, necessary
25 for the operation and maintenance of the Navy and the

1 Marine Corps, as authorized by law, \$45,980,133,000 (re-
2 duced by \$598,000) (reduced by \$7,000,000): *Provided*,
3 That not to exceed \$15,055,000 can be used for emer-
4 gencies and extraordinary expenses, to be expended on the
5 approval or authority of the Secretary of the Navy, and
6 payments may be made on his certificate of necessity for
7 confidential military purposes.

8 OPERATION AND MAINTENANCE, MARINE CORPS

9 For expenses, not otherwise provided for, necessary
10 for the operation and maintenance of the Marine Corps,
11 as authorized by law, \$6,885,884,000.

12 OPERATION AND MAINTENANCE, AIR FORCE

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Air Force, as
15 authorized by law, \$38,592,745,000: *Provided*, That not
16 to exceed \$7,699,000 can be used for emergencies and ex-
17 traordinary expenses, to be expended on the approval or
18 authority of the Secretary of the Air Force, and payments
19 may be made on his certificate of necessity for confidential
20 military purposes.

21 OPERATION AND MAINTENANCE, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance of activities and agen-
25 cies of the Department of Defense (other than the military

1 departments), as authorized by law, \$33,771,769,000 (in-
2 creased by \$5,000,000) (reduced by \$10,000,000) (re-
3 duced by \$100,000) (increased by \$100,000) (reduced by
4 \$194,897,000) (increased by \$194,897,000) (reduced by
5 \$26,200,000) (reduced by \$20,000,000) (reduced by
6 \$6,000,000) (reduced by \$4,000,000) (reduced by
7 \$20,000,000) (reduced by \$1,000,000) (reduced by
8 \$10,000,000) (reduced by \$2,500,000) (reduced by
9 \$2,000,000) (reduced by \$8,000,000) (reduced by
10 \$6,250,000) (reduced by \$10,000,000) (reduced by
11 \$10,000,000) (reduced by \$30,000,000) (reduced by
12 \$34,734,000) (reduced by \$60,000,000): *Provided*, That
13 not more than \$15,000,000 may be used for the Combat-
14 ant Commander Initiative Fund authorized under section
15 166a of title 10, United States Code: *Provided further*,
16 That not to exceed \$36,000,000 can be used for emer-
17 gencies and extraordinary expenses, to be expended on the
18 approval or authority of the Secretary of Defense, and
19 payments may be made on his certificate of necessity for
20 confidential military purposes: *Provided further*, That of
21 the funds provided under this heading, not less than
22 \$38,458,000 shall be made available for the Procurement
23 Technical Assistance Cooperative Agreement Program, of
24 which not less than \$3,600,000 shall be available for cen-
25 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,

1 That none of the funds appropriated or otherwise made
2 available by this Act may be used to plan or implement
3 the consolidation of a budget or appropriations liaison of-
4 fice of the Office of the Secretary of Defense, the office
5 of the Secretary of a military department, or the service
6 headquarters of one of the Armed Forces into a legislative
7 affairs or legislative liaison office: *Provided further*, That
8 \$9,385,000, to remain available until expended, is avail-
9 able only for expenses relating to certain classified activi-
10 ties, and may be transferred as necessary by the Secretary
11 of Defense to operation and maintenance appropriations
12 or research, development, test and evaluation appropria-
13 tions, to be merged with and to be available for the same
14 time period as the appropriations to which transferred:
15 *Provided further*, That any ceiling on the investment item
16 unit cost of items that may be purchased with operation
17 and maintenance funds shall not apply to the funds de-
18 scribed in the preceding proviso: *Provided further*, That
19 of the funds provided under this heading, \$415,000,000,
20 of which \$100,000,000 to remain available until Sep-
21 tember 30, 2019, shall be available to provide support and
22 assistance to foreign security forces or other groups or in-
23 dividuals to conduct, support or facilitate counterter-
24 rorism, crisis response, or other Department of Defense
25 security cooperation programs: *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 OPERATION AND MAINTENANCE, ARMY RESERVE

5 For expenses, not otherwise provided for, necessary
6 for the operation and maintenance, including training, or-
7 ganization, and administration, of the Army Reserve; re-
8 pair of facilities and equipment; hire of passenger motor
9 vehicles; travel and transportation; care of the dead; re-
10 cruiting; procurement of services, supplies, and equip-
11 ment; and communications, \$2,870,163,000.

12 OPERATION AND MAINTENANCE, NAVY RESERVE

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance, including training, or-
15 ganization, and administration, of the Navy Reserve; re-
16 pair of facilities and equipment; hire of passenger motor
17 vehicles; travel and transportation; care of the dead; re-
18 cruiting; procurement of services, supplies, and equip-
19 ment; and communications, \$1,038,507,000.

20 OPERATION AND MAINTENANCE, MARINE CORPS

21 RESERVE

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance, including training, or-
24 ganization, and administration, of the Marine Corps Re-
25 serve; repair of facilities and equipment; hire of passenger

1 motor vehicles; travel and transportation; care of the dead;
2 recruiting; procurement of services, supplies, and equip-
3 ment; and communications, \$282,337,000.

4 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

5 For expenses, not otherwise provided for, necessary
6 for the operation and maintenance, including training, or-
7 ganization, and administration, of the Air Force Reserve;
8 repair of facilities and equipment; hire of passenger motor
9 vehicles; travel and transportation; care of the dead; re-
10 cruiting; procurement of services, supplies, and equip-
11 ment; and communications, \$3,233,745,000.

12 OPERATION AND MAINTENANCE, ARMY NATIONAL

13 GUARD

14 For expenses of training, organizing, and admin-
15 istering the Army National Guard, including medical and
16 hospital treatment and related expenses in non-Federal
17 hospitals; maintenance, operation, and repairs to struc-
18 tures and facilities; hire of passenger motor vehicles; per-
19 sonnel services in the National Guard Bureau; travel ex-
20 penses (other than mileage), as authorized by law for
21 Army personnel on active duty, for Army National Guard
22 division, regimental, and battalion commanders while in-
23 specting units in compliance with National Guard Bureau
24 regulations when specifically authorized by the Chief, Na-
25 tional Guard Bureau; supplying and equipping the Army

1 National Guard as authorized by law; and expenses of re-
2 pair, modification, maintenance, and issue of supplies and
3 equipment (including aircraft), \$7,275,820,000.

4 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

5 For expenses of training, organizing, and admin-
6 istering the Air National Guard, including medical and
7 hospital treatment and related expenses in non-Federal
8 hospitals; maintenance, operation, and repairs to struc-
9 tures and facilities; transportation of things, hire of pas-
10 senger motor vehicles; supplying and equipping the Air
11 National Guard, as authorized by law; expenses for repair,
12 modification, maintenance, and issue of supplies and
13 equipment, including those furnished from stocks under
14 the control of agencies of the Department of Defense;
15 travel expenses (other than mileage) on the same basis as
16 authorized by law for Air National Guard personnel on
17 active Federal duty, for Air National Guard commanders
18 while inspecting units in compliance with National Guard
19 Bureau regulations when specifically authorized by the
20 Chief, National Guard Bureau, \$6,735,930,000.

21 UNITED STATES COURT OF APPEALS FOR THE ARMED

22 FORCES

23 For salaries and expenses necessary for the United
24 States Court of Appeals for the Armed Forces,

1 \$14,538,000, of which not to exceed \$5,000 may be used
2 for official representation purposes.

3 ENVIRONMENTAL RESTORATION, ARMY

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Department of the Army, \$215,809,000, to
6 remain available until transferred: *Provided*, That the Sec-
7 retary of the Army shall, upon determining that such
8 funds are required for environmental restoration, reduc-
9 tion and recycling of hazardous waste, removal of unsafe
10 buildings and debris of the Department of the Army, or
11 for similar purposes, transfer the funds made available by
12 this appropriation to other appropriations made available
13 to the Department of the Army, to be merged with and
14 to be available for the same purposes and for the same
15 time period as the appropriations to which transferred:
16 *Provided further*, That upon a determination that all or
17 part of the funds transferred from this appropriation are
18 not necessary for the purposes provided herein, such
19 amounts may be transferred back to this appropriation:
20 *Provided further*, That the transfer authority provided
21 under this heading is in addition to any other transfer au-
22 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, NAVY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Navy, \$288,915,000 (in-
4 creased by \$34,734,000) (increased by \$30,000,000), to
5 remain available until transferred: *Provided*, That the Sec-
6 retary of the Navy shall, upon determining that such
7 funds are required for environmental restoration, reduc-
8 tion and recycling of hazardous waste, removal of unsafe
9 buildings and debris of the Department of the Navy, or
10 for similar purposes, transfer the funds made available by
11 this appropriation to other appropriations made available
12 to the Department of the Navy, to be merged with and
13 to be available for the same purposes and for the same
14 time period as the appropriations to which transferred:
15 *Provided further*, That upon a determination that all or
16 part of the funds transferred from this appropriation are
17 not necessary for the purposes provided herein, such
18 amounts may be transferred back to this appropriation:
19 *Provided further*, That the transfer authority provided
20 under this heading is in addition to any other transfer au-
21 thority provided elsewhere in this Act.

22 ENVIRONMENTAL RESTORATION, AIR FORCE

23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Air Force, \$308,749,000
25 (increased by \$30,000,000), to remain available until

1 transferred: *Provided*, That the Secretary of the Air Force
2 shall, upon determining that such funds are required for
3 environmental restoration, reduction and recycling of haz-
4 ardous waste, removal of unsafe buildings and debris of
5 the Department of the Air Force, or for similar purposes,
6 transfer the funds made available by this appropriation
7 to other appropriations made available to the Department
8 of the Air Force, to be merged with and to be available
9 for the same purposes and for the same time period as
10 the appropriations to which transferred: *Provided further*,
11 That upon a determination that all or part of the funds
12 transferred from this appropriation are not necessary for
13 the purposes provided herein, such amounts may be trans-
14 ferred back to this appropriation: *Provided further*, That
15 the transfer authority provided under this heading is in
16 addition to any other transfer authority provided else-
17 where in this Act.

18 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

19 (INCLUDING TRANSFER OF FUNDS)

20 For the Department of Defense, \$9,002,000 (in-
21 creased by \$10,000,000), to remain available until trans-
22 ferred: *Provided*, That the Secretary of Defense shall,
23 upon determining that such funds are required for envi-
24 ronmental restoration, reduction and recycling of haz-
25 ardous waste, removal of unsafe buildings and debris of

1 the Department of Defense, or for similar purposes, trans-
2 fer the funds made available by this appropriation to other
3 appropriations made available to the Department of De-
4 fense, to be merged with and to be available for the same
5 purposes and for the same time period as the appropria-
6 tions to which transferred: *Provided further*, That upon
7 a determination that all or part of the funds transferred
8 from this appropriation are not necessary for the purposes
9 provided herein, such amounts may be transferred back
10 to this appropriation: *Provided further*, That the transfer
11 authority provided under this heading is in addition to any
12 other transfer authority provided elsewhere in this Act.

13 ENVIRONMENTAL RESTORATION, FORMERLY USED

14 DEFENSE SITES

15 (INCLUDING TRANSFER OF FUNDS)

16 For the Department of the Army, \$233,673,000, to
17 remain available until transferred: *Provided*, That the Sec-
18 retary of the Army shall, upon determining that such
19 funds are required for environmental restoration, reduc-
20 tion and recycling of hazardous waste, removal of unsafe
21 buildings and debris at sites formerly used by the Depart-
22 ment of Defense, transfer the funds made available by this
23 appropriation to other appropriations made available to
24 the Department of the Army, to be merged with and to
25 be available for the same purposes and for the same time

1 period as the appropriations to which transferred: *Pro-*
2 *vided further*, That upon a determination that all or part
3 of the funds transferred from this appropriation are not
4 necessary for the purposes provided herein, such amounts
5 may be transferred back to this appropriation: *Provided*
6 *further*, That the transfer authority provided under this
7 heading is in addition to any other transfer authority pro-
8 vided elsewhere in this Act.

9 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

10 For expenses relating to the Overseas Humanitarian,
11 Disaster, and Civic Aid programs of the Department of
12 Defense (consisting of the programs provided under sec-
13 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
14 United States Code), \$107,900,000, to remain available
15 until September 30, 2018.

16 COOPERATIVE THREAT REDUCTION ACCOUNT

17 For assistance, including assistance provided by con-
18 tract or by grants, under programs and activities of the
19 Department of Defense Cooperative Threat Reduction
20 Program authorized under the Department of Defense Co-
21 operative Threat Reduction Act, \$324,600,000, to remain
22 available until September 30, 2019.

1 OPERATION AND MAINTENANCE, NATIONAL DEFENSE
2 RESTORATION FUND
3 (INCLUDING TRANSFER OF FUNDS)

4 In addition to amounts provided elsewhere in this
5 Act, there is appropriated \$5,000,000,000, for the “Oper-
6 ation and Maintenance, National Defense Restoration
7 Fund”: *Provided*, That such funds provided under this
8 heading shall only be available for programs, projects and
9 activities necessary to implement the 2018 National De-
10 fense Strategy: *Provided further*, That such funds shall not
11 be available for transfer until 30 days after the Secretary
12 has submitted, and the congressional defense committees
13 have approved, the proposed allocation plan for the use
14 of such funds to implement such strategy: *Provided fur-*
15 *ther*, That such allocation plan shall include a detailed jus-
16 tification for the use of such funds and a description of
17 how such investments are necessary to implement the
18 strategy: *Provided further*, That the Secretary of Defense
19 may transfer these funds only to operation and mainte-
20 nance accounts: *Provided further*, That the funds trans-
21 ferred shall be merged with and shall be available for the
22 same purposes and for the same time period, as the appro-
23 priation to which transferred: *Provided further*, That none
24 of the funds made available under this heading may be
25 transferred to any program, project, or activity specifically

1 limited or denied by this Act: *Provided further*, That the
2 transfer authority provided under this heading is in addi-
3 tion to any other transfer authority available to the De-
4 partment of Defense.

5 TITLE III

6 PROCUREMENT

7 AIRCRAFT PROCUREMENT, ARMY

8 For construction, procurement, production, modifica-
9 tion, and modernization of aircraft, equipment, including
10 ordnance, ground handling equipment, spare parts, and
11 accessories therefor; specialized equipment and training
12 devices; expansion of public and private plants, including
13 the land necessary therefor, for the foregoing purposes,
14 and such lands and interests therein, may be acquired,
15 and construction prosecuted thereon prior to approval of
16 title; and procurement and installation of equipment, ap-
17 pliances, and machine tools in public and private plants;
18 reserve plant and Government and contractor-owned
19 equipment layaway; and other expenses necessary for the
20 foregoing purposes, \$4,456,533,000, to remain available
21 for obligation until September 30, 2020.

22 MISSILE PROCUREMENT, ARMY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, equipment, including
25 ordnance, ground handling equipment, spare parts, and

1 accessories therefor; specialized equipment and training
2 devices; expansion of public and private plants, including
3 the land necessary therefor, for the foregoing purposes,
4 and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title; and procurement and installation of equipment, ap-
7 pliances, and machine tools in public and private plants;
8 reserve plant and Government and contractor-owned
9 equipment layaway; and other expenses necessary for the
10 foregoing purposes, \$2,581,600,000, to remain available
11 for obligation until September 30, 2020.

12 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

13 VEHICLES, ARMY

14 For construction, procurement, production, and
15 modification of weapons and tracked combat vehicles,
16 equipment, including ordnance, spare parts, and acces-
17 sories therefor; specialized equipment and training devices;
18 expansion of public and private plants, including the land
19 necessary therefor, for the foregoing purposes, and such
20 lands and interests therein, may be acquired, and con-
21 struction prosecuted thereon prior to approval of title; and
22 procurement and installation of equipment, appliances,
23 and machine tools in public and private plants; reserve
24 plant and Government and contractor-owned equipment
25 layaway; and other expenses necessary for the foregoing

1 purposes, \$3,556,175,000, to remain available for obliga-
2 tion until September 30, 2020.

3 PROCUREMENT OF AMMUNITION, ARMY

4 For construction, procurement, production, and
5 modification of ammunition, and accessories therefor; spe-
6 cialized equipment and training devices; expansion of pub-
7 lic and private plants, including ammunition facilities, au-
8 thorized by section 2854 of title 10, United States Code,
9 and the land necessary therefor, for the foregoing pur-
10 poses, and such lands and interests therein, may be ac-
11 quired, and construction prosecuted thereon prior to ap-
12 proval of title; and procurement and installation of equip-
13 ment, appliances, and machine tools in public and private
14 plants; reserve plant and Government and contractor-
15 owned equipment layaway; and other expenses necessary
16 for the foregoing purposes, \$1,811,808,000, to remain
17 available for obligation until September 30, 2020.

18 OTHER PROCUREMENT, ARMY

19 For construction, procurement, production, and
20 modification of vehicles, including tactical, support, and
21 non-tracked combat vehicles; the purchase of passenger
22 motor vehicles for replacement only; communications and
23 electronic equipment; other support equipment; spare
24 parts, ordnance, and accessories therefor; specialized
25 equipment and training devices; expansion of public and

1 private plants, including the land necessary therefor, for
2 the foregoing purposes, and such lands and interests
3 therein, may be acquired, and construction prosecuted
4 thereon prior to approval of title; and procurement and
5 installation of equipment, appliances, and machine tools
6 in public and private plants; reserve plant and Govern-
7 ment and contractor-owned equipment layaway; and other
8 expenses necessary for the foregoing purposes,
9 \$6,356,044,000 (increased by \$30,000,000), to remain
10 available for obligation until September 30, 2020.

11 AIRCRAFT PROCUREMENT, NAVY

12 For construction, procurement, production, modifica-
13 tion, and modernization of aircraft, equipment, including
14 ordnance, spare parts, and accessories therefor; specialized
15 equipment; expansion of public and private plants, includ-
16 ing the land necessary therefor, and such lands and inter-
17 ests therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; and procurement and
19 installation of equipment, appliances, and machine tools
20 in public and private plants; reserve plant and Govern-
21 ment and contractor-owned equipment layaway,
22 \$17,908,270,000, to remain available for obligation until
23 September 30, 2020.

1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, torpedoes, other weap-
4 ons, and related support equipment including spare parts,
5 and accessories therefor; expansion of public and private
6 plants, including the land necessary therefor, and such
7 lands and interests therein, may be acquired, and con-
8 struction prosecuted thereon prior to approval of title; and
9 procurement and installation of equipment, appliances,
10 and machine tools in public and private plants; reserve
11 plant and Government and contractor-owned equipment
12 layaway, \$3,387,826,000 (increased by \$26,200,000), to
13 remain available for obligation until September 30, 2020.

14 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

15 CORPS

16 For construction, procurement, production, and
17 modification of ammunition, and accessories therefor; spe-
18 cialized equipment and training devices; expansion of pub-
19 lic and private plants, including ammunition facilities, au-
20 thorized by section 2854 of title 10, United States Code,
21 and the land necessary therefor, for the foregoing pur-
22 poses, and such lands and interests therein, may be ac-
23 quired, and construction prosecuted thereon prior to ap-
24 proval of title; and procurement and installation of equip-
25 ment, appliances, and machine tools in public and private

1 plants; reserve plant and Government and contractor-
2 owned equipment layaway; and other expenses necessary
3 for the foregoing purposes, \$735,651,000, to remain avail-
4 able for obligation until September 30, 2020.

5 SHIPBUILDING AND CONVERSION, NAVY

6 For expenses necessary for the construction, acquisi-
7 tion, or conversion of vessels as authorized by law, includ-
8 ing armor and armament thereof, plant equipment, appli-
9 ances, and machine tools and installation thereof in public
10 and private plants; reserve plant and Government and con-
11 tractor-owned equipment layaway; procurement of critical,
12 long lead time components and designs for vessels to be
13 constructed or converted in the future; and expansion of
14 public and private plants, including land necessary there-
15 for, and such lands and interests therein, may be acquired,
16 and construction prosecuted thereon prior to approval of
17 title, as follows:

18 Ohio Replacement Submarine (AP),

19 \$842,853,000;

20 Carrier Replacement Program, \$1,869,646,000;

21 Carrier Replacement Program (AP),

22 \$2,561,058,000;

23 Virginia Class Submarine, \$3,305,315,000;

24 Virginia Class Submarine (AP),

25 \$1,920,596,000;

1 CVN Refueling Overhauls, \$1,569,669,000;
2 CVN Refueling Overhauls (AP), \$75,897,000;
3 DDG-1000 Program, \$164,976,000;
4 DDG-51 Destroyer, \$3,499,079,000;
5 DDG-51 Destroyer (AP), \$90,336,000;
6 Littoral Combat Ship, \$1,566,971,000;
7 Expeditionary Sea Base, \$635,000,000;
8 LHA Replacement, \$1,695,077,000;
9 TAO Fleet Oiler, \$449,415,000;
10 TAO Fleet Oiler (AP), \$75,068,000;
11 Ship to Shore Connector, \$390,554,000;
12 Service Craft, \$23,994,000;
13 Towing, Salvage, and Rescue Ship,
14 \$76,204,000;
15 LCU 1700, \$31,850,000;
16 For outfitting, post delivery, conversions, and
17 first destination transportation, \$542,626,000; and
18 Completion of Prior Year Shipbuilding Pro-
19 grams, \$117,542,000.
20 In all: \$21,503,726,000, to remain available for obli-
21 gation until September 30, 2022: *Provided*, That addi-
22 tional obligations may be incurred after September 30,
23 2022, for engineering services, tests, evaluations, and
24 other such budgeted work that must be performed in the
25 final stage of ship construction: *Provided further*, That

1 none of the funds provided under this heading for the con-
2 struction or conversion of any naval vessel to be con-
3 structed in shipyards in the United States shall be ex-
4 pended in foreign facilities for the construction of major
5 components of such vessel: *Provided further*, That none
6 of the funds provided under this heading shall be used
7 for the construction of any naval vessel in foreign ship-
8 yards: *Provided further*, That funds appropriated or other-
9 wise made available by this Act for production of the com-
10 mon missile compartment of nuclear-powered vessels may
11 be available for multiyear procurement of critical compo-
12 nents to support continuous production of such compart-
13 ments only in accordance with the provisions of subsection
14 (i) of section 2218a of title 10, United States Code (as
15 added by section 1023 of the National Defense Authoriza-
16 tion Act for Fiscal Year 2017 (Public Law 114–328)).

17 OTHER PROCUREMENT, NAVY

18 For procurement, production, and modernization of
19 support equipment and materials not otherwise provided
20 for, Navy ordnance (except ordnance for new aircraft, new
21 ships, and ships authorized for conversion); the purchase
22 of passenger motor vehicles for replacement only; expan-
23 sion of public and private plants, including the land nec-
24 essary therefor, and such lands and interests therein, may
25 be acquired, and construction prosecuted thereon prior to

1 approval of title; and procurement and installation of
2 equipment, appliances, and machine tools in public and
3 private plants; reserve plant and Government and con-
4 tractor-owned equipment layaway, \$7,852,952,000, to re-
5 main available for obligation until September 30, 2020.

6 PROCUREMENT, MARINE CORPS

7 For expenses necessary for the procurement, manu-
8 facture, and modification of missiles, armament, military
9 equipment, spare parts, and accessories therefor; plant
10 equipment, appliances, and machine tools, and installation
11 thereof in public and private plants; reserve plant and
12 Government and contractor-owned equipment layaway; ve-
13 hicles for the Marine Corps, including the purchase of pas-
14 senger motor vehicles for replacement only; and expansion
15 of public and private plants, including 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, \$1,818,846,000 (increased by
19 \$20,000,000), to remain available for obligation until Sep-
20 tember 30, 2020.

21 AIRCRAFT PROCUREMENT, AIR FORCE

22 For construction, procurement, and modification of
23 aircraft and equipment, including armor and armament,
24 specialized ground handling equipment, and training de-
25 vices, spare parts, and accessories therefor; specialized

1 equipment; expansion of public and private plants, Gov-
2 ernment-owned equipment and installation thereof in such
3 plants, erection of structures, and acquisition of land, for
4 the foregoing purposes, and such lands and interests
5 therein, may be acquired, and construction prosecuted
6 thereon prior to approval of title; reserve plant and Gov-
7 ernment and contractor-owned equipment layaway; and
8 other expenses necessary for the foregoing purposes in-
9 cluding rents and transportation of things,
10 \$16,553,196,000 (increased by \$16,000,000), to remain
11 available for obligation until September 30, 2020.

12 MISSILE PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of
14 missiles, rockets, and related equipment, including spare
15 parts and accessories therefor; ground handling equip-
16 ment, and training devices; expansion of public and pri-
17 vate plants, Government-owned equipment and installa-
18 tion thereof in such plants, erection of structures, and ac-
19 quisition of land, for the foregoing purposes, and such
20 lands and interests therein, may be acquired, and con-
21 struction prosecuted thereon prior to approval of title; re-
22 serve plant and Government and contractor-owned equip-
23 ment layaway; and other expenses necessary for the fore-
24 going purposes including rents and transportation of

1 things, \$2,203,101,000, to remain available for obligation
2 until September 30, 2020.

3 SPACE PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 spacecraft, rockets, and related equipment, including
6 spare parts and accessories therefor; ground handling
7 equipment, and training devices; expansion of public and
8 private plants, Government-owned equipment and installa-
9 tion thereof in such plants, erection of structures, and ac-
10 quisition of land, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon prior to approval of title; re-
13 serve plant and Government and contractor-owned equip-
14 ment layaway; and other expenses necessary for the fore-
15 going purposes including rents and transportation of
16 things, \$3,210,355,000, to remain available for obligation
17 until September 30, 2020.

18 PROCUREMENT OF AMMUNITION, AIR FORCE

19 For construction, procurement, production, and
20 modification of ammunition, and accessories therefor; spe-
21 cialized equipment and training devices; expansion of pub-
22 lic and private plants, including ammunition facilities, au-
23 thorized by section 2854 of title 10, United States Code,
24 and the land necessary therefor, for the foregoing pur-
25 poses, and such lands and interests therein, may be ac-

1 quired, and construction prosecuted thereon prior to ap-
2 proval of title; and procurement and installation of equip-
3 ment, appliances, and machine tools in public and private
4 plants; reserve plant and Government and contractor-
5 owned equipment layaway; and other expenses necessary
6 for the foregoing purposes, \$1,316,977,000, to remain
7 available for obligation until September 30, 2020.

8 OTHER PROCUREMENT, AIR FORCE

9 For procurement and modification of equipment (in-
10 cluding ground guidance and electronic control equipment,
11 and ground electronic and communication equipment),
12 and supplies, materials, and spare parts therefor, not oth-
13 erwise provided for; the purchase of passenger motor vehi-
14 cles for replacement only; lease of passenger motor vehi-
15 cles; and expansion of public and private plants, Govern-
16 ment-owned equipment and installation thereof in such
17 plants, erection of structures, and acquisition of land, for
18 the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon, prior to approval of title; reserve plant and Gov-
21 ernment and contractor-owned equipment layaway,
22 \$19,318,814,000, to remain available for obligation until
23 September 30, 2020.

1 PROCUREMENT, DEFENSE-WIDE

2 For expenses of activities and agencies of the Depart-
3 ment of Defense (other than the military departments)
4 necessary for procurement, production, and modification
5 of equipment, supplies, materials, and spare parts there-
6 for, not otherwise provided for; the purchase of passenger
7 motor vehicles for replacement only; expansion of public
8 and private plants, equipment, and installation thereof in
9 such plants, erection of structures, and acquisition of land
10 for the foregoing purposes, and such lands and interests
11 therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; reserve plant and Gov-
13 ernment and contractor-owned equipment layaway,
14 \$5,239,239,000 (reduced by \$10,000,000), to remain
15 available for obligation until September 30, 2020.

16 DEFENSE PRODUCTION ACT PURCHASES

17 For activities by the Department of Defense pursuant
18 to sections 108, 301, 302, and 303 of the Defense Produc-
19 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
20 \$67,401,000, to remain available until expended.

21 PROCUREMENT, NATIONAL DEFENSE RESTORATION

22 FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 In addition to amounts provided elsewhere in this
25 Act, there is appropriated \$12,622,931,000, for the “Pro-

1 curement, National Defense Restoration Fund”: *Provided*,
2 That such funds provided under this heading shall only
3 be available for programs, projects and activities necessary
4 to implement the 2018 National Defense Strategy: *Pro-*
5 *vided further*, That such funds shall not be available for
6 transfer until 30 days after the Secretary has submitted,
7 and the congressional defense committees have approved,
8 the proposed allocation plan for the use of such funds to
9 implement such strategy: *Provided further*, That such allo-
10 cation plan shall include a detailed justification for the use
11 of such funds and a description of how such investments
12 are necessary to implement the strategy: *Provided further*,
13 That the Secretary of Defense may transfer these funds
14 only to procurement accounts: *Provided further*, That the
15 funds transferred shall be merged with and shall be avail-
16 able for the same purposes and for the same time period,
17 as the appropriation to which transferred: *Provided fur-*
18 *ther*, That none of the funds made available under this
19 heading may be transferred to any program, project, or
20 activity specifically limited or denied by this Act, except
21 for missile defense requirements resulting from urgent or
22 emergent operational needs: *Provided further*, That the
23 transfer authority provided under this heading is in addi-
24 tion to any other transfer authority available to the De-
25 partment of Defense.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TEST AND
3 EVALUATION

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$9,674,222,000 (increased by
10 \$6,000,000) (increased by \$4,000,000) (increased by
11 \$12,000,000) (increased by \$5,000,000), to remain avail-
12 able for obligation until September 30, 2019.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 NAVY

15 For expenses necessary for basic and applied sci-
16 entific research, development, test and evaluation, includ-
17 ing maintenance, rehabilitation, lease, and operation of fa-
18 cilities and equipment, \$17,196,521,000 (increased by
19 \$598,000) (increased by \$20,000,000) (reduced by
20 \$2,500,000) (increased by \$24,000,000), to remain avail-
21 able for obligation until September 30, 2019: *Provided*,
22 That funds appropriated in this paragraph which are
23 available for the V-22 may be used to meet unique oper-
24 ational requirements of the Special Operations Forces.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$33,874,980,000 (increased by
7 \$5,000,000) (increased by \$6,000,000) (increased by
8 \$10,000,000) (reduced by \$30,000,000) (increased by
9 \$30,000,000), to remain available for obligation until Sep-
10 tember 30, 2019.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 DEFENSE-WIDE

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses of activities and agencies of the Depart-
15 ment of Defense (other than the military departments),
16 necessary for basic and applied scientific research, devel-
17 opment, test and evaluation; advanced research projects
18 as may be designated and determined by the Secretary
19 of Defense, pursuant to law; maintenance, rehabilitation,
20 lease, and operation of facilities and equipment,
21 \$20,698,353,000 (reduced by \$16,000,000) (reduced by
22 \$12,000,000) (reduced by \$2,500,000) (reduced by
23 \$12,500,000) (increased by \$20,000,000) (reduced by
24 \$20,000,000) (reduced by \$4,135,000) (increased by
25 \$4,135,000) (reduced by \$27,500,000) (increased by

1 \$10,000,000), to remain available for obligation until Sep-
2 tember 30, 2019: *Provided*, That, of the funds made avail-
3 able in this paragraph, \$250,000,000 for the Defense
4 Rapid Innovation Program shall only be available for ex-
5 penses, not otherwise provided for, to include program
6 management and oversight, to conduct research, develop-
7 ment, test and evaluation to include proof of concept dem-
8 onstration; engineering, testing, and validation; and tran-
9 sition to full-scale production: *Provided further*, That the
10 Secretary of Defense may transfer funds provided herein
11 for the Defense Rapid Innovation Program to appropria-
12 tions for research, development, test and evaluation to ac-
13 complish the purpose provided herein: *Provided further*,
14 That this transfer authority is in addition to any other
15 transfer authority available to the Department of Defense:
16 *Provided further*, That the Secretary of Defense shall, not
17 fewer than 30 days prior to making transfers from this
18 appropriation, notify the congressional defense committees
19 in writing of the details of any such transfer.

20 OPERATIONAL TEST AND EVALUATION, DEFENSE

21 For expenses, not otherwise provided for, necessary
22 for the independent activities of the Director, Operational
23 Test and Evaluation, in the direction and supervision of
24 operational test and evaluation, including initial oper-
25 ational test and evaluation which is conducted prior to,

1 and in support of, production decisions; joint operational
2 testing and evaluation; and administrative expenses in
3 connection therewith, \$210,900,000, to remain available
4 for obligation until September 30, 2019.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 NATIONAL DEFENSE RESTORATION FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 In addition to amounts provided elsewhere in this
9 Act, there is appropriated \$1,000,000,000, for the “Re-
10 search, Development, Test and Evaluation, National De-
11 fense Restoration Fund”: *Provided*, That such funds pro-
12 vided under this heading shall only be available for pro-
13 grams, projects and activities necessary to implement the
14 2018 National Defense Strategy: *Provided further*, That
15 such funds shall not be available for transfer until 30 days
16 after the Secretary has submitted, and the congressional
17 defense committees have approved, the proposed allocation
18 plan for the use of such funds to implement such strategy:
19 *Provided further*, That such allocation plan shall include
20 a detailed justification for the use of such funds and a
21 description of how such investments are necessary to im-
22 plement the strategy: *Provided further*, That the Secretary
23 of Defense may transfer these funds only to research, de-
24 velopment, test and evaluation accounts: *Provided further*,
25 That the funds transferred shall be merged with and shall

1 be available for the same purposes and for the same time
2 period, as the appropriation to which transferred: *Pro-*
3 *vided further*, That none of the funds made available under
4 this heading may be transferred to any program, project,
5 or activity specifically limited or denied by this Act, except
6 for missile defense requirements resulting from urgent or
7 emergent operational needs: *Provided further*, That the
8 transfer authority provided under this heading is in addi-
9 tion to any other transfer authority available to the De-
10 partment of Defense.

11

TITLE V

12

REVOLVING AND MANAGEMENT FUNDS

13

DEFENSE WORKING CAPITAL FUNDS

14

For the Defense Working Capital Funds,

15

\$1,586,596,000.

16

TITLE VI

17

OTHER DEPARTMENT OF DEFENSE PROGRAMS

18

DEFENSE HEALTH PROGRAM

19

For expenses, not otherwise provided for, for medical

20

and health care programs of the Department of Defense

21

as authorized by law, \$33,931,566,000 (increased by

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\$7,000,000) (increased by \$1,000,000) (increased by

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\$10,000,000) (increased by \$2,000,000) (increased by

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\$2,000,000) (increased by \$10,000,000) (increased by

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\$5,000,000) (increased by \$10,000,000); of which

1 \$31,735,923,000 (increased by \$2,000,000) (increased by
2 \$5,000,000) shall be for operation and maintenance, of
3 which not to exceed one percent shall remain available for
4 obligation until September 30, 2019, and of which up to
5 \$15,349,700,000 may be available for contracts entered
6 into under the TRICARE program; of which
7 \$895,328,000, to remain available for obligation until Sep-
8 tember 30, 2020, shall be for procurement; and of which
9 \$1,300,315,000 (increased by \$7,000,000) (increased by
10 \$1,000,000) (increased by \$10,000,000) (increased by
11 \$2,000,000) (increased by \$10,000,000) (increased by
12 \$10,000,000), to remain available for obligation until Sep-
13 tember 30, 2019, shall be for research, development, test
14 and evaluation: *Provided*, That, notwithstanding any other
15 provision of law, of the amount made available under this
16 heading for research, development, test and evaluation,
17 not less than \$8,000,000 shall be available for HIV pre-
18 vention educational activities undertaken in connection
19 with United States military training, exercises, and hu-
20 manitarian assistance activities conducted primarily in Af-
21 rican nations: *Provided further*, That of the funds provided
22 under this heading for research, development, test and
23 evaluation, not less than \$627,100,000 shall be made
24 available to the United States Army Medical Research and

1 Materiel Command to carry out the congressionally di-
2 rected medical research programs.

3 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
4 DEFENSE

5 For expenses, not otherwise provided for, necessary
6 for the destruction of the United States stockpile of lethal
7 chemical agents and munitions in accordance with the pro-
8 visions of section 1412 of the Department of Defense Au-
9 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
10 struction of other chemical warfare materials that are not
11 in the chemical weapon stockpile, \$961,732,000, of which
12 \$104,237,000 shall be for operation and maintenance, of
13 which no less than \$49,401,000 shall be for the Chemical
14 Stockpile Emergency Preparedness Program, consisting of
15 \$21,045,000 for activities on military installations and
16 \$28,356,000, to remain available until September 30,
17 2019, to assist State and local governments; \$18,081,000
18 shall be for procurement, to remain available until Sep-
19 tember 30, 2020, of which \$18,081,000 shall be for the
20 Chemical Stockpile Emergency Preparedness Program to
21 assist State and local governments; and \$839,414,000, to
22 remain available until September 30, 2019, shall be for
23 research, development, test and evaluation, of which
24 \$750,700,000 shall only be for the Assembled Chemical
25 Weapons Alternatives program.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE
3 (INCLUDING TRANSFER OF FUNDS)

4 For drug interdiction and counter-drug activities of
5 the Department of Defense, for transfer to appropriations
6 available to the Department of Defense for military per-
7 sonnel of the reserve components serving under the provi-
8 sions of title 10 and title 32, United States Code; for oper-
9 ation and maintenance; for procurement; and for research,
10 development, test and evaluation, \$854,814,000, of which
11 \$532,648,000 shall be for counter-narcotics support;
12 \$120,813,000 shall be for the drug demand reduction pro-
13 gram; and \$201,353,000 shall be for the National Guard
14 counter-drug program: *Provided*, That the funds appro-
15 priated under this heading shall be available for obligation
16 for the same time period and for the same purpose as the
17 appropriation to which transferred: *Provided further*, That
18 upon a determination that all or part of the funds trans-
19 ferred from this appropriation are not necessary for the
20 purposes provided herein, such amounts may be trans-
21 ferred back to this appropriation: *Provided further*, That
22 the transfer authority provided under this heading is in
23 addition to any other transfer authority contained else-
24 where in this Act.

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses and activities of the Office of the In-
3 spector General in carrying out the provisions of the In-
4 spector General Act of 1978, as amended, \$336,887,000,
5 of which \$334,087,000 shall be for operation and mainte-
6 nance, of which not to exceed \$700,000 is available for
7 emergencies and extraordinary expenses to be expended on
8 the approval or authority of the Inspector General, and
9 payments may be made on the Inspector General's certifi-
10 cate of necessity for confidential military purposes; and
11 of which \$2,800,000, to remain available until September
12 30, 2019, shall be for research, development, test and eval-
13 uation.

14 TITLE VII

15 RELATED AGENCIES

16 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
17 DISABILITY SYSTEM FUND

18 For payment to the Central Intelligence Agency Re-
19 tirement and Disability System Fund, to maintain the
20 proper funding level for continuing the operation of the
21 Central Intelligence Agency Retirement and Disability
22 System, \$514,000,000.

23 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

24 For necessary expenses of the Intelligence Commu-
25 nity Management Account, \$522,100,000.

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

1 and in no case where the item for which funds are re-
2 quested has been denied by the Congress: *Provided further*,
3 That the Secretary of Defense shall notify the Congress
4 promptly of all transfers made pursuant to this authority
5 or any other authority in this Act: *Provided further*, That
6 no part of the funds in this Act shall be available to pre-
7 pare or present a request to the Committees on Appropria-
8 tions for reprogramming of funds, unless for higher pri-
9 ority items, based on unforeseen military requirements,
10 than those for which originally appropriated and in no
11 case where the item for which reprogramming is requested
12 has been denied by the Congress: *Provided further*, That
13 a request for multiple reprogrammings of funds using au-
14 thority provided in this section shall be made prior to June
15 30, 2017: *Provided further*, That transfers among military
16 personnel appropriations shall not be taken into account
17 for purposes of the limitation on the amount of funds that
18 may be transferred under this section.

19 SEC. 8006. (a) With regard to the list of specific pro-
20 grams, projects, and activities (and the dollar amounts
21 and adjustments to budget activities corresponding to
22 such programs, projects, and activities) contained in the
23 tables titled Explanation of Project Level Adjustments in
24 the explanatory statement regarding this Act, the obliga-
25 tion and expenditure of amounts appropriated or other-

1 wise made available in this Act for those programs,
2 projects, and activities for which the amounts appro-
3 priated exceed the amounts requested are hereby required
4 by law to be carried out in the manner provided by such
5 tables to the same extent as if the tables were included
6 in the text of this Act.

7 (b) Amounts specified in the referenced tables de-
8 scribed in subsection (a) shall not be treated as subdivi-
9 sions of appropriations for purposes of section 8005 of this
10 Act: *Provided*, That section 8005 shall apply when trans-
11 fers of the amounts described in subsection (a) occur be-
12 tween appropriation accounts.

13 SEC. 8007. (a) Not later than 60 days after enact-
14 ment of this Act, the Department of Defense shall submit
15 a report to the congressional defense committees to estab-
16 lish the baseline for application of reprogramming and
17 transfer authorities for fiscal year 2018: *Provided*, That
18 the report shall include—

19 (1) a table for each appropriation with a sepa-
20 rate column to display the President's budget re-
21 quest, adjustments made by Congress, adjustments
22 due to enacted rescissions, if appropriate, and the
23 fiscal year enacted level;

24 (2) a delineation in the table for each appro-
25 priation both by budget activity and program,

1 project, and activity as detailed in the Budget Ap-
2 pendix; and

3 (3) an identification of items of special congres-
4 sional interest.

5 (b) Notwithstanding section 8005 of this Act, none
6 of the funds provided in this Act shall be available for
7 reprogramming or transfer until the report identified in
8 subsection (a) is submitted to the congressional defense
9 committees, unless the Secretary of Defense certifies in
10 writing to the congressional defense committees that such
11 reprogramming or transfer is necessary as an emergency
12 requirement: *Provided*, That this subsection shall not
13 apply to transfers from the following appropriations ac-
14 counts:

15 (1) “Environmental Restoration, Army”;

16 (2) “Environmental Restoration, Navy” ;

17 (3) “Environmental Restoration, Air Force”;

18 (4) “Environmental Restoration, Defense-
19 Wide”

20 (5) “Environmental Restoration, Formerly
21 Used Defense Sites”; and

22 (6) “Drug Interdiction and Counter-drug Ac-
23 tivities, 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,
5 United States Code, may be maintained in only such
6 amounts as are necessary at any time for cash disburse-
7 ments to be made from such funds: *Provided*, That trans-
8 fers may be made between such funds: *Provided further*,
9 That transfers may be made between working capital
10 funds and the “Foreign Currency Fluctuations, Defense”
11 appropriation and the “Operation and Maintenance” ap-
12 propriation accounts in such amounts as may be deter-
13 mined by the Secretary of Defense, with the approval of
14 the Office of Management and Budget, except that such
15 transfers may not be made unless the Secretary of Defense
16 has notified the Congress of the proposed transfer: *Pro-*
17 *vided further*, That except in amounts equal to the
18 amounts appropriated to working capital funds in this Act,
19 no obligations may be made against a working capital fund
20 to procure or increase the value of war reserve material
21 inventory, unless the Secretary of Defense has notified the
22 Congress prior to any such obligation.

23 SEC. 8009. Funds appropriated by this Act may not
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-
2 sional defense committees.

3 SEC. 8010. None of the funds provided in this Act
4 shall be available to initiate: (1) a multiyear contract that
5 employs economic order quantity procurement in excess of
6 \$20,000,000 in any one year of the contract or that in-
7 cludes an unfunded contingent liability in excess of
8 \$20,000,000; or (2) a contract for advance procurement
9 leading to a multiyear contract that employs economic
10 order quantity procurement in excess of \$20,000,000 in
11 any one year, unless the congressional defense committees
12 have been notified at least 30 days in advance of the pro-
13 posed contract award: *Provided*, That no part of any ap-
14 propriation contained in this Act shall be available to ini-
15 tiate a multiyear contract for which the economic order
16 quantity advance procurement is not funded at least to
17 the limits of the Government's liability: *Provided further*,
18 That no part of any appropriation contained in this Act
19 shall be available to initiate multiyear procurement con-
20 tracts for any systems or component thereof if the value
21 of the multiyear contract would exceed \$500,000,000 un-
22 less specifically provided in this Act: *Provided further*,
23 That no multiyear procurement contract can be termi-
24 nated without 30-day prior notification to the congres-
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a
2 present value analysis to determine lowest cost compared
3 to an annual procurement: *Provided further*, That none of
4 the funds provided in this Act may be used for a multiyear
5 contract executed after the date of the enactment of this
6 Act unless in the case of any such contract—

7 (1) the Secretary of Defense has submitted to
8 Congress a budget request for full funding of units
9 to be procured through the contract and, in the case
10 of a contract for procurement of aircraft, that in-
11 cludes, for any aircraft unit to be procured through
12 the contract for which procurement funds are re-
13 quested in that budget request for production be-
14 yond advance procurement activities in the fiscal
15 year covered by the budget, full funding of procure-
16 ment of such unit in that fiscal year;

17 (2) cancellation provisions in the contract do
18 not include consideration of recurring manufacturing
19 costs of the contractor associated with the produc-
20 tion of unfunded units to be delivered under the con-
21 tract;

22 (3) the contract provides that payments to the
23 contractor under the contract shall not be made in
24 advance of incurred costs on funded units; and

1 (4) the contract does not provide for a price ad-
2 justment based on a failure to award a follow-on
3 contract.

4 Funds appropriated in title III of this Act may be used,
5 subject to section 2306b of title 10 , United States Code,
6 for multiyear procurement contracts as follows: V-22 Os-
7 prey aircraft variants; up to 13 SSN Virginia Class Sub-
8 marines and Government-furnished equipment; and
9 DDG-51 Arleigh Burke class Flight III guided missile de-
10 stroyers, the MK 41 Vertical Launching Systems, and as-
11 sociated Government-furnished systems and subsystems.

12 SEC. 8011. Within the funds appropriated for the op-
13 eration and maintenance of the Armed Forces, funds are
14 hereby appropriated pursuant to section 401 of title 10,
15 United States Code, for humanitarian and civic assistance
16 costs under chapter 20 of title 10, United States Code.
17 Such funds may also be obligated for humanitarian and
18 civic assistance costs incidental to authorized operations
19 and pursuant to authority granted in section 401 of chap-
20 ter 20 of title 10, United States Code, and these obliga-
21 tions shall be reported as required by section 401(d) of
22 title 10, United States Code: *Provided*, That funds avail-
23 able for operation and maintenance shall be available for
24 providing humanitarian and similar assistance by using
25 Civic Action Teams in the Trust Territories of the Pacific

1 Islands and freely associated states of Micronesia, pursu-
2 ant to the Compact of Free Association as authorized by
3 Public Law 99–239: *Provided further*, That upon a deter-
4 mination by the Secretary of the Army that such action
5 is beneficial for graduate medical education programs con-
6 ducted at Army medical facilities located in Hawaii, the
7 Secretary of the Army may authorize the provision of med-
8 ical services at such facilities and transportation to such
9 facilities, on a nonreimbursable basis, for civilian patients
10 from American Samoa, the Commonwealth of the North-
11 ern Mariana Islands, the Marshall Islands, the Federated
12 States of Micronesia, Palau, and Guam.

13 SEC. 8012. (a) During the current fiscal year, the
14 civilian personnel of the Department of Defense may not
15 be managed on the basis of any end-strength, and the
16 management of such personnel during that fiscal year
17 shall not be subject to any constraint or limitation (known
18 as an end-strength) on the number of such personnel who
19 may be employed on the last day of such fiscal year.

20 (b) The fiscal year 2019 budget request for the De-
21 partment of Defense as well as all justification material
22 and other documentation supporting the fiscal year 2019
23 Department of Defense budget request shall be prepared
24 and submitted to the Congress as if subsections (a) and

1 (b) of this provision were effective with regard to fiscal
2 year 2019.

3 (c) As required by section 1107 of the National De-
4 fense Authorization Act for Fiscal Year 2014 (Public Law
5 113–66; 10 U.S.C. 2358 note) civilian personnel at the
6 Department of Army Science and Technology Reinvention
7 Laboratories may not be managed on the basis of the
8 Table of Distribution and Allowances, and the manage-
9 ment of the workforce strength shall be done in a manner
10 consistent with the budget available with respect to such
11 Laboratories.

12 (d) Nothing in this section shall be construed to apply
13 to military (civilian) technicians.

14 SEC. 8013. None of the funds made available by this
15 Act shall be used in any way, directly or indirectly, to in-
16 fluence congressional action on any legislation or appro-
17 priation matters pending before the Congress.

18 SEC. 8014. None of the funds appropriated by this
19 Act shall be available for the basic pay and allowances of
20 any member of the Army participating as a full-time stu-
21 dent and receiving benefits paid by the Secretary of Vet-
22 erans Affairs from the Department of Defense Education
23 Benefits Fund when time spent as a full-time student is
24 credited toward completion of a service commitment: *Pro-*
25 *vided*, That this section shall not apply to those members

1 who have reenlisted with this option prior to October 1,
2 1987: *Provided further*, That this section applies only to
3 active components of the Army.

4 (TRANSFER OF FUNDS)

5 SEC. 8015. Funds appropriated in title III of this Act
6 for the Department of Defense Pilot Mentor-Protégé Pro-
7 gram may be transferred to any other appropriation con-
8 tained in this Act solely for the purpose of implementing
9 a Mentor-Protégé Program developmental assistance
10 agreement pursuant to section 831 of the National De-
11 fense Authorization Act for Fiscal Year 1991 (Public Law
12 101–510; 10 U.S.C. 2302 note), as amended, under the
13 authority of this provision or any other transfer authority
14 contained in this Act.

15 SEC. 8016. None of the funds in this Act may be
16 available for the purchase by the Department of Defense
17 (and its departments and agencies) of welded shipboard
18 anchor and mooring chain 4 inches in diameter and under
19 unless the anchor and mooring chain are manufactured
20 in the United States from components which are substan-
21 tially manufactured in the United States: *Provided*, That
22 for the purpose of this section, the term “manufactured”
23 shall include cutting, heat treating, quality control, testing
24 of chain and welding (including the forging and shot blast-
25 ing process): *Provided further*, That for the purpose of this

1 section substantially all of the components of anchor and
2 mooring chain shall be considered to be produced or manu-
3 factured in the United States if the aggregate cost of the
4 components produced or manufactured in the United
5 States exceeds the aggregate cost of the components pro-
6 duced or manufactured outside the United States: *Pro-*
7 *vided further*, That when adequate domestic supplies are
8 not available to meet Department of Defense requirements
9 on a timely basis, the Secretary of the service responsible
10 for the procurement may waive this restriction on a case-
11 by-case basis by certifying in writing to the Committees
12 on Appropriations that such an acquisition must be made
13 in order to acquire capability for national security pur-
14 poses.

15 SEC. 8017. None of the funds available to the De-
16 partment of Defense may be used to demilitarize or dis-
17 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
18 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
19 to demilitarize or destroy small arms ammunition or am-
20 muniton components that are not otherwise prohibited
21 from commercial sale under Federal law, unless the small
22 arms ammunition or ammunition components are certified
23 by the Secretary of the Army or designee as unserviceable
24 or unsafe for further use.

1 SEC. 8018. No more than \$500,000 of the funds ap-
2 propriated or made available in this Act shall be used dur-
3 ing a single fiscal year for any single relocation of an orga-
4 nization, unit, activity or function of the Department of
5 Defense into or within the National Capital Region: *Pro-*
6 *vided*, That the Secretary of Defense may waive this re-
7 striction on a case-by-case basis by certifying in writing
8 to the congressional defense committees that such a relo-
9 cation is required in the best interest of the Government.

10 SEC. 8019. Of the funds made available in this Act,
11 \$20,000,000 shall be available for incentive payments au-
12 thorized by section 504 of the Indian Financing Act of
13 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
14 or a subcontractor at any tier that makes a subcontract
15 award to any subcontractor or supplier as defined in sec-
16 tion 1544 of title 25, United States Code, or a small busi-
17 ness owned and controlled by an individual or individuals
18 defined under section 4221(9) of title 25, United States
19 Code, shall be considered a contractor for the purposes
20 of being allowed additional compensation under section
21 504 of the Indian Financing Act of 1974 (25 U.S.C.
22 1544) whenever the prime contract or subcontract amount
23 is over \$500,000 and involves the expenditure of funds
24 appropriated by an Act making appropriations for the De-
25 partment of Defense with respect to any fiscal year: *Pro-*

1 *vided further*, That notwithstanding section 1906 of title
2 41, United States Code, this section shall be applicable
3 to any Department of Defense acquisition of supplies or
4 services, including any contract and any subcontract at
5 any tier for acquisition of commercial items produced or
6 manufactured, in whole or in part, by any subcontractor
7 or supplier defined in section 1544 of title 25, United
8 States Code, or a small business owned and controlled by
9 an individual or individuals defined under section 4221(9)
10 of title 25, United States Code.

11 SEC. 8020. Funds appropriated by this Act for the
12 Defense Media Activity shall not be used for any national
13 or international political or psychological activities.

14 SEC. 8021. During the current fiscal year, the De-
15 partment of Defense is authorized to incur obligations of
16 not to exceed \$350,000,000 for purposes specified in sec-
17 tion 2350j(c) of title 10, United States Code, in anticipa-
18 tion of receipt of contributions, only from the Government
19 of Kuwait, under that section: *Provided*, That, upon re-
20 ceipt, such contributions from the Government of Kuwait
21 shall be credited to the appropriations or fund which in-
22 curred such obligations.

23 SEC. 8022. (a) Of the funds made available in this
24 Act, not less than \$43,100,000 shall be available for the
25 Civil Air Patrol Corporation, of which—

1 (1) \$30,800,000 shall be available from “Oper-
2 ation and Maintenance, Air Force” to support Civil
3 Air Patrol Corporation operation and maintenance,
4 readiness, counter-drug activities, and drug demand
5 reduction activities involving youth programs;

6 (2) \$10,600,000 shall be available from “Air-
7 craft Procurement, Air Force”; and

8 (3) \$1,700,000 shall be available from “Other
9 Procurement, Air Force” for vehicle procurement.

10 (b) The Secretary of the Air Force should waive reim-
11 bursement for any funds used by the Civil Air Patrol for
12 counter-drug activities in support of Federal, State, and
13 local government agencies.

14 SEC. 8023. (a) None of the funds appropriated in this
15 Act are available to establish a new Department of De-
16 fense (department) federally funded research and develop-
17 ment center (FFRDC), either as a new entity, or as a
18 separate entity administrated by an organization man-
19 aging another FFRDC, or as a nonprofit membership cor-
20 poration consisting of a consortium of other FFRDCs and
21 other nonprofit entities.

22 (b) No member of a Board of Directors, Trustees,
23 Overseers, Advisory Group, Special Issues Panel, Visiting
24 Committee, or any similar entity of a defense FFRDC,
25 and no paid consultant to any defense FFRDC, except

1 when acting in a technical advisory capacity, may be com-
2 pensated for his or her services as a member of such enti-
3 ty, or as a paid consultant by more than one FFRDC in
4 a fiscal year: *Provided*, That a member of any such entity
5 referred to previously in this subsection shall be allowed
6 travel expenses and per diem as authorized under the Fed-
7 eral Joint Travel Regulations, when engaged in the per-
8 formance of membership duties.

9 (c) Notwithstanding any other provision of law, none
10 of the funds available to the department from any source
11 during the current fiscal year may be used by a defense
12 FFRDC, through a fee or other payment mechanism, for
13 construction of new buildings not located on a military in-
14 stallation, for payment of cost sharing for projects funded
15 by Government grants, for absorption of contract over-
16 runs, or for certain charitable contributions, not to include
17 employee participation in community service and/or devel-
18 opment.

19 (d) Notwithstanding any other provision of law, of
20 the funds available to the department during fiscal year
21 2018, not more than 6,000 staff years of technical effort
22 (staff years) may be funded for defense FFRDCs: *Pro-*
23 *vided*, That, of the specific amount referred to previously
24 in this subsection, not more than 1,180 staff years may
25 be funded for the defense studies and analysis FFRDCs:

1 *Provided further*, That this subsection shall not apply to
2 staff years funded in the National Intelligence Program
3 (NIP) and the Military Intelligence Program (MIP).

4 (e) The Secretary of Defense shall, with the submis-
5 sion of the department's fiscal year 2019 budget request,
6 submit a report presenting the specific amounts of staff
7 years of technical effort to be allocated for each defense
8 FFRDC during that fiscal year and the associated budget
9 estimates.

10 (f) Notwithstanding any other provision of this Act,
11 the total amount appropriated in this Act for FFRDCs
12 is hereby reduced by \$210,000,000.

13 SEC. 8024. None of the funds appropriated or made
14 available in this Act shall be used to procure carbon, alloy,
15 or armor steel plate for use in any Government-owned fa-
16 cility or property under the control of the Department of
17 Defense which were not melted and rolled in the United
18 States or Canada: *Provided*, That these procurement re-
19 strictions shall apply to any and all Federal Supply Class
20 9515, American Society of Testing and Materials (ASTM)
21 or American Iron and Steel Institute (AISI) specifications
22 of carbon, alloy or armor steel plate: *Provided further*,
23 That the Secretary of the military department responsible
24 for the procurement may waive this restriction on a case-
25 by-case basis by certifying in writing to the Committees

1 on Appropriations of the House of Representatives and the
2 Senate that adequate domestic supplies are not available
3 to meet Department of Defense requirements on a timely
4 basis and that such an acquisition must be made in order
5 to acquire capability for national security purposes: *Pro-*
6 *vided further*, That these restrictions shall not apply to
7 contracts which are in being as of the date of the enact-
8 ment of this Act.

9 SEC. 8025. For the purposes of this Act, the term
10 “congressional defense committees” means the Armed
11 Services Committee of the House of Representatives, the
12 Armed Services Committee of the Senate, the Sub-
13 committee on Defense of the Committee on Appropriations
14 of the Senate, and the Subcommittee on Defense of the
15 Committee on Appropriations of the House of Representa-
16 tives.

17 SEC. 8026. During the current fiscal year, the De-
18 partment of Defense may acquire the modification, depot
19 maintenance and repair of aircraft, vehicles and vessels
20 as well as the production of components and other De-
21 fense-related articles, through competition between De-
22 partment of Defense depot maintenance activities and pri-
23 vate firms: *Provided*, That the Senior Acquisition Execu-
24 tive of the military department or Defense Agency con-
25 cerned, with power of delegation, shall certify that success-

1 ful bids include comparable estimates of all direct and in-
2 direct costs for both public and private bids: *Provided fur-*
3 *ther*, That Office of Management and Budget Circular A-
4 76 shall not apply to competitions conducted under this
5 section.

6 SEC. 8027. (a)(1) If the Secretary of Defense, after
7 consultation with the United States Trade Representative,
8 determines that a foreign country which is party to an
9 agreement described in paragraph (2) has violated the
10 terms of the agreement by discriminating against certain
11 types of products produced in the United States that are
12 covered by the agreement, the Secretary of Defense shall
13 rescind the Secretary's blanket waiver of the Buy Amer-
14 ican Act with respect to such types of products produced
15 in that foreign country.

16 (2) An agreement referred to in paragraph (1) is any
17 reciprocal defense procurement memorandum of under-
18 standing, between the United States and a foreign country
19 pursuant to which the Secretary of Defense has prospec-
20 tively waived the Buy American Act for certain products
21 in that country.

22 (b) The Secretary of Defense shall submit to the Con-
23 gress a report on the amount of Department of Defense
24 purchases from foreign entities in fiscal year 2018. Such
25 report shall separately indicate the dollar value of items

1 for which the Buy American Act was waived pursuant to
2 any agreement described in subsection (a)(2), the Trade
3 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
4 international agreement to which the United States is a
5 party.

6 (c) For purposes of this section, the term Buy Amer-
7 ican Act means chapter 83 of title 41, United States Code.

8 SEC. 8028. During the current fiscal year, amounts
9 contained in the Department of Defense Overseas Military
10 Facility Investment Recovery Account established by sec-
11 tion 2921(c)(1) of the National Defense Authorization Act
12 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
13 be available until expended for the payments specified by
14 section 2921(c)(2) of that Act.

15 SEC. 8029. (a) Notwithstanding any other provision
16 of law, the Secretary of the Air Force may convey at no
17 cost to the Air Force, without consideration, to Indian
18 tribes located in the States of Nevada, Idaho, North Da-
19 kota, South Dakota, Montana, Oregon, Minnesota, and
20 Washington relocatable military housing units located at
21 Grand Forks Air Force Base, Malmstrom Air Force Base,
22 Mountain Home Air Force Base, Ellsworth Air Force
23 Base, and Minot Air Force Base that are excess to the
24 needs of the Air Force.

1 (b) The Secretary of the Air Force shall convey, at
2 no cost to the Air Force, military housing units under sub-
3 section (a) in accordance with the request for such units
4 that are submitted to the Secretary by the Operation
5 Walking Shield Program on behalf of Indian tribes located
6 in the States of Nevada, Idaho, North Dakota, South Da-
7 kota, Montana, Oregon, Minnesota, and Washington. Any
8 such conveyance shall be subject to the condition that the
9 housing units shall be removed within a reasonable period
10 of time, as determined by the Secretary.

11 (c) The Operation Walking Shield Program shall re-
12 solve any conflicts among requests of Indian tribes for
13 housing units under subsection (a) before submitting re-
14 quests to the Secretary of the Air Force under subsection
15 (b).

16 (d) In this section, the term Indian tribe means any
17 recognized Indian tribe included on the current list pub-
18 lished by the Secretary of the Interior under section 104
19 of the Federally Recognized Indian Tribe Act of 1994
20 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-
21 1).

22 SEC. 8030. During the current fiscal year, appropria-
23 tions which are available to the Department of Defense
24 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more
2 than \$250,000.

3 SEC. 8031. None of the funds made available by this
4 Act may be used to—

5 (1) disestablish, or prepare to disestablish, a
6 Senior Reserve Officers' Training Corps program in
7 accordance with Department of Defense Instruction
8 Number 1215.08, dated June 26, 2006; or

9 (2) close, downgrade from host to extension
10 center, or place on probation a Senior Reserve Offi-
11 cers' Training Corps program in accordance with the
12 information paper of the Department of the Army
13 titled "Army Senior Reserve Officers' Training
14 Corps (SROTC) Program Review and Criteria",
15 dated January 27, 2014.

16 SEC. 8032. The Secretary of Defense shall issue reg-
17 ulations to prohibit the sale of any tobacco or tobacco-
18 related products in military resale outlets in the United
19 States, its territories and possessions at a price below the
20 most competitive price in the local community: *Provided*,
21 That such regulations shall direct that the prices of to-
22 bacco or tobacco-related products in overseas military re-
23 tail outlets shall be within the range of prices established
24 for military retail system stores located in the United
25 States.

1 SEC. 8033. (a) During the current fiscal year, none
2 of the appropriations or funds available to the Department
3 of Defense Working Capital Funds shall be used for the
4 purchase of an investment item for the purpose of acquir-
5 ing a new inventory item for sale or anticipated sale dur-
6 ing the current fiscal year or a subsequent fiscal year to
7 customers of the Department of Defense Working Capital
8 Funds if such an item would not have been chargeable
9 to the Department of Defense Business Operations Fund
10 during fiscal year 1994 and if the purchase of such an
11 investment item would be chargeable during the current
12 fiscal year to appropriations made to the Department of
13 Defense for procurement.

14 (b) The fiscal year 2019 budget request for the De-
15 partment of Defense as well as all justification material
16 and other documentation supporting the fiscal year 2019
17 Department of Defense budget shall be prepared and sub-
18 mitted to the Congress on the basis that any equipment
19 which was classified as an end item and funded in a pro-
20 curement appropriation contained in this Act shall be
21 budgeted for in a proposed fiscal year 2019 procurement
22 appropriation and not in the supply management business
23 area or any other area or category of the Department of
24 Defense Working Capital Funds.

1 SEC. 8034. None of the funds appropriated by this
2 Act for programs of the Central Intelligence Agency shall
3 remain available for obligation beyond the current fiscal
4 year, except for funds appropriated for the Reserve for
5 Contingencies, which shall remain available until Sep-
6 tember 30, 2019: *Provided*, That funds appropriated,
7 transferred, or otherwise credited to the Central Intel-
8 ligence Agency Central Services Working Capital Fund
9 during this or any prior or subsequent fiscal year shall
10 remain available until expended: *Provided further*, That
11 any funds appropriated or transferred to the Central Intel-
12 ligence Agency for advanced research and development ac-
13 quisition, for agent operations, and for covert action pro-
14 grams authorized by the President under section 503 of
15 the National Security Act of 1947 (50 U.S.C. 3093) shall
16 remain available until September 30, 2019.

17 SEC. 8035. Notwithstanding any other provision of
18 law, funds made available in this Act and hereafter for
19 the Defense Intelligence Agency may be used for the de-
20 sign, development, and deployment of General Defense In-
21 telligence Program intelligence communications and intel-
22 ligence information systems for the Services, the Unified
23 and Specified Commands, and the component commands.

24 SEC. 8036. Of the funds appropriated to the Depart-
25 ment of Defense under the heading “Operation and Main-

1 tenance, Defense-Wide”, not less than \$12,000,000 shall
2 be made available only for the mitigation of environmental
3 impacts, including training and technical assistance to
4 tribes, related administrative support, the gathering of in-
5 formation, documenting of environmental damage, and de-
6 veloping a system for prioritization of mitigation and cost
7 to complete estimates for mitigation, on Indian lands re-
8 sulting from Department of Defense activities.

9 SEC. 8037. (a) None of the funds appropriated in this
10 Act may be expended by an entity of the Department of
11 Defense unless the entity, in expending the funds, com-
12 plies with the Buy American Act. For purposes of this
13 subsection, the term Buy American Act means chapter 83
14 of title 41, United States Code.

15 (b) If the Secretary of Defense determines that a per-
16 son has been convicted of intentionally affixing a label
17 bearing a “Made in America” inscription to any product
18 sold in or shipped to the United States that is not made
19 in America, the Secretary shall determine, in accordance
20 with section 2410f of title 10, United States Code, wheth-
21 er the person should be debarred from contracting with
22 the Department of Defense.

23 (c) In the case of any equipment or products pur-
24 chased with appropriations provided under this Act, it is
25 the sense of the Congress that any entity of the Depart-

1 ment of Defense, in expending the appropriation, purchase
2 only American-made equipment and products, provided
3 that American-made equipment and products are cost-
4 competitive, quality competitive, and available in a timely
5 fashion.

6 SEC. 8038. (a) Except as provided in subsections (b)
7 and (c), none of the funds made available by this Act may
8 be used—

9 (1) to establish a field operating agency; or

10 (2) to pay the basic pay of a member of the
11 Armed Forces or civilian employee of the depart-
12 ment who is transferred or reassigned from a head-
13 quarters activity if the member or employee's place
14 of duty remains at the location of that headquarters.

15 (b) The Secretary of Defense or Secretary of a mili-
16 tary department may waive the limitations in subsection
17 (a), on a case-by-case basis, if the Secretary determines,
18 and certifies to the Committees on Appropriations of the
19 House of Representatives and the Senate that the grant-
20 ing of the waiver will reduce the personnel requirements
21 or the financial requirements of the department.

22 (c) This section does not apply to—

23 (1) field operating agencies funded within the
24 National Intelligence Program;

1 (2) an Army field operating agency established
2 to eliminate, mitigate, or counter the effects of im-
3 proved explosive devices, and, as determined by the
4 Secretary of the Army, other similar threats;

5 (3) an Army field operating agency established
6 to improve the effectiveness and efficiencies of bio-
7 metric activities and to integrate common biometric
8 technologies throughout the Department of Defense;
9 or

10 (4) an Air Force field operating agency estab-
11 lished to administer the Air Force Mortuary Affairs
12 Program and Mortuary Operations for the Depart-
13 ment of Defense and authorized Federal entities.

14 SEC. 8039. (a) None of the funds appropriated by
15 this Act shall be available to convert to contractor per-
16 formance an activity or function of the Department of De-
17 fense that, on or after the date of the enactment of this
18 Act, is performed by Department of Defense civilian em-
19 ployees unless—

20 (1) the conversion is based on the result of a
21 public-private competition that includes a most effi-
22 cient and cost effective organization plan developed
23 by such activity or function;

24 (2) the Competitive Sourcing Official deter-
25 mines that, over all performance periods stated in

1 the solicitation of offers for performance of the ac-
2 tivity or function, the cost of performance of the ac-
3 tivity or function by a contractor would be less costly
4 to the Department of Defense by an amount that
5 equals or exceeds the lesser of—

6 (A) 10 percent of the most efficient organi-
7 zation's personnel-related costs for performance
8 of that activity or function by Federal employ-
9 ees; or

10 (B) \$10,000,000; and

11 (3) the contractor does not receive an advan-
12 tage for a proposal that would reduce costs for the
13 Department of Defense by—

14 (A) not making an employer-sponsored
15 health insurance plan available to the workers
16 who are to be employed in the performance of
17 that activity or function under the contract; or

18 (B) offering to such workers an employer-
19 sponsored health benefits plan that requires the
20 employer to contribute less towards the pre-
21 mium or subscription share than the amount
22 that is paid by the Department of Defense for
23 health benefits for civilian employees under
24 chapter 89 of title 5, United States Code.

1 (b)(1) The Department of Defense, without regard
2 to subsection (a) of this section or subsection (a), (b), or
3 (c) of section 2461 of title 10, United States Code, and
4 notwithstanding any administrative regulation, require-
5 ment, or policy to the contrary shall have full authority
6 to enter into a contract for the performance of any com-
7 mercial or industrial type function of the Department of
8 Defense that—

9 (A) is included on the procurement list estab-
10 lished pursuant to section 2 of the Javits-Wagner-
11 O'Day Act (section 8503 of title 41, United States
12 Code);

13 (B) is planned to be converted to performance
14 by a qualified nonprofit agency for the blind or by
15 a qualified nonprofit agency for other severely handi-
16 capped individuals in accordance with that Act; or

17 (C) is planned to be converted to performance
18 by a qualified firm under at least 51 percent owner-
19 ship by an Indian tribe, as defined in section 4(e)
20 of the Indian Self-Determination and Education As-
21 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
22 waiian Organization, as defined in section 8(a)(15)
23 of the Small Business Act (15 U.S.C. 637(a)(15)).

1 “Aircraft Procurement, Air Force”, 2016/2018,
2 \$82,700,000;
3 “Missile Procurement, Army”, 2017/2019,
4 \$19,319,000;
5 “Procurement of Weapons and Tracked Combat
6 Vehicles, Army”, 2017/2019, \$9,764,000;
7 “Other Procurement, Army”, 2017/2019,
8 \$10,000,000;
9 “Aircraft Procurement, Navy”, 2017/2019,
10 \$105,600,000;
11 “Weapons Procurement, Navy”, 2017/2019,
12 \$54,122,000;
13 “Shipbuilding and Conversion, Navy”, 2017/
14 2021, \$45,116,000;
15 “Aircraft Procurement, Air Force”, 2017/2019,
16 \$63,293,000;
17 “Missile Procurement, Air Force”, 2017/2019,
18 \$31,639,000;
19 “Space Procurement, Air Force”, 2017/2019,
20 \$15,000,000;
21 “Other Procurement, Air Force”, 2017/2019,
22 \$105,000,000;
23 “Research, Development, Test and Evaluation,
24 Navy”, 2017/2018, \$34,128,000;

1 “Research, Development, Test and Evaluation,
2 Air Force”, 2017/2018, \$41,700,000.

3 SEC. 8041. None of the funds available in this Act
4 may be used to reduce the authorized positions for mili-
5 tary technicians (dual status) of the Army National
6 Guard, Air National Guard, Army Reserve and Air Force
7 Reserve for the purpose of applying any administratively
8 imposed civilian personnel ceiling, freeze, or reduction on
9 military technicians (dual status), unless such reductions
10 are a direct result of a reduction in military force struc-
11 ture.

12 SEC. 8042. None of the funds appropriated or other-
13 wise made available in this Act may be obligated or ex-
14 pended for assistance to the Democratic People’s Republic
15 of Korea unless specifically appropriated for that purpose.

16 SEC. 8043. Funds appropriated in this Act for oper-
17 ation and maintenance of the Military Departments, Com-
18 batant Commands and Defense Agencies shall be available
19 for reimbursement of pay, allowances and other expenses
20 which would otherwise be incurred against appropriations
21 for the National Guard and Reserve when members of the
22 National Guard and Reserve provide intelligence or coun-
23 terintelligence support to Combatant Commands, Defense
24 Agencies and Joint Intelligence Activities, including the
25 activities and programs included within the National Intel-

1 ligence Program and the Military Intelligence Program:
2 *Provided*, That nothing in this section authorizes deviation
3 from established Reserve and National Guard personnel
4 and training procedures.

5 SEC. 8044. (a) None of the funds available to the
6 Department of Defense for any fiscal year for drug inter-
7 diction or counter-drug activities may be transferred to
8 any other department or agency of the United States ex-
9 cept as specifically provided in an appropriations law.

10 (b) None of the funds available to the Central Intel-
11 ligence Agency for any fiscal year for drug interdiction or
12 counter-drug activities may be transferred to any other de-
13 partment or agency of the United States except as specifi-
14 cally provided in an appropriations law.

15 SEC. 8045. None of the funds appropriated by this
16 Act may be used for the procurement of ball and roller
17 bearings other than those produced by a domestic source
18 and of domestic origin: *Provided*, That the Secretary of
19 the military department responsible for such procurement
20 may waive this restriction on a case-by-case basis by certi-
21 fying in writing to the Committees on Appropriations of
22 the House of Representatives and the Senate, that ade-
23 quate domestic supplies are not available to meet Depart-
24 ment of Defense requirements on a timely basis and that
25 such an acquisition must be made in order to acquire ca-

1 pability for national security purposes: *Provided further*,
2 That this restriction shall not apply to the purchase of
3 “commercial items”, as defined by section 103 of title 41,
4 United States Code, except that the restriction shall apply
5 to ball or roller bearings purchased as end items.

6 SEC. 8046. None of the funds made available by this
7 Act for Evolved Expendable Launch Vehicle service com-
8 petitive procurements may be used unless the competitive
9 procurements are open for award to all certified providers
10 of Evolved Expendable Launch Vehicle-class systems: *Pro-*
11 *vided*, That the award shall be made to the provider that
12 offers the best value to the government.

13 SEC. 8047. In addition to the amounts appropriated
14 or otherwise made available elsewhere in this Act,
15 \$44,000,000 is hereby appropriated to the Department of
16 Defense: *Provided*, That upon the determination of the
17 Secretary of Defense that it shall serve the national inter-
18 est, the Secretary shall make grants in the amounts speci-
19 fied as follows: \$20,000,000 to the United Service Organi-
20 zations and \$24,000,000 to the Red Cross.

21 SEC. 8048. None of the funds in this Act may be
22 used to purchase any supercomputer which is not manu-
23 factured in the United States, unless the Secretary of De-
24 fense certifies to the congressional defense committees
25 that such an acquisition must be made in order to acquire

1 capability for national security purposes that is not avail-
2 able from United States manufacturers.

3 SEC. 8049. Notwithstanding any other provision in
4 this Act, the Small Business Innovation Research program
5 and the Small Business Technology Transfer program set-
6 asides shall be taken proportionally from all programs,
7 projects, or activities to the extent they contribute to the
8 extramural budget.

9 SEC. 8050. None of the funds available to the De-
10 partment of Defense under this Act shall be obligated or
11 expended to pay a contractor under a contract with the
12 Department of Defense for costs of any amount paid by
13 the contractor to an employee when—

14 (1) such costs are for a bonus or otherwise in
15 excess of the normal salary paid by the contractor
16 to the employee; and

17 (2) such bonus is part of restructuring costs as-
18 sociated with a business combination.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8051. During the current fiscal year, no more
21 than \$30,000,000 of appropriations made in this Act
22 under the heading “Operation and Maintenance, Defense-
23 Wide” may be transferred to appropriations available for
24 the pay of military personnel, to be merged with, and to
25 be available for the same time period as the appropriations

1 to which transferred, to be used in support of such per-
2 sonnel in connection with support and services for eligible
3 organizations and activities outside the Department of De-
4 fense pursuant to section 2012 of title 10, United States
5 Code.

6 SEC. 8052. During the current fiscal year, in the case
7 of an appropriation account of the Department of Defense
8 for which the period of availability for obligation has ex-
9 pired or which has closed under the provisions of section
10 1552 of title 31, United States Code, and which has a
11 negative unliquidated or unexpended balance, an obliga-
12 tion or an adjustment of an obligation may be charged
13 to any current appropriation account for the same purpose
14 as the expired or closed account if—

15 (1) the obligation would have been properly
16 chargeable (except as to amount) to the expired or
17 closed account before the end of the period of avail-
18 ability or closing of that account;

19 (2) the obligation is not otherwise properly
20 chargeable to any current appropriation account of
21 the Department of Defense; and

22 (3) in the case of an expired account, the obli-
23 gation is not chargeable to a current appropriation
24 of the Department of Defense under the provisions
25 of section 1405(b)(8) of the National Defense Au-

1 thorization Act for Fiscal Year 1991, Public Law
2 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
3 *vided*, That in the case of an expired account, if sub-
4 sequent review or investigation discloses that there
5 was not in fact a negative unliquidated or unex-
6 pended balance in the account, any charge to a cur-
7 rent account under the authority of this section shall
8 be reversed and recorded against the expired ac-
9 count: *Provided further*, That the total amount
10 charged to a current appropriation under this sec-
11 tion may not exceed an amount equal to 1 percent
12 of the total appropriation for that account.

13 SEC. 8053. (a) Notwithstanding any other provision
14 of law, the Chief of the National Guard Bureau may per-
15 mit the use of equipment of the National Guard Distance
16 Learning Project by any person or entity on a space-avail-
17 able, reimbursable basis. The Chief of the National Guard
18 Bureau shall establish the amount of reimbursement for
19 such use on a case-by-case basis.

20 (b) Amounts collected under subsection (a) shall be
21 credited to funds available for the National Guard Dis-
22 tance Learning Project and be available to defray the costs
23 associated with the use of equipment of the project under
24 that subsection. Such funds shall be available for such
25 purposes without fiscal year limitation.

1 same purposes and for the same time period as the appro-
2 priations to which the funds are transferred: *Provided fur-*
3 *ther*, That this transfer authority is in addition to any
4 other transfer authority provided in this Act.

5 SEC. 8056. None of the funds appropriated in title
6 IV of this Act may be used to procure end-items for deliv-
7 ery to military forces for operational training, operational
8 use or inventory requirements: *Provided*, That this restric-
9 tion does not apply to end-items used in development,
10 prototyping, and test activities preceding and leading to
11 acceptance for operational use: *Provided further*, That this
12 restriction does not apply to programs funded within the
13 National Intelligence Program: *Provided further*, That the
14 Secretary of Defense may waive this restriction on a case-
15 by-case basis by certifying in writing to the Committees
16 on Appropriations of the House of Representatives and the
17 Senate that it is in the national security interest to do
18 so.

19 SEC. 8057. (a) The Secretary of Defense may, on a
20 case-by-case basis, waive with respect to a foreign country
21 each limitation on the procurement of defense items from
22 foreign sources provided in law if the Secretary determines
23 that the application of the limitation with respect to that
24 country would invalidate cooperative programs entered
25 into between the Department of Defense and the foreign

1 country, or would invalidate reciprocal trade agreements
2 for the procurement of defense items entered into under
3 section 2531 of title 10, United States Code, and the
4 country does not discriminate against the same or similar
5 defense items produced in the United States for that coun-
6 try.

7 (b) Subsection (a) applies with respect to—

8 (1) contracts and subcontracts entered into on
9 or after the date of the enactment of this Act; and

10 (2) options for the procurement of items that
11 are exercised after such date under contracts that
12 are entered into before such date if the option prices
13 are adjusted for any reason other than the applica-
14 tion of a waiver granted under subsection (a).

15 (c) Subsection (a) does not apply to a limitation re-
16 garding construction of public vessels, ball and roller bear-
17 ings, food, and clothing or textile materials as defined by
18 section XI (chapters 50–65) of the Harmonized Tariff
19 Schedule of the United States and products classified
20 under headings 4010, 4202, 4203, 6401 through 6406,
21 6505, 7019, 7218 through 7229, 7304.41 through
22 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
23 8211, 8215, and 9404.

24 SEC. 8058. None of the funds appropriated or other-
25 wise made available by this or other Department of De-

1 fense Appropriations Acts may be obligated or expended
2 for the purpose of performing repairs or maintenance to
3 military family housing units of the Department of De-
4 fense, including areas in such military family housing
5 units that may be used for the purpose of conducting offi-
6 cial Department of Defense business.

7 SEC. 8059. Notwithstanding any other provision of
8 law, funds appropriated in this Act under the heading
9 “Research, Development, Test and Evaluation, Defense-
10 Wide” for any new start advanced concept technology
11 demonstration project or joint capability demonstration
12 project may only be obligated 45 days after a report, in-
13 cluding a description of the project, the planned acquisi-
14 tion and transition strategy and its estimated annual and
15 total cost, has been provided in writing to the congres-
16 sional defense committees: *Provided*, That the Secretary
17 of Defense may waive this restriction on a case-by-case
18 basis by certifying to the congressional defense committees
19 that it is in the national interest to do so.

20 SEC. 8060. The Secretary of Defense shall continue
21 to provide a classified quarterly report to the House and
22 Senate Appropriations Committees, Subcommittees on
23 Defense on certain matters as directed in the classified
24 annex accompanying this Act.

1 SEC. 8061. Notwithstanding section 12310(b) of title
2 10, United States Code, a Reserve who is a member of
3 the National Guard serving on full-time National Guard
4 duty under section 502(f) of title 32, United States Code,
5 may perform duties in support of the ground-based ele-
6 ments of the National Ballistic Missile Defense System.

7 SEC. 8062. None of the funds provided in this Act
8 may be used to transfer to any nongovernmental entity
9 ammunition held by the Department of Defense that has
10 a center-fire cartridge and a United States military no-
11 menclature designation of “armor penetrator”, “armor
12 piercing (AP)”, “armor piercing incendiary (API)”, or
13 “armor-piercing incendiary tracer (API-T)”, except to an
14 entity performing demilitarization services for the Depart-
15 ment of Defense under a contract that requires the entity
16 to demonstrate to the satisfaction of the Department of
17 Defense that armor piercing projectiles are either:

18 (1) rendered incapable of reuse by the demili-
19 tarization process; or

20 (2) used to manufacture ammunition pursuant
21 to a contract with the Department of Defense or the
22 manufacture of ammunition for export pursuant to
23 a License for Permanent Export of Unclassified
24 Military Articles issued by the Department of State.

1 SEC. 8063. Notwithstanding any other provision of
2 law, the Chief of the National Guard Bureau, or his des-
3 ignee, may waive payment of all or part of the consider-
4 ation that otherwise would be required under section 2667
5 of title 10, United States Code, in the case of a lease of
6 personal property for a period not in excess of 1 year to
7 any organization specified in section 508(d) of title 32,
8 United States Code, or any other youth, social, or fra-
9 ternal nonprofit organization as may be approved by the
10 Chief of the National Guard Bureau, or his designee, on
11 a case-by-case basis.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8064. Of the amounts appropriated in this Act
14 under the heading “Operation and Maintenance, Army”,
15 \$66,881,780 shall remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 the Secretary of Defense is authorized to transfer such
18 funds to other activities of the Federal Government: *Pro-*
19 *vided further*, That the Secretary of Defense is authorized
20 to enter into and carry out contracts for the acquisition
21 of real property, construction, personal services, and oper-
22 ations related to projects carrying out the purposes of this
23 section: *Provided further*, That contracts entered into
24 under the authority of this section may provide for such
25 indemnification as the Secretary determines to be nec-

1 essary: *Provided further*, That projects authorized by this
2 section shall comply with applicable Federal, State, and
3 local law to the maximum extent consistent with the na-
4 tional security, as determined by the Secretary of Defense.

5 SEC. 8065. (a) None of the funds appropriated in this
6 or any other Act may be used to take any action to mod-
7 ify—

8 (1) the appropriations account structure for the
9 National Intelligence Program budget, including
10 through the creation of a new appropriation or new
11 appropriation account;

12 (2) how the National Intelligence Program
13 budget request is presented in the unclassified P-1,
14 R-1, and O-1 documents supporting the Depart-
15 ment of Defense budget request;

16 (3) the process by which the National Intel-
17 ligence Program appropriations are apportioned to
18 the executing agencies; or

19 (4) the process by which the National Intel-
20 ligence Program appropriations are allotted, obli-
21 gated and disbursed.

22 (b) Nothing in section (a) shall be construed to pro-
23 hibit the merger of programs or changes to the National
24 Intelligence Program budget at or below the Expenditure

1 Center level, provided such change is otherwise in accord-
2 ance with paragraphs (a)(1)–(3).

3 (c) The Director of National Intelligence and the Sec-
4 retary of Defense may jointly, only for the purposes of
5 achieving auditable financial statements and improving
6 fiscal reporting, study and develop detailed proposals for
7 alternative financial management processes. Such study
8 shall include a comprehensive counterintelligence risk as-
9 sessment to ensure that none of the alternative processes
10 will adversely affect counterintelligence.

11 (d) Upon development of the detailed proposals de-
12 fined under subsection (c), the Director of National Intel-
13 ligence and the Secretary of Defense shall—

14 (1) provide the proposed alternatives to all af-
15 fected agencies;

16 (2) receive certification from all affected agen-
17 cies attesting that the proposed alternatives will help
18 achieve auditability, improve fiscal reporting, and
19 will not adversely affect counterintelligence; and

20 (3) not later than 30 days after receiving all
21 necessary certifications under paragraph (2), present
22 the proposed alternatives and certifications to the
23 congressional defense and intelligence committees.

24 SEC. 8066. In addition to amounts provided else-
25 where in this Act, \$5,000,000 (increased by \$5,000,000)

1 is hereby appropriated to the Department of Defense, to
2 remain available for obligation until expended: *Provided*,
3 That notwithstanding any other provision of law, that
4 upon the determination of the Secretary of Defense that
5 it shall serve the national interest, these funds shall be
6 available only for a grant to the Fisher House Foundation,
7 Inc., only for the construction and furnishing of additional
8 Fisher Houses to meet the needs of military family mem-
9 bers when confronted with the illness or hospitalization of
10 an eligible military beneficiary.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8067. Of the amounts appropriated in this Act
13 under the headings “Procurement, Defense-Wide” and
14 “Research, Development, Test and Evaluation, Defense-
15 Wide”, \$705,800,000 shall be for the Israeli Cooperative
16 Programs: *Provided*, That of this amount, \$92,000,000
17 shall be for the Secretary of Defense to provide to the Gov-
18 ernment of Israel for the procurement of the Iron Dome
19 defense system to counter short-range rocket threats, sub-
20 ject to the U.S.-Israel Iron Dome Procurement Agree-
21 ment, as amended; \$221,500,000 shall be for the Short
22 Range Ballistic Missile Defense (SRBMD) program, in-
23 cluding cruise missile defense research and development
24 under the SRBMD program, of which \$120,000,000 shall
25 be for co-production activities of SRBMD missiles in the

1 United States and in Israel to meet Israel’s defense re-
2 quirements consistent with each nation’s laws, regulations,
3 and procedures, subject to the U.S.-Israeli co-production
4 agreement for SRBMD, as amended; \$205,000,000 shall
5 be for an upper-tier component to the Israeli Missile De-
6 fense Architecture, of which \$120,000,000 shall be for co-
7 production activities of Arrow 3 Upper Tier missiles in
8 the United States and in Israel to meet Israel’s defense
9 requirements consistent with each nation’s laws, regula-
10 tions, and procedures, subject to the U.S.-Israeli co-pro-
11 duction agreement for Arrow 3 Upper Tier, as amended;
12 \$105,000,000 shall be for testing of the upper-tier compo-
13 nent to the Israeli Missile Defense Architecture in the
14 United States; and \$82,300,000 shall be for the Arrow
15 System Improvement Program including development of
16 a long range, ground and airborne, detection suite: *Pro-*
17 *vided further*, That the transfer authority provided under
18 this provision is in addition to any other transfer authority
19 contained in this Act.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8068. Of the amounts appropriated in this Act
22 under the heading “Shipbuilding and Conversion, Navy”,
23 \$117,542,000 shall be available until September 30, 2018,
24 to fund prior year shipbuilding cost increases: *Provided*,
25 That upon enactment of this Act, the Secretary of the

1 Navy shall transfer funds to the following appropriations
2 in the amounts specified: *Provided further*, That the
3 amounts transferred shall be merged with and be available
4 for the same purposes as the appropriations to which
5 transferred to:

6 (1) Under the heading “Shipbuilding and Con-
7 version, Navy”, 2012/2018: Carrier Replacement
8 Program \$20,000,000;

9 (2) Under the heading “Shipbuilding and Con-
10 version, Navy”, 2008/2018: DDG–51 Destroyer
11 \$19,436,000;

12 (3) Under the heading “Shipbuilding and Con-
13 version, Navy”, 2012/2018: Littoral Combat Ship
14 \$6,394,000;

15 (4) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2012/2018: LHA Replacement
17 \$14,200,000;

18 (5) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2013/2018: DDG–51 Destroyer
20 \$31,941,000;

21 (6) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2014/2018: Littoral Combat Ship
23 \$20,471,000; and

24 (7) Under the heading “Shipbuilding and Con-
25 version, Navy”, 2015/2018: LCAC \$5,100,000.

1 SEC. 8069. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for intel-
3 ligence activities are deemed to be specifically authorized
4 by the Congress for purposes of section 504 of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
6 year 2018 until the enactment of the Intelligence Author-
7 ization Act for Fiscal Year 2018.

8 SEC. 8070. None of the funds provided in this Act
9 shall be available for obligation or expenditure through a
10 reprogramming of funds that creates or initiates a new
11 program, project, or activity unless such program, project,
12 or activity must be undertaken immediately in the interest
13 of national security and only after written prior notifica-
14 tion to the congressional defense committees.

15 SEC. 8071. The budget of the President for fiscal
16 year 2018 submitted to the Congress pursuant to section
17 1105 of title 31, United States Code, shall include sepa-
18 rate budget justification documents for costs of United
19 States Armed Forces' participation in contingency oper-
20 ations for the Military Personnel accounts, the Operation
21 and Maintenance accounts, the Procurement accounts,
22 and the Research, Development, Test and Evaluation ac-
23 counts: *Provided*, That these documents shall include a de-
24 scription of the funding requested for each contingency op-
25 eration, for each military service, to include all Active and

1 Reserve components, and for each appropriations account:
2 *Provided further*, That these documents shall include esti-
3 mated costs for each element of expense or object class,
4 a reconciliation of increases and decreases for each contin-
5 gency operation, and programmatic data including, but
6 not limited to, troop strength for each Active and Reserve
7 component, and estimates of the major weapons systems
8 deployed in support of each contingency: *Provided further*,
9 That these documents shall include budget exhibits OP-
10 5 and OP-32 (as defined in the Department of Defense
11 Financial Management Regulation) for all contingency op-
12 erations for the budget year and the two preceding fiscal
13 years.

14 SEC. 8072. None of the funds in this Act may be
15 used for research, development, test, evaluation, procure-
16 ment or deployment of nuclear armed interceptors of a
17 missile defense system.

18 SEC. 8073. Notwithstanding any other provision of
19 this Act, to reflect savings due to favorable foreign ex-
20 change rates, the total amount appropriated in this Act
21 is hereby reduced by \$289,000,000.

22 SEC. 8074. None of the funds appropriated or made
23 available in this Act shall be used to reduce or disestablish
24 the operation of the 53rd Weather Reconnaissance Squad-
25 ron of the Air Force Reserve, if such action would reduce

1 the WC-130 Weather Reconnaissance mission below the
2 levels funded in this Act: *Provided*, That the Air Force
3 shall allow the 53rd Weather Reconnaissance Squadron to
4 perform other missions in support of national defense re-
5 quirements during the non-hurricane season.

6 SEC. 8075. None of the funds provided in this Act
7 shall be available for integration of foreign intelligence in-
8 formation unless the information has been lawfully col-
9 lected and processed during the conduct of authorized for-
10 eign intelligence activities: *Provided*, That information
11 pertaining to United States persons shall only be handled
12 in accordance with protections provided in the Fourth
13 Amendment of the United States Constitution as imple-
14 mented through Executive Order No. 12333.

15 SEC. 8076. (a) None of the funds appropriated by
16 this Act may be used to transfer research and develop-
17 ment, acquisition, or other program authority relating to
18 current tactical unmanned aerial vehicles (TUAVs) from
19 the Army.

20 (b) The Army shall retain responsibility for and oper-
21 ational control of the MQ-1C Gray Eagle Unmanned Aer-
22 ial Vehicle (UAV) in order to support the Secretary of De-
23 fense in matters relating to the employment of unmanned
24 aerial vehicles.

1 SEC. 8077. None of the funds appropriated by this
2 Act for programs of the Office of the Director of National
3 Intelligence shall remain available for obligation beyond
4 the current fiscal year, except for funds appropriated for
5 research and technology, which shall remain available until
6 September 30, 2019.

7 SEC. 8078. For purposes of section 1553(b) of title
8 31, United States Code, any subdivision of appropriations
9 made in this Act under the heading “Shipbuilding and
10 Conversion, Navy” shall be considered to be for the same
11 purpose as any subdivision under the heading “Ship-
12 building and Conversion, Navy” appropriations in any
13 prior fiscal year, and the 1 percent limitation shall apply
14 to the total amount of the appropriation.

15 SEC. 8079. (a) Not later than 60 days after the date
16 of enactment of this Act, the Director of National Intel-
17 ligence shall submit a report to the congressional intel-
18 ligence committees to establish the baseline for application
19 of reprogramming and transfer authorities for fiscal year
20 2018: *Provided*, That the report shall include—

21 (1) a table for each appropriation with a sepa-
22 rate column to display the President’s budget re-
23 quest, adjustments made by Congress, adjustments
24 due to enacted rescissions, if appropriate, and the
25 fiscal year enacted level;

1 From “Department of Defense Acquisition
2 Workforce Development Fund, Defense”,
3 \$10,000,000.

4 SEC. 8082. None of the funds made available by this
5 Act for excess defense articles, assistance under section
6 333 of title 10, United States Code, or peacekeeping oper-
7 ations for the countries designated annually to be in viola-
8 tion of the standards of the Child Soldiers Prevention Act
9 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may
10 be used to support any military training or operation that
11 includes child soldiers, as defined by the Child Soldiers
12 Prevention Act of 2008, unless such assistance is other-
13 wise permitted under section 404 of the Child Soldiers
14 Prevention Act of 2008.

15 SEC. 8083. (a) None of the funds provided for the
16 National Intelligence Program in this or any prior appro-
17 priations Act shall be available for obligation or expendi-
18 ture through a reprogramming or transfer of funds in ac-
19 cordance with section 102A(d) of the National Security
20 Act of 1947 (50 U.S.C. 3024(d)) that—

21 (1) creates a new start effort;

22 (2) terminates a program with appropriated
23 funding of \$10,000,000 or more;

24 (3) transfers funding into or out of the Na-
25 tional Intelligence Program; or

1 (4) transfers funding between appropriations,
2 unless the congressional intelligence committees are
3 notified 30 days in advance of such reprogramming
4 of funds; this notification period may be reduced for
5 urgent national security requirements.

6 (b) None of the funds provided for the National Intel-
7 ligence Program in this or any prior appropriations Act
8 shall be available for obligation or expenditure through a
9 reprogramming or transfer of funds in accordance with
10 section 102A(d) of the National Security Act of 1947 (50
11 U.S.C. 3024(d)) that results in a cumulative increase or
12 decrease of the levels specified in the classified annex ac-
13 companying the Act unless the congressional intelligence
14 committees are notified 30 days in advance of such re-
15 programming of funds; this notification period may be re-
16 duced for urgent national security requirements.

17 SEC. 8084. The Director of National Intelligence
18 shall submit to Congress each year, at or about the time
19 that the President's budget is submitted to Congress that
20 year under section 1105(a) of title 31, United States
21 Code, a future-years intelligence program (including asso-
22 ciated annexes) reflecting the estimated expenditures and
23 proposed appropriations included in that budget. Any such
24 future-years intelligence program shall cover the fiscal

1 year with respect to which the budget is submitted and
2 at least the four succeeding fiscal years.

3 SEC. 8085. For the purposes of this Act, the term
4 “congressional intelligence committees” means the Perma-
5 nent Select Committee on Intelligence of the House of
6 Representatives, the Select Committee on Intelligence of
7 the Senate, the Subcommittee on Defense of the Com-
8 mittee on Appropriations of the House of Representatives,
9 and the Subcommittee on Defense of the Committee on
10 Appropriations of the Senate.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8086. During the current fiscal year, not to ex-
13 ceed \$11,000,000 from each of the appropriations made
14 in title II of this Act for “Operation and Maintenance,
15 Army”, “Operation and Maintenance, Navy”, and “Oper-
16 ation and Maintenance, Air Force” may be transferred by
17 the military department concerned to its central fund es-
18 tablished for Fisher Houses and Suites pursuant to sec-
19 tion 2493(d) of title 10, United States Code.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8087. Not to exceed \$500,000,000 appropriated
22 by this Act for operation and maintenance may be avail-
23 able for the purpose of making remittances and transfer
24 to the Defense Acquisition Workforce Development Fund

1 in accordance with section 1705 of title 10, United States
2 Code.

3 SEC. 8088. (a) Any agency receiving funds made
4 available in this Act, shall, subject to subsections (b) and
5 (c), post on the public website of that agency any report
6 required to be submitted by the Congress in this or any
7 other Act, upon the determination by the head of the agen-
8 cy that it shall serve the national interest.

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

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

12 (2) the report contains proprietary information.

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

17 SEC. 8089. (a) None of the funds appropriated or
18 otherwise made available by this Act may be expended for
19 any Federal contract for an amount in excess of
20 \$1,000,000, unless the contractor agrees not to—

21 (1) enter into any agreement with any of its
22 employees or independent contractors that requires,
23 as a condition of employment, that the employee or
24 independent contractor agree to resolve through ar-
25 bitration any claim under title VII of the Civil

1 Rights Act of 1964 or any tort related to or arising
2 out of sexual assault or harassment, including as-
3 sault and battery, intentional infliction of emotional
4 distress, false imprisonment, or negligent hiring, su-
5 pervision, or retention; or

6 (2) take any action to enforce any provision of
7 an existing agreement with an employee or inde-
8 pendent contractor that mandates that the employee
9 or independent contractor resolve through arbitra-
10 tion any claim under title VII of the Civil Rights Act
11 of 1964 or any tort related to or arising out of sex-
12 ual assault or harassment, including assault and
13 battery, intentional infliction of emotional distress,
14 false imprisonment, or negligent hiring, supervision,
15 or retention.

16 (b) None of the funds appropriated or otherwise
17 made available by this Act may be expended for any Fed-
18 eral contract unless the contractor certifies that it requires
19 each covered subcontractor to agree not to enter into, and
20 not to take any action to enforce any provision of, any
21 agreement as described in paragraphs (1) and (2) of sub-
22 section (a), with respect to any employee or independent
23 contractor performing work related to such subcontract.
24 For purposes of this subsection, a “covered subcon-

1 tractor” is an entity that has a subcontract in excess of
2 \$1,000,000 on a contract subject to subsection (a).

3 (c) The prohibitions in this section do not apply with
4 respect to a contractor’s or subcontractor’s agreements
5 with employees or independent contractors that may not
6 be enforced in a court of the United States.

7 (d) The Secretary of Defense may waive the applica-
8 tion of subsection (a) or (b) to a particular contractor or
9 subcontractor for the purposes of a particular contract or
10 subcontract if the Secretary or the Deputy Secretary per-
11 sonally determines that the waiver is necessary to avoid
12 harm to national security interests of the United States,
13 and that the term of the contract or subcontract is not
14 longer than necessary to avoid such harm. The determina-
15 tion shall set forth with specificity the grounds for the
16 waiver and for the contract or subcontract term selected,
17 and shall state any alternatives considered in lieu of a
18 waiver and the reasons each such alternative would not
19 avoid harm to national security interests of the United
20 States. The Secretary of Defense shall transmit to Con-
21 gress, and simultaneously make public, any determination
22 under this subsection not less than 15 business days be-
23 fore the contract or subcontract addressed in the deter-
24 mination may be awarded.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8090. From within the funds appropriated for
3 operation and maintenance for the Defense Health Pro-
4 gram in this Act, up to \$115,519,000, shall be available
5 for transfer to the Joint Department of Defense-Depart-
6 ment of Veterans Affairs Medical Facility Demonstration
7 Fund in accordance with the provisions of section 1704
8 of the National Defense Authorization Act for Fiscal Year
9 2010, Public Law 111–84: *Provided*, That for purposes
10 of section 1704(b), the facility operations funded are oper-
11 ations of the integrated Captain James A. Lovell Federal
12 Health Care Center, consisting of the North Chicago Vet-
13 erans Affairs Medical Center, the Navy Ambulatory Care
14 Center, and supporting facilities designated as a combined
15 Federal medical facility as described by section 706 of
16 Public Law 110–417: *Provided further*, That additional
17 funds may be transferred from funds appropriated for op-
18 eration and maintenance for the Defense Health Program
19 to the Joint Department of Defense-Department of Vet-
20 erans Affairs Medical Facility Demonstration Fund upon
21 written notification by the Secretary of Defense to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate.

24 SEC. 8091. None of the funds appropriated or other-
25 wise made available by this Act may be used by the De-

1 partment of Defense or a component thereof in contraven-
2 tion of the provisions of section 130h of title 10, United
3 States Code.

4 SEC. 8092. Appropriations available to the Depart-
5 ment of Defense may be used for the purchase of heavy
6 and light armored vehicles for the physical security of per-
7 sonnel or for force protection purposes up to a limit of
8 \$450,000 per vehicle, notwithstanding price or other limi-
9 tations applicable to the purchase of passenger carrying
10 vehicles.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8093. Upon a determination by the Director of
13 National Intelligence that such action is necessary and in
14 the national interest, the Director may, with the approval
15 of the Office of Management and Budget, transfer not to
16 exceed \$1,500,000,000 of the funds made available in this
17 Act for the National Intelligence Program: *Provided*, That
18 such authority to transfer may not be used unless for
19 higher priority items, based on unforeseen intelligence re-
20 quirements, than those for which originally appropriated
21 and in no case where the item for which funds are re-
22 quested has been denied by the Congress: *Provided further*,
23 That a request for multiple reprogrammings of funds
24 using authority provided in this section shall be made
25 prior to June 30, 2017.

1 SEC. 8094. None of the funds appropriated or other-
2 wise made available in this or any other Act may be used
3 to transfer, release, or assist in the transfer or release to
4 or within the United States, its territories, or possessions
5 Khalid Sheikh Mohammed or any other detainee who—

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

8 (2) is or was held on or after June 24, 2009,
9 at United States Naval Station, Guantánamo Bay,
10 Cuba, by the Department of Defense.

11 SEC. 8095. (a) None of the funds appropriated or
12 otherwise made available in this or any other Act may be
13 used to construct, acquire, or modify any facility in the
14 United States, its territories, or possessions to house any
15 individual described in subsection (c) for the purposes of
16 detention or imprisonment in the custody or under the ef-
17 fective control of the Department of Defense.

18 (b) The prohibition in subsection (a) shall not apply
19 to any modification of facilities at United States Naval
20 Station, Guantánamo Bay, Cuba.

21 (c) An individual described in this subsection is any
22 individual who, as of June 24, 2009, is located at United
23 States Naval Station, Guantánamo Bay, Cuba, and who—

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

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

7 (B) otherwise under detention at United
8 States Naval Station, Guantánamo Bay, Cuba.

9 SEC. 8096. None of the funds appropriated or other-
10 wise made available in this Act may be used to transfer
11 any individual detained at United States Naval Station
12 Guantánamo Bay, Cuba, to the custody or control of the
13 individual's country of origin, any other foreign country,
14 or any other foreign entity except in accordance with sec-
15 tion 1034 of the National Defense Authorization Act for
16 Fiscal Year 2016 (Public Law 114–92) and section 1034
17 of the National Defense Authorization Act for Fiscal Year
18 2017 (Public Law 114–328).

19 SEC. 8097. None of the funds made available by this
20 Act may be used in contravention of the War Powers Res-
21 olution (50 U.S.C. 1541 et seq.).

22 SEC. 8098. (a) None of the funds appropriated or
23 otherwise made available by this or any other Act may
24 be used by the Secretary of Defense, or any other official
25 or officer of the Department of Defense, to enter into a

1 contract, memorandum of understanding, or cooperative
2 agreement with, or make a grant to, or provide a loan
3 or loan guarantee to Rosoboronexport or any subsidiary
4 of Rosoboronexport.

5 (b) The Secretary of Defense may waive the limita-
6 tion in subsection (a) if the Secretary, in consultation with
7 the Secretary of State and the Director of National Intel-
8 ligence, determines that it is in the vital national security
9 interest of the United States to do so, and certifies in writ-
10 ing to the congressional defense committees that, to the
11 best of the Secretary's knowledge:

12 (1) Rosoboronexport has ceased the transfer of
13 lethal military equipment to, and the maintenance of
14 existing lethal military equipment for, the Govern-
15 ment of the Syrian Arab Republic;

16 (2) The armed forces of the Russian Federation
17 have withdrawn from Crimea, other than armed
18 forces present on military bases subject to agree-
19 ments in force between the Government of the Rus-
20 sian Federation and the Government of Ukraine;
21 and

22 (3) Agents of the Russian Federation have
23 ceased taking active measures to destabilize the con-
24 trol of the Government of Ukraine over eastern
25 Ukraine.

1 (c) The Inspector General of the Department of De-
2 fense shall conduct a review of any action involving
3 Rosoboronexport with respect to a waiver issued by the
4 Secretary of Defense pursuant to subsection (b), and not
5 later than 90 days after the date on which such a waiver
6 is issued by the Secretary of Defense, the Inspector Gen-
7 eral shall submit to the congressional defense committees
8 a report containing the results of the review conducted
9 with respect to such waiver.

10 SEC. 8099. None of the funds made available in this
11 Act may be used for the purchase or manufacture of a
12 flag of the United States unless such flags are treated as
13 covered items under section 2533a(b) of title 10, United
14 States Code.

15 SEC. 8100. (a) Of the funds appropriated in this Act
16 for the Department of Defense, amounts may be made
17 available, under such regulations as the Secretary of De-
18 fense may prescribe, to local military commanders ap-
19 pointed by the Secretary, or by an officer or employee des-
20 ignated by the Secretary, to provide at their discretion ex
21 gratia payments in amounts consistent with subsection (d)
22 of this section for damage, personal injury, or death that
23 is incident to combat operations of the Armed Forces in
24 a foreign country.

1 (b) An ex gratia payment under this section may be
2 provided only if—

3 (1) the prospective foreign civilian recipient is
4 determined by the local military commander to be
5 friendly to the United States;

6 (2) a claim for damages would not be compen-
7 sable under chapter 163 of title 10, United States
8 Code (commonly known as the “Foreign Claims
9 Act”); and

10 (3) the property damage, personal injury, or
11 death was not caused by action by an enemy.

12 (c) NATURE OF PAYMENTS.—Any payments provided
13 under a program under subsection (a) shall not be consid-
14 ered an admission or acknowledgement of any legal obliga-
15 tion to compensate for any damage, personal injury, or
16 death.

17 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
18 fense determines a program under subsection (a) to be ap-
19 propriate in a particular setting, the amounts of pay-
20 ments, if any, to be provided to civilians determined to
21 have suffered harm incident to combat operations of the
22 Armed Forces under the program should be determined
23 pursuant to regulations prescribed by the Secretary and
24 based on an assessment, which should include such factors

1 as cultural appropriateness and prevailing economic condi-
2 tions.

3 (e) LEGAL ADVICE.—Local military commanders
4 shall receive legal advice before making ex gratia pay-
5 ments under this subsection. The legal advisor, under reg-
6 ulations of the Department of Defense, shall advise on
7 whether an ex gratia payment is proper under this section
8 and applicable Department of Defense regulations.

9 (f) WRITTEN RECORD.—A written record of any ex
10 gratia payment offered or denied shall be kept by the local
11 commander and on a timely basis submitted to the appro-
12 priate office in the Department of Defense as determined
13 by the Secretary of Defense.

14 (g) REPORT.—The Secretary of Defense shall report
15 to the congressional defense committees on an annual
16 basis the efficacy of the ex gratia payment program in-
17 cluding the number of types of cases considered, amounts
18 offered, the response from ex gratia payment recipients,
19 and any recommended modifications to the program.

20 SEC. 8101. None of the funds available in this Act
21 to the Department of Defense, other than appropriations
22 made for necessary or routine refurbishments, upgrades
23 or maintenance activities, shall be used to reduce or to
24 prepare to reduce the number of deployed and non-de-
25 ployed strategic delivery vehicles and launchers below the

1 levels set forth in the report submitted to Congress in ac-
2 cordance with section 1042 of the National Defense Au-
3 thorization Act for Fiscal Year 2012.

4 SEC. 8102. The Secretary of Defense shall post grant
5 awards on a public Website in a searchable format.

6 SEC. 8103. None of the funds made available by this
7 Act may be used to fund the performance of a flight dem-
8 onstration team at a location outside of the United States:
9 *Provided*, That this prohibition applies only if a perform-
10 ance of a flight demonstration team at a location within
11 the United States was canceled during the current fiscal
12 year due to insufficient funding.

13 SEC. 8104. None of the funds made available by this
14 Act may be used by the National Security Agency to—

15 (1) conduct an acquisition pursuant to section
16 702 of the Foreign Intelligence Surveillance Act of
17 1978 for the purpose of targeting a United States
18 person; or

19 (2) acquire, monitor, or store the contents (as
20 such term is defined in section 2510(8) of title 18,
21 United States Code) of any electronic communica-
22 tion of a United States person from a provider of
23 electronic communication services to the public pur-
24 suant to section 501 of the Foreign Intelligence Sur-
25 veillance Act of 1978.

1 SEC. 8105. None of the funds made available by this
2 Act may be obligated or expended to implement the Arms
3 Trade Treaty until the Senate approves a resolution of
4 ratification for the Treaty.

5 SEC. 8106. None of the funds made available in this
6 or any other Act may be used to pay the salary of any
7 officer or employee of any agency funded by this Act who
8 approves or implements the transfer of administrative re-
9 sponsibilities or budgetary resources of any program,
10 project, or activity financed by this Act to the jurisdiction
11 of another Federal agency not financed by this Act unless
12 explicitly provided for in a Defense Appropriations Act:
13 *Provided*, That this limitation shall not apply to transfers
14 of funds expressly provided for in Defense Appropriations
15 Acts, or provisions of Acts providing supplemental appro-
16 priations for the Department of Defense.

17 SEC. 8107. None of the funds made available in this
18 Act may be obligated for activities authorized under sec-
19 tion 1208 of the Ronald W. Reagan National Defense Au-
20 thorization Act for Fiscal Year 2005 (Public Law 112–
21 81; 125 Stat. 1621) to initiate support for, or expand sup-
22 port to, foreign forces, irregular forces, groups, or individ-
23 uals unless the congressional defense committees are noti-
24 fied in accordance with the direction contained in the clas-
25 sified annex accompanying this Act, not less than 15 days

1 before initiating such support: *Provided*, That none of the
2 funds made available in this Act may be used under sec-
3 tion 1208 for any activity that is not in support of an
4 ongoing military operation being conducted by United
5 States Special Operations Forces to combat terrorism:
6 *Provided further*, That the Secretary of Defense may waive
7 the prohibitions in this section if the Secretary determines
8 that such waiver is required by extraordinary cir-
9 cumstances and, by not later than 72 hours after making
10 such waiver, notifies the congressional defense committees
11 of such waiver.

12 SEC. 8108. None of the funds made available by this
13 Act may be used with respect to Iraq in contravention of
14 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
15 cluding for the introduction of United States armed forces
16 into hostilities in Iraq, into situations in Iraq where immi-
17 nent involvement in hostilities is clearly indicated by the
18 circumstances, or into Iraqi territory, airspace, or waters
19 while equipped for combat, in contravention of the con-
20 gressional consultation and reporting requirements of sec-
21 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
22 1543).

23 SEC. 8109. None of the funds provided in this Act
24 for the T-AO Fleet Oiler or the Towing, Salvage, and Res-
25 cue Ship programs shall be used to award a new contract

1 that provides for the acquisition of the following compo-
2 nents unless those components are manufactured in the
3 United States: Auxiliary equipment (including pumps) for
4 shipboard services; propulsion equipment (including en-
5 gines, reduction gears, and propellers); shipboard cranes;
6 and spreaders for shipboard cranes.

7 SEC. 8110. The amount appropriated in title II of
8 this Act for “Operation and Maintenance, Army” is here-
9 by reduced by \$75,000,000 to reflect excess cash balances
10 in Department of Defense Working Capital Funds.

11 SEC. 8111. Notwithstanding any other provision of
12 this Act, to reflect savings due to lower than anticipated
13 fuel costs, the total amount appropriated in title II of this
14 Act is hereby reduced by \$1,007,267,000.

15 SEC. 8112. None of the funds made available by this
16 Act may be used for Government Travel Charge Card ex-
17 penses by military or civilian personnel of the Department
18 of Defense for gaming, or for entertainment that includes
19 topless or nude entertainers or participants, as prohibited
20 by Department of Defense FMR, Volume 9, Chapter 3
21 and Department of Defense Instruction 1015.10 (enclo-
22 sure 3, 14a and 14b).

23 SEC. 8113. None of the funds made available by this
24 Act may be used to propose, plan for, or execute a new

1 or additional Base Realignment and Closure (BRAC)
2 round.

3 SEC. 8114. Of the amounts appropriated in this Act
4 for “Operation and Maintenance, Navy”, \$289,255,000,
5 to remain available until expended, may be used for any
6 purposes related to the National Defense Reserve Fleet
7 established under section 11 of the Merchant Ship Sales
8 Act of 1946 (50 U.S.C. 4405): *Provided*, That such
9 amounts are available for reimbursements to the Ready
10 Reserve Force, Maritime Administration account of the
11 United States Department of Transportation for pro-
12 grams, projects, activities, and expenses related to the Na-
13 tional Defense Reserve Fleet.

14 SEC. 8115. None of the funds made available by this
15 Act for the Joint Surveillance Target Attack Radar Sys-
16 tem recapitalization program may be obligated or ex-
17 pended for pre-milestone B activities after March 31,
18 2018, except for source selection and other activities nec-
19 essary to enter the engineering and manufacturing devel-
20 opment phase.

21 SEC. 8116. None of the funds made available by this
22 Act may be used to carry out the closure or realignment
23 of the United States Naval Station, Guantánamo Bay,
24 Cuba.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8117. Additional readiness funds made available
3 in title II of this Act for “Operation and Maintenance,
4 Army”, “Operation and Maintenance, Navy”, “Operation
5 and Maintenance, Marine Corps”, and “Operation and
6 Maintenance, Air Force” may be transferred to and
7 merged with any appropriation of the Department of De-
8 fense for activities related to the Zika virus in order to
9 provide health support for the full range of military oper-
10 ations and sustain the health of the members of the Armed
11 Forces, civilian employees of the Department of Defense,
12 and their families, to include: research and development,
13 disease surveillance, vaccine development, rapid detection,
14 vector controls and surveillance, training, and outbreak re-
15 sponse: *Provided*, That the authority provided in this sec-
16 tion is subject to the same terms and conditions as the
17 authority provided in section 8005 of this Act.

18 SEC. 8118. (a) None of the funds made available in
19 this Act may be used to maintain or establish a computer
20 network unless such network is designed to block access
21 to pornography websites.

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

1 or for any activity necessary for the national defense, in-
2 cluding intelligence activities.

3 SEC. 8119. Notwithstanding any other provision of
4 law, any transfer of funds appropriated or otherwise made
5 available by this Act to the Global Engagement Center
6 pursuant to section 1287 of the National Defense Author-
7 ization Act for Fiscal Year 2017 (Public Law 114–328)
8 shall be made in accordance with section 8005 or 9002
9 of this Act, as applicable.

10 SEC. 8120. No amounts credited or otherwise made
11 available in this or any other Act to the Department of
12 Defense Acquisition Workforce Development Fund may be
13 transferred to:

14 (1) the Rapid Prototyping Fund established
15 under section 804(d) of the National Defense Au-
16 thorization Act for Fiscal Year 2016 (10 U.S.C.
17 2302 note); or

18 (2) credited to a military-department specific
19 fund established under section 804(d)(2) of the Na-
20 tional Defense Authorization Act for Fiscal Year
21 2016 (as amended by section 897 of the National
22 Defense Authorization Act for Fiscal Year 2017).

23 (INCLUDING TRANSFER FUND)

24 SEC. 8121. In addition to amounts provided else-
25 where in this Act for military personnel pay, including ac-

1 tive duty, reserve and National Guard personnel,
2 \$206,400,000 is hereby appropriated to the Department
3 of Defense and made available for transfer only to military
4 personnel accounts: *Provided*, That the transfer authority
5 provided under this heading is in addition to any other
6 transfer authority provided elsewhere in this Act.

7 SEC. 8122. In addition to amounts provided else-
8 where in this Act, there is appropriated \$235,000,000, for
9 an additional amount for “Operation and Maintenance,
10 Defense-Wide”, to remain available until expended: *Pro-*
11 *vided*, That such funds shall only be available to the Sec-
12 retary of Defense, acting through the Office of Economic
13 Adjustment of the Department of Defense, or for transfer
14 to the Secretary of Education, notwithstanding any other
15 provision of law, to make grants, conclude cooperative
16 agreements, or supplement other Federal funds to con-
17 struct, renovate, repair, or expand elementary and sec-
18 ondary public schools on military installations in order to
19 address capacity or facility condition deficiencies at such
20 schools: *Provided further*, That in making such funds
21 available, the Office of Economic Adjustment or the Sec-
22 retary of Education shall give priority consideration to
23 those military installations with schools having the most
24 serious capacity or facility condition deficiencies as deter-
25 mined by the Secretary of Defense: *Provided further*, That

1 as a condition of receiving funds under this section a local
2 educational agency or State shall provide a matching share
3 as described in the notice titled “Department of Defense
4 Program for Construction, Renovation, Repair or Expan-
5 sion of Public Schools Located on Military Installations”
6 published by the Department of Defense in the Federal
7 Register on September 9, 2011 (76 Fed. Reg. 55883 et
8 seq.): *Provided further*, That these provisions apply to
9 funds provided under this section, and to funds previously
10 provided by Congress to construct, renovate, repair, or ex-
11 pand elementary and secondary public schools on military
12 installations in order to address capacity or facility condi-
13 tion deficiencies at such schools to the extent such funds
14 remain unobligated on the date of enactment of this sec-
15 tion.

16 SEC. 8123. None of the funds made available by this
17 Act may be used to carry out the changes to the Joint
18 Travel Regulations of the Department of Defense de-
19 scribed in the memorandum of the Per Diem Travel and
20 Transportation Allowance Committee titled “UTD/CTD
21 for MAP 118–13/CAP 118–13 - Flat Rate Per Diem for
22 Long Term TDY” and dated October 1, 2014.

23 SEC. 8124. In carrying out the program described in
24 the memorandum on the subject of “Policy for Assisted
25 Reproductive Services for the Benefit of Seriously or Se-

1 verely Ill/Injured (Category II or III) Active Duty Service
2 Members” issued by the Assistant Secretary of Defense
3 for Health Affairs on April 3, 2012, and the guidance
4 issued to implement such memorandum, the Secretary of
5 Defense shall apply such policy and guidance, except
6 that—

7 (1) the limitation on periods regarding embryo
8 cryopreservation and storage set forth in part III(G)
9 and in part IV(H) of such memorandum shall not
10 apply; and

11 (2) the term “assisted reproductive technology”
12 shall include embryo cryopreservation and storage
13 without limitation on the duration of such
14 cryopreservation and storage.

15 TITLE IX

16 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL

17 WAR ON TERRORISM

18 MILITARY PERSONNEL

19 MILITARY PERSONNEL, ARMY

20 For an additional amount for “Military Personnel,
21 Army”, \$2,635,317,000: *Provided*, That such amount is
22 designated by the Congress for Overseas Contingency Op-
23 erations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MILITARY PERSONNEL, NAVY

2 For an additional amount for “Military Personnel,
3 Navy”, \$377,857,000: *Provided*, That such amount is des-
4 ignated 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 MILITARY PERSONNEL, MARINE CORPS

9 For an additional amount for “Military Personnel,
10 Marine Corps”, \$103,800,000: *Provided*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 MILITARY PERSONNEL, AIR FORCE

16 For an additional amount for “Military Personnel,
17 Air Force”, \$912,779,000: *Provided*, That such amount
18 is designated by the Congress for Overseas Contingency
19 Operations/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, ARMY

23 For an additional amount for “Reserve Personnel,
24 Army”, \$24,942,000: *Provided*, That such amount is des-
25 ignated 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, NAVY

5 For an additional amount for “Reserve Personnel,
6 Navy”, \$9,091,000: *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 RESERVE PERSONNEL, MARINE CORPS

12 For an additional amount for “Reserve Personnel,
13 Marine Corps”, \$2,328,000: *Provided*, That such amount
14 is designated by the Congress for Overseas Contingency
15 Operations/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 RESERVE PERSONNEL, AIR FORCE

19 For an additional amount for “Reserve Personnel,
20 Air Force”, \$20,569,000: *Provided*, That such amount is
21 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 NATIONAL GUARD PERSONNEL, ARMY

2 For an additional amount for “National Guard Per-
3 sonnel, Army”, \$184,589,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 NATIONAL GUARD PERSONNEL, AIR FORCE

9 For an additional amount for “National Guard Per-
10 sonnel, Air Force”, \$5,004,000: *Provided*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 MILITARY PERSONNEL, NATIONAL DEFENSE

16 RESTORATION FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 In addition to amounts provided elsewhere in this
19 Act, there is appropriated \$1,000,000,000, for the “Mili-
20 tary Personnel, National Defense Restoration Fund”: *Pro-*
21 *vided*, That such funds provided under this heading shall
22 only be available for programs, projects and activities nec-
23 essary to implement the 2018 National Defense Strategy:
24 *Provided further*, That such funds shall not be available
25 for transfer until 30 days after the Secretary has sub-

1 mitted, and the congressional defense committees have ap-
2 proved, the proposed allocation plan for the use of such
3 funds to implement such strategy: *Provided further*, That
4 such allocation plan shall include a detailed justification
5 for the use of such funds and a description of how such
6 investments are necessary to implement the strategy: *Pro-*
7 *vided further*, That the Secretary of Defense may transfer
8 these funds only to military personnel accounts: *Provided*
9 *further*, That the funds transferred shall be merged with
10 and shall be available for the same purposes and for the
11 same time period, as the appropriation to which trans-
12 ferred: *Provided further*, That none of the funds made
13 available under this heading may be transferred to any
14 program, project, or activity specifically limited or denied
15 by this Act: *Provided further*, That the transfer authority
16 provided under this heading is in addition to any other
17 transfer authority available to the Department of Defense:
18 *Provided further*, That such amount is designated by the
19 Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$16,126,403,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$5,875,015,000, of which up to
12 \$161,885,000 may be transferred to the Coast Guard
13 “Operating Expenses” account: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 For an additional amount for “Operation and Main-
20 tenance, Marine Corps”, \$1,116,640,000: *Provided*, That
21 such amount is designated by the Congress for Overseas
22 Contingency Operations/Global War on Terrorism pursu-
23 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For an additional amount for “Operation and Main-
3 tenance, Air Force”, \$10,266,295,000: *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
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, DEFENSE-WIDE

9 For an additional amount for “Operation and Main-
10 tenance, Defense-Wide”, \$6,944,201,000: *Provided*, That
11 of the funds provided under this heading, not to exceed
12 \$900,000,000, to remain available until September 30,
13 2019, shall be for payments to reimburse key cooperating
14 nations for logistical, military, and other support, includ-
15 ing access, provided to United States military and stability
16 operations in Afghanistan and to counter the Islamic
17 State of Iraq and the Levant: *Provided further*, That such
18 reimbursement payments may be made in such amounts
19 as the Secretary of Defense, with the concurrence of the
20 Secretary of State, and in consultation with the Director
21 of the Office of Management and Budget, may determine,
22 based on documentation determined by the Secretary of
23 Defense to adequately account for the support provided,
24 and such determination is final and conclusive upon the
25 accounting officers of the United States, and 15 days fol-

1 lowing notification to the appropriate congressional com-
2 mittees: *Provided further*, That funds provided under this
3 heading may be used for the purpose of providing special-
4 ized training and procuring supplies and specialized equip-
5 ment and providing such supplies and loaning such equip-
6 ment on a non-reimbursable basis to coalition forces sup-
7 porting United States military and stability operations in
8 Afghanistan and to counter the Islamic State of Iraq and
9 the Levant, and 15 days following notification to the ap-
10 propriate congressional committees: *Provided further*,
11 That funds provided under this heading may be used to
12 support the Government of Jordan, in such amounts as
13 the Secretary of Defense may determine, to enhance the
14 ability of the armed forces of Jordan to increase or sustain
15 security along its borders, upon 15 days prior written noti-
16 fication to the congressional defense committees outlining
17 the amounts intended to be provided and the nature of
18 the expenses incurred: *Provided further*, That of the funds
19 provided under this heading, not to exceed \$750,000,000,
20 to remain available until September 30, 2019, shall be
21 available to provide support and assistance to foreign secu-
22 rity forces or other groups or individuals to conduct, sup-
23 port, or facilitate counterterrorism, crisis response, or
24 other Department of Defense security cooperation pro-
25 grams: *Provided further*, That such amount is designated

1 by the Congress for Overseas Contingency Operations/
2 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 OPERATION AND MAINTENANCE, ARMY RESERVE

6 For an additional amount for “Operation and Main-
7 tenance, Army Reserve”, \$24,699,000: *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
11 and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY RESERVE

13 For an additional amount for “Operation and Main-
14 tenance, Navy Reserve”, \$23,980,000: *Provided*, That
15 such amount is designated by the Congress for Overseas
16 Contingency Operations/Global War on Terrorism pursu-
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
18 and Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, MARINE CORPS

20 RESERVE

21 For an additional amount for “Operation and Main-
22 tenance, Marine Corps Reserve”, \$3,367,000: *Provided*,
23 That such amount is designated by the Congress for Over-
24 seas Contingency Operations/Global War on Terrorism

1 pursuant to section 251(b)(2)(A)(ii) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force Reserve”, \$58,523,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

12 For an additional amount for “Operation and Main-
13 tenance, Army National Guard”, \$108,111,000: *Provided*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for “Operation and Main-
20 tenance, Air National Guard”, \$15,400,000: *Provided*,
21 That such amount is designated by the Congress for Over-
22 seas Contingency Operations/Global War on Terrorism
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, NATIONAL DEFENSE
2 RESTORATION FUND
3 (INCLUDING TRANSFER OF FUNDS)

4 In addition to amounts provided elsewhere in this
5 Act, there is appropriated \$2,000,000,000, for the “Oper-
6 ation and Maintenance, National Defense Restoration
7 Fund”: *Provided*, That such funds provided under this
8 heading shall only be available for programs, projects and
9 activities necessary to implement the 2018 National De-
10 fense Strategy: *Provided further*, That such funds shall not
11 be available for transfer until 30 days after the Secretary
12 has submitted, and the congressional defense committees
13 have approved, the proposed allocation plan for the use
14 of such funds to implement such strategy: *Provided fur-*
15 *ther*, That such allocation plan shall include a detailed jus-
16 tification for the use of such funds and a description of
17 how such investments are necessary to implement the
18 strategy: *Provided further*, That the Secretary of Defense
19 may transfer these funds only to operation and mainte-
20 nance accounts: *Provided further*, That the funds trans-
21 ferred shall be merged with and shall be available for the
22 same purposes and for the same time period, as the appro-
23 priation to which transferred: *Provided further*, That none
24 of the funds made available under this heading may be
25 transferred to any program, project, or activity specifically

1 limited or denied by this Act: *Provided further*, That the
2 transfer authority provided under this heading is in addi-
3 tion to any other transfer authority available to the De-
4 partment of Defense: *Provided further*, That such amount
5 is designated by the Congress for Overseas Contingency
6 Operations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 AFGHANISTAN SECURITY FORCES FUND

10 For the “Afghanistan Security Forces Fund”,
11 \$4,937,515,000 (reduced by \$12,000,000), to remain
12 available until September 30, 2019: *Provided*, That such
13 funds shall be available to the Secretary of Defense, not-
14 withstanding any other provision of law, for the purpose
15 of allowing the Commander, Combined Security Transi-
16 tion Command—Afghanistan, or the Secretary’s designee,
17 to provide assistance, with the concurrence of the Sec-
18 retary of State, to the security forces of Afghanistan, in-
19 cluding the provision of equipment, supplies, services,
20 training, facility and infrastructure repair, renovation,
21 construction, and funding: *Provided further*, That the Sec-
22 retary of Defense may obligate and expend funds made
23 available to the Department of Defense in this title for
24 additional costs associated with existing projects pre-
25 viously funded with amounts provided under the heading

1 “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
2 *vided further*, That such costs shall be limited to contract
3 changes resulting from inflation, market fluctuation, rate
4 adjustments, and other necessary contract actions to com-
5 plete existing projects, and associated supervision and ad-
6 ministration costs and costs for design during construc-
7 tion: *Provided further*, That the Secretary may not use
8 more than \$50,000,000 under the authority provided in
9 this section: *Provided further*, That the Secretary shall no-
10 tify in advance such contract changes and adjustments in
11 annual reports to the congressional defense committees:
12 *Provided further*, That the authority to provide assistance
13 under this heading is in addition to any other authority
14 to provide assistance to foreign nations: *Provided further*,
15 That contributions of funds for the purposes provided
16 herein from any person, foreign government, or inter-
17 national organization may be credited to this Fund, to re-
18 main available until expended, and used for such purposes:
19 *Provided further*, That the Secretary of Defense shall no-
20 tify the congressional defense committees in writing upon
21 the receipt and upon the obligation of any contribution,
22 delineating the sources and amounts of the funds received
23 and the specific use of such contributions: *Provided fur-*
24 *ther*, That the Secretary of Defense shall, not fewer than
25 15 days prior to obligating from this appropriation ac-

1 count, notify the congressional defense committees in writ-
2 ing of the details of any such obligation: *Provided further*,
3 That the Secretary of Defense shall notify the congres-
4 sional defense committees of any proposed new projects
5 or transfer of funds between budget sub-activity groups
6 in excess of \$20,000,000: *Provided further*, That the
7 United States may accept equipment procured using funds
8 provided under this heading in this or prior Acts that was
9 transferred to the security forces of Afghanistan and re-
10 turned by such forces to the United States: *Provided fur-*
11 *ther*, That equipment procured using funds provided under
12 this heading in this or prior Acts, and not yet transferred
13 to the security forces of Afghanistan or transferred to the
14 security forces of Afghanistan and returned by such forces
15 to the United States, may be treated as stocks of the De-
16 partment of Defense upon written notification to the con-
17 gressional defense committees: *Provided further*, That of
18 the funds provided under this heading, not less than
19 \$10,000,000 shall be for recruitment and retention of
20 women in the Afghanistan National Security Forces, and
21 the recruitment and training of female security personnel:
22 *Provided further*, That such amount is designated by the
23 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 COUNTER-ISIL TRAIN AND EQUIP FUND

4 For the “Counter-Islamic State of Iraq and the Le-
5 vant Train and Equip Fund”, \$1,769,000,000, to remain
6 available until September 30, 2019: *Provided*, That such
7 funds shall be available to the Secretary of Defense in co-
8 ordination with the Secretary of State, to provide assist-
9 ance, including training; equipment; logistics support, sup-
10 plies, and services; stipends; infrastructure repair and ren-
11 novation; and sustainment, to foreign security forces, irreg-
12 ular forces, groups, or individuals participating, or pre-
13 paring to participate in activities to counter the Islamic
14 State of Iraq and the Levant, and their affiliated or asso-
15 ciated groups: *Provided further*, That these funds may be
16 used in such amounts as the Secretary of Defense may
17 determine to enhance the border security of nations adja-
18 cent to conflict areas including Jordan, Lebanon, Egypt,
19 and Tunisia resulting from actions of the Islamic State
20 of Iraq and the Levant: *Provided further*, That amounts
21 made available under this heading shall be available to
22 provide assistance only for activities in a country des-
23 igned by the Secretary of Defense, in coordination with
24 the Secretary of State, as having a security mission to
25 counter the Islamic State of Iraq and the Levant, and fol-

1 lowing written notification to the congressional defense
2 committees of such designation: *Provided further*, That the
3 Secretary of Defense shall ensure that prior to providing
4 assistance to elements of any forces or individuals, such
5 elements or individuals are appropriately vetted, including
6 at a minimum, assessing such elements for associations
7 with terrorist groups or groups associated with the Gov-
8 ernment of Iran; and receiving commitments from such
9 elements to promote respect for human rights and the rule
10 of law: *Provided further*, That the Secretary of Defense
11 shall, not fewer than 15 days prior to obligating from this
12 appropriation account, notify the congressional defense
13 committees in writing of the details of any such obligation:
14 *Provided further*, That the Secretary of Defense may ac-
15 cept and retain contributions, including assistance in-kind,
16 from foreign governments, including the Government of
17 Iraq and other entities, to carry out assistance authorized
18 under this heading: *Provided further*, That contributions
19 of funds for the purposes provided herein from any foreign
20 government or other entity may be credited to this Fund,
21 to remain available until expended, and used for such pur-
22 poses: *Provided further*, That the Secretary of Defense
23 may waive a provision of law relating to the acquisition
24 of items and support services or sections 40 and 40A of
25 the Arms Export Control Act (22 U.S.C. 2780 and 2785)

1 if the Secretary determines that such provision of law
2 would prohibit, restrict, delay or otherwise limit the provi-
3 sion of such assistance and a notice of and justification
4 for such waiver is submitted to the congressional defense
5 committees, the Committees on Appropriations and For-
6 eign Relations of the Senate and the Committees on Ap-
7 propriations and Foreign Affairs of the House of Rep-
8 resentatives: *Provided further*, That the United States may
9 accept equipment procured using funds provided under
10 this heading, or under the heading, “Iraq Train and Equip
11 Fund” in prior Acts, that was transferred to security
12 forces, irregular forces, or groups participating, or pre-
13 paring to participate in activities to counter the Islamic
14 State of Iraq and the Levant and returned by such forces
15 or groups to the United States, may be treated as stocks
16 of the Department of Defense upon written notification
17 to the congressional defense committees: *Provided further*,
18 That equipment procured using funds provided under this
19 heading, or under the heading, “Iraq Train and Equip
20 Fund” in prior Acts, and not yet transferred to security
21 forces, irregular forces, or groups participating, or pre-
22 paring to participate in activities to counter the Islamic
23 State of Iraq and the Levant may be treated as stocks
24 of the Department of Defense when determined by the
25 Secretary to no longer be required for transfer to such

1 forces or groups and upon written notification to the con-
2 gressional defense committees: *Provided further*, That the
3 Secretary of Defense shall provide quarterly reports to the
4 congressional defense committees on the use of funds pro-
5 vided under this heading, including, but not limited to,
6 the number of individuals trained, the nature and scope
7 of support and sustainment provided to each group or in-
8 dividual, the area of operations for each group, and the
9 contributions of other countries, groups, or individuals:
10 *Provided further*, That such amount is designated by the
11 Congress for Overseas Contingency Operations/ Global
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
13 the Balanced Budget and Emergency Deficit Control Act
14 of 1985.

15 PROCUREMENT

16 AIRCRAFT PROCUREMENT, ARMY

17 For an additional amount for “Aircraft Procurement,
18 Army”, \$424,686,000, to remain available until Sep-
19 tember 30, 2020: *Provided*, That such amount is des-
20 ignated 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.

1 MISSILE PROCUREMENT, ARMY

2 For an additional amount for “Missile Procurement,
3 Army”, \$557,583,000, to remain available until Sep-
4 tember 30, 2020: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
10 VEHICLES, ARMY

11 For an additional amount for “Procurement of Weap-
12 ons and Tracked Combat Vehicles, Army”,
13 \$1,191,139,000, to remain available until September 30,
14 2020: *Provided*, That such amount is designated by the
15 Congress for Overseas Contingency Operations/Global
16 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
17 the Balanced Budget and Emergency Deficit Control Act
18 of 1985.

19 PROCUREMENT OF AMMUNITION, ARMY

20 For an additional amount for “Procurement of Am-
21 muniton, Army”, \$193,436,000, to remain available until
22 September 30, 2020: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 OTHER PROCUREMENT, ARMY

4 For an additional amount for “Other Procurement,
5 Army”, \$405,575,000, to remain available until Sep-
6 tember 30, 2020: *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 AIRCRAFT PROCUREMENT, NAVY

12 For an additional amount for “Aircraft Procurement,
13 Navy”, \$157,300,000, to remain available until September
14 30, 2020: *Provided*, That such amount is designated by
15 the Congress for Overseas Contingency Operations/Global
16 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
17 the Balanced Budget and Emergency Deficit Control Act
18 of 1985.

19 WEAPONS PROCUREMENT, NAVY

20 For an additional amount for “Weapons Procure-
21 ment, Navy”, \$130,994,000, to remain available until
22 September 30, 2020: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For an additional amount for “Aircraft Procurement,
5 Air Force”, \$510,836,000, to remain available until Sep-
6 tember 30, 2020: *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 MISSILE PROCUREMENT, AIR FORCE

12 For an additional amount for “Missile Procurement,
13 Air Force”, \$381,700,000, to remain available until Sep-
14 tember 30, 2020: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 SPACE PROCUREMENT, AIR FORCE

20 For an additional amount for “Space Procurement,
21 Air Force”, \$2,256,000, to remain available until Sep-
22 tember 30, 2020: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For an additional amount for “Procurement of Am-
5 munition, Air Force”, \$501,509,000, to remain available
6 until September 30, 2020: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/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”, \$3,998,887,000, to remain available until
14 September 30, 2020: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$510,741,000, to remain available until Sep-
22 tember 30, 2020: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 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, \$1,000,000,000, to remain available for obligation
8 until September 30, 2020: *Provided*, That the Chiefs of
9 National Guard and Reserve components shall, not later
10 than 30 days after enactment of this Act, individually sub-
11 mit to the congressional defense committees the mod-
12 ernization priority assessment for their respective Na-
13 tional Guard or Reserve component: *Provided further*,
14 That none of the funds made available by this paragraph
15 may be used to procure manned fixed wing aircraft, or
16 procure or modify missiles, munitions, or ammunition:
17 *Provided further*, That such amount is designated by the
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985.

1 *further*, That the transfer authority provided under this
2 heading is in addition to any other transfer authority
3 available to the Department of Defense: *Provided further*,
4 That such amount is designated by the Congress for Over-
5 seas Contingency Operations/Global War on Terrorism
6 pursuant to section 251(b)(2)(A)(ii) of the Balanced
7 Budget and Emergency Deficit Control Act of 1985.

8 RESEARCH, DEVELOPMENT, TEST AND
9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 ARMY

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Army”, \$119,368,000 (in-
14 creased by \$6,000,000), to remain available until Sep-
15 tember 30, 2019: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
21 NAVY

22 For an additional amount for “Research, Develop-
23 ment, Test and Evaluation, Navy”, \$124,865,000, to re-
24 main available until September 30, 2019: *Provided*, That
25 such amount is designated by the Congress for Overseas

1 Contingency Operations/Global War on Terrorism pursu-
2 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985.

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 AIR FORCE

6 For an additional amount for “Research, Develop-
7 ment, Test and Evaluation, Air Force”, \$144,508,000, to
8 remain available until September 30, 2019: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 DEFENSE-WIDE

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Defense-Wide”,
17 \$226,096,000, to remain available until September 30,
18 2019: *Provided*, That such amount is designated by the
19 Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NATIONAL DEFENSE RESTORATION FUND
3 (INCLUDING TRANSFER OF FUNDS)

4 In addition to amounts provided elsewhere in this
5 Act, there is appropriated \$1,000,000,000, for the “Re-
6 search, Development, Test and Evaluation, National De-
7 fense Restoration Fund”: *Provided*, That such funds pro-
8 vided under this heading shall only be available for pro-
9 grams, projects and activities necessary to implement the
10 2018 National Defense Strategy: *Provided further*, That
11 such funds shall not be available for transfer until 30 days
12 after the Secretary has submitted, and the congressional
13 defense committees have approved, the proposed allocation
14 plan for the use of such funds to implement such strategy:
15 *Provided further*, That such allocation plan shall include
16 a detailed justification for the use of such funds and a
17 description of how such investments are necessary to im-
18 plement the strategy: *Provided further*, That the Secretary
19 of Defense may transfer these funds only to research, de-
20 velopment, test and evaluation accounts: *Provided further*,
21 That the funds transferred shall be merged with and shall
22 be available for the same purposes and for the same time
23 period, as the appropriation to which transferred: *Pro-*
24 *vided further*, That none of the funds made available under
25 this heading may be transferred to any program, project,

1 or activity specifically limited or denied by this Act: *Pro-*
2 *vided further*, That the transfer authority provided under
3 this heading is in addition to any other transfer authority
4 available to the Department of Defense: *Provided further*,
5 That such amount is designated by the Congress for Over-
6 seas Contingency Operations/Global War on Terrorism
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985.

9 REVOLVING AND MANAGEMENT FUNDS

10 DEFENSE WORKING CAPITAL FUNDS

11 For an additional amount for “Defense Working
12 Capital Funds”, \$148,956,000: *Provided*, That such
13 amount is designated by the Congress for Overseas Con-
14 tingency Operations/Global War on Terrorism pursuant to
15 section 251(b)(2)(A)(ii) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985.

17 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

19 For an additional amount for “Defense Health Pro-
20 gram”, \$395,805,000, which shall be for operation and
21 maintenance: *Provided*, That such amount is designated
22 by the Congress for Overseas Contingency Operations/
23 Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$196,300,000: *Pro-*
5 *vided*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 JOINT IMPROVISED-THREAT DEFEAT FUND
10 (INCLUDING TRANSFER OF FUNDS)

11 For the “Joint Improvised-Threat Defeat Fund”,
12 \$483,058,000, to remain available until September 30,
13 2020: *Provided*, That such funds shall be available to the
14 Secretary of Defense, notwithstanding any other provision
15 of law, for the purpose of allowing the Director of the
16 Joint Improvised-Threat Defeat Organization to inves-
17 tigate, develop and provide equipment, supplies, services,
18 training, facilities, personnel and funds to assist United
19 States forces in the defeat of improvised explosive devices:
20 *Provided further*, That the Secretary of Defense may
21 transfer funds provided herein to appropriations for mili-
22 tary personnel; operation and maintenance; procurement;
23 research, development, test and evaluation; and defense
24 working capital funds to accomplish the purpose provided
25 herein: *Provided further*, That this transfer authority is

1 in addition to any other transfer authority available to the
2 Department of Defense: *Provided further*, That the Sec-
3 retary of Defense shall, not fewer than 5 days prior to
4 making transfers from this appropriation, notify the con-
5 gressional defense committees in writing of the details of
6 any such transfer: *Provided further*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/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 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-
13 spector General”, \$24,692,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency 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

1 interest, the Secretary may, with the approval of the Of-
2 fice of Management and Budget, transfer up to
3 \$2,500,000,000 between the appropriations or funds made
4 available to the Department of Defense in this title: *Pro-*
5 *vided*, That the Secretary shall notify the Congress
6 promptly of each transfer made pursuant to the authority
7 in this section: *Provided further*, That the authority pro-
8 vided in this section is in addition to any other transfer
9 authority available to the Department of Defense and is
10 subject to the same terms and conditions as the authority
11 provided in section 8005 of this 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 Afghani-
18 stan, may be obligated at the time a construction contract
19 is 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

1 the United States Central Command area of responsi-
2 bility:

3 (1) passenger motor vehicles up to a limit of
4 \$75,000 per vehicle; and

5 (2) heavy and light armored vehicles for the
6 physical security of personnel or for force protection
7 purposes up to a limit of \$450,000 per vehicle, not-
8 withstanding price or other limitations applicable to
9 the purchase of passenger carrying vehicles.

10 SEC. 9005. Not to exceed \$5,000,000 of the amounts
11 appropriated by this title under the heading “Operation
12 and Maintenance, Army” may be used, notwithstanding
13 any other provision of law, to fund the Commanders’
14 Emergency Response Program (CERP), for the purpose
15 of enabling military commanders in Afghanistan to re-
16 spond to urgent, small-scale, humanitarian relief and re-
17 construction requirements within their areas of responsi-
18 bility: *Provided*, That each project (including any ancillary
19 or related elements in connection with such project) exe-
20 cuted under this authority shall not exceed \$2,000,000:
21 *Provided further*, That not later than 45 days after the
22 end of each 6 months of the fiscal year, the Secretary of
23 Defense shall submit to the congressional defense commit-
24 tees a report regarding the source of funds and the alloca-
25 tion and use of funds during that 6-month period that

1 were made available pursuant to the authority provided
2 in this section or under any other provision of law for the
3 purposes described herein: *Provided further*, That, not
4 later than 30 days after the end of each fiscal year quar-
5 ter, the Army shall submit to the congressional defense
6 committees quarterly commitment, obligation, and expend-
7 iture data for the CERP in Afghanistan: *Provided further*,
8 That, not less than 15 days before making funds available
9 pursuant to the authority provided in this section or under
10 any other provision of law for the purposes described here-
11 in for a project with a total anticipated cost for completion
12 of \$500,000 or more, the Secretary shall submit to the
13 congressional defense committees a written notice con-
14 taining each of the following:

15 (1) The location, nature and purpose of the
16 proposed project, including how the project is in-
17 tended to advance the military campaign plan for
18 the country in which it is to be carried out.

19 (2) The budget, implementation timeline with
20 milestones, and completion date for the proposed
21 project, including any other CERP funding that has
22 been or is anticipated to be contributed to the com-
23 pletion of the project.

24 (3) A plan for the sustainment of the proposed
25 project, including the agreement with either the host

1 nation, a non-Department of Defense agency of the
2 United States Government or a third-party contrib-
3 utor to finance the sustainment of the activities and
4 maintenance of any equipment or facilities to be pro-
5 vided through the proposed project.

6 SEC. 9006. Funds available to the Department of De-
7 fense for operation and maintenance may be used, not-
8 withstanding any other provision of law, to provide sup-
9 plies, services, transportation, including airlift and sealift,
10 and other logistical support to allied forces participating
11 in a combined operation with the armed forces of the
12 United States and coalition forces supporting military and
13 stability operations in Afghanistan and to counter the Is-
14 lamic State of Iraq and the Levant: *Provided*, That the
15 Secretary of Defense shall provide quarterly reports to the
16 congressional defense committees regarding support pro-
17 vided under this section.

18 SEC. 9007. None of the funds appropriated or other-
19 wise made available by this or any other Act shall be obli-
20 gated or expended by the United States Government for
21 a purpose as follows:

22 (1) To establish any military installation or
23 base for the purpose of providing for the permanent
24 stationing of United States Armed Forces in Iraq.

1 (2) To exercise United States control over any
2 oil resource of Iraq.

3 (3) To establish any military installation or
4 base for the purpose of providing for the permanent
5 stationing of United States Armed Forces in Af-
6 ghanistan.

7 SEC. 9008. None of the funds made available in this
8 Act may be used in contravention of the following laws
9 enacted or regulations promulgated to implement the
10 United Nations Convention Against Torture and Other
11 Cruel, Inhuman or Degrading Treatment or Punishment
12 (done at New York on December 10, 1984):

13 (1) Section 2340A of title 18, United States
14 Code.

15 (2) Section 2242 of the Foreign Affairs Reform
16 and Restructuring Act of 1998 (division G of Public
17 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
18 note) and regulations prescribed thereto, including
19 regulations under part 208 of title 8, Code of Fed-
20 eral Regulations, and part 95 of title 22, Code of
21 Federal Regulations.

22 (3) Sections 1002 and 1003 of the Department
23 of Defense, Emergency Supplemental Appropriations
24 to Address Hurricanes in the Gulf of Mexico, and

1 Pandemic Influenza Act, 2006 (Public Law 109–
2 148).

3 SEC. 9009. None of the funds provided for the “Af-
4 ghanistan Security Forces Fund” (ASFF) may be obli-
5 gated prior to the approval of a financial and activity plan
6 by the Afghanistan Resources Oversight Council (AROC)
7 of the Department of Defense: *Provided*, That the AROC
8 must approve the requirement and acquisition plan for any
9 service requirements in excess of \$50,000,000 annually
10 and any non-standard equipment requirements in excess
11 of \$100,000,000 using ASFF: *Provided further*, That the
12 Department of Defense must certify to the congressional
13 defense committees that the AROC has convened and ap-
14 proved a process for ensuring compliance with the require-
15 ments in the preceding proviso and accompanying report
16 language for the ASFF.

17 SEC. 9010. Funds made available in this title to the
18 Department of Defense for operation and maintenance
19 may be used to purchase items having an investment unit
20 cost of not more than \$250,000: *Provided*, That, upon de-
21 termination by the Secretary of Defense that such action
22 is necessary to meet the operational requirements of a
23 Commander of a Combatant Command engaged in contin-
24 gency operations overseas, such funds may be used to pur-

1 chase items having an investment item unit cost of not
2 more than \$500,000.

3 SEC. 9011. Up to \$500,000,000 of funds appro-
4 priated by this Act for the Defense Security Cooperation
5 Agency in “Operation and Maintenance, Defense-Wide”
6 may be used to provide assistance to the Government of
7 Jordan to support the armed forces of Jordan and to en-
8 hance security along its borders.

9 SEC. 9012. None of the funds made available by this
10 Act under the heading “Counter-ISIL Train and Equip
11 Fund” may be used to procure or transfer man-portable
12 air defense systems.

13 SEC. 9013. For the “Ukraine Security Assistance Ini-
14 tiative”, \$150,000,000 is hereby appropriated, to remain
15 available until September 30, 2018: *Provided*, That such
16 funds shall be available to the Secretary of Defense, in
17 coordination with the Secretary of State, to provide assist-
18 ance, including training; equipment; lethal weapons of a
19 defensive nature; logistics support, supplies and services;
20 sustainment; and intelligence support to the military and
21 national security forces of Ukraine, and for replacement
22 of any weapons or defensive articles provided to the Gov-
23 ernment of Ukraine from the inventory of the United
24 States: *Provided further*, That the Secretary of Defense
25 shall, not less than 15 days prior to obligating funds pro-

1 vided under this heading, notify the congressional defense
2 committees in writing of the details of any such obligation:
3 *Provided further*, That the United States may accept
4 equipment procured using funds provided under this head-
5 ing in this or prior Acts that was transferred to the secu-
6 rity forces of Ukraine and returned by such forces to the
7 United States: *Provided further*, That equipment procured
8 using funds provided under this heading in this or prior
9 Acts, and not yet transferred to the military or National
10 Security Forces of Ukraine or returned by such forces to
11 the United States, may be treated as stocks of the Depart-
12 ment of Defense upon written notification to the congres-
13 sional defense committees: *Provided further*, That amounts
14 made available by this section are designated by the Con-
15 gress for Overseas Contingency Operations/Global War on
16 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 SEC. 9014. Funds appropriated in this title shall be
19 available for replacement of funds for items provided to
20 the Government of Ukraine from the inventory of the
21 United States to the extent specifically provided for in sec-
22 tion 9013 of this Act.

23 SEC. 9015. None of the funds made available by this
24 Act under section 9013 for “Assistance and Sustainment
25 to the Military and National Security Forces of Ukraine”

1 may be used to procure or transfer man-portable air de-
2 fense systems.

3 SEC. 9016. (a) None of the funds appropriated or
4 otherwise made available by this Act under the heading
5 “Operation and Maintenance, Defense-Wide” for pay-
6 ments under section 1233 of Public Law 110–181 for re-
7 imbursement to the Government of Pakistan may be made
8 available unless the Secretary of Defense, in coordination
9 with the Secretary of State, certifies to the congressional
10 defense committees that the Government of Pakistan is—

11 (1) cooperating with the United States in
12 counterterrorism efforts against the Haqqani Net-
13 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,
14 Jaish-e-Mohammed, Al Qaeda, and other domestic
15 and foreign terrorist organizations, including taking
16 steps to end support for such groups and prevent
17 them from basing and operating in Pakistan and
18 carrying out cross border attacks into neighboring
19 countries;

20 (2) not supporting terrorist activities against
21 United States or coalition forces in Afghanistan, and
22 Pakistan’s military and intelligence agencies are not
23 intervening extra-judicially into political and judicial
24 processes in Pakistan;

1 (3) dismantling improvised explosive device
2 (IED) networks and interdicting precursor chemicals
3 used in the manufacture of IEDs;

4 (4) preventing the proliferation of nuclear-re-
5 lated material and expertise;

6 (5) implementing policies to protect judicial
7 independence and due process of law;

8 (6) issuing visas in a timely manner for United
9 States visitors engaged in counterterrorism efforts
10 and assistance programs in Pakistan; and

11 (7) providing humanitarian organizations access
12 to detainees, internally displaced persons, and other
13 Pakistani civilians affected by the conflict.

14 (b) The Secretary of Defense, in coordination with
15 the Secretary of State, may waive the restriction in sub-
16 section (a) on a case-by-case basis by certifying in writing
17 to the congressional defense committees that it is in the
18 national security interest to do so: *Provided*, That if the
19 Secretary of Defense, in coordination with the Secretary
20 of State, exercises such waiver authority, the Secretaries
21 shall report to the congressional defense committees on
22 both the justification for the waiver and on the require-
23 ments of this section that the Government of Pakistan was
24 not able to meet: *Provided further*, That such report may
25 be submitted in classified form if necessary.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9017. In addition to amounts otherwise made
3 available in this Act, \$500,000,000 is hereby appropriated
4 to the Department of Defense and made available for
5 transfer only to the operation and maintenance, military
6 personnel, and procurement accounts, to improve the intel-
7 ligence, surveillance, and reconnaissance capabilities of the
8 Department of Defense: *Provided*, That the transfer au-
9 thority provided in this section is in addition to any other
10 transfer authority provided elsewhere in this Act: *Provided*
11 *further*, That not later than 30 days prior to exercising
12 the transfer authority provided in this section, the Sec-
13 retary of Defense shall submit a report to the congres-
14 sional defense committees on the proposed uses of these
15 funds: *Provided further*, That the funds provided in this
16 section may not be transferred to any program, project,
17 or activity specifically limited or denied by this Act: *Pro-*
18 *vided further*, That amounts made available by this section
19 are designated by the Congress for Overseas Contingency
20 Operations/Global War on Terrorism pursuant to section
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985: *Provided further*, That the
23 authority to provide funding under this section shall termi-
24 nate on September 30, 2018.

1 “Counter-ISIL Train and Equip Fund”, 2017/
2 2018, \$112,513,000.

3 “Operation and Maintenance, Defense-Wide,
4 DSCA Coalition Support Fund”, 2017/2018,
5 \$350,000,000.

6 SEC. 9020. Each amount designated in this Act by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985 shall be available only if the President subse-
11 quently so designates all such amounts and transmits such
12 designations to the Congress.

13 SEC. 9021. (a) Not later than 30 days after the date
14 of the enactment of this Act, the President shall submit
15 to Congress a report on the United States strategy to de-
16 feat Al-Qaeda, the Taliban, the Islamic State of Iraq and
17 Syria (ISIS), and their associated forces and co-belliger-
18 ents.

19 (b) The report required under subsection (a) shall in-
20 clude the following:

21 (1) An analysis of the adequacy of the existing
22 legal framework to accomplish the strategy described
23 in subsection (a), particularly with respect to the
24 Authorization for Use of Military Force (Public Law
25 107–40; 50 U.S.C. 1541 note) and the Authoriza-

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCES TO REPORT

4 SEC. 10002. Any reference to a “report accom-
5 panying this Act” contained in this division shall be treat-
6 ed as a reference to House Report 115–219. The effect
7 of such Report shall be limited to this division and shall
8 apply for purposes of determining the allocation of funds
9 provided by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 10003. \$0.

12 SEC. 10004. None of the funds appropriated or other-
13 wise made available under the heading “Afghanistan Secu-
14 rity Forces Fund” may be used to procure uniforms for
15 the Afghan National Army.

16 SEC. 10005. None of the funds made available in this
17 Act may be used for the closure of a biosafety level 4 lab-
18 oratory.

19 SEC. 10006. None of the funds made available by this
20 Act may be used to provide arms, training, or other assist-
21 ance to the Azov Battalion.

22 SEC. 10007. None of the funds made available by this
23 Act may be used to purchase heavy water from Iran.

24 SEC. 10008. None of the funds appropriated by this
25 Act may be used to plan for, begin, continue, complete,

1 process, or approve a public-private competition under the
2 Office of Management and Budget Circular A-76.

3 This division may be cited as the “Department of De-
4 fense Appropriations Act, 2018”.

5 **DIVISION J—LEGISLATIVE BRANCH**
6 **APPROPRIATIONS ACT, 2018**

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for the
9 Legislative Branch for the fiscal year ending September
10 30, 2018, and for other purposes, namely:

11 **TITLE I**

12 **LEGISLATIVE BRANCH**

13 **HOUSE OF REPRESENTATIVES**

14 **SALARIES AND EXPENSES**

15 For salaries and expenses of the House of Represent-
16 atives, \$1,194,050,766 (increased by \$250,000), as fol-
17 lows:

18 **HOUSE LEADERSHIP OFFICES**

19 For salaries and expenses, as authorized by law,
20 \$22,278,891, including: Office of the Speaker,
21 \$6,645,417, including \$25,000 for official expenses of the
22 Speaker; Office of the Majority Floor Leader, \$2,180,048,
23 including \$10,000 for official expenses of the Majority
24 Leader; Office of the Minority Floor Leader, \$7,114,471,
25 including \$10,000 for official expenses of the Minority

1 Leader; Office of the Majority Whip, including the Chief
2 Deputy Majority Whip, \$1,886,632, including \$5,000 for
3 official expenses of the Majority Whip; Office of the Mi-
4 nority Whip, including the Chief Deputy Minority Whip,
5 \$1,459,639, including \$5,000 for official expenses of the
6 Minority Whip; Republican Conference, \$1,505,426;
7 Democratic Caucus, \$1,487,258: *Provided*, That such
8 amount for salaries and expenses shall remain available
9 from January 3, 2018 until January 2, 2019.

10 MEMBERS' REPRESENTATIONAL ALLOWANCES
11 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
12 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

13 For Members' representational allowances, including
14 Members' clerk hire, official expenses, and official mail,
15 \$562,632,498 (reduced by \$11,025,000) (increased by
16 \$11,025,000).

17 COMMITTEE EMPLOYEES

18 STANDING COMMITTEES, SPECIAL AND SELECT

19 For salaries and expenses of standing committees,
20 special and select, authorized by House resolutions,
21 \$127,053,373: *Provided*, That such amount shall remain
22 available for such salaries and expenses until December
23 31, 2018, except that \$3,150,200 of such amount shall
24 remain available until expended for committee room up-
25 grading.

1 COMMITTEE ON APPROPRIATIONS

2 For salaries and expenses of the Committee on Ap-
3 propriations, \$23,226,000, including studies and examina-
4 tions of executive agencies and temporary personal serv-
5 ices for such committee, to be expended in accordance with
6 section 202(b) of the Legislative Reorganization Act of
7 1946 and to be available for reimbursement to agencies
8 for services performed: *Provided*, That such amount shall
9 remain available for such salaries and expenses until De-
10 cember 31, 2018.

11 SALARIES, OFFICERS AND EMPLOYEES

12 For compensation and expenses of officers and em-
13 ployees, as authorized by law, \$198,156,000, including:
14 for salaries and expenses of the Office of the Clerk, includ-
15 ing the positions of the Chaplain and the Historian, and
16 including not more than \$25,000 for official representa-
17 tion and reception expenses, of which not more than
18 \$20,000 is for the Family Room and not more than
19 \$2,000 is for the Office of the Chaplain, \$27,945,000; for
20 salaries and expenses of the Office of the Sergeant at
21 Arms, including the position of Superintendent of Garages
22 and the Office of Emergency Management, and including
23 not more than \$3,000 for official representation and re-
24 ception expenses, \$20,505,000 of which \$6,696,000 shall
25 remain available until expended; for salaries and expenses

1 31, 2019; Business Continuity and Disaster Recovery,
2 \$16,186,000 of which \$5,000,000 shall remain available
3 until expended; transition activities for new members and
4 staff, \$2,273,000, to remain available until expended;
5 Wounded Warrior Program \$2,500,000 (increased by
6 \$250,000), to remain available until expended; Office of
7 Congressional Ethics, \$1,670,000; and miscellaneous
8 items including purchase, exchange, maintenance, repair
9 and operation of House motor vehicles, interparliamentary
10 receptions, and gratuities to heirs of deceased employees
11 of the House, \$720,000.

12 ADMINISTRATIVE PROVISIONS

13 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
14 RESENTATIONAL ALLOWANCES TO BE USED FOR
15 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
16 DEBT

17 SEC. 101. (a) Notwithstanding any other provision
18 of law, any amounts appropriated under this Act for
19 "HOUSE OF REPRESENTATIVES—SALARIES AND
20 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
21 ANCES" shall be available only for fiscal year 2018. Any
22 amount remaining after all payments are made under such
23 allowances for fiscal year 2018 shall be deposited in the
24 Treasury and used for deficit reduction (or, if there is no
25 Federal budget deficit after all such payments have been

1 made, for reducing the Federal debt, in such manner as
2 the Secretary of the Treasury considers appropriate).

3 (b) REGULATIONS.—The Committee on House Ad-
4 ministration of the House of Representatives shall have
5 authority to prescribe regulations to carry out this section.

6 (c) DEFINITION.—As used in this section, the term
7 “Member of the House of Representatives” means a Rep-
8 resentative in, or a Delegate or Resident Commissioner
9 to, the Congress.

10 DELIVERY OF BILLS AND RESOLUTIONS

11 SEC. 102. None of the funds made available in this
12 Act may be used to deliver a printed copy of a bill, joint
13 resolution, or resolution to the office of a Member of the
14 House of Representatives (including a Delegate or Resi-
15 dent Commissioner to the Congress) unless the Member
16 requests a copy.

17 DELIVERY OF CONGRESSIONAL RECORD

18 SEC. 103. None of the funds made available by this
19 Act may be used to deliver a printed copy of any version
20 of the Congressional Record to the office of a Member of
21 the House of Representatives (including a Delegate or
22 Resident Commissioner to the Congress).

23 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

24 SEC. 104. None of the funds made available in this
25 Act may be used by the Chief Administrative Officer of

1 of the Daily Calendar of the House of Representatives
2 which is prepared by the Clerk of the House of Represent-
3 atives.

4 DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

5 SEC. 108. None of the funds made available by this
6 Act may be used to deliver a printed copy of the Congres-
7 sional Pictorial Directory to the office of a Member of the
8 House of Representatives (including a Delegate or Resi-
9 dent Commissioner to the Congress).

10 AMENDING THE HOUSE SERVICES REVOLVING FUND

11 SEC. 109. (a) COLLECTION OF CERTAIN SERVICE
12 FEES.—Section 105(a) of the Legislative Branch Appro-
13 priations Act, 2005 (2 U.S.C. 5545(a)) is amended by
14 adding at the end the following new paragraph:

15 “(7) The collection of a service fee from ven-
16 dors of the Master Web Services Agreement or the
17 Technology Services Contract for failure to abide by
18 and maintain House of Representatives security poli-
19 cies.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on the date of the enact-
22 ment of this Act.

23 ADJUSTMENTS TO COMPENSATION

24 SEC. 110. Notwithstanding any other provision of
25 law, no adjustment shall be made under section 601(a)

1 (4) an allowance of \$725 per month to 2 assist-
2 ants and \$580 per month each not to exceed 11 as-
3 sistants on the basis heretofore provided for such as-
4 sistants; and

5 (5) \$2,780,000 for reimbursement to the De-
6 partment of the Navy for expenses incurred for staff
7 and equipment assigned to the Office of the Attend-
8 ing Physician, which shall be advanced and credited
9 to the applicable appropriation or appropriations
10 from which such salaries, allowances, and other ex-
11 penses are payable and shall be available for all the
12 purposes thereof, \$3,838,000, to be disbursed by the
13 Chief Administrative Officer of the House of Rep-
14 resentatives.

15 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

16 SALARIES AND EXPENSES

17 For salaries and expenses of the Office of Congres-
18 sional Accessibility Services, \$1,444,000, to be disbursed
19 by the Secretary of the Senate.

20 ADMINISTRATIVE PROVISION

21 SEC. 1001. (a) ESTABLISHMENT OF SENIOR LEVEL
22 POSITIONS.—Notwithstanding any order issued by the
23 Speaker of the House of Representatives pursuant to
24 paragraph (1) of section 311(d) of the Legislative Branch
25 Appropriations Act, 1988 (2 U.S.C. 4532(1)), the chair

1 of the Joint Committee on Taxation may establish and
2 fix the compensation of senior level positions in the staff
3 of the Joint Committee to meet critical scientific, tech-
4 nical, professional, or executive needs of the Joint Com-
5 mittee.

6 (b) LIMITATION ON COMPENSATION.—The annual
7 rate of pay for any position established under this section
8 may not exceed the annual rate of pay for level II of the
9 Executive Schedule.

10 (c) CONFORMING AMENDMENT.— Subsection (e) of
11 section 214 of the Postal Revenue and Federal Salary Act
12 of 1967 (2 U.S.C. 4302) is repealed.

13 (d) EFFECTIVE DATE.—This section shall apply with
14 respect to fiscal year 2018 and each succeeding fiscal year.

15 CAPITOL POLICE

16 SALARIES

17 For salaries of employees of the Capitol Police, in-
18 cluding overtime, hazardous duty pay, and Government
19 contributions for health, retirement, social security, pro-
20 fessional liability insurance, and other applicable employee
21 benefits, \$347,700,000 of which overtime shall not exceed
22 \$45,000,000 unless the Committee on Appropriations of
23 the House and Senate are notified, to be disbursed by the
24 Chief of the Capitol Police or his designee.

1 of which \$450,000 shall remain available until September
2 30, 2019: *Provided*, That not more than \$500 may be ex-
3 pended on the certification of the Executive Director of
4 the Office of Compliance in connection with official rep-
5 resentation and reception expenses.

6 CONGRESSIONAL BUDGET OFFICE

7 SALARIES AND EXPENSES

8 For salaries and expenses necessary for operation of
9 the Congressional Budget Office, including not more than
10 \$6,000 to be expended on the certification of the Director
11 of the Congressional Budget Office in connection with offi-
12 cial representation and reception expenses, \$48,500,000.

13 ARCHITECT OF THE CAPITOL

14 CAPITAL CONSTRUCTION AND OPERATIONS

15 For salaries for the Architect of the Capitol, and
16 other personal services, at rates of pay provided by law;
17 for all necessary expenses for surveys and studies, con-
18 struction, operation, and general and administrative sup-
19 port in connection with facilities and activities under the
20 care of the Architect of the Capitol including the Botanic
21 Garden; electrical substations of the Capitol, Senate and
22 House office buildings, and other facilities under the juris-
23 diction of the Architect of the Capitol; including fur-
24 nishings and office equipment; including not more than
25 \$5,000 for official reception and representation expenses,

1 to be expended as the Architect of the Capitol may ap-
2 prove; for purchase or exchange, maintenance, and oper-
3 ation of a passenger motor vehicle, \$93,000,000 (reduced
4 by \$250,000) (reduced by \$100,000) (increased by
5 \$100,000).

6 CAPITOL BUILDING

7 For all necessary expenses for the maintenance, care
8 and operation of the Capitol, \$45,300,000, of which
9 \$19,458,000 shall remain available until September 30,
10 2022.

11 CAPITOL GROUNDS

12 For all necessary expenses for care and improvement
13 of grounds surrounding the Capitol, the Senate and House
14 office buildings, and the Capitol Power Plant,
15 \$13,333,000, of which \$3,195,000 shall remain available
16 until September 30, 2022.

17 HOUSE OFFICE BUILDINGS

18 For all necessary expenses for the maintenance, care
19 and operation of the House office buildings,
20 \$169,294,000, of which \$45,130,000 shall remain avail-
21 able until September 30, 2022, and of which \$62,000,000
22 shall remain available until expended for the restoration
23 and renovation of the Cannon House Office Building.

1 In addition, for a payment to the House Historic
2 Buildings Revitalization Trust Fund, \$10,000,000, to re-
3 main available until expended.

4 CAPITOL POWER PLANT

5 For all necessary expenses for the maintenance, care
6 and operation of the Capitol Power Plant; lighting, heat-
7 ing, power (including the purchase of electrical energy)
8 and water and sewer services for the Capitol, Senate and
9 House office buildings, Library of Congress buildings, and
10 the grounds about the same, Botanic Garden, Senate ga-
11 rage, and air conditioning refrigeration not supplied from
12 plants in any of such buildings; heating the Government
13 Publishing Office and Washington City Post Office, and
14 heating and chilled water for air conditioning for the Su-
15 preme Court Building, the Union Station complex, the
16 Thurgood Marshall Federal Judiciary Building and the
17 Folger Shakespeare Library, expenses for which shall be
18 advanced or reimbursed upon request of the Architect of
19 the Capitol and amounts so received shall be deposited
20 into the Treasury to the credit of this appropriation,
21 \$106,694,000, of which \$28,057,000 shall remain avail-
22 able until September 30, 2022: *Provided*, That not more
23 than \$9,000,000 of the funds credited or to be reimbursed
24 to this appropriation as herein provided shall be available
25 for obligation during fiscal year 2018.

1 LIBRARY BUILDINGS AND GROUNDS

2 For all necessary expenses for the mechanical and
3 structural maintenance, care and operation of the Library
4 buildings and grounds, \$76,097,000, of which
5 \$48,724,000 shall remain available until September 30,
6 2022.

7 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

8 For all necessary expenses for the maintenance, care
9 and operation of buildings, grounds and security enhance-
10 ments of the United States Capitol Police, wherever lo-
11 cated, the Alternate Computer Facility, and Architect of
12 the Capitol security operations, \$33,249,000, of which
13 \$12,300,000 shall remain available until September 30,
14 2022.

15 BOTANIC GARDEN

16 For all necessary expenses for the maintenance, care
17 and operation of the Botanic Garden and the nurseries,
18 buildings, grounds, and collections; and purchase and ex-
19 change, maintenance, repair, and operation of a passenger
20 motor vehicle; all under the direction of the Joint Com-
21 mittee on the Library, \$13,400,000, of which \$2,600,000
22 shall remain available until September 30, 2022: *Provided,*
23 That, of the amount made available under this heading,
24 the Architect of the Capitol may obligate and expend such
25 sums as may be necessary for the maintenance, care and

1 operation of the National Garden established under sec-
2 tion 307E of the Legislative Branch Appropriations Act,
3 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
4 chitect of the Capitol or a duly authorized designee.

5 CAPITOL VISITOR CENTER

6 For all necessary expenses for the operation of the
7 Capitol Visitor Center, \$21,470,000.

8 ADMINISTRATIVE PROVISIONS

9 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
10 OVER BUDGET

11 SEC. 1101. None of the funds made available in this
12 Act for the Architect of the Capitol may be used to make
13 incentive or award payments to contractors for work on
14 contracts or programs for which the contractor is behind
15 schedule or over budget, unless the Architect of the Cap-
16 itol, or agency-employed designee, determines that any
17 such deviations are due to unforeseeable events, govern-
18 ment-driven scope changes, or are not significant within
19 the overall scope of the project and/or program.

20 SCRIMS

21 SEC. 1102. None of the funds made available by this
22 Act may be used for scrims containing photographs of
23 building facades during restoration or construction
24 projects performed by the Architect of the Capitol.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

1 For all necessary expenses of the Library of Congress
2 not otherwise provided for, including development and
3 maintenance of the Library's catalogs; custody and custo-
4 dial care of the Library buildings; special clothing; clean-
5 ing, laundering and repair of uniforms; preservation of
6 motion pictures in the custody of the Library; operation
7 and maintenance of the American Folklife Center in the
8 Library; preparation and distribution of catalog records
9 and other publications of the Library; hire or purchase
10 of one passenger motor vehicle; and expenses of the Li-
11 brary of Congress Trust Fund Board not properly charge-
12 able to the income of any trust fund held by the Board,
13 \$464,209,234, of which not more than \$6,000,000 shall
14 be derived from collections credited to this appropriation
15 during fiscal year 2018, and shall remain available until
16 expended, under the Act of June 28, 1902 (chapter 1301;
17 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000
18 shall be derived from collections during fiscal year 2018
19 and shall remain available until expended for the develop-
20 ment and maintenance of an international legal informa-
21 tion database and activities related thereto: *Provided,*
22 That the Library of Congress may not obligate or expend
23 any funds derived from collections under the Act of June
24
25

1 28, 1902, in excess of the amount authorized for obliga-
2 tion or expenditure in appropriations Acts: *Provided fur-*
3 *ther*, That the total amount available for obligation shall
4 be reduced by the amount by which collections are less
5 than \$6,350,000: *Provided further*, That, of the total
6 amount appropriated, not more than \$12,000 may be ex-
7 pended, on the certification of the Librarian of Congress,
8 in connection with official representation and reception ex-
9 penses for the Overseas Field Offices: *Provided further*,
10 That, of the total amount appropriated, \$8,653,000 shall
11 remain available until expended for the digital collections
12 and educational curricula program: *Provided further*,
13 That, of the total amount appropriated, \$1,300,000 shall
14 remain available until expended for upgrade of the Legis-
15 lative Branch Financial Management System.

16 COPYRIGHT OFFICE

17 SALARIES AND EXPENSES

18 For all necessary expenses of the Copyright Office,
19 \$72,011,000, of which not more than \$35,218,000, to re-
20 main available until expended, shall be derived from collec-
21 tions credited to this appropriation during fiscal year 2018
22 under section 708(d) of title 17, United States Code: *Pro-*
23 *vided*, That the Copyright Office may not obligate or ex-
24 pend any funds derived from collections under such sec-
25 tion, in excess of the amount authorized for obligation or

1 expenditure in appropriations Acts: *Provided further*, That
2 not more than \$6,087,000 shall be derived from collections
3 during fiscal year 2018 under sections 111(d)(2),
4 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided*
5 *further*, That the total amount available for obligation
6 shall be reduced by the amount by which collections are
7 less than \$41,305,000: *Provided further*, That not more
8 than \$100,000 of the amount appropriated is available for
9 the maintenance of an “International Copyright Institute”
10 in the Copyright Office of the Library of Congress for the
11 purpose of training nationals of developing countries in
12 intellectual property laws and policies: *Provided further*,
13 That \$2,260,000 shall be derived from prior year unobli-
14 gated balances: *Provided further*, That not more than
15 \$6,500 may be expended, on the certification of the Li-
16 brarian of Congress, in connection with official representa-
17 tion and reception expenses for activities of the Inter-
18 national Copyright Institute and for copyright delegations,
19 visitors, and seminars: *Provided further*, That, notwith-
20 standing any provision of chapter 8 of title 17, United
21 States Code, any amounts made available under this head-
22 ing which are attributable to royalty fees and payments
23 received by the Copyright Office pursuant to sections 111,
24 119, and chapter 10 of such title may be used for the
25 costs incurred in the administration of the Copyright Roy-

1 alty Judges program, with the exception of the costs of
2 salaries and benefits for the Copyright Royalty Judges
3 and staff under section 802(e).

4 CONGRESSIONAL RESEARCH SERVICE

5 SALARIES AND EXPENSES

6 For all necessary expenses to carry out the provisions
7 of section 203 of the Legislative Reorganization Act of
8 1946 (2 U.S.C. 166) and to revise and extend the Anno-
9 tated Constitution of the United States of America,
10 \$111,474,000: *Provided*, That no part of such amount
11 may be used to pay any salary or expense in connection
12 with any publication, or preparation of material therefor
13 (except the Digest of Public General Bills), to be issued
14 by the Library of Congress unless such publication has
15 obtained prior approval of either the Committee on House
16 Administration of the House of Representatives or the
17 Committee on Rules and Administration of the Senate.

18 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

19 SALARIES AND EXPENSES

20 For all necessary expenses to carry out the Act of
21 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
22 135a), \$50,248,000: *Provided*, That, of the total amount
23 appropriated, \$650,000 shall be available to contract to
24 provide newspapers to blind and physically handicapped
25 residents at no cost to the individual.

1 ADMINISTRATIVE PROVISION

2 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

3 SEC. 1201. (a) IN GENERAL.—For fiscal year 2018,
4 the obligational authority of the Library of Congress for
5 the activities described in subsection (b) may not exceed
6 \$190,642,000.

7 (b) ACTIVITIES.—The activities referred to in sub-
8 section (a) are reimbursable and revolving fund activities
9 that are funded from sources other than appropriations
10 to the Library in appropriations Acts for the legislative
11 branch.

12 GOVERNMENT PUBLISHING OFFICE

13 CONGRESSIONAL PUBLISHING

14 (INCLUDING TRANSFER OF FUNDS)

15 For authorized publishing of congressional informa-
16 tion and the distribution of congressional information in
17 any format; publishing of Government publications au-
18 thorized by law to be distributed to Members of Congress;
19 and publishing, and distribution of Government publica-
20 tions authorized by law to be distributed without charge
21 to the recipient, \$79,528,000: *Provided*, That this appro-
22 priation shall not be available for paper copies of the per-
23 manent edition of the Congressional Record for individual
24 Representatives, Resident Commissioners or Delegates au-
25 thorized under section 906 of title 44, United States Code:

1 *Provided further*, That this appropriation shall be available
2 for the payment of obligations incurred under the appro-
3 priations for similar purposes for preceding fiscal years:
4 *Provided further*, That notwithstanding the 2-year limita-
5 tion under section 718 of title 44, United States Code,
6 none of the funds appropriated or made available under
7 this Act or any other Act for printing and binding and
8 related services provided to Congress under chapter 7 of
9 title 44, United States Code, may be expended to print
10 a document, report, or publication after the 27-month pe-
11 riod beginning on the date that such document, report,
12 or publication is authorized by Congress to be printed, un-
13 less Congress reauthorizes such printing in accordance
14 with section 718 of title 44, United States Code: *Provided*
15 *further*, That any unobligated or unexpended balances in
16 this account or accounts for similar purposes for preceding
17 fiscal years may be transferred to the Government Pub-
18 lishing Office Business Operations Revolving Fund for
19 carrying out the purposes of this heading, subject to the
20 approval of the Committees on Appropriations of the
21 House of Representatives and Senate: *Provided further*,
22 That notwithstanding sections 901, 902, and 906 of title
23 44, United States Code, this appropriation may be used
24 to prepare indexes to the Congressional Record on only
25 a monthly and session basis.

1 PUBLIC INFORMATION PROGRAMS OF THE
2 SUPERINTENDENT OF DOCUMENTS
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses of the public information programs of
6 the Office of Superintendent of Documents necessary to
7 provide for the cataloging and indexing of Government
8 publications and their distribution to the public, Members
9 of Congress, other Government agencies, and designated
10 depository and international exchange libraries as author-
11 ized by law, \$29,000,000: *Provided*, That amounts of not
12 more than \$2,000,000 from current year appropriations
13 are authorized for producing and disseminating Congres-
14 sional serial sets and other related publications for fiscal
15 years 2016 and 2017 to depository and other designated
16 libraries: *Provided further*, That any unobligated or unex-
17 pended balances in this account or accounts for similar
18 purposes for preceding fiscal years may be transferred to
19 the Government Publishing Office Business Operations
20 Revolving Fund for carrying out the purposes of this head-
21 ing, subject to the approval of the Committees on Appro-
22 priations of the House of Representatives and Senate.

1 GOVERNMENT PUBLISHING OFFICE BUSINESS
2 OPERATIONS REVOLVING FUND

3 For payment to the Government Publishing Office
4 Business Operations Revolving Fund, \$8,540,000, to re-
5 main available until expended, for information technology
6 development and facilities repair: *Provided*, That the Gov-
7 ernment Publishing Office is hereby authorized to make
8 such expenditures, within the limits of funds available and
9 in accordance with law, and to make such contracts and
10 commitments without regard to fiscal year limitations as
11 provided by section 9104 of title 31, United States Code,
12 as may be necessary in carrying out the programs and
13 purposes set forth in the budget for the current fiscal year
14 for the Government Publishing Office Business Operations
15 Revolving Fund: *Provided further*, That not more than
16 \$7,500 may be expended on the certification of the Direc-
17 tor of the Government Publishing Office in connection
18 with official representation and reception expenses: *Pro-*
19 *vided further*, That the business operations revolving fund
20 shall be available for the hire or purchase of not more than
21 12 passenger motor vehicles: *Provided further*, That ex-
22 penditures in connection with travel expenses of the advi-
23 sory councils to the Director of the Government Pub-
24 lishing Office shall be deemed necessary to carry out the
25 provisions of title 44, United States Code: *Provided fur-*

1 *ther*, That the business operations revolving fund shall be
2 available for temporary or intermittent services under sec-
3 tion 3109(b) of title 5, United States Code, but at rates
4 for individuals not more than the daily equivalent of the
5 annual rate of basic pay for level V of the Executive
6 Schedule under section 5316 of such title: *Provided fur-*
7 *ther*, That activities financed through the business oper-
8 ations revolving fund may provide information in any for-
9 mat: *Provided further*, That the business operations revolv-
10 ing fund and the funds provided under the heading “Pub-
11 lic Information Programs of the Superintendent of Docu-
12 ments” may not be used for contracted security services
13 at the Government Publishing Office’s passport facility in
14 the District of Columbia.

15 GOVERNMENT ACCOUNTABILITY OFFICE

16 SALARIES AND EXPENSES

17 For necessary expenses of the Government Account-
18 ability Office, including not more than \$12,500 to be ex-
19 pended on the certification of the Comptroller General of
20 the United States in connection with official representa-
21 tion and reception expenses; temporary or intermittent
22 services under section 3109(b) of title 5, United States
23 Code, but at rates for individuals not more than the daily
24 equivalent of the annual rate of basic pay for level IV of
25 the Executive Schedule under section 5315 of such title;

1 hire of one passenger motor vehicle; advance payments in
2 foreign countries in accordance with section 3324 of title
3 31, United States Code; benefits comparable to those pay-
4 able under sections 901(5), (6), and (8) of the Foreign
5 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
6 and under regulations prescribed by the Comptroller Gen-
7 eral of the United States, rental of living quarters in for-
8 eign countries, \$544,505,919: *Provided*, That, in addition,
9 \$23,800,000 of payments received under sections 782,
10 791, 3521, and 9105 of title 31, United States Code, shall
11 be available without fiscal year limitation: *Provided fur-*
12 *ther*, That this appropriation and appropriations for ad-
13 ministrative expenses of any other department or agency
14 which is a member of the National Intergovernmental
15 Audit Forum or a Regional Intergovernmental Audit
16 Forum shall be available to finance an appropriate share
17 of either Forum's costs as determined by the respective
18 Forum, including necessary travel expenses of non-Federal
19 participants: *Provided further*, That payments hereunder
20 to the Forum may be credited as reimbursements to any
21 appropriation from which costs involved are initially fi-
22 nanced.

1 cilities for the House of Representatives issued by the
2 Committee on House Administration and for the Senate
3 issued by the Committee on Rules and Administration.

4 FISCAL YEAR LIMITATION

5 SEC. 202. No part of the funds appropriated in this
6 Act shall remain available for obligation beyond fiscal year
7 2018 unless expressly so provided in this Act.

8 RATES OF COMPENSATION AND DESIGNATION

9 SEC. 203. Whenever in this Act any office or position
10 not specifically established by the Legislative Pay Act of
11 1929 (46 Stat. 32 et seq.) is appropriated for or the rate
12 of compensation or designation of any office or position
13 appropriated for is different from that specifically estab-
14 lished by such Act, the rate of compensation and the des-
15 ignation in this Act shall be the permanent law with re-
16 spect thereto: *Provided*, That the provisions in this Act
17 for the various items of official expenses of Members, offi-
18 cers, and committees of the Senate and House of Rep-
19 resentatives, and clerk hire for Senators and Members of
20 the House of Representatives shall be the permanent law
21 with respect thereto.

22 CONSULTING SERVICES

23 SEC. 204. The expenditure of any appropriation
24 under this Act for any consulting service through procure-
25 ment contract, under section 3109 of title 5, United States

1 Code, shall be limited to those contracts where such ex-
2 penditures are a matter of public record and available for
3 public inspection, except where otherwise provided under
4 existing law, or under existing Executive order issued
5 under existing law.

6 COSTS OF LBFMC

7 SEC. 205. Amounts available for administrative ex-
8 penses of any legislative branch entity which participates
9 in the Legislative Branch Financial Managers Council
10 (LBFMC) established by charter on March 26, 1996, shall
11 be available to finance an appropriate share of LBFMC
12 costs as determined by the LBFMC, except that the total
13 LBFMC costs to be shared among all participating legisla-
14 tive branch entities (in such allocations among the entities
15 as the entities may determine) may not exceed \$2,000.

16 LIMITATION ON TRANSFERS

17 SEC. 206. None of the funds made available in this
18 Act may be transferred to any department, agency, or in-
19 strumentality of the United States Government, except
20 pursuant to a transfer made by, or transfer authority pro-
21 vided in, this Act or any other appropriation Act.

22 GUIDED TOURS OF THE CAPITOL

23 SEC. 207. (a) Except as provided in subsection (b),
24 none of the funds made available to the Architect of the
25 Capitol in this Act may be used to eliminate or restrict

1 guided tours of the United States Capitol which are led
2 by employees and interns of offices of Members of Con-
3 gress and other offices of the House of Representatives
4 and Senate.

5 (b) At the direction of the Capitol Police Board, or
6 at the direction of the Architect of the Capitol with the
7 approval of the Capitol Police Board, guided tours of the
8 United States Capitol which are led by employees and in-
9 terns described in subsection (a) may be suspended tempo-
10 rarily or otherwise subject to restriction for security or re-
11 lated reasons to the same extent as guided tours of the
12 United States Capitol which are led by the Architect of
13 the Capitol.

14 REFERENCES TO ACT

15 SEC. 208. Except as expressly provided otherwise,
16 any reference to “this Act” contained in this division shall
17 be treated as referring only to the provisions of this divi-
18 sion.

19 REFERENCES TO REPORT

20 SEC. 209. Any reference to a “report accompanying
21 this Act” contained in this division shall be treated as a
22 reference to House Report 115–199. The effect of such
23 Report shall be limited to this division and shall apply for
24 purposes of determining the allocation of funds provided
25 by, and the implementation of, this division.

1 SPENDING REDUCTION ACCOUNT

2 SEC. 210. \$0.

3 SEC. 211. None of the funds made available by this
4 Act may be used to deliver a printed copy of the Federal
5 Register to the office of a Member of the House of Rep-
6 resentatives (including a Delegate or Resident Commis-
7 sioner to the Congress), unless a printed copy is requested
8 by the Member (or Delegate or Resident Commissioner).

9 This division may be cited as the “Legislative Branch
10 Appropriations Act, 2018”.

11 **DIVISION K—MILITARY CONSTRUCTION,**
12 **VETERANS AFFAIRS, AND RELATED**
13 **AGENCIES APPROPRIATIONS ACT, 2018**

14 The following sums are appropriated, out of any
15 money in the Treasury not otherwise appropriated, for
16 military construction, the Department of Veterans Affairs,
17 and related agencies for the fiscal year ending September
18 30, 2018, and for other purposes, namely:

19 TITLE I

20 DEPARTMENT OF DEFENSE

21 MILITARY CONSTRUCTION, ARMY

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, military
24 installations, facilities, and real property for the Army as
25 currently authorized by law, including personnel in the

1 Army Corps of Engineers and other personal services nec-
2 essary for the purposes of this appropriation, and for con-
3 struction and operation of facilities in support of the func-
4 tions of the Commander in Chief, \$923,994,000, to re-
5 main available until September 30, 2022: *Provided*, That,
6 of this amount, not to exceed \$101,470,000 shall be avail-
7 able for study, planning, design, architect and engineer
8 services, and host nation support, as authorized by law,
9 unless the Secretary of the Army determines that addi-
10 tional obligations are necessary for such purposes and no-
11 tifies the Committees on Appropriations of both Houses
12 of Congress of the determination and the reasons therefor.

13 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

14 For acquisition, construction, installation, and equip-
15 ment of temporary or permanent public works, naval in-
16 stallations, facilities, and real property for the Navy and
17 Marine Corps as currently authorized by law, including
18 personnel in the Naval Facilities Engineering Command
19 and other personal services necessary for the purposes of
20 this appropriation, \$1,558,085,000, to remain available
21 until September 30, 2022: *Provided*, That, of this amount,
22 not to exceed \$219,069,000 shall be available for study,
23 planning, design, and architect and engineer services, as
24 authorized by law, unless the Secretary of the Navy deter-
25 mines that additional obligations are necessary for such

1 purposes and notifies the Committees on Appropriations
2 of both Houses of Congress of the determination and the
3 reasons therefor.

4 MILITARY CONSTRUCTION, AIR FORCE

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, military
7 installations, facilities, and real property for the Air Force
8 as currently authorized by law, \$1,540,474,000, to remain
9 available until September 30, 2022: *Provided*, That, of
10 this amount, not to exceed \$97,852,000 shall be available
11 for study, planning, design, and architect and engineer
12 services, as authorized by law, unless the Secretary of the
13 Air Force determines that additional obligations are nec-
14 essary for such purposes and notifies the Committees on
15 Appropriations of both Houses of Congress of the deter-
16 mination and the reasons therefor.

17 MILITARY CONSTRUCTION, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For acquisition, construction, installation, and equip-
20 ment of temporary or permanent public works, installa-
21 tions, facilities, and real property for activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as currently authorized by law,
24 \$2,791,272,000, to remain available until September 30,
25 2022: *Provided*, That such amounts of this appropriation

1 as may be determined by the Secretary of Defense may
2 be transferred to such appropriations of the Department
3 of Defense available for military construction or family
4 housing as the Secretary may designate, to be merged with
5 and to be available for the same purposes, and for the
6 same time period, as the appropriation or fund to which
7 transferred: *Provided further*, That, of the amount, not to
8 exceed \$185,717,000 shall be available for study, plan-
9 ning, design, and architect and engineer services, as au-
10 thorized by law, unless the Secretary of Defense deter-
11 mines that additional obligations are necessary for such
12 purposes and notifies the Committees on Appropriations
13 of both Houses of Congress of the determination and the
14 reasons therefor.

15 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the Army National Guard, and contribu-
19 tions therefor, as authorized by chapter 1803 of title 10,
20 United States Code, and Military Construction Authoriza-
21 tion Acts, \$210,652,000, to remain available until Sep-
22 tember 30, 2022: *Provided*, That, of the amount, not to
23 exceed \$16,271,000 shall be available for study, planning,
24 design, and architect and engineer services, as authorized
25 by law, unless the Director of the Army National Guard

1 determines that additional obligations are necessary for
2 such purposes and notifies the Committees on Appropria-
3 tions of both Houses of Congress of the determination and
4 the reasons therefor.

5 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the Air National Guard, and contributions
9 therefor, as authorized by chapter 1803 of title 10, United
10 States Code, and Military Construction Authorization
11 Acts, \$161,491,000, to remain available until September
12 30, 2022: *Provided*, That, of the amount, not to exceed
13 \$18,000,000 shall be available for study, planning, design,
14 and architect and engineer services, as authorized by law,
15 unless the Director of the Air National Guard determines
16 that additional obligations are necessary for such purposes
17 and notifies the Committees on Appropriations of both
18 Houses of Congress of the determination and the reasons
19 therefor.

20 MILITARY CONSTRUCTION, ARMY RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Army Reserve as authorized by chapter
24 1803 of title 10, United States Code, and Military Con-
25 struction Authorization Acts, \$73,712,000, to remain

1 available until September 30, 2022: *Provided*, That, of the
2 amount, not to exceed \$6,887,000 shall be available for
3 study, planning, design, and architect and engineer serv-
4 ices, as authorized by law, unless the Chief of the Army
5 Reserve determines that additional obligations are nec-
6 essary for such purposes and notifies the Committees on
7 Appropriations of both Houses of Congress of the deter-
8 mination and the reasons therefor.

9 MILITARY CONSTRUCTION, NAVY RESERVE

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the reserve components of the Navy and
13 Marine Corps as authorized by chapter 1803 of title 10,
14 United States Code, and Military Construction Authoriza-
15 tion Acts, \$65,271,000, to remain available until Sep-
16 tember 30, 2022: *Provided*, That, of the amount, not to
17 exceed \$4,430,000 shall be available for study, planning,
18 design, and architect and engineer services, as authorized
19 by law, unless the Secretary of the Navy determines that
20 additional obligations are necessary for such purposes and
21 notifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor.

23 MILITARY CONSTRUCTION, AIR FORCE RESERVE

24 For construction, acquisition, expansion, rehabilita-
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Air Force Reserve as authorized by
2 chapter 1803 of title 10, United States Code, and Military
3 Construction Authorization Acts, \$63,535,000, to remain
4 available until September 30, 2022: *Provided*, That, of the
5 amount, not to exceed \$4,725,000 shall be available for
6 study, planning, design, and architect and engineer serv-
7 ices, as authorized by law, unless the Chief of the Air
8 Force Reserve determines that additional obligations are
9 necessary for such purposes and notifies the Committees
10 on Appropriations of both Houses of Congress of the de-
11 termination and the reasons therefor: *Provided further*,
12 That, the Chief of the Air Force Reserve shall take imme-
13 diate action to address unfunded military construction re-
14 quirements for access control points and security issues
15 at Air Force Reserve facilities.

16 NORTH ATLANTIC TREATY ORGANIZATION
17 SECURITY INVESTMENT PROGRAM

18 For the United States share of the cost of the North
19 Atlantic Treaty Organization Security Investment Pro-
20 gram for the acquisition and construction of military fa-
21 cilities and installations (including international military
22 headquarters) and for related expenses for the collective
23 defense of the North Atlantic Treaty Area as authorized
24 by section 2806 of title 10, United States Code, and Mili-

1 tary Construction Authorization Acts, \$177,932,000, to
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

4 For deposit into the Department of Defense Base
5 Closure Account, established by section 2906(a) of the De-
6 fense Base Closure and Realignment Act of 1990 (10
7 U.S.C. 2687 note), \$290,867,000, to remain available
8 until expended.

9 FAMILY HOUSING CONSTRUCTION, ARMY

10 For expenses of family housing for the Army for con-
11 struction, including acquisition, replacement, addition, ex-
12 pansion, extension, and alteration, as authorized by law,
13 \$182,662,000, to remain available until September 30,
14 2022.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 ARMY

17 For expenses of family housing for the Army for op-
18 eration and maintenance, including debt payment, leasing,
19 minor construction, principal and interest charges, and in-
20 surance premiums, as authorized by law, \$346,625,000.

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22 CORPS

23 For expenses of family housing for the Navy and Ma-
24 rine Corps for construction, including acquisition, replace-
25 ment, addition, expansion, extension, and alteration, as

1 authorized by law, \$83,682,000, to remain available until
2 September 30, 2022.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 NAVY AND MARINE CORPS

5 For expenses of family housing for the Navy and Ma-
6 rine Corps for operation and maintenance, including debt
7 payment, leasing, minor construction, principal and inter-
8 est charges, and insurance premiums, as authorized by
9 law, \$328,282,000.

10 FAMILY HOUSING CONSTRUCTION, AIR FORCE

11 For expenses of family housing for the Air Force for
12 construction, including acquisition, replacement, addition,
13 expansion, extension, and alteration, as authorized by law,
14 \$85,062,000, to remain available until September 30,
15 2022.

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
17 FORCE

18 For expenses of family housing for the Air Force for
19 operation and maintenance, including debt payment, leas-
20 ing, minor construction, principal and interest charges,
21 and insurance premiums, as authorized by law,
22 \$318,324,000.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this
20 title may be used to begin construction of new bases in
21 the United States for which specific appropriations have
22 not been made.

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

8 SEC. 106. None of the funds made available in this
9 title shall be used to: (1) acquire land; (2) provide for site
10 preparation; or (3) install utilities for any family housing,
11 except housing for which funds have been made available
12 in annual Acts making appropriations for military con-
13 struction.

14 SEC. 107. None of the funds made available in this
15 title for minor construction may be used to transfer or
16 relocate any activity from one base or installation to an-
17 other, without prior notification to the Committees on Ap-
18 propriations of both Houses of Congress.

19 SEC. 108. None of the funds made available in this
20 title may be used for the procurement of steel for any con-
21 struction project or activity for which American steel pro-
22 ducers, fabricators, and manufacturers have been denied
23 the opportunity to compete for such steel procurement.

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

3 SEC. 110. None of the funds made available in this
4 title may be used to initiate a new installation overseas
5 without prior notification to the Committees on Appro-
6 priations of both Houses of Congress.

7 SEC. 111. None of the funds made available in this
8 title may be obligated for architect and engineer contracts
9 estimated by the Government to exceed \$500,000 for
10 projects to be accomplished in Japan, in any North Atlan-
11 tic Treaty Organization member country, or in countries
12 bordering the Arabian Gulf, unless such contracts are
13 awarded to United States firms or United States firms
14 in joint venture with host nation firms.

15 SEC. 112. None of the funds made available in this
16 title for military construction in the United States terri-
17 tories and possessions in the Pacific and on Kwajalein
18 Atoll, or in countries bordering the Arabian Gulf, may be
19 used to award any contract estimated by the Government
20 to exceed \$1,000,000 to a foreign contractor: *Provided*,
21 That this section shall not be applicable to contract
22 awards for which the lowest responsive and responsible bid
23 of a United States contractor exceeds the lowest respon-
24 sive and responsible bid of a foreign contractor by greater
25 than 20 percent: *Provided further*, That this section shall

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

4 SEC. 113. The Secretary of Defense shall inform the
5 appropriate committees of both Houses of Congress, in-
6 cluding the Committees on Appropriations, of plans and
7 scope of any proposed military exercise involving United
8 States personnel 30 days prior to its occurring, if amounts
9 expended for construction, either temporary or permanent,
10 are anticipated to exceed \$100,000.

11 SEC. 114. Funds appropriated to the Department of
12 Defense for construction in prior years shall be available
13 for construction authorized for each such military depart-
14 ment by the authorizations enacted into law during the
15 current session of Congress.

16 SEC. 115. For military construction or family housing
17 projects that are being completed with funds otherwise ex-
18 pired or lapsed for obligation, expired or lapsed funds may
19 be used to pay the cost of associated supervision, inspec-
20 tion, overhead, engineering and design on those projects
21 and on subsequent claims, if any.

22 SEC. 116. Notwithstanding any other provision of
23 law, any funds made available to a military department
24 or defense agency for the construction of military projects
25 may be obligated for a military construction project or

1 contract, or for any portion of such a project or contract,
2 at any time before the end of the fourth fiscal year after
3 the fiscal year for which funds for such project were made
4 available, if the funds obligated for such project: (1) are
5 obligated from funds available for military construction
6 projects; and (2) do not exceed the amount appropriated
7 for such project, plus any amount by which the cost of
8 such project is increased pursuant to law.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 117. Subject to 30 days prior notification, or
11 14 days for a notification provided in an electronic me-
12 dium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, such additional amounts as
15 may be determined by the Secretary of Defense may be
16 transferred to: (1) the Department of Defense Family
17 Housing Improvement Fund from amounts appropriated
18 for construction in “Family Housing” accounts, to be
19 merged with and to be available for the same purposes
20 and for the same period of time as amounts appropriated
21 directly to the Fund; or (2) the Department of Defense
22 Military Unaccompanied Housing Improvement Fund
23 from amounts appropriated for construction of military
24 unaccompanied housing in “Military Construction” ac-
25 counts, to be merged with and to be available for the same

1 purposes and for the same period of time as amounts ap-
2 propriated directly to the Fund: *Provided*, That appropria-
3 tions made available to the Funds shall be available to
4 cover the costs, as defined in section 502(5) of the Con-
5 gressional Budget Act of 1974, of direct loans or loan
6 guarantees issued by the Department of Defense pursuant
7 to the provisions of subchapter IV of chapter 169 of title
8 10, United States Code, pertaining to alternative means
9 of acquiring and improving military family housing, mili-
10 tary unaccompanied housing, and supporting facilities.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 118. In addition to any other transfer authority
13 available to the Department of Defense, amounts may be
14 transferred from the Department of Defense Base Closure
15 Account to the fund established by section 1013(d) of the
16 Demonstration Cities and Metropolitan Development Act
17 of 1966 (42 U.S.C. 3374) to pay for expenses associated
18 with the Homeowners Assistance Program incurred under
19 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
20 be merged with and be available for the same purposes
21 and for the same time period as the fund to which trans-
22 ferred.

23 SEC. 119. Notwithstanding any other provision of
24 law, funds made available in this title for operation and
25 maintenance of family housing shall be the exclusive

1 source of funds for repair and maintenance of all family
2 housing units, including general or flag officer quarters:
3 *Provided*, That not more than \$15,000 per unit may be
4 spent annually for the maintenance and repair of any gen-
5 eral or flag officer quarters without 30 days prior notifica-
6 tion, or 14 days for a notification provided in an electronic
7 medium pursuant to sections 480 and 2883 of title 10,
8 United States Code, to the Committees on Appropriations
9 of both Houses of Congress, except that an after-the-fact
10 notification shall be submitted if the limitation is exceeded
11 solely due to costs associated with environmental remedi-
12 ation that could not be reasonably anticipated at the time
13 of the budget submission.

14 SEC. 120. Amounts contained in the Ford Island Im-
15 provement Account established by subsection (h) of sec-
16 tion 2814 of title 10, United States Code, are appro-
17 priated and shall be available until expended for the pur-
18 poses specified in subsection (i)(1) of such section or until
19 transferred pursuant to subsection (i)(3) of such section.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 121. During the 5-year period after appropria-
22 tions available in this Act to the Department of Defense
23 for military construction and family housing operation and
24 maintenance and construction have expired for obligation,
25 upon a determination that such appropriations will not be

1 necessary for the liquidation of obligations or for making
2 authorized adjustments to such appropriations for obliga-
3 tions incurred during the period of availability of such ap-
4 propriations, unobligated balances of such appropriations
5 may be transferred into the appropriation “Foreign Cur-
6 rency Fluctuations, Construction, Defense”, to be merged
7 with and to be available for the same time period and for
8 the same purposes as the appropriation to which trans-
9 ferred.

10 SEC. 122. (a) Except as provided in subsection (b),
11 none of the funds made available in this Act may be used
12 by the Secretary of the Army to relocate a unit in the
13 Army that—

14 (1) performs a testing mission or function that
15 is not performed by any other unit in the Army and
16 is specifically stipulated in title 10, United States
17 Code; and

18 (2) is located at a military installation at which
19 the total number of civilian employees of the Depart-
20 ment of the Army and Army contractor personnel
21 employed exceeds 10 percent of the total number of
22 members of the regular and reserve components of
23 the Army assigned to the installation.

24 (b) EXCEPTION.—Subsection (a) shall not apply if
25 the Secretary of the Army certifies to the congressional

1 defense committees that in proposing the relocation of the
2 unit of the Army, the Secretary complied with Army Regu-
3 lation 5–10 relating to the policy, procedures, and respon-
4 sibilities for Army stationing actions.

5 SEC. 123. Amounts appropriated or otherwise made
6 available in an account funded under the headings in this
7 title may be transferred among projects and activities
8 within the account in accordance with the reprogramming
9 guidelines for military construction and family housing
10 construction contained in Department of Defense Finan-
11 cial Management Regulation 7000.14–R, Volume 3, Chap-
12 ter 7, of March 2011, as in effect on the date of enactment
13 of this Act.

14 SEC. 124. None of the funds made available in this
15 title may be obligated or expended for planning and design
16 and construction of projects at Arlington National Ceme-
17 tery.

18 SEC. 125. For an additional amount for the accounts
19 and in the amounts specified, to remain available until
20 September 30, 2022:

21 “Military Construction, Army”, \$43,800,000;

22 “Military Construction, Navy and Marine
23 Corps”, \$126,900,000;

24 “Military Construction, Air Force”,
25 \$70,300,000;

1 “Military Construction, Army”, \$10,000,000;
2 “Military Construction, Navy and Marine
3 Corps”, \$10,000,000;
4 “Military Construction, Defense-Wide”,
5 \$27,440,000;
6 “North Atlantic Treaty Organization Security
7 Investment Program”, \$25,000,000;
8 “Family Housing Construction, Army”,
9 \$18,000,000;
10 “Family Housing Construction, Navy and Ma-
11 rine Corps”, \$8,000,000; and
12 “Family Housing Construction, Air Force”,
13 \$20,000,000:

14 *Provided*, That no amounts may be rescinded from
15 amounts that were designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism or
17 as an emergency requirement pursuant to a concurrent
18 resolution on the budget or the Balanced Budget and
19 Emergency Deficit Control Act of 1985, as amended.

20 SEC. 127. For the purposes of this Act, the term
21 “congressional defense committees” means the Commit-
22 tees on Armed Services of the House of Representatives
23 and the Senate, the Subcommittee on Military Construc-
24 tion and Veterans Affairs of the Committee on Appropria-
25 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3 SEC. 128. None of the funds made available by this
4 Act may be used to carry out the closure or realignment
5 of the United States Naval Station, Guantánamo Bay,
6 Cuba.

7 TITLE II

8 DEPARTMENT OF VETERANS AFFAIRS

9 VETERANS BENEFITS ADMINISTRATION

10 COMPENSATION AND PENSIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of compensation benefits to or on
13 behalf of veterans and a pilot program for disability ex-
14 aminations as authorized by section 107 and chapters 11,
15 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
16 pension benefits to or on behalf of veterans as authorized
17 by chapters 15, 51, 53, 55, and 61 of title 38, United
18 States Code; and burial benefits, the Reinstated Entitle-
19 ment Program for Survivors, emergency and other offi-
20 cers' retirement pay, adjusted-service credits and certifi-
21 cates, payment of premiums due on commercial life insur-
22 ance policies guaranteed under the provisions of title IV
23 of the Servicemembers Civil Relief Act (50 U.S.C. App.
24 541 et seq.) and for other benefits as authorized by sec-
25 tions 107, 1312, 1977, and 2106, and chapters 23, 51,

1 53, 55, and 61 of title 38, United States Code,
2 \$95,768,462,000, to remain available until expended and
3 to become available on October 1, 2018: *Provided*, That
4 not to exceed \$17,882,000 of the amount made available
5 for fiscal year 2019 under this heading shall be reim-
6 bursed to “General Operating Expenses, Veterans Bene-
7 fits Administration”, and “Information Technology Sys-
8 tems” for necessary expenses in implementing the provi-
9 sions of chapters 51, 53, and 55 of title 38, United States
10 Code, the funding source for which is specifically provided
11 as the “Compensation and Pensions” appropriation: *Pro-*
12 *vided further*, That such sums as may be earned on an
13 actual qualifying patient basis, shall be reimbursed to
14 “Medical Care Collections Fund” to augment the funding
15 of individual medical facilities for nursing home care pro-
16 vided to pensioners as authorized.

17 READJUSTMENT BENEFITS

18 For the payment of readjustment and rehabilitation
19 benefits to or on behalf of veterans as authorized by chap-
20 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
21 61 of title 38, United States Code, \$11,832,175,000, to
22 remain available until expended and to become available
23 on October 1, 2018: *Provided*, That expenses for rehabili-
24 tation program services and assistance which the Sec-
25 retary is authorized to provide under subsection (a) of sec-

1 tion 3104 of title 38, United States Code, other than
2 under paragraphs (1), (2), (5), and (11) of that sub-
3 section, shall be charged to this account.

4 VETERANS INSURANCE AND INDEMNITIES

5 For military and naval insurance, national service life
6 insurance, servicemen's indemnities, service-disabled vet-
7 erans insurance, and veterans mortgage life insurance as
8 authorized by chapters 19 and 21, title 38, United States
9 Code, \$121,529,000, which shall be in addition to remain
10 available until expended, which shall be in addition to
11 funds previously appropriated under this heading that be-
12 came available on October 1, 2017, of which \$109,090,000
13 shall become available on October 1, 2018.

14 VETERANS HOUSING BENEFIT PROGRAM FUND

15 For the cost of direct and guaranteed loans, such
16 sums as may be necessary to carry out the program, as
17 authorized by subchapters I through III of chapter 37 of
18 title 38, United States Code: *Provided*, That such costs,
19 including the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That, during fiscal year 2018,
22 within the resources available, not to exceed \$500,000 in
23 gross obligations for direct loans are authorized for spe-
24 cially adapted housing loans.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, \$178,626,000.

3 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$30,000, as authorized
5 by chapter 31 of title 38, United States Code: *Provided*,
6 That such costs, including the cost of modifying such
7 loans, shall be as defined in section 502 of the Congres-
8 sional Budget Act of 1974: *Provided further*, That funds
9 made available under this heading are available to sub-
10 sidize gross obligations for the principal amount of direct
11 loans not to exceed \$2,356,000.

12 In addition, for administrative expenses necessary to
13 carry out the direct loan program, \$395,000, which may
14 be paid to the appropriation for “General Operating Ex-
15 penses, Veterans Benefits Administration”.

16 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
17 ACCOUNT

18 For administrative expenses to carry out the direct
19 loan program authorized by subchapter V of chapter 37
20 of title 38, United States Code, \$1,163,000.

21 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
22 ADMINISTRATION

23 For necessary operating expenses of the Veterans
24 Benefits Administration, not otherwise provided for, in-
25 cluding hire of passenger motor vehicles, reimbursement

1 of the General Services Administration for security guard
2 services, and reimbursement of the Department of De-
3 fense for the cost of overseas employee mail,
4 \$2,894,000,000 (increased by \$5,000,000): *Provided*,
5 That expenses for services and assistance authorized
6 under paragraphs (1), (2), (5), and (11) of section
7 3104(a) of title 38, United States Code, that the Secretary
8 of Veterans Affairs determines are necessary to enable en-
9 titled veterans: (1) to the maximum extent feasible, to be-
10 come employable and to obtain and maintain suitable em-
11 ployment; or (2) to achieve maximum independence in
12 daily living, shall be charged to this account: *Provided fur-*
13 *ther*, That, of the funds made available under this heading,
14 not to exceed 5 percent shall remain available until Sep-
15 tember 30, 2019.

16 VETERANS HEALTH ADMINISTRATION

17 MEDICAL SERVICES

18 For necessary expenses for furnishing, as authorized
19 by law, inpatient and outpatient care and treatment to
20 beneficiaries of the Department of Veterans Affairs and
21 veterans described in section 1705(a) of title 38, United
22 States Code, including care and treatment in facilities not
23 under the jurisdiction of the Department, and including
24 medical supplies and equipment, bioengineering services,
25 food services, and salaries and expenses of healthcare em-

1 ployees hired under title 38, United States Code, aid to
2 State homes as authorized by section 1741 of title 38,
3 United States Code, assistance and support services for
4 caregivers as authorized by section 1720G of title 38,
5 United States Code, loan repayments authorized by sec-
6 tion 604 of the Caregivers and Veterans Omnibus Health
7 Services Act of 2010 (Public Law 111–163; 124 Stat.
8 1174; 38 U.S.C. 7681 note), and hospital care and med-
9 ical services authorized by section 1787 of title 38, United
10 States Code; \$1,031,808,000 (reduced by
11 \$1,031,808,000) (increased by \$1,031,808,000) (reduced
12 by \$2,500,000) (increased by \$2,500,000) (reduced by
13 \$2,000,000) (increased by \$2,000,000) (reduced by
14 \$5,000,000) (increased by \$5,000,000), which shall be in
15 addition to funds previously appropriated under this head-
16 ing that became available on October 1, 2017; and, in ad-
17 dition, \$49,161,165,000, plus reimbursements, shall be-
18 come available on October 1, 2018, and shall remain avail-
19 able until September 30, 2019: *Provided*, That, of the
20 amount made available on October 1, 2018, under this
21 heading, \$1,400,000,000 shall remain available until Sep-
22 tember 30, 2020: *Provided further*, That, notwithstanding
23 any other provision of law, the Secretary of Veterans Af-
24 fairs shall establish a priority for the provision of medical
25 treatment for veterans who have service-connected disabil-

ities, lower income, or have special needs: *Provided further*,
That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$254,000,000 (reduced by \$5,000,000) (increased by \$5,000,000), which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$8,384,704,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: *Provided*, That of the amount made available on October 1, 2018, under

1 this heading, \$2,000,000,000 shall remain available until
2 September 30, 2022.

3 MEDICAL SUPPORT AND COMPLIANCE

4 For necessary expenses in the administration of the
5 medical, hospital, nursing home, domiciliary, construction,
6 supply, and research activities, as authorized by law; ad-
7 ministrative expenses in support of capital policy activi-
8 ties; and administrative and legal expenses of the Depart-
9 ment for collecting and recovering amounts owed the De-
10 partment as authorized under chapter 17 of title 38,
11 United States Code, and the Federal Medical Care Recov-
12 ery Act (42 U.S.C. 2651 et seq.), \$284,397,000, which
13 shall be in addition to funds previously appropriated under
14 this heading that became available on October 1, 2017;
15 and, in addition, \$7,239,156,000, plus reimbursements,
16 shall become available on October 1, 2018, and shall re-
17 main available until September 30, 2019: *Provided*, That,
18 of the amount made available on October 1, 2018, under
19 this heading, \$100,000,000 shall remain available until
20 September 30, 2020.

21 MEDICAL FACILITIES

22 For necessary expenses for the maintenance and op-
23 eration of hospitals, nursing homes, domiciliary facilities,
24 and other necessary facilities of the Veterans Health Ad-
25 ministration; for administrative expenses in support of

1 planning, design, project management, real property ac-
2 quisition and disposition, construction, and renovation of
3 any facility under the jurisdiction or for the use of the
4 Department; for oversight, engineering, and architectural
5 activities not charged to project costs; for repairing, alter-
6 ing, improving, or providing facilities in the several hos-
7 pitals and homes under the jurisdiction of the Depart-
8 ment, not otherwise provided for, either by contract or by
9 the hire of temporary employees and purchase of mate-
10 rials; for leases of facilities; and for laundry services;
11 \$1,079,795,000, which shall be in addition to funds pre-
12 viously appropriated under this heading that became avail-
13 able on October 1, 2017; and, in addition,
14 \$5,914,288,000, plus reimbursements, shall become avail-
15 able on October 1, 2018, and shall remain available until
16 September 30, 2019: *Provided*, That, of the amount made
17 available on October 1, 2018, under this heading,
18 \$250,000,000 shall remain available until September 30,
19 2020.

20 MEDICAL AND PROSTHETIC RESEARCH

21 For necessary expenses in carrying out programs of
22 medical and prosthetic research and development as au-
23 thorized by chapter 73 of title 38, United States Code,
24 \$698,228,000, plus reimbursements, shall remain avail-
25 able until September 30, 2019.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for; cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; hire of passenger motor vehicles; and repair, alter-
8 ation or improvement of facilities under the jurisdiction
9 of the National Cemetery Administration, \$306,193,000,
10 of which not to exceed 10 percent shall remain available
11 until September 30, 2019.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary operating expenses of the Department
16 of Veterans Affairs, not otherwise provided for, including
17 administrative expenses in support of Department-wide
18 capital planning, management and policy activities, uni-
19 forms, or allowances therefor; not to exceed \$25,000 for
20 official reception and representation expenses; hire of pas-
21 senger motor vehicles; and reimbursement of the General
22 Services Administration for security guard services,
23 \$346,891,000 (reduced by \$5,000,000), of which not to
24 exceed 5 percent shall remain available until September
25 30, 2019: *Provided*, That funds provided under this head-

1 ing may be transferred to “General Operating Expenses,
2 Veterans Benefits Administration”.

3 BOARD OF VETERANS APPEALS

4 For necessary operating expenses of the Board of
5 Veterans Appeals, \$156,096,000, of which not to exceed
6 10 percent shall remain available until September 30,
7 2019.

8 INFORMATION TECHNOLOGY SYSTEMS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for information technology
11 systems and telecommunications support, including devel-
12 opmental information systems and operational information
13 systems; for pay and associated costs; and for the capital
14 asset acquisition of information technology systems, in-
15 cluding management and related contractual costs of said
16 acquisitions, including contractual costs associated with
17 operations authorized by section 3109 of title 5, United
18 States Code, \$4,135,500,000, plus reimbursements: *Pro-*
19 *vided*, That \$1,230,320,000 shall be for pay and associ-
20 ated costs, of which not to exceed \$36,000,000 shall re-
21 main available until September 30, 2019: *Provided further*,
22 That \$2,486,650,000 shall be for operations and mainte-
23 nance, of which not to exceed \$174,000,000 shall remain
24 available until September 30, 2019: *Provided further*, That
25 \$418,530,000 shall be for information technology systems

1 development, modernization, and enhancement, and shall
2 remain available until September 30, 2019: *Provided fur-*
3 *ther*, That amounts made available for information tech-
4 nology systems development, modernization, and enhance-
5 ment may not be obligated or expended until the Secretary
6 of Veterans Affairs or the Chief Information Officer of
7 the Department of Veterans Affairs submits to the Com-
8 mittees on Appropriations of both Houses of Congress a
9 certification of the amounts, in parts or in full, to be obli-
10 gated and expended for each development project: *Pro-*
11 *vided further*, That amounts made available for salaries
12 and expenses, operations and maintenance, and informa-
13 tion technology systems development, modernization, and
14 enhancement may be transferred among the three sub-
15 accounts after the Secretary of Veterans Affairs requests
16 from the Committees on Appropriations of both Houses
17 of Congress the authority to make the transfer and an
18 approval is issued: *Provided further*, That amounts made
19 available for the “Information Technology Systems” ac-
20 count for development, modernization, and enhancement
21 may be transferred among projects or to newly defined
22 projects: *Provided further*, That no project may be in-
23 creased or decreased by more than \$1,000,000 of cost
24 prior to submitting a request to the Committees on Appro-
25 priations of both Houses of Congress to make the transfer

1 and an approval is issued, or absent a response, a period
2 of 30 days has elapsed: *Provided further*, That funds under
3 this heading may be used by the Interagency Program Of-
4 fice through the Department of Veterans Affairs to define
5 data standards, code sets, and value sets used to enable
6 interoperability: *Provided further*, That, of the funds made
7 available for information technology systems development,
8 modernization, and enhancement for the development of
9 an electronic health record, not more than 25 percent may
10 be obligated or expended until the Secretary of Veterans
11 Affairs submits to the Committees on Appropriations of
12 both Houses of Congress:

13 (1) a detailed explanation of the solicitation
14 submitted to Cerner Corporation for development of
15 an electronic health record for the Department of
16 Veterans Affairs;

17 (2) an explanation of how the electronic health
18 record would replicate the Military Health System
19 (MHS) Genesis record developed by Cerner for the
20 Department of Defense, as well as the enhanced ca-
21 pabilities the Department of Veterans Affairs re-
22 quires to achieve complete interoperability with the
23 Department of Defense system and non-Department
24 of Veterans Affairs providers who participate in the
25 Department of Veterans Affairs healthcare system;

1 (3) a strategic plan for development of the elec-
2 tronic health record system, an associated implemen-
3 tation plan including timelines and performance
4 milestones, a master schedule and annual and life-
5 cycle cost estimates;

6 (4) information on plans to maintain current
7 functionality and integration with Department of
8 Defense records during the transition to MHS Gen-
9 esis; and

10 (5) Department of Veterans Affairs plans to
11 manage the transition process to MHS Genesis, in-
12 cluding possible pilot programs, training for users,
13 and use of change management tools:

14 *Provided further*, That the funds made available under this
15 heading for information technology systems development,
16 modernization, and enhancement, shall be for the projects,
17 and in the amounts, specified under this heading in the
18 report accompanying this Act.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General, to include information technology, in carrying out
22 the provisions of the Inspector General Act of 1978 (5
23 U.S.C. App.), \$160,106,000, of which not to exceed 10
24 percent shall remain available until September 30, 2019.

1 CONSTRUCTION, MAJOR PROJECTS

2 For constructing, altering, extending, and improving
3 any of the facilities, including parking projects, under the
4 jurisdiction or for the use of the Department of Veterans
5 Affairs, or for any of the purposes set forth in sections
6 316, 2404, 2406 and chapter 81 of title 38, United States
7 Code, not otherwise provided for, including planning, ar-
8 chitectural and engineering services, construction manage-
9 ment services, maintenance or guarantee period services
10 costs associated with equipment guarantees provided
11 under the project, services of claims analysts, offsite utility
12 and storm drainage system construction costs, and site ac-
13 quisition, where the estimated cost of a project is more
14 than the amount set forth in section 8104(a)(3)(A) of title
15 38, United States Code, or where funds for a project were
16 made available in a previous major project appropriation,
17 \$410,530,000, of which \$372,000,000 shall remain avail-
18 able until September 30, 2022, and of which \$38,530,000
19 shall remain available until expended: *Provided*, That ex-
20 cept for advance planning activities, including needs as-
21 sessments which may or may not lead to capital invest-
22 ments, and other capital asset management related activi-
23 ties, including portfolio development and management ac-
24 tivities, and investment strategy studies funded through
25 the advance planning fund and the planning and design

1 activities funded through the design fund, including needs
2 assessments which may or may not lead to capital invest-
3 ments, and salaries and associated costs of the resident
4 engineers who oversee those capital investments funded
5 through this account and contracting officers who manage
6 specific major construction projects, and funds provided
7 for the purchase, security, and maintenance of land for
8 the National Cemetery Administration through the land
9 acquisition line item, none of the funds made available
10 under this heading shall be used for any project that has
11 not been notified to Congress through the budgetary pro-
12 cess or that has not been approved by the Congress through
13 statute, joint resolution, or in the explanatory statement
14 accompanying such Act and presented to the President at
15 the time of enrollment: *Provided further*, That funds made
16 available under this heading for fiscal year 2018, for each
17 approved project shall be obligated: (1) by the awarding
18 of a construction documents contract by September 30,
19 2018; and (2) by the awarding of a construction contract
20 by September 30, 2019: *Provided further*, That the Sec-
21 retary of Veterans Affairs shall promptly submit to the
22 Committees on Appropriations of both Houses of Congress
23 a written report on any approved major construction
24 project for which obligations are not incurred within the
25 time limitations established above: *Provided further*, That,

1 of the amount made available under this heading,
2 \$117,300,000 for Veterans Health Administration major
3 construction projects shall not be available until the De-
4 partment of Veterans Affairs—

5 (1) enters into an agreement with an appro-
6 priate non-Department of Veterans Affairs Federal
7 entity to serve as the design and/or construction
8 agent for any Veterans Health Administration major
9 construction project with a Total Estimated Cost of
10 \$100,000,000 or above by providing full project
11 management services, including management of the
12 project design, acquisition, construction, and con-
13 tract changes, consistent with section 502 of Public
14 Law 114–58; and

15 (2) certifies in writing that such an agreement
16 is executed and intended to minimize or prevent sub-
17 sequent major construction project cost overruns
18 and provides a copy of the agreement entered into
19 and any required supplementary information to the
20 Committees on Appropriations of both Houses of
21 Congress.

22 CONSTRUCTION, MINOR PROJECTS

23 For constructing, altering, extending, and improving
24 any of the facilities, including parking projects, under the
25 jurisdiction or for the use of the Department of Veterans

1 Affairs, including planning and assessments of needs
2 which may lead to capital investments, architectural and
3 engineering services, maintenance or guarantee period
4 services costs associated with equipment guarantees pro-
5 vided under the project, services of claims analysts, offsite
6 utility and storm drainage system construction costs, and
7 site acquisition, or for any of the purposes set forth in
8 sections 316, 2404, 2406 and chapter 81 of title 38,
9 United States Code, not otherwise provided for, where the
10 estimated cost of a project is equal to or less than the
11 amount set forth in section 8104(a)(3)(A) of title 38,
12 United States Code, \$342,570,000, to remain available
13 until September 30, 2022, along with unobligated balances
14 of previous “Construction, Minor Projects” appropriations
15 which are hereby made available for any project where the
16 estimated cost is equal to or less than the amount set forth
17 in such section: *Provided*, That funds made available
18 under this heading shall be for: (1) repairs to any of the
19 nonmedical facilities under the jurisdiction or for the use
20 of the Department which are necessary because of loss or
21 damage caused by any natural disaster or catastrophe;
22 and (2) temporary measures necessary to prevent or to
23 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify, or alter existing hospital, nursing home,
6 and domiciliary facilities in State homes, for furnishing
7 care to veterans as authorized by sections 8131 through
8 8137 of title 38, United States Code, \$90,000,000, to re-
9 main available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations
12 in establishing, expanding, or improving veterans ceme-
13 teries as authorized by section 2408 of title 38, United
14 States Code, \$45,000,000, to remain available until ex-
15 pended.

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 201. Any appropriation for fiscal year 2018 for
19 “Compensation and Pensions”, “Readjustment Benefits”,
20 and “Veterans Insurance and Indemnities” may be trans-
21 ferred as necessary to any other of the mentioned appro-
22 priations: *Provided*, That, before a transfer may take
23 place, the Secretary of Veterans Affairs shall request from
24 the Committees on Appropriations of both Houses of Con-
25 gress the authority to make the transfer and such Com-

1 mittees issue an approval, or absent a response, a period
2 of 30 days has elapsed.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 202. Amounts made available for the Depart-
5 ment of Veterans Affairs for fiscal year 2018, in this or
6 any other Act, under the “Medical Services”, “Medical
7 Community Care”, “Medical Support and Compliance”,
8 and “Medical Facilities” accounts may be transferred
9 among the accounts: *Provided*, That any transfers among
10 the “Medical Services”, “Medical Community Care”, and
11 “Medical Support and Compliance” accounts of 1 percent
12 or less of the total amount appropriated to the account
13 in this or any other Act may take place subject to notifica-
14 tion from the Secretary of Veterans Affairs to the Com-
15 mittees on Appropriations of both Houses of Congress of
16 the amount and purpose of the transfer: *Provided further*,
17 That any transfers among the “Medical Services”, “Med-
18 ical Community Care”, and “Medical Support and Compli-
19 ance” accounts in excess of 1 percent, or exceeding the
20 cumulative 1 percent for the fiscal year, may take place
21 only after the Secretary requests from the Committees on
22 Appropriations of both Houses of Congress the authority
23 to make the transfer and an approval is issued: *Provided*
24 *further*, That any transfers to or from the “Medical Facili-
25 ties” account may take place only after the Secretary re-

1 quests from the Committees on Appropriations of both
2 Houses of Congress the authority to make the transfer
3 and an approval is issued.

4 SEC. 203. Appropriations available in this title for
5 salaries and expenses shall be available for services au-
6 thorized by section 3109 of title 5, United States Code;
7 hire of passenger motor vehicles; lease of a facility or land
8 or both; and uniforms or allowances therefore, as author-
9 ized by sections 5901 through 5902 of title 5, United
10 States Code.

11 SEC. 204. No appropriations in this title (except the
12 appropriations for “Construction, Major Projects”, and
13 “Construction, Minor Projects”) shall be available for the
14 purchase of any site for or toward the construction of any
15 new hospital or home.

16 SEC. 205. No appropriations in this title shall be
17 available for hospitalization or examination of any persons
18 (except beneficiaries entitled to such hospitalization or ex-
19 amination under the laws providing such benefits to vet-
20 erans, and persons receiving such treatment under sec-
21 tions 7901 through 7904 of title 5, United States Code,
22 or the Robert T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
24 bursement of the cost of such hospitalization or examina-

1 tion is made to the “Medical Services” account at such
2 rates as may be fixed by the Secretary of Veterans Affairs.

3 SEC. 206. Appropriations available in this title for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” shall be avail-
6 able for payment of prior year accrued obligations re-
7 quired to be recorded by law against the corresponding
8 prior year accounts within the last quarter of fiscal year
9 2017.

10 SEC. 207. Appropriations available in this title shall
11 be available to pay prior year obligations of corresponding
12 prior year appropriations accounts resulting from sections
13 3328(a), 3334, and 3712(a) of title 31, United States
14 Code, except that if such obligations are from trust fund
15 accounts they shall be payable only from “Compensation
16 and Pensions”.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 208. Notwithstanding any other provision of
19 law, during fiscal year 2018, the Secretary of Veterans
20 Affairs shall, from the National Service Life Insurance
21 Fund under section 1920 of title 38, United States Code,
22 the Veterans’ Special Life Insurance Fund under section
23 1923 of title 38, United States Code, and the United
24 States Government Life Insurance Fund under section
25 1955 of title 38, United States Code, reimburse the “Gen-

1 eral Operating Expenses, Veterans Benefits Administra-
2 tion” and “Information Technology Systems” accounts for
3 the cost of administration of the insurance programs fi-
4 nanced through those accounts: *Provided*, That reimburse-
5 ment shall be made only from the surplus earnings accu-
6 mulated in such an insurance program during fiscal year
7 2018 that are available for dividends in that program after
8 claims have been paid and actuarially determined reserves
9 have been set aside: *Provided further*, That if the cost of
10 administration of such an insurance program exceeds the
11 amount of surplus earnings accumulated in that program,
12 reimbursement shall be made only to the extent of such
13 surplus earnings: *Provided further*, That the Secretary
14 shall determine the cost of administration for fiscal year
15 2018 which is properly allocable to the provision of each
16 such insurance program and to the provision of any total
17 disability income insurance included in that insurance pro-
18 gram.

19 SEC. 209. Amounts deducted from enhanced-use
20 lease proceeds to reimburse an account for expenses in-
21 curred by that account during a prior fiscal year for pro-
22 viding enhanced-use lease services, may be obligated dur-
23 ing the fiscal year in which the proceeds are received.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 210. Funds available in this title or funds for
3 salaries and other administrative expenses shall also be
4 available to reimburse the Office of Resolution Manage-
5 ment, the Office of Employment Discrimination Complaint
6 Adjudication, the Office of Accountability Review, the
7 Central Whistleblower Office, the Office of Diversity and
8 Inclusion, and the Office of the Executive Director of Ac-
9 countability and Whistleblower Protection, for all services
10 provided at rates which will recover actual costs but not
11 to exceed \$47,668,000 for the Office of Resolution Man-
12 agement, \$3,932,000 for the Office of Employment Dis-
13 crimination Complaint Adjudication, \$10,057,000 for the
14 Office of Accountability Review, \$6,646,000 for the Cen-
15 tral Whistleblower Office, \$2,973,000 for the Office of Di-
16 versity and Inclusion, and \$917,000 for the Office of the
17 Executive Director of Accountability and Whistleblower
18 Protection: *Provided*, That payments may be made in ad-
19 vance for services to be furnished based on estimated
20 costs: *Provided further*, That amounts received shall be
21 credited to the “General Administration” and “Informa-
22 tion Technology Systems” accounts for use by the office
23 that provided the service.

24 SEC. 211. No funds of the Department of Veterans
25 Affairs shall be available for hospital care, nursing home

1 care, or medical services provided to any person under
2 chapter 17 of title 38, United States Code, for a non-serv-
3 ice-connected disability described in section 1729(a)(2) of
4 such title, unless that person has disclosed to the Sec-
5 retary of Veterans Affairs, in such form as the Secretary
6 may require, current, accurate third-party reimbursement
7 information for purposes of section 1729 of such title: *Pro-*
8 *vided*, That the Secretary may recover, in the same man-
9 ner as any other debt due the United States, the reason-
10 able charges for such care or services from any person who
11 does not make such disclosure as required: *Provided fur-*
12 *ther*, That any amounts so recovered for care or services
13 provided in a prior fiscal year may be obligated by the
14 Secretary during the fiscal year in which amounts are re-
15 ceived.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 212. Notwithstanding any other provision of
18 law, proceeds or revenues derived from enhanced-use leas-
19 ing activities (including disposal) may be deposited into
20 the “Construction, Major Projects” and “Construction,
21 Minor Projects” accounts and be used for construction
22 (including site acquisition and disposition), alterations,
23 and improvements of any medical facility under the juris-
24 diction or for the use of the Department of Veterans Af-
25 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-
2 struction, Minor Projects”.

3 SEC. 213. Amounts made available under “Medical
4 Services” are available—

5 (1) for furnishing recreational facilities, sup-
6 plies, and equipment; and

7 (2) for funeral expenses, burial expenses, and
8 other expenses incidental to funerals and burials for
9 beneficiaries receiving care in the Department.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 214. Such sums as may be deposited to the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, may be transferred to the
14 “Medical Services” and “Medical Community Care” ac-
15 counts to remain available until expended for the purposes
16 of these accounts.

17 SEC. 215. The Secretary of Veterans Affairs may
18 enter into agreements with Federally Qualified Health
19 Centers in the State of Alaska and Indian tribes and tribal
20 organizations which are party to the Alaska Native Health
21 Compact with the Indian Health Service, to provide
22 healthcare, including behavioral health and dental care, to
23 veterans in rural Alaska. The Secretary shall require par-
24 ticipating veterans and facilities to comply with all appro-
25 priate rules and regulations, as established by the Sec-

1 retary. The term “rural Alaska” shall mean those lands
2 which are not within the boundaries of the municipality
3 of Anchorage or the Fairbanks North Star Borough.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 216. Such sums as may be deposited to the De-
6 partment of Veterans Affairs Capital Asset Fund pursu-
7 ant to section 8118 of title 38, United States Code, may
8 be transferred to the “Construction, Major Projects” and
9 “Construction, Minor Projects” accounts, to remain avail-
10 able until expended for the purposes of these accounts.

11 SEC. 217. Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a report on the financial status of the
15 Department of Veterans Affairs for the preceding quarter:
16 *Provided*, That, at a minimum, the report shall include
17 the direction contained in the paragraph entitled “Quar-
18 terly reporting”, under the heading “General Administra-
19 tion” in the joint explanatory statement accompanying
20 Public Law 114–223.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 218. Amounts made available under the “Med-
23 ical Services”, “Medical Community Care”, “Medical Sup-
24 port and Compliance”, “Medical Facilities”, “General Op-
25 erating Expenses, Veterans Benefits Administration”,

1 “Board of Veterans Appeals”, “General Administration”,
2 and “National Cemetery Administration” accounts for fis-
3 cal year 2018 may be transferred to or from the “Informa-
4 tion Technology Systems” account: *Provided*, That such
5 transfers may not result in a more than 10 percent aggre-
6 gate increase in the total amount made available by this
7 Act for the “Information Technology Systems” account:
8 *Provided further*, That, before a transfer may take place,
9 the Secretary of Veterans Affairs shall request from the
10 Committees on Appropriations of both Houses of Congress
11 the authority to make the transfer and an approval is
12 issued.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 219. Of the amounts appropriated to the De-
15 partment of Veterans Affairs for fiscal year 2018 for
16 “Medical Services”, “Medical Community Care”, “Medical
17 Support and Compliance”, “Medical Facilities”, “Con-
18 struction, Minor Projects”, and “Information Technology
19 Systems”, up to \$297,137,000, plus reimbursements, may
20 be transferred to the Joint Department of Defense-De-
21 partment of Veterans Affairs Medical Facility Demonstra-
22 tion Fund, established by section 1704 of the National De-
23 fense Authorization Act for Fiscal Year 2010 (Public Law
24 111–84; 123 Stat. 3571) and may be used for operation
25 of the facilities designated as combined Federal medical

1 facilities as described by section 706 of the Duncan Hun-
2 ter National Defense Authorization Act for Fiscal Year
3 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
4 That additional funds may be transferred from accounts
5 designated in this section to the Joint Department of De-
6 fense-Department of Veterans Affairs Medical Facility
7 Demonstration Fund upon written notification by the Sec-
8 retary of Veterans Affairs to the Committees on Appro-
9 priations of both Houses of Congress: *Provided further*,
10 That section 222 of title II of division A of Military Con-
11 struction, Veterans Affairs, and Related Agencies Appro-
12 priations Act, 2017 (Public Law 114–223) is repealed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 220. Of the amounts appropriated to the De-
15 partment of Veterans Affairs which become available on
16 October 1, 2018, for “Medical Services”, “Medical Com-
17 munity Care”, “Medical Support and Compliance”, and
18 “Medical Facilities”, up to \$306,378,000, plus reimburse-
19 ments, may be transferred to the Joint Department of De-
20 fense-Department of Veterans Affairs Medical Facility
21 Demonstration Fund, established by section 1704 of the
22 National Defense Authorization Act for Fiscal Year 2010
23 (Public Law 111–84; 123 Stat. 3571) and may be used
24 for operation of the facilities designated as combined Fed-
25 eral medical facilities as described by section 706 of the

1 Duncan Hunter National Defense Authorization Act for
2 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
3 *Provided*, That additional funds may be transferred from
4 accounts designated in this section to the Joint Depart-
5 ment of Defense-Department of Veterans Affairs Medical
6 Facility Demonstration Fund upon written notification by
7 the Secretary of Veterans Affairs to the Committees on
8 Appropriations of both Houses of Congress.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 221. Such sums as may be deposited to the
11 Medical Care Collections Fund pursuant to section 1729A
12 of title 38, United States Code, for healthcare provided
13 at facilities designated as combined Federal medical facili-
14 ties as described by section 706 of the Duncan Hunter
15 National Defense Authorization Act for Fiscal Year 2009
16 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
17 able: (1) for transfer to the Joint Department of Defense-
18 Department of Veterans Affairs Medical Facility Dem-
19 onstration Fund, established by section 1704 of the Na-
20 tional Defense Authorization Act for Fiscal Year 2010
21 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
22 ations of the facilities designated as combined Federal
23 medical facilities as described by section 706 of the Dun-
24 can Hunter National Defense Authorization Act for Fiscal
25 Year 2009 (Public Law 110–417; 122 Stat. 4500).

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Of the amounts available in this title for
3 “Medical Services”, “Medical Community Care”, “Medical
4 Support and Compliance”, and “Medical Facilities”, a
5 minimum of \$15,000,000 shall be transferred to the
6 DOD–VA Health Care Sharing Incentive Fund, as au-
7 thorized by section 8111(d) of title 38, United States
8 Code, to remain available until expended, for any purpose
9 authorized by section 8111 of title 38, United States Code.

10 SEC. 223. None of the funds available to the Depart-
11 ment of Veterans Affairs, in this or any other Act, may
12 be used to replace the current system by which the Vet-
13 erans Integrated Service Networks select and contract for
14 diabetes monitoring supplies and equipment.

15 SEC. 224. The Secretary of Veterans Affairs shall no-
16 tify the Committees on Appropriations of both Houses of
17 Congress of all bid savings in a major construction project
18 that total at least \$5,000,000, or 5 percent of the pro-
19 grammed amount of the project, whichever is less: *Pro-*
20 *vided*, That such notification shall occur within 14 days
21 of a contract identifying the programmed amount: *Pro-*
22 *vided further*, That the Secretary shall notify the Commit-
23 tees on Appropriations of both Houses of Congress 14
24 days prior to the obligation of such bid savings and shall
25 describe the anticipated use of such savings.

1 SEC. 225. None of the funds made available for
2 “Construction, Major Projects” may be used for a project
3 in excess of the scope specified for that project in the origi-
4 nal justification data provided to the Congress as part of
5 the request for appropriations unless the Secretary of Vet-
6 erans Affairs receives approval from the Committees on
7 Appropriations of both Houses of Congress.

8 SEC. 226. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a quarterly report containing perform-
12 ance measures and data from each Veterans Benefits Ad-
13 ministration Regional Office: *Provided*, That, at a min-
14 imum, the report shall include the direction contained in
15 the section entitled “Disability claims backlog”, under the
16 heading “General Operating Expenses, Veterans Benefits
17 Administration” in the joint explanatory statement accom-
18 panying Public Law 114–223: *Provided further*, That the
19 report shall also include information on the number of ap-
20 peals pending at the Veterans Benefits Administration as
21 well as the Board of Veterans Appeals on a quarterly
22 basis.

23 SEC. 227. Of the amounts made available for fiscal
24 year 2018 for the “Medical Services” and “Medical Sup-
25 port and Compliance” accounts, not more than

1 \$226,012,000 shall be available to develop an electronic
2 health record: *Provided*, That not more than 25 percent
3 of the amount made available for such purpose may be
4 obligated or expended until the Secretary of Veterans Af-
5 fairs submits to the Committees on Appropriations of both
6 House of Congress a detailed explanation of the activities
7 to develop the Military Health System Genesis electronic
8 health record to be funded by the Veterans Health Admin-
9 istration rather than the Office of Information Tech-
10 nology, a timeline for completion, master schedule, per-
11 formance milestones, and annual and life-cycle Veterans
12 Health Administration cost estimates.

13 SEC. 228. The Secretary of Veterans Affairs shall
14 provide written notification to the Committees on Appro-
15 priations of both Houses of Congress 15 days prior to or-
16 ganizational changes which result in the transfer of 25 or
17 more full-time equivalents from one organizational unit of
18 the Department of Veterans Affairs to another.

19 SEC. 229. The Secretary of Veterans Affairs shall
20 provide on a quarterly basis to the Committees on Appro-
21 priations of both Houses of Congress notification of any
22 single national outreach and awareness marketing cam-
23 paign in which obligations exceed \$2,000,000.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 230. The Secretary of Veterans Affairs, upon
3 determination that such action is necessary to address
4 needs of the Veterans Health Administration, may trans-
5 fer to the “Medical Services” account any discretionary
6 appropriations made available for fiscal year 2018 in this
7 title (except appropriations made to the “General Oper-
8 ating Expenses, Veterans Benefits Administration” ac-
9 count) or any discretionary unobligated balances within
10 the Department of Veterans Affairs, including those ap-
11 propriated for fiscal year 2018, that were provided in ad-
12 vance by appropriations Acts: *Provided*, That transfers
13 shall be made only with the approval of the Office of Man-
14 agement and Budget: *Provided further*, That the transfer
15 authority provided in this section is in addition to any
16 other transfer authority provided by law: *Provided further*,
17 That no amounts may be transferred from amounts that
18 were designated by Congress as an emergency requirement
19 pursuant to a concurrent resolution on the budget or the
20 Balanced Budget and Emergency Deficit Control Act of
21 1985: *Provided further*, That such authority to transfer
22 may not be used unless for higher priority items, based
23 on emergent healthcare requirements, than those for
24 which originally appropriated and in no case where the
25 item for which funds are requested has been denied by

1 Congress: *Provided further*, That, upon determination that
2 all or part of the funds transferred from an appropriation
3 are not necessary, such amounts may be transferred back
4 to that appropriation and shall be available for the same
5 purposes as originally appropriated: *Provided further*,
6 That before a transfer may take place, the Secretary of
7 Veterans Affairs shall request from the Committees on
8 Appropriations of both Houses of Congress the authority
9 to make the transfer and receive approval of that request.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 231. Amounts made available for the Depart-
12 ment of Veterans Affairs for fiscal year 2018, under the
13 “Board of Veterans Appeals” and the “General Operating
14 Expenses, Veterans Benefits Administration” accounts
15 may be transferred between such accounts: *Provided*, That
16 before a transfer may take place, the Secretary of Vet-
17 erans Affairs shall request from the Committees on Appro-
18 priations of both Houses of Congress the authority to
19 make the transfer and receive approval of that request.

20 SEC. 232. The Secretary of Veterans Affairs may not
21 reprogram funds among major construction projects or
22 programs if such instance of reprogramming will exceed
23 \$5,000,000, unless such reprogramming is approved by
24 the Committees on Appropriations of both Houses of Con-
25 gress.

1 (RESCISSIONS OF FUNDS)

2 SEC. 233. Of the discretionary funds made available
3 in Public Law 114–223 for the Department of Veterans
4 Affairs for fiscal year 2018, \$313,730,000 are rescinded
5 from “Medical Services”, \$63,282,000 are rescinded from
6 “Medical Support and Compliance”, and \$22,960,000 are
7 rescinded from “Medical Facilities”.

8 SEC. 234. The amounts otherwise made available by
9 this Act for the following accounts of the Department of
10 Veterans Affairs are hereby reduced by the following
11 amounts:

12 (1) “Veterans Health Administration—Medical
13 and Prosthetic Research”, \$6,823,000.

14 (2) “National Cemetery Administration”,
15 \$3,003,000.

16 (3) “Departmental Administration—General
17 Administration”, \$3,600,000.

18 (4) “Departmental Administration—Board of
19 Veterans Appeals”, \$1,579,000.

20 (5) “Departmental Administration—General
21 Operating Expenses, Veterans Benefits Administra-
22 tion”, \$35,470,000.

23 (6) “Departmental Administration—Informa-
24 tion Technology Systems”, \$18,997,000.

1 (7) “Departmental Administration—Office of
2 Inspector General”, \$1,716,000.

3 SEC. 235. (a) The Secretary of Veterans Affairs shall
4 ensure that the toll-free suicide hotline under section
5 1720F(h) of title 38, United States Code—

6 (1) provides to individuals who contact the hot-
7 line immediate assistance from a trained profes-
8 sional; and

9 (2) adheres to all requirements of the American
10 Association of Suicidology.

11 (b)(1) None of the funds made available by this Act
12 may be used to enforce or otherwise carry out any Execu-
13 tive action that prohibits the Secretary of Veterans Affairs
14 from appointing an individual to occupy a vacant civil
15 service position, or establishing a new civil service position,
16 at the Department of Veterans Affairs with respect to
17 such a position relating to the hotline specified in sub-
18 section (a).

19 (2) In this subsection—

20 (A) the term “civil service” has the meaning
21 given such term in section 2101(1) of title 5, United
22 States Code; and

23 (B) the term “Executive action” includes—

24 (i) any Executive order, presidential memo-
25 randum, or other action by the President; and

1 (ii) any agency policy, order, or other di-
2 rective.

3 SEC. 236. None of the funds in this or any other Act
4 may be used to close Department of Veterans Affairs (VA)
5 hospitals, domiciliaries, or clinics, conduct an environ-
6 mental assessment, or to diminish healthcare services at
7 existing Veterans Health Administration medical facilities
8 located in Veterans Integrated Service Network 8 or 23
9 as part of a planned realignment of VA services until the
10 Secretary provides to the Committees on Appropriations
11 of both Houses of Congress a report including the fol-
12 lowing elements:

13 (1) a national realignment strategy that in-
14 cludes a detailed description of realignment plans
15 within each Veterans Integrated Services Network
16 (VISN), including an updated Long Range Capital
17 Plan to implement realignment requirements;

18 (2) an explanation of the process by which
19 those plans were developed and coordinated within
20 each VISN;

21 (3) a cost versus benefit analysis of each
22 planned realignment, including the cost of replacing
23 Veterans Health Administration services with con-
24 tract care or other outsourced services;

1 (4) an analysis of how any such planned re-
2 alignment of services will impact access to care for
3 veterans living in rural or highly rural areas, includ-
4 ing travel distances and transportation costs to ac-
5 cess a VA medical facility and availability of local
6 specialty and primary care;

7 (5) an inventory of VA buildings with historic
8 designation and the methodology used to determine
9 the buildings' condition and utilization;

10 (6) a description of how any realignment will be
11 consistent with requirements under the National
12 Historic Preservation Act; and

13 (7) consideration given for reuse of historic
14 buildings within newly identified realignment re-
15 quirements: *Provided*, That, this provision shall not
16 apply to capital projects in VISN 23, or any other
17 VISN, which have been authorized or approved by
18 Congress.

19 SEC. 237. Section 8109(b) of title 38, United States
20 Code, is amended—

21 (1) in paragraph (2), by striking “and” at the
22 end;

23 (2) in paragraph (3), by striking the period and
24 inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) notwithstanding subsection (a) of section 1344
4 of title 31, may use a passenger carrier (as such term is
5 defined in subsection (h)(1) of such section) to transport
6 such an employee between a parking facility and the med-
7 ical facility of the Department at which the employee
8 works.”.

9 SEC. 238. None of the funds made available to the
10 Secretary of Veterans Affairs by this or any other Act may
11 be obligated or expended in contravention of the “Veterans
12 Health Administration Clinical Preventive Services Guid-
13 ance Statement on the Veterans Health Administration’s
14 Screening for Breast Cancer Guidance” published on May
15 10, 2017, as issued by the Veterans Health Administra-
16 tion National Center for Health Promotion and Disease
17 Prevention.

18 SEC. 239. (a) Notwithstanding any other provision
19 of law, the amounts appropriated or otherwise made avail-
20 able to the Department of Veterans Affairs for the “Med-
21 ical Services” account may be used to provide—

22 (1) fertility counseling and treatment using as-
23 sisted reproductive technology to a covered veteran
24 or the spouse of a covered veteran; or

1 (2) adoption reimbursement to a covered vet-
2 eran.

3 (b) In this section:

4 (1) The term “service-connected” has the
5 meaning given such term in section 101 of title 38,
6 United States Code.

7 (2) The term “covered veteran” means a vet-
8 eran, as such term is defined in section 101 of title
9 38, United States Code, who has a service-connected
10 disability that results in the inability of the veteran
11 to procreate without the use of fertility treatment.

12 (3) The term “assisted reproductive tech-
13 nology” means benefits relating to reproductive as-
14 sistance provided to a member of the Armed Forces
15 who incurs a serious injury or illness on active duty
16 pursuant to section 1074(c)(4)(A) of title 10, United
17 States Code, as described in the memorandum on
18 the subject of “Policy for Assisted Reproductive
19 Services for the Benefit of Seriously or Severely Ill/
20 Injured (Category II or III) Active Duty Service
21 Members” issued by the Assistant Secretary of De-
22 fense for Health Affairs on April 3, 2012, and the
23 guidance issued to implement such policy, including
24 any limitations on the amount of such benefits avail-
25 able to such a member except that—

1 (A) the time periods regarding embryo
2 cryopreservation and storage set forth in part
3 III(G) and in part IV(H) of such memorandum
4 shall not apply; and

5 (B) such term includes embryo
6 cryopreservation and storage without limitation
7 on the duration of such cryopreservation and
8 storage.

9 (4) The term “adoption reimbursement” means
10 reimbursement for the adoption-related expenses for
11 an adoption that is finalized after the date of the en-
12 actment of this Act under the same terms as apply
13 under the adoption reimbursement program of the
14 Department of Defense, as authorized in Depart-
15 ment of Defense Instruction 1341.09, including the
16 reimbursement limits and requirements set forth in
17 such instruction.

18 (c) Amounts made available for the purposes speci-
19 fied in subsection (a) of this section are subject to the
20 requirements for funds contained in section 508 of division
21 H of the Consolidated Appropriations Act, 2017 (Public
22 Law 115–31).

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$75,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT
19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the operation of the
6 United States Court of Appeals for Veterans Claims as
7 authorized by sections 7251 through 7298 of title 38,
8 United States Code, \$33,600,000: *Provided*, That of the
9 amount, \$800,000 shall be transferred to the General
10 Services Administration for planning and design of a
11 courthouse: *Provided further*, That \$2,580,000 shall be
12 available for the purpose of providing financial assistance
13 as described and in accordance with the process and re-
14 porting procedures set forth under this heading in Public
15 Law 102-229.

16 DEPARTMENT OF DEFENSE—CIVIL

17 CEMETERIAL EXPENSES, ARMY

18 SALARIES AND EXPENSES

19 For necessary expenses for maintenance, operation,
20 and improvement of Arlington National Cemetery and Sol-
21 diers' and Airmen's Home National Cemetery, including
22 the purchase or lease of passenger motor vehicles for re-
23 placement on a one-for-one basis only, and not to exceed
24 \$1,000 for official reception and representation expenses,
25 \$78,800,000, of which not to exceed \$15,000,000 shall re-

1 main available until September 30, 2020. In addition,
2 such sums as may be necessary for parking maintenance,
3 repairs and replacement, to be derived from the “Lease
4 of Department of Defense Real Property for Defense
5 Agencies” account.

6 ARMED FORCES RETIREMENT HOME

7 TRUST FUND

8 For expenses necessary for the Armed Forces Retire-
9 ment Home to operate and maintain the Armed Forces
10 Retirement Home—Washington, District of Columbia,
11 and the Armed Forces Retirement Home—Gulfport, Mis-
12 sissippi, to be paid from funds available in the Armed
13 Forces Retirement Home Trust Fund, \$64,300,000, of
14 which \$1,000,000 shall remain available until expended
15 for construction and renovation of the physical plants at
16 the Armed Forces Retirement Home—Washington, Dis-
17 trict of Columbia, and the Armed Forces Retirement
18 Home—Gulfport, Mississippi: *Provided*, That of the
19 amounts made available under this heading from funds
20 available in the Armed Forces Retirement Home Trust
21 Fund, \$22,000,000 shall be paid from the general fund
22 of the Treasury to the Trust Fund.

23 ADMINISTRATIVE PROVISIONS

24 SEC. 301. Funds appropriated in this Act under the
25 heading “Department of Defense—Civil, Cemeterial Ex-

1 penses, Army”, may be provided to Arlington County, Vir-
2 ginia, for the relocation of the federally owned water main
3 at Arlington National Cemetery, making additional land
4 available for ground burials.

5 SEC. 302. Amounts deposited into the special account
6 established under 10 U.S.C. 4727 are appropriated and
7 shall be available until expended to support activities at
8 the Army National Military Cemeteries.

9 TITLE IV

10 OVERSEAS CONTINGENCY OPERATIONS

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION, ARMY

13 For an additional amount for “Military Construction,
14 Army”, \$147,158,000, to remain available until Sep-
15 tember 30, 2022, for projects outside of the United States:
16 *Provided*, That such amount is designated by the Congress
17 for Overseas Contingency Operations/Global War on Ter-
18 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

21 For an additional amount for “Military Construction,
22 Navy and Marine Corps”, \$31,890,000, to remain avail-
23 able until September 30, 2022, for projects outside of the
24 United States: *Provided*, That such amount is designated
25 by the Congress for Overseas Contingency Operations/

1 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 MILITARY CONSTRUCTION, AIR FORCE

5 For an additional amount for “Military Construction,
6 Air Force” \$434,652,000, to remain available until Sep-
7 tember 30, 2022, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, DEFENSE-WIDE

13 For an additional amount for “Military Construction,
14 Defense-Wide”, \$24,300,000, to remain available until
15 September 30, 2022, for projects outside of the United
16 States: *Provided*, That such amount is designated by the
17 Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985.

21 ADMINISTRATIVE PROVISION

22 SEC. 401. Each amount designated in this Act by the
23 Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
25 the Balanced Budget and Emergency Deficit Control Act

1 of 1985 shall be available only if the President subse-
2 quently so designates all such amounts and transmits such
3 designations to the Congress.

4 TITLE V

5 GENERAL PROVISIONS

6 SEC. 501. No part of any appropriation contained in
7 this Act shall remain available for obligation beyond the
8 current fiscal year unless expressly so provided herein.

9 SEC. 502. None of the funds made available in this
10 Act may be used for any program, project, or activity,
11 when it is made known to the Federal entity or official
12 to which the funds are made available that the program,
13 project, or activity is not in compliance with any Federal
14 law relating to risk assessment, the protection of private
15 property rights, or unfunded mandates.

16 SEC. 503. All departments and agencies funded under
17 this Act are encouraged, within the limits of the existing
18 statutory authorities and funding, to expand their use of
19 “E-Commerce” technologies and procedures in the con-
20 duct of their business practices and public service activi-
21 ties.

22 SEC. 504. Unless stated otherwise, all reports and no-
23 tifications required by this Act shall be submitted to the
24 Subcommittee on Military Construction and Veterans Af-
25 fairs, and Related Agencies of the Committee on Appro-

1 priations of the House of Representatives and the Sub-
2 committee on Military Construction and Veterans Affairs,
3 and Related Agencies of the Committee on Appropriations
4 of the Senate.

5 SEC. 505. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this or any other appropriations Act.

10 SEC. 506. None of the funds made available in this
11 Act may be used for a project or program named for an
12 individual serving as a Member, Delegate, or Resident
13 Commissioner of the United States House of Representa-
14 tives.

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
19 other Act, upon the determination by the head of the agen-
20 cy that 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 com-
23 promises 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
3 the requesting Committee or Committees of Congress for
4 no less than 45 days.

5 SEC. 508. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, 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
15 to pay for first-class travel by an employee of the agency
16 in contravention of sections 301–10.122 through 301–
17 10.124 of 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 serv-
20 ices, including construction services, where the contractor
21 has 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
24 Department of Veterans Affairs to lease or purchase new
25 light duty vehicles for any executive fleet, or for an agen-

1 cy's fleet inventory, except in accordance with Presidential
2 Memorandum—Federal Fleet Performance, dated May
3 24, 2011.

4 SEC. 512. (a) IN GENERAL.—None of the funds ap-
5 propriated or otherwise made available to the Department
6 of Defense in this Act may be used to construct, renovate,
7 or expand any facility in the United States, its territories,
8 or possessions to house any individual detained at United
9 States Naval Station, Guantánamo Bay, Cuba, for the
10 purposes of detention or imprisonment in the custody or
11 under the control of the Department of Defense.

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

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

18 (1) is not a citizen of the United States or a
19 member of the Armed Forces of the United States;
20 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, Guantánamo Bay, Cuba.

1 REFERENCES TO ACT

2 SEC. 513. Except as expressly provided otherwise,
3 any reference to “this Act” contained in this division shall
4 be treated as referring only to the provisions of this divi-
5 sion.

6 REFERENCE TO REPORT

7 SEC. 514. Any reference to a “report accompanying
8 this Act” contained in this division shall be treated as a
9 reference to House Report 115–188. The effect of such
10 Report shall be limited to this division and shall apply for
11 purposes of determining the allocation of funds provided
12 by, and the implementation of, this division.

13 SPENDING REDUCTION ACCOUNT

14 SEC. 515. \$0.

15 SEC. 516. The amounts otherwise provided by this
16 Act are revised by reducing the amount made available
17 for “Department of Veterans Affairs—Departmental Ad-
18 ministration—Information Technology Services” (and the
19 amount specified under such heading for operations and
20 maintenance), and by increasing the amount made avail-
21 able in fiscal year 2018 for “Veterans Health Administra-
22 tion—Medical Services”, by \$2,500,000 and \$2,000,000,
23 respectively.

24 SEC. 517. None of the funds made available by this
25 Act may be used by the Secretary of Veterans Affairs in

1 contravention of subchapter III of chapter 20 of title 38,
2 United States Code.

3 SEC. 518. 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(e) of title 38,
6 United States Code, if the veteran uses form DD-214 to
7 apply for the identification card and indicates on the form
8 that the veteran is “homeless”.

9 SEC. 519. None of the funds made available by this
10 Act may be used to propose, plan for, or execute a new
11 or additional Base Realignment and Closure (BRAC)
12 round.

13 SEC. 520. (a) None of the funds appropriated or oth-
14 erwise made available by this Act may be used by the Sec-
15 retary of Veterans Affairs to purchase, breed, transport,
16 house, feed, maintain, dispose of, or experiment on dogs
17 as part of the conduct of any study assigned to pain cat-
18 egory D or E, as defined by the Department of Agri-
19 culture.

20 (b) This section shall not apply to training programs
21 or studies of service dogs described in section 1714 of title
22 38 United States Code or section 17.148 of title 38 of
23 the Code of Federal Regulations.

1 This division may be cited as the “Military Construc-
2 tion, Veterans Affairs, and Related Agencies Appropria-
3 tions Act, 2018”.

4 **DIVISION L—ENERGY AND WATER DEVEL-**
5 **OPMENT AND RELATED AGENCIES AP-**
6 **PROPRIATIONS ACT, 2018**

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for en-
9 ergy and water development and related agencies for the
10 fiscal year ending September 30, 2018, and for other pur-
11 poses, namely:

12 TITLE I

13 CORPS OF ENGINEERS—CIVIL

14 DEPARTMENT OF THE ARMY

15 CORPS OF ENGINEERS—CIVIL

16 The following appropriations shall be expended under
17 the direction of the Secretary of the Army and the super-
18 vision of the Chief of Engineers for authorized civil func-
19 tions of the Department of the Army pertaining to river
20 and harbor, flood and storm damage reduction, shore pro-
21 tection, aquatic ecosystem restoration, and related efforts.

22 INVESTIGATIONS

23 For expenses necessary where authorized by law for
24 the collection and study of basic information pertaining
25 to river and harbor, flood and storm damage reduction,

1 shore protection, aquatic ecosystem restoration, and re-
2 lated needs; for surveys and detailed studies, and plans
3 and specifications of proposed river and harbor, flood and
4 storm damage reduction, shore protection, and aquatic
5 ecosystem restoration projects, and related efforts prior to
6 construction; for restudy of authorized projects; and for
7 miscellaneous investigations, and, when authorized by law,
8 surveys and detailed studies, and plans and specifications
9 of projects prior to construction, \$105,000,000 (increased
10 by \$1,000,000), to remain available until expended: *Pro-*
11 *vided*, That the Secretary shall initiate six new study
12 starts during fiscal year 2018: *Provided further*, That the
13 new study starts shall consist of five studies where the
14 majority of the benefits are derived from navigation trans-
15 portation savings or from flood and storm damage reduc-
16 tion and one study where the majority of benefits are de-
17 rived from environmental restoration: *Provided further*,
18 That the Secretary shall not deviate from the new starts
19 proposed in the work plan, once the plan has been sub-
20 mitted to the Committees on Appropriations of both
21 Houses of Congress.

22 CONSTRUCTION

23 For expenses necessary for the construction of river
24 and harbor, flood and storm damage reduction, shore pro-
25 tection, aquatic ecosystem restoration, and related

1 projects authorized by law; for conducting detailed studies,
2 and plans and specifications, of such projects (including
3 those involving participation by States, local governments,
4 or private groups) authorized or made eligible for selection
5 by law (but such detailed studies, and plans and specifica-
6 tions, shall not constitute a commitment of the Govern-
7 ment to construction); \$1,697,000,000 (reduced by
8 \$10,000,000) (increased by \$10,000,000) (reduced by
9 \$10,000,000) (increased by \$10,000,000) (reduced by
10 \$45,000,000) (increased by \$45,000,000) (increased by
11 \$500,000), to remain available until expended; of which
12 such sums as are necessary to cover the Federal share of
13 construction costs for facilities under the Dredged Mate-
14 rial Disposal Facilities program shall be derived from the
15 Harbor Maintenance Trust Fund as authorized by Public
16 Law 104–303; and of which such sums as are necessary
17 to cover one-half of the costs of construction, replacement,
18 rehabilitation, and expansion of inland waterways projects
19 shall be derived from the Inland Waterways Trust Fund,
20 except as otherwise specifically provided for in law: *Pro-*
21 *vided*, That the Secretary may initiate up to, but not more
22 than, two new construction starts during fiscal year 2018:
23 *Provided further*, That the new construction starts shall
24 consist of two projects where the majority of the benefits
25 are derived from navigation transportation savings, flood

1 and storm damage reduction, or environmental restora-
2 tion: *Provided further*, That for new construction projects,
3 project cost sharing agreements shall be executed as soon
4 as practicable but no later than August 31, 2018: *Pro-*
5 *vided further*, That no allocation for a new start shall be
6 considered final and no work allowance shall be made until
7 the Secretary provides to the Committees on Appropria-
8 tions of both Houses of Congress an out-year funding sce-
9 nario demonstrating the affordability of the selected new
10 starts and the impacts on other projects: *Provided further*,
11 That the Secretary may not deviate from the new starts
12 proposed in the work plan, once the plan has been sub-
13 mitted to the Committees on Appropriations of both
14 Houses of Congress.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$301,000,000, to remain available until expended,
20 of which such sums as are necessary to cover the Federal
21 share of eligible operation and maintenance costs for in-
22 land harbors shall be derived from the Harbor Mainte-
23 nance Trust Fund.

1 OPERATION AND MAINTENANCE

2 For expenses necessary for the operation, mainte-
3 nance, and care of existing river and harbor, flood and
4 storm damage reduction, aquatic ecosystem restoration,
5 and related projects authorized by law; providing security
6 for infrastructure owned or operated by the Corps, includ-
7 ing administrative buildings and laboratories; maintaining
8 harbor channels provided by a State, municipality, or
9 other public agency that serve essential navigation needs
10 of general commerce, where authorized by law; surveying
11 and charting northern and northwestern lakes and con-
12 necting waters; clearing and straightening channels; and
13 removing obstructions to navigation, \$3,519,000,000 (in-
14 creased by \$325,000) (reduced by \$500,000) (increased
15 by \$500,000), to remain available until expended, of which
16 such sums as are necessary to cover the Federal share of
17 eligible operation and maintenance costs for coastal har-
18 bors and channels, and for inland harbors shall be derived
19 from the Harbor Maintenance Trust Fund; of which such
20 sums as become available from the special account for the
21 Corps of Engineers established by the Land and Water
22 Conservation Fund Act of 1965 shall be derived from that
23 account for resource protection, research, interpretation,
24 and maintenance activities related to resource protection
25 in the areas at which outdoor recreation is available; and

1 of which such sums as become available from fees collected
2 under section 217 of Public Law 104–303 shall be used
3 to cover the cost of operation and maintenance of the
4 dredged material disposal facilities for which such fees
5 have been collected: *Provided*, That 1 percent of the total
6 amount of funds provided for each of the programs,
7 projects, or activities funded under this heading shall not
8 be allocated to a field operating activity prior to the begin-
9 ning of the fourth quarter of the fiscal year and shall be
10 available for use by the Chief of Engineers to fund such
11 emergency activities as the Chief of Engineers determines
12 to be necessary and appropriate, and that the Chief of En-
13 gineers shall allocate during the fourth quarter any re-
14 maining funds which have not been used for emergency
15 activities proportionally in accordance with the amounts
16 provided for the programs, projects, or activities.

17 REGULATORY PROGRAM

18 For expenses necessary for administration of laws
19 pertaining to regulation of navigable waters and wetlands,
20 \$200,000,000, to remain available until September 30,
21 2019.

22 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

23 For expenses necessary to clean up contamination
24 from sites in the United States resulting from work per-

1 formed as part of the Nation's early atomic energy pro-
2 gram, \$118,000,000, to remain available until expended.

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For expenses necessary to prepare for flood, hurri-
5 cane, and other natural disasters and support emergency
6 operations, repairs, and other activities in response to
7 such disasters as authorized by law, \$32,000,000, to re-
8 main available until expended.

9 EXPENSES

10 For expenses necessary for the supervision and gen-
11 eral administration of the civil works program in the head-
12 quarters of the Corps of Engineers and the offices of the
13 Division Engineers; and for costs of management and op-
14 eration of the Humphreys Engineer Center Support Activ-
15 ity, the Institute for Water Resources, the United States
16 Army Engineer Research and Development Center, and
17 the United States Army Corps of Engineers Finance Cen-
18 ter allocable to the civil works program, \$181,000,000 (re-
19 duced by \$1,000,000) (reduced by \$325,000) (reduced by
20 \$500,000), to remain available until September 30, 2019,
21 of which not to exceed \$5,000 may be used for official
22 reception and representation purposes and only during the
23 current fiscal year: *Provided*, That no part of any other
24 appropriation provided in this title shall be available to
25 fund the civil works activities of the Office of the Chief

1 of Engineers or the civil works executive direction and
2 management activities of the division offices: *Provided fur-*
3 *ther*, That any Flood Control and Coastal Emergencies ap-
4 propriation may be used to fund the supervision and gen-
5 eral administration of emergency operations, repairs, and
6 other activities in response to any flood, hurricane, or
7 other natural disaster.

8 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
9 FOR CIVIL WORKS

10 For the Office of the Assistant Secretary of the Army
11 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
12 \$4,764,000, to remain available until September 30, 2019:
13 *Provided*, That not more than 75 percent of such amount
14 may be obligated or expended until the Assistant Sec-
15 retary submits to the Committees on Appropriations of
16 both Houses of Congress a work plan that allocates at
17 least 95 percent of the additional funding provided under
18 each heading in this title (as designated under such head-
19 ing in the report of the Committee on Appropriations ac-
20 companying this Act) to specific programs, projects, or ac-
21 tivities.

1 GENERAL PROVISIONS—CORPS OF
2 ENGINEERS—CIVIL
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. (a) None of the funds provided in this title
5 shall be available for obligation or expenditure through a
6 reprogramming of funds that—

7 (1) creates or initiates a new program, project,
8 or activity;

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

10 (3) increases funds or personnel for any pro-
11 gram, project, or activity for which funds have been
12 denied or restricted by this Act;

13 (4) reduces funds that are directed to be used
14 for a specific program, project, or activity by this
15 Act;

16 (5) increases funds for any program, project, or
17 activity by more than \$2,000,000 or 10 percent,
18 whichever is less; or

19 (6) reduces funds for any program, project, or
20 activity by more than \$2,000,000 or 10 percent,
21 whichever is less.

22 (b) Subsection (a)(1) shall not apply to any project
23 or activity authorized under section 205 of the Flood Con-
24 trol Act of 1948, section 14 of the Flood Control Act of
25 1946, section 208 of the Flood Control Act of 1954, sec-

1 tion 107 of the River and Harbor Act of 1960, section
2 103 of the River and Harbor Act of 1962, section 111
3 of the River and Harbor Act of 1968, section 1135 of the
4 Water Resources Development Act of 1986, section 206
5 of the Water Resources Development Act of 1996, or sec-
6 tion 204 of the Water Resources Development Act of
7 1992.

8 (c) The Corps of Engineers shall submit reports on
9 a quarterly basis to the Committees on Appropriations of
10 both Houses of Congress detailing all the funds repro-
11 grammed between programs, projects, activities, or cat-
12 egories of funding. The first quarterly report shall be sub-
13 mitted not later than 60 days after the date of enactment
14 of this Act.

15 SEC. 102. None of the funds made available in this
16 title may be used to award or modify any contract that
17 commits funds beyond the amounts appropriated for that
18 program, project, or activity that remain unobligated, ex-
19 cept that such amounts may include any funds that have
20 been made available through reprogramming pursuant to
21 section 101.

22 SEC. 103. The Secretary of the Army may transfer
23 to the Fish and Wildlife Service, and the Fish and Wildlife
24 Service may accept and expend, up to \$5,400,000 of funds
25 provided in this title under the heading “Operation and

1 Maintenance” to mitigate for fisheries lost due to Corps
2 of Engineers projects.

3 SEC. 104. None of the funds in this Act shall be used
4 for an open lake placement alternative for dredged mate-
5 rial, after evaluating the least costly, environmentally ac-
6 ceptable manner for the disposal or management of
7 dredged material originating from Lake Erie or tributaries
8 thereto, unless it is approved under a State water quality
9 certification pursuant to section 401 of the Federal Water
10 Pollution Control Act (33 U.S.C. 1341); *Provided further*,
11 That until an open lake placement alternative for dredged
12 material is approved under a State water quality certifi-
13 cation, the Corps of Engineers shall continue upland
14 placement of such dredged material consistent with the re-
15 quirements of section 101 of the Water Resources Devel-
16 opment Act of 1986 (33 U.S.C. 2211).

17 SEC. 105. None of the funds made available in this
18 title may be used for any acquisition that is not consistent
19 with 48 CFR 225.7007.

20 SEC. 106. None of the funds made available by this
21 Act may be used to carry out any water supply reallocation
22 study under the Wolf Creek Dam, Lake Cumberland, Ken-
23 tucky, project authorized under the Act of July 24, 1946
24 (60 Stat. 636, ch. 595).

1 SEC. 107. Notwithstanding section 404(f)(2) of the
2 Federal Water Pollution Control Act (33 U.S.C.
3 1344(f)(2)), none of the funds made available by this Act
4 may be used to require a permit for the discharge of
5 dredged or fill material under the Federal Water Pollution
6 Control Act (33 U.S.C. 1251 et seq.) for the activities
7 identified in subparagraphs (A) and (C) of section
8 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

9 SEC. 108. (a) AUTHORIZATION.—The Administrator
10 of the Environmental Protection Agency and the Secretary
11 of the Army may withdraw the Waters of the United
12 States rule without regard to any provision of statute or
13 regulation that establishes a requirement for such with-
14 drawal.

15 (b) EFFECT OF WITHDRAWAL.—Except as otherwise
16 provided by any Act or rule that takes effect after the date
17 of enactment of this Act, if the Administrator of the Envi-
18 ronmental Protection Agency and the Secretary of the
19 Army withdraw the Waters of the United States rule
20 under subsection (a), the Administrator and Secretary
21 shall implement the provisions of law under which such
22 rule was issued in accordance with the regulations and
23 guidance in effect under such provisions immediately be-
24 fore the effective date of such rule.

1 (c) DEFINITIONS.—In this section the term “Waters
2 of the United States rule” means the final rule issued by
3 the Administrator of the Environmental Protection Agen-
4 cy and the Secretary of the Army entitled “Clean Water
5 Rule: Definition of ‘Waters of the United States’” on
6 June 29, 2015 (80 Fed. Reg. 37053).

7 SEC. 109. As of the date of enactment of this Act
8 and each fiscal year thereafter, the Secretary of the Army
9 shall not promulgate or enforce any regulation that pro-
10 hibits an individual from possessing a firearm, including
11 an assembled or functional firearm, at a water resources
12 development project covered under section 327.0 of title
13 36, Code of Federal Regulations (as in effect on the date
14 of enactment of this Act), if—

15 (1) the individual is not otherwise prohibited by
16 law from possessing the firearm; and

17 (2) the possession of the firearm is in compli-
18 ance with the law of the State in which the water
19 resources development project is located.

20 TITLE II

21 DEPARTMENT OF THE INTERIOR

22 CENTRAL UTAH PROJECT

23 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

24 For carrying out activities authorized by the Central
25 Utah Project Completion Act, \$8,983,000, to remain

1 available until expended, of which \$898,000 shall be de-
2 posited into the Utah Reclamation Mitigation and Con-
3 servation Account for use by the Utah Reclamation Miti-
4 gation and Conservation Commission: *Provided*, That of
5 the amount provided under this heading, \$1,450,000 shall
6 be available until September 30, 2019, for expenses nec-
7 essary in carrying out related responsibilities of the Sec-
8 retary of the Interior: *Provided further*, That for fiscal
9 year 2018, of the amount made available to the Commis-
10 sion under this Act or any other Act, the Commission may
11 use an amount not to exceed \$1,500,000 for administra-
12 tive expenses.

13 BUREAU OF RECLAMATION

14 The following appropriations shall be expended to
15 execute authorized functions of the Bureau of Reclama-
16 tion:

17 WATER AND RELATED RESOURCES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For management, development, and restoration of
20 water and related natural resources and for related activi-
21 ties, including the operation, maintenance, and rehabilita-
22 tion of reclamation and other facilities, participation in
23 fulfilling related Federal responsibilities to Native Ameri-
24 cans, and related grants to, and cooperative and other
25 agreements with, State and local governments, federally

1 recognized Indian tribes, and others, \$1,091,790,000, to
2 remain available until expended, of which \$67,693,000
3 shall be available for transfer to the Upper Colorado River
4 Basin Fund and \$5,551,000 shall be available for transfer
5 to the Lower Colorado River Basin Development Fund;
6 of which such amounts as may be necessary may be ad-
7 vanced to the Colorado River Dam Fund: *Provided*, That
8 such transfers may be increased or decreased within the
9 overall appropriation under this heading: *Provided further*,
10 That of the total appropriated, the amount for program
11 activities that can be financed by the Reclamation Fund
12 or the Bureau of Reclamation special fee account estab-
13 lished by 16 U.S.C. 6806 shall be derived from that Fund
14 or account: *Provided further*, That funds contributed
15 under 43 U.S.C. 395 are available until expended for the
16 purposes for which the funds were contributed: *Provided*
17 *further*, That funds advanced under 43 U.S.C. 397a shall
18 be credited to this account and are available until ex-
19 pended for the same purposes as the sums appropriated
20 under this heading: *Provided further*, That of the amounts
21 provided herein, funds may be used for high-priority
22 projects which shall be carried out by the Youth Conserva-
23 tion Corps, as authorized by 16 U.S.C. 1706.

1 CENTRAL VALLEY PROJECT RESTORATION FUND

2 For carrying out the programs, projects, plans, habi-
3 tat restoration, improvement, and acquisition provisions of
4 the Central Valley Project Improvement Act, \$41,376,000,
5 to be derived from such sums as may be collected in the
6 Central Valley Project Restoration Fund pursuant to sec-
7 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
8 102–575, to remain available until expended: *Provided*,
9 That the Bureau of Reclamation is directed to assess and
10 collect the full amount of the additional mitigation and
11 restoration payments authorized by section 3407(d) of
12 Public Law 102–575: *Provided further*, That none of the
13 funds made available under this heading may be used for
14 the acquisition or leasing of water for in-stream purposes
15 if the water is already committed to in-stream purposes
16 by a court adopted decree or order.

17 CALIFORNIA BAY-DELTA RESTORATION

18 (INCLUDING TRANSFERS OF FUNDS)

19 For carrying out activities authorized by the Water
20 Supply, Reliability, and Environmental Improvement Act,
21 consistent with plans to be approved by the Secretary of
22 the Interior, \$37,000,000, to remain available until ex-
23 pended, of which such amounts as may be necessary to
24 carry out such activities may be transferred to appropriate
25 accounts of other participating Federal agencies to carry

1 out authorized purposes: *Provided*, That funds appro-
2 priated herein may be used for the Federal share of the
3 costs of CALFED Program management: *Provided fur-*
4 *ther*, That CALFED implementation shall be carried out
5 in a balanced manner with clear performance measures
6 demonstrating concurrent progress in achieving the goals
7 and objectives of the Program.

8 POLICY AND ADMINISTRATION

9 For expenses necessary for policy, administration,
10 and related functions in the Office of the Commissioner,
11 the Denver office, and offices in the five regions of the
12 Bureau of Reclamation, to remain available until Sep-
13 tember 30, 2019, \$59,000,000, to be derived from the
14 Reclamation Fund and be nonreimbursable as provided in
15 43 U.S.C. 377: *Provided*, That no part of any other appro-
16 priation in this Act shall be available for activities or func-
17 tions budgeted as policy and administration expenses.

18 ADMINISTRATIVE PROVISION

19 Appropriations for the Bureau of Reclamation shall
20 be available for purchase of not to exceed five passenger
21 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 this title
4 shall be available for obligation or expenditure through a
5 reprogramming of funds that—

6 (1) creates or initiates a new program, project,
7 or activity;

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

9 (3) increases funds for any program, project, or
10 activity for which funds have been denied or re-
11 stricted by this Act;

12 (4) restarts or resumes any program, project or
13 activity for which funds are not provided in this Act,
14 unless prior approval is received from the Commit-
15 tees on Appropriations of both Houses of Congress;

16 (5) transfers funds in excess of the following
17 limits—

18 (A) 15 percent for any program, project or
19 activity for which \$2,000,000 or more is avail-
20 able at the beginning of the fiscal year; or

21 (B) \$400,000 for any program, project or
22 activity for which less than \$2,000,000 is avail-
23 able at the beginning of the fiscal year;

24 (6) transfers more than \$500,000 from either
25 the Facilities Operation, Maintenance, and Rehabili-

1 tation category or the Resources Management and
2 Development category to any program, project, or
3 activity in the other category; or

4 (7) transfers, where necessary to discharge legal
5 obligations of the Bureau of Reclamation, more than
6 \$5,000,000 to provide adequate funds for settled
7 contractor claims, increased contractor earnings due
8 to accelerated rates of operations, and real estate de-
9 ficiency judgments.

10 (b) Subsection (a)(5) shall not apply to any transfer
11 of funds within the Facilities Operation, Maintenance, and
12 Rehabilitation category.

13 (c) For purposes of this section, the term “transfer”
14 means any movement of funds into or out of a program,
15 project, or activity.

16 (d) The Bureau of Reclamation shall submit reports
17 on a quarterly basis to the Committees on Appropriations
18 of both Houses of Congress detailing all the funds repro-
19 grammed between programs, projects, activities, or cat-
20 egories of funding. The first quarterly report shall be sub-
21 mitted not later than 60 days after the date of enactment
22 of this Act.

23 SEC. 202. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be used to deter-
25 mine the final point of discharge for the interceptor drain

1 for the San Luis Unit until development by the Secretary
2 of the Interior and the State of California of a plan, which
3 shall conform to the water quality standards of the State
4 of California as approved by the Administrator of the En-
5 vironmental Protection Agency, to minimize any detri-
6 mental effect of the San Luis drainage waters.

7 (b) The costs of the Kesterson Reservoir Cleanup
8 Program and the costs of the San Joaquin Valley Drain-
9 age Program shall be classified by the Secretary of the
10 Interior as reimbursable or nonreimbursable and collected
11 until fully repaid pursuant to the “Cleanup Program—
12 Alternative Repayment Plan” and the “SJVDP—Alter-
13 native Repayment Plan” described in the report entitled
14 “Repayment Report, Kesterson Reservoir Cleanup Pro-
15 gram and San Joaquin Valley Drainage Program, Feb-
16 ruary 1995”, prepared by the Department of the Interior,
17 Bureau of Reclamation. Any future obligations of funds
18 by the United States relating to, or providing for, drainage
19 service or drainage studies for the San Luis Unit shall
20 be fully reimbursable by San Luis Unit beneficiaries of
21 such service or studies pursuant to Federal reclamation
22 law.

23 SEC. 203. None of the funds in this Act shall be avail-
24 able to implement the Stipulation of Settlement (Natural
25 Resources Defense Council, et al. v. Kirk Rodgers, et al.,

1 Eastern District of California, No. Civ. 9 S-88-1658
2 LKK/GGH) or subtitle A of title X of Public Law 111-
3 11.

4 TITLE III

5 DEPARTMENT OF ENERGY

6 ENERGY PROGRAMS

7 ENERGY EFFICIENCY AND RENEWABLE ENERGY

8 For Department of Energy expenses including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment, and other expenses necessary for energy
11 efficiency and renewable energy activities in carrying out
12 the purposes of the Department of Energy Organization
13 Act (42 U.S.C. 7101 et seq.), including the acquisition or
14 condemnation of any real property or any facility or for
15 plant or facility acquisition, construction, or expansion,
16 \$1,103,908,000 (reduced by \$48,000,000) (increased by
17 \$48,000,000) (reduced by \$1,000,000) (increased by
18 \$1,000,000) (reduced by \$33,400,000) (increased by
19 \$15,000,000), to remain available until expended: *Pro-*
20 *vided*, That of such amount, \$125,849,000 shall be avail-
21 able until September 30, 2019, for program direction.

22 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

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 elec-

1 tricity delivery and energy reliability activities in carrying
2 out the purposes of the Department of Energy Organiza-
3 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-
4 tion or condemnation of any real property or any facility
5 or for plant or facility acquisition, construction, or expan-
6 sion, \$218,500,000, to remain available until expended:
7 *Provided*, That of such amount, \$27,500,000 shall be
8 available until September 30, 2019, for program direction.

9 NUCLEAR ENERGY

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 nuclear
13 energy activities in carrying out the purposes of the De-
14 partment of Energy Organization Act (42 U.S.C. 7101 et
15 seq.), including the acquisition or condemnation of any
16 real property or any facility or for plant or facility acquisi-
17 tion, construction, or expansion, \$969,000,000, to remain
18 available until expended: *Provided*, That of such amount,
19 \$70,000,000 shall be available until September 30, 2019,
20 for program direction.

21 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

22 For Department of Energy expenses necessary in car-
23 rying out fossil energy research and development activi-
24 ties, under the authority of the Department of Energy Or-
25 ganization Act (42 U.S.C. 7101 et seq.), including the ac-

1 quision of interest, including defeasible and equitable in-
2 terests in any real property or any facility or for plant
3 or facility acquisition or expansion, and for conducting in-
4 quires, technological investigations and research con-
5 cerning the extraction, processing, use, and disposal of
6 mineral substances without objectionable social and envi-
7 ronmental costs (30 U.S.C. 3, 1602, and 1603),
8 \$634,600,000 (increased by \$33,400,000), to remain
9 available until expended: *Provided*, That of such amount
10 \$60,000,000 shall be available until September 30, 2019,
11 for program direction.

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

13 For Department of Energy expenses necessary to
14 carry out naval petroleum and oil shale reserve activities,
15 \$4,900,000, to remain available until expended: *Provided*,
16 That notwithstanding any other provision of law, unobli-
17 gated funds remaining from prior years shall be available
18 for all naval petroleum and oil shale reserve activities.

19 STRATEGIC PETROLEUM RESERVE

20 For Department of Energy expenses necessary for
21 Strategic Petroleum Reserve facility development and op-
22 erations and program management activities pursuant to
23 the Energy Policy and Conservation Act (42 U.S.C. 6201
24 et seq.), \$252,000,000, to remain available until expended:
25 *Provided*, That as authorized by section 404 of the Bipar-

1 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
2 6239 note), the Secretary of Energy shall draw down and
3 sell not to exceed \$350,000,000 of crude oil from the Stra-
4 tegic Petroleum Reserve in fiscal year 2018: *Provided fur-*
5 *ther*, That the proceeds from such drawdown and sale shall
6 be deposited into the “Energy Security and Infrastructure
7 Modernization Fund” during fiscal year 2018 and shall
8 be made available and shall remain available until ex-
9 pended for necessary expenses in carrying out the Life Ex-
10 tension II project for the Strategic Petroleum Reserve.

11 NORTHEAST HOME HEATING OIL RESERVE

12 For Department of Energy expenses necessary for
13 Northeast Home Heating Oil Reserve storage, operation,
14 and management activities pursuant to the Energy Policy
15 and Conservation Act (42 U.S.C. 6201 et seq.),
16 \$6,500,000, to remain available until expended.

17 ENERGY INFORMATION ADMINISTRATION

18 For Department of Energy expenses necessary in car-
19 rying out the activities of the Energy Information Admin-
20 istration, \$118,000,000, to remain available until ex-
21 pended.

22 NON-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 non-de-

1 fense environmental cleanup activities in carrying out the
2 purposes of the Department of Energy Organization Act
3 (42 U.S.C. 7101 et seq.), including the acquisition or con-
4 demnation of any real property or any facility or for plant
5 or facility acquisition, construction, or expansion,
6 \$222,400,000, to remain available until expended.

7 URANIUM ENRICHMENT DECONTAMINATION AND
8 DECOMMISSIONING FUND

9 For Department of Energy expenses necessary in car-
10 rying out uranium enrichment facility decontamination
11 and decommissioning, remedial actions, and other activi-
12 ties of title II of the Atomic Energy Act of 1954 and title
13 X, subtitle A, of the Energy Policy Act of 1992,
14 \$768,000,000, to be derived from the Uranium Enrich-
15 ment Decontamination and Decommissioning Fund, to re-
16 main available until expended, of which \$32,959,000 shall
17 be available in accordance with title X, subtitle A, of the
18 Energy Policy Act of 1992.

19 SCIENCE

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for science
23 activities in carrying out the purposes of the Department
24 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
25 cluding the acquisition or condemnation of any real prop-

1 erty or facility or for plant or facility acquisition, construc-
2 tion, or expansion, and purchase of not more than 16 pas-
3 senger motor vehicles for replacement only, including one
4 ambulance and one bus, \$5,392,000,000 (increased by
5 \$1,200,000), to remain available until expended: *Provided*,
6 That of such amount, \$177,000,000 shall be available
7 until September 30, 2019, for program direction.

8 NUCLEAR WASTE DISPOSAL

9 For Department of Energy expenses necessary for
10 nuclear waste disposal activities to carry out the purposes
11 of the Nuclear Waste Policy Act of 1982, Public Law 97–
12 425, as amended (hereinafter referred to as the
13 “NWPA”), including the acquisition of any real property
14 or facility construction, or expansion, \$90,000,000, to re-
15 main available until expended, and to be derived from the
16 Nuclear Waste Fund: *Provided*, That of the funds made
17 available in this Act for nuclear waste disposal and defense
18 nuclear waste disposal activities, 1.62 percent shall be pro-
19 vided to the Office of the Attorney General of the State
20 of Nevada solely for expenditures, other than salaries and
21 expenses of State employees, to conduct scientific over-
22 sight responsibilities and participate in licensing activities
23 pursuant to the NWPA: *Provided further*, That of the
24 funds made available in this Act for nuclear waste disposal
25 and defense nuclear waste disposal activities, 2.91 percent

1 shall be provided to affected units of local government, as
2 defined in the NWPA, to conduct appropriate activities
3 and participate in licensing activities under Section 116(c)
4 of the NWPA: *Provided further*, That of the amounts pro-
5 vided to affected units of local government, 7.5 percent
6 of the funds provided for the affected units of local govern-
7 ment shall be made available to affected units of local gov-
8 ernment in California with the balance made available to
9 affected units of local government in Nevada for distribu-
10 tion as determined by the Nevada affected units of local
11 government: *Provided further*, That of the funds made
12 available in this Act for nuclear waste disposal and defense
13 nuclear waste disposal activities, 0.16 percent shall be pro-
14 vided to the affected Federally-recognized Indian tribes,
15 as defined in the NWPA, solely for expenditures, other
16 than salaries and expenses of tribal employees, to conduct
17 appropriate activities and participate in licensing activities
18 under section 118(b) of the NWPA: *Provided further*, That
19 of the funds made available in this Act for nuclear waste
20 disposal and defense nuclear waste disposal activities, 3.0
21 percent shall be provided to Nye County, Nevada, 0.05
22 percent shall be provided to Clark County, Nevada, and
23 0.46 percent shall be provided to the State of Nevada as
24 payment equal to taxes under section 116(c)(3) of the
25 NWPA: *Provided further*, That within 90 days of the com-

1 pletion of each Federal fiscal year, the Office of the Attor-
2 ney General of the State of Nevada, each affected Feder-
3 ally-recognized Indian tribe, and each of the affected units
4 of local government shall provide certification to the De-
5 partment of Energy that all funds expended from such
6 payments have been expended for activities authorized by
7 the NWPA and this Act: *Provided further*, That failure
8 to provide such certification shall cause such entity to be
9 prohibited from any further funding provided for similar
10 activities: *Provided further*, That none of the funds herein
11 appropriated may be: (1) used for litigation expenses; or
12 (2) used for interim storage activities; or (3) used to sup-
13 port multi-State efforts or other coalition building activi-
14 ties inconsistent with the restrictions contained in this
15 Act: *Provided further*, That all proceeds and recoveries re-
16 alized by the Secretary in carrying out activities author-
17 ized by the NWPA, including but not limited to any pro-
18 ceeds from the sale of assets, shall be credited to this ac-
19 count, to remain available until expended, for carrying out
20 the purposes of this account.

21 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
22 PROGRAM
23 (INCLUDING RESCISSIONS OF FUNDS)

24 Such sums as are derived from amounts received
25 from borrowers pursuant to section 1702(b) of the Energy

1 Policy Act of 2005 (42 U.S.C. 16512(b)) under this head-
2 ing in prior Acts, shall be collected in accordance with sec-
3 tion 502(7) of the Congressional Budget Act of 1974: *Pro-*
4 *vided*, That for necessary administrative expenses to carry
5 out this Loan Guarantee program, \$2,000,000 is appro-
6 priated, to remain available until September 30, 2019:
7 *Provided further*, That \$2,000,000 of the fees collected
8 pursuant to section 1702(h) of the Energy Policy Act of
9 2005 shall be credited as offsetting collections to this ac-
10 count to cover administrative expenses and shall remain
11 available until expended, so as to result in a final fiscal
12 year 2018 appropriation from the general fund estimated
13 at not more than \$0: *Provided further*, That fees collected
14 under section 1702(h) in excess of the amount appro-
15 priated for administrative expenses shall not be available
16 until appropriated: *Provided further*, That the Department
17 of Energy shall not subordinate any loan obligation to
18 other financing in violation of section 1702 of the Energy
19 Policy Act of 2005 or subordinate any Guaranteed Obliga-
20 tion to any loan or other debt obligations in violation of
21 section 609.10 of title 10, Code of Federal Regulations:
22 *Provided further*, That of the subsidy amounts provided
23 by section 1425 of the Department of Defense and Full-
24 Year Continuing Appropriations Act, 2011 (Public Law
25 112–10; 125 Stat. 126), for the cost of loan guarantees

1 by \$1,000,000) (increased by \$1,000,000), to remain
2 available until September 30, 2019, including the hire of
3 passenger motor vehicles and official reception and rep-
4 resentation expenses not to exceed \$30,000, plus such ad-
5 ditional amounts as necessary to cover increases in the es-
6 timated amount of cost of work for others notwithstanding
7 the provisions of the Anti-Deficiency Act (31 U.S.C. 1511
8 et seq.): *Provided*, That such increases in cost of work are
9 offset by revenue increases of the same or greater amount:
10 *Provided further*, That moneys received by the Department
11 for miscellaneous revenues estimated to total \$96,000,000
12 in fiscal year 2018 may be retained and used for operating
13 expenses within this account, as authorized by section 201
14 of Public Law 95–238, notwithstanding the provisions of
15 31 U.S.C. 3302: *Provided further*, That the sum herein
16 appropriated shall be reduced as collections are received
17 during the fiscal year so as to result in a final fiscal year
18 2018 appropriation from the general fund estimated at
19 not more than \$185,693,000.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses necessary for the Office of the Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$49,000,000, to remain available
24 until September 30, 2019.

1 ATOMIC ENERGY DEFENSE ACTIVITIES
2 NATIONAL NUCLEAR SECURITY
3 ADMINISTRATION
4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 \$10,239,344,000 (reduced by \$10,000,000) (increased by
14 \$10,000,000), to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$105,600,000 shall be avail-
16 able until September 30, 2019, for program direction.

17 DEFENSE NUCLEAR NONPROLIFERATION
18 (INCLUDING RESCISSION OF FUNDS)

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$1,825,461,000, to remain available until expended: *Pro-*
3 *vided*, That funds provided by this Act for Project 99–
4 D–143, Mixed Oxide Fuel Fabrication Facility, and by
5 prior Acts that remain unobligated for such Project, may
6 be made available only for construction and project sup-
7 port activities for such Project: *Provided further*, That of
8 the unobligated balances from prior year appropriations
9 available under this heading, \$49,000,000 is hereby re-
10 scinded: *Provided further*, That no amounts may be re-
11 scinded from amounts that were designated by the Con-
12 gress as an emergency requirement pursuant to a concur-
13 rent resolution on the budget or the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 NAVAL REACTORS

16 (INCLUDING TRANSFER OF FUNDS)

17 For Department of Energy expenses necessary for
18 naval reactors activities to carry out the Department of
19 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
20 ing the acquisition (by purchase, condemnation, construc-
21 tion, or otherwise) of real property, plant, and capital
22 equipment, facilities, and facility expansion,
23 \$1,486,000,000, to remain available until expended, of
24 which, \$82,500,000 shall be transferred to “Department
25 of Energy—Energy Programs—Nuclear Energy”, for the

1 Advanced Test Reactor: *Provided*, That of such amount,
2 \$46,651,000 shall be available until September 30, 2019,
3 for program direction.

4 FEDERAL SALARIES AND EXPENSES

5 For expenses necessary for Federal Salaries and Ex-
6 penses in the National Nuclear Security Administration,
7 \$412,595,000, to remain available until September 30,
8 2019, including official reception and representation ex-
9 penses not to exceed \$12,000.

10 ENVIRONMENTAL AND OTHER DEFENSE

11 ACTIVITIES

12 DEFENSE ENVIRONMENTAL CLEANUP

13 For Department of Energy expenses, including the
14 purchase, construction, and acquisition of plant and cap-
15 ital equipment and other expenses necessary for atomic
16 energy defense environmental cleanup activities in car-
17 rying out the purposes of the Department of Energy Orga-
18 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
19 sition or condemnation of any real property or any facility
20 or for plant or facility acquisition, construction, or expan-
21 sion, \$5,405,000,000, to remain available until expended:
22 *Provided*, That of such amount, \$300,000,000 shall be
23 available until September 30, 2019, for program direction.

1 OTHER DEFENSE ACTIVITIES

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses, necessary for atomic
5 energy defense, other defense activities, and classified ac-
6 tivities, in carrying out the purposes of the Department
7 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
8 cluding the acquisition or condemnation of any real prop-
9 erty or any facility or for plant or facility acquisition, con-
10 struction, or expansion, \$825,000,000, to remain available
11 until expended: *Provided*, That of such amount,
12 \$284,400,000 shall be available until September 30, 2019,
13 for program direction.

14 DEFENSE NUCLEAR WASTE DISPOSAL

15 For Department of Energy expenses necessary for
16 nuclear waste disposal activities to carry out the purposes
17 of the Nuclear Waste Policy Act of 1982, as amended,
18 including the acquisition of real property or facility con-
19 struction or expansion, \$30,000,000, to remain available
20 until expended.

21 POWER MARKETING ADMINISTRATIONS

22 BONNEVILLE POWER ADMINISTRATION FUND

23 Expenditures from the Bonneville Power Administra-
24 tion Fund, established pursuant to Public Law 93-454,
25 are approved for official reception and representation ex-

1 penses in an amount not to exceed \$5,000: *Provided*, That
2 during fiscal year 2018, no new direct loan obligations
3 may be made.

4 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
5 ADMINISTRATION

6 For expenses necessary for operation and mainte-
7 nance of power transmission facilities and for marketing
8 electric power and energy, including transmission wheeling
9 and ancillary services, pursuant to section 5 of the Flood
10 Control Act of 1944 (16 U.S.C. 825s), as applied to the
11 southeastern power area, \$6,379,000, including official re-
12 ception and representation expenses in an amount not to
13 exceed \$1,500, to remain available until expended: *Pro-*
14 *vided*, That notwithstanding 31 U.S.C. 3302 and section
15 5 of the Flood Control Act of 1944, up to \$6,379,000 col-
16 lected by the Southeastern Power Administration from the
17 sale of power and related services shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the Southeastern Power Adminis-
21 tration: *Provided further*, That the sum herein appro-
22 priated for annual expenses shall be reduced as collections
23 are received during the fiscal year so as to result in a final
24 fiscal year 2018 appropriation estimated at not more than
25 \$0: *Provided further*, That notwithstanding 31 U.S.C.

1 3302, up to \$51,000,000 collected by the Southeastern
2 Power Administration pursuant to the Flood Control Act
3 of 1944 to recover purchase power and wheeling expenses
4 shall be credited to this account as offsetting collections,
5 to remain available until expended for the sole purpose
6 of making purchase power and wheeling expenditures:
7 *Provided further*, That for purposes of this appropriation,
8 annual expenses means expenditures that are generally re-
9 covered in the same year that they are incurred (excluding
10 purchase power and wheeling expenses).

11 OPERATION AND MAINTENANCE, SOUTHWESTERN
12 POWER ADMINISTRATION

13 For expenses necessary for operation and mainte-
14 nance of power transmission facilities and for marketing
15 electric power and energy, for construction and acquisition
16 of transmission lines, substations and appurtenant facili-
17 ties, and for administrative expenses, including official re-
18 ception and representation expenses in an amount not to
19 exceed \$1,500 in carrying out section 5 of the Flood Con-
20 trol Act of 1944 (16 U.S.C. 825s), as applied to the
21 Southwestern Power Administration, \$30,288,000, to re-
22 main available until expended: *Provided*, That notwith-
23 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
24 trol Act of 1944 (16 U.S.C. 825s), up to \$18,888,000 col-
25 lected by the Southwestern Power Administration from

1 the sale of power and related services shall be credited to
2 this account as discretionary offsetting collections, to re-
3 main available until expended, for the sole purpose of
4 funding the annual expenses of the Southwestern Power
5 Administration: *Provided further*, That the sum herein ap-
6 propriated for annual expenses shall be reduced as collec-
7 tions are received during the fiscal year so as to result
8 in a final fiscal year 2018 appropriation estimated at not
9 more than \$11,400,000: *Provided further*, That notwith-
10 standing 31 U.S.C. 3302, up to \$10,000,000 collected by
11 the Southwestern Power Administration pursuant to the
12 Flood Control Act of 1944 to recover purchase power and
13 wheeling expenses shall be credited to this account as off-
14 setting collections, to remain available until expended for
15 the sole purpose of making purchase power and wheeling
16 expenditures: *Provided further*, That for purposes of this
17 appropriation, annual expenses means expenditures that
18 are generally recovered in the same year that they are in-
19 curred (excluding purchase power and wheeling expenses).

20 CONSTRUCTION, REHABILITATION, OPERATION AND
21 MAINTENANCE, WESTERN AREA POWER ADMINIS-
22 TRATION

23 For carrying out the functions authorized by title III,
24 section 302(a)(1)(E) of the Act of August 4, 1977 (42
25 U.S.C. 7152), and other related activities including con-

1 servation and renewable resources programs as author-
2 ized, \$232,276,000, including official reception and rep-
3 resentation expenses in an amount not to exceed \$1,500,
4 to remain available until expended, of which \$230,251,000
5 shall be derived from the Department of the Interior Rec-
6 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
7 3302, section 5 of the Flood Control Act of 1944 (16
8 U.S.C. 825s), and section 1 of the Interior Department
9 Appropriation Act, 1939 (43 U.S.C. 392a), up to
10 \$138,904,000 collected by the Western Area Power Ad-
11 ministration from the sale of power and related services
12 shall be credited to this account as discretionary offsetting
13 collections, to remain available until expended, for the sole
14 purpose of funding the annual expenses of the Western
15 Area Power Administration: *Provided further*, That the
16 sum herein appropriated for annual expenses shall be re-
17 duced as collections are received during the fiscal year so
18 as to result in a final fiscal year 2018 appropriation esti-
19 mated at not more than \$93,372,000, of which
20 \$91,347,000 is derived from the Reclamation Fund: *Pro-*
21 *vided further*, That notwithstanding 31 U.S.C. 3302, up
22 to \$179,000,000 collected by the Western Area Power Ad-
23 ministration pursuant to the Flood Control Act of 1944
24 and the Reclamation Project Act of 1939 to recover pur-
25 chase power and wheeling expenses shall be credited to

1 this account as offsetting collections, to remain available
2 until expended for the sole purpose of making purchase
3 power and wheeling expenditures: *Provided further*, That
4 for purposes of this appropriation, annual expenses means
5 expenditures that are generally recovered in the same year
6 that they are incurred (excluding purchase power and
7 wheeling expenses).

8 FALCON AND AMISTAD OPERATING AND MAINTENANCE
9 FUND

10 For operation, maintenance, and emergency costs for
11 the hydroelectric facilities at the Falcon and Amistad
12 Dams, \$4,176,000, to remain available until expended,
13 and to be derived from the Falcon and Amistad Operating
14 and Maintenance Fund of the Western Area Power Ad-
15 ministration, as provided in section 2 of the Act of June
16 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
17 the provisions of that Act and of 31 U.S.C. 3302, up to
18 \$3,948,000 collected by the Western Area Power Adminis-
19 tration from the sale of power and related services from
20 the Falcon and Amistad Dams shall be credited to this
21 account as discretionary offsetting collections, to remain
22 available until expended for the sole purpose of funding
23 the annual expenses of the hydroelectric facilities of these
24 Dams and associated Western Area Power Administration
25 activities: *Provided further*, That the sum herein appro-

1 priated for annual expenses shall be reduced as collections
2 are received during the fiscal year so as to result in a final
3 fiscal year 2018 appropriation estimated at not more than
4 \$228,000: *Provided further*, That for purposes of this ap-
5 propriation, annual expenses means expenditures that are
6 generally recovered in the same year that they are in-
7 curred: *Provided further*, That for fiscal year 2018, the
8 Administrator of the Western Area Power Administration
9 may accept up to \$872,000 in funds contributed by United
10 States power customers of the Falcon and Amistad Dams
11 for deposit into the Falcon and Amistad Operating and
12 Maintenance Fund, and such funds shall be available for
13 the purpose for which contributed in like manner as if said
14 sums had been specifically appropriated for such purpose:
15 *Provided further*, That any such funds shall be available
16 without further appropriation and without fiscal year limi-
17 tation for use by the Commissioner of the United States
18 Section of the International Boundary and Water Com-
19 mission for the sole purpose of operating, maintaining, re-
20 pairing, rehabilitating, replacing, or upgrading the hydro-
21 electric facilities at these Dams in accordance with agree-
22 ments reached between the Administrator, Commissioner,
23 and the power customers.

1 FEDERAL ENERGY REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Energy Regu-
4 latory Commission to carry out the provisions of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101 et
6 seq.), including services as authorized by 5 U.S.C. 3109,
7 official reception and representation expenses not to ex-
8 ceed \$3,000, and the hire of passenger motor vehicles,
9 \$367,600,000, to remain available until expended: *Pro-*
10 *vided*, That notwithstanding any other provision of law,
11 not to exceed \$367,600,000 of revenues from fees and an-
12 nual charges, and other services and collections in fiscal
13 year 2018 shall be retained and used for expenses nec-
14 essary in this account, and shall remain available until ex-
15 pended: *Provided further*, That the sum herein appro-
16 priated from the general fund shall be reduced as revenues
17 are received during fiscal year 2018 so as to result in a
18 final fiscal year 2018 appropriation from the general fund
19 estimated at not more than \$0.

20 GENERAL PROVISIONS—DEPARTMENT OF

21 ENERGY

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 301. (a) No appropriation, funds, or authority
24 made available by this title for the Department of Energy
25 shall be used to initiate or resume any program, project,

1 or activity or to prepare or initiate Requests For Proposals
2 or similar arrangements (including Requests for
3 Quotations, Requests for Information, and Funding Op-
4 portunity Announcements) for a program, project, or ac-
5 tivity if the program, project, or activity has not been
6 funded by Congress.

7 (b)(1) Unless the Secretary of Energy notifies the
8 Committees on Appropriations of both Houses of Congress
9 at least 3 full business days in advance, none of the funds
10 made available in this title may be used to—

11 (A) make a grant allocation or discretionary
12 grant award totaling \$1,000,000 or more;

13 (B) make a discretionary contract award or
14 Other Transaction Agreement totaling \$1,000,000
15 or more, including a contract covered by the Federal
16 Acquisition Regulation;

17 (C) issue a letter of intent to make an alloca-
18 tion, award, or Agreement in excess of the limits in
19 subparagraph (A) or (B); or

20 (D) announce publicly the intention to make an
21 allocation, award, or Agreement in excess of the lim-
22 its in subparagraph (A) or (B).

23 (2) The Secretary of Energy shall submit to the Com-
24 mittees on Appropriations of both Houses of Congress
25 within 15 days of the conclusion of each quarter a report

1 detailing each grant allocation or discretionary grant
2 award totaling less than \$1,000,000 provided during the
3 previous quarter.

4 (3) The notification required by paragraph (1) and
5 the report required by paragraph (2) shall include the re-
6 cipient of the award, the amount of the award, the fiscal
7 year for which the funds for the award were appropriated,
8 the account and program, project, or activity from which
9 the funds are being drawn, the title of the award, and
10 a brief description of the activity for which the award is
11 made.

12 (c) The Department of Energy may not, with respect
13 to any program, project, or activity that uses budget au-
14 thority made available in this title under the heading “De-
15 partment of Energy—Energy Programs”, enter into a
16 multiyear contract, award a multiyear grant, or enter into
17 a multiyear cooperative agreement unless—

18 (1) the contract, grant, or cooperative agree-
19 ment is funded for the full period of performance as
20 anticipated at the time of award; or

21 (2) the contract, grant, or cooperative agree-
22 ment includes a clause conditioning the Federal Gov-
23 ernment’s obligation on the availability of future
24 year budget authority and the Secretary notifies the

1 Committees on Appropriations of both Houses of
2 Congress at least 3 days in advance.

3 (d) Except as provided in subsections (e), (f), and (g),
4 the amounts made available by this title shall be expended
5 as authorized by law for the programs, projects, and ac-
6 tivities specified in the “Bill” column in the “Department
7 of Energy” table included under the heading “Title III—
8 Department of Energy” in the report of the Committee
9 on Appropriations accompanying this Act.

10 (e) The amounts made available by this title may be
11 reprogrammed for any program, project, or activity, and
12 the Department shall notify the Committees on Appropria-
13 tions of both Houses of Congress at least 30 days prior
14 to the use of any proposed reprogramming that would
15 cause any program, project, or activity funding level to
16 increase or decrease by more than \$5,000,000 or 10 per-
17 cent, whichever is less, during the time period covered by
18 this Act.

19 (f) None of the funds provided in this title shall be
20 available for obligation or expenditure through a re-
21 programming of funds that—

22 (1) creates, initiates, or eliminates a program,
23 project, or activity;

1 (2) increases funds or personnel for any pro-
2 gram, project, or activity for which funds are denied
3 or restricted by this Act; or

4 (3) reduces funds that are directed to be used
5 for a specific program, project, or activity by this
6 Act.

7 (g)(1) The Secretary of Energy may waive any re-
8 quirement or restriction in this section that applies to the
9 use of funds made available for the Department of Energy
10 if compliance with such requirement or restriction would
11 pose a substantial risk to human health, the environment,
12 welfare, or national security.

13 (2) The Secretary of Energy shall notify the Commit-
14 tees on Appropriations of both Houses of Congress of any
15 waiver under paragraph (1) as soon as practicable, but
16 not later than 3 days after the date of the activity to which
17 a requirement or restriction would otherwise have applied.
18 Such notice shall include an explanation of the substantial
19 risk under paragraph (1) that permitted such waiver.

20 (h) The unexpended balances of prior appropriations
21 provided for activities in this Act may be available to the
22 same appropriation accounts for such activities established
23 pursuant to this title. Available balances may be merged
24 with funds in the applicable established accounts and

1 thereafter may be accounted for as one fund for the same
2 time period as originally enacted.

3 SEC. 302. Funds appropriated by this or any other
4 Act, or made available by the transfer of funds in this
5 Act, for intelligence activities are deemed to be specifically
6 authorized by the Congress for purposes of section 504
7 of the National Security Act of 1947 (50 U.S.C. 3094)
8 during fiscal year 2018 until the enactment of the Intel-
9 ligence Authorization Act for fiscal year 2018.

10 SEC. 303. None of the funds made available in this
11 title shall be used for the construction of facilities classi-
12 fied as high-hazard nuclear facilities under 10 CFR Part
13 830 unless independent oversight is conducted by the Of-
14 fice of Enterprise Assessments to ensure the project is in
15 compliance with nuclear safety requirements.

16 SEC. 304. None of the funds made available in this
17 title may be used to approve critical decision-2 or critical
18 decision-3 under Department of Energy Order 413.3B, or
19 any successive departmental guidance, for construction
20 projects where the total project cost exceeds
21 \$100,000,000, until a separate independent cost estimate
22 has been developed for the project for that critical deci-
23 sion.

24 SEC. 305. (a) None of the funds made available in
25 this or any prior Act under the heading “Defense Nuclear

1 Nonproliferation” may be made available to enter into new
2 contracts with, or new agreements for Federal assistance
3 to, the Russian Federation.

4 (b) The Secretary of Energy may waive the prohibi-
5 tion in subsection (a) if the Secretary determines that
6 such activity is in the national security interests of the
7 United States. This waiver authority may not be dele-
8 gated.

9 (c) A waiver under subsection (b) shall not be effec-
10 tive until 15 days after the date on which the Secretary
11 submits to the Committees on Appropriations of both
12 Houses of Congress, in classified form if necessary, a re-
13 port on the justification for the waiver.

14 SEC. 306. Notwithstanding section 161 of the Energy
15 Policy and Conservation Act (42 U.S.C. 6241), upon a
16 determination by the President in this fiscal year that a
17 regional supply shortage of refined petroleum product of
18 significant scope and duration exists, that a severe in-
19 crease in the price of refined petroleum product will likely
20 result from such shortage, and that a draw down and sale
21 of refined petroleum product would assist directly and sig-
22 nificantly in reducing the adverse impact of such shortage,
23 the Secretary of Energy may draw down and sell refined
24 petroleum product from the Strategic Petroleum Reserve.
25 Proceeds from a sale under this section shall be deposited

1 into the SPR Petroleum Account established in section
2 167 of the Energy Policy and Conservation Act (42 U.S.C.
3 6247), and such amounts shall be available for obligation,
4 without fiscal year limitation, consistent with that section.

5 SEC. 307. (a) DRAWDOWN AND SALE.—Notwith-
6 standing section 161 of the Energy Policy and Conserva-
7 tion Act (42 U.S.C. 6241), and in addition to sales author-
8 ized in sections 403 and 404 of the Bipartisan Budget
9 Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and
10 section 5010 of the 21st Century Cures Act (42 U.S.C.
11 6241 note), the Secretary of Energy shall draw down and
12 sell up to \$8,400,000 of crude oil from the Strategic Pe-
13 troleum Reserve during this fiscal year.

14 (b) PROCEEDS.—Proceeds from a sale under this sec-
15 tion shall be deposited into the SPR Petroleum Account
16 during this fiscal year and shall be available for the costs
17 of crude oil sales authorized in sections 403 and 404 of
18 the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42
19 U.S.C. 6239 note) and section 5010 of the 21st Century
20 Cures Act (42 U.S.C. 6241 note), to remain available until
21 expended.

22 (c) EMERGENCY PROTECTION.—The Secretary shall
23 not draw down and sell crude oil under this section in
24 amounts that would limit the authority to sell petroleum
25 products under section 161(h) of the Energy Policy and

1 Conservation Act (42 U.S.C. 6241(h)) in the full amount
2 authorized by that subsection.

3 SEC. 308. (a) NEW REGIONAL RESERVES.—The Sec-
4 retary of Energy may not establish any new regional pe-
5 troleum product reserve unless funding for the proposed
6 regional petroleum product reserve is explicitly requested
7 in advance in an annual budget submission and approved
8 by 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. 309. Of the amounts made available under this
21 title, not more than \$267,901,000 may be transferred to
22 the working capital fund established under section 653 of
23 the Department of Energy Organization Act (42 U.S.C.
24 7263).

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, and for expenses necessary for the Federal Co-
7 Chairman and the Alternate on the Appalachian Regional
8 Commission, for payment of the Federal share of the ad-
9 ministrative expenses of the Commission, including serv-
10 ices as authorized by 5 U.S.C. 3109, and hire of passenger
11 motor vehicles, \$130,000,000, to remain available until ex-
12 pended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by chapter 21 of the Atomic Energy Act of 1954 (42
18 U.S.C. 2286 et seq.), \$30,600,000, to remain available
19 until September 30, 2019.

20 DELTA REGIONAL AUTHORITY
21 SALARIES AND EXPENSES

22 For expenses necessary for the Delta Regional Au-
23 thority and to carry out its activities, as authorized by
24 the Delta Regional Authority Act of 2000, notwith-
25 standing sections 382C(b)(2), 382F(d), 382M, and 382N

1 of said Act, \$15,000,000, to remain available until ex-
2 pended.

3 DENALI COMMISSION

4 For expenses necessary for the Denali Commission
5 including the purchase, construction, and acquisition of
6 plant and capital equipment as necessary and other ex-
7 penses, \$11,000,000, to remain available until expended,
8 notwithstanding the limitations contained in section
9 306(g) of the Denali Commission Act of 1998: *Provided*,
10 That funds shall be available for construction projects in
11 an amount not to exceed 80 percent of total project cost
12 for distressed communities, as defined by section 307 of
13 the Denali Commission Act of 1998 (division C, title III,
14 Public Law 105–277), as amended by section 701 of ap-
15 pendix D, title VII, Public Law 106–113 (113 Stat.
16 1501A–280), and an amount not to exceed 50 percent for
17 non-distressed communities: *Provided further*, That not-
18 withstanding any other provision of law regarding pay-
19 ment of a non-Federal share in connection with a grant-
20 in-aid program, amounts under this heading shall be avail-
21 able for the payment of such a non-Federal share for pro-
22 grams undertaken to carry out the purposes of the Com-
23 mission.

1 NORTHERN BORDER REGIONAL COMMISSION

2 For expenses necessary for the Northern Border Re-
3 gional Commission in carrying out activities authorized by
4 subtitle V of title 40, United States Code, \$5,000,000, to
5 remain available until expended: *Provided*, That such
6 amounts shall be available for administrative expenses,
7 notwithstanding section 15751(b) of title 40, United
8 States Code.

9 SOUTHEAST CRESCENT REGIONAL COMMISSION

10 For expenses necessary for the Southeast Crescent
11 Regional Commission in carrying out activities authorized
12 by subtitle V of title 40, United States Code, \$250,000,
13 to remain available until expended.

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-
17 rying out the purposes of the Energy Reorganization Act
18 of 1974 and the Atomic Energy Act of 1954,
19 \$939,137,000, including official representation expenses
20 not to exceed \$25,000, to remain available until expended,
21 of which \$30,000,000 shall be derived from the Nuclear
22 Waste Fund: *Provided*, That of the amount appropriated
23 herein, not more than \$9,500,000 may be made available
24 for salaries, travel, and other support costs for the Office
25 of the Commission, to remain available until September

1 30, 2019, of which, notwithstanding section 201(a)(2)(c)
2 of the Energy Reorganization Act of 1974 (42 U.S.C.
3 5841(a)(2)(c)), the use and expenditure shall only be ap-
4 proved by a majority vote of the Commission: *Provided*
5 *further*, That revenues from licensing fees, inspection serv-
6 ices, and other services and collections estimated at
7 \$779,829,000 in fiscal year 2018 shall be retained and
8 used for necessary salaries and expenses in this account,
9 notwithstanding 31 U.S.C. 3302, and shall remain avail-
10 able until expended: *Provided further*, That of the
11 amounts appropriated under this heading, not less than
12 \$10,000,000 shall be for activities related to the develop-
13 ment of regulatory infrastructure for advanced nuclear
14 technologies, and \$16,200,000 shall be for international
15 activities, except that the amounts provided under this
16 proviso shall not be derived from fee revenues, notwith-
17 standing 42 U.S.C. 2214: *Provided further*, That the sum
18 herein appropriated shall be reduced by the amount of rev-
19 enues received during fiscal year 2018 so as to result in
20 a final fiscal year 2018 appropriation estimated at not
21 more than \$159,308,000: *Provided further*, That of the
22 amounts appropriated under this heading, \$10,000,000
23 shall be for university research and development in areas
24 relevant to the Commission's mission, and \$5,000,000
25 shall be for a Nuclear Science and Engineering Grant Pro-

1 gram that will support multiyear projects that do not align
2 with programmatic missions but are critical to maintain-
3 ing the discipline of nuclear science and engineering.

4 OFFICE OF INSPECTOR GENERAL

5 For expenses necessary for the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$12,859,000, to remain available
8 until September 30, 2019: *Provided*, That revenues from
9 licensing fees, inspection services, and other services and
10 collections estimated at \$10,555,000 in fiscal year 2018
11 shall be retained and be available until September 30,
12 2019, for necessary salaries and expenses in this account,
13 notwithstanding section 3302 of title 31, United States
14 Code: *Provided further*, That the sum herein appropriated
15 shall be reduced by the amount of revenues received dur-
16 ing fiscal year 2018 so as to result in a final fiscal year
17 2018 appropriation estimated at not more than
18 \$2,304,000: *Provided further*, That of the amounts appro-
19 priated under this heading, \$1,131,000 shall be for In-
20 spector General services for the Defense Nuclear Facilities
21 Safety Board, which shall not be available from fee reve-
22 nues.

1 NUCLEAR WASTE TECHNICAL REVIEW BOARD
2 SALARIES AND EXPENSES

3 For expenses necessary for the Nuclear Waste Tech-
4 nical Review Board, as authorized by Public Law 100-
5 203, section 5051, \$3,600,000, to be derived from the Nu-
6 clear Waste Fund, to remain available until September 30,
7 2019.

8 GENERAL PROVISIONS—INDEPENDENT
9 AGENCIES

10 SEC. 401. The Nuclear Regulatory Commission shall
11 comply with the July 5, 2011, version of chapter VI of
12 its Internal Commission Procedures when responding to
13 Congressional requests for information.

14 SEC. 402. (a) The amounts made available by this
15 title for the Nuclear Regulatory Commission may be re-
16 programmed for any program, project, or activity, and the
17 Commission shall notify the Committees on Appropria-
18 tions of both Houses of Congress at least 30 days prior
19 to the use of any proposed reprogramming that would
20 cause any program funding level to increase or decrease
21 by more than \$500,000 or 10 percent, whichever is less,
22 during the time period covered by this Act.

23 (b)(1) The Nuclear Regulatory Commission may
24 waive the notification requirement in subsection (a) if
25 compliance with such requirement would pose a substan-

1 tial risk to human health, the environment, welfare, or na-
2 tional security.

3 (2) The Nuclear Regulatory Commission shall notify
4 the Committees on Appropriations of both Houses of Con-
5 gress of any waiver under paragraph (1) as soon as prac-
6 ticable, but not later than 3 days after the date of the
7 activity to which a requirement or restriction would other-
8 wise have applied. Such notice shall include an explanation
9 of the substantial risk under paragraph (1) that permitted
10 such waiver and shall provide a detailed report to the
11 Committees of such waiver and changes to funding levels
12 to programs, projects, or activities.

13 (c) Except as provided in subsections (a), (b), and
14 (d), the amounts made available by this title for “Nuclear
15 Regulatory Commission—Salaries and Expenses” shall be
16 expended as directed in the report of the Committee on
17 Appropriations accompanying this Act.

18 (d) None of the funds provided for the Nuclear Regu-
19 latory Commission shall be available for obligation or ex-
20 penditure through a reprogramming of funds that in-
21 creases funds or personnel for any program, project, or
22 activity for which funds are denied or restricted by this
23 Act.

24 (e) The Commission shall provide a monthly report
25 to the Committees on Appropriations of both Houses of

1 Congress, which includes the following for each program,
2 project, or activity, including any prior year appropria-
3 tions—

- 4 (1) total budget authority;
- 5 (2) total unobligated balances; and
- 6 (3) total unliquidated obligations.

7 TITLE V

8 GENERAL PROVISIONS

9 SEC. 501. None of the funds appropriated by this Act
10 may be used in any way, directly or indirectly, to influence
11 congressional action on any legislation or appropriation
12 matters pending before Congress, other than to commu-
13 nicate to Members of Congress as described in 18 U.S.C.
14 1913.

15 SEC. 502. (a) None of the funds made available in
16 title III of this Act may be transferred to any department,
17 agency, or instrumentality of the United States Govern-
18 ment, except pursuant to a transfer made by or transfer
19 authority provided in this Act or any other appropriations
20 Act for any fiscal year, transfer authority referenced in
21 the report of the Committee on Appropriations accom-
22 panying this Act, or any authority whereby a department,
23 agency, or instrumentality of the United States Govern-
24 ment may provide goods or services to another depart-
25 ment, agency, or instrumentality.

1 (b) None of the funds made available for any depart-
2 ment, agency, or instrumentality of the United States
3 Government may be transferred to accounts funded in title
4 III of this Act, except pursuant to a transfer made by or
5 transfer authority provided in this Act or any other appro-
6 priations Act for any fiscal year, transfer authority ref-
7 erenced in the report of the Committee on Appropriations
8 accompanying this Act, or any authority whereby a de-
9 partment, agency, or instrumentality of the United States
10 Government may provide goods or services to another de-
11 partment, agency, or instrumentality.

12 (c) The head of any relevant department or agency
13 funded in this Act utilizing any transfer authority shall
14 submit to the Committees on Appropriations of both
15 Houses of Congress a semiannual report detailing the
16 transfer authorities, except for any authority whereby a
17 department, agency, or instrumentality of the United
18 States Government may provide goods or services to an-
19 other department, agency, or instrumentality, used in the
20 previous 6 months and in the year-to-date. This report
21 shall include the amounts transferred and the purposes
22 for which they were transferred, and shall not replace or
23 modify existing notification requirements for each author-
24 ity.

1 SEC. 503. None of the funds made available by this
2 Act may be used in contravention of Executive Order No.
3 12898 of February 11, 1994 (Federal Actions to Address
4 Environmental Justice in Minority Populations and Low-
5 Income Populations).

6 SEC. 504. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

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

14 SEC. 505. None of the funds made available by this
15 Act may be used to further implementation of the coastal
16 and marine spatial planning and ecosystem-based manage-
17 ment components of the National Ocean Policy developed
18 under Executive Order No. 13547 of July 19, 2010.

19 SEC. 506. None of the funds made available by this
20 Act may be used for the removal of any federally owned
21 or operated dam unless the removal was previously author-
22 ized by Congress.

23 SEC. 507. None of the funds made available by this
24 Act may be used to conduct closure of adjudicatory func-
25 tions, technical review, or support activities associated

1 with the Yucca Mountain geologic repository license appli-
2 cation, or for actions that irrevocably remove the possi-
3 bility that Yucca Mountain may be a repository option in
4 the future.

5 REFERENCES TO ACT

6 SEC. 508. Except as expressly provided otherwise,
7 any reference to “this Act” contained in this division shall
8 be treated as referring only to the provisions of this divi-
9 sion.

10 REFERENCE TO REPORT

11 SEC. 509. Any reference to a “report accompanying
12 this Act” contained in this division shall be treated as a
13 reference to House Report 115–230. The effect of such
14 Report shall be limited to this division and shall apply for
15 purposes of determining the allocation of funds provided
16 by, and the implementation of, this division.

17 SPENDING REDUCTION ACCOUNT

18 SEC. 510. \$0.

19 SEC. 511. None of the funds made available by this
20 division may be used for the Cape Wind Energy Project
21 on the Outer Continental Shelf off Massachusetts, Nan-
22 tucket Sound.

23 SEC. 512. For “Department of Energy—Electricity
24 Delivery and Energy Reliability” for energy storage sys-
25 tems demonstrations as authorized by section 641 of the

1 Energy Independence and Security Act of 2007 (42
2 U.S.C. 17231), there is hereby appropriated, and the
3 amount otherwise provided by this Act for “Department
4 of Energy—Departmental Administration” is hereby re-
5 duced by, \$10,000,000.

6 SEC. 513. None of the funds made available by this
7 Act may be used in contravention of section 2102 of the
8 Water Resources Reform and Development Act of 2014
9 or section 210 of the Water Resources Development Act
10 of 1986.

11 SEC. 514. None of the funds made available under
12 title I of division D of this Act may be used to require
13 an economic re-evaluation of any project authorized under
14 title VIII of the Water Resources Development Act of
15 2007.

16 SEC. 515. The amounts otherwise provided by this
17 Act are revised by reducing the amount made available
18 for “Corps of Engineers-Civil—Investigations”, and in-
19 creasing the amount made available for the same account,
20 by \$3,000,000.

21 SEC. 516. The amounts otherwise provided by this
22 Act are revised by reducing the amount made available
23 for “Corps of Engineers-Civil—Construction”, and in-
24 creasing the amount made available for the same account,
25 by \$100,000,000.

1 SEC. 517. None of the funds made available by this
2 Act for “Department of Energy—Energy Programs—
3 Science” may be used in contravention of the Department
4 of Energy Organization Act (42 U.S.C. 7101 et seq.).

5 SEC. 518. None of the funds made available by this
6 Act may be used to prepare, propose, or promulgate any
7 regulation or guidance that references or relies on the
8 analysis contained in—

9 (1) “Technical Support Document: Social Cost
10 of Carbon for Regulatory Impact Analysis Under
11 Executive Order 12866”, published by the Inter-
12 agency Working Group on Social Cost of Carbon,
13 United States Government, in February 2010;

14 (2) “Technical Support Document: Technical
15 Update of the Social Cost of Carbon for Regulatory
16 Impact Analysis Under Executive Order 12866”,
17 published by the Interagency Working Group on So-
18 cial Cost of Carbon, United States Government, in
19 May 2013 and revised in November 2013;

20 (3) “Revised Draft Guidance for Federal De-
21 partments and Agencies on Consideration of Green-
22 house Gas Emissions and the Effects of Climate
23 Change in NEPA Reviews”, published by the Coun-
24 cil on Environmental Quality on December 24, 2014
25 (79 Fed. Reg. 77801);

1 (4) “Technical Support Document: Technical
2 Update of the Social Cost of Carbon for Regulatory
3 Impact Analysis Under Executive Order 12866”,
4 published by the Interagency Working Group on So-
5 cial Cost of Carbon, United States Government, in
6 July 2015;

7 (5) “Addendum to the Technical Support Docu-
8 ment on Social Cost of Carbon for Regulatory Im-
9 pact Analysis Under Executive Order 12866: Appli-
10 cation of the Methodology to Estimate the Social
11 Cost of Methane and the Social Cost of Nitrous
12 Oxide”, published by the Interagency Working
13 Group on Social Cost of Greenhouse Gases, United
14 States Government, in August 2016; or

15 (6) “Technical Support Document: Technical
16 Update of the Social Cost of Carbon for Regulatory
17 Impact Analysis Under Executive Order 12866”,
18 published by the Interagency Working Group on So-
19 cial Cost of Greenhouse Gases, United States Gov-
20 ernment, in August 2016.

21 SEC. 519. None of the funds made available in this
22 division may be used—

23 (1) to implement or enforce section 430.32(x)
24 of title 10, Code of Federal Regulations; or

1 (2) to implement or enforce the standards es-
2 tablished by the tables contained in section
3 325(i)(1)(B) of the Energy Policy and Conservation
4 Act (42 U.S.C. 6295(i)(1)(B)) with respect to
5 BPAR incandescent reflector lamps, BR incandes-
6 cent reflector lamps, and ER incandescent reflector
7 lamps.

8 This Act may be cited as the “Energy and Water De-
9 velopment and Related Agencies Appropriations Act,
10 2018”.

11 **DIVISION M—DEPARTMENT OF**
12 **HOMELAND SECURITY BOR-**
13 **DER INFRASTRUCTURE CON-**
14 **STRUCTION APPROPRIATION**
15 **ACT, 2018**

16 The following sums are appropriated, out of any
17 money in the Treasury not otherwise appropriated, for the
18 Department of Homeland Security for the fiscal year end-
19 ing September 30, 2018, namely:

20 U.S. CUSTOMS AND BORDER PROTECTION

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses for U.S. Customs and Border
23 Protection for procurement, construction, and improve-
24 ments, \$1,571,239,000, to remain available until Sep-
25 tember 30, 2020, which shall be available as follows:

1 (1) \$784,000,000 for 32 miles of new border
2 bollard fencing in the Rio Grande Valley, Texas.

3 (2) \$498,000,000 for 28 miles of new bollard
4 levee wall in the Rio Grande Valley, Texas.

5 (3) \$251,000,000 for 14 miles of secondary
6 fencing in San Diego, California.

7 (4) \$38,239,000 for planning for border wall
8 construction.

9 **TITLE I—GENERAL PROVISIONS**

10 **REFERENCES TO ACT**

11 **SEC. 101.** Except as expressly provided otherwise,
12 any reference to “this Act” contained in this division shall
13 be treated as referring only to the provisions of this divi-
14 sion.

15 This Act may be cited as the “Department of Home-
16 land Security Border Infrastructure Construction Appro-
17 priations Act, 2018”.

 Passed the House of Representatives September 14,
2017.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 230

115TH CONGRESS
1ST Session

H. R. 3354

AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

SEPTEMBER 27, 2017

Read the second time and placed on the calendar