

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

(no.) _____

(title) _____

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “End the Shutdown

5 and Secure the Border Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Agricultural Programs

2

Title II—Farm Production and Conservation Programs
 Title III—Rural Development Programs
 Title IV—Domestic Food Programs
 Title V—Foreign Assistance and Related Programs
 Title VI—Related Agency and Food and Drug Administration
 Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED
 AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Commerce
 Title II—Department of Justice
 Title III—Science
 Title IV—Related Agencies
 Title V—General Provisions

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT
 APPROPRIATIONS ACT, 2019

Title I—Department of the Treasury
 Title II—Executive Office of the President and Funds Appropriated to the
 President
 Title III—The Judiciary
 Title IV—District of Columbia
 Title V—Independent Agencies
 Title VI—General Provisions—This Act
 Title VII—General Provisions—Government-wide
 Title VIII—General Provisions—District of Columbia

DIVISION D—DEPARTMENT OF HOMELAND SECURITY
 APPROPRIATIONS ACT, 2019

Title I—Departmental Management, Operations, Intelligence, and Oversight
 Title II—Security, Enforcement, and Investigations
 Title III—Protection, Preparedness, Response, and Recovery
 Title IV—Research, Development, Training, and Services
 Title V—General Provisions

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
 AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of the Interior
 Title II—Environmental Protection Agency
 Title III—Related Agencies
 Title IV—General Provisions

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS,
 AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

Title I—Department of State and Related Agency
 Title II—United States Agency for International Development
 Title III—Bilateral Economic Assistance
 Title IV—International Security Assistance
 Title V—Multilateral Assistance
 Title VI—Export and Investment Assistance
 Title VII—General Provisions

Title VIII—Overseas Contingency Operations/Global War on Terrorism

DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Transportation

Title II—Department of Housing and Urban Development

Title III—Related Agencies

Title IV—General Provisions—This Act

DIVISION H—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

DIVISION I—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

Title I—Immigration Extensions

Title II—Pesticide Registration Improvement Act Extension

Title III—Violence Against Women Act Extension

Title IV—Pandemic and All-Hazards Preparedness Extensions

Title V—Temporary Assistance for Needy Families Program Extension

Title VI—Technical Corrections

Title VII—Harbor Maintenance Trust Fund

Title VIII—Consumer Financial Protection Bureau Inspector General Reform

Title IX—Budgetary Effects

DIVISION J—VULNERABLE IMMIGRANTS PROTECTION AND SECURITY ACT

DIVISION K—PROVISIONAL PROTECTED PRESENCE FOR CERTAIN ALIENS IN THE UNITED STATES WHO PREVIOUSLY RECEIVED TEMPORARY PROTECTED STATUS

DIVISION L—PROTECTION OF CENTRAL AMERICAN MINORS

1 SEC. 3. REFERENCES TO ACT.

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

6 SEC. 4. EXPLANATORY STATEMENT.

7 The explanatory statement regarding this Act, print-
8 ed in the Congressional Record on or about January 22,
9 2019, and submitted by the Chairman of the Committee
10 on Appropriations, shall have the same effect with respect

1 to the allocation of funds and implementation of divisions
2 A through G of this Act as if it were a joint explanatory
3 statement of a committee of conference.

4 **SEC. 5. STATEMENT OF APPROPRIATIONS.**

5 The following sums in this Act are appropriated, out
6 of any money in the Treasury not otherwise appropriated,
7 for the fiscal year ending September 30, 2019.

8 **SEC. 6. AVAILABILITY OF FUNDS.**

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

1 **DIVISION A—AGRICULTURE, RURAL DE-**
2 **VELOPMENT, FOOD AND DRUG ADMIN-**
3 **ISTRATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2019**

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PROCESSING, RESEARCH, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$46,603,000, of which not to exceed \$5,051,000 shall be
12 available for the immediate Office of the Secretary; not
13 to exceed \$800,000 shall be available for the Office of the
14 Assistant to the Secretary for Rural Development: *Pro-*
15 *vided*, That funds made available by this Act to an agency
16 in the Rural Development mission area for salaries and
17 expenses are available to fund up to one administrative
18 support staff for the Office; not to exceed \$1,496,000 shall
19 be available for the Office of Homeland Security; not to
20 exceed \$4,711,000 shall be available for the Office of Part-
21 nerships and Public Engagement; not to exceed
22 \$23,176,000 shall be available for the Office of the Assist-
23 ant Secretary for Administration, of which \$22,301,000
24 shall be available for Departmental Administration to pro-
25 vide for necessary expenses for management support serv-

1 ices to offices of the Department and for general adminis-
2 tration, security, repairs and alterations, and other mis-
3 cellaneous supplies and expenses not otherwise provided
4 for and necessary for the practical and efficient work of
5 the Department: *Provided further*, That funds made avail-
6 able by this Act to an agency in the Administration mis-
7 sion area for salaries and expenses are available to fund
8 up to one administrative support staff for the Office; not
9 to exceed \$3,869,000 shall be available for the Office of
10 Assistant Secretary for Congressional Relations to carry
11 out the programs funded by this Act, including programs
12 involving intergovernmental affairs and liaison within the
13 executive branch; and not to exceed \$7,500,000 shall be
14 available for the Office of Communications: *Provided fur-*
15 *ther*, That the Secretary of Agriculture is authorized to
16 transfer funds appropriated for any office of the Office
17 of the Secretary to any other office of the Office of the
18 Secretary: *Provided further*, That no appropriation for any
19 office shall be increased or decreased by more than 5 per-
20 cent: *Provided further*, That not to exceed \$22,000 of the
21 amount made available under this paragraph for the im-
22 mediate Office of the Secretary shall be available for offi-
23 cial reception and representation expenses, not otherwise
24 provided for, as determined by the Secretary: *Provided*
25 *further*, That the amount made available under this head-

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

16 EXECUTIVE OPERATIONS

17 OFFICE OF THE CHIEF ECONOMIST

18 For necessary expenses of the Office of the Chief
19 Economist, \$21,286,000, of which \$5,000,000 shall be for
20 grants or cooperative agreements for policy research under
21 7 U.S.C. 3155.

22 OFFICE OF HEARINGS AND APPEALS

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

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and
3 Program Analysis, \$9,525,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$55,630,000, of which not less than
7 \$38,000,000 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, \$6,028,000.

12 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

13 RIGHTS

14 For necessary expenses of the Office of the Assistant
15 Secretary for Civil Rights, \$901,000: *Provided*, That
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 fund up to one administrative support staff for the Of-
19 fice.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
22 \$24,206,000.

1 AGRICULTURE BUILDINGS AND FACILITIES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For payment of space rental and related costs pursu-
4 ant to Public Law 92–313, including authorities pursuant
5 to the 1984 delegation of authority from the Adminis-
6 trator of General Services to the Department of Agri-
7 culture under 40 U.S.C. 121, for programs and activities
8 of the Department which are included in this Act, and for
9 alterations and other actions needed for the Department
10 and its agencies to consolidate unneeded space into con-
11 figurations suitable for release to the Administrator of
12 General Services, and for the operation, maintenance, im-
13 provement, and repair of Agriculture buildings and facili-
14 ties, and for related costs, \$59,967,000, to remain avail-
15 able until expended.

16 HAZARDOUS MATERIALS MANAGEMENT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Department of Agri-
19 culture, to comply with the Comprehensive Environmental
20 Response, Compensation, and Liability Act (42 U.S.C.
21 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
22 6901 et seq.), \$3,503,000, to remain available until ex-
23 pended: *Provided*, That appropriations and funds available
24 herein to the Department for Hazardous Materials Man-
25 agement may be transferred to any agency of the Depart-

1 ment for its use in meeting all requirements pursuant to
2 the above Acts on Federal and non-Federal lands.

3 OFFICE OF INSPECTOR GENERAL

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

18 OFFICE OF THE GENERAL COUNSEL

19 For necessary expenses of the Office of the General
20 Counsel, \$45,146,000.

21 OFFICE OF ETHICS

22 For necessary expenses of the Office of Ethics,
23 \$4,136,000.

11

1 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
2 EDUCATION, AND ECONOMICS

3 For necessary expenses of the Office of the Under
4 Secretary for Research, Education, and Economics,
5 \$800,000: *Provided*, That funds made available by this
6 Act to an agency in the Research, Education, and Eco-
7 nomics mission area for salaries and expenses are avail-
8 able to fund up to one administrative support staff for
9 the Office.

10 ECONOMIC RESEARCH SERVICE

11 For necessary expenses of the Economic Research
12 Service, \$86,757,000.

13 NATIONAL AGRICULTURAL STATISTICS SERVICE

14 For necessary expenses of the National Agricultural
15 Statistics Service, \$174,517,000, of which up to
16 \$45,300,000 shall be available until expended for the Cen-
17 sus of Agriculture: *Provided*, That amounts made available
18 for the Census of Agriculture may be used to conduct Cur-
19 rent Industrial Report surveys subject to 7 U.S.C.
20 2204g(d) and (f).

21 AGRICULTURAL RESEARCH SERVICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the Agricultural Research
24 Service and for acquisition of lands by donation, exchange,
25 or purchase at a nominal cost not to exceed \$100, and

1 for land exchanges where the lands exchanged shall be of
2 equal value or shall be equalized by a payment of money
3 to the grantor which shall not exceed 25 percent of the
4 total value of the land or interests transferred out of Fed-
5 eral ownership, \$1,303,266,000, of which \$10,600,000, to
6 remain available until expended, shall be used to carry out
7 the science program at the National Bio- and Agro-de-
8 fense Facility located in Manhattan, Kansas: *Provided*,
9 That appropriations hereunder shall be available for the
10 operation and maintenance of aircraft and the purchase
11 of not to exceed one for replacement only: *Provided fur-*
12 *ther*, That appropriations hereunder shall be available pur-
13 suant to 7 U.S.C. 2250 for the construction, alteration,
14 and repair of buildings and improvements, but unless oth-
15 erwise provided, the cost of constructing any one building
16 shall not exceed \$500,000, except for headhouses or green-
17 houses which shall each be limited to \$1,800,000, except
18 for 10 buildings to be constructed or improved at a cost
19 not to exceed \$1,100,000 each, and except for two build-
20 ings to be constructed at a cost not to exceed \$3,000,000
21 each, and the cost of altering any one building during the
22 fiscal year shall not exceed 10 percent of the current re-
23 placement value of the building or \$500,000, whichever
24 is greater: *Provided further*, That appropriations here-
25 under shall be available for entering into lease agreements

1 at any Agricultural Research Service location for the con-
2 struction of a research facility by a non-Federal entity for
3 use by the Agricultural Research Service and a condition
4 of the lease shall be that any facility shall be owned, oper-
5 ated, and maintained by the non-Federal entity and shall
6 be removed upon the expiration or termination of the lease
7 agreement: *Provided further*, That the limitations on alter-
8 ations contained in this Act shall not apply to moderniza-
9 tion or replacement of existing facilities at Beltsville,
10 Maryland: *Provided further*, That appropriations here-
11 under shall be available for granting easements at the
12 Beltsville Agricultural Research Center: *Provided further*,
13 That the foregoing limitations shall not apply to replace-
14 ment of buildings needed to carry out the Act of April
15 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
16 priations hereunder shall be available for granting ease-
17 ments at any Agricultural Research Service location for
18 the construction of a research facility by a non-Federal
19 entity for use by, and acceptable to, the Agricultural Re-
20 search Service and a condition of the easements shall be
21 that upon completion the facility shall be accepted by the
22 Secretary, subject to the availability of funds herein, if the
23 Secretary finds that acceptance of the facility is in the
24 interest of the United States: *Provided further*, That funds
25 may be received from any State, other political subdivi-

1 sion, organization, or individual for the purpose of estab-
2 lishing or operating any research facility or research
3 project of the Agricultural Research Service, as authorized
4 by law.

5 BUILDINGS AND FACILITIES

6 For the acquisition of land, construction, repair, im-
7 provement, extension, alteration, and purchase of fixed
8 equipment or facilities as necessary to carry out the agri-
9 cultural research programs of the Department of Agri-
10 culture, where not otherwise provided, \$381,200,000 to re-
11 main available until expended, of which \$247,700,000
12 shall be allocated for ARS facilities co-located with univer-
13 sity partners.

14 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

15 RESEARCH AND EDUCATION ACTIVITIES

16 For payments to agricultural experiment stations, for
17 cooperative forestry and other research, for facilities, and
18 for other expenses, \$927,649,000, which shall be for the
19 purposes, and in the amounts, specified in the table titled
20 “National Institute of Food and Agriculture, Research
21 and Education Activities” in the joint explanatory state-
22 ment accompanying this Act: *Provided*, That funds for re-
23 search grants for 1994 institutions, education grants for
24 1890 institutions, capacity building for non-land-grant
25 colleges of agriculture, the agriculture and food research

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

20 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

16

1 EXTENSION ACTIVITIES

2 For payments to States, the District of Columbia,
3 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
4 Northern Marianas, and American Samoa, \$505,692,000,
5 which shall be for the purposes, and in the amounts, speci-
6 fied in the table titled “National Institute of Food and
7 Agriculture, Extension Activities” in the joint explanatory
8 statement accompanying this Act: *Provided*, That funds
9 for facility improvements at 1890 institutions shall remain
10 available until expended: *Provided further*, That institu-
11 tions eligible to receive funds under 7 U.S.C. 3221 for co-
12 operative extension receive no less than \$1,000,000: *Pro-*
13 *vided further*, That funds for cooperative extension under
14 sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C.
15 343(b) and (c)) and section 208(c) of Public Law 93–471
16 shall be available for retirement and employees’ compensa-
17 tion costs for extension agents.

18 INTEGRATED ACTIVITIES

19 For the integrated research, education, and extension
20 grants programs, including necessary administrative ex-
21 penses, \$38,000,000, which shall be for the purposes, and
22 in the amounts, specified in the table titled “National In-
23 stitute of Food and Agriculture, Integrated Activities” in
24 the joint explanatory statement accompanying this Act:
25 *Provided*, That funds for the Food and Agriculture De-

1 fense Initiative shall remain available until September 30,
2 2020: *Provided further*, That notwithstanding any other
3 provision of law, indirect costs shall not be charged
4 against any Extension Implementation Program Area
5 grant awarded under the Crop Protection/Pest Manage-
6 ment Program (7 U.S.C. 7626).

7 OFFICE OF THE UNDER SECRETARY FOR MARKETING
8 AND REGULATORY PROGRAMS

9 For necessary expenses of the Office of the Under
10 Secretary for Marketing and Regulatory Programs,
11 \$901,000: *Provided*, That funds made available by this
12 Act to an agency in the Marketing and Regulatory Pro-
13 grams mission area for salaries and expenses are available
14 to fund up to one administrative support staff for the Of-
15 fice.

16 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
17 SALARIES AND EXPENSES
18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Animal and Plant
20 Health Inspection Service, including up to \$30,000 for
21 representation allowances and for expenses pursuant to
22 the Foreign Service Act of 1980 (22 U.S.C. 4085),
23 \$1,011,136,000, of which \$470,000, to remain available
24 until expended, shall be available for the control of out-
25 breaks of insects, plant diseases, animal diseases and for

1 control of pest animals and birds (“contingency fund”) to
2 the extent necessary to meet emergency conditions; of
3 which \$11,520,000, to remain available until expended,
4 shall be used for the cotton pests program for cost share
5 purposes or for debt retirement for active eradication
6 zones; of which \$37,857,000, to remain available until ex-
7 pended, shall be for Animal Health Technical Services; of
8 which \$705,000 shall be for activities under the authority
9 of the Horse Protection Act of 1970, as amended (15
10 U.S.C. 1831); of which \$62,840,000, to remain available
11 until expended, shall be used to support avian health; of
12 which \$4,251,000, to remain available until expended,
13 shall be for information technology infrastructure; of
14 which \$186,013,000, to remain available until expended,
15 shall be for specialty crop pests; of which, \$11,826,000,
16 to remain available until expended, shall be for field crop
17 and rangeland ecosystem pests; of which \$16,523,000, to
18 remain available until expended, shall be for zoonotic dis-
19 ease management; of which \$40,966,000, to remain avail-
20 able until expended, shall be for emergency preparedness
21 and response; of which \$60,000,000, to remain available
22 until expended, shall be for tree and wood pests; of which
23 \$5,725,000, to remain available until expended, shall be
24 for the National Veterinary Stockpile; of which up to
25 \$1,500,000, to remain available until expended, shall be

1 for the scrapie program for indemnities; of which
2 \$2,500,000, to remain available until expended, shall be
3 for the wildlife damage management program for aviation
4 safety: *Provided*, That of amounts available under this
5 heading for wildlife services methods development,
6 \$1,000,000 shall remain available until expended: *Pro-*
7 *vided further*, That of amounts available under this head-
8 ing for the screwworm program, \$4,990,000 shall remain
9 available until expended; of which \$13,600,000, to remain
10 available until expended, shall be used to carry out the
11 science program at the National Bio- and Agro-defense
12 Facility located in Manhattan, Kansas: *Provided further*,
13 That no funds shall be used to formulate or administer
14 a brucellosis eradication program for the current fiscal
15 year that does not require minimum matching by the
16 States of at least 40 percent: *Provided further*, That this
17 appropriation shall be available for the operation and
18 maintenance of aircraft and the purchase of not to exceed
19 five, of which two shall be for replacement only: *Provided*
20 *further*, That in addition, in emergencies which threaten
21 any segment of the agricultural production industry of the
22 United States, the Secretary may transfer from other ap-
23 propriations or funds available to the agencies or corpora-
24 tions of the Department such sums as may be deemed nec-
25 essary, to be available only in such emergencies for the

1 arrest and eradication of contagious or infectious disease
2 or pests of animals, poultry, or plants, and for expenses
3 in accordance with sections 10411 and 10417 of the Ani-
4 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
5 sections 431 and 442 of the Plant Protection Act (7
6 U.S.C. 7751 and 7772), and any unexpended balances of
7 funds transferred for such emergency purposes in the pre-
8 ceding fiscal year shall be merged with such transferred
9 amounts: *Provided further*, That appropriations hereunder
10 shall be available pursuant to law (7 U.S.C. 2250) for the
11 repair and alteration of leased buildings and improve-
12 ments, but unless otherwise provided the cost of altering
13 any one building during the fiscal year shall not exceed
14 10 percent of the current replacement value of the build-
15 ing.

16 In fiscal year 2019, the agency is authorized to collect
17 fees to cover the total costs of providing technical assist-
18 ance, goods, or services requested by States, other political
19 subdivisions, domestic and international organizations,
20 foreign governments, or individuals, provided that such
21 fees are structured such that any entity's liability for such
22 fees is reasonably based on the technical assistance, goods,
23 or services provided to the entity by the agency, and such
24 fees shall be reimbursed to this account, to remain avail-

21

1 able until expended, without further appropriation, for
2 providing such assistance, goods, or services.

3 BUILDINGS AND FACILITIES

4 For plans, construction, repair, preventive mainte-
5 nance, environmental support, improvement, extension, al-
6 teration, and purchase of fixed equipment or facilities, as
7 authorized by 7 U.S.C. 2250, and acquisition of land as
8 authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-
9 able until expended.

10 AGRICULTURAL MARKETING SERVICE

11 MARKETING SERVICES

12 For necessary expenses of the Agricultural Marketing
13 Service, \$159,095,000, of which \$4,000,000 shall be avail-
14 able for the purposes of section 12306 of Public Law 113-
15 79; and of which \$1,500,000 shall be available for mar-
16 keting activities authorized under section 204(b) of the
17 Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b))
18 to provide to State departments of agriculture, State coop-
19 erative extension services, institutions of higher education,
20 and nonprofit organizations grants to carry out programs
21 and provide technical assistance to promote innovation,
22 process improvement, and marketing relating to dairy
23 products: *Provided*, That this appropriation shall be avail-
24 able pursuant to law (7 U.S.C. 2250) for the alteration
25 and repair of buildings and improvements, but the cost

1 of altering any one building during the fiscal year shall
2 not exceed 10 percent of the current replacement value
3 of the building.

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

7 LIMITATION ON ADMINISTRATIVE EXPENSES

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

15 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

16 SUPPLY (SECTION 32)

17 (INCLUDING TRANSFERS OF FUNDS)

18 Funds available under section 32 of the Act of Au-
19 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
20 modity program expenses as authorized therein, and other
21 related operating expenses, except for: (1) transfers to the
22 Department of Commerce as authorized by the Fish and
23 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
24 fers otherwise provided in this Act; and (3) not more than
25 \$20,705,000 for formulation and administration of mar-

1 keting agreements and orders pursuant to the Agricultural
2 Marketing Agreement Act of 1937 and the Agricultural
3 Act of 1961 (Public Law 87–128).

4 PAYMENTS TO STATES AND POSSESSIONS

5 For payments to departments of agriculture, bureaus
6 and departments of markets, and similar agencies for
7 marketing activities under section 204(b) of the Agricul-
8 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
9 \$1,235,000.

10 LIMITATION ON INSPECTION AND WEIGHING SERVICES

11 EXPENSES

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

19 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$10,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$1,049,344,000; and in addition, \$1,000,000 may be cred-
9 ited to this account from fees collected for the cost of lab-
10 oratory accreditation as authorized by section 1327 of the
11 Food, Agriculture, Conservation and Trade Act of 1990
12 (7 U.S.C. 138f): *Provided*, That funds provided for the
13 Public Health Data Communication Infrastructure system
14 shall remain available until expended: *Provided further*,
15 That no fewer than 148 full-time equivalent positions shall
16 be employed during fiscal year 2019 for purposes dedi-
17 cated solely to inspections and enforcement related to the
18 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
19 seq.): *Provided further*, That the Food Safety and Inspec-
20 tion Service shall continue implementation of section
21 11016 of Public Law 110–246 as further clarified by the
22 amendments made in section 12106 of Public Law 113–
23 79: *Provided further*, That this appropriation shall be
24 available pursuant to law (7 U.S.C. 2250) for the alter-
25 ation and repair of buildings and improvements, but the

1 cost of altering any one building during the fiscal year
2 shall not exceed 10 percent of the current replacement
3 value of the building.

26

1 TITLE II
2 FARM PRODUCTION AND CONSERVATION
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR FARM
5 PRODUCTION AND CONSERVATION

6 For necessary expenses of the Office of the Under
7 Secretary for Farm Production and Conservation,
8 \$901,000: *Provided*, That funds made available by this
9 Act to an agency in the Farm Production and Conserva-
10 tion mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the Of-
12 fice.

13 FARM PRODUCTION AND CONSERVATION BUSINESS
14 CENTER

15 SALARIES AND EXPENSES
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Farm Production and
18 Conservation Business Center, \$216,350,000: *Provided*,
19 That \$60,228,000 of amounts appropriated for the cur-
20 rent fiscal year pursuant to section 1241(a) of the Farm
21 Security and Rural Investment Act of 1985 (16 U.S.C.
22 3841(a)) shall be transferred to and merged with this ac-
23 count.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,081,655,000, of which not less than \$20,000,000 shall
6 be for the hiring of new employees to fill vacancies at
7 Farm Service Agency county offices and farm loan officers
8 and shall be available until September 30, 2020: *Provided*,
9 That not more than 50 percent of the funding made avail-
10 able under this heading for information technology may
11 be obligated until the Secretary submits to the Committees
12 on Appropriations of both Houses of Congress, and re-
13 ceives written or electronic notification of receipt from
14 such Committees of, a plan for expenditure that (1) identi-
15 fies for each project/investment over \$25,000 (a) the func-
16 tional and performance capabilities to be delivered and the
17 mission benefits to be realized, (b) the estimated lifecycle
18 cost for the entirety of the project/investment, including
19 estimates for development as well as maintenance and op-
20 erations, and (c) key milestones to be met; (2) dem-
21 onstrates that each project/investment is, (a) consistent
22 with the Farm Service Agency Information Technology
23 Roadmap, (b) being managed in accordance with applica-
24 ble lifecycle management policies and guidance, and (c)
25 subject to the applicable Department's capital planning

1 and investment control requirements; and (3) has been re-
2 viewed by the Government Accountability Office and ap-
3 proved by the Committees on Appropriations of both
4 Houses of Congress: *Provided further*, That the agency
5 shall submit a report by the end of the fourth quarter of
6 fiscal year 2019 to the Committees on Appropriations and
7 the Government Accountability Office, that identifies for
8 each project/investment that is operational (a) current
9 performance against key indicators of customer satisfac-
10 tion, (b) current performance of service level agreements
11 or other technical metrics, (c) current performance against
12 a pre-established cost baseline, (d) a detailed breakdown
13 of current and planned spending on operational enhance-
14 ments or upgrades, and (e) an assessment of whether the
15 investment continues to meet business needs as intended
16 as well as alternatives to the investment: *Provided further*,
17 That the Secretary is authorized to use the services, facili-
18 ties, and authorities (but not the funds) of the Commodity
19 Credit Corporation to make program payments for all pro-
20 grams administered by the Agency: *Provided further*, That
21 other funds made available to the Agency for authorized
22 activities may be advanced to and merged with this ac-
23 count: *Provided further*, That funds made available to
24 county committees shall remain available until expended:
25 *Provided further*, That none of the funds available to the

1 Farm Service Agency shall be used to close Farm Service
2 Agency county offices: *Provided further*, That none of the
3 funds available to the Farm Service Agency shall be used
4 to permanently relocate county based employees that
5 would result in an office with two or fewer employees with-
6 out prior notification and approval of the Committees on
7 Appropriations of both Houses of Congress.

8 STATE MEDIATION GRANTS

9 For grants pursuant to section 502(b) of the Agricul-
10 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
11 5106), \$3,904,000.

12 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

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

17 DAIRY INDEMNITY PROGRAM

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses involved in making indemnity
20 payments to dairy farmers and manufacturers of dairy
21 products under a dairy indemnity program, such sums as
22 may be necessary, to remain available until expended: *Pro-*
23 *vided*, That such program is carried out by the Secretary
24 in the same manner as the dairy indemnity program de-
25 scribed in the Agriculture, Rural Development, Food and

1 deem the pink bollworm to be a boll weevil for the purpose
2 of boll weevil eradication program loans.

3 For the cost of direct and guaranteed loans and
4 grants, including the cost of modifying loans as defined
5 in section 502 of the Congressional Budget Act of 1974,
6 as follows: farm operating loans, \$59,670,000 for direct
7 operating loans, \$21,168,000 for unsubsidized guaranteed
8 operating loans, emergency loans, \$1,567,000 and
9 \$2,134,000 for Indian highly fractionated land loans to
10 remain available until expended.

11 In addition, for administrative expenses necessary to
12 carry out the direct and guaranteed loan programs,
13 \$317,068,000: *Provided*, That of this amount,
14 \$290,917,000 shall be transferred to and merged with the
15 appropriation for “Farm Service Agency, Salaries and Ex-
16 penses”: *Provided further*, That of this amount
17 \$16,081,000 shall be transferred to and merged with the
18 appropriation for “Farm Production and Conservation
19 Business Center, Salaries and Expenses”.

20 Funds appropriated by this Act to the Agricultural
21 Credit Insurance Program Account for farm ownership,
22 operating and conservation direct loans and guaranteed
23 loans may be transferred among these programs: *Pro-*
24 *vided*, That the Committees on Appropriations of both

1 Houses of Congress are notified at least 15 days in ad-
2 vance of any transfer.

3 RISK MANAGEMENT AGENCY

4 SALARIES AND EXPENSES

5 For necessary expenses of the Risk Management
6 Agency, \$58,361,000: *Provided*, That not to exceed
7 \$1,000 shall be available for official reception and rep-
8 resentation expenses, as authorized by 7 U.S.C. 1506(i).

9 NATURAL RESOURCES CONSERVATION SERVICE

10 CONSERVATION OPERATIONS

11 For necessary expenses for carrying out the provi-
12 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
13 including preparation of conservation plans and establish-
14 ment of measures to conserve soil and water (including
15 farm irrigation and land drainage and such special meas-
16 ures for soil and water management as may be necessary
17 to prevent floods and the siltation of reservoirs and to con-
18 trol agricultural related pollutants); operation of conserva-
19 tion plant materials centers; classification and mapping of
20 soil; dissemination of information; acquisition of lands,
21 water, and interests therein for use in the plant materials
22 program by donation, exchange, or purchase at a nominal
23 cost not to exceed \$100 pursuant to the Act of August
24 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
25 ation or improvement of permanent and temporary build-

1 ings; and operation and maintenance of aircraft,
2 \$819,492,000, to remain available until September 30,
3 2020: *Provided*, That appropriations hereunder shall be
4 available pursuant to 7 U.S.C. 2250 for construction and
5 improvement of buildings and public improvements at
6 plant materials centers, except that the cost of alterations
7 and improvements to other buildings and other public im-
8 provements shall not exceed \$250,000: *Provided further*,
9 That when buildings or other structures are erected on
10 non-Federal land, that the right to use such land is ob-
11 tained as provided in 7 U.S.C. 2250a: *Provided further*,
12 That of the amounts made available under this heading,
13 \$5,600,000, shall remain available until expended for the
14 authorities under 16 U.S.C. 1001–1005 and 1007–1009
15 for authorized ongoing watershed projects with a primary
16 purpose of providing water to rural communities.

17 WATERSHED AND FLOOD PREVENTION OPERATIONS

18 For necessary expenses to carry out preventive meas-
19 ures, including but not limited to surveys and investiga-
20 tions, engineering operations, works of improvement, and
21 changes in use of land, in accordance with the Watershed
22 Protection and Flood Prevention Act (16 U.S.C. 1001–
23 1005 and 1007–1009) and in accordance with the provi-
24 sions of laws relating to the activities of the Department,
25 \$150,000,000, to remain available until expended: *Pro-*

1 *vided*, That for funds provided by this Act or any other
2 prior Act, the limitation regarding the size of the water-
3 shed or subwatershed exceeding two hundred and fifty
4 thousand acres in which such activities can be undertaken
5 shall only apply for activities undertaken for the primary
6 purpose of flood prevention (including structural and land
7 treatment measures): *Provided further*, That of the
8 amounts made available under this heading, \$50,000,000
9 shall be allocated to projects and activities that can com-
10 mence promptly following enactment; that address re-
11 gional priorities for flood prevention, agricultural water
12 management, inefficient irrigation systems, fish and wild-
13 life habitat, or watershed protection; or that address au-
14 thorized ongoing projects under the authorities of section
15 13 of the Flood Control Act of December 22, 1944 (Public
16 Law 78–534) with a primary purpose of watershed protec-
17 tion by preventing floodwater damage and stabilizing
18 stream channels, tributaries, and banks to reduce erosion
19 and sediment transport.

20 WATERSHED REHABILITATION PROGRAM

21 Under the authorities of section 14 of the Watershed
22 Protection and Flood Prevention Act, \$10,000,000 is pro-
23 vided: *Provided*, That of the amounts made available
24 under this heading, \$5,000,000 shall remain available
25 until expended for watershed rehabilitation projects in

1 states with high-hazard dams and other watershed struc-
2 tures and that have recently incurred flooding events
3 which caused fatalities.

4 CORPORATIONS

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

15 FEDERAL CROP INSURANCE CORPORATION FUND

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

19 COMMODITY CREDIT CORPORATION FUND

20 REIMBURSEMENT FOR NET REALIZED LOSSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For the current fiscal year, such sums as may be nec-
23 essary to reimburse the Commodity Credit Corporation for
24 net realized losses sustained, but not previously reim-
25 bursed, pursuant to section 2 of the Act of August 17,

1 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
2 available to the Commodity Credit Corporation under sec-
3 tion 11 of the Commodity Credit Corporation Charter Act
4 (15 U.S.C. 714i) for the conduct of its business with the
5 Foreign Agricultural Service, up to \$5,000,000 may be
6 transferred to and used by the Foreign Agricultural Serv-
7 ice for information resource management activities of the
8 Foreign Agricultural Service that are not related to Com-
9 modity Credit Corporation business.

10 HAZARDOUS WASTE MANAGEMENT

11 (LIMITATION ON EXPENSES)

12 For the current fiscal year, the Commodity Credit
13 Corporation shall not expend more than \$5,000,000 for
14 site investigation and cleanup expenses, and operations
15 and maintenance expenses to comply with the requirement
16 of section 107(g) of the Comprehensive Environmental
17 Response, Compensation, and Liability Act (42 U.S.C.
18 9607(g)), and section 6001 of the Solid Waste Disposal
19 Act (42 U.S.C. 6961).

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 RURAL DEVELOPMENT
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of Rural Development pro-
8 grams, including activities with institutions concerning the
9 development and operation of agricultural cooperatives;
10 and for cooperative agreements; \$236,835,000: *Provided*,
11 That no less than \$6,000,000 shall be for information
12 technology investments: *Provided further*, That notwith-
13 standing any other provision of law, funds appropriated
14 under this heading may be used for advertising and pro-
15 motional activities that support Rural Development pro-
16 grams: *Provided further*, That in addition to any other
17 funds appropriated for purposes authorized by section
18 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)),
19 any amounts collected under such section, as amended by
20 this Act, will immediately be credited to this account and
21 will remain available until expended for such purposes.

1 RURAL HOUSING SERVICE

2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$1,000,000,000
8 shall be for direct loans and \$24,000,000,000 shall be for
9 unsubsidized guaranteed loans; \$28,000,000 for section
10 504 housing repair loans; \$40,000,000 for section 515
11 rental housing; \$230,000,000 for section 538 guaranteed
12 multi-family housing loans; \$10,000,000 for credit sales
13 of single family housing acquired property; \$5,000,000 for
14 section 523 self-help housing land development loans; and
15 \$5,000,000 for section 524 site development loans.

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, \$67,700,000 shall be for direct loans; section
20 504 housing repair loans, \$3,419,000; section 523 self-
21 help housing land development loans, \$431,000; section
22 524 site development loans, \$176,000; and repair, reha-
23 bilitation, and new construction of section 515 rental
24 housing, \$9,484,000: *Provided*, That to support the loan
25 program level for section 538 guaranteed loans made

1 available under this heading the Secretary may charge or
2 adjust any fees to cover the projected cost of such loan
3 guarantees pursuant to the provisions of the Credit Re-
4 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
5 on such loans may not be subsidized: *Provided further,*
6 That applicants in communities that have a current rural
7 area waiver under section 541 of the Housing Act of 1949
8 (42 U.S.C. 1490q) shall be treated as living in a rural
9 area for purposes of section 502 guaranteed loans pro-
10 vided under this heading: *Provided further,* That of the
11 amounts available under this paragraph for section 502
12 direct loans, no less than \$5,000,000 shall be available for
13 direct loans for individuals whose homes will be built pur-
14 suant to a program funded with a mutual and self-help
15 housing grant authorized by section 523 of the Housing
16 Act of 1949 until June 1, 2019: *Provided further,* That
17 the Secretary shall implement provisions to provide incen-
18 tives to nonprofit organizations and public housing au-
19 thorities to facilitate the acquisition of Rural Housing
20 Service (RHS) multifamily housing properties by such
21 nonprofit organizations and public housing authorities
22 that commit to keep such properties in the RHS multi-
23 family housing program for a period of time as determined
24 by the Secretary, with such incentives to include, but not
25 be limited to, the following: allow such nonprofit entities

1 and public housing authorities to earn a Return on Invest-
2 ment on their own resources to include proceeds from low
3 income housing tax credit syndication, own contributions,
4 grants, and developer loans at favorable rates and terms,
5 invested in a deal; and allow reimbursement of organiza-
6 tional costs associated with owner's oversight of asset re-
7 ferred to as "Asset Management Fee" of up to \$7,500
8 per property.

9 In addition, for the cost of direct loans, grants, and
10 contracts, as authorized by sections 514 and 516 of the
11 Housing Act of 1949 (42 U.S.C. 1484, 1486),
12 \$16,853,000, to remain available until expended, for direct
13 farm labor housing loans and domestic farm labor housing
14 grants and contracts: *Provided*, That any balances avail-
15 able for the Farm Labor Program Account shall be trans-
16 ferred to and merged with this account.

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

22 RENTAL ASSISTANCE PROGRAM

23 For rental assistance agreements entered into or re-
24 newed pursuant to the authority under section 521(a)(2)
25 of the Housing Act of 1949 or agreements entered into

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, \$1,331,400,000, of which \$40,000,000
4 shall be available until September 30, 2020; 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 2019 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 2019 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, \$51,500,000,
19 to remain available until expended: *Provided*, That of the
20 funds made available under this heading, \$27,000,000,
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, \$24,500,000 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), \$30,000,000, to remain available until expended.

5 RURAL HOUSING ASSISTANCE GRANTS

6 For grants for very low-income housing repair and
7 rural housing preservation made by the Rural Housing
8 Service, as authorized by 42 U.S.C. 1474, and 1490m,
9 \$45,000,000, to remain available until expended.

10 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For gross obligations for the principal amount of di-
13 rect and guaranteed loans as authorized by section 306
14 and described in section 381E(d)(1) of the Consolidated
15 Farm and Rural Development Act, \$2,800,000,000 for di-
16 rect loans and \$148,287,000 for guaranteed loans.

17 For the cost of guaranteed loans, including the cost
18 of modifying loans, as defined in section 502 of the Con-
19 gressional Budget Act of 1974, \$4,285,000, to remain
20 available until expended.

21 For the cost of grants for rural community facilities
22 programs as authorized by section 306 and described in
23 section 381E(d)(1) of the Consolidated Farm and Rural
24 Development Act, \$45,778,000, to remain available until
25 expended: *Provided*, That \$6,000,000 of the amount ap-

1 appropriated under this heading shall be available for a
2 Rural Community Development Initiative: *Provided fur-*
3 *ther*, That such funds shall be used solely to develop the
4 capacity and ability of private, nonprofit community-based
5 housing and community development organizations, low-
6 income rural communities, and Federally Recognized Na-
7 tive American Tribes to undertake projects to improve
8 housing, community facilities, community and economic
9 development projects in rural areas: *Provided further*,
10 That such funds shall be made available to qualified pri-
11 vate, nonprofit and public intermediary organizations pro-
12 posing to carry out a program of financial and technical
13 assistance: *Provided further*, That such intermediary orga-
14 nizations shall provide matching funds from other sources,
15 including Federal funds for related activities, in an
16 amount not less than funds provided: *Provided further*,
17 That \$5,778,000 of the amount appropriated under this
18 heading shall be to provide grants for facilities in rural
19 communities with extreme unemployment and severe eco-
20 nomic depression (Public Law 106–387), with up to 5 per-
21 cent for administration and capacity building in the State
22 rural development offices: *Provided further*, That
23 \$4,000,000 of the amount appropriated under this head-
24 ing shall be available for community facilities grants to
25 tribal colleges, as authorized by section 306(a)(19) of such

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

5 RURAL BUSINESS—COOPERATIVE SERVICE

6 RURAL BUSINESS PROGRAM ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For the cost of loan guarantees and grants, for the
9 rural business development programs authorized by sec-
10 tion 310B and described in subsections (a), (c), (f) and
11 (g) of section 310B of the Consolidated Farm and Rural
12 Development Act, \$65,040,000, to remain available until
13 expended: *Provided*, That of the amount appropriated
14 under this heading, not to exceed \$500,000 shall be made
15 available for one grant to a qualified national organization
16 to provide technical assistance for rural transportation in
17 order to promote economic development and \$8,000,000
18 shall be for grants to the Delta Regional Authority (7
19 U.S.C. 2009aa et seq.), the Northern Border Regional
20 Commission (40 U.S.C. 15101 et seq.), and the Appa-
21 lachian Regional Commission (40 U.S.C. 14101 et seq.)
22 for any Rural Community Advancement Program purpose
23 as described in section 381E(d) of the Consolidated Farm
24 and Rural Development Act, of which not more than 5
25 percent may be used for administrative expenses: *Provided*

1 *further*, That \$4,000,000 of the amount appropriated
2 under this heading shall be for business grants to benefit
3 Federally Recognized Native American Tribes, including
4 \$250,000 for a grant to a qualified national organization
5 to provide technical assistance for rural transportation in
6 order to promote economic development: *Provided further*,
7 That sections 381E–H and 381N of the Consolidated
8 Farm and Rural Development Act are not applicable to
9 funds made available under this heading.

10 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 For the principal amount of direct loans, as author-
13 ized by the Intermediary Relending Program Fund Ac-
14 ount (7 U.S.C. 1936b), \$18,889,000.

15 For the cost of direct loans, \$4,157,000, as author-
16 ized by the Intermediary Relending Program Fund Ac-
17 ount (7 U.S.C. 1936b), of which \$557,000 shall be avail-
18 able through June 30, 2019, for Federally Recognized Na-
19 tive American Tribes; and of which \$1,072,000 shall be
20 available through June 30, 2019, for Mississippi Delta Re-
21 gion counties (as determined in accordance with Public
22 Law 100–460): *Provided*, That such costs, including the
23 cost of modifying such loans, shall be as defined in section
24 502 of the Congressional Budget Act of 1974.

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

5 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
6 ACCOUNT

7 For the principal amount of direct loans, as author-
8 ized under section 313 of the Rural Electrification Act,
9 for the purpose of promoting rural economic development
10 and job creation projects, \$50,000,000.

11 The cost of grants authorized under section 313 of
12 the Rural Electrification Act, for the purpose of promoting
13 rural economic development and job creation projects shall
14 not exceed \$10,000,000.

15 RURAL COOPERATIVE DEVELOPMENT GRANTS

16 For rural cooperative development grants authorized
17 under section 310B(e) of the Consolidated Farm and
18 Rural Development Act (7 U.S.C. 1932), \$29,100,000, of
19 which \$2,800,000 shall be for cooperative agreements for
20 the appropriate technology transfer for rural areas pro-
21 gram: *Provided*, That not to exceed \$3,000,000 shall be
22 for grants for cooperative development centers, individual
23 cooperatives, or groups of cooperatives that serve socially
24 disadvantaged groups and a majority of the boards of di-
25 rectors or governing boards of which are comprised of in-

1 individuals who are members of socially disadvantaged
2 groups; and of which \$17,500,000, to remain available
3 until expended, shall be for value-added agricultural prod-
4 uct market development grants, as authorized by section
5 231 of the Agricultural Risk Protection Act of 2000 (7
6 U.S.C. 1632a), of which \$2,500,000 may be used for Agri-
7 culture Innovation Centers authorized pursuant to section
8 6402 of Public Law 107–171.

9 RURAL ENERGY FOR AMERICA PROGRAM

10 For the cost of a program of loan guarantees, under
11 the same terms and conditions as authorized by section
12 9007 of the Farm Security and Rural Investment Act of
13 2002 (7 U.S.C. 8107), \$334,500: *Provided*, That the cost
14 of loan guarantees, including the cost of modifying such
15 loans, shall be as defined in section 502 of the Congres-
16 sional Budget Act of 1974.

17 RURAL UTILITIES SERVICE

18 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For gross obligations for the principal amount of di-
21 rect loans as authorized by section 306 and described in
22 section 381E(d)(2) of the Consolidated Farm and Rural
23 Development Act, \$1,400,000,000. For loan guarantees
24 and grants for rural water, waste water, waste disposal,
25 and solid waste management programs authorized by sec-

1 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
2 scribed in sections 306C(a)(2), 306D, 306E, and
3 381E(d)(2) of the Consolidated Farm and Rural Develop-
4 ment Act, \$548,690,000, to remain available until ex-
5 pended, of which not to exceed \$1,000,000 shall be avail-
6 able for the rural utilities program described in section
7 306(a)(2)(B) of such Act, and of which not to exceed
8 \$1,500,000 shall be available for the rural utilities pro-
9 gram described in section 306E of such Act: *Provided*,
10 That not to exceed \$15,000,000 of the amount appro-
11 priated under this heading shall be for grants authorized
12 by section 306A(i)(2) of the Consolidated Farm and Rural
13 Development Act in addition to funding authorized by sec-
14 tion 306A(i)(1) of such Act and such grants may not ex-
15 ceed \$1,000,000 notwithstanding section 306A(f)(1) of
16 such Act: *Provided further*, That \$68,000,000 of the
17 amount appropriated under this heading shall be for loans
18 and grants including water and waste disposal systems
19 grants authorized by section 306C(a)(2)(B) and section
20 306D of the Consolidated Farm and Rural Development
21 Act, and Federally Recognized Native American Tribes
22 authorized by 306C(a)(1) of such Act: *Provided further*,
23 That funding provided for section 306D of the Consoli-
24 dated Farm and Rural Development Act may be provided
25 to a consortium formed pursuant to section 325 of Public

1 Law 105–83: *Provided further*, That not more than 2 per-
2 cent of the funding provided for section 306D of the Con-
3 solidated Farm and Rural Development Act may be used
4 by the State of Alaska for training and technical assist-
5 ance programs and not more than 2 percent of the funding
6 provided for section 306D of the Consolidated Farm and
7 Rural Development Act may be used by a consortium
8 formed pursuant to section 325 of Public Law 105–83 for
9 training and technical assistance programs: *Provided fur-*
10 *ther*, That not to exceed \$30,000,000 of the amount ap-
11 propriated under this heading shall be for technical assist-
12 ance grants for rural water and waste systems pursuant
13 to section 306(a)(14) of such Act, unless the Secretary
14 makes a determination of extreme need, of which
15 \$8,000,000 shall be made available for a grant to a quali-
16 fied nonprofit multi-State regional technical assistance or-
17 ganization, with experience in working with small commu-
18 nities on water and waste water problems, the principal
19 purpose of such grant shall be to assist rural communities
20 with populations of 3,300 or less, in improving the plan-
21 ning, financing, development, operation, and management
22 of water and waste water systems, and of which not less
23 than \$800,000 shall be for a qualified national Native
24 American organization to provide technical assistance for
25 rural water systems for tribal communities: *Provided fur-*

1 *ther*, That not to exceed \$19,000,000 of the amount ap-
2 propriated under this heading shall be for contracting with
3 qualified national organizations for a circuit rider program
4 to provide technical assistance for rural water systems:
5 *Provided further*, That not to exceed \$4,000,000 shall be
6 for solid waste management grants: *Provided further*, That
7 \$10,000,000 of the amount appropriated under this head-
8 ing shall be transferred to, and merged with, the Rural
9 Utilities Service, High Energy Cost Grants Account to
10 provide grants authorized under section 19 of the Rural
11 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
12 *ther*, That any prior year balances for high-energy cost
13 grants authorized by section 19 of the Rural Electrifica-
14 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
15 and merged with the Rural Utilities Service, High Energy
16 Cost Grants Account: *Provided further*, That sections
17 381E–H and 381N of the Consolidated Farm and Rural
18 Development Act are not applicable to the funds made
19 available under this heading.

20 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

21 LOANS PROGRAM ACCOUNT

22 (INCLUDING TRANSFER OF FUNDS)

23 The principal amount of direct and guaranteed loans
24 as authorized by sections 305, 306, and 317 of the Rural
25 Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)

1 shall be made as follows: loans made pursuant to sections
2 305, 306, and 317, notwithstanding 317(c), of that Act,
3 rural electric, \$5,500,000,000; guaranteed underwriting
4 loans pursuant to section 313A, \$750,000,000; 5 percent
5 rural telecommunications loans, cost of money rural tele-
6 communications loans, and for loans made pursuant to
7 section 306 of that Act, rural telecommunications loans,
8 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall
9 be used for the construction, acquisition, design and engi-
10 neering or improvement of fossil-fueled electric generating
11 plants (whether new or existing) that utilize carbon sub-
12 surface utilization and storage systems.

13 For the cost of direct loans as authorized by section
14 305 of the Rural Electrification Act of 1936 (7 U.S.C.
15 935), including the cost of modifying loans, as defined in
16 section 502 of the Congressional Budget Act of 1974, cost
17 of money rural telecommunications loans, \$1,725,000.

18 In addition, for administrative expenses necessary to
19 carry out the direct and guaranteed loan programs,
20 \$33,270,000, which shall be transferred to and merged
21 with the appropriation for “Rural Development, Salaries
22 and Expenses”.

1 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
2 PROGRAM

3 For the principal amount of broadband telecommuni-
4 cation loans, \$29,851,000.

5 For grants for telemedicine and distance learning
6 services in rural areas, as authorized by 7 U.S.C. 950aaa
7 et seq., \$34,000,000, to remain available until expended:
8 *Provided*, That \$3,000,000 shall be made available for
9 grants authorized by 379G of the Consolidated Farm and
10 Rural Development Act: *Provided further*, That funding
11 provided under this heading for grants under 379G of the
12 Consolidated Farm and Rural Development Act may only
13 be provided to entities that meet all of the eligibility cri-
14 teria for a consortium as established by this section.

15 For the cost of broadband loans, as authorized by
16 section 601 of the Rural Electrification Act, \$5,830,000,
17 to remain available until expended: *Provided*, That the
18 cost of direct loans shall be as defined in section 502 of
19 the Congressional Budget Act of 1974.

20 In addition, \$30,000,000, to remain available until
21 expended, for a grant program to finance broadband
22 transmission in rural areas eligible for Distance Learning
23 and Telemedicine Program benefits authorized by 7
24 U.S.C. 950aaa.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$800,000: *Provided*, That funds made available by this
8 Act to an agency in the Food, Nutrition and Consumer
9 Services mission area for salaries and expenses are avail-
10 able to fund up to one administrative support staff for
11 the Office.

12 FOOD AND NUTRITION SERVICE
13 CHILD NUTRITION PROGRAMS
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.
16 Russell National School Lunch Act (42 U.S.C. 1751 et
17 seq.), except section 21, and the Child Nutrition Act of
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19 21; \$23,140,781,000 to remain available through Sep-
20 tember 30, 2020, of which such sums as are made avail-
21 able under section 14222(b)(1) of the Food, Conservation,
22 and Energy Act of 2008 (Public Law 110–246), as
23 amended by this Act, shall be merged with and available
24 for the same time period and purposes as provided herein:
25 *Provided*, That of the total amount available, \$17,004,000

1 shall be available to carry out section 19 of the Child Nu-
2 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
3 *further*, That of the total amount available, \$30,000,000
4 shall be available to provide competitive grants to State
5 agencies for subgrants to local educational agencies and
6 schools to purchase the equipment, with a value of greater
7 than \$1,000, needed to serve healthier meals, improve food
8 safety, and to help support the establishment, mainte-
9 nance, or expansion of the school breakfast program: *Pro-*
10 *vided further*, That of the total amount available,
11 \$28,000,000 shall remain available until expended to carry
12 out section 749(g) of the Agriculture Appropriations Act
13 of 2010 (Public Law 111–80): *Provided further*, That sec-
14 tion 26(d) of the Richard B. Russell National School
15 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
16 sentence by striking “2010 through 2018” and inserting
17 “2010 through 2019”: *Provided further*, That section
18 9(h)(3) of the Richard B. Russell National School Lunch
19 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
20 tence by striking “For fiscal year 2018” and inserting
21 “For fiscal year 2019”: *Provided further*, That section
22 9(h)(4) of the Richard B. Russell National School Lunch
23 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
24 tence by striking “For fiscal year 2018” and inserting
25 “For fiscal year 2019”.

1 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
2 WOMEN, INFANTS, AND CHILDREN (WIC)

3 For necessary expenses to carry out the special sup-
4 plemental nutrition program as authorized by section 17
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6 \$6,075,000,000, to remain available through September
7 30, 2020: *Provided*, That notwithstanding section
8 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
9 1786(h)(10)), not less than \$60,000,000 shall be used for
10 breastfeeding peer counselors and other related activities,
11 and \$19,000,000 shall be used for infrastructure, of which
12 \$5,000,000 shall be for telehealth competitive grants to
13 supplement the nutrition education and breastfeeding sup-
14 port offered in the WIC clinic, and to decrease barriers
15 to access to WIC services, particularly in rural commu-
16 nities, and other populations facing barriers to accessing
17 support: *Provided further*, That none of the funds provided
18 in this account shall be available for the purchase of infant
19 formula except in accordance with the cost containment
20 and competitive bidding requirements specified in section
21 17 of such Act: *Provided further*, That none of the funds
22 provided shall be available for activities that are not fully
23 reimbursed by other Federal Government departments or
24 agencies unless authorized by section 17 of such Act: *Pro-*
25 *vided further*, That upon termination of a federally man-

1 dated vendor moratorium and subject to terms and condi-
2 tions established by the Secretary, the Secretary may
3 waive the requirement at 7 CFR 246.12(g)(6) at the re-
4 quest of a State agency.

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

6 For necessary expenses to carry out the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
8 \$73,476,921,000, of which \$3,000,000,000, to remain
9 available through December 31, 2020, shall be placed in
10 reserve for use only in such amounts and at such times
11 as may become necessary to carry out program operations:
12 *Provided*, That funds provided herein shall be expended
13 in accordance with section 16 of the Food and Nutrition
14 Act of 2008: *Provided further*, That of the funds made
15 available under this heading, \$998,000 may be used to
16 provide nutrition education services to State agencies and
17 Federally Recognized Tribes participating in the Food
18 Distribution Program on Indian Reservations: *Provided*
19 *further*, That this appropriation shall be subject to any
20 work registration or workfare requirements as may be re-
21 quired by law: *Provided further*, That funds made available
22 for Employment and Training under this heading shall re-
23 main available through September 30, 2020: *Provided fur-*
24 *ther*, That funds made available under this heading for
25 section 28(d)(1), section 4(b), and section 27(a) of the

1 Food and Nutrition Act of 2008 shall remain available
2 through September 30, 2020: *Provided further*, That none
3 of the funds made available under this heading may be
4 obligated or expended in contravention of section 213A of
5 the Immigration and Nationality Act (8 U.S.C. 1183A):
6 *Provided further*, That funds made available under this
7 heading may be used to enter into contracts and employ
8 staff to conduct studies, evaluations, or to conduct activi-
9 ties related to program integrity provided that such activi-
10 ties are authorized by the Food and Nutrition Act of 2008.

11 COMMODITY ASSISTANCE PROGRAM

12 For necessary expenses to carry out disaster assist-
13 ance and the Commodity Supplemental Food Program as
14 authorized by section 4(a) of the Agriculture and Con-
15 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
16 Emergency Food Assistance Act of 1983; special assist-
17 ance for the nuclear affected islands, as authorized by sec-
18 tion 103(f)(2) of the Compact of Free Association Amend-
19 ments Act of 2003 (Public Law 108–188); and the Farm-
20 ers’ Market Nutrition Program, as authorized by section
21 17(m) of the Child Nutrition Act of 1966, \$322,139,000,
22 to remain available through September 30, 2020: *Pro-*
23 *vided*, That none of these funds shall be available to reim-
24 burse the Commodity Credit Corporation for commodities
25 donated to the program: *Provided further*, That notwith-

1 standing any other provision of law, effective with funds
2 made available in fiscal year 2019 to support the Seniors
3 Farmers' Market Nutrition Program, as authorized by
4 section 4402 of the Farm Security and Rural Investment
5 Act of 2002, such funds shall remain available through
6 September 30, 2020: *Provided further*, That of the funds
7 made available under section 27(a) of the Food and Nutri-
8 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
9 use up to 15 percent for costs associated with the distribu-
10 tion of commodities: *Provided further*, That \$30,000,000
11 of prior year unobligated balances of the Commodity Sup-
12 plemental Food Program shall be transferred to The
13 Emergency Food Assistance Program to be used for ad-
14 ministrative expenses.

15 NUTRITION PROGRAMS ADMINISTRATION

16 For necessary administrative expenses of the Food
17 and Nutrition Service for carrying out any domestic nutri-
18 tion assistance program, \$164,688,000, of which
19 \$12,297,000 shall remain available through September
20 30, 2021, for the development and dissemination of the
21 Dietary Guidelines for Americans: *Provided*, That of the
22 funds provided herein, \$2,000,000 shall be used for the
23 purposes of section 4404 of Public Law 107–171, as
24 amended by section 4401 of Public Law 110–246.

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1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
5 FOREIGN AGRICULTURAL AFFAIRS

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

13 OFFICE OF CODEX ALIMENTARIUS

14 For necessary expenses of the Office of Codex
15 Alimentarius, \$3,976,000, including not to exceed
16 \$40,000 for official reception and representation expenses.

17 FOREIGN AGRICULTURAL SERVICE

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses of the Foreign Agricultural
21 Service, including not to exceed \$250,000 for representa-
22 tion allowances and for expenses pursuant to section 8 of
23 the Act approved August 3, 1956 (7 U.S.C. 1766),
24 \$213,890,000, of which no more than 6 percent shall re-
25 main available until September 30, 2020, for overseas op-

1 erations to include the payment of locally employed staff:
2 *Provided*, That the Service may utilize advances of funds,
3 or reimburse this appropriation for expenditures made on
4 behalf of Federal agencies, public and private organiza-
5 tions and institutions under agreements executed pursu-
6 ant to the agricultural food production assistance pro-
7 grams (7 U.S.C. 1737) and the foreign assistance pro-
8 grams of the United States Agency for International De-
9 velopment: *Provided further*, That funds made available
10 for middle-income country training programs, funds made
11 available for the Borlaug International Agricultural
12 Science and Technology Fellowship program, and up to
13 \$2,000,000 of the Foreign Agricultural Service appropria-
14 tion solely for the purpose of offsetting fluctuations in
15 international currency exchange rates, subject to docu-
16 mentation by the Foreign Agricultural Service, shall re-
17 main available until expended.

18 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
19 FOR PROGRESS PROGRAM ACCOUNT
20 (INCLUDING TRANSFER OF FUNDS)

21 For administrative expenses to carry out the credit
22 program of title I, Food for Peace Act (Public Law 83-
23 480) and the Food for Progress Act of 1985, \$142,000,
24 shall be transferred to and merged with the appropriation
25 for “Farm Service Agency, Salaries and Expenses”.

1 FOOD FOR PEACE TITLE II GRANTS

2 For expenses during the current fiscal year, not oth-
3 erwise recoverable, and unrecovered prior years' costs, in-
4 cluding interest thereon, under the Food for Peace Act
5 (Public Law 83-480), for commodities supplied in connec-
6 tion with dispositions abroad under title II of said Act,
7 \$1,500,000,000, to remain available until expended.

8 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
9 AND CHILD NUTRITION PROGRAM GRANTS

10 For necessary expenses to carry out the provisions
11 of section 3107 of the Farm Security and Rural Invest-
12 ment Act of 2002 (7 U.S.C. 1736o-1), \$210,255,000, to
13 remain available until expended, of which \$1,000,000 is
14 for the use of recently developed potable water tech-
15 nologies in school feeding projects: *Provided*, That the
16 Commodity Credit Corporation is authorized to provide
17 the services, facilities, and authorities for the purpose of
18 implementing such section, subject to reimbursement from
19 amounts provided herein: *Provided further*, That of the
20 amount made available under this heading, \$15,000,000,
21 shall remain available until expended for necessary ex-
22 penses to carry out the provisions of section 3207 of the
23 Agricultural Act of 2014 (7 U.S.C. 1726c).

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, \$8,845,000; 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 \$2,463,000 shall be trans-
13 ferred to and merged with the appropriation for "Farm
14 Service Agency, Salaries and Expenses".

1 TITLE VI
2 RELATED AGENCY AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 FOOD AND DRUG ADMINISTRATION
6 SALARIES AND EXPENSES

7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; in addition to
14 amounts appropriated to the FDA Innovation Account, for
15 carrying out the activities described in section 1002(b)(4)
16 of the 21st Century Cures Act (Public Law 114–255); for
17 miscellaneous and emergency expenses of enforcement ac-
18 tivities, authorized and approved by the Secretary and to
19 be accounted for solely on the Secretary’s certificate, not
20 to exceed \$25,000; and notwithstanding section 521 of
21 Public Law 107–188; \$5,584,965,000: *Provided*, That of
22 the amount provided under this heading, \$1,010,323,000
23 shall be derived from prescription drug user fees author-
24 ized by 21 U.S.C. 379h, and shall be credited to this ac-
25 count and remain available until expended; \$204,730,000

1 shall be derived from medical device user fees authorized
2 by 21 U.S.C. 379j, and shall be credited to this account
3 and remain available until expended; \$501,721,000 shall
4 be derived from human generic drug user fees authorized
5 by 21 U.S.C. 379j-42, and shall be credited to this ac-
6 count and remain available until expended; \$38,847,000
7 shall be derived from biosimilar biological product user
8 fees authorized by 21 U.S.C. 379j-52, and shall be cred-
9 ited to this account and remain available until expended;
10 \$30,331,000 shall be derived from animal drug user fees
11 authorized by 21 U.S.C. 379j-12, and shall be credited
12 to this account and remain available until expended;
13 \$18,335,000 shall be derived from generic new animal
14 drug user fees authorized by 21 U.S.C. 379j-21, and shall
15 be credited to this account and remain available until ex-
16 pended; \$712,000,000 shall be derived from tobacco prod-
17 uct user fees authorized by 21 U.S.C. 387s, and shall be
18 credited to this account and remain available until ex-
19 pended: *Provided further*, That in addition to and notwith-
20 standing any other provision under this heading, amounts
21 collected for prescription drug user fees, medical device
22 user fees, human generic drug user fees, biosimilar biologi-
23 cal product user fees, animal drug user fees, and generic
24 new animal drug user fees that exceed the respective fiscal
25 year 2019 limitations are appropriated and shall be cred-

1 ited to this account and remain available until expended:
2 *Provided further*, That fees derived from prescription drug,
3 medical device, human generic drug, biosimilar biological
4 product, animal drug, and generic new animal drug as-
5 sessments for fiscal year 2019, including any such fees
6 collected prior to fiscal year 2019 but credited for fiscal
7 year 2019, shall be subject to the fiscal year 2019 limita-
8 tions: *Provided further*, That the Secretary may accept
9 payment during fiscal year 2019 of user fees specified
10 under this heading and authorized for fiscal year 2020,
11 prior to the due date for such fees, and that amounts of
12 such fees assessed for fiscal year 2020 for which the Sec-
13 retary accepts payment in fiscal year 2019 shall not be
14 included in amounts under this heading: *Provided further*,
15 That none of these funds shall be used to develop, estab-
16 lish, or operate any program of user fees authorized by
17 31 U.S.C. 9701: *Provided further*, That of the total
18 amount appropriated: (1) \$1,059,980,000 shall be for the
19 Center for Food Safety and Applied Nutrition and related
20 field activities in the Office of Regulatory Affairs, of which
21 no less than \$15,000,000 shall be used for inspections of
22 foreign seafood manufacturers and field examinations of
23 imported seafood; (2) \$1,879,927,000 shall be for the
24 Center for Drug Evaluation and Research and related
25 field activities in the Office of Regulatory Affairs; (3)

1 \$402,144,000 shall be for the Center for Biologics Evalua-
2 tion and Research and for related field activities in the
3 Office of Regulatory Affairs; (4) \$223,611,000 shall be
4 for the Center for Veterinary Medicine and for related
5 field activities in the Office of Regulatory Affairs; (5)
6 \$556,179,000 shall be for the Center for Devices and Ra-
7 diological Health and for related field activities in the Of-
8 fice of Regulatory Affairs; (6) \$66,712,000 shall be for
9 the National Center for Toxicological Research; (7)
10 \$666,832,000 shall be for the Center for Tobacco Prod-
11 ucts and for related field activities in the Office of Regu-
12 latory Affairs; (8) \$173,847,000 shall be for Rent and Re-
13 lated activities, of which \$50,587,000 is for White Oak
14 Consolidation, other than the amounts paid to the General
15 Services Administration for rent; (9) \$237,849,000 shall
16 be for payments to the General Services Administration
17 for rent; and (10) \$317,884,000 shall be for other activi-
18 ties, including the Office of the Commissioner of Food and
19 Drugs, the Office of Foods and Veterinary Medicine, the
20 Office of Medical and Tobacco Products, the Office of
21 Global and Regulatory Policy, the Office of Operations,
22 the Office of the Chief Scientist, and central services for
23 these offices: *Provided further*, That not to exceed \$25,000
24 of this amount shall be for official reception and represen-
25 tation expenses, not otherwise provided for, as determined

1 by the Commissioner: *Provided further*, That any transfer
2 of funds pursuant to section 770(n) of the Federal Food,
3 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
4 be from amounts made available under this heading for
5 other activities: *Provided further*, That of the amounts
6 that are made available under this heading for “other ac-
7 tivities”, and that are not derived from user fees,
8 \$1,500,000 shall be transferred to and merged with the
9 appropriation for “Department of Health and Human
10 Services—Office of Inspector General” for oversight of the
11 programs and operations of the Food and Drug Adminis-
12 tration and shall be in addition to funds otherwise made
13 available for oversight of the Food and Drug Administra-
14 tion: *Provided further*, That of the total amount made
15 available under this heading, \$3,000,000 shall be used by
16 the Commissioner of Food and Drugs, in coordination
17 with the Secretary of Agriculture, for consumer outreach
18 and education regarding agricultural biotechnology and
19 biotechnology-derived food products and animal feed, in-
20 cluding through publication and distribution of science-
21 based educational information on the environmental, nu-
22 tritional, food safety, economic, and humanitarian impacts
23 of such biotechnology, food products, and feed: *Provided*
24 *further*, That funds may be transferred from one specified

1 activity to another with the prior approval of the Commit-
2 tees on Appropriations of both Houses of Congress.

3 In addition, mammography user fees authorized by
4 42 U.S.C. 263b, export certification user fees authorized
5 by 21 U.S.C. 381, priority review user fees authorized by
6 21 U.S.C. 360n and 360ff, food and feed recall fees, food
7 reinspection fees, and voluntary qualified importer pro-
8 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
9 facility fees authorized by 21 U.S.C. 379j–62, prescription
10 drug wholesale distributor licensing and inspection fees
11 authorized by 21 U.S.C. 353(e)(3), third-party logistics
12 provider licensing and inspection fees authorized by 21
13 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
14 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
15 ority review voucher user fees authorized by 21 U.S.C.
16 360bbb–4a, and, contingent upon the enactment of the
17 Over-the-Counter Monograph User Fee Act of 2018, fees
18 relating to over-the-counter monograph drugs authorized
19 by part 10 of subchapter C of Chapter VII of the Federal
20 Food, Drug and Cosmetic Act shall be credited to this ac-
21 count, to remain available until expended.

22 BUILDINGS AND FACILITIES

23 For plans, construction, repair, improvement, exten-
24 sion, alteration, demolition, and purchase of fixed equip-
25 ment or facilities of or used by the Food and Drug Admin-

1 istration, where not otherwise provided, \$11,788,000, to
2 remain available until expended.

3 FDA INNOVATION ACCOUNT, CURES ACT
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to carry out the purposes de-
6 scribed under section 1002(b)(4) of the 21st Century
7 Cures Act, in addition to amounts available for such pur-
8 poses under the heading “Salaries and Expenses”,
9 \$70,000,000, to remain available until expended: *Pro-*
10 *vided*, That amounts appropriated in this paragraph are
11 appropriated pursuant to section 1002(b)(3) of the 21st
12 Century Cures Act, are to be derived from amounts trans-
13 ferred under section 1002(b)(2)(A) of such Act, and may
14 be transferred by the Commissioner of Food and Drugs
15 to the appropriation for “Department of Health and
16 Human Services Food and Drug Administration Salaries
17 and Expenses” solely for the purposes provided in such
18 Act: *Provided further*, That upon a determination by the
19 Commissioner that funds transferred pursuant to the pre-
20 vious proviso are not necessary for the purposes provided,
21 such amounts may be transferred back to the account:
22 *Provided further*, That such transfer authority is in addi-
23 tion to any other transfer authority provided by law.

1 INDEPENDENT AGENCY

2 FARM CREDIT ADMINISTRATION

3 LIMITATION ON ADMINISTRATIVE EXPENSES

4 Not to exceed \$74,600,000 (from assessments col-
5 lected from farm credit institutions, including the Federal
6 Agricultural Mortgage Corporation) shall be obligated
7 during the current fiscal year for administrative expenses
8 as authorized under 12 U.S.C. 2249: *Provided*, That this
9 limitation shall not apply to expenses associated with re-
10 ceiverships: *Provided further*, That the agency may exceed
11 this limitation by up to 10 percent with notification to the
12 Committees on Appropriations of both Houses of Con-
13 gress.

1

TITLE VII

2

GENERAL PROVISIONS

3

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

4

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

16

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to re-

1 main available until expended: *Provided*, That none of the
2 funds made available by this Act or any other Act shall
3 be transferred to the Working Capital Fund without the
4 prior approval of the agency administrator: *Provided fur-*
5 *ther*, That none of the funds transferred to the Working
6 Capital Fund pursuant to this section shall be available
7 for obligation without written notification to and the prior
8 approval of the Committees on Appropriations of both
9 Houses of Congress: *Provided further*, That none of the
10 funds appropriated by this Act or made available to the
11 Department's Working Capital Fund shall be available for
12 obligation or expenditure to make any changes to the De-
13 partment's National Finance Center without written noti-
14 fication to and prior approval of the Committees on Ap-
15 propriations of both Houses of Congress as required by
16 section 717 of this Act: *Provided further*, That none of
17 the funds appropriated by this Act or made available to
18 the Department's Working Capital Fund shall be available
19 for obligation or expenditure to initiate, plan, develop, im-
20 plement, or make any changes to remove or relocate any
21 systems, missions, or functions of the offices of the Chief
22 Financial Officer or any personnel from the National Fi-
23 nance Center prior to written notification to and prior ap-
24 proval of the Committee on Appropriations of both Houses
25 of Congress and in accordance with the requirements of

1 section 717 of this Act: *Provided further*, That the Sec-
2 retary of Agriculture and the offices of the Chief Financial
3 Officer shall actively market to existing and new Depart-
4 ments and other government agencies National Finance
5 Center shared services including, but not limited to, pay-
6 roll, financial management, and human capital shared
7 services and allow the National Finance Center to perform
8 technology upgrades: *Provided further*, That of annual in-
9 come amounts in the Working Capital Fund of the De-
10 partment of Agriculture attributable to the amounts in ex-
11 cess of the true costs of the shared services provided by
12 the National Finance Center and budgeted for the Na-
13 tional Finance Center, the Secretary shall reserve not
14 more than 4 percent for the replacement or acquisition
15 of capital equipment, including equipment for the improve-
16 ment, delivery, and implementation of financial, adminis-
17 trative, and information technology services, and other
18 systems of the National Finance Center or to pay any un-
19 foreseen, extraordinary cost of the National Finance Cen-
20 ter: *Provided further*, That none of the amounts reserved
21 shall be available for obligation unless the Secretary sub-
22 mits written notification of the obligation to the Commit-
23 tees on Appropriations of both Houses of Congress: *Pro-*
24 *vided further*, That the limitations on the obligation of
25 funds pending notification to Congressional Committees

1 shall not apply to any obligation that, as determined by
2 the Secretary, is necessary to respond to a declared state
3 of emergency that significantly impacts the operations of
4 the National Finance Center; or to evacuate employees of
5 the National Finance Center to a safe haven to continue
6 operations of the National Finance Center.

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

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

22 SEC. 705. Appropriations to the Department of Agri-
23 culture for the cost of direct and guaranteed loans made
24 available in the current fiscal year shall remain available
25 until expended to disburse obligations made in the current

1 fiscal year for the following accounts: the Rural Develop-
2 ment Loan Fund program account, the Rural Electrifica-
3 tion and Telecommunication Loans program account, and
4 the Rural Housing Insurance Fund program account.

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

1 projects, contracts, or other agreements up to \$250,000
2 based upon the performance of an agency measured
3 against the performance plan requirements described in
4 the explanatory statement accompanying Public Law 113–
5 235.

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

11 SEC. 708. Notwithstanding any other provision of
12 law, any former RUS borrower that has repaid or prepaid
13 an insured, direct or guaranteed loan under the Rural
14 Electrification Act of 1936, or any not-for-profit utility
15 that is eligible to receive an insured or direct loan under
16 such Act, shall be eligible for assistance under section
17 313(b)(2)(B) of such Act in the same manner as a bor-
18 rower under such Act.

19 SEC. 709. Except as otherwise specifically provided
20 by law, not more than \$20,000,000 in unobligated bal-
21 ances from appropriations made available for salaries and
22 expenses in this Act for the Farm Service Agency shall
23 remain available through September 30, 2020, for infor-
24 mation technology expenses: *Provided*, That except as oth-
25 erwise specifically provided by law, unobligated balances

1 from appropriations made available for salaries and ex-
2 penses in this Act for the Rural Development mission area
3 shall remain available through September 30, 2020, for
4 information technology expenses.

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

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

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

24 (2) the use of such funds for such purpose shall
25 not be considered to be a fund transfer or allotment

1 for purposes of applying the limitation on the total
2 amount of allotments and fund transfers contained
3 in such section.

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

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

24 SEC. 714. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

7 SEC. 715. Notwithstanding subsection (b) of section
8 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
9 section referred to as “section 14222”), none of the funds
10 appropriated or otherwise made available by this or any
11 other Act shall be used to pay the salaries and expenses
12 of personnel to carry out a program under section 32 of
13 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
14 referred to as “section 32”) in excess of \$1,299,600,000
15 (exclusive of carryover appropriations from prior fiscal
16 years), as follows: Child Nutrition Programs Entitlement
17 Commodities—\$485,000,000; State Option Contracts—
18 \$5,000,000; Removal of Defective Commodities—
19 \$2,500,000; Administration of Section 32 Commodity
20 Purchases—\$35,853,000: *Provided*, That of the total
21 funds made available in the matter preceding this proviso
22 that remain unobligated on October 1, 2019, such unobli-
23 gated balances shall carryover into fiscal year 2020 and
24 shall remain available until expended for any of the pur-
25 poses of section 32, except that any such carryover funds

1 used in accordance with clause (3) of section 32 may not
2 exceed \$350,000,000 and may not be obligated until the
3 Secretary of Agriculture provides written notification of
4 the expenditures to the Committees on Appropriations of
5 both Houses of Congress at least two weeks in advance:
6 *Provided further*, That, with the exception of any available
7 carryover funds authorized in any prior appropriations Act
8 to be used for the purposes of clause (3) of section 32,
9 none of the funds appropriated or otherwise made avail-
10 able by this or any other Act shall be used to pay the
11 salaries or expenses of any employee of the Department
12 of Agriculture to carry out clause (3) of section 32.

13 SEC. 716. None of the funds appropriated by this or
14 any other Act shall be used to pay the salaries and ex-
15 penses of personnel who prepare or submit appropriations
16 language as part of the President's budget submission to
17 the Congress for programs under the jurisdiction of the
18 Appropriations Subcommittees on Agriculture, Rural De-
19 velopment, Food and Drug Administration, and Related
20 Agencies that assumes revenues or reflects a reduction
21 from the previous year due to user fees proposals that
22 have not been enacted into law prior to the submission
23 of the budget unless such budget submission identifies
24 which additional spending reductions should occur in the
25 event the user fees proposals are not enacted prior to the

1 date of the convening of a committee of conference for
2 the fiscal year 2020 appropriations Act.

3 SEC. 717. (a) None of the funds provided by this Act,
4 or provided by previous appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or 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 obligation or expenditure through a re-
10 programming, transfer of funds, or reimbursements as au-
11 thorized by the Economy Act, or in the case of the Depart-
12 ment of Agriculture, through use of the authority provided
13 by section 702(b) of the Department of Agriculture Or-
14 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
15 Law 89–106 (7 U.S.C. 2263), that—

16 (1) creates new programs;

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

18 (3) increases funds or personnel by any means
19 for any project or activity for which funds have been
20 denied or restricted;

21 (4) relocates an office or employees;

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

23 or

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

1 unless the Secretary of Agriculture, or the Secretary of
2 Health and Human Services (as the case may be) notifies
3 in writing and receives approval from the Committees on
4 Appropriations of both Houses of Congress at least 30
5 days in advance of the reprogramming of such funds or
6 the use of such authority.

7 (b) None of the funds provided by this Act, or pro-
8 vided by previous Appropriations Acts to the agencies
9 funded by this Act that remain available for obligation or
10 expenditure in the current fiscal year, or provided from
11 any accounts in the Treasury derived by the collection of
12 fees available to the agencies funded by this Act, shall be
13 available for obligation or expenditure for activities, pro-
14 grams, or projects through a reprogramming or use of the
15 authorities referred to in subsection (a) involving funds
16 in excess of \$500,000 or 10 percent, whichever is less,
17 that—

18 (1) augments existing programs, projects, or ac-
19 tivities;

20 (2) reduces by 10 percent funding for any exist-
21 ing program, project, or activity, or numbers of per-
22 sonnel by 10 percent as approved by Congress; or

23 (3) results from any general savings from a re-
24 duction in personnel which would result in a change
25 in existing programs, activities, or projects as ap-

1 proved by Congress; unless the Secretary of Agri-
2 culture or the Secretary of Health and Human Serv-
3 ices (as the case may be) notifies in writing and re-
4 ceives approval from the Committees on Appropria-
5 tions of both Houses of Congress at least 30 days
6 in advance of the reprogramming or transfer of such
7 funds or the use of such authority.

8 (c) The Secretary of Agriculture or the Secretary of
9 Health and Human Services shall notify in writing and
10 receive approval from the Committees on Appropriations
11 of both Houses of Congress before implementing any pro-
12 gram or activity not carried out during the previous fiscal
13 year unless the program or activity is funded by this Act
14 or specifically funded by any other Act.

15 (d) None of the funds provided by this Act, or pro-
16 vided by previous Appropriations Acts to the agencies
17 funded by this Act that remain available for obligation or
18 expenditure in the current fiscal year, or provided from
19 any accounts in the Treasury derived by the collection of
20 fees available to the agencies funded by this Act, shall be
21 available for—

22 (1) modifying major capital investments fund-
23 ing levels, including information technology systems,
24 that involves increasing or decreasing funds in the
25 current fiscal year for the individual investment in

1 excess of \$500,000 or 10 percent of the total cost,
2 whichever is less;

3 (2) realigning or reorganizing new, current, or
4 vacant positions or agency activities or functions to
5 establish a center, office, branch, or similar entity
6 with five or more personnel; or

7 (3) carrying out activities or functions that
8 were not described in the budget request; unless the
9 agencies funded by this Act notify, in writing, the
10 Committees on Appropriations of both Houses of
11 Congress at least 30 days in advance of using the
12 funds for these purposes.

13 (e) As described in this section, no funds may be used
14 for any activities unless the Secretary of Agriculture or
15 the Secretary of Health and Human Services receives from
16 the Committee on Appropriations of both Houses of Con-
17 gress written or electronic mail confirmation of receipt of
18 the notification as required in this section.

19 SEC. 718. Notwithstanding section 310B(g)(5) of the
20 Consolidated Farm and Rural Development Act (7 U.S.C.
21 1932(g)(5)), the Secretary may assess a one-time fee for
22 any guaranteed business and industry loan in an amount
23 that does not exceed 3 percent of the guaranteed principal
24 portion of the loan.

1 SEC. 719. None of the funds appropriated or other-
2 wise made available to the Department of Agriculture, the
3 Food and Drug Administration, or the Farm Credit Ad-
4 ministration shall be used to transmit or otherwise make
5 available reports, questions, or responses to questions that
6 are a result of information requested for the appropria-
7 tions hearing process to any non-Department of Agri-
8 culture, non-Department of Health and Human Services,
9 or non-Farm Credit Administration employee.

10 SEC. 720. Unless otherwise authorized by existing
11 law, none of the funds provided in this Act, may be used
12 by an executive branch agency to produce any pre-
13 packaged news story intended for broadcast or distribution
14 in the United States unless the story includes a clear noti-
15 fication within the text or audio of the prepackaged news
16 story that the prepackaged news story was prepared or
17 funded by that executive branch agency.

18 SEC. 721. No employee of the Department of Agri-
19 culture may be detailed or assigned from an agency or
20 office funded by this Act or any other Act to any other
21 agency or office of the Department for more than 60 days
22 in a fiscal year unless the individual's employing agency
23 or office is fully reimbursed by the receiving agency or
24 office for the salary and expenses of the employee for the
25 period of assignment.

1 SEC. 722. For the purposes of determining eligibility
2 or level of program assistance for Rural Development pro-
3 grams the Secretary shall not include incarcerated prison
4 populations.

5 SEC. 723. Not later than 30 days after the date of
6 enactment of this Act, the Secretary of Agriculture, the
7 Commissioner of the Food and Drug Administration, and
8 the Chairman of the Farm Credit Administration shall
9 submit to the Committees on Appropriations of both
10 Houses of Congress a detailed spending plan by program,
11 project, and activity for all the funds made available under
12 this Act including appropriated user fees, as defined in
13 the joint explanatory statement accompanying this Act.

14 SEC. 724. Of the unobligated balances from amounts
15 made available for the supplemental nutrition program as
16 authorized by section 17 of the Child Nutrition Act of
17 1966 (42 U.S.C. 1786), \$500,000,000 are hereby re-
18 scinded.

19 SEC. 725. The Secretary shall continue an inter-
20 mediary loan packaging program based on the pilot pro-
21 gram in effect for fiscal year 2013 for packaging and re-
22 viewing section 502 single family direct loans. The Sec-
23 retary shall continue agreements with current inter-
24 mediary organizations and with additional qualified inter-
25 mediary organizations. The Secretary shall work with

1 these organizations to increase effectiveness of the section
2 502 single family direct loan program in rural commu-
3 nities and shall set aside and make available from the na-
4 tional reserve section 502 loans an amount necessary to
5 support the work of such intermediaries and provide a pri-
6 ority for review of such loans.

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

16 SEC. 727. None of the credit card refunds or rebates
17 transferred to the Working Capital Fund pursuant to sec-
18 tion 729 of the Agriculture, Rural Development, Food and
19 Drug Administration, and Related Agencies Appropria-
20 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76)
21 shall be available for obligation without written notifica-
22 tion to, and the prior approval of, the Committees on Ap-
23 propriations of both Houses of Congress: *Provided*, That
24 the refunds or rebates so transferred shall be available for
25 obligation only for the acquisition of plant and capital

1 equipment necessary for the delivery of financial, adminis-
2 trative, and information technology services of primary
3 benefit to the agencies of the Department of Agriculture.

4 SEC. 728. None of the funds made available by this
5 Act may be used to implement, administer, or enforce the
6 “variety” requirements of the final rule entitled “Enhanc-
7 ing Retailer Standards in the Supplemental Nutrition As-
8 sistance Program (SNAP)” published by the Department
9 of Agriculture in the Federal Register on December 15,
10 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
11 culture amends the definition of the term “variety” as de-
12 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
13 eral Regulations, and “variety” as applied in the definition
14 of the term “staple food” as defined in section 271.2 of
15 title 7, Code of Federal Regulations, to increase the num-
16 ber of items that qualify as acceptable varieties in each
17 staple food category so that the total number of such items
18 in each staple food category exceeds the number of such
19 items in each staple food category included in the final
20 rule as published on December 15, 2016: *Provided*, That
21 until the Secretary promulgates such regulatory amend-
22 ments, the Secretary shall apply the requirements regard-
23 ing acceptable varieties and breadth of stock to Supple-
24 mental Nutrition Assistance Program retailers that were

1 in effect on the day before the date of the enactment of
2 the Agricultural Act of 2014 (Public Law 113–79).

3 SEC. 729. None of the funds made available by this
4 Act or any other Act may be used—

5 (1) in contravention of section 7606 of the Ag-
6 ricultural Act of 2014 (7 U.S.C. 5940); or

7 (2) to prohibit the transportation, processing,
8 sale, or use of industrial hemp, or seeds of such
9 plant, that is grown or cultivated in accordance with
10 subsection section 7606 of the Agricultural Act of
11 2014, within or outside the State in which the indus-
12 trial hemp is grown or cultivated.

13 SEC. 730. Funds provided by this or any prior Appro-
14 priations Act for the Agriculture and Food Research Ini-
15 tiative under 7 U.S.C. 450i(b) shall be made available
16 without regard to section 7128 of the Agricultural Act of
17 2014 (7 U.S.C. 3371 note), under the matching require-
18 ments in laws in effect on the date before the date of en-
19 actment of such section: *Provided*, That the requirements
20 of 7 U.S.C. 450i(b)(9) shall continue to apply.

21 SEC. 731. In carrying out subsection (h) of section
22 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
23 Secretary of Agriculture shall have the same authority
24 with respect to loans guaranteed under such section and
25 eligible lenders for such loans as the Secretary has under

1 subsections (h) and (j) of section 538 of such Act (42
2 U.S.C. 1490p-2) with respect to loans guaranteed under
3 such section 538 and eligible lenders for such loans.

4 SEC. 732. None of the funds made available by this
5 Act may be used to propose, promulgate, or implement
6 any rule, or take any other action with respect to, allowing
7 or requiring information intended for a prescribing health
8 care professional, in the case of a drug or biological prod-
9 uct subject to section 503(b)(1) of the Federal Food,
10 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
11 tributed to such professional electronically (in lieu of in
12 paper form) unless and until a Federal law is enacted to
13 allow or require such distribution.

14 SEC. 733. None of the funds made available by this
15 Act may be used to notify a sponsor or otherwise acknowl-
16 edge receipt of a submission for an exemption for inves-
17 tigational use of a drug or biological product under section
18 505(i) of the Federal Food, Drug, and Cosmetic Act (21
19 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
20 Service Act (42 U.S.C. 262(a)(3)) in research in which
21 a human embryo is intentionally created or modified to
22 include a heritable genetic modification. Any such submis-
23 sion shall be deemed to have not been received by the Sec-
24 retary, and the exemption may not go into effect.

1 SEC. 734. None of the funds made available by this
2 or any other Act may be used to carry out the final rule
3 promulgated by the Food and Drug Administration and
4 put into effect November 16, 2015, in regards to the haz-
5 ard analysis and risk-based preventive control require-
6 ments of the current good manufacturing practice, hazard
7 analysis, and risk-based preventive controls for food for
8 animals rule with respect to the regulation of the produc-
9 tion, distribution, sale, or receipt of dried spent grain by-
10 products of the alcoholic beverage production process.

11 SEC. 735. Hereafter, notwithstanding 5 U.S.C.5315,
12 the Administrator for Rural Utilities Service, U.S. De-
13 partment of Agriculture, shall receive basic pay at a rate
14 not to exceed the maximum amount of compensation pay-
15 able to a member of the Senior Executive Service under
16 subsection (b) of section 5382 of title 5 United States
17 Code, except that the certification requirement in that
18 subsection shall not apply to the compensation of the Ad-
19 ministrator.

20 SEC. 736. Funds made available under title II of the
21 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
22 used to provide assistance to recipient nations if adequate
23 monitoring and controls, as determined by the Adminis-
24 trator, are in place to ensure that emergency food aid is
25 received by the intended beneficiaries in areas affected by

1 food shortages and not diverted for unauthorized or inap-
2 propriate purposes.

3 SEC. 737. 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 2019, 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. 738. There is hereby appropriated \$10,000,000,
15 to remain available until expended, to carry out section
16 6407 of the Farm Security and Rural Investment Act of
17 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may
18 allow eligible entities, or comparable entities that provide
19 energy efficiency services using their own billing mecha-
20 nism to offer loans to customers in any part of their serv-
21 ice territory and to offer loans to replace a manufactured
22 housing unit with another manufactured housing unit, if
23 replacement would be more cost effective in saving energy.

24 SEC. 739. (a) The Secretary of Agriculture shall—

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

4 (A) veterinary control and oversight;

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

7 (C) livestock demographics and
8 traceability;

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

11 (E) surveillance practices;

12 (F) diagnostic laboratory capabilities; and

13 (G) emergency preparedness and response;
14 and

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

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

21 SEC. 740. No food that bears or contains partially
22 hydrogenated oils (as defined in the order published by
23 the Food and Drug Administration in the Federal Reg-
24 ister on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall
25 be considered to be adulterated within the meaning of sub-

1 section (a)(1) or (a)(2)(C)(i) of section 402 of the Federal
2 Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because
3 such food contains such partially hydrogenated oils until
4 the applicable compliance dates specified by FDA in the
5 Federal Register on May 21, 2018 (83 Fed. Reg. 23358
6 et seq.).

7 SEC. 741. For fiscal years 2019 through 2025, the
8 Administrators of the Agricultural Research Service and
9 the Animal and Plant Health Inspection Service may
10 make not to exceed 50 appointments in any fiscal year
11 for employees of such agencies at the National Bio- and
12 Agro-defense Facility (NBAF) in Manhattan, Kansas:
13 *Provided*, That such appointments may be made in the
14 manner provided by 7 U.S.C. 7657(b)(4)(A)(i-v): *Pro-*
15 *vided further*, That such appointments may be made at
16 a rate of basic pay that exceeds the rate payable for such
17 positions under the General Schedule or other applicable
18 schedule, as appropriate, but may not be more than the
19 rate payable for a position at level I of the Executive
20 Schedule, unless the rate is approved by the President
21 under section 5377(d)(2) of title 5.

22 SEC. 742. There is hereby appropriated \$1,000,000
23 for the Secretary to carry out a pilot program that pro-
24 vides forestry inventory analysis, forest management and
25 economic outcomes modelling for certain currently en-

1 rolled Conservation Reserve Program participants. The
2 Secretary shall allow the Commodity Credit Corporation
3 to enter into agreements with and provide grants to quali-
4 fied non-profit organizations dedicated to conservation,
5 forestry and wildlife habitats, that also have experience in
6 conducting accurate forest inventory analysis through the
7 use of advanced, cost-effective technology. The Secretary
8 shall focus the analysis on lands enrolled for at least eight
9 years and located in areas with a substantial concentration
10 of acres enrolled under conservation practices devoted to
11 multiple bottomland hardwood tree species including
12 CP03, CP03A, CP11, CP22, CP31 and CP40.

13 SEC. 743. In addition to amounts otherwise made
14 available by this Act and notwithstanding the last sentence
15 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
16 remain available until expended, to implement non-renew-
17 able agreements on eligible lands, including flooded agri-
18 cultural lands, as determined by the Secretary, under the
19 Water Bank Act (16 U.S.C. 1301–1311).

20 SEC. 744. There is hereby appropriated \$1,996,000
21 to carry out section 1621 of Public Law 110–246.

22 SEC. 745. None of the funds made available by this
23 Act may be used to carry out any activities or incur any
24 expense related to the issuance of licenses under section
25 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-

1 newal of such licenses, to class B dealers who sell dogs
2 and cats for use in research, experiments, teaching, or
3 testing.

4 SEC. 746. There is appropriated \$6,000,000 to the
5 Commodity Credit Corporation, in addition to amounts
6 otherwise made available, for section 1110(f)(3) of the
7 Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).

8 SEC. 747. (a)(1) No Federal funds made available for
9 this fiscal year for the rural water, waste water, waste dis-
10 posal, and solid waste management programs authorized
11 by sections 306, 306A, 306C, 306D, 306E, and 310B of
12 the Consolidated Farm and Rural Development Act (7
13 U.S.C. 1926 et seq.) shall be used for a project for the
14 construction, alteration, maintenance, or repair of a public
15 water or wastewater system unless all of the iron and steel
16 products used in the project are produced in the United
17 States.

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

24 (b) Subsection (a) shall not apply in any case or cat-
25 egory of cases in which the Secretary of Agriculture (in

1 this section referred to as the “Secretary”) or the designee
2 of the Secretary finds that—

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

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

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

11 (c) If the Secretary or the designee receives a request
12 for a waiver under this section, the Secretary or the des-
13 ignee shall make available to the public on an informal
14 basis a copy of the request and information available to
15 the Secretary or the designee concerning the request, and
16 shall allow for informal public input on the request for
17 at least 15 days prior to making a finding based on the
18 request. The Secretary or the designee shall make the re-
19 quest and accompanying information available by elec-
20 tronic means, including on the official public Internet Web
21 site of the Department.

22 (d) This section shall be applied in a manner con-
23 sistent with United States obligations under international
24 agreements.

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

7 (f) Subsection (a) shall not apply with respect to a
8 project for which the engineering plans and specifications
9 include use of iron and steel products otherwise prohibited
10 by such subsection if the plans and specifications have re-
11 ceived required approvals from State agencies prior to the
12 date of enactment of this Act.

13 (g) For purposes of this section, the terms “United
14 States” and “State” shall include each of the several
15 States, the District of Columbia, and each federally recog-
16 nized Indian tribe.

17 SEC. 748. The Secretary shall set aside for Rural
18 Economic Area Partnership (REAP) Zones, until August
19 15, 2019, an amount of funds made available in title III
20 under the headings of Rural Housing Insurance Fund
21 Program Account, Mutual and Self-Help Housing Grants,
22 Rural Housing Assistance Grants, Rural Community Fa-
23 cilities Program Account, Rural Business Program Ac-
24 count, Rural Development Loan Fund Program Account,
25 and Rural Water and Waste Disposal Program Account,

1 equal to the amount obligated in REAP Zones with re-
2 spect to funds provided under such headings in the most
3 recent fiscal year any such funds were obligated under
4 such headings for REAP Zones.

5 SEC. 749. There is hereby appropriated \$1,000,000,
6 to remain available until expended, for a pilot program
7 for the Secretary to provide grants to qualified non-profit
8 organizations and public housing authorities to provide
9 technical assistance, including financial and legal services,
10 to RHS multi-family housing borrowers to facilitate the
11 acquisition of RHS multi-family housing properties in
12 areas where the Secretary determines a risk of loss of af-
13 fordable housing, by non-profit housing organizations and
14 public housing authorities as authorized by law that com-
15 mit to keep such properties in the RHS multi-family hous-
16 ing program for a period of time as determined by the
17 Secretary.

18 SEC. 750. None of the funds appropriated by this Act
19 may be used in any way, directly or indirectly, to influence
20 congressional action on any legislation or appropriation
21 matters pending before Congress, other than to commu-
22 nicate to Members of Congress as described in 18 U.S.C.
23 1913.

24 SEC. 751. (a) The Secretary of Agriculture (referred
25 to in this section as the “Secretary”) shall carry out a

1 pilot program during fiscal year 2019 with respect to the
2 2018 crop year for county-level agriculture risk coverage
3 payments under section 1117(b)(1) of the Agricultural Act
4 of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some
5 of the State Farm Service Agency offices in each State
6 the opportunity to provide agricultural producers in the
7 State a supplemental payment described in subsection (c)
8 based on the alternate calculation method described in
9 subsection (b) for 1 or more counties in a State if the
10 office for that State determines that the alternate calcula-
11 tion method is necessary to ensure that, to the maximum
12 extent practicable, there are not significant yield calcula-
13 tion disparities between comparable counties in the State.

14 (b) The alternate calculation method referred to in
15 subsection (a) is a method of calculating the actual yield
16 for the 2018 crop year for county-level agriculture risk
17 coverage payments under section 1117(b)(1) of the Agri-
18 cultural Act of 2014 (7 U.S.C. 9017(b)(1)), under
19 which—

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

23 (2) if there is insufficient NASS data for a
24 county (as determined under standards of the Sec-
25 retary in effect as of the date of enactment of this

1 Act) or the available NASS data produces a sub-
2 stantially disparate result, the calculation of the
3 county yield is determined using comparable contig-
4 uous county NASS data as determined by the Farm
5 Service Agency office in the applicable State; and

6 (3) if there is insufficient NASS data for a
7 comparable contiguous county (as determined under
8 standards of the Secretary in effect as of the date
9 of enactment of this Act), the calculation of the
10 county yield is determined using reliable yield data
11 from other sources, such as Risk Management Agen-
12 cy data, National Agricultural Statistics Service dis-
13 trict data, National Agricultural Statistics Service
14 State yield data, or other data as determined by the
15 Farm Service Agency office in the applicable State.

16 (c)(1) A supplemental payment made under the pilot
17 program established under this section may be made to
18 an agricultural producer who is subject to the alternate
19 calculation method described in subsection (b) if that agri-
20 cultural producer would otherwise receive a county-level
21 agriculture risk coverage payment for the 2018 crop year
22 in an amount that is less than the payment that the agri-
23 cultural producer would receive under the alternate cal-
24 culation method.

1 (2) The amount of a supplemental payment to an ag-
2 ricultural producer under this section may not exceed the
3 difference between—

4 (A) the payment that the agricultural producer
5 would have received without the alternate calculation
6 method described in subsection (b); and

7 (B) the payment that the agricultural producer
8 would receive using the alternate calculation method.

9 (d)(1) There is appropriated to the Secretary, out of
10 funds of the Treasury not otherwise appropriated,
11 \$5,000,000, to remain available until September 30, 2020,
12 to carry out the pilot program described in this section.

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

16 (e)(1) To the maximum extent practicable, the Sec-
17 retary shall select States to participate in the pilot pro-
18 gram under this section so the cost of the pilot program
19 equals the amount provided under subsection (d).

20 (2) To the extent that the cost of the pilot program
21 exceeds the amount made available, the Secretary shall re-
22 duce all payments under the pilot program on a pro rata
23 basis.

24 (f) Nothing in this section affects the calculation of
25 actual yield for purposes of county-level agriculture risk

1 coverage payments under section 1117(b)(1) of the Agri-
2 cultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than
3 payments made in accordance with the pilot program
4 under this section.

5 (g) A calculation of actual yield made using the alter-
6 nate calculation method described in subsection (b) shall
7 not be used as a basis for any agriculture risk coverage
8 payment determinations under section 1117 of the Agri-
9 cultural Act of 2014 (7 U.S.C. 9017) other than for pur-
10 poses of the pilot program under this section.

11 SEC. 752. The Secretary of Agriculture and the Sec-
12 retary's designees are hereby granted the same access to
13 information and subject to the same requirements applica-
14 ble to the Secretary of Housing and Urban Development
15 as provided in section 453 of the Social Security Act (42
16 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
17 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
18 verify the income for individuals participating in sections
19 502, 504, 521, and 542 of the Housing Act of 1949 (42
20 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding
21 section 453(l)(1) of the Social Security Act.

22 SEC. 753. None of the funds made available by this
23 Act may be used to procure raw or processed poultry prod-
24 ucts imported into the United States from the People's
25 Republic of China for use in the school lunch program

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

8 SEC. 754. (a) Not later than 60 days after the date
9 of the enactment of this Act, the Secretary of Agriculture
10 and the Commissioner of Food and Drugs shall enter into
11 a formal agreement under which the responsibilities of the
12 two agencies for the regulation of cell-cultured food prod-
13 ucts derived from livestock and poultry are delineated as
14 follows:

15 (1) The Food and Drug Administration shall be
16 responsible for overseeing cell collection, cell banks,
17 and cell growth and differentiation.

18 (2) The Food and Drug Administration and the
19 Department of Agriculture shall effect the transition
20 from the Food and Drug Administration to the De-
21 partment of Agriculture of oversight authority dur-
22 ing the cell harvest stage.

23 (3) The Department of Agriculture shall be re-
24 sponsible for overseeing the processing, preparation,

1 packaging, and labeling of such food products, after
2 the oversight transfer during the cell harvest phase.

3 (b)(1) Section 1(j) of the Federal Meat Inspection
4 Act (21 U.S.C. 601(j)) is amended in the first sentence
5 by inserting “or, during and after harvest, cell-cultured
6 products derived from amenable species,” before “except-
7 ing products”.

8 (2) Section 4(f) of the Poultry Products Inspection
9 Act (21 U.S.C. 453(f)) is amended by striking “or part
10 thereof, excepting” and inserting “or part thereof, or, dur-
11 ing and after harvest, cell-cultured products derived from
12 poultry, excepting”.

13 SEC. 755. In response to an eligible community where
14 the drinking water supplies are inadequate due to a nat-
15 ural disaster, as determined by the Secretary, including
16 drought or severe weather, the Secretary may provide po-
17 table water through the Emergency Community Water As-
18 sistance Grant Program for an additional period of time
19 not to exceed 120 days beyond the established period pro-
20 vided under the Program in order to protect public health.

21 SEC. 756. Of the total amounts made available by
22 this Act for direct loans and grants in the following head-
23 ings: “Rural Housing Service—Rural Housing Insurance
24 Fund Program Account”; “Rural Housing Service—Mu-
25 tual and Self-Help Housing Grants”; “Rural Housing

1 Service—Rural Housing Assistance Grants”; “Rural
2 Housing Service—Rural Community Facilities Program
3 Account”; “Rural Business-Cooperative Service—Rural
4 Business Program Account”; “Rural Business-Coopera-
5 tive Service—Rural Economic Development Loans Pro-
6 gram Account”; “Rural Business-Cooperative Service—
7 Rural Cooperative Development Grants”; “Rural Utilities
8 Service—Rural Water and Waste Disposal Program Ac-
9 count”; “Rural Utilities Service—Rural Electrification
10 and Telecommunications Loans Program Account”; and
11 “Rural Utilities Service—Distance Learning, Telemedi-
12 cine, and Broadband Program”, to the maximum extent
13 feasible, at least 10 percent of the funds shall be allocated
14 for assistance in persistent poverty counties under this
15 section, including, notwithstanding any other provision re-
16 garding population limits, any county seat of such a per-
17 sistent poverty county that has a population that does not
18 exceed the authorized population limit by more than 10
19 percent: *Provided*, That for purposes of this section, the
20 term “persistent poverty counties” means any county that
21 has had 20 percent or more of its population living in pov-
22 erty over the past 30 years, as measured by the 1980,
23 1990, and 2000 decennial censuses, and 2007–2011
24 American Community Survey 5-year average: *Provided*
25 *further*, That with respect to specific activities for which

1 program levels have been made available by this Act that
2 are not supported by budget authority, the requirements
3 of this section shall be applied to such program level.

4 SEC. 757. (a) No funds shall be used to finalize the
5 proposed rule entitled “Eligibility of the People’s Republic
6 of China (PRC) to Export to the United States Poultry
7 Products from Birds Slaughtered in the PRC” published
8 in the Federal Register by the Department of Agriculture
9 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
10 retary of Agriculture shall—

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

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

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

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

1 certification and labeling of such products, and for
2 any damage to such products that may have oc-
3 curred during transportation; and

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

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

16 SEC. 758. In addition to any other funds made avail-
17 able in this Act or any other Act, there is appropriated
18 \$5,000,000 to carry out section 18(g)(8) of the Richard
19 B. Russell National School Lunch Act (42 U.S.C.
20 1769(g)), to remain available until expended.

21 SEC. 759. None of the funds made available by this
22 Act may be used by the Food and Drug Administration
23 to develop, issue, promote, or advance any regulations ap-
24 plicable to food manufacturers for population-wide sodium
25 reduction actions or to develop, issue, promote or advance

1 final guidance applicable to food manufacturers for long
2 term population-wide sodium reduction actions until the
3 date on which a dietary reference intake report with re-
4 spect to sodium is completed.

5 SEC. 760. There is hereby appropriated \$2,000,000,
6 to remain available until September 30, 2020, for the cost
7 of loans and grants that is consistent with section 4206
8 of the Agricultural Act of 2014, for necessary expenses
9 of the Secretary to support projects that provide access
10 to healthy food in underserved areas, to create and pre-
11 serve quality jobs, and to revitalize low-income commu-
12 nities.

13 SEC. 761. For an additional amount for “Animal and
14 Plant Health Inspection Service—Salaries and Expenses”,
15 \$8,500,000, to remain available until September 30, 2020,
16 for one-time control and management and associated ac-
17 tivities directly related to the multiple-agency response to
18 citrus greening.

19 SEC. 762. None of the funds made available by this
20 or any other Act may be used to enforce the final rule
21 promulgated by the Food and Drug Administration enti-
22 tled “Standards for the Growing, Harvesting, Packing,
23 and Holding of Produce for Human Consumption,” and
24 published on November 27, 2015, with respect to the regu-
25 lation of the production, distribution, sale, or receipt of

1 grape varieties that are grown, harvested and used solely
2 for wine and receive commercial processing that ade-
3 quately reduces the presence of microorganisms of public
4 health significance.

5 SEC. 763. None of the funds made available by this
6 Act may be used to revoke an exception made—

7 (1) pursuant to the final rule of the Depart-
8 ment of Agriculture entitled “Exceptions to Geo-
9 graphic Areas for Official Agencies Under the
10 USGSA” (68 Fed. Reg. 19137 (April 18, 2003));
11 and

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

13 SEC. 764. For school year 2019–2020, only a school
14 food authority that had a negative balance in the nonprofit
15 school food service account as of December 31, 2018, shall
16 be required to establish a price for paid lunches in accord-
17 ance with Section 12(p) of the Richard B. Russell Na-
18 tional School Lunch Act, 42 U.S.C. 1760(p).

19 SEC. 765. There is hereby appropriated \$16,000,000,
20 to remain available until expended, for an additional
21 amount for telemedicine and distance learning services in
22 rural areas, as authorized by 7 U.S.C. 950aaa et seq., to
23 help address the opioid epidemic in rural America.

1 SEC. 766. (a) There is hereby appropriated
2 \$125,000,000, to remain available until expended, for an
3 additional amount for Sec. 779 of Public Law 115–141.

4 (b) Section 313 of the Rural Electrification Act of
5 1936, as amended (7 U.S.C. 940e), shall be applied for
6 fiscal year 2019 as if the following were inserted after the
7 final period in subsection (b)(2)(B): “In addition, the Sec-
8 retary shall use \$425,000,000 of funds available in fiscal
9 year 2019 for an additional amount for the same purpose
10 as funds appropriated by Sec. 779 of Public Law 115–
11 141.”: *Provided*, That any use of such funds shall be treat-
12 ed as a reprogramming of funds under section 717 of this
13 Act.

14 SEC. 767. For an additional amount for the cost of
15 direct loans and grants made under the “Rural Water and
16 Waste Disposal Program Account”, \$75,000,000, to re-
17 main available until expended.

18 SEC. 768. There is hereby appropriated \$5,000,000,
19 to remain available until September 30, 2020, for a pilot
20 program for the National Institute of Food and Agri-
21 culture to provide grants to nonprofit organizations for
22 programs and services to establish and enhance farming
23 and ranching opportunities for military veterans.

24 SEC. 769. Not later than September 30, 2019, the
25 Secretary of Health and Human Services shall finalize the

1 draft guidance for industry entitled “Bacterial Risk Con-
2 trol Strategies for Blood Collection Establishments and
3 Transfusion Services to Enhance the Safety and Avail-
4 ability of Platelets for Transfusion” issued by the Food
5 and Drug Administration in March of 2016.

6 SEC. 770. Not later than 180 days after the date of
7 the enactment of this section, the Secretary of Agriculture
8 shall submit a report to the Committees on Appropriations
9 of both Houses of Congress that includes a summary of
10 the process used in establishing the 2020-2025 Dietary
11 Guidelines for Americans published pursuant to section
12 301 of the National Nutrition Monitoring and Related Re-
13 search Act of 1990 (7 U.S.C. 5341) and an explanation
14 with respect to the decision to incorporate or exclude in
15 such Dietary Guidelines for Americans recommendations
16 from the report by the National Academies of Science, En-
17 gineering, and Medicine entitled “Redesigning the Process
18 for Establishing the Dietary Guidelines for Americans”
19 and issued September, 2017.

20 SEC. 771. None of the funds made available by this
21 Act shall be used to implement, administer, or enforce the
22 requirement in the final rule entitled “Food Labeling: Re-
23 vision of the Nutrition and Supplement Facts Labels”,
24 published in the Federal Register on May 27, 2016 (81
25 Fed. Reg. 33742), that any single ingredient sugar, honey,

1 agave, or syrup (including maple syrup) that is packaged
2 and offered for sale as a single ingredient food bear the
3 declaration “Includes ‘X’g Added Sugars”.

4 SEC. 772. Paragraph (4) of section 1444(a) of the
5 National Agricultural Research, Extension, and Teaching
6 Policy Act of 1977 (7 U.S.C. 3221 (a)) is amended—

7 (1) by striking “No more than” and inserting
8 the following: “For fiscal years ending on or before
9 September 30, 2018, no more than”;

10 (2) by striking “by an institution” and insert-
11 ing “by an eligible institution under this section”;
12 and

13 (3) by adding at the end the following new sen-
14 tence: “For fiscal years beginning on or after Octo-
15 ber 1, 2018, the limitation specified in the preceding
16 sentence shall not apply and 100 percent of such
17 funds may be carried forward to the succeeding fis-
18 cal year.”

19 SEC. 773. None of the funds made available by this
20 Act may be used to implement or enforce the matter fol-
21 lowing the first comma in the second sentence of footnote
22 (c) of section 220.8(c) of title 7, Code of Federal Regula-
23 tions, with respect to the substitution of vegetables for
24 fruits under the school breakfast program established

1 under section 4 of the Child Nutrition Act of 1966 (42
2 U.S.C. 1773).

3 SEC. 774. The Secretary of Agriculture shall provide
4 to any State or county impacted by a volcanic eruption
5 covered by a major disaster declared by the President in
6 calendar year 2018 in accordance with section 401 of the
7 Robert T. Stafford Disaster Relief and Emergency Assist-
8 ance Act (42 U.S.C. 5170) technical assistance—

9 (1) to assess damage to agricultural production
10 and rural infrastructure; and

11 (2) to develop recovery plans for impacted
12 farmers, ranchers, and rural communities.

13 SEC. 775. (a) The Secretary of Agriculture, in coordi-
14 nation with the Administrator of the National Oceanic and
15 Atmospheric Administration, shall establish a working
16 group (referred to in this section as the “working
17 group”)—

18 (1) to study how mangroves, kelp forests, tidal
19 marshes, and seagrass meadows could help deacidify
20 the oceans;

21 (2) to study emerging ocean farming practices
22 that use kelp and seagrass to deacidify the oceans
23 while providing feedstock for agriculture and other
24 commercial and industrial inputs; and

1 (3) to coordinate and conduct research to de-
2 velop and enhance pilot-scale research for farming of
3 kelp and seagrass in order—

4 (A) to deacidify ocean environments;

5 (B) to produce a feedstock for agriculture;

6 and

7 (C) to develop other scalable commercial
8 applications for kelp, seagrass, or products de-
9 rived from kelp or seagrass.

10 (b) The working group shall include—

11 (1) the Secretary of Agriculture;

12 (2) the Administrator of the National Oceanic
13 and Atmospheric Administration;

14 (3) representatives of any relevant offices with-
15 in the National Oceanic and Atmospheric Adminis-
16 tration; and

17 (4) the Assistant Secretary of Energy for En-
18 ergy Efficiency and Renewable Energy.

19 (c) Not later than 2 years after the date of enactment
20 of this Act, the working group shall submit to Congress
21 a report that includes—

22 (1) the findings of the research described in
23 subsection (a);

24 (2) the results of the pilot-scale research de-
25 scribed in subsection (a)(3); and

1 (3) any policy recommendations based on those
2 findings and results.

3 SEC. 776. Not later than 180 days after the date of
4 enactment of this Act, the Secretary of Agriculture shall
5 submit to Congress a report describing the ways in which
6 conservation programs administered by the Natural Re-
7 sources Conservation Service may be better used for the
8 conservation of ocelots (*Leopardus pardalis*) and any ac-
9 tion taken by the Chief of the Natural Resources Con-
10 servation Service relating to the conservation of ocelots.

11 SEC. 777. Not later than 1 year after the date of
12 enactment of this Act, the Rural Housing Service of the
13 Department of Agriculture shall submit to Congress a re-
14 port including—

15 (1) a description of—

16 (A) the number of properties assisted
17 under title V of the Housing Act of 1949 (42
18 U.S.C. 1471 et seq.) that are reaching the end
19 of their loan term;

20 (B) the location of each property described
21 in subparagraph (A);

22 (C) the number of units in each property
23 described in subparagraph (A); and

1 (D) the date on which each the loan for
2 each property described in subparagraph (A) is
3 expected to reach maturity;

4 (2) the strategy of the Rural Housing Service
5 to preserve the long-term affordability of the prop-
6 erties described in paragraph (1)(A) when the loan
7 matures; and

8 (3) a description of the resources and tools that
9 the Rural Housing Service needs from Congress in
10 order to preserve the long-term affordability of the
11 properties described in paragraph (1) (A).

12 SEC. 778. Out of amounts appropriated to the Food
13 and Drug Administration under title VI, the Secretary of
14 Health and Human Services, acting through the Commis-
15 sioner of Food and Drugs, shall, not later than July 1,
16 2019, and following the review required under Executive
17 Order 12866 (5 U.S.C. 601 note; relating to regulatory
18 planning and review), issue advice revising the advice pro-
19 vided in the notice of availability entitled “Advice About
20 Eating Fish, From the Environmental Protection Agency
21 and Food and Drug Administration; Revised Fish Advice;
22 Availability” (82 Fed. Reg. 6571 (January 19, 2017)), in
23 a manner that is consistent with nutrition science recog-
24 nized by the Food and Drug Administration on the net
25 effects of seafood consumption.

1 SEC. 779. In addition to any funds made available
2 in this Act or any other Act, there is hereby appropriated
3 \$5,000,000, to remain available until September 30, 2020,
4 for grants from the National Institute of Food and Agri-
5 culture to the 1890 Institutions to support the Centers
6 of Excellence.

7 SEC. 780. Section 6(e)(1)(B) of the Richard B. Rus-
8 sell National School Lunch Act (42 U.S.C. 1755(e)(1)(B))
9 is amended by striking “September 30, 2020” and insert-
10 ing “September 30, 2018”.

11 SEC. 781. During fiscal year 2019, the Food and
12 Drug Administration shall not allow the introduction or
13 delivery for introduction into interstate commerce of any
14 food that contains genetically engineered salmon until the
15 FDA publishes final labeling guidelines for informing con-
16 sumers of such content.

17 SEC. 782. In addition to funds appropriated in this
18 Act, there is hereby appropriated \$216,000,000, to remain
19 available until expended, under the heading “Food for
20 Peace Title II Grants”: *Provided*, That the funds made
21 available under this section shall be used for the purposes
22 set forth in the Food for Peace Act for both emergency
23 and non-emergency purposes.

24 SEC. 783. Title III of the Department of Agriculture
25 Reorganization Act of 1994 (7 U.S.C. 301 et. seq.) is

1 amended by adding at the end the following— “SEC. 310.
2 CONVERSION AUTHORITY. Notwithstanding Title 5,
3 United States Code, a student, who is a U.S. Citizen and
4 who participates in a scholarship program carried out by
5 the Department may be noncompetitively converted to an
6 appointment in the competitive service by an agency or
7 office within the Department, provided the student meets
8 the requirements for such conversion, as determined by
9 the Secretary”.

10 SEC. 784. There is appropriated to the “Farm Serv-
11 ice Agency” \$9,000,000 for purposes of making payments
12 to producers impacted by an oriental fruit fly quarantine
13 as referenced in H.Rpt.115-232 to remain available until
14 expended: *Provided*, That of the unobligated balances
15 available under Treasury symbol code 128/90600,
16 \$5,000,000 are rescinded.

17 SEC. 785. In administering the pilot program estab-
18 lished by section 779 of division A of the Consolidated Ap-
19 propriations Act, 2018 (Public Law 115–141), the Sec-
20 retary of Agriculture shall—

21 (1) ensure that applicants that are determined
22 to be ineligible for the pilot program have a means
23 of appealing or otherwise challenging that deter-
24 mination in a timely fashion; and

1 (2) in determining whether an entity may over-
2 build or duplicate broadband expansion efforts made
3 by any entity that has received a broadband loan
4 from the Rural Utilities Service, not consider loans
5 that were rescinded or defaulted on, or loans the
6 terms and conditions of which were not met, if the
7 entity under consideration has not previously de-
8 faulted on, or failed to meet the terms and condi-
9 tions of, a Rural Utilities Service loan or had a
10 Rural Utilities Service loan rescinded.

11 SEC. 786. For the cost of loans and grants,
12 \$3,000,000 under the same terms and conditions as au-
13 thorized by section 379E of the Consolidated Farm and
14 Rural Development Act (7 U.S.C. 2008s): *Provided*, That
15 such costs of loans, including the cost of modifying such
16 loans, shall be as defined in section 502 of the Congres-
17 sional Budget Act of 1974.

18 SEC. 787. None of the funds made available by this
19 Act may be used to pay the salaries or expenses of per-
20 sonnel—

21 (1) to inspect horses under section 3 of the
22 Federal Meat Inspection Act (21 U.S.C. 603);

23 (2) to inspect horses under section 903 of the
24 Federal Agriculture Improvement and Reform Act of
25 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

1 (3) to implement or enforce section 352.19 of
2 title 9, Code of Federal Regulations (or a successor
3 regulation).

4 This division may be cited as the “Agriculture, Rural
5 Development, Food and Drug Administration, and Re-
6 lated Agencies Appropriations Act, 2019”.

1 **DIVISION B—COMMERCE, JUSTICE,**
2 **SCIENCE, AND RELATED AGENCIES**
3 **APPROPRIATIONS ACT, 2019**

4 TITLE I

5 DEPARTMENT OF COMMERCE

6 INTERNATIONAL TRADE ADMINISTRATION

7 OPERATIONS AND ADMINISTRATION

8 For necessary expenses for international trade activi-
9 ties of the Department of Commerce provided for by law,
10 and for engaging in trade promotional activities abroad,
11 including expenses of grants and cooperative agreements
12 for the purpose of promoting exports of United States
13 firms, without regard to sections 3702 and 3703 of title
14 44, United States Code; full medical coverage for depend-
15 ent members of immediate families of employees stationed
16 overseas and employees temporarily posted overseas; travel
17 and transportation of employees of the International
18 Trade Administration between two points abroad, without
19 regard to section 40118 of title 49, United States Code;
20 employment of citizens of the United States and aliens by
21 contract for services; rental of space abroad for periods
22 not exceeding 10 years, and expenses of alteration, repair,
23 or improvement; purchase or construction of temporary
24 demountable exhibition structures for use abroad; pay-
25 ment of tort claims, in the manner authorized in the first

1 paragraph of section 2672 of title 28, United States Code,
2 when such claims arise in foreign countries; not to exceed
3 \$294,300 for official representation expenses abroad; pur-
4 chase of passenger motor vehicles for official use abroad,
5 not to exceed \$45,000 per vehicle; obtaining insurance on
6 official motor vehicles; and rental of tie lines,
7 \$495,000,000, to remain available until September 30,
8 2020, of which \$11,000,000 is to be derived from fees to
9 be retained and used by the International Trade Adminis-
10 tration, notwithstanding section 3302 of title 31, United
11 States Code: *Provided*, That, of amounts provided under
12 this heading, not less than \$16,400,000 shall be for China
13 antidumping and countervailing duty enforcement and
14 compliance activities: *Provided further*, That the provisions
15 of the first sentence of section 105(f) and all of section
16 108(c) of the Mutual Educational and Cultural Exchange
17 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
18 in carrying out these activities; and that for the purpose
19 of this Act, contributions under the provisions of the Mu-
20 tual Educational and Cultural Exchange Act of 1961 shall
21 include payment for assessments for services provided as
22 part of these activities.

1 BUREAU OF INDUSTRY AND SECURITY
2 OPERATIONS AND ADMINISTRATION
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for export administration and
5 national security activities of the Department of Com-
6 merce, including costs associated with the performance of
7 export administration field activities both domestically and
8 abroad; full medical coverage for dependent members of
9 immediate families of employees stationed overseas; em-
10 ployment of citizens of the United States and aliens by
11 contract for services abroad; payment of tort claims, in
12 the manner authorized in the first paragraph of section
13 2672 of title 28, United States Code, when such claims
14 arise in foreign countries; not to exceed \$13,500 for offi-
15 cial representation expenses abroad; awards of compensa-
16 tion to informers under the Export Control Reform Act
17 of 2018 (subtitle B of title XVII of the John S. McCain
18 National Defense Authorization Act for Fiscal Year 2019;
19 Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et
20 seq.), and as authorized by section 1(b) of the Act of June
21 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
22 of passenger motor vehicles for official use and motor vehi-
23 cles for law enforcement use with special requirement vehi-
24 cles eligible for purchase without regard to any price limi-
25 tation otherwise established by law, \$118,050,000, to re-

1 main available until expended, except that of the amount
2 appropriated, not less than \$4,550,000 shall remain avail-
3 able until September 30, 2019, and shall only be available
4 for contractor support to implement the product exclusion
5 process for articles covered by actions taken under section
6 232 of the Trade Expansion Act of 1962 (19 U.S.C.
7 1862): *Provided*, That the provisions of the first sentence
8 of section 105(f) and all of section 108(c) of the Mutual
9 Educational and Cultural Exchange Act of 1961 (22
10 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out
11 these activities: *Provided further*, That payments and con-
12 tributions collected and accepted for materials or services
13 provided as part of such activities may be retained for use
14 in covering the cost of such activities, and for providing
15 information to the public with respect to the export admin-
16 istration and national security activities of the Depart-
17 ment of Commerce and other export control programs of
18 the United States and other governments: *Provided fur-*
19 *ther*, That the Secretary of Commerce may transfer up
20 to \$2,000,000 to this account, from funds available for
21 “Departmental Management, Salaries and Expenses” or
22 for “Departmental Management, Renovation and Mod-
23 ernization”: *Provided further*, That any funds transferred
24 pursuant to the previous proviso shall remain available
25 until September 30, 2019, and shall only be available for

1 contractor support to implement the product exclusion
2 process for articles covered by actions taken under section
3 232 of the Trade Expansion Act of 1962 (19 U.S.C.
4 1862): *Provided further*, That such transfer authority is
5 in addition to any other transfer authority contained in
6 this Act: *Provided further*, That any such transfer shall
7 be treated as a reprogramming under section 505 of this
8 Act and shall not be available for obligation or expenditure
9 except in compliance with the procedures set forth in that
10 section.

11 ECONOMIC DEVELOPMENT ADMINISTRATION

12 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

13 For grants for economic development assistance as
14 provided by the Public Works and Economic Development
15 Act of 1965, for trade adjustment assistance, and for
16 grants authorized by section 27 of the Stevenson-Wydler
17 Technology Innovation Act of 1980 (15 U.S.C. 3722),
18 \$265,000,000, to remain available until expended, of
19 which \$23,500,000 shall be for grants under such section
20 27.

21 SALARIES AND EXPENSES

22 For necessary expenses of administering the eco-
23 nomic development assistance programs as provided for by
24 law, \$39,000,000: *Provided*, That these funds may be used
25 to monitor projects approved pursuant to title I of the

1 Public Works Employment Act of 1976, title II of the
2 Trade Act of 1974, section 27 of the Stevenson-Wydler
3 Technology Innovation Act of 1980 (15 U.S.C. 3722), and
4 the Community Emergency Drought Relief Act of 1977.

5 MINORITY BUSINESS DEVELOPMENT AGENCY

6 MINORITY BUSINESS DEVELOPMENT

7 For necessary expenses of the Department of Com-
8 merce in fostering, promoting, and developing minority
9 business enterprise, including expenses of grants, con-
10 tracts, and other agreements with public or private organi-
11 zations, \$40,000,000.

12 ECONOMIC AND STATISTICAL ANALYSIS

13 SALARIES AND EXPENSES

14 For necessary expenses, as authorized by law, of eco-
15 nomic and statistical analysis programs of the Department
16 of Commerce, \$101,000,000, to remain available until
17 September 30, 2020.

18 BUREAU OF THE CENSUS

19 CURRENT SURVEYS AND PROGRAMS

20 For necessary expenses for collecting, compiling, ana-
21 lyzing, preparing, and publishing statistics, provided for
22 by law, \$270,000,000: *Provided*, That, from amounts pro-
23 vided herein, funds may be used for promotion, outreach,
24 and marketing activities.

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1 PERIODIC CENSUSES AND PROGRAMS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for collecting, compiling, ana-
4 lyzing, preparing, and publishing statistics for periodic
5 censuses and programs provided for by law,
6 \$3,551,388,000, to remain available until September 30,
7 2021: *Provided*, That, from amounts provided herein,
8 funds may be used for promotion, outreach, and mar-
9 keting activities: *Provided further*, That within the
10 amounts appropriated, \$3,556,000 shall be transferred to
11 the “Office of Inspector General” account for activities as-
12 sociated with carrying out investigations and audits re-
13 lated to the Bureau of the Census: *Provided further*, That
14 not more than 50 percent of the amounts made available
15 under this heading for information technology related to
16 2020 census delivery, including the Census Enterprise
17 Data Collection and Processing (CEDCaP) program, may
18 be obligated until the Secretary updates the previous ex-
19 penditure plan and resubmits to the Committees on Ap-
20 propriations of the House of Representatives and the Sen-
21 ate a plan for expenditure that: (1) identifies for each
22 CEDCaP project/investment over \$25,000: (A) the func-
23 tional and performance capabilities to be delivered and the
24 mission benefits to be realized; (B) an updated estimated
25 lifecycle cost, including cumulative expenditures to date by

1 fiscal year, and all revised estimates for development,
2 maintenance, and operations; (C) key milestones to be
3 met; and (D) impacts of cost variances on other Census
4 programs; (2) details for each project/investment: (A) rea-
5 sons for any cost and schedule variances; and (B) top risks
6 and mitigation strategies; and (3) has been submitted to
7 the Government Accountability Office.

8 NATIONAL TELECOMMUNICATIONS AND INFORMATION
9 ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses, as provided for by law, of
12 the National Telecommunications and Information Ad-
13 ministration (NTIA), \$39,500,000, of which not to exceed
14 \$15,000,000 shall remain available until September 30,
15 2020: *Provided*, That, notwithstanding 31 U.S.C.
16 1535(d), the Secretary of Commerce shall charge Federal
17 agencies for costs incurred in spectrum management,
18 analysis, operations, and related services, and such fees
19 shall be retained and used as offsetting collections for
20 costs of such spectrum services, to remain available until
21 expended: *Provided further*, That the Secretary of Com-
22 merce is authorized to retain and use as offsetting collec-
23 tions all funds transferred, or previously transferred, from
24 other Government agencies for all costs incurred in tele-
25 communications research, engineering, and related activi-

1 ties by the Institute for Telecommunication Sciences of
2 NTIA, in furtherance of its assigned functions under this
3 paragraph, and such funds received from other Govern-
4 ment agencies shall remain available until expended.

5 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
6 AND CONSTRUCTION

7 For the administration of prior-year grants, recov-
8 eries and unobligated balances of funds previously appro-
9 priated are available for the administration of all open
10 grants until their expiration.

11 UNITED STATES PATENT AND TRADEMARK OFFICE
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the United States Patent
15 and Trademark Office (USPTO) provided for by law, in-
16 cluding defense of suits instituted against the Under Sec-
17 retary of Commerce for Intellectual Property and Director
18 of the USPTO, \$3,370,000,000, to remain available until
19 expended: *Provided*, That the sum herein appropriated
20 from the general fund shall be reduced as offsetting collec-
21 tions of fees and surcharges assessed and collected by the
22 USPTO under any law are received during fiscal year
23 2019, so as to result in a fiscal year 2019 appropriation
24 from the general fund estimated at \$0: *Provided further*,
25 That during fiscal year 2019, should the total amount of

1 such offsetting collections be less than \$3,370,000,000
2 this amount shall be reduced accordingly: *Provided fur-*
3 *ther*, That any amount received in excess of
4 \$3,370,000,000 in fiscal year 2019 and deposited in the
5 Patent and Trademark Fee Reserve Fund shall remain
6 available until expended: *Provided further*, That the Direc-
7 tor of USPTO shall submit a spending plan to the Com-
8 mittees on Appropriations of the House of Representatives
9 and the Senate for any amounts made available by the
10 preceding proviso and such spending plan shall be treated
11 as a reprogramming under section 505 of this Act and
12 shall not be available for obligation or expenditure except
13 in compliance with the procedures set forth in that section:
14 *Provided further*, That any amounts reprogrammed in ac-
15 cordance with the preceding proviso shall be transferred
16 to the United States Patent and Trademark Office “Sala-
17 ries and Expenses” account: *Provided further*, That from
18 amounts provided herein, not to exceed \$900 shall be
19 made available in fiscal year 2019 for official reception
20 and representation expenses: *Provided further*, That in fis-
21 cal year 2019 from the amounts made available for “Sala-
22 ries and Expenses” for the USPTO, the amounts nec-
23 essary to pay (1) the difference between the percentage
24 of basic pay contributed by the USPTO and employees
25 under section 8334(a) of title 5, United States Code, and

1 the normal cost percentage (as defined by section
2 8331(17) of that title) as provided by the Office of Per-
3 sonnel Management (OPM) for USPTO's specific use, of
4 basic pay, of employees subject to subchapter III of chap-
5 ter 83 of that title, and (2) the present value of the other-
6 wise unfunded accruing costs, as determined by OPM for
7 USPTO's specific use of post-retirement life insurance
8 and post-retirement health benefits coverage for all
9 USPTO employees who are enrolled in Federal Employees
10 Health Benefits (FEHB) and Federal Employees Group
11 Life Insurance (FEGLI), shall be transferred to the Civil
12 Service Retirement and Disability Fund, the FEGLI
13 Fund, and the FEHB Fund, as appropriate, and shall be
14 available for the authorized purposes of those accounts:
15 *Provided further*, That any differences between the present
16 value factors published in OPM's yearly 300 series benefit
17 letters and the factors that OPM provides for USPTO's
18 specific use shall be recognized as an imputed cost on
19 USPTO's financial statements, where applicable: *Provided*
20 *further*, That, notwithstanding any other provision of law,
21 all fees and surcharges assessed and collected by USPTO
22 are available for USPTO only pursuant to section 42(c)
23 of title 35, United States Code, as amended by section
24 22 of the Leahy-Smith America Invents Act (Public Law
25 112-29): *Provided further*, That within the amounts ap-

1 appropriated, \$1,500,000 shall be transferred to the “Office
2 of Inspector General” account for activities associated
3 with carrying out investigations and audits related to the
4 USPTO.

5 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
6 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the National Institute of
9 Standards and Technology (NIST), \$724,500,000, to re-
10 main available until expended, of which not to exceed
11 \$9,000,000 may be transferred to the “Working Capital
12 Fund”: *Provided*, That not to exceed \$5,000 shall be for
13 official reception and representation expenses: *Provided*
14 *further*, That NIST may provide local transportation for
15 summer undergraduate research fellowship program par-
16 ticipants.

17 INDUSTRIAL TECHNOLOGY SERVICES

18 For necessary expenses for industrial technology
19 services, \$155,000,000, to remain available until ex-
20 pended, of which \$140,000,000 shall be for the Hollings
21 Manufacturing Extension Partnership, and of which
22 \$15,000,000 shall be for the National Network for Manu-
23 facturing Innovation (also known as “Manufacturing
24 USA”).

1 CONSTRUCTION OF RESEARCH FACILITIES

2 For construction of new research facilities, including
3 architectural and engineering design, and for renovation
4 and maintenance of existing facilities, not otherwise pro-
5 vided for the National Institute of Standards and Tech-
6 nology, as authorized by sections 13 through 15 of the
7 National Institute of Standards and Technology Act (15
8 U.S.C. 278c–278e), \$106,000,000, to remain available
9 until expended: *Provided*, That the Secretary of Commerce
10 shall include in the budget justification materials that the
11 Secretary submits to Congress in support of the Depart-
12 ment of Commerce budget (as submitted with the budget
13 of the President under section 1105(a) of title 31, United
14 States Code) an estimate for each National Institute of
15 Standards and Technology construction project having a
16 total multi-year program cost of more than \$5,000,000,
17 and simultaneously the budget justification materials shall
18 include an estimate of the budgetary requirements for
19 each such project for each of the 5 subsequent fiscal years.

20 NATIONAL OCEANIC AND ATMOSPHERIC

21 ADMINISTRATION

22 OPERATIONS, RESEARCH, AND FACILITIES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of activities authorized by law
25 for the National Oceanic and Atmospheric Administration,

1 including maintenance, operation, and hire of aircraft and
2 vessels; pilot programs for state-led fisheries management,
3 notwithstanding any other provision of law; grants, con-
4 tracts, or other payments to nonprofit organizations for
5 the purposes of conducting activities pursuant to coopera-
6 tive agreements; and relocation of facilities,
7 \$3,596,997,000, to remain available until September 30,
8 2020: *Provided*, That fees and donations received by the
9 National Ocean Service for the management of national
10 marine sanctuaries may be retained and used for the sala-
11 ries and expenses associated with those activities, notwith-
12 standing section 3302 of title 31, United States Code: *Pro-*
13 *vided further*, That in addition, \$157,980,000 shall be de-
14 rived by transfer from the fund entitled “Promote and De-
15 velop Fishery Products and Research Pertaining to Amer-
16 ican Fisheries”, which shall only be used for fishery activi-
17 ties related to the Saltonstall-Kennedy Grant Program;
18 Fisheries Data Collections, Surveys and Assessments; and
19 Interjurisdictional Fisheries Grants: *Provided further*,
20 That of the \$3,772,477,000 provided for in direct obliga-
21 tions under this heading, \$3,596,997,000 is appropriated
22 from the general fund, \$157,980,000 is provided by trans-
23 fer, and \$17,500,000 is derived from recoveries of prior
24 year obligations: *Provided further*, That any deviation
25 from the amounts designated for specific activities in the

1 explanatory statement described in section 4 (in the mat-
2 ter preceding division A of this consolidated Act), or any
3 use of deobligated balances of funds provided under this
4 heading in previous years, shall be subject to the proce-
5 dures set forth in section 505 of this Act: *Provided further*,
6 That in addition, for necessary retired pay expenses under
7 the Retired Serviceman's Family Protection and Survivor
8 Benefits Plan, and for payments for the medical care of
9 retired personnel and their dependents under the Depend-
10 ents' Medical Care Act (10 U.S.C. ch. 55), such sums as
11 may be necessary.

12 PROCUREMENT, ACQUISITION AND CONSTRUCTION

13 (INCLUDING TRANSFER OF FUNDS)

14 For procurement, acquisition and construction of
15 capital assets, including alteration and modification costs,
16 of the National Oceanic and Atmospheric Administration,
17 \$1,755,349,000, to remain available until September 30,
18 2021, except that funds provided for acquisition and con-
19 struction of vessels and construction of facilities shall re-
20 main available until expended: *Provided*, That of the
21 \$1,768,349,000 provided for in direct obligations under
22 this heading, \$1,755,349,000 is appropriated from the
23 general fund and \$13,000,000 is provided from recoveries
24 of prior year obligations: *Provided further*, That any devi-
25 ation from the amounts designated for specific activities

1 in the explanatory statement described in section 4 (in the
2 matter preceding division A of this consolidated Act), or
3 any use of deobligated balances of funds provided under
4 this heading in previous years, shall be subject to the pro-
5 cedures set forth in section 505 of this Act: *Provided fur-*
6 *ther*, That the Secretary of Commerce shall include in
7 budget justification materials that the Secretary submits
8 to Congress in support of the Department of Commerce
9 budget (as submitted with the budget of the President
10 under section 1105(a) of title 31, United States Code) an
11 estimate for each National Oceanic and Atmospheric Ad-
12 ministration procurement, acquisition or construction
13 project having a total of more than \$5,000,000 and simul-
14 taneously the budget justification shall include an estimate
15 of the budgetary requirements for each such project for
16 each of the 5 subsequent fiscal years: *Provided further*,
17 That, within the amounts appropriated, \$1,302,000 shall
18 be transferred to the “Office of Inspector General” ac-
19 count for activities associated with carrying out investiga-
20 tions and audits related to satellite procurement, acquisi-
21 tion and construction.

22 PACIFIC COASTAL SALMON RECOVERY

23 For necessary expenses associated with the restora-
24 tion of Pacific salmon populations, \$65,000,000, to re-
25 main available until September 30, 2020: *Provided*, That,

1 of the funds provided herein, the Secretary of Commerce
2 may issue grants to the States of Washington, Oregon,
3 Idaho, Nevada, California, and Alaska, and to the Feder-
4 ally recognized tribes of the Columbia River and Pacific
5 Coast (including Alaska), for projects necessary for con-
6 servation of salmon and steelhead populations that are
7 listed as threatened or endangered, or that are identified
8 by a State as at-risk to be so listed, for maintaining popu-
9 lations necessary for exercise of tribal treaty fishing rights
10 or native subsistence fishing, or for conservation of Pacific
11 coastal salmon and steelhead habitat, based on guidelines
12 to be developed by the Secretary of Commerce: *Provided*
13 *further*, That all funds shall be allocated based on sci-
14 entific and other merit principles and shall not be available
15 for marketing activities: *Provided further*, That funds dis-
16 bursed to States shall be subject to a matching require-
17 ment of funds or documented in-kind contributions of at
18 least 33 percent of the Federal funds.

19 FISHERMEN'S CONTINGENCY FUND

20 For carrying out the provisions of title IV of Public
21 Law 95-372, not to exceed \$349,000, to be derived from
22 receipts collected pursuant to that Act, to remain available
23 until expended.

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1 FISHERY DISASTER ASSISTANCE

2 For the necessary expenses associated with the miti-
3 gation of fishery disasters, \$15,000,000 to remain avail-
4 able until expended: *Provided*, That funds shall be used
5 for mitigating the effects of commercial fishery failures
6 and fishery resource disasters as declared by the Secretary
7 of Commerce.

8 FISHERIES FINANCE PROGRAM ACCOUNT

9 Subject to section 502 of the Congressional Budget
10 Act of 1974, during fiscal year 2019, obligations of direct
11 loans may not exceed \$24,000,000 for Individual Fishing
12 Quota loans and not to exceed \$100,000,000 for tradi-
13 tional direct loans as authorized by the Merchant Marine
14 Act of 1936.

15 DEPARTMENTAL MANAGEMENT

16 SALARIES AND EXPENSES

17 For necessary expenses for the management of the
18 Department of Commerce provided for by law, including
19 not to exceed \$4,500 for official reception and representa-
20 tion, \$63,000,000.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978 (5 U.S.C. App.), \$34,744,000: *Pro-*
25 *vided*, That notwithstanding section 6413(b) of the Middle

1 Class Tax Relief and Job Creation Act of 2012 (Public
2 Law 112–96), \$2,000,000, to remain available until ex-
3 pended, from the amounts provided under this heading,
4 shall be derived from the Public Safety Trust Fund for
5 activities associated with carrying out investigations and
6 audits related to the First Responder Network Authority
7 (FirstNet).

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

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

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

1 3109; and uniforms or allowances therefor, as authorized
2 by law (5 U.S.C. 5901–5902).

3 SEC. 103. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the De-
5 partment of Commerce in this Act may be transferred be-
6 tween such appropriations, but no such appropriation shall
7 be increased by more than 10 percent by any such trans-
8 fers: *Provided*, That any transfer pursuant to this section
9 shall be treated as a reprogramming of funds under sec-
10 tion 505 of this Act and shall not be available for obliga-
11 tion or expenditure except in compliance with the proce-
12 dures set forth in that section: *Provided further*, That the
13 Secretary of Commerce shall notify the Committees on Ap-
14 propriations at least 15 days in advance of the acquisition
15 or disposal of any capital asset (including land, structures,
16 and equipment) not specifically provided for in this Act
17 or any other law appropriating funds for the Department
18 of Commerce.

19 SEC. 104. The requirements set forth by section 105
20 of the Commerce, Justice, Science, and Related Agencies
21 Appropriations Act, 2012 (Public Law 112–55), as
22 amended by section 105 of title I of division B of Public
23 Law 113–6, are hereby adopted by reference and made
24 applicable with respect to fiscal year 2019: *Provided*, That
25 the life cycle cost for the Joint Polar Satellite System is

1 \$11,322,125,000 and the life cycle cost for the Geo-
2 stationary Operational Environmental Satellite R-Series
3 Program is \$10,828,059,000.

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

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

1 SEC. 107. The Administrator of the National Oceanic
2 and Atmospheric Administration is authorized to use, with
3 their consent, with reimbursement and subject to the lim-
4 its of available appropriations, the land, services, equip-
5 ment, personnel, and facilities of any department, agency,
6 or instrumentality of the United States, or of any State,
7 local government, Indian tribal government, Territory, or
8 possession, or of any political subdivision thereof, or of
9 any foreign government or international organization, for
10 purposes related to carrying out the responsibilities of any
11 statute administered by the National Oceanic and Atmos-
12 pheric Administration.

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

23 SEC. 109. To carry out the responsibilities of the Na-
24 tional Oceanic and Atmospheric Administration (NOAA),
25 the Administrator of NOAA is authorized to: (1) enter

1 into grants and cooperative agreements with; (2) use on
2 a non-reimbursable basis land, services, equipment, per-
3 sonnel, and facilities provided by; and (3) receive and ex-
4 pend funds made available on a consensual basis from: a
5 Federal agency, State or subdivision thereof, local govern-
6 ment, tribal government, territory, or possession or any
7 subdivisions thereof: *Provided*, That funds received for
8 permitting and related regulatory activities pursuant to
9 this section shall be deposited under the heading “Na-
10 tional Oceanic and Atmospheric Administration—Oper-
11 ations, Research, and Facilities” and shall remain avail-
12 able until September 30, 2021, for such purposes: *Pro-*
13 *vided further*, That all funds within this section and their
14 corresponding uses are subject to section 505 of this Act.

15 SEC. 110. Amounts provided by this Act or by any
16 prior appropriations Act that remain available for obliga-
17 tion, for necessary expenses of the programs of the Eco-
18 nomics and Statistics Administration of the Department
19 of Commerce, including amounts provided for programs
20 of the Bureau of Economic Analysis and the Bureau of
21 the Census, shall be available for expenses of cooperative
22 agreements with appropriate entities, including any Fed-
23 eral, State, or local governmental unit, or institution of
24 higher education, to aid and promote statistical, research,

1 and methodology activities which further the purposes for
2 which such amounts have been made available.

3 SEC. 111. Section 110(a) of the Department of Com-
4 merce Appropriations Act, 2016 (Public Law 114–113) is
5 amended—

6 (1) by striking “management is” and inserting
7 “management is: (1)”; and

8 (2) by striking “subsection (b).” and inserting
9 “subsection (b); or (2) for law enforcement activities
10 conducted by States under a joint enforcement
11 agreement pursuant to section 311(h) of the Magnu-
12 son-Stevens Fishery Conservation and Management
13 Act (16 U.S.C. 1861(h)), any other agreement with
14 the Secretary entered into pursuant to section
15 311(a) of such Act, or any similar agreement au-
16 thorized by law.”.

17 SEC. 112. Title II of Division B of Public Law 115–
18 123 is amended by striking “Federal” each place it ap-
19 pears under the heading “Department of Commerce—Na-
20 tional Oceanic and Atmospheric Administration”.

21 This title may be cited as the “Department of Com-
22 merce Appropriations Act, 2019”.

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1 TITLE II
2 DEPARTMENT OF JUSTICE
3 GENERAL ADMINISTRATION
4 SALARIES AND EXPENSES

5 For expenses necessary for the administration of the
6 Department of Justice, \$113,000,000, of which not to ex-
7 ceed \$4,000,000 for security and construction of Depart-
8 ment of Justice facilities shall remain available until ex-
9 pended.

10 JUSTICE INFORMATION SHARING TECHNOLOGY
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for information sharing tech-
13 nology, including planning, development, deployment and
14 departmental direction, \$32,000,000, to remain available
15 until expended: *Provided*, That the Attorney General may
16 transfer up to \$40,000,000 to this account, from funds
17 available to the Department of Justice for information
18 technology, to remain available until expended, for enter-
19 prise-wide information technology initiatives: *Provided fur-*
20 *ther*, That the transfer authority in the preceding proviso
21 is in addition to any other transfer authority contained
22 in this Act: *Provided further*, That any transfer pursuant
23 to the first proviso shall be treated as a reprogramming
24 under section 505 of this Act and shall not be available

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1 for obligation or expenditure except in compliance with the
2 procedures set forth in that section.

3 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the administration of im-
6 migration-related activities of the Executive Office for Im-
7 migration Review, \$563,407,000, of which \$4,000,000
8 shall be derived by transfer from the Executive Office for
9 Immigration Review fees deposited in the “Immigration
10 Examinations Fee” account, and of which not less than
11 \$11,400,000 shall be available for services and activities
12 provided by the Legal Orientation Program: *Provided,*
13 That not to exceed \$35,000,000 of the total amount made
14 available under this heading shall remain available until
15 expended.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General, \$101,000,000, including not to exceed \$10,000
19 to meet unforeseen emergencies of a confidential char-
20 acter.

21 UNITED STATES PAROLE COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses of the United States Parole
24 Commission as authorized, \$13,000,000: *Provided,* That,
25 notwithstanding any other provision of law, upon the expi-

1 ration of a term of office of a Commissioner, the Commis-
2 sioner may continue to act until a successor has been ap-
3 pointed.

4 LEGAL ACTIVITIES

5 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

6 For expenses necessary for the legal activities of the
7 Department of Justice, not otherwise provided for, includ-
8 ing not to exceed \$20,000 for expenses of collecting evi-
9 dence, to be expended under the direction of, and to be
10 accounted for solely under the certificate of, the Attorney
11 General; the administration of pardon and clemency peti-
12 tions; and rent of private or Government-owned space in
13 the District of Columbia, \$904,000,000, of which not to
14 exceed \$20,000,000 for litigation support contracts shall
15 remain available until expended: *Provided*, That of the
16 amount provided for INTERPOL Washington dues pay-
17 ments, not to exceed \$685,000 shall remain available until
18 expended: *Provided further*, That of the total amount ap-
19 propriated, not to exceed \$9,000 shall be available to
20 INTERPOL Washington for official reception and rep-
21 resentation expenses: *Provided further*, That notwith-
22 standing section 205 of this Act, upon a determination
23 by the Attorney General that emergent circumstances re-
24 quire additional funding for litigation activities of the Civil
25 Division, the Attorney General may transfer such amounts

1 to “Salaries and Expenses, General Legal Activities” from
2 available appropriations for the current fiscal year for the
3 Department of Justice, as may be necessary to respond
4 to such circumstances: *Provided further*, That any transfer
5 pursuant to the preceding proviso shall be treated as a
6 reprogramming under section 505 of this Act and shall
7 not be available for obligation or expenditure except in
8 compliance with the procedures set forth in that section:
9 *Provided further*, That of the amount appropriated, such
10 sums as may be necessary shall be available to the Civil
11 Rights Division for salaries and expenses associated with
12 the election monitoring program under section 8 of the
13 Voting Rights Act of 1965 (52 U.S.C. 10305) and to reim-
14 burse the Office of Personnel Management for such sala-
15 ries and expenses: *Provided further*, That of the amounts
16 provided under this heading for the election monitoring
17 program, \$3,390,000 shall remain available until ex-
18 pended: *Provided further*, That of the amount appro-
19 priated, not less than \$193,715,000 shall be available for
20 the Criminal Division, including related expenses for the
21 Mutual Legal Assistance Treaty Program.

22 In addition, for reimbursement of expenses of the De-
23 partment of Justice associated with processing cases
24 under the National Childhood Vaccine Injury Act of 1986,

1 not to exceed \$10,000,000, to be appropriated from the
2 Vaccine Injury Compensation Trust Fund.

3 SALARIES AND EXPENSES, ANTITRUST DIVISION

4 For expenses necessary for the enforcement of anti-
5 trust and kindred laws, \$164,977,000, to remain available
6 until expended: *Provided*, That notwithstanding any other
7 provision of law, fees collected for premerger notification
8 filings under the Hart-Scott-Rodino Antitrust Improve-
9 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
10 of collection (and estimated to be \$136,000,000 in fiscal
11 year 2019), shall be retained and used for necessary ex-
12 penses in this appropriation, and shall remain available
13 until expended: *Provided further*, That the sum herein ap-
14 propriated from the general fund shall be reduced as such
15 offsetting collections are received during fiscal year 2019,
16 so as to result in a final fiscal year 2019 appropriation
17 from the general fund estimated at \$28,977,000.

18 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

19 For necessary expenses of the Offices of the United
20 States Attorneys, including inter-governmental and coop-
21 erative agreements, \$2,212,000,000: *Provided*, That of the
22 total amount appropriated, not to exceed \$7,200 shall be
23 available for official reception and representation ex-
24 penses: *Provided further*, That not to exceed \$25,000,000
25 shall remain available until expended: *Provided further*,

1 That each United States Attorney shall establish or par-
2 ticipate in a task force on human trafficking.

3 UNITED STATES TRUSTEE SYSTEM FUND

4 For necessary expenses of the United States Trustee
5 Program, as authorized, \$226,000,000, to remain avail-
6 able until expended: *Provided*, That, notwithstanding any
7 other provision of law, deposits to the United States
8 Trustee System Fund and amounts herein appropriated
9 shall be available in such amounts as may be necessary
10 to pay refunds due depositors: *Provided further*, That, not-
11 withstanding any other provision of law, fees deposited
12 into the Fund pursuant to section 589a(b) of title 28,
13 United States Code (as limited by section 1004(b) of the
14 Bankruptcy Judgeship Act of 2017 (division B of Public
15 Law 115–72)), shall be retained and used for necessary
16 expenses in this appropriation and shall remain available
17 until expended: *Provided further*, That to the extent that
18 fees deposited into the Fund in fiscal year 2019, net of
19 amounts necessary to pay refunds due depositors, exceed
20 \$226,000,000, those excess amounts shall be available in
21 future fiscal years only to the extent provided in advance
22 in appropriations Acts: *Provided further*, That the sum
23 herein appropriated from the general fund shall be re-
24 duced (1) as such fees are received during fiscal year
25 2019, net of amounts necessary to pay refunds due deposi-

1 tors, (estimated at \$360,000,000) and (2) to the extent
2 that any remaining general fund appropriations can be de-
3 rived from amounts deposited in the Fund in previous fis-
4 cal years that are not otherwise appropriated, so as to re-
5 sult in a final fiscal year 2019 appropriation from the gen-
6 eral fund estimated at \$0.

7 SALARIES AND EXPENSES, FOREIGN CLAIMS

8 SETTLEMENT COMMISSION

9 For expenses necessary to carry out the activities of
10 the Foreign Claims Settlement Commission, including
11 services as authorized by section 3109 of title 5, United
12 States Code, \$2,409,000.

13 FEES AND EXPENSES OF WITNESSES

14 For fees and expenses of witnesses, for expenses of
15 contracts for the procurement and supervision of expert
16 witnesses, for private counsel expenses, including ad-
17 vances, and for expenses of foreign counsel, \$270,000,000,
18 to remain available until expended, of which not to exceed
19 \$16,000,000 is for construction of buildings for protected
20 witness safesites; not to exceed \$3,000,000 is for the pur-
21 chase and maintenance of armored and other vehicles for
22 witness security caravans; and not to exceed \$18,000,000
23 is for the purchase, installation, maintenance, and up-
24 grade of secure telecommunications equipment and a se-
25 cure automated information network to store and retrieve

1 the identities and locations of protected witnesses: *Pro-*
2 *vided*, That amounts made available under this heading
3 may not be transferred pursuant to section 205 of this
4 Act.

5 SALARIES AND EXPENSES, COMMUNITY RELATIONS

6 SERVICE

7 (INCLUDING TRANSFER OF FUNDS)

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

23 ASSETS FORFEITURE FUND

24 For expenses authorized by subparagraphs (B), (F),
25 and (G) of section 524(e)(1) of title 28, United States

1 Code, \$20,514,000, to be derived from the Department
2 of Justice Assets Forfeiture Fund.

3 UNITED STATES MARSHALS SERVICE

4 SALARIES AND EXPENSES

5 For necessary expenses of the United States Mar-
6 shals Service, \$1,358,000,000, of which not to exceed
7 \$6,000 shall be available for official reception and rep-
8 resentation expenses, and not to exceed \$25,000,000 shall
9 remain available until expended.

10 CONSTRUCTION

11 For construction in space controlled, occupied or uti-
12 lized by the United States Marshals Service for prisoner
13 holding and related support, \$15,000,000, to remain avail-
14 able until expended.

15 FEDERAL PRISONER DETENTION

16 For necessary expenses related to United States pris-
17 oners in the custody of the United States Marshals Service
18 as authorized by section 4013 of title 18, United States
19 Code, \$1,552,397,000, to remain available until expended:
20 *Provided*, That not to exceed \$20,000,000 shall be consid-
21 ered “funds appropriated for State and local law enforce-
22 ment assistance” pursuant to section 4013(b) of title 18,
23 United States Code: *Provided further*, That the United
24 States Marshals Service shall be responsible for managing
25 the Justice Prisoner and Alien Transportation System.

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1 NATIONAL SECURITY DIVISION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For expenses necessary to carry out the activities of
5 the National Security Division, \$101,369,000, of which
6 not to exceed \$5,000,000 for information technology sys-
7 tems shall remain available until expended: *Provided*, That
8 notwithstanding section 205 of this Act, upon a deter-
9 mination by the Attorney General that emergent cir-
10 cumstances require additional funding for the activities of
11 the National Security Division, the Attorney General may
12 transfer such amounts to this heading from available ap-
13 propriations for the current fiscal year for the Department
14 of Justice, as may be necessary to respond to such cir-
15 cumstances: *Provided further*, That any transfer pursuant
16 to the preceding proviso shall be treated as a reprogram-
17 ming under section 505 of this Act and shall not be avail-
18 able for obligation or expenditure except in compliance
19 with the procedures set forth in that section.

20 INTERAGENCY LAW ENFORCEMENT

21 INTERAGENCY CRIME AND DRUG ENFORCEMENT

22 For necessary expenses for the identification, inves-
23 tigation, and prosecution of individuals associated with the
24 most significant drug trafficking organizations,
25 transnational organized crime, and money laundering or-

1 ganizations not otherwise provided for, to include inter-
2 governmental agreements with State and local law en-
3 forcement agencies engaged in the investigation and pros-
4 ecution of individuals involved in transnational organized
5 crime and drug trafficking, \$560,000,000, of which
6 \$50,000,000 shall remain available until expended: *Pro-*
7 *vided*, That any amounts obligated from appropriations
8 under this heading may be used under authorities avail-
9 able to the organizations reimbursed from this appropria-
10 tion.

11 FEDERAL BUREAU OF INVESTIGATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Bureau of In-
14 vestigation for detection, investigation, and prosecution of
15 crimes against the United States, \$9,192,137,000, of
16 which not to exceed \$216,900,000 shall remain available
17 until expended: *Provided*, That not to exceed \$184,500
18 shall be available for official reception and representation
19 expenses: *Provided further*, That in addition to other funds
20 provided for Construction projects, the Federal Bureau of
21 Investigation may use up to \$150,000,000 appropriated
22 in prior years under this heading for all costs related to
23 construction, renovation, and modification of federally
24 owned and leased space and expansion of network capabili-
25 ties.

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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 \$385,000,000, 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 \$2,267,000,000, of which not to exceed \$75,000,000 shall
22 remain available until expended and not to exceed \$90,000
23 shall be available for official reception and representation
24 expenses: *Provided*, That the Drug Enforcement Adminis-
25 tration may use up to \$5,700,000 appropriated in prior

1 year funds under this heading for necessary expenses of
2 construction.

3 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
4 EXPLOSIVES
5 SALARIES AND EXPENSES

6 For necessary expenses of the Bureau of Alcohol, To-
7 bacco, Firearms and Explosives, for training of State and
8 local law enforcement agencies with or without reimburse-
9 ment, including training in connection with the training
10 and acquisition of canines for explosives and fire
11 accelerants detection; and for provision of laboratory as-
12 sistance to State and local law enforcement agencies, with
13 or without reimbursement, \$1,316,678,000, of which not
14 to exceed \$36,000 shall be for official reception and rep-
15 resentation expenses, not to exceed \$1,000,000 shall be
16 available for the payment of attorneys' fees as provided
17 by section 924(d)(2) of title 18, United States Code, and
18 not to exceed \$20,000,000 shall remain available until ex-
19 pended: *Provided*, That none of the funds appropriated
20 herein shall be available to investigate or act upon applica-
21 tions for relief from Federal firearms disabilities under
22 section 925(c) of title 18, United States Code: *Provided*
23 *further*, That such funds shall be available to investigate
24 and act upon applications filed by corporations for relief
25 from Federal firearms disabilities under section 925(c) of

1 title 18, United States Code: *Provided further*, That no
2 funds made available by this or any other Act may be used
3 to transfer the functions, missions, or activities of the Bu-
4 reau of Alcohol, Tobacco, Firearms and Explosives to
5 other agencies or Departments.

6 FEDERAL PRISON SYSTEM

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of the Federal Prison System
10 for the administration, operation, and maintenance of
11 Federal penal and correctional institutions, and for the
12 provision of technical assistance and advice on corrections
13 related issues to foreign governments, \$7,250,000,000:
14 *Provided*, That the Attorney General may transfer to the
15 Department of Health and Human Services such amounts
16 as may be necessary for direct expenditures by that De-
17 partment for medical relief for inmates of Federal penal
18 and correctional institutions: *Provided further*, That the
19 Director of the Federal Prison System, where necessary,
20 may enter into contracts with a fiscal agent or fiscal inter-
21 mediary claims processor to determine the amounts pay-
22 able to persons who, on behalf of the Federal Prison Sys-
23 tem, furnish health services to individuals committed to
24 the custody of the Federal Prison System: *Provided fur-*
25 *ther*, That not to exceed \$5,400 shall be available for offi-

1 cial reception and representation expenses: *Provided fur-*
2 *ther*, That not to exceed \$50,000,000 shall remain avail-
3 able for necessary operations until September 30, 2020:
4 *Provided further*, That, of the amounts provided for con-
5 tract confinement, not to exceed \$20,000,000 shall remain
6 available until expended to make payments in advance for
7 grants, contracts and reimbursable agreements, and other
8 expenses: *Provided further*, That the Director of the Fed-
9 eral Prison System may accept donated property and serv-
10 ices relating to the operation of the prison card program
11 from a not-for-profit entity which has operated such pro-
12 gram in the past, notwithstanding the fact that such not-
13 for-profit entity furnishes services under contracts to the
14 Federal Prison System relating to the operation of pre-
15 release services, halfway houses, or other custodial facili-
16 ties.

17 BUILDINGS AND FACILITIES

18 For planning, acquisition of sites, and construction
19 of new facilities; purchase and acquisition of facilities and
20 remodeling, and equipping of such facilities for penal and
21 correctional use, including all necessary expenses incident
22 thereto, by contract or force account; and constructing,
23 remodeling, and equipping necessary buildings and facili-
24 ties at existing penal and correctional institutions, includ-
25 ing all necessary expenses incident thereto, by contract or

1 force account, \$264,000,000, to remain available until ex-
2 pended, of which \$175,000,000 shall be available only for
3 costs related to construction of new facilities: *Provided*,
4 That labor of United States prisoners may be used for
5 work performed under this appropriation.

6 FEDERAL PRISON INDUSTRIES, INCORPORATED

7 The Federal Prison Industries, Incorporated, is here-
8 by authorized to make such expenditures within the limits
9 of funds and borrowing authority available, and in accord
10 with the law, and to make such contracts and commit-
11 ments without regard to fiscal year limitations as provided
12 by section 9104 of title 31, United States Code, as may
13 be necessary in carrying out the program set forth in the
14 budget for the current fiscal year for such corporation.

15 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
16 PRISON INDUSTRIES, INCORPORATED

17 Not to exceed \$2,700,000 of the funds of the Federal
18 Prison Industries, Incorporated, shall be available for its
19 administrative expenses, and for services as authorized by
20 section 3109 of title 5, United States Code, to be com-
21 puted on an accrual basis to be determined in accordance
22 with the corporation's current prescribed accounting sys-
23 tem, and such amounts shall be exclusive of depreciation,
24 payment of claims, and expenditures which such account-
25 ing system requires to be capitalized or charged to cost

1 of commodities acquired or produced, including selling and
2 shipping expenses, and expenses in connection with acqui-
3 sition, construction, operation, maintenance, improvement,
4 protection, or disposition of facilities and other property
5 belonging to the corporation or in which it has an interest.

6 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

7 OFFICE ON VIOLENCE AGAINST WOMEN

8 VIOLENCE AGAINST WOMEN PREVENTION AND

9 PROSECUTION PROGRAMS

10 (INCLUDING TRANSFER OF FUNDS)

11 For grants, contracts, cooperative agreements, and
12 other assistance for the prevention and prosecution of vio-
13 lence against women, as authorized by the Omnibus Crime
14 Control and Safe Streets Act of 1968 (34 U.S.C. 10101
15 et seq.) (“the 1968 Act”); the Violent Crime Control and
16 Law Enforcement Act of 1994 (Public Law 103–322)
17 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
18 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
19 torial Remedies and Other Tools to end the Exploitation
20 of Children Today Act of 2003 (Public Law 108–21); the
21 Juvenile Justice and Delinquency Prevention Act of 1974
22 (34 U.S.C. 11101 et seq.) (“the 1974 Act”); the Victims
23 of Trafficking and Violence Protection Act of 2000 (Public
24 Law 106–386) (“the 2000 Act”); the Violence Against
25 Women and Department of Justice Reauthorization Act

1 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
2 lence Against Women Reauthorization Act of 2013 (Public
3 Law 113–4) (“the 2013 Act”); and the Rape Survivor
4 Child Custody Act of 2015 (Public Law 114–22) (“the
5 2015 Act”); and for related victims services,
6 \$497,500,000, to remain available until expended, which
7 shall be derived by transfer from amounts available for
8 obligation in this Act from the Fund established by section
9 1402 of chapter XIV of title II of Public Law 98–473
10 (34 U.S.C. 20101), notwithstanding section 1402(d) of
11 such Act of 1984, and merged with the amounts otherwise
12 made available under this heading: *Provided*, That except
13 as otherwise provided by law, not to exceed 5 percent of
14 funds made available under this heading may be used for
15 expenses related to evaluation, training, and technical as-
16 sistance: *Provided further*, That of the amount provided—

17 (1) \$215,000,000 is for grants to combat vio-
18 lence against women, as authorized by part T of the
19 1968 Act;

20 (2) \$36,000,000 is for transitional housing as-
21 sistance grants for victims of domestic violence, dat-
22 ing violence, stalking, or sexual assault as authorized
23 by section 40299 of the 1994 Act;

24 (3) \$3,000,000 is for the National Institute of
25 Justice and the Bureau of Justice Statistics for re-

1 search, evaluation, and statistics of violence against
2 women and related issues addressed by grant pro-
3 grams of the Office on Violence Against Women,
4 which shall be transferred to “Research, Evaluation
5 and Statistics” for administration by the Office of
6 Justice Programs;

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

1 (5) \$53,000,000 is for grants to encourage ar-
2 rest policies as authorized by part U of the 1968
3 Act, of which \$4,000,000 is for a homicide reduction
4 initiative;

5 (6) \$37,500,000 is for sexual assault victims
6 assistance, as authorized by section 41601 of the
7 1994 Act;

8 (7) \$42,000,000 is for rural domestic violence
9 and child abuse enforcement assistance grants, as
10 authorized by section 40295 of the 1994 Act;

11 (8) \$20,000,000 is for grants to reduce violent
12 crimes against women on campus, as authorized by
13 section 304 of the 2005 Act;

14 (9) \$45,000,000 is for legal assistance for vic-
15 tims, as authorized by section 1201 of the 2000 Act;

16 (10) \$5,000,000 is for enhanced training and
17 services to end violence against and abuse of women
18 in later life, as authorized by section 40802 of the
19 1994 Act;

20 (11) \$16,000,000 is for grants to support fami-
21 lies in the justice system, as authorized by section
22 1301 of the 2000 Act: *Provided*, That unobligated
23 balances available for the programs authorized by
24 section 1301 of the 2000 Act and section 41002 of

1 the 1994 Act, prior to their amendment by the 2013
2 Act, shall be available for this program;

3 (12) \$6,000,000 is for education and training
4 to end violence against and abuse of women with
5 disabilities, as authorized by section 1402 of the
6 2000 Act;

7 (13) \$1,000,000 is for the National Resource
8 Center on Workplace Responses to assist victims of
9 domestic violence, as authorized by section 41501 of
10 the 1994 Act;

11 (14) \$1,000,000 is for analysis and research on
12 violence against Indian women, including as author-
13 ized by section 904 of the 2005 Act: *Provided*, That
14 such funds may be transferred to “Research, Eval-
15 uation and Statistics” for administration by the Of-
16 fice of Justice Programs;

17 (15) \$500,000 is for a national clearinghouse
18 that provides training and technical assistance on
19 issues relating to sexual assault of American Indian
20 and Alaska Native women;

21 (16) \$4,000,000 is for grants to assist tribal
22 governments in exercising special domestic violence
23 criminal jurisdiction, as authorized by section 904 of
24 the 2013 Act: *Provided*, That the grant conditions in

1 section 40002(b) of the 1994 Act shall apply to this
2 program; and

3 (17) \$1,500,000 is for the purposes authorized
4 under the 2015 Act.

5 OFFICE OF JUSTICE PROGRAMS

6 RESEARCH, EVALUATION AND STATISTICS

7 For grants, contracts, cooperative agreements, and
8 other assistance authorized by title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (“the 1968
10 Act”); the Juvenile Justice and Delinquency Prevention
11 Act of 1974 (“the 1974 Act”); the Missing Children’s As-
12 sistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial
13 Remedies and Other Tools to end the Exploitation of Chil-
14 dren Today Act of 2003 (Public Law 108–21); the Justice
15 for All Act of 2004 (Public Law 108–405); the Violence
16 Against Women and Department of Justice Reauthoriza-
17 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
18 the Victims of Child Abuse Act of 1990 (Public Law 101–
19 647); the Second Chance Act of 2007 (Public Law 110–
20 199); the Victims of Crime Act of 1984 (Public Law 98–
21 473); the Adam Walsh Child Protection and Safety Act
22 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);
23 the PROTECT Our Children Act of 2008 (Public Law
24 110–401); subtitle D of title II of the Homeland Security
25 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the

1 NICS Improvement Amendments Act of 2007 (Public
2 Law 110–180); the Violence Against Women Reauthoriza-
3 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”);
4 and other programs, \$80,000,000, to remain available
5 until expended, of which—

6 (1) \$43,000,000 is for criminal justice statistics
7 programs, and other activities, as authorized by part
8 C of title I of the 1968 Act, of which \$5,000,000 is
9 for a nationwide incident-based crime statistics pro-
10 gram; and

11 (2) \$37,000,000 is for research, development,
12 and evaluation programs, and other activities as au-
13 thorized by part B of title I of the 1968 Act and
14 subtitle D of title II of the 2002 Act, of which
15 \$4,000,000 is for research targeted toward devel-
16 oping a better understanding of the domestic
17 radicalization phenomenon, and advancing evidence-
18 based strategies for effective intervention and pre-
19 vention; \$1,000,000 is for research to study the root
20 causes of school violence to include the impact and
21 effectiveness of grants made under the STOP School
22 Violence Act; \$1,000,000 is for a study to better
23 protect children against online predatory behavior as
24 part of the National Juvenile Online Victimization

1 Studies (N-JOVS); and \$3,000,000 is for a national
2 center for restorative justice.

3 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
4 (INCLUDING TRANSFER OF FUNDS)

5 For grants, contracts, cooperative agreements, and
6 other assistance authorized by the Violent Crime Control
7 and Law Enforcement Act of 1994 (Public Law 103-322)
8 (“the 1994 Act”); the Omnibus Crime Control and Safe
9 Streets Act of 1968 (“the 1968 Act”); the Justice for All
10 Act of 2004 (Public Law 108-405); the Victims of Child
11 Abuse Act of 1990 (Public Law 101-647) (“the 1990
12 Act”); the Trafficking Victims Protection Reauthorization
13 Act of 2005 (Public Law 109-164); the Violence Against
14 Women and Department of Justice Reauthorization Act
15 of 2005 (Public Law 109-162) (“the 2005 Act”); the
16 Adam Walsh Child Protection and Safety Act of 2006
17 (Public Law 109-248) (“the Adam Walsh Act”); the Vic-
18 tims of Trafficking and Violence Protection Act of 2000
19 (Public Law 106-386); the NICS Improvement Amend-
20 ments Act of 2007 (Public Law 110-180); subtitle D of
21 title II of the Homeland Security Act of 2002 (Public Law
22 107-296) (“the 2002 Act”); the Second Chance Act of
23 2007 (Public Law 110-199); the Prioritizing Resources
24 and Organization for Intellectual Property Act of 2008
25 (Public Law 110-403); the Victims of Crime Act of 1984

1 (Public Law 98–473); the Mentally Ill Offender Treat-
2 ment and Crime Reduction Reauthorization and Improve-
3 ment Act of 2008 (Public Law 110–416); the Violence
4 Against Women Reauthorization Act of 2013 (Public Law
5 113–4) (“the 2013 Act”); the Comprehensive Addiction
6 and Recovery Act of 2016 (Public Law 114–198)
7 (“CARA”); the Justice for All Reauthorization Act of
8 2016 (Public Law 114–324); Kevin and Avonte’s Law (di-
9 vision Q of Public Law 115–141) (“Kevin and Avonte’s
10 Law”); the Keep Young Athletes Safe Act of 2018 (title
11 III of division S of Public Law 115–141) (“the Keep
12 Young Athletes Safe Act”); the STOP School Violence Act
13 of 2018 (title V of division S of Public Law 115–141)
14 (“the STOP School Violence Act”); the Fix NICS Act of
15 2018 (title VI of division S of Public Law 115–141); the
16 Project Safe Neighborhoods Grant Program Authorization
17 Act of 2018 (Public Law 115–185); and the SUPPORT
18 for Patients and Communities Act (Public Law 115–271);
19 and other programs, \$1,723,000,000, to remain available
20 until expended as follows—

21 (1) \$423,500,000 for the Edward Byrne Memo-
22 rial Justice Assistance Grant program as authorized
23 by subpart 1 of part E of title I of the 1968 Act
24 (except that section 1001(c), and the special rules
25 for Puerto Rico under section 505(g) of title I of the

1 1968 Act shall not apply for purposes of this Act),
2 of which, notwithstanding such subpart 1,
3 \$12,000,000 is for the Officer Robert Wilson III
4 Memorial Initiative on Preventing Violence Against
5 Law Enforcement Officer Resilience and Surviv-
6 ability (VALOR), \$7,500,000 is for an initiative to
7 support evidence-based policing, \$8,000,000 is for
8 an initiative to enhance prosecutorial decision-mak-
9 ing, \$2,400,000 is for the operationalization, mainte-
10 nance and expansion of the National Missing and
11 Unidentified Persons System, \$2,500,000 is for an
12 academic based training initiative to improve police-
13 based responses to people with mental illness or de-
14 velopmental disabilities, \$2,000,000 is for a student
15 loan repayment assistance program pursuant to sec-
16 tion 952 of Public Law 110–315, \$15,500,000 is for
17 prison rape prevention and prosecution grants to
18 States and units of local government, and other pro-
19 grams, as authorized by the Prison Rape Elimini-
20 nation Act of 2003 (Public Law 108–79),
21 \$2,000,000 is for a grant program authorized by
22 Kevin and Avonte’s Law, \$3,000,000 is for a re-
23 gional law enforcement technology initiative,
24 \$20,000,000 is for programs to reduce gun crime
25 and gang violence, as authorized by Public Law

1 115–185, \$5,000,000 is for the Capital Litigation
2 Improvement Grant Program, as authorized by sec-
3 tion 426 of Public Law 108–405, and for grants for
4 wrongful conviction review, \$2,000,000 is for emer-
5 gency law enforcement assistance for events occur-
6 ring during or after fiscal year 2019, as authorized
7 by section 609M of the Justice Assistance Act of
8 1984 (34 U.S.C. 50101), \$2,000,000 is for grants
9 to States and units of local government to deploy
10 managed access systems to combat contraband cell
11 phone use in prison, \$2,000,000 is for a program to
12 improve juvenile indigent defense, and \$8,000,000 is
13 for community-based violence prevention initiatives;

14 (2) \$243,500,000 for the State Criminal Alien
15 Assistance Program, as authorized by section
16 241(i)(5) of the Immigration and Nationality Act (8
17 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
18 shall request compensation for any cost greater than
19 the actual cost for Federal immigration and other
20 detainees housed in State and local detention facili-
21 ties;

22 (3) \$85,000,000 for victim services programs
23 for victims of trafficking, as authorized by section
24 107(b)(2) of Public Law 106–386, for programs au-

1 thorized under Public Law 109–164, or programs
2 authorized under Public Law 113–4;

3 (4) \$14,000,000 for economic, high technology,
4 white collar, and Internet crime prevention grants,
5 including as authorized by section 401 of Public
6 Law 110–403, of which \$2,500,000 is for competi-
7 tive grants that help State and local law enforce-
8 ment tackle intellectual property thefts, and
9 \$2,000,000 for a competitive grant program for
10 training students in computer forensics and digital
11 investigation;

12 (5) \$20,000,000 for sex offender management
13 assistance, as authorized by the Adam Walsh Act,
14 and related activities;

15 (6) \$25,000,000 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: *Provided*,
18 That \$1,500,000 is transferred directly to the Na-
19 tional Institute of Standards and Technology’s Of-
20 fice of Law Enforcement Standards for research,
21 testing and evaluation programs;

22 (7) \$1,000,000 for the National Sex Offender
23 Public Website;

24 (8) \$75,000,000 for grants to States to up-
25 grade criminal and mental health records for the

1 National Instant Criminal Background Check Sys-
2 tem, of which no less than \$25,000,000 shall be for
3 grants made under the authorities of the NICS Im-
4 provement Amendments Act of 2007 (Public Law
5 110–180) and Fix NICS Act of 2018;

6 (9) \$30,000,000 for Paul Coverdell Forensic
7 Sciences Improvement Grants under part BB of title
8 I of the 1968 Act;

9 (10) \$130,000,000 for DNA-related and foren-
10 sic programs and activities, of which—

11 (A) \$120,000,000 is for a DNA analysis
12 and capacity enhancement program and for
13 other local, State, and Federal forensic activi-
14 ties, including the purposes authorized under
15 section 2 of the DNA Analysis Backlog Elimini-
16 nation Act of 2000 (Public Law 106–546) (the
17 Debbie Smith DNA Backlog Grant Program):
18 *Provided*, That up to 4 percent of funds made
19 available under this paragraph may be used for
20 the purposes described in the DNA Training
21 and Education for Law Enforcement, Correc-
22 tional Personnel, and Court Officers program
23 (Public Law 108–405, section 303);

24 (B) \$6,000,000 is for the purposes de-
25 scribed in the Kirk Bloodsworth Post-Convic-

1 tion DNA Testing Grant Program (Public Law
2 108–405, section 412); and

3 (C) \$4,000,000 is for Sexual Assault Fo-
4 rensic Exam Program grants, including as au-
5 thorized by section 304 of Public Law 108–405;

6 (11) \$48,000,000 for a grant program for com-
7 munity-based sexual assault response reform;

8 (12) \$12,000,000 for the court-appointed spe-
9 cial advocate program, as authorized by section 217
10 of the 1990 Act;

11 (13) \$37,500,000 for assistance to Indian
12 tribes;

13 (14) \$87,500,000 for offender reentry programs
14 and research, as authorized by the Second Chance
15 Act of 2007 (Public Law 110–199), without regard
16 to the time limitations specified at section 6(1) of
17 such Act, of which not to exceed \$6,000,000 is for
18 a program to improve State, local, and tribal proba-
19 tion or parole supervision efforts and strategies,
20 \$5,000,000 is for Children of Incarcerated Parents
21 Demonstrations to enhance and maintain parental
22 and family relationships for incarcerated parents as
23 a reentry or recidivism reduction strategy, and
24 \$4,000,000 is for additional replication sites employ-
25 ing the Project HOPE Opportunity Probation with

1 Enforcement model implementing swift and certain
2 sanctions in probation, and for a research project on
3 the effectiveness of the model: *Provided*, That up to
4 \$7,500,000 of funds made available in this para-
5 graph may be used for performance-based awards
6 for Pay for Success projects, of which up to
7 \$5,000,000 shall be for Pay for Success programs
8 implementing the Permanent Supportive Housing
9 Model;

10 (15) \$66,500,000 for initiatives to improve po-
11 lice-community relations, of which \$22,500,000 is
12 for a competitive matching grant program for pur-
13 chases of body-worn cameras for State, local and
14 Tribal law enforcement, \$27,000,000 is for a justice
15 reinvestment initiative, for activities related to crimi-
16 nal justice reform and recidivism reduction, and
17 \$17,000,000 is for an Edward Byrne Memorial
18 criminal justice innovation program;

19 (16) \$347,000,000 for comprehensive opioid
20 abuse reduction activities, including as authorized by
21 CARA, and for the following programs, which shall
22 address opioid abuse reduction consistent with un-
23 derlying program authorities—

1 (A) \$77,000,000 for Drug Courts, as au-
2 thorized by section 1001(a)(25)(A) of title I of
3 the 1968 Act;

4 (B) \$31,000,000 for mental health courts
5 and adult and juvenile collaboration program
6 grants, as authorized by parts V and HH of
7 title I of the 1968 Act, and the Mentally Ill Of-
8 fender Treatment and Crime Reduction Reau-
9 thorization and Improvement Act of 2008 (Pub-
10 lic Law 110–416);

11 (C) \$30,000,000 for grants for Residential
12 Substance Abuse Treatment for State Pris-
13 oners, as authorized by part S of title I of the
14 1968 Act;

15 (D) \$22,000,000 for a veterans treatment
16 courts program;

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

20 (F) \$157,000,000 for a comprehensive
21 opioid abuse program;

22 (17) \$2,500,000 for a competitive grant pro-
23 gram authorized by the Keep Young Athletes Safe
24 Act; and

1 (18) \$75,000,000 for grants to be administered
2 by the Bureau of Justice Assistance for purposes au-
3 thorized under the STOP School Violence Act:

4 *Provided*, That, if a unit of local government uses any of
5 the funds made available under this heading to increase
6 the number of law enforcement officers, the unit of local
7 government will achieve a net gain in the number of law
8 enforcement officers who perform non-administrative pub-
9 lic sector safety service.

10 JUVENILE JUSTICE PROGRAMS

11 For grants, contracts, cooperative agreements, and
12 other assistance authorized by the Juvenile Justice and
13 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
14 Omnibus Crime Control and Safe Streets Act of 1968
15 (“the 1968 Act”); the Violence Against Women and De-
16 partment of Justice Reauthorization Act of 2005 (Public
17 Law 109–162) (“the 2005 Act”); the Missing Children’s
18 Assistance Act (34 U.S.C. 11291 et seq.); the Prosecu-
19 torial Remedies and Other Tools to end the Exploitation
20 of Children Today Act of 2003 (Public Law 108–21); the
21 Victims of Child Abuse Act of 1990 (Public Law 101–
22 647) (“the 1990 Act”); the Adam Walsh Child Protection
23 and Safety Act of 2006 (Public Law 109–248) (“the
24 Adam Walsh Act”); the PROTECT Our Children Act of
25 2008 (Public Law 110–401); the Violence Against Women

1 Reauthorization Act of 2013 (Public Law 113–4) (“the
2 2013 Act”); the Justice for All Reauthorization Act of
3 2016 (Public Law 114-324); and other juvenile justice
4 programs, \$287,000,000, to remain available until ex-
5 pended as follows—

6 (1) \$60,000,000 for programs authorized by
7 section 221 of the 1974 Act, and for training and
8 technical assistance to assist small, nonprofit organi-
9 zations with the Federal grants process: *Provided*,
10 That of the amounts provided under this paragraph,
11 \$500,000 shall be for a competitive demonstration
12 grant program to support emergency planning
13 among State, local and tribal juvenile justice resi-
14 dential facilities;

15 (2) \$95,000,000 for youth mentoring grants;

16 (3) \$24,500,000 for delinquency prevention, as
17 authorized by section 505 of the 1974 Act, of which,
18 pursuant to sections 261 and 262 thereof—

19 (A) \$5,000,000 shall be for the Tribal
20 Youth Program;

21 (B) \$500,000 shall be for an Internet site
22 providing information and resources on children
23 of incarcerated parents;

1 (C) \$2,000,000 shall be for competitive
2 grants focusing on girls in the juvenile justice
3 system;

4 (D) \$9,000,000 shall be for an opioid-af-
5 fected youth initiative; and

6 (E) \$8,000,000 shall be for an initiative
7 relating to children exposed to violence;

8 (4) \$22,500,000 for programs authorized by
9 the Victims of Child Abuse Act of 1990;

10 (5) \$82,000,000 for missing and exploited chil-
11 dren programs, including as authorized by sections
12 404(b) and 405(a) of the 1974 Act (except that sec-
13 tion 102(b)(4)(B) of the PROTECT Our Children
14 Act of 2008 (Public Law 110–401) shall not apply
15 for purposes of this Act); and

16 (6) \$3,000,000 for child abuse training pro-
17 grams for judicial personnel and practitioners, as
18 authorized by section 222 of the 1990 Act:

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

1 apply to grants and projects administered pursuant to sec-
2 tions 261 and 262 of the 1974 Act and to missing and
3 exploited children programs.

4 PUBLIC SAFETY OFFICER BENEFITS
5 (INCLUDING TRANSFER OF FUNDS)

6 For payments and expenses authorized under section
7 1001(a)(4) of title I of the Omnibus Crime Control and
8 Safe Streets Act of 1968, such sums as are necessary (in-
9 cluding amounts for administrative costs), to remain avail-
10 able until expended; and \$24,800,000 for payments au-
11 thorized by section 1201(b) of such Act and for edu-
12 cational assistance authorized by section 1218 of such Act,
13 to remain available until expended: *Provided*, That not-
14 withstanding section 205 of this Act, upon a determina-
15 tion by the Attorney General that emergent circumstances
16 require additional funding for such disability and edu-
17 cation payments, the Attorney General may transfer such
18 amounts to “Public Safety Officer Benefits” from avail-
19 able appropriations for the Department of Justice as may
20 be necessary to respond to such circumstances: *Provided*
21 *further*, That any transfer pursuant to the preceding pro-
22 viso shall be treated as a reprogramming under section
23 505 of this Act and shall not be available for obligation
24 or expenditure except in compliance with the procedures
25 set forth in that section.

1 COMMUNITY ORIENTED POLICING SERVICES

2 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

3 (INCLUDING TRANSFER OF FUNDS)

4 For activities authorized by the Violent Crime Con-
5 trol and Law Enforcement Act of 1994 (Public Law 103-
6 322); the Omnibus Crime Control and Safe Streets Act
7 of 1968 (“the 1968 Act”); the Violence Against Women
8 and Department of Justice Reauthorization Act of 2005
9 (Public Law 109-162) (“the 2005 Act”); and the SUP-
10 PORT for Patients and Communities Act (Public Law
11 115-271), \$303,500,000, to remain available until ex-
12 pended: *Provided*, That any balances made available
13 through prior year deobligations shall only be available in
14 accordance with section 505 of this Act: *Provided further*,
15 That of the amount provided under this heading—

16 (1) \$228,500,000 is for grants under section
17 1701 of title I of the 1968 Act (34 U.S.C. 10381)
18 for the hiring and rehiring of additional career law
19 enforcement officers under part Q of such title not-
20 withstanding subsection (i) of such section: *Pro-*
21 *vided*, That, notwithstanding section 1704(c) of such
22 title (34 U.S.C. 10384(c)), funding for hiring or re-
23 hiring a career law enforcement officer may not ex-
24 ceed \$125,000 unless the Director of the Office of
25 Community Oriented Policing Services grants a

1 waiver from this limitation: *Provided further*, That
2 within the amounts appropriated under this para-
3 graph, \$27,000,000 is for improving tribal law en-
4 forcement, including hiring, equipment, training,
5 anti-methamphetamine activities, and anti-opioid ac-
6 tivities: *Provided further*, That of the amounts ap-
7 propriated under this paragraph, \$6,500,000 is for
8 community policing development activities in fur-
9 therance of the purposes in section 1701: *Provided*
10 *further*, That of the amounts appropriated under
11 this paragraph \$37,000,000 is for regional informa-
12 tion sharing activities, as authorized by part M of
13 title I of the 1968 Act, which shall be transferred
14 to and merged with “Research, Evaluation, and Sta-
15 tistics” for administration by the Office of Justice
16 Programs: *Provided further*, That within the
17 amounts appropriated under this paragraph, no less
18 than \$3,000,000 is to support the Tribal Access
19 Program: *Provided further*, That within the amounts
20 appropriated under this paragraph, \$2,000,000 is
21 for training, peer mentoring, and mental health pro-
22 gram activities as authorized under the Law En-
23 forcement Mental Health and Wellness Act (Public
24 Law 115–113);

1 (2) \$10,000,000 is for activities authorized by
2 the POLICE Act of 2016 (Public Law 114–199);

3 (3) \$8,000,000 is for competitive grants to
4 State law enforcement agencies in States with high
5 seizures of precursor chemicals, finished meth-
6 amphetamine, laboratories, and laboratory dump sei-
7 zures: *Provided*, That funds appropriated under this
8 paragraph shall be utilized for investigative purposes
9 to locate or investigate illicit activities, including
10 precursor diversion, laboratories, or methamphet-
11 amine traffickers;

12 (4) \$32,000,000 is for competitive grants to
13 statewide law enforcement agencies in States with
14 high rates of primary treatment admissions for her-
15 oin and other opioids: *Provided*, That these funds
16 shall be utilized for investigative purposes to locate
17 or investigate illicit activities, including activities re-
18 lated to the distribution of heroin or unlawful dis-
19 tribution of prescription opioids, or unlawful heroin
20 and prescription opioid traffickers through statewide
21 collaboration; and

22 (5) \$25,000,000 is for competitive grants to be
23 administered by the Community Oriented Policing
24 Services Office for purposes authorized under the

1 STOP School Violence Act (title V of division S of
2 Public Law 115–141).

3 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. In addition to amounts otherwise made
6 available in this title for official reception and representa-
7 tion expenses, a total of not to exceed \$50,000 from funds
8 appropriated to the Department of Justice in this title
9 shall be available to the Attorney General for official re-
10 ception and representation expenses.

11 SEC. 202. None of the funds appropriated by this
12 title shall be available to pay for an abortion, except where
13 the life of the mother would be endangered if the fetus
14 were carried to term, or in the case of rape or incest: *Pro-*
15 *vided*, That should this prohibition be declared unconstitu-
16 tional by a court of competent jurisdiction, this section
17 shall be null and void.

18 SEC. 203. None of the funds appropriated under this
19 title shall be used to require any person to perform, or
20 facilitate in any way the performance of, any abortion.

21 SEC. 204. Nothing in the preceding section shall re-
22 move the obligation of the Director of the Bureau of Pris-
23 ons to provide escort services necessary for a female in-
24 mate to receive such service outside the Federal facility:
25 *Provided*, That nothing in this section in any way dimin-

1 ishes the effect of section 203 intended to address the phil-
2 osophical beliefs of individual employees of the Bureau of
3 Prisons.

4 SEC. 205. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the De-
6 partment of Justice in this Act may be transferred be-
7 tween such appropriations, but no such appropriation, ex-
8 cept as otherwise specifically provided, shall be increased
9 by more than 10 percent by any such transfers: *Provided*,
10 That any transfer pursuant to this section shall be treated
11 as a reprogramming of funds under section 505 of this
12 Act and shall not be available for obligation except in com-
13 pliance with the procedures set forth in that section.

14 SEC. 206. None of the funds made available under
15 this title may be used by the Federal Bureau of Prisons
16 or the United States Marshals Service for the purpose of
17 transporting an individual who is a prisoner pursuant to
18 conviction for crime under State or Federal law and is
19 classified as a maximum or high security prisoner, other
20 than to a prison or other facility certified by the Federal
21 Bureau of Prisons as appropriately secure for housing
22 such a prisoner.

23 SEC. 207. (a) None of the funds appropriated by this
24 Act may be used by Federal prisons to purchase cable tele-
25 vision services, or to rent or purchase audiovisual or elec-

1 tronic media or equipment used primarily for recreational
2 purposes.

3 (b) Subsection (a) does not preclude the rental, main-
4 tenance, or purchase of audiovisual or electronic media or
5 equipment for inmate training, religious, or educational
6 programs.

7 SEC. 208. None of the funds made available under
8 this title shall be obligated or expended for any new or
9 enhanced information technology program having total es-
10 timated development costs in excess of \$100,000,000, un-
11 less the Deputy Attorney General and the investment re-
12 view board certify to the Committees on Appropriations
13 of the House of Representatives and the Senate that the
14 information technology program has appropriate program
15 management controls and contractor oversight mecha-
16 nisms in place, and that the program is compatible with
17 the enterprise architecture of the Department of Justice.

18 SEC. 209. The notification thresholds and procedures
19 set forth in section 505 of this Act shall apply to devi-
20 ations from the amounts designated for specific activities
21 in this Act and in the explanatory statement described in
22 section 4 (in the matter preceding division A of this con-
23 solidated Act), and to any use of deobligated balances of
24 funds provided under this title in previous years.

1 SEC. 210. None of the funds appropriated by this Act
2 may be used to plan for, begin, continue, finish, process,
3 or approve a public-private competition under the Office
4 of Management and Budget Circular A-76 or any suc-
5 cessor administrative regulation, directive, or policy for
6 work performed by employees of the Bureau of Prisons
7 or of Federal Prison Industries, Incorporated.

8 SEC. 211. Notwithstanding any other provision of
9 law, no funds shall be available for the salary, benefits,
10 or expenses of any United States Attorney assigned dual
11 or additional responsibilities by the Attorney General or
12 his designee that exempt that United States Attorney
13 from the residency requirements of section 545 of title 28,
14 United States Code.

15 SEC. 212. At the discretion of the Attorney General,
16 and in addition to any amounts that otherwise may be
17 available (or authorized to be made available) by law, with
18 respect to funds appropriated by this title under the head-
19 ings “Research, Evaluation and Statistics”, “State and
20 Local Law Enforcement Assistance”, and “Juvenile Jus-
21 tice Programs”—

22 (1) up to 3 percent of funds made available to
23 the Office of Justice Programs for grant or reim-
24 bursement programs may be used by such Office to
25 provide training and technical assistance; and

1 (2) up to 2.5 percent of funds made available
2 for grant or reimbursement programs under such
3 headings, except for amounts appropriated specifi-
4 cally for research, evaluation, or statistical programs
5 administered by the National Institute of Justice
6 and the Bureau of Justice Statistics, shall be trans-
7 ferred to and merged with funds provided to the Na-
8 tional Institute of Justice and the Bureau of Justice
9 Statistics, to be used by them for research, evalua-
10 tion, or statistical purposes, without regard to the
11 authorizations for such grant or reimbursement pro-
12 grams.

13 SEC. 213. Upon request by a grantee for whom the
14 Attorney General has determined there is a fiscal hard-
15 ship, the Attorney General may, with respect to funds ap-
16 propriated in this or any other Act making appropriations
17 for fiscal years 2016 through 2019 for the following pro-
18 grams, waive the following requirements:

19 (1) For the adult and juvenile offender State
20 and local reentry demonstration projects under part
21 FF of title I of the Omnibus Crime Control and
22 Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.),
23 the requirements under section 2976(g)(1) of such
24 part (34 U.S.C. 10631(g)(1)).

1 (2) For State, Tribal, and local reentry courts
2 under part FF of title I of such Act of 1968 (34
3 U.S.C. 10631 et seq.), the requirements under sec-
4 tion 2978(e)(1) and (2) of such part (34 U.S.C.
5 10633(e)(1) and (2)).

6 (3) For the prosecution drug treatment alter-
7 natives to prison program under part CC of title I
8 of such Act of 1968 (34 U.S.C. 10581), the require-
9 ments under the second sentence of section 2901(f)
10 of such part (34 U.S.C. 10581(f)).

11 SEC. 214. Notwithstanding any other provision of
12 law, section 20109(a) of subtitle A of title II of the Violent
13 Crime Control and Law Enforcement Act of 1994 (34
14 U.S.C. 12109(a)) shall not apply to amounts made avail-
15 able by this or any other Act.

16 SEC. 215. None of the funds made available under
17 this Act, other than for the national instant criminal back-
18 ground check system established under section 103 of the
19 Brady Handgun Violence Prevention Act (34 U.S.C.
20 40901), may be used by a Federal law enforcement officer
21 to 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, un-
24 less law enforcement personnel of the United States con-
25 tinuously monitor or control the firearm at all times.

1 SEC. 216. (a) None of the income retained in the De-
2 partment of Justice Working Capital Fund pursuant to
3 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
4 527 note) shall be available for obligation during fiscal
5 year 2019, except up to \$12,000,000 may be obligated for
6 implementation of a unified Department of Justice finan-
7 cial management system.

8 (b) Not to exceed \$30,000,000 of the unobligated bal-
9 ances transferred to the capital account of the Department
10 of Justice Working Capital Fund pursuant to title I of
11 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
12 shall be available for obligation in fiscal year 2019, and
13 any use, obligation, transfer or allocation of such funds
14 shall be treated as a reprogramming of funds under sec-
15 tion 505 of this Act.

16 (c) Not to exceed \$10,000,000 of the excess unobli-
17 gated balances available under section 524(c)(8)(E) of
18 title 28, United States Code, shall be available for obliga-
19 tion during fiscal year 2019, and any use, obligation,
20 transfer or allocation of such funds shall be treated as a
21 reprogramming of funds under section 505 of this Act.

22 SEC. 217. Discretionary funds that are made avail-
23 able in this Act for the Office of Justice Programs may
24 be used to participate in Performance Partnership Pilots
25 authorized under section 526 of division H of Public Law

1 113–76, section 524 of division G of Public Law 113–235,
2 section 525 of division H of Public Law 114–113, and
3 such authorities as are enacted for Performance Partner-
4 ship Pilots in an appropriations Act for fiscal years 2018
5 and 2019.

6 This title may be cited as the “Department of Justice
7 Appropriations Act, 2019”.

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1 TITLE III

2 SCIENCE

3 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

4 For necessary expenses of the Office of Science and
5 Technology Policy, in carrying out the purposes of the Na-
6 tional Science and Technology Policy, Organization, and
7 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of
8 passenger motor vehicles, and services as authorized by
9 section 3109 of title 5, United States Code, not to exceed
10 \$2,250 for official reception and representation expenses,
11 and rental of conference rooms in the District of Colum-
12 bia, \$5,544,000.

13 NATIONAL SPACE COUNCIL

14 For necessary expenses of the National Space Coun-
15 cil, in carrying out the purposes of Title V of Public Law
16 100–685 and Executive Order 13803, hire of passenger
17 motor vehicles, and services as authorized by section 3109
18 of title 5, United States Code, not to exceed \$2,250 for
19 official reception and representation expenses,
20 \$1,965,000: *Provided*, That notwithstanding any other
21 provision of law, the National Space Council may accept
22 personnel support from Federal agencies, departments,
23 and offices, and such Federal agencies, departments, and
24 offices may detail staff without reimbursement to the Na-
25 tional Space Council for purposes provided herein.

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, \$6,905,700,000, to remain available until Sep-
15 tember 30, 2020: *Provided*, That, of the amounts pro-
16 vided, \$545,000,000 is for an orbiter and \$195,000,000
17 is for a lander to meet the science goals for the Jupiter
18 Europa mission as recommended in previous Planetary
19 Science Decadal surveys: *Provided further*, That the Na-
20 tional Aeronautics and Space Administration shall use the
21 Space Launch System as the launch vehicles for the Jupi-
22 ter Europa missions, plan for an orbiter launch no later
23 than 2023 and a lander launch no later than 2025, and
24 include in the fiscal year 2020 budget the 5-year funding
25 profile necessary to achieve these goals.

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1 AERONAUTICS

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of aeronautics research and
4 development activities, including research, development,
5 operations, support, and services; maintenance and repair,
6 facility planning and design; space flight, spacecraft con-
7 trol, and communications activities; program manage-
8 ment; personnel and related costs, including uniforms or
9 allowances therefor, as authorized by sections 5901 and
10 5902 of title 5, United States Code; travel expenses; pur-
11 chase and hire of passenger motor vehicles; and purchase,
12 lease, charter, maintenance, and operation of mission and
13 administrative aircraft, \$725,000,000, to remain available
14 until September 30, 2020.

15 SPACE TECHNOLOGY

16 For necessary expenses, not otherwise provided for,
17 in the conduct and support of space technology research
18 and development activities, including research, develop-
19 ment, operations, support, and services; maintenance and
20 repair, facility planning and design; space flight, space-
21 craft control, and communications activities; program
22 management; personnel and related costs, including uni-
23 forms or allowances therefor, as authorized by sections
24 5901 and 5902 of title 5, United States Code; travel ex-
25 penses; purchase and hire of passenger motor vehicles; and

1 purchase, lease, charter, maintenance, and operation of
2 mission and administrative aircraft, \$926,900,000, to re-
3 main available until September 30, 2020: *Provided*, That
4 \$180,000,000 shall be for RESTORE–L.

5 EXPLORATION

6 For necessary expenses, not otherwise provided for,
7 in the conduct and support of exploration research and
8 development activities, including research, development,
9 operations, support, and services; maintenance and repair,
10 facility planning and design; space flight, spacecraft con-
11 trol, and communications activities; program manage-
12 ment; personnel and related costs, including uniforms or
13 allowances therefor, as authorized by sections 5901 and
14 5902 of title 5, United States Code; travel expenses; pur-
15 chase and hire of passenger motor vehicles; and purchase,
16 lease, charter, maintenance, and operation of mission and
17 administrative aircraft, \$5,050,800,000, to remain avail-
18 able until September 30, 2020: *Provided*, That not less
19 than \$1,350,000,000 shall be for the Orion Multi-Purpose
20 Crew Vehicle: *Provided further*, That not less than
21 \$2,150,000,000 shall be for the Space Launch System
22 (SLS) launch vehicle, which shall have a lift capability not
23 less than 130 metric tons and which shall have core ele-
24 ments and an Exploration Upper Stage developed simulta-
25 neously: *Provided further*, That of the amounts provided

1 for SLS, not less than \$150,000,000 shall be for Explo-
2 ration Upper Stage development: *Provided further*, That
3 \$592,800,000 shall be for Exploration Ground Systems,
4 including \$48,000,000 for a second mobile launch plat-
5 form and associated SLS activities: *Provided further*, That
6 the National Aeronautics and Space Administration
7 (NASA) shall provide to the Committees on Appropria-
8 tions of the House of Representatives and the Senate, con-
9 current with the annual budget submission, a 5-year budg-
10 et profile for an integrated system that includes the Space
11 Launch System, the Orion Multi-Purpose Crew Vehicle,
12 and associated ground systems that will ensure an Explo-
13 ration Mission-2 crewed launch as early as possible, as
14 well as a system-based funding profile for a sustained
15 launch cadence beyond the initial crewed test launch: *Pro-*
16 *vided further*, That \$958,000,000 shall be for exploration
17 research and development.

18 SPACE OPERATIONS

19 For necessary expenses, not otherwise provided for,
20 in the conduct and support of space operations research
21 and development activities, including research, develop-
22 ment, operations, support and services; space flight, space-
23 craft control and communications activities, including op-
24 erations, production, and services; maintenance and re-
25 pair, facility planning and design; program management;

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1 personnel and related costs, including uniforms or allow-
2 ances therefor, as authorized by sections 5901 and 5902
3 of title 5, United States Code; travel expenses; purchase
4 and hire of passenger motor vehicles; and purchase, lease,
5 charter, maintenance and operation of mission and admin-
6 istrative aircraft, \$4,639,100,000, to remain available
7 until September 30, 2020.

8 SCIENCE, TECHNOLOGY, ENGINEERING, AND
9 MATHEMATICS ENGAGEMENT

10 For necessary expenses, not otherwise provided for,
11 in the conduct and support of aerospace and aeronautical
12 education research and development activities, including
13 research, development, operations, support, and services;
14 program management; personnel and related costs, includ-
15 ing uniforms or allowances therefor, as authorized by sec-
16 tions 5901 and 5902 of title 5, United States Code; travel
17 expenses; purchase and hire of passenger motor vehicles;
18 and purchase, lease, charter, maintenance, and operation
19 of mission and administrative aircraft, \$110,000,000, to
20 remain available until September 30, 2020, of which
21 \$21,000,000 shall be for the Established Program to
22 Stimulate Competitive Research and \$44,000,000 shall be
23 for the National Space Grant College and Fellowship Pro-
24 gram.

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1 SAFETY, SECURITY AND MISSION SERVICES

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of science, aeronautics, space
4 technology, exploration, space operations and education
5 research and development activities, including research,
6 development, operations, support, and services; mainte-
7 nance and repair, facility planning and design; space
8 flight, spacecraft control, and communications activities;
9 program management; personnel and related costs, includ-
10 ing uniforms or allowances therefor, as authorized by sec-
11 tions 5901 and 5902 of title 5, United States Code; travel
12 expenses; purchase and hire of passenger motor vehicles;
13 not to exceed \$63,000 for official reception and represen-
14 tation expenses; and purchase, lease, charter, mainte-
15 nance, and operation of mission and administrative air-
16 craft, \$2,755,000,000, to remain available until Sep-
17 tember 30, 2020.

18 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

19 RESTORATION

20 For necessary expenses for construction of facilities
21 including repair, rehabilitation, revitalization, and modi-
22 fication of facilities, construction of new facilities and ad-
23 ditions to existing facilities, facility planning and design,
24 and restoration, and acquisition or condemnation of real
25 property, as authorized by law, and environmental compli-

1 ance and restoration, \$348,200,000, to remain available
2 until September 30, 2024: *Provided*, That proceeds from
3 leases deposited into this account shall be available for a
4 period of 5 years to the extent and in amounts as provided
5 in annual appropriations Acts: *Provided further*, That such
6 proceeds referred to in the preceding proviso shall be avail-
7 able for obligation for fiscal year 2019 in an amount not
8 to exceed \$17,000,000: *Provided further*, That each an-
9 nual budget request shall include an annual estimate of
10 gross receipts and collections and proposed use of all funds
11 collected pursuant to section 20145 of title 51, United
12 States Code.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the Inspector General Act of 1978,
16 \$39,300,000, of which \$500,000 shall remain available
17 until September 30, 2020.

18 ADMINISTRATIVE PROVISIONS

19 (INCLUDING TRANSFERS OF FUNDS)

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

23 Not to exceed 5 percent of any appropriation made
24 available for the current fiscal year for the National Aero-
25 nautics and Space Administration in this Act may be

1 transferred between such appropriations, but no such ap-
2 propriation, except as otherwise specifically provided, shall
3 be increased by more than 10 percent by any such trans-
4 fers. Balances so transferred shall be merged with and
5 available for the same purposes and the same time period
6 as the appropriations to which transferred. Any transfer
7 pursuant to this provision shall be treated as a reprogram-
8 ming of funds under section 505 of this Act and shall not
9 be available for obligation except in compliance with the
10 procedures set forth in that section.

11 The spending plan required by this Act shall be pro-
12 vided by NASA at the theme, program, project and activ-
13 ity level. The spending plan, as well as any subsequent
14 change of an amount established in that spending plan
15 that meets the notification requirements of section 505 of
16 this Act, shall be treated as a reprogramming under sec-
17 tion 505 of this Act and shall not be available for obliga-
18 tion or expenditure except in compliance with the proce-
19 dures set forth in that section.

20 The unexpired balances of the “Education” account,
21 for activities for which funds are provided in this Act, may
22 be transferred to the “Science, Technology, Engineering,
23 and Mathematics Engagement” account established in
24 this Act. Balances so transferred shall be merged with the
25 funds in the newly established account, but shall be avail-

1 able under the same terms, conditions and period of time
2 as previously appropriated.

3 Not more than 50 percent of the amounts made avail-
4 able in this Act for the Lunar Orbital Platform; Advanced
5 Cislunar and Surface Capabilities; Commercial LEO De-
6 velopment; and Lunar Discovery and Exploration, exclud-
7 ing the Lunar Reconnaissance Orbiter, may be obligated
8 until the Administrator submits a multi-year plan to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate that identifies estimated dates, by
11 fiscal year, for Space Launch System flights to build the
12 Lunar Orbital Platform; the commencement of partner-
13 ships with commercial entities for additional LEO mis-
14 sions to land humans and rovers on the Moon; and con-
15 ducting additional scientific activities on the Moon. The
16 multi-year plan shall include key milestones to be met by
17 fiscal year to achieve goals for each of the lunar programs
18 described in the previous sentence and funding required
19 by fiscal year to achieve such milestones.

20 NATIONAL SCIENCE FOUNDATION

21 RESEARCH AND RELATED ACTIVITIES

22 For necessary expenses in carrying out the National
23 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
24 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
25 as authorized by section 3109 of title 5, United States

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1 Code; maintenance and operation of aircraft and purchase
2 of flight services for research support; acquisition of air-
3 craft; and authorized travel; \$6,520,000,000, to remain
4 available until September 30, 2020, of which not to exceed
5 \$544,000,000 shall remain available until expended for
6 polar research and operations support, and for reimburse-
7 ment to other Federal agencies for operational and science
8 support and logistical and other related activities for the
9 United States Antarctic program: *Provided*, That receipts
10 for scientific support services and materials furnished by
11 the National Research Centers and other National Science
12 Foundation supported research facilities may be credited
13 to this appropriation.

14 MAJOR RESEARCH EQUIPMENT AND FACILITIES

15 CONSTRUCTION

16 For necessary expenses for the acquisition, construc-
17 tion, commissioning, and upgrading of major research
18 equipment, facilities, and other such capital assets pursu-
19 ant to the National Science Foundation Act of 1950 (42
20 U.S.C. 1861 et seq.), including authorized travel,
21 \$295,740,000, to remain available until expended.

22 EDUCATION AND HUMAN RESOURCES

23 For necessary expenses in carrying out science, math-
24 ematics and engineering education and human resources
25 programs and activities pursuant to the National Science

1 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
2 ing services as authorized by section 3109 of title 5,
3 United States Code, authorized travel, and rental of con-
4 ference rooms in the District of Columbia, \$910,000,000,
5 to remain available until September 30, 2020.

6 AGENCY OPERATIONS AND AWARD MANAGEMENT

7 For agency operations and award management nec-
8 essary in carrying out the National Science Foundation
9 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
10 by section 3109 of title 5, United States Code; hire of pas-
11 senger motor vehicles; uniforms or allowances therefor, as
12 authorized by sections 5901 and 5902 of title 5, United
13 States Code; rental of conference rooms in the District of
14 Columbia; and reimbursement of the Department of
15 Homeland Security for security guard services;
16 \$329,540,000: *Provided*, That not to exceed \$8,280 is for
17 official reception and representation expenses: *Provided*
18 *further*, That contracts may be entered into under this
19 heading in fiscal year 2019 for maintenance and operation
20 of facilities and for other services to be provided during
21 the next fiscal year.

22 OFFICE OF THE NATIONAL SCIENCE BOARD

23 For necessary expenses (including payment of sala-
24 ries, authorized travel, hire of passenger motor vehicles,
25 the rental of conference rooms in the District of Columbia,

1 and the employment of experts and consultants under sec-
2 tion 3109 of title 5, United States Code) involved in car-
3 rying out section 4 of the National Science Foundation
4 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
5 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not
6 to exceed \$2,500 shall be available for official reception
7 and representation expenses.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General as authorized by the Inspector General Act of
11 1978, \$15,350,000, of which \$400,000 shall remain avail-
12 able until September 30, 2020.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING TRANSFER OF FUNDS)

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

24 The Director of the National Science Foundation
25 (NSF) shall notify the Committees on Appropriations of

1 the House of Representatives and the Senate at least 30
2 days in advance of any planned divestment through trans-
3 fer, decommissioning, termination, or deconstruction of
4 any NSF-owned facilities or any NSF capital assets (in-
5 cluding land, structures, and equipment) valued greater
6 than \$2,500,000.

7 This title may be cited as the “Science Appropria-
8 tions Act, 2019”.

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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 \$10,065,000: *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 \$379,500,000: *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 Commission may take no action
17 to implement any workforce repositioning, restructuring,
18 or reorganization until such time as the Committees on
19 Appropriations of the House of Representatives and the
20 Senate have been notified of such proposals, in accordance
21 with the reprogramming requirements of section 505 of
22 this Act: *Provided further*, That the Chair is authorized
23 to accept and use any gift or donation to carry out the
24 work of the Commission.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade
4 Commission, including hire of passenger motor vehicles
5 and services as authorized by section 3109 of title 5,
6 United States Code, and not to exceed \$2,250 for official
7 reception and representation expenses, \$95,000,000, to re-
8 main available until expended.

9 LEGAL SERVICES CORPORATION

10 PAYMENT TO THE LEGAL SERVICES CORPORATION

11 For payment to the Legal Services Corporation to
12 carry out the purposes of the Legal Services Corporation
13 Act of 1974, \$415,000,000, of which \$380,500,000 is for
14 basic field programs and required independent audits;
15 \$5,100,000 is for the Office of Inspector General, of which
16 such amounts as may be necessary may be used to conduct
17 additional audits of recipients; \$19,400,000 is for manage-
18 ment and grants oversight; \$4,000,000 is for client self-
19 help and information technology; \$4,500,000 is for a Pro
20 Bono Innovation Fund; and \$1,500,000 is for loan repay-
21 ment assistance: *Provided*, That the Legal Services Cor-
22 poration may continue to provide locality pay to officers
23 and employees at a rate no greater than that provided by
24 the Federal Government to Washington, DC-based em-
25 ployees as authorized by section 5304 of title 5, United

1 States Code, notwithstanding section 1005(d) of the Legal
2 Services Corporation Act (42 U.S.C. 2996d(d)): *Provided*
3 *further*, That the authorities provided in section 205 of
4 this Act shall be applicable to the Legal Services Corpora-
5 tion: *Provided further*, That, for the purposes of section
6 505 of this Act, the Legal Services Corporation shall be
7 considered an agency of the United States Government.

8 ADMINISTRATIVE PROVISION—LEGAL SERVICES
9 CORPORATION

10 None of the funds appropriated in this Act to the
11 Legal Services Corporation shall be expended for any pur-
12 pose prohibited or limited by, or contrary to any of the
13 provisions of, sections 501, 502, 503, 504, 505, and 506
14 of Public Law 105–119, and all funds appropriated in this
15 Act to the Legal Services Corporation shall be subject to
16 the same terms and conditions set forth in such sections,
17 except that all references in sections 502 and 503 to 1997
18 and 1998 shall be deemed to refer instead to 2018 and
19 2019, respectively.

20 MARINE MAMMAL COMMISSION
21 SALARIES AND EXPENSES

22 For necessary expenses of the Marine Mammal Com-
23 mission as authorized by title II of the Marine Mammal
24 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
25 \$3,516,000.

1 OFFICE OF THE UNITED STATES TRADE
2 REPRESENTATIVE
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the United
5 States Trade Representative, including the hire of pas-
6 senger motor vehicles and the employment of experts and
7 consultants as authorized by section 3109 of title 5,
8 United States Code, \$53,000,000, of which \$1,000,000
9 shall remain available until expended: *Provided*, That of
10 the total amount made available under this heading, not
11 to exceed \$124,000 shall be available for official reception
12 and representation expenses.

13 TRADE ENFORCEMENT TRUST FUND
14 (INCLUDING TRANSFER OF FUNDS)

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

1 STATE JUSTICE INSTITUTE

2 SALARIES AND EXPENSES

3 For necessary expenses of the State Justice Institute,
4 as authorized by the State Justice Institute Act of 1984
5 (42 U.S.C. 10701 et seq.) \$5,971,000, of which \$500,000
6 shall remain available until September 30, 2020: *Provided*,
7 That not to exceed \$2,250 shall be available for official
8 reception and representation expenses: *Provided further*,
9 That, for the purposes of section 505 of this Act, the State
10 Justice Institute shall be considered an agency of the
11 United States Government.

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1 TITLE V
2 GENERAL PROVISIONS
3 (INCLUDING RESCISSIONS)
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 501. No part of any appropriation contained in
6 this Act shall be used for publicity or propaganda purposes
7 not authorized by the Congress.

8 SEC. 502. No part of any appropriation contained in
9 this Act shall remain available for obligation beyond the
10 current fiscal year unless expressly so provided herein.

11 SEC. 503. The expenditure of any appropriation
12 under this Act for any consulting service through procure-
13 ment contract, pursuant to section 3109 of title 5, United
14 States Code, shall be limited to those contracts where such
15 expenditures are a matter of public record and available
16 for public inspection, except where otherwise provided
17 under existing law, or under existing Executive order
18 issued pursuant to existing law.

19 SEC. 504. If any provision of this Act or the applica-
20 tion of such provision to any person or circumstances shall
21 be held invalid, the remainder of the Act and the applica-
22 tion of each provision to persons or circumstances other
23 than those as to which it is held invalid shall not be af-
24 fected thereby.

1 SEC. 505. None of the funds provided under this Act,
2 or provided under previous appropriations Acts to the
3 agencies funded by this Act that remain available for obli-
4 gation or expenditure in fiscal year 2019, or provided from
5 any accounts in the Treasury of the United States derived
6 by the collection of fees available to the agencies funded
7 by this Act, shall be available for obligation or expenditure
8 through a reprogramming of funds that: (1) creates or ini-
9 tiates a new program, project or activity; (2) eliminates
10 a program, project or activity; (3) increases funds or per-
11 sonnel by any means for any project or activity for which
12 funds have been denied or restricted; (4) relocates an of-
13 fice or employees; (5) reorganizes or renames offices, pro-
14 grams or activities; (6) contracts out or privatizes any
15 functions or activities presently performed by Federal em-
16 ployees; (7) augments existing programs, projects or ac-
17 tivities in excess of \$500,000 or 10 percent, whichever is
18 less, or reduces by 10 percent funding for any program,
19 project or activity, or numbers of personnel by 10 percent;
20 or (8) results from any general savings, including savings
21 from a reduction in personnel, which would result in a
22 change in existing programs, projects or activities as ap-
23 proved by Congress; unless the House and Senate Com-
24 mittees on Appropriations are notified 15 days in advance
25 of such reprogramming of funds.

1 SEC. 506. (a) If it has been finally determined by
2 a court or Federal agency that any person intentionally
3 affixed a label bearing a “Made in America” inscription,
4 or any inscription with the same meaning, to any product
5 sold in or shipped to the United States that is not made
6 in the United States, the person shall be ineligible to re-
7 ceive any contract or subcontract made with funds made
8 available in this Act, pursuant to the debarment, suspen-
9 sion, and ineligibility procedures described in sections
10 9.400 through 9.409 of title 48, Code of Federal Regula-
11 tions.

12 (b)(1) To the extent practicable, with respect to au-
13 thorized purchases of promotional items, funds made
14 available by this Act shall be used to purchase items that
15 are manufactured, produced, or assembled in the United
16 States, its territories or possessions.

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

20 SEC. 507. (a) The Departments of Commerce and
21 Justice, the National Science Foundation, and the Na-
22 tional Aeronautics and Space Administration shall provide
23 to the Committees on Appropriations of the House of Rep-
24 resentatives and the Senate a quarterly report on the sta-
25 tus of balances of appropriations at the account level. For

1 unobligated, uncommitted balances and unobligated, com-
2 mitted balances the quarterly reports shall separately
3 identify the amounts attributable to each source year of
4 appropriation from which the balances were derived. For
5 balances that are obligated, but unexpended, the quarterly
6 reports shall separately identify amounts by the year of
7 obligation.

8 (b) The report described in subsection (a) shall be
9 submitted within 30 days of the end of each quarter.

10 (c) If a department or agency is unable to fulfill any
11 aspect of a reporting requirement described in subsection
12 (a) due to a limitation of a current accounting system,
13 the department or agency shall fulfill such aspect to the
14 maximum extent practicable under such accounting sys-
15 tem and shall identify and describe in each quarterly re-
16 port the extent to which such aspect is not fulfilled.

17 SEC. 508. Any costs incurred by a department or
18 agency funded under this Act resulting from, or to pre-
19 vent, personnel actions taken in response to funding re-
20 ductions included in this Act shall be absorbed within the
21 total budgetary resources available to such department or
22 agency: *Provided*, That the authority to transfer funds be-
23 tween appropriations accounts as may be necessary to
24 carry out this section is provided in addition to authorities
25 included elsewhere in this Act: *Provided further*, That use

1 of funds to carry out this section shall be treated as a
2 reprogramming of funds under section 505 of this Act and
3 shall not be available for obligation or expenditure except
4 in compliance with the procedures set forth in that section:
5 *Provided further*, That for the Department of Commerce,
6 this section shall also apply to actions taken for the care
7 and protection of loan collateral or grant property.

8 SEC. 509. None of the funds provided by this Act
9 shall be available to promote the sale or export of tobacco
10 or tobacco products, or to seek the reduction or removal
11 by any foreign country of restrictions on the marketing
12 of tobacco or tobacco products, except for restrictions
13 which are not applied equally to all tobacco or tobacco
14 products of the same type.

15 SEC. 510. Notwithstanding any other provision of
16 law, amounts deposited or available in the Fund estab-
17 lished by section 1402 of chapter XIV of title II of Public
18 Law 98-473 (34 U.S.C. 20101) in any fiscal year in ex-
19 cess of \$3,353,000,000 shall not be available for obligation
20 until the following fiscal year: *Provided*, That notwith-
21 standing section 1402(d) of such Act, of the amounts
22 available from the Fund for obligation: (1) \$10,000,000
23 shall remain available until expended to the Department
24 of Justice Office of Inspector General for oversight and
25 auditing purposes; and (2) 5 percent shall be available to

1 the Office for Victims of Crime for grants, consistent with
2 the requirements of the Victims of Crime Act, to Indian
3 tribes to improve services for victims of crime.

4 SEC. 511. None of the funds made available to the
5 Department of Justice in this Act may be used to discrimi-
6 nate against or denigrate the religious or moral beliefs of
7 students who participate in programs for which financial
8 assistance is provided from those funds, or of the parents
9 or legal guardians of such students.

10 SEC. 512. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except
13 pursuant to a transfer made by, or transfer authority pro-
14 vided in, this Act or any other appropriations Act.

15 SEC. 513. (a) The Inspectors General of the Depart-
16 ment of Commerce, the Department of Justice, the Na-
17 tional Aeronautics and Space Administration, the Na-
18 tional Science Foundation, and the Legal Services Cor-
19 poration shall conduct audits, pursuant to the Inspector
20 General Act (5 U.S.C. App.), of grants or contracts for
21 which funds are appropriated by this Act, and shall submit
22 reports to Congress on the progress of such audits, which
23 may include preliminary findings and a description of
24 areas of particular interest, within 180 days after initi-

1 ating such an audit and every 180 days thereafter until
2 any such audit is completed.

3 (b) Within 60 days after the date on which an audit
4 described in subsection (a) by an Inspector General is
5 completed, the Secretary, Attorney General, Adminis-
6 trator, Director, or President, as appropriate, shall make
7 the results of the audit available to the public on the Inter-
8 net website maintained by the Department, Administra-
9 tion, Foundation, or Corporation, respectively. The results
10 shall be made available in redacted form to exclude—

11 (1) any matter described in section 552(b) of
12 title 5, United States Code; and

13 (2) sensitive personal information for any indi-
14 vidual, the public access to which could be used to
15 commit identity theft or for other inappropriate or
16 unlawful purposes.

17 (c) Any person awarded a grant or contract funded
18 by amounts appropriated by this Act shall submit a state-
19 ment to the Secretary of Commerce, the Attorney General,
20 the Administrator, Director, or President, as appropriate,
21 certifying that no funds derived from the grant or contract
22 will be made available through a subcontract or in any
23 other manner to another person who has a financial inter-
24 est in the person awarded the grant or contract.

1 (d) The provisions of the preceding subsections of
2 this section shall take effect 30 days after the date on
3 which the Director of the Office of Management and
4 Budget, in consultation with the Director of the Office of
5 Government Ethics, determines that a uniform set of rules
6 and requirements, substantially similar to the require-
7 ments in such subsections, consistently apply under the
8 executive branch ethics program to all Federal depart-
9 ments, agencies, and entities.

10 SEC. 514. (a) None of the funds appropriated or oth-
11 erwise made available under this Act may be used by the
12 Departments of Commerce and Justice, the National Aer-
13 onautics and Space Administration, or the National
14 Science Foundation to acquire a high-impact or moderate-
15 impact information system, as defined for security cat-
16 egorization in the National Institute of Standards and
17 Technology's (NIST) Federal Information Processing
18 Standard Publication 199, "Standards for Security Cat-
19 egorization of Federal Information and Information Sys-
20 tems" unless the agency has—

21 (1) reviewed the supply chain risk for the infor-
22 mation systems against criteria developed by NIST
23 and the Federal Bureau of Investigation (FBI) to
24 inform acquisition decisions for high-impact and

1 moderate-impact information systems within the
2 Federal Government;

3 (2) reviewed the supply chain risk from the pre-
4 sumptive awardee against available and relevant
5 threat information provided by the FBI and other
6 appropriate agencies; and

7 (3) in consultation with the FBI or other ap-
8 propriate Federal entity, conducted an assessment of
9 any risk of cyber-espionage or sabotage associated
10 with the acquisition of such system, including any
11 risk associated with such system being produced,
12 manufactured, or assembled by one or more entities
13 identified by the United States Government as pos-
14 ing a cyber threat, including but not limited to,
15 those that may be owned, directed, or subsidized by
16 the People's Republic of China, the Islamic Republic
17 of Iran, the Democratic People's Republic of Korea,
18 or the Russian Federation.

19 (b) None of the funds appropriated or otherwise
20 made available under this Act may be used to acquire a
21 high-impact or moderate-impact information system re-
22 viewed and assessed under subsection (a) unless the head
23 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, none of the funds appropriated or other-
17 wise made available under this Act or any other Act may
18 be expended or obligated by a department, agency, or in-
19 strumentality of the United States to pay administrative
20 expenses or to compensate an officer or employee of the
21 United States in connection with requiring an export li-
22 cense for the export to Canada of components, parts, ac-
23 cessories or attachments for firearms listed in Category
24 I, section 121.1 of title 22, Code of Federal Regulations
25 (International Trafficking in Arms Regulations (ITAR)),

1 part 121, as it existed on April 1, 2005) with a total value
2 not exceeding \$500 wholesale in any transaction, provided
3 that the conditions of subsection (b) of this section are
4 met by the exporting party for such articles.

5 (b) The foregoing exemption from obtaining an ex-
6 port license—

7 (1) does not exempt an exporter from filing any
8 Shipper's Export Declaration or notification letter
9 required by law, or from being otherwise eligible
10 under the laws of the United States to possess, ship,
11 transport, or export the articles enumerated in sub-
12 section (a); and

13 (2) does not permit the export without a license
14 of—

15 (A) fully automatic firearms and compo-
16 nents and parts for such firearms, other than
17 for end use by the Federal Government, or a
18 Provincial or Municipal Government of Canada;

19 (B) barrels, cylinders, receivers (frames) or
20 complete breech mechanisms for any firearm
21 listed in Category I, other than for end use by
22 the Federal Government, or a Provincial or Mu-
23 nicipal Government of Canada; or

24 (C) articles for export from Canada to an-
25 other foreign destination.

1 (c) In accordance with this section, the District Di-
2 rectors of Customs and postmasters shall permit the per-
3 manent or temporary export without a license of any un-
4 classified articles specified in subsection (a) to Canada for
5 end use in Canada or return to the United States, or tem-
6 porary import of Canadian-origin items from Canada for
7 end use in the United States or return to Canada for a
8 Canadian citizen.

9 (d) The President may require export licenses under
10 this section on a temporary basis if the President deter-
11 mines, upon publication first in the Federal Register, that
12 the Government of Canada has implemented or main-
13 tained inadequate import controls for the articles specified
14 in subsection (a), such that a significant diversion of such
15 articles has and continues to take place for use in inter-
16 national terrorism or in the escalation of a conflict in an-
17 other nation. The President shall terminate the require-
18 ments of a license when reasons for the temporary require-
19 ments have ceased.

20 SEC. 517. Notwithstanding any other provision of
21 law, no department, agency, or instrumentality of the
22 United States receiving appropriated funds under this Act
23 or any other Act shall obligate or expend in any way such
24 funds to pay administrative expenses or the compensation
25 of any officer or employee of the United States to deny

1 any application submitted pursuant to 22 U.S.C.
2 2778(b)(1)(B) and qualified pursuant to 27 CFR section
3 478.112 or .113, for a permit to import United States ori-
4 gin “curios or relics” firearms, parts, or ammunition.

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

8 (1) paragraph 2 of article 16.7 of the United
9 States–Singapore Free Trade Agreement;

10 (2) paragraph 4 of article 17.9 of the United
11 States–Australia Free Trade Agreement; or

12 (3) paragraph 4 of article 15.9 of the United
13 States–Morocco Free Trade Agreement.

14 SEC. 519. None of the funds made available in this
15 Act may be used to authorize or issue a national security
16 letter in contravention of any of the following laws author-
17 izing the Federal Bureau of Investigation to issue national
18 security letters: The Right to Financial Privacy Act of
19 1978; The Electronic Communications Privacy Act of
20 1986; The Fair Credit Reporting Act; The National Secu-
21 rity Act of 1947; USA PATRIOT Act; USA FREEDOM
22 Act of 2015; and the laws amended by these Acts.

23 SEC. 520. If at any time during any quarter, the pro-
24 gram manager of a project within the jurisdiction of the
25 Departments of Commerce or Justice, the National Aero-

1 nautics and Space Administration, or the National Science
2 Foundation totaling more than \$75,000,000 has reason-
3 able cause to believe that the total program cost has in-
4 creased by 10 percent or more, the program manager shall
5 immediately inform the respective Secretary, Adminis-
6 trator, or Director. The Secretary, Administrator, or Di-
7 rector shall notify the House and Senate Committees on
8 Appropriations within 30 days in writing of such increase,
9 and shall include in such notice: the date on which such
10 determination was made; a statement of the reasons for
11 such increases; the action taken and proposed to be taken
12 to control future cost growth of the project; changes made
13 in the performance or schedule milestones and the degree
14 to which such changes have contributed to the increase
15 in total program costs or procurement costs; new esti-
16 mates of the total project or procurement costs; and a
17 statement validating that the project's management struc-
18 ture is adequate to control total project or procurement
19 costs.

20 SEC. 521. Funds appropriated by this Act, or made
21 available by the transfer of funds in this Act, for intel-
22 ligence or intelligence related activities are deemed to be
23 specifically authorized by the Congress for purposes of sec-
24 tion 504 of the National Security Act of 1947 (50 U.S.C.

1 3094) during fiscal year 2019 until the enactment of the
2 Intelligence Authorization Act for fiscal year 2019.

3 SEC. 522. None of the funds appropriated or other-
4 wise made available by this Act may be used to enter into
5 a contract in an amount greater than \$5,000,000 or to
6 award a grant in excess of such amount unless the pro-
7 spective contractor or grantee certifies in writing to the
8 agency awarding the contract or grant that, to the best
9 of its knowledge and belief, the contractor or grantee has
10 filed all Federal tax returns required during the three
11 years preceding the certification, has not been convicted
12 of a criminal offense under the Internal Revenue Code of
13 1986, and has not, more than 90 days prior to certifi-
14 cation, been notified of any unpaid Federal tax assessment
15 for which the liability remains unsatisfied, unless the as-
16 sessment is the subject of an installment agreement or
17 offer in compromise that has been approved by the Inter-
18 nal Revenue Service and is not in default, or the assess-
19 ment is the subject of a non-frivolous administrative or
20 judicial proceeding.

21 (RESCISSIONS)

22 SEC. 523. (a) Of the unobligated balances from prior
23 year appropriations available to the Department of Com-
24 merce, the following funds are hereby rescinded, not later

1 than September 30, 2019, from the following accounts in
2 the specified amounts—

3 (1) “Economic Development Administration,
4 Economic Development Assistance Programs”,
5 \$10,000,000; and

6 (2) “National Institute of Standards and Tech-
7 nology, Industrial Technology Services”, \$2,000,000.

8 (b) Of the unobligated balances available to the De-
9 partment of Justice, the following funds are hereby re-
10 scinded, not later than September 30, 2019, from the fol-
11 lowing accounts in the specified amounts—

12 (1) “Working Capital Fund”, \$151,000,000;

13 (2) “Federal Bureau of Investigation, Salaries
14 and Expenses”, \$124,326,000 including from, but
15 not limited to, fees collected to defray expenses for
16 the automation of fingerprint identification and
17 criminal justice information services and associated
18 costs;

19 (3) “State and Local Law Enforcement Activi-
20 ties, Office on Violence Against Women, Violence
21 Against Women Prevention and Prosecution Pro-
22 grams”, \$10,000,000;

23 (4) “State and Local Law Enforcement Activi-
24 ties, Office of Justice Programs”, \$70,000,000;

1 (5) “State and Local Law Enforcement Activi-
2 ties, Community Oriented Policing Services”,
3 \$16,500,000; and

4 (6) “Legal Activities, Assets Forfeiture Fund”,
5 \$674,000,000, is permanently rescinded.

6 (c) The Departments of Commerce and Justice shall
7 submit to the Committees on Appropriations of the House
8 of Representatives and the Senate a report no later than
9 September 1, 2019, specifying the amount of each rescis-
10 sion made pursuant to subsections (a) and (b).

11 (d) The amounts rescinded in subsections (a) and (b)
12 shall not be from amounts that were designated by the
13 Congress as an emergency or disaster relief requirement
14 pursuant to the concurrent resolution on the budget or
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985.

17 SEC. 524. (a) Any unobligated balances identified in
18 the following Treasury Appropriation Fund Symbols are
19 hereby permanently cancelled: 80X0114; 80X0111;
20 80X0110; and 80X0112.

21 (b) Upon enactment of this Act:

22 (1) obligated balances in 80X0114 shall be
23 transferred to and merged with 80–0130, Construc-
24 tion and Environmental Compliance and Restora-

1 tion, and any upward adjustments to such obliga-
2 tions may be made from 80-0130;

3 (2) obligated balances in 80X0111 shall be
4 transferred to and merged with 80-0122, Safety,
5 Security and Mission Services, 80-0115, Space
6 Flight Capabilities and 80-0130, Construction and
7 Environmental Compliance and Restoration, and any
8 upward adjustments to such obligations may be
9 made from 80-0122, 80-0115 and 80-0130;

10 (3) obligated balances in 80X0110 shall be
11 transferred to and merged with 80-0130, Construc-
12 tion and Environmental Compliance and Restora-
13 tion, and any upward adjustments to said obliga-
14 tions may be made from 80-0130; and

15 (4) obligated balances in 80X0112 shall be
16 transferred to and merged with 80-0122, Safety,
17 Security and Mission Services and 80-0130, Con-
18 struction and Environmental Compliance and Res-
19 toration, and any upward adjustments to such obli-
20 gations may be made from 80-0122 and 80-0130.

21 (c) Following the cancellation of unobligated balances
22 and transfer of obligated balances in 80X0114, 80X0111,
23 80X0110 and 80X0112, such accounts shall be closed.
24 Any collections authorized or required to be credited to
25 these accounts that are not received before closing of such

1 accounts shall be deposited in the Treasury as miscella-
2 neous receipts.

3 SEC. 525. 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. 526. 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. 527. 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. 528. (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. 529. 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. 530. (a) None of the funds made available by
24 this Act may be used for the National Aeronautics and
25 Space Administration (NASA), the Office of Science and

1 Technology Policy (OSTP), or the National Space Council
2 (NSC) to develop, design, plan, promulgate, implement,
3 or execute a bilateral policy, program, order, or contract
4 of any kind to participate, collaborate, or coordinate bilat-
5 erally in any way with China or any Chinese-owned com-
6 pany unless such activities are specifically authorized by
7 a law enacted after the date of 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, OSTP, or
13 NSC, after consultation with the Federal Bureau of Inves-
14 tigation, 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. 531. None of the funds made available by this
6 Act may be used to pay the salaries or expenses of per-
7 sonnel to deny, or fail to act on, an application for the
8 importation of any model of shotgun if—

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

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

17 SEC. 532. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

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

1 SEC. 533. The Departments of Commerce and Jus-
2 tice, the National Aeronautics and Space Administration,
3 the National Science Foundation, the Commission on Civil
4 Rights, the Equal Employment Opportunity Commission,
5 the International Trade Commission, the Legal Services
6 Corporation, the Marine Mammal Commission, the Offices
7 of Science and Technology Policy and the United States
8 Trade Representative, the National Space Council, and
9 the State Justice Institute shall submit spending plans,
10 signed by the respective department or agency head, to
11 the Committees on Appropriations of the House of Rep-
12 resentatives and the Senate within 45 days after the date
13 of enactment of this Act.

14 SEC. 534. None of the funds made available by this
15 Act may be obligated or expended to implement the Arms
16 Trade Treaty until the Senate approves a resolution of
17 ratification for the Treaty.

18 SEC. 535. Notwithstanding any other provision of
19 this Act, none of the funds appropriated or otherwise
20 made available by this Act may be used to pay award or
21 incentive fees for contractor performance that has been
22 judged to be below satisfactory performance or for per-
23 formance that does not meet the basic requirements of a
24 contract.

1 SEC. 536. None of the funds made available by this
2 Act may be used in contravention of section 7606 (“Legit-
3 imacy of Industrial Hemp Research”) of the Agricultural
4 Act of 2014 (Public Law 113–79) by the Department of
5 Justice or the Drug Enforcement Administration.

6 SEC. 537. None of the funds made available under
7 this Act to the Department of Justice may be used, with
8 respect to any of the States of Alabama, Alaska, Arizona,
9 Arkansas, California, Colorado, Connecticut, Delaware,
10 Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Ken-
11 tucky, Louisiana, Maine, Maryland, Massachusetts, Michi-
12 gan, Minnesota, Mississippi, Missouri, Montana, Nevada,
13 New Hampshire, New Jersey, New Mexico, New York,
14 North Carolina, North Dakota, Ohio, Oklahoma, Oregon,
15 Pennsylvania, Rhode Island, South Carolina, Tennessee,
16 Texas, Utah, Vermont, Virginia, Washington, West Vir-
17 ginia, Wisconsin, and Wyoming, or with respect to the
18 District of Columbia, Guam, or Puerto Rico, to prevent
19 any of them from implementing their own laws that au-
20 thorize the use, distribution, possession, or cultivation of
21 medical marijuana.

22 SEC. 538. The Department of Commerce, the Na-
23 tional Aeronautics and Space Administration, and the Na-
24 tional Science Foundation shall provide a quarterly report
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate on any official travel to China
2 by any employee of such Department or agency, including
3 the purpose of such travel.

4 SEC. 539. Of the amounts made available by this Act,
5 not less than 10 percent of each total amount provided,
6 respectively, for Public Works grants authorized by the
7 Public Works and Economic Development Act of 1965 and
8 grants authorized by section 27 of the Stevenson-Wydler
9 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
10 be allocated for assistance in persistent poverty counties:
11 *Provided*, That for purposes of this section, the term “per-
12 sistent poverty counties” means any county that has had
13 20 percent or more of its population living in poverty over
14 the past 30 years, as measured by the 1990 and 2000
15 decennial censuses and the most recent Small Area In-
16 come and Poverty Estimates.

17 SEC. 540. None of the funds provided in this Act
18 shall be available for obligation for the James Webb Space
19 Telescope (JWST) after December 31, 2019, if the indi-
20 vidual identified under subsection (c)(2)(E) of section
21 30104 of title 51, United States Code, as responsible for
22 JWST determines that the formulation and development
23 costs (with development cost as defined under section
24 30104 of title 51, United States Code) are likely to exceed

1 \$8,802,700,000, unless the program is modified so that
2 the costs do not exceed \$8,802,700,000.

3 SEC. 541. None of the funds made available by this
4 Act may be expended during fiscal year 2019 to prepare
5 for the shutdown of the Stratospheric Observatory for In-
6 frared Astronomy.

7 This division may be cited as the “Commerce, Jus-
8 tice, Science, and Related Agencies Appropriations Act,
9 2019”.

1 **DIVISION C—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2019**

4 TITLE I

5 DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Freedman’s Bank Building; hire of pas-
11 senger motor vehicles; maintenance, repairs, and improve-
12 ments of, and purchase of commercial insurance policies
13 for, real properties leased or owned overseas, when nec-
14 essary for the performance of official business; executive
15 direction program activities; international affairs and eco-
16 nomic policy activities; domestic finance and tax policy ac-
17 tivities, including technical assistance to Puerto Rico; and
18 Treasury-wide management policies and programs activi-
19 ties, \$214,576,000: *Provided*, That of the amount appro-
20 priated under this heading—

21 (1) not to exceed \$700,000 is for official recep-
22 tion and representation expenses, of which necessary
23 amounts shall be available for expenses to support
24 activities of the Financial Action Task Force, and

1 not to exceed \$350,000 shall be for other official re-
2 ception 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, 2020, 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, \$159,000,000: *Provided*, That of
9 the amounts appropriated under this heading, up to
10 \$10,000,000 shall remain available until September 30,
11 2020.

12 CYBERSECURITY ENHANCEMENT ACCOUNT

13 For salaries and expenses for enhanced cybersecurity
14 for systems operated by the Department of the Treasury,
15 \$25,208,000, to remain available until September 30,
16 2021: *Provided*, That such funds shall supplement and not
17 supplant any other amounts made available to the Treas-
18 ury offices and bureaus for cybersecurity: *Provided fur-*
19 *ther*, That the Chief Information Officer of the individual
20 offices and bureaus shall submit a spend plan for each
21 investment to the Treasury Chief Information Officer for
22 approval: *Provided further*, That the submitted spend plan
23 shall be reviewed and approved by the Treasury Chief In-
24 formation Officer prior to the obligation of funds under
25 this heading: *Provided further*, That of the total amount

1 made available under this heading \$1,000,000 shall be
2 available for administrative expenses for the Treasury
3 Chief Information Officer to provide oversight of the in-
4 vestments made under this heading: *Provided further,*
5 That such funds shall supplement and not supplant any
6 other amounts made available to the Treasury Chief Infor-
7 mation Officer.

8 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
9 INVESTMENTS PROGRAMS
10 (INCLUDING TRANSFER OF FUNDS)

11 For development and acquisition of automatic data
12 processing equipment, software, and services and for re-
13 pairs and renovations to buildings owned by the Depart-
14 ment of the Treasury, \$4,000,000, to remain available
15 until September 30, 2021: *Provided,* That these funds
16 shall be transferred to accounts and in amounts as nec-
17 essary to satisfy the requirements of the Department's of-
18 fices, bureaus, and other organizations: *Provided further,*
19 That this transfer authority shall be in addition to any
20 other transfer authority provided in this Act: *Provided fur-*
21 *ther,* That none of the funds appropriated under this head-
22 ing shall be used to support or supplement "Internal Rev-
23 enue Service, Operations Support" or "Internal Revenue
24 Service, Business Systems Modernization".

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, \$37,044,000, including hire of pas-
6 senger motor vehicles; of which not to exceed \$100,000
7 shall be available for unforeseen emergencies of a con-
8 fidential nature, to be allocated and expended under the
9 direction of the Inspector General of the Treasury; of
10 which up to \$2,800,000 to remain available until Sep-
11 tember 30, 2020, shall be for audits and investigations
12 conducted pursuant to section 1608 of the Resources and
13 Ecosystems Sustainability, Tourist Opportunities, and Re-
14 vived Economies of the Gulf Coast States Act of 2012 (33
15 U.S.C. 1321 note); and of which not to exceed \$1,000
16 shall be available for official reception and representation
17 expenses.

18 TREASURY INSPECTOR GENERAL FOR TAX

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Treasury Inspector
22 General for Tax Administration in carrying out the In-
23 spector General Act of 1978, as amended, including pur-
24 chase and hire of passenger motor vehicles (31 U.S.C.
25 1343(b)); and services authorized by 5 U.S.C. 3109, at

1 such rates as may be determined by the Inspector General
2 for Tax Administration; \$170,250,000, of which
3 \$5,000,000 shall remain available until September 30,
4 2020; of which not to exceed \$6,000,000 shall be available
5 for official travel expenses; of which not to exceed
6 \$500,000 shall be available for unforeseen emergencies of
7 a confidential nature, to be allocated and expended under
8 the direction of the Inspector General for Tax Administra-
9 tion; and of which not to exceed \$1,500 shall be available
10 for official reception and representation expenses.

11 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

12 ASSET RELIEF PROGRAM

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of the Special
15 Inspector General in carrying out the provisions of the
16 Emergency Economic Stabilization Act of 2008 (Public
17 Law 110–343), \$23,000,000.

18 FINANCIAL CRIMES ENFORCEMENT NETWORK

19 SALARIES AND EXPENSES

20 For necessary expenses of the Financial Crimes En-
21 forcement Network, including hire of passenger motor ve-
22 hicles; travel and training expenses of non-Federal and
23 foreign government personnel to attend meetings and
24 training concerned with domestic and foreign financial in-
25 telligence activities, law enforcement, and financial regula-

1 tion; services authorized by 5 U.S.C. 3109; not to exceed
2 \$12,000 for official reception and representation expenses;
3 and for assistance to Federal law enforcement agencies,
4 with or without reimbursement, \$117,800,000, of which
5 not to exceed \$34,335,000 shall remain available until
6 September 30, 2021.

7 BUREAU OF THE FISCAL SERVICE

8 SALARIES AND EXPENSES

9 For necessary expenses of operations of the Bureau
10 of the Fiscal Service, \$338,280,000; of which not to ex-
11 ceed \$4,210,000, to remain available until September 30,
12 2021, is for information systems modernization initiatives;
13 and of which \$5,000 shall be available for official reception
14 and representation expenses.

15 In addition, \$165,000, to be derived from the Oil
16 Spill Liability Trust Fund to reimburse administrative
17 and personnel expenses for financial management of the
18 Fund, as authorized by section 1012 of Public Law 101-
19 380.

20 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

21 SALARIES AND EXPENSES

22 For necessary expenses of carrying out section 1111
23 of the Homeland Security Act of 2002, including hire of
24 passenger motor vehicles, \$119,600,000; of which not to
25 exceed \$6,000 for official reception and representation ex-

1 penses; and of which not to exceed \$50,000 shall be avail-
2 able for cooperative research and development programs
3 for laboratory services; and provision of laboratory assist-
4 ance to State and local agencies with or without reim-
5 bursement: *Provided*, That of the amount appropriated
6 under this heading, \$5,000,000 shall be for the costs of
7 accelerating the processing of formula and label applica-
8 tions: *Provided further*, That of the amount appropriated
9 under this heading, \$5,000,000, to remain available until
10 September 30, 2020, shall be for the costs associated with
11 enforcement of the trade practice provisions of the Federal
12 Alcohol Administration Act (27 U.S.C. 201 et seq.).

13 UNITED STATES MINT

14 UNITED STATES MINT PUBLIC ENTERPRISE FUND

15 Pursuant to section 5136 of title 31, United States
16 Code, the United States Mint is provided funding through
17 the United States Mint Public Enterprise Fund for costs
18 associated with the production of circulating coins, numis-
19 matic coins, and protective services, including both oper-
20 ating expenses and capital investments: *Provided*, That
21 the aggregate amount of new liabilities and obligations in-
22 curred during fiscal year 2019 under such section 5136
23 for circulating coinage and protective service capital in-
24 vestments of the United States Mint shall not exceed
25 \$30,000,000.

1 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
2 FUND PROGRAM ACCOUNT

3 To carry out the Riegle Community Development and
4 Regulatory Improvement Act of 1994 (subtitle A of title
5 I of Public Law 103–325), including services authorized
6 by section 3109 of title 5, United States Code, but at rates
7 for individuals not to exceed the per diem rate equivalent
8 to the rate for EX–3, \$250,000,000. Of the amount ap-
9 propriated under this heading—

10 (1) not less than \$160,000,000, notwith-
11 standing section 108(e) of Public Law 103–325 (12
12 U.S.C. 4707(e)) with regard to Small and/or Emerg-
13 ing Community Development Financial Institutions
14 Assistance awards, is available until September 30,
15 2020, for financial assistance and technical assist-
16 ance under subparagraphs (A) and (B) of section
17 108(a)(1), respectively, of Public Law 103–325 (12
18 U.S.C. 4707(a)(1)(A) and (B)), of which up to
19 \$1,600,000 may be available for training and out-
20 reach under section 109 of Public Law 103–325 (12
21 U.S.C. 4708), of which up to \$2,527,250 may be
22 used for the cost of direct loans, and of which up
23 to \$3,000,000, notwithstanding subsection (d) of
24 section 108 of Public Law 103–325 (12 U.S.C. 4707
25 (d)), may be available to provide financial assistance,

1 technical assistance, training, and outreach to com-
2 munity development financial institutions to expand
3 investments that benefit individuals with disabilities:
4 *Provided*, That the cost of direct and guaranteed
5 loans, including the cost of modifying such loans,
6 shall be as defined in section 502 of the Congres-
7 sional Budget Act of 1974: *Provided further*, That
8 these funds are available to subsidize gross obliga-
9 tions for the principal amount of direct loans not to
10 exceed \$25,000,000;

11 (2) not less than \$16,000,000, notwithstanding
12 section 108(e) of Public Law 103–325 (12 U.S.C.
13 4707(e)), is available until September 30, 2020, for
14 financial assistance, technical assistance, training,
15 and outreach programs designed to benefit Native
16 American, Native Hawaiian, and Alaska Native com-
17 munities and provided primarily through qualified
18 community development lender organizations with
19 experience and expertise in community development
20 banking and lending in Indian country, Native
21 American organizations, tribes and tribal organiza-
22 tions, and other suitable providers;

23 (3) not less than \$25,000,000 is available until
24 September 30, 2020, for the Bank Enterprise Award
25 program;

1 (4) not less than \$22,000,000, notwithstanding
2 subsections (d) and (e) of section 108 of Public Law
3 103–325 (12 U.S.C. 4707(d) and (e)), is available
4 until September 30, 2020, for a Healthy Food Fi-
5 nancing Initiative to provide financial assistance,
6 technical assistance, training, and outreach to com-
7 munity development financial institutions for the
8 purpose of offering affordable financing and tech-
9 nical assistance to expand the availability of healthy
10 food options in distressed communities;

11 (5) up to \$27,000,000 is available until Sep-
12 tember 30, 2019, for administrative expenses, in-
13 cluding administration of CDFI fund programs and
14 the New Markets Tax Credit Program, of which not
15 less than \$1,000,000 is for development of tools to
16 better assess and inform CDFI investment perform-
17 ance, and up to \$300,000 is for administrative ex-
18 penses to carry out the direct loan program; and

19 (6) during fiscal year 2019, none of the funds
20 available under this heading are available for the
21 cost, as defined in section 502 of the Congressional
22 Budget Act of 1974, of commitments to guarantee
23 bonds and notes under section 114A of the Riegle
24 Community Development and Regulatory Improve-
25 ment Act of 1994 (12 U.S.C. 4713a): *Provided,*

1 That commitments to guarantee bonds and notes
2 under such section 114A shall not exceed
3 \$500,000,000: *Provided further*, That such section
4 114A shall remain in effect until December 31,
5 2019: *Provided further*, That of the funds awarded
6 under this heading, not less than 10 percent shall be
7 used for awards that support investments that serve
8 populations living in persistent poverty counties:
9 *Provided further*, That for the purposes of this para-
10 graph and paragraph (1) above, the term “persistent
11 poverty counties” means any county that has had 20
12 percent or more of its population living in poverty
13 over the past 30 years, as measured by the 1990
14 and 2000 decennial censuses and the 2011–2015 5-
15 year data series available from the American Com-
16 munity Survey of the Census Bureau.

17 INTERNAL REVENUE SERVICE

18 TAXPAYER SERVICES

19 For necessary expenses of the Internal Revenue Serv-
20 ice to provide taxpayer services, including pre-filing assist-
21 ance and education, filing and account services, taxpayer
22 advocacy services, and other services as authorized by 5
23 U.S.C. 3109, at such rates as may be determined by the
24 Commissioner, \$2,491,554,000, of which not less than
25 \$9,890,000 shall be for the Tax Counseling for the Elderly

1 Program, of which not less than \$12,000,000 shall be
2 available for low-income taxpayer clinic grants, of which
3 not less than \$18,000,000, to remain available until Sep-
4 tember 30, 2020, shall be available for a Community Vol-
5 unteer Income Tax Assistance matching grants program
6 for tax return preparation assistance, and of which not
7 less than \$207,000,000 shall be available for operating ex-
8 penses of the Taxpayer Advocate Service: *Provided*, That
9 of the amounts made available for the Taxpayer Advocate
10 Service, not less than \$5,500,000 shall be for identity
11 theft and refund fraud casework.

12 ENFORCEMENT

13 For necessary expenses for tax enforcement activities
14 of the Internal Revenue Service to determine and collect
15 owed taxes, to provide legal and litigation support, to con-
16 duct criminal investigations, to enforce criminal statutes
17 related to violations of internal revenue laws and other fi-
18 nancial crimes, to purchase and hire passenger motor vehi-
19 cles (31 U.S.C. 1343(b)), and to provide other services
20 as authorized by 5 U.S.C. 3109, at such rates as may be
21 determined by the Commissioner, \$4,860,000,000, of
22 which not to exceed \$50,000,000 shall remain available
23 until September 30, 2020, and of which not less than
24 \$60,257,000 shall be for the Interagency Crime and Drug
25 Enforcement program.

1 OPERATIONS SUPPORT

2 For necessary expenses of the Internal Revenue Serv-
3 ice to support taxpayer services and enforcement pro-
4 grams, including rent payments; facilities services; print-
5 ing; postage; physical security; headquarters and other
6 IRS-wide administration activities; research and statistics
7 of income; telecommunications; information technology de-
8 velopment, enhancement, operations, maintenance, and se-
9 curity; the hire of passenger motor vehicles (31 U.S.C.
10 1343(b)); the operations of the Internal Revenue Service
11 Oversight Board; and other services as authorized by 5
12 U.S.C. 3109, at such rates as may be determined by the
13 Commissioner; \$3,724,000,000, of which not to exceed
14 \$50,000,000 shall remain available until September 30,
15 2020; of which not to exceed \$10,000,000 shall remain
16 available until expended for acquisition of equipment and
17 construction, repair and renovation of facilities; of which
18 not to exceed \$1,000,000 shall remain available until Sep-
19 tember 30, 2021, for research; of which not to exceed
20 \$20,000 shall be for official reception and representation
21 expenses: *Provided*, That not later than 30 days after the
22 end of each quarter, the Internal Revenue Service shall
23 submit a report to the Committees on Appropriations of
24 the House of Representatives and the Senate and the
25 Comptroller General of the United States detailing the

1 cost and schedule performance for its major information
2 technology investments, including the purpose and life-
3 cycle stages of the investments; the reasons for any cost
4 and schedule variances; the risks of such investments and
5 strategies the Internal Revenue Service is using to miti-
6 gate such risks; and the expected developmental mile-
7 stones to be achieved and costs to be incurred in the next
8 quarter: *Provided further*, That the Internal Revenue Serv-
9 ice shall include, in its budget justification for fiscal year
10 2020, a summary of cost and schedule performance infor-
11 mation for its major information technology systems.

12 BUSINESS SYSTEMS MODERNIZATION

13 For necessary expenses of the Internal Revenue Serv-
14 ice's business systems modernization program,
15 \$150,000,000, to remain available until September 30,
16 2021, for the capital asset acquisition of information tech-
17 nology systems, including management and related con-
18 tractual costs of said acquisitions, including related Inter-
19 nal Revenue Service labor costs, and contractual costs as-
20 sociated with operations authorized by 5 U.S.C. 3109:
21 *Provided*, That not later than 30 days after the end of
22 each quarter, the Internal Revenue Service shall submit
23 a report to the Committees on Appropriations of the
24 House of Representatives and the Senate and the Comp-
25 troller General of the United States detailing the cost and

1 schedule performance for major information technology in-
2 vestments, including the purposes and life-cycle stages of
3 the investments; the reasons for any cost and schedule
4 variances; the risks of such investments and the strategies
5 the Internal Revenue Service is using to mitigate such
6 risks; and the expected developmental milestones to be
7 achieved and costs to be incurred in the next quarter.

8 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE
9 SERVICE

10 (INCLUDING TRANSFERS OF FUNDS)

11 SEC. 101. Not to exceed 4 percent of the appropria-
12 tion made available in this Act to the Internal Revenue
13 Service under the “Enforcement” heading, and not to ex-
14 ceed 5 percent of any other appropriation made available
15 in this Act to the Internal Revenue Service, may be trans-
16 ferred to any other Internal Revenue Service appropria-
17 tion upon the advance approval of the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate.

20 SEC. 102. The Internal Revenue Service shall main-
21 tain an employee training program, which shall include the
22 following topics: taxpayers’ rights, dealing courteously
23 with taxpayers, cross-cultural relations, ethics, and the im-
24 partial application of tax law.

1 SEC. 103. The Internal Revenue Service shall insti-
2 tute and enforce policies and procedures that will safe-
3 guard the confidentiality of taxpayer information and pro-
4 tect taxpayers against identity theft.

5 SEC. 104. Funds made available by this or any other
6 Act to the Internal Revenue Service shall be available for
7 improved facilities and increased staffing to provide suffi-
8 cient and effective 1-800 help line service for taxpayers.
9 The Commissioner shall continue to make improvements
10 to the Internal Revenue Service 1-800 help line service
11 a priority and allocate resources necessary to enhance the
12 response time to taxpayer communications, particularly
13 with regard to victims of tax-related crimes.

14 SEC. 105. The Internal Revenue Service shall issue
15 a notice of confirmation of any address change relating
16 to an employer making employment tax payments, and
17 such notice shall be sent to both the employer's former
18 and new address and an officer or employee of the Internal
19 Revenue Service shall give special consideration to an
20 offer-in-compromise from a taxpayer who has been the vic-
21 tim of fraud by a third party payroll tax preparer.

22 SEC. 106. None of the funds made available under
23 this Act may be used by the Internal Revenue Service to
24 target citizens of the United States for exercising any

1 right guaranteed under the First Amendment to the Con-
2 stitution of the United States.

3 SEC. 107. None of the funds made available in this
4 Act may be used by the Internal Revenue Service to target
5 groups for regulatory scrutiny based on their ideological
6 beliefs.

7 SEC. 108. None of funds made available by this Act
8 to the Internal Revenue Service shall be obligated or ex-
9 pended on conferences that do not adhere to the proce-
10 dures, verification processes, documentation requirements,
11 and policies issued by the Chief Financial Officer, Human
12 Capital Office, and Agency-Wide Shared Services as a re-
13 sult of the recommendations in the report published on
14 May 31, 2013, by the Treasury Inspector General for Tax
15 Administration entitled “Review of the August 2010 Small
16 Business/Self-Employed Division’s Conference in Ana-
17 heim, California” (Reference Number 2013–10–037).

18 SEC. 109. None of the funds made available in this
19 Act to the Internal Revenue Service may be obligated or
20 expended—

21 (1) to make a payment to any employee under
22 a bonus, award, or recognition program; or

23 (2) under any hiring or personnel selection
24 process with respect to re-hiring a former employee,
25 unless such program or process takes into account

1 the conduct and Federal tax compliance of such em-
2 ployee or former employee.

3 SEC. 110. None of the funds made available by this
4 Act may be used in contravention of section 6103 of the
5 Internal Revenue Code of 1986 (relating to confidentiality
6 and disclosure of returns and return information).

7 SEC. 111. Except to the extent provided in section
8 6014, 6020, or 6201(d) of the Internal Revenue Code of
9 1986, no funds in this or any other Act shall be available
10 to the Secretary of the Treasury to provide to any person
11 a proposed final return or statement for use by such per-
12 son to satisfy a filing or reporting requirement under such
13 Code.

14 SEC. 112. In addition to the amounts otherwise made
15 available in this Act for the Internal Revenue Service,
16 \$77,000,000, to be available until September 30, 2020,
17 shall be transferred by the Commissioner to the “Tax-
18 payer Services”, “Enforcement”, or “Operations Support”
19 accounts of the Internal Revenue Service for an additional
20 amount to be used solely for carrying out Public Law 115–
21 97: *Provided*, That such funds shall not be available until
22 the Commissioner submits to the Committees on Appro-
23 priations of the House of Representatives and the Senate
24 a spending plan for such funds.

1 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 113. 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 pendants serving in foreign countries; and services author-
15 ized by 5 U.S.C. 3109.

16 SEC. 114. 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. 115. 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. 116. 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. 117. 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. 118. 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. 119. 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. 120. 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 2019 until the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2019.

24 SEC. 121. 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. 122. 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. 123. Within 45 days after the date of enactment
18 of this Act, the Secretary of the Treasury shall submit
19 an itemized report to the Committees on Appropriations
20 of the House of Representatives and the Senate on the
21 amount of total funds charged to each office by the Fran-
22 chise Fund including the amount charged for each service
23 provided by the Franchise Fund to each office, a detailed
24 description of the services, a detailed explanation of how
25 each charge for each service is calculated, and a descrip-

1 tion of the role customers have in governing in the Fran-
2 chise Fund.

3 SEC. 124. During fiscal year 2019—

4 (1) none of the funds made available in this or
5 any other Act may be used by the Department of
6 the Treasury, including the Internal Revenue Serv-
7 ice, to issue, revise, or finalize any regulation, rev-
8 enue ruling, or other guidance not limited to a par-
9 ticular taxpayer relating to the standard which is
10 used to determine whether an organization is oper-
11 ated exclusively for the promotion of social welfare
12 for purposes of section 501(c)(4) of the Internal
13 Revenue Code of 1986 (including the proposed regu-
14 lations published at 78 Fed. Reg. 71535 (November
15 29, 2013)); and

16 (2) the standard and definitions as in effect on
17 January 1, 2010, which are used to make such de-
18 terminations shall apply after the date of the enact-
19 ment of this Act for purposes of determining status
20 under section 501(c)(4) of such Code of organiza-
21 tions created on, before, or after such date.

22 SEC. 125. (a) Not later than 60 days after the end
23 of each quarter, the Office of Financial Stability and the
24 Office of Financial Research shall submit reports on their
25 activities to the Committees on Appropriations of the

1 House of Representatives and the Senate, the Committee
2 on Financial Services of the House of Representatives and
3 the Senate Committee on Banking, Housing, and Urban
4 Affairs.

5 (b) The reports required under subsection (a) shall
6 include—

7 (1) the obligations made during the previous
8 quarter by object class, office, and activity;

9 (2) the estimated obligations for the remainder
10 of the fiscal year by object class, office, and activity;

11 (3) the number of full-time equivalents within
12 each office during the previous quarter;

13 (4) the estimated number of full-time equiva-
14 lents within each office for the remainder of the fis-
15 cal year; and

16 (5) actions taken to achieve the goals, objec-
17 tives, and performance measures of each office.

18 (c) At the request of any such Committees specified
19 in subsection (a), the Office of Financial Stability and the
20 Office of Financial Research shall make officials available
21 to testify on the contents of the reports required under
22 subsection (a).

23 SEC. 126. Amounts made available under the heading
24 “Office of Terrorism and Financial Intelligence” shall be
25 available to reimburse the “Departmental Offices—Sala-

1 ries and Expenses” account for expenses incurred in such
2 account for reception and representation expenses to sup-
3 port activities of the Financial Action Task Force.

4 SEC. 127. Beginning in fiscal year 2019 and for each
5 fiscal year thereafter, amounts in the Bureau of Engrav-
6 ing and Printing Fund may be used for the acquisition
7 of necessary land for, and construction of, a replacement
8 currency production facility.

9 This title may be cited as the “Department of the
10 Treasury Appropriations Act, 2019”.

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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, \$13,081,000, 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, \$12,000,000.

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, \$102,000,000, 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 none of the funds made available for the Office of
8 Management and Budget by this Act may be expended for
9 the altering of the annual work plan developed by the
10 Corps of Engineers for submission to the Committees on
11 Appropriations: *Provided further*, That of the funds made
12 available for the Office of Management and Budget by this
13 Act, no less than three full-time equivalent senior staff po-
14 sition shall be dedicated solely to the Office of the Intellec-
15 tual Property Enforcement Coordinator: *Provided further*,
16 That none of the funds provided in this or prior Acts shall
17 be used, directly or indirectly, by the Office of Manage-
18 ment and Budget, for evaluating or determining if water
19 resource project or study reports submitted by the Chief
20 of Engineers acting through the Secretary of the Army
21 are in compliance with all applicable laws, regulations, and
22 requirements relevant to the Civil Works water resource
23 planning process: *Provided further*, That the Office of
24 Management and Budget shall have not more than 60
25 days in which to perform budgetary policy reviews of water

1 resource matters on which the Chief of Engineers has re-
2 ported: *Provided further*, That the Director of the Office
3 of Management and Budget shall notify the appropriate
4 authorizing and appropriating committees when the 60-
5 day review is initiated: *Provided further*, That if water re-
6 source reports have not been transmitted to the appro-
7 priate authorizing and appropriating committees within
8 15 days after the end of the Office of Management and
9 Budget review period based on the notification from the
10 Director, Congress shall assume Office of Management
11 and Budget concurrence with the report and act accord-
12 ingly.

13 In addition, \$1,000,000 for the Office of Information
14 and Regulatory Affairs to hire additional personnel dedi-
15 cated to regulatory review and reforms: *Provided*, That
16 these amounts shall be in addition to any other amounts
17 available for such purpose: *Provided further*, That these
18 funds may not be used to backfill vacancies.

19 OFFICE OF NATIONAL DRUG CONTROL POLICY

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of National
22 Drug Control Policy; for research activities pursuant to
23 the Office of National Drug Control Policy Reauthoriza-
24 tion Act of 2006 (Public Law 109–469); not to exceed
25 \$10,000 for official reception and representation expenses;

1 and for participation in joint projects or in the provision
2 of services on matters of mutual interest with nonprofit,
3 research, or public organizations or agencies, with or with-
4 out reimbursement, \$18,400,000: *Provided*, That the Of-
5 fice is authorized to accept, hold, administer, and utilize
6 gifts, both real and personal, public and private, without
7 fiscal year limitation, for the purpose of aiding or facili-
8 tating the work of the Office.

9 FEDERAL DRUG CONTROL PROGRAMS

10 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Office of National
13 Drug Control Policy's High Intensity Drug Trafficking
14 Areas Program, \$280,000,000, to remain available until
15 September 30, 2020, for drug control activities consistent
16 with the approved strategy for each of the designated
17 High Intensity Drug Trafficking Areas ("HIDTAs"), of
18 which not less than 51 percent shall be transferred to
19 State and local entities for drug control activities and shall
20 be obligated not later than 120 days after enactment of
21 this Act: *Provided*, That up to 49 percent may be trans-
22 ferred to Federal agencies and departments in amounts
23 determined by the Director of the Office of National Drug
24 Control Policy, of which up to \$2,700,000 may be used
25 for auditing services and associated activities: *Provided*

1 *further*, That, notwithstanding the requirements of Public
2 Law 106–58, any unexpended funds obligated prior to fis-
3 cal year 2017 may be used for any other approved activi-
4 ties of that HIDTA, subject to reprogramming require-
5 ments: *Provided further*, That each HIDTA designated as
6 of September 30, 2018, shall be funded at not less than
7 the fiscal year 2018 base level, unless the Director submits
8 to the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate justification for changes to
10 those levels based on clearly articulated priorities and pub-
11 lished Office of National Drug Control Policy performance
12 measures of effectiveness: *Provided further*, That the Di-
13 rector shall notify the Committees on Appropriations of
14 the initial allocation of fiscal year 2019 funding among
15 HDTAs not later than 45 days after enactment of this
16 Act, and shall notify the Committees of planned uses of
17 discretionary HIDTA funding, as determined in consulta-
18 tion with the HIDTA Directors, not later than 90 days
19 after enactment of this Act: *Provided further*, That upon
20 a determination that all or part of the funds so transferred
21 from this appropriation are not necessary for the purposes
22 provided herein and upon notification to the Committees
23 on Appropriations of the House of Representatives and the
24 Senate, such amounts may be transferred back to this ap-
25 propriation.

1 OTHER FEDERAL DRUG CONTROL PROGRAMS

2 (INCLUDING TRANSFERS OF FUNDS)

3 For other drug control activities authorized by the
4 Office of National Drug Control Policy Reauthorization
5 Act of 2006 (Public Law 109–469), \$118,327,000, to re-
6 main available until expended, which shall be available as
7 follows: \$100,000,000 for the Drug-Free Communities
8 Program, of which \$2,000,000 shall be made available as
9 directed by section 4 of Public Law 107–82, as amended
10 by Public Law 109–469 (21 U.S.C. 1521 note);
11 \$2,000,000 for drug court training and technical assist-
12 ance; \$9,500,000 for anti-doping activities; \$2,577,000 for
13 the United States membership dues to the World Anti-
14 Doping Agency; and \$1,250,000 shall be made available
15 as directed by section 1105 of Public Law 109–469; and
16 \$3,000,000, to remain available until expended, shall be
17 for activities authorized by section 103 of Public Law
18 114–198: *Provided*, That amounts made available under
19 this heading may be transferred to other Federal depart-
20 ments and agencies to carry out such activities.

21 UNANTICIPATED NEEDS

22 For expenses necessary to enable the President to
23 meet unanticipated needs, in furtherance of the national
24 interest, security, or defense which may arise at home or
25 abroad during the current fiscal year, as authorized by

1 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
2 tember 30, 2020.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-
6 grated, efficient, secure, and effective uses of information
7 technology in the Federal Government, \$28,500,000, to
8 remain available until expended: *Provided*, That the Direc-
9 tor of the Office of Management and Budget may transfer
10 these funds to one or more other agencies to carry out
11 projects to meet these purposes.

12 SPECIAL ASSISTANCE TO THE PRESIDENT
13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President
15 to provide assistance to the President in connection with
16 specially assigned functions; services as authorized by 5
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
18 penses as authorized by 3 U.S.C. 106, which shall be ex-
19 pended and accounted for as provided in that section; and
20 hire of passenger motor vehicles, \$4,288,000.

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
22 OPERATING EXPENSES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the care, operation, refurnishing, improvement,
25 and to the extent not otherwise provided for, heating and

1 lighting, including electric power and fixtures, of the offi-
2 cial residence of the Vice President; the hire of passenger
3 motor vehicles; and not to exceed \$90,000 pursuant to 3
4 U.S.C. 106(b)(2), \$302,000: *Provided*, That advances, re-
5 payments, or transfers from this appropriation may be
6 made to any department or agency for expenses of car-
7 rying out such activities.

8 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
9 THE PRESIDENT AND FUNDS APPROPRIATED TO
10 THE PRESIDENT

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. From funds made available in this Act
13 under the headings “The White House”, “Executive Resi-
14 dence at the White House”, “White House Repair and
15 Restoration”, “Council of Economic Advisers”, “National
16 Security Council and Homeland Security Council”, “Of-
17 fice of Administration”, “Special Assistance to the Presi-
18 dent”, and “Official Residence of the Vice President”, the
19 Director of the Office of Management and Budget (or
20 such other officer as the President may designate in writ-
21 ing), may, with advance approval of the Committees on
22 Appropriations of the House of Representatives and the
23 Senate, transfer not to exceed 10 percent of any such ap-
24 propriation to any other such appropriation, to be merged
25 with and available for the same time and for the same

1 purposes as the appropriation to which transferred: *Pro-*
2 *vided*, That the amount of an appropriation shall not be
3 increased by more than 50 percent by such transfers: *Pro-*
4 *vided further*, That no amount shall be transferred from
5 “Special Assistance to the President” or “Official Resi-
6 dence of the Vice President” without the approval of the
7 Vice President.

8 SEC. 202. (a) During fiscal year 2019, any Executive
9 order or Presidential memorandum issued or revoked by
10 the President shall be accompanied by a written statement
11 from the Director of the Office of Management and Budg-
12 et on the budgetary impact, including costs, benefits, and
13 revenues, of such order or memorandum.

14 (b) Any such statement shall include—

15 (1) a narrative summary of the budgetary im-
16 pact of such order or memorandum on the Federal
17 Government;

18 (2) the impact on mandatory and discretionary
19 obligations and outlays as the result of such order
20 or memorandum, listed by Federal agency, for each
21 year in the 5-fiscal-year period beginning in fiscal
22 year 2019; and

23 (3) the impact on revenues of the Federal Gov-
24 ernment as the result of such order or memorandum

1 over the 5-fiscal-year period beginning in fiscal year
2 2019.

3 (c) If an Executive order or Presidential memo-
4 randum is issued during fiscal year 2019 due to a national
5 emergency, the Director of the Office of Management and
6 Budget may issue the statement required by subsection
7 (a) not later than 15 days after the date that such order
8 or memorandum is issued.

9 (d) The requirement for cost estimates for Presi-
10 dential memoranda shall only apply for Presidential
11 memoranda estimated to have a regulatory cost in excess
12 of \$100,000,000.

13 This title may be cited as the “Executive Office of
14 the President Appropriations Act, 2019”.

1 TITLE III
2 THE JUDICIARY
3 SUPREME COURT OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
9 to exceed \$10,000 for official reception and representation
10 expenses; and for miscellaneous expenses, to be expended
11 as the Chief Justice may approve, \$84,703,000, of which
12 \$1,500,000 shall remain available until expended.

13 In addition, there are appropriated such sums as may
14 be necessary under current law for the salaries of the chief
15 justice and associate justices of the court.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,
20 \$15,999,000, to remain available until expended.

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1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT
3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$32,016,000.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of the chief
9 judge and judges of the court.

10 UNITED STATES COURT OF INTERNATIONAL TRADE
11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,
13 services, and necessary expenses of the court, as author-
14 ized by law, \$18,882,000.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of the chief
17 judge and judges of the court.

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
19 JUDICIAL SERVICES
20 SALARIES AND EXPENSES

21 For the salaries of judges of the United States Court
22 of Federal Claims, magistrate judges, and all other offi-
23 cers and employees of the Federal Judiciary not otherwise
24 specifically provided for, necessary expenses of the courts,
25 and the purchase, rental, repair, and cleaning of uniforms

1 for Probation and Pretrial Services Office staff, as author-
2 ized by law, \$5,144,383,000 (including the purchase of
3 firearms and ammunition); of which not to exceed
4 \$27,817,000 shall remain available until expended for
5 space alteration projects and for furniture and furnishings
6 related to new space alteration and construction projects.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of circuit
9 and district judges (including judges of the territorial
10 courts of the United States), bankruptcy judges, and jus-
11 tices and judges retired from office or from regular active
12 service.

13 In addition, for expenses of the United States Court
14 of Federal Claims associated with processing cases under
15 the National Childhood Vaccine Injury Act of 1986 (Pub-
16 lic Law 99-660), not to exceed \$8,475,000, to be appro-
17 priated from the Vaccine Injury Compensation Trust
18 Fund.

19 DEFENDER SERVICES

20 For the operation of Federal Defender organizations;
21 the compensation and reimbursement of expenses of attor-
22 neys appointed to represent persons under 18 U.S.C.
23 3006A and 3599, and for the compensation and reim-
24 bursement of expenses of persons furnishing investigative,
25 expert, and other services for such representations as au-

1 thORIZED by law; the compensation (in accordance with the
2 maximums under 18 U.S.C. 3006A) and reimbursement
3 of expenses of attorneys appointed to assist the court in
4 criminal cases where the defendant has waived representa-
5 tion by counsel; the compensation and reimbursement of
6 expenses of attorneys appointed to represent jurors in civil
7 actions for the protection of their employment, as author-
8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
9 bursement of expenses of attorneys appointed under 18
10 U.S.C. 983(b)(1) in connection with certain judicial civil
11 forfeiture proceedings; the compensation and reimburse-
12 ment of travel expenses of guardians ad litem appointed
13 under 18 U.S.C. 4100(b); and for necessary training and
14 general administrative expenses, \$1,150,450,000 to re-
15 main available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$49,750,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under 5 U.S.C.
2 5332.

3 COURT SECURITY
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100–702),
17 \$607,110,000, of which not to exceed \$20,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$92,413,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90-219, \$29,819,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2020, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$18,953,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the matter following paragraph 12—

22 (1) in the second sentence (relating to the Dis-
23 trict of Kansas), by striking “27 years and 6
24 months” and inserting “28 years and 6 months”;
25 and

1 (2) in the sixth sentence (relating to the Dis-
2 trict of Hawaii), by striking “24 years and 6
3 months” and inserting “25 years and 6 months”.

4 (b) Section 406 of the Transportation, Treasury,
5 Housing and Urban Development, the Judiciary, the Dis-
6 trict of Columbia, and Independent Agencies Appropria-
7 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
8 28 U.S.C. 133 note) is amended in the second sentence
9 (relating to the eastern District of Missouri) by striking
10 “25 years and 6 months” and inserting “26 years and
11 6 months”.

12 (c) Section 312(c)(2) of the 21st Century Depart-
13 ment of Justice Appropriations Authorization Act (Public
14 Law 107–273; 28 U.S.C. 133 note), is amended—

15 (1) in the first sentence by striking “16 years”
16 and inserting “17 years”;

17 (2) in the second sentence (relating to the cen-
18 tral District of California), by striking “15 years
19 and 6 months” and inserting “16 years and 6
20 months”; and

21 (3) in the third sentence (relating to the west-
22 ern district of North Carolina), by striking “14
23 years” and inserting “15 years”.

24 This title may be cited as the “Judiciary Appropria-
25 tions Act, 2019”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$40,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$12,000,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 COURTS

3 For salaries and expenses for the District of Colum-
4 bia Courts, \$258,394,000 to be allocated as follows: for
5 the District of Columbia Court of Appeals, \$14,594,000,
6 of which not to exceed \$2,500 is for official reception and
7 representation expenses; for the Superior Court of the
8 District of Columbia, \$124,400,000, of which not to ex-
9 ceed \$2,500 is for official reception and representation ex-
10 penses; for the District of Columbia Court System,
11 \$74,400,000, of which not to exceed \$2,500 is for official
12 reception and representation expenses; and \$45,000,000,
13 to remain available until September 30, 2020, for capital
14 improvements for District of Columbia courthouse facili-
15 ties: *Provided*, That funds made available for capital im-
16 provements shall be expended consistent with the District
17 of Columbia Courts master plan study and facilities condi-
18 tion assessment: *Provided further*, That, in addition to the
19 amounts appropriated herein, fees received by the District
20 of Columbia Courts for administering bar examinations
21 and processing District of Columbia bar admissions may
22 be retained and credited to this appropriation, to remain
23 available until expended, for salaries and expenses associ-
24 ated with such activities, notwithstanding section 450 of
25 the District of Columbia Home Rule Act (D.C. Official

1 Code, sec. 1–204.50): *Provided further*, That notwith-
2 standing any other provision of law, all amounts under
3 this heading shall be apportioned quarterly by the Office
4 of Management and Budget and obligated and expended
5 in the same manner as funds appropriated for salaries and
6 expenses of other Federal agencies: *Provided further*, That
7 30 days after providing written notice to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate, the District of Columbia Courts may reallocate
10 not more than \$9,000,000 of the funds provided under
11 this heading among the items and entities funded under
12 this heading: *Provided further*, That the Joint Committee
13 on Judicial Administration in the District of Columbia
14 may, by regulation, establish a program substantially simi-
15 lar to the program set forth in subchapter II of chapter
16 35 of title 5, United States Code, for employees of the
17 District of Columbia Courts.

18 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
19 DISTRICT OF COLUMBIA COURTS
20 (INCLUDING TRANSFER OF FUNDS)

21 For payments authorized under section 11–2604 and
22 section 11–2605, D.C. Official Code (relating to represen-
23 tation provided under the District of Columbia Criminal
24 Justice Act), payments for counsel appointed in pro-
25 ceedings in the Family Court of the Superior Court of the

1 District of Columbia under chapter 23 of title 16, D.C.
2 Official Code, or pursuant to contractual agreements to
3 provide guardian ad litem representation, training, tech-
4 nical assistance, and such other services as are necessary
5 to improve the quality of guardian ad litem representation,
6 payments for counsel appointed in adoption proceedings
7 under chapter 3 of title 16, D.C. Official Code, and pay-
8 ments authorized under section 21–2060, D.C. Official
9 Code (relating to services provided under the District of
10 Columbia Guardianship, Protective Proceedings, and Du-
11 rable Power of Attorney Act of 1986), \$46,005,000, to
12 remain available until expended: *Provided*, That not more
13 than \$20,000,000 in unobligated funds provided in this
14 account may be transferred to and merged with funds
15 made available under the heading “Federal Payment to
16 the District of Columbia Courts,” to be available for the
17 same period and purposes as funds made available under
18 that heading for capital improvements to District of Co-
19 lumbia courthouse facilities: *Provided further*, That funds
20 provided under this heading shall be administered by the
21 Joint Committee on Judicial Administration in the Dis-
22 trict of Columbia: *Provided further*, That, notwithstanding
23 any other provision of law, this appropriation shall be ap-
24 portioned quarterly by the Office of Management and
25 Budget and obligated and expended in the same manner

1 as funds appropriated for expenses of other Federal agen-
2 cies.

3 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
4 FENDER SUPERVISION AGENCY FOR THE DISTRICT
5 OF COLUMBIA

6 For salaries and expenses, including the transfer and
7 hire of motor vehicles, of the Court Services and Offender
8 Supervision Agency for the District of Columbia, as au-
9 thorized by the National Capital Revitalization and Self-
10 Government Improvement Act of 1997, \$256,724,000, of
11 which not to exceed \$2,000 is for official reception and
12 representation expenses related to Community Supervision
13 and Pretrial Services Agency programs, and of which not
14 to exceed \$25,000 is for dues and assessments relating
15 to the implementation of the Court Services and Offender
16 Supervision Agency Interstate Supervision Act of 2002:
17 *Provided*, That, of the funds appropriated under this head-
18 ing, \$183,166,000 shall be for necessary expenses of Com-
19 munity Supervision and Sex Offender Registration, to in-
20 clude expenses relating to the supervision of adults subject
21 to protection orders or the provision of services for or re-
22 lated to such persons, of which \$5,919,000 shall remain
23 available until September 30, 2021 for costs associated
24 with relocation under a replacement lease for headquarters
25 offices, field offices, and related facilities: *Provided further*,

1 That, of the funds appropriated under this heading,
2 \$73,558,000 shall be available to the Pretrial Services
3 Agency, of which \$7,304,000 shall remain available until
4 September 30, 2021 for costs associated with relocation
5 under a replacement lease for headquarters offices, field
6 offices, and related facilities: *Provided further*, That not-
7 withstanding any other provision of law, all amounts
8 under this heading shall be apportioned quarterly by the
9 Office of Management and Budget and obligated and ex-
10 pended in the same manner as funds appropriated for sal-
11 aries and expenses of other Federal agencies: *Provided fur-*
12 *ther*, That amounts under this heading may be used for
13 programmatic incentives for defendants to successfully
14 complete their terms of supervision.

15 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

16 PUBLIC DEFENDER SERVICE

17 For salaries and expenses, including the transfer and
18 hire of motor vehicles, of the District of Columbia Public
19 Defender Service, as authorized by the National Capital
20 Revitalization and Self-Government Improvement Act of
21 1997, \$45,858,000, of which \$4,471,000 shall remain
22 available until September 30, 2021 for costs associated
23 with relocation under a replacement lease for headquarters
24 offices, field offices, and related facilities: *Provided*, That
25 notwithstanding any other provision of law, all amounts

1 under this heading shall be apportioned quarterly by the
2 Office of Management and Budget and obligated and ex-
3 pended in the same manner as funds appropriated for sal-
4 aries and expenses of Federal agencies.

5 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

6 COORDINATING COUNCIL

7 For a Federal payment to the Criminal Justice Co-
8 ordinating Council, \$2,150,000, to remain available until
9 expended, to support initiatives related to the coordination
10 of Federal and local criminal justice resources in the Dis-
11 trict of Columbia.

12 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

13 For a Federal payment, to remain available until
14 September 30, 2020, to the Commission on Judicial Dis-
15 abilities and Tenure, \$295,000, and for the Judicial Nomi-
16 nation Commission, \$270,000.

17 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

18 For a Federal payment for a school improvement pro-
19 gram in the District of Columbia, \$52,500,000, to remain
20 available until expended, for payments authorized under
21 the Scholarships for Opportunity and Results Act (division
22 C of Public Law 112–10): *Provided*, That, to the extent
23 that funds are available for opportunity scholarships and
24 following the priorities included in section 3006 of such
25 Act, the Secretary of Education shall make scholarships

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1 available to students eligible under section 3013(3) of such
2 Act (Public Law 112–10; 125 Stat. 211) including stu-
3 dents who were not offered a scholarship during any pre-
4 vious school year: *Provided further*, That within funds pro-
5 vided for opportunity scholarships up to \$1,200,000 shall
6 be for the activities specified in sections 3007(b) through
7 3007(d) of the Act and up to \$500,000 shall be for the
8 activities specified in section 3009 of the Act.

9 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

10 NATIONAL GUARD

11 For a Federal payment to the District of Columbia
12 National Guard, \$435,000, to remain available until ex-
13 pended for the Major General David F. Wherley, Jr. Dis-
14 trict of Columbia National Guard Retention and College
15 Access Program.

16 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF

17 HIV/AIDS

18 For a Federal payment to the District of Columbia
19 for the testing of individuals for, and the treatment of in-
20 dividuals with, human immunodeficiency virus and ac-
21 quired immunodeficiency syndrome in the District of Co-
22 lumbia, \$3,000,000.

23 DISTRICT OF COLUMBIA FUNDS

24 Local funds are appropriated for the District of Co-
25 lumbia for the current fiscal year out of the General Fund

1 of the District of Columbia (“General Fund”) for pro-
2 grams and activities set forth under the heading “PART
3 A—SUMMARY OF EXPENSES” and at the rate set forth
4 under such heading, as included in the Fiscal Year 2019
5 Budget Request Act of 2018 submitted to Congress by
6 the District of Columbia, as amended as of the date of
7 enactment of this Act: *Provided*, That notwithstanding
8 any other provision of law, except as provided in section
9 450A of the District of Columbia Home Rule Act (section
10 1–204.50a, D.C. Official Code), sections 816 and 817 of
11 the Financial Services and General Government Appro-
12 priations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C.
13 Official Code), and provisions of this Act, the total amount
14 appropriated in this Act for operating expenses for the
15 District of Columbia for fiscal year 2019 under this head-
16 ing shall not exceed the estimates included in the Fiscal
17 Year 2019 Budget Request Act of 2018 submitted to Con-
18 gress by the District of Columbia, as amended as of the
19 date of enactment of this Act or the sum of the total reve-
20 nues of the District of Columbia for such fiscal year: *Pro-*
21 *vided further*, That the amount appropriated may be in-
22 creased by proceeds of one-time transactions, which are
23 expended for emergency or unanticipated operating or
24 capital needs: *Provided further*, That such increases shall
25 be approved by enactment of local District law and shall

1 comply with all reserve requirements contained in the Dis-
2 trict of Columbia Home Rule Act: *Provided further*, That
3 the Chief Financial Officer of the District of Columbia
4 shall take such steps as are necessary to assure that the
5 District of Columbia meets these requirements, including
6 the apportioning by the Chief Financial Officer of the ap-
7 propriations and funds made available to the District dur-
8 ing fiscal year 2019, except that the Chief Financial Offi-
9 cer may not reprogram for operating expenses any funds
10 derived from bonds, notes, or other obligations issued for
11 capital projects.

12 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

13 WATER AND SEWER AUTHORITY

14 For a Federal payment to the District of Columbia
15 Water and Sewer Authority, \$8,000,000, to remain avail-
16 able until expended, to continue implementation of the
17 Combined Sewer Overflow Long-Term Plan: *Provided*,
18 That the District of Columbia Water and Sewer Authority
19 provides a 100 percent match for this payment.

20 This title may be cited as the “District of Columbia
21 Appropriations Act, 2019”.

303

1 TITLE V
2 INDEPENDENT AGENCIES
3 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$3,100,000, to remain available until September
8 30, 2020, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 COMMODITY FUTURES TRADING COMMISSION

11 For necessary expenses to carry out the provisions
12 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
13 cluding the purchase and hire of passenger motor vehicles,
14 and the rental of space (to include multiple year leases),
15 in the District of Columbia and elsewhere, \$268,000,000,
16 including not to exceed \$3,000 for official reception and
17 representation expenses, and not to exceed \$25,000 for the
18 expenses for consultations and meetings hosted by the
19 Commission with foreign governmental and other regu-
20 latory officials, of which not less than \$50,000,000, to re-
21 main available until September 30, 2020, shall be for the
22 purchase of information technology and of which not less
23 than \$3,000,000 shall be for expenses of the Office of the
24 Inspector General: *Provided*, That notwithstanding the
25 limitations in 31 U.S.C. 1553, amounts provided under

1 this heading are available for the liquidation of obligations
2 equal to current year payments on leases entered into
3 prior to the date of enactment of this Act: *Provided fur-*
4 *ther*, That for the purpose of recording and liquidating any
5 lease obligations that should have been recorded and liq-
6 uidated against accounts closed pursuant to 31 U.S.C.
7 1552, and consistent with the preceding proviso, such
8 amounts shall be transferred to and recorded in a no-year
9 account in the Treasury, which has been established for
10 the sole purpose of recording adjustments for and liqui-
11 dating such unpaid obligations.

12 CONSUMER PRODUCT SAFETY COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Consumer Product
15 Safety Commission, including hire of passenger motor ve-
16 hicles, services as authorized by 5 U.S.C. 3109, but at
17 rates for individuals not to exceed the per diem rate equiv-
18 alent to the maximum rate payable under 5 U.S.C. 5376,
19 purchase of nominal awards to recognize non-Federal offi-
20 cials' contributions to Commission activities, and not to
21 exceed \$4,000 for official reception and representation ex-
22 penses, \$127,000,000, of which \$800,000 shall remain
23 available until expended to carry out the program, includ-
24 ing administrative costs, required by section 1405 of the

1 Virginia Graeme Baker Pool and Spa Safety Act (Public
2 Law 110–140; 15 U.S.C. 8004).

3 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

4 SAFETY COMMISSION

5 SEC. 501. During fiscal year 2019, none of the
6 amounts made available by this Act may be used to final-
7 ize or implement the Safety Standard for Recreational
8 Off-Highway Vehicles published by the Consumer Product
9 Safety Commission in the Federal Register on November
10 19, 2014 (79 Fed. Reg. 68964) until after—

11 (1) the National Academy of Sciences, in con-
12 sultation with the National Highway Traffic Safety
13 Administration and the Department of Defense,
14 completes a study to determine—

15 (A) the technical validity of the lateral sta-
16 bility and vehicle handling requirements pro-
17 posed by such standard for purposes of reduc-
18 ing the risk of Recreational Off-Highway Vehi-
19 cle (referred to in this section as “ROV”) roll-
20 overs in the off-road environment, including the
21 repeatability and reproducibility of testing for
22 compliance with such requirements;

23 (B) the number of ROV rollovers that
24 would be prevented if the proposed require-
25 ments were adopted;

1 (C) whether there is a technical basis for
2 the proposal to provide information on a point-
3 of-sale hangtag about a ROV's rollover resist-
4 ance on a progressive scale; and

5 (D) the effect on the utility of ROVs used
6 by the United States military if the proposed
7 requirements were adopted; and

8 (2) a report containing the results of the study
9 completed under paragraph (1) is delivered to—

10 (A) the Committee on Commerce, Science,
11 and Transportation of the Senate;

12 (B) the Committee on Energy and Com-
13 merce of the House of Representatives;

14 (C) the Committee on Appropriations of
15 the Senate; and

16 (D) the Committee on Appropriations of
17 the House of Representatives.

18 ELECTION ASSISTANCE COMMISSION

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the Help Amer-
22 ica Vote Act of 2002 (Public Law 107-252), \$9,200,000,
23 of which \$1,250,000 shall be transferred to the National
24 Institute of Standards and Technology for election reform

1 activities authorized under the Help America Vote Act of
2 2002.

3 FEDERAL COMMUNICATIONS COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Communica-
6 tions Commission, as authorized by law, including uni-
7 forms and allowances therefor, as authorized by 5 U.S.C.
8 5901–5902; not to exceed \$4,000 for official reception and
9 representation expenses; purchase and hire of motor vehi-
10 cles; special counsel fees; and services as authorized by
11 5 U.S.C. 3109, \$339,000,000, to remain available until
12 expended: *Provided*, That \$339,000,000 of offsetting col-
13 lections shall be assessed and collected pursuant to section
14 9 of title I of the Communications Act of 1934, shall be
15 retained and used for necessary expenses and shall remain
16 available until expended: *Provided further*, That the sum
17 herein appropriated shall be reduced as such offsetting
18 collections are received during fiscal year 2019 so as to
19 result in a final fiscal year 2019 appropriation estimated
20 at \$0: *Provided further*, That any offsetting collections re-
21 ceived in excess of \$339,000,000 in fiscal year 2019 shall
22 not be available for obligation: *Provided further*, That re-
23 maining offsetting collections from prior years collected in
24 excess of the amount specified for collection in each such
25 year and otherwise becoming available on October 1, 2018,

1 shall not be available for obligation: *Provided further,*
2 That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds
3 from the use of a competitive bidding system that may
4 be retained and made available for obligation shall not ex-
5 ceed \$130,284,000 for fiscal year 2019: *Provided further,*
6 That, of the amount appropriated under this heading, not
7 less than \$11,064,000 shall be for the salaries and ex-
8 penses of the Office of Inspector General.

9 ADMINISTRATIVE PROVISION—FEDERAL

10 COMMUNICATIONS COMMISSION

11 SEC. 510. None of the funds appropriated by this Act
12 may be used by the Federal Communications Commission
13 to modify, amend, or change its rules or regulations for
14 universal service support payments to implement the Feb-
15 ruary 27, 2004 recommendations of the Federal-State
16 Joint Board on Universal Service regarding single connec-
17 tion or primary line restrictions on universal service sup-
18 port payments.

19 FEDERAL DEPOSIT INSURANCE CORPORATION

20 OFFICE OF THE INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$42,982,000, to be derived from the
24 Deposit Insurance Fund or, only when appropriate, the
25 FSLIC Resolution Fund.

1 FEDERAL ELECTION COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the provisions
4 of the Federal Election Campaign Act of 1971,
5 \$71,250,000, of which not to exceed \$5,000 shall be avail-
6 able for reception and representation expenses.

7 FEDERAL LABOR RELATIONS AUTHORITY

8 SALARIES AND EXPENSES

9 For necessary expenses to carry out functions of the
10 Federal Labor Relations Authority, pursuant to Reorga-
11 nization Plan Numbered 2 of 1978, and the Civil Service
12 Reform Act of 1978, including services authorized by 5
13 U.S.C. 3109, and including hire of experts and consult-
14 ants, hire of passenger motor vehicles, and including offi-
15 cial reception and representation expenses (not to exceed
16 \$1,500) and rental of conference rooms in the District of
17 Columbia and elsewhere, \$26,200,000: *Provided*, That
18 public members of the Federal Service Impasses Panel
19 may be paid travel expenses and per diem in lieu of sub-
20 sistence as authorized by law (5 U.S.C. 5703) for persons
21 employed intermittently in the Government service, and
22 compensation as authorized by 5 U.S.C. 3109: *Provided*
23 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
24 ceived from fees charged to non-Federal participants at
25 labor-management relations conferences shall be credited

1 to and merged with this account, to be available without
2 further appropriation for the costs of carrying out these
3 conferences.

4 FEDERAL TRADE COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Trade Com-
7 mission, including uniforms or allowances therefor, as au-
8 thorized by 5 U.S.C. 5901–5902; services as authorized
9 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
10 not to exceed \$2,000 for official reception and representa-
11 tion expenses, \$309,700,000, to remain available until ex-
12 pended: *Provided*, That not to exceed \$300,000 shall be
13 available for use to contract with a person or persons for
14 collection services in accordance with the terms of 31
15 U.S.C. 3718: *Provided further*, That, notwithstanding any
16 other provision of law, not to exceed \$136,000,000 of off-
17 setting collections derived from fees collected for
18 premerger notification filings under the Hart-Scott-Ro-
19 dino Antitrust Improvements Act of 1976 (15 U.S.C.
20 18a), regardless of the year of collection, shall be retained
21 and used for necessary expenses in this appropriation:
22 *Provided further*, That, notwithstanding any other provi-
23 sion of law, not to exceed \$17,000,000 in offsetting collec-
24 tions derived from fees sufficient to implement and enforce
25 the Telemarketing Sales Rule, promulgated under the

1 Telemarketing and Consumer Fraud and Abuse Preven-
2 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
3 account, and be retained and used for necessary expenses
4 in this appropriation: *Provided further*, That the sum here-
5 in appropriated from the general fund shall be reduced
6 as such offsetting collections are received during fiscal
7 year 2019, so as to result in a final fiscal year 2019 appro-
8 priation from the general fund estimated at not more than
9 \$156,700,000: *Provided further*, That none of the funds
10 made available to the Federal Trade Commission may be
11 used to implement subsection (e)(2)(B) of section 43 of
12 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

13 GENERAL SERVICES ADMINISTRATION

14 REAL PROPERTY ACTIVITIES

15 FEDERAL BUILDINGS FUND

16 LIMITATIONS ON AVAILABILITY OF REVENUE

17 (INCLUDING TRANSFERS OF FUNDS)

18 Amounts in the Fund, including revenues and collec-
19 tions deposited into the Fund, shall be available for nec-
20 essary expenses of real property management and related
21 activities not otherwise provided for, including operation,
22 maintenance, and protection of federally owned and leased
23 buildings; rental of buildings in the District of Columbia;
24 restoration of leased premises; moving governmental agen-
25 cies (including space adjustments and telecommunications

1 relocation expenses) in connection with the assignment, al-
2 location, and transfer of space; contractual services inci-
3 dent to cleaning or servicing buildings, and moving; repair
4 and alteration of federally owned buildings, including
5 grounds, approaches, and appurtenances; care and safe-
6 guarding of sites; maintenance, preservation, demolition,
7 and equipment; acquisition of buildings and sites by pur-
8 chase, condemnation, or as otherwise authorized by law;
9 acquisition of options to purchase buildings and sites; con-
10 version and extension of federally owned buildings; pre-
11 liminary planning and design of projects by contract or
12 otherwise; construction of new buildings (including equip-
13 ment for such buildings); and payment of principal, inter-
14 est, and any other obligations for public buildings acquired
15 by installment purchase and purchase contract; in the ag-
16 gregate amount of \$9,285,082,000, of which—

17 (1) \$958,900,000 shall remain available until
18 expended for construction and acquisition (including
19 funds for sites and expenses, and associated design
20 and construction services) as follows:

21 (A) \$767,900,000 shall be for the Depart-
22 ment of Transportation Lease Purchase Option,
23 Washington, District of Columbia;

1 (B) \$100,000,000 shall be for the DHS
2 Consolidation at St. Elizabeths, Washington,
3 District of Columbia;

4 (C) \$91,000,000 shall be for the Calexico
5 West Land Port of Entry, Calexico, California:
6 *Provided*, That each of the foregoing limits of costs
7 on new construction and acquisition projects may be
8 exceeded to the extent that savings are effected in
9 other such projects, but not to exceed 10 percent of
10 the amounts included in a transmitted prospectus, if
11 required, unless advance approval is obtained from
12 the Committees on Appropriations of a greater
13 amount;

14 (2) \$663,219,000 shall remain available until
15 expended for repairs and alterations, including asso-
16 ciated design and construction services, of which—

17 (A) \$276,837,000 is for Major Repairs and
18 Alterations;

19 (B) \$356,382,000 is for Basic Repairs and
20 Alterations; and

21 (C) \$30,000,000 is for Special Emphasis
22 Programs for Fire and Life Safety:

23 *Provided*, That funds made available in this or any
24 previous Act in the Federal Buildings Fund for Re-
25 pairs and Alterations shall, for prospectus projects,

1 be limited to the amount identified for each project,
2 except each project in this or any previous Act may
3 be increased by an amount not to exceed 10 percent
4 unless advance approval is obtained from the Com-
5 mittees on Appropriations of a greater amount: *Pro-*
6 *vided further*, That additional projects for which
7 prospectuses have been fully approved may be fund-
8 ed under this category only if advance approval is
9 obtained from the Committees on Appropriations:
10 *Provided further*, That the amounts provided in this
11 or any prior Act for “Repairs and Alterations” may
12 be used to fund costs associated with implementing
13 security improvements to buildings necessary to
14 meet the minimum standards for security in accord-
15 ance with current law and in compliance with the re-
16 programming guidelines of the appropriate Commit-
17 tees of the House and Senate: *Provided further*, That
18 the difference between the funds appropriated and
19 expended on any projects in this or any prior Act,
20 under the heading “Repairs and Alterations”, may
21 be transferred to Basic Repairs and Alterations or
22 used to fund authorized increases in prospectus
23 projects: *Provided further*, That the amount provided
24 in this or any prior Act for Basic Repairs and Alter-
25 ations may be used to pay claims against the Gov-

1 ernment arising from any projects under the heading
2 “Repairs and Alterations” or used to fund author-
3 ized increases in prospectus projects;

4 (3) \$5,418,845,000 for rental of space to re-
5 main available until expended; and

6 (4) \$2,244,118,000 for building operations to
7 remain available until expended: *Provided*, That the
8 total amount of funds made available from this
9 Fund to the General Services Administration shall
10 not be available for expenses of any construction, re-
11 pair, alteration and acquisition project for which a
12 prospectus, if required by 40 U.S.C. 3307(a), has
13 not been approved, except that necessary funds may
14 be expended for each project for required expenses
15 for the development of a proposed prospectus: *Pro-*
16 *vided further*, That funds available in the Federal
17 Buildings Fund may be expended for emergency re-
18 pairs when advance approval is obtained from the
19 Committees on Appropriations: *Provided further*,
20 That amounts necessary to provide reimbursable
21 special services to other agencies under 40 U.S.C.
22 592(b)(2) and amounts to provide such reimbursable
23 fencing, lighting, guard booths, and other facilities
24 on private or other property not in Government own-
25 ership or control as may be appropriate to enable

1 the United States Secret Service to perform its pro-
2 tective functions pursuant to 18 U.S.C. 3056, shall
3 be available from such revenues and collections: *Pro-*
4 *vided further*, That revenues and collections and any
5 other sums accruing to this Fund during fiscal year
6 2019, excluding reimbursements under 40 U.S.C.
7 592(b)(2), in excess of the aggregate new
8 obligational authority authorized for Real Property
9 Activities of the Federal Buildings Fund in this Act
10 shall remain in the Fund and shall not be available
11 for expenditure except as authorized in appropria-
12 tions Acts.

13 GENERAL ACTIVITIES

14 GOVERNMENT-WIDE POLICY

15 For expenses authorized by law, not otherwise pro-
16 vided for, for Government-wide policy and evaluation ac-
17 tivities associated with the management of real and per-
18 sonal property assets and certain administrative services;
19 Government-wide policy support responsibilities relating to
20 acquisition, travel, motor vehicles, information technology
21 management, and related technology activities; and serv-
22 ices as authorized by 5 U.S.C. 3109; \$60,000,000.

23 OPERATING EXPENSES

24 For expenses authorized by law, not otherwise pro-
25 vided for, for Government-wide activities associated with

1 utilization and donation of surplus personal property; dis-
2 posal of real property; agency-wide policy direction, man-
3 agement, and communications; and services as authorized
4 by 5 U.S.C. 3109; \$49,440,000, of which \$26,890,000 is
5 for Real and Personal Property Management and Dis-
6 posal; \$22,550,000 is for the Office of the Administrator,
7 of which not to exceed \$7,500 is for official reception and
8 representation expenses.

9 CIVILIAN BOARD OF CONTRACT APPEALS

10 For expenses authorized by law, not otherwise pro-
11 vided for, for the activities associated with the Civilian
12 Board of Contract Appeals, \$9,301,000.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General and service authorized by 5 U.S.C. 3109,
16 \$65,000,000: *Provided*, That not to exceed \$50,000 shall
17 be available for payment for information and detection of
18 fraud against the Government, including payment for re-
19 covery of stolen Government property: *Provided further*,
20 That not to exceed \$2,500 shall be available for awards
21 to employees of other Federal agencies and private citizens
22 in recognition of efforts and initiatives resulting in en-
23 hanced Office of Inspector General effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER
2 PRESIDENTS

3 For carrying out the provisions of the Act of August
4 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
5 \$4,796,000.

6 FEDERAL CITIZEN SERVICES FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of Products and
9 Programs, including services authorized by 40 U.S.C. 323
10 and 44 U.S.C. 3604; and for necessary expenses in sup-
11 port of interagency projects that enable the Federal Gov-
12 ernment to enhance its ability to conduct activities elec-
13 tronically, through the development and implementation of
14 innovative uses of information technology; \$55,000,000, to
15 be deposited into the Federal Citizen Services Fund: *Pro-*
16 *vided*, That the previous amount may be transferred to
17 Federal agencies to carry out the purpose of the Federal
18 Citizen Services Fund: *Provided further*, That the appro-
19 priations, revenues, reimbursements, and collections de-
20 posited into the Fund shall be available until expended for
21 necessary expenses of Federal Citizen Services and other
22 activities that enable the Federal Government to enhance
23 its ability to conduct activities electronically in the aggre-
24 gate amount not to exceed \$100,000,000: *Provided fur-*
25 *ther*, That appropriations, revenues, reimbursements, and

1 collections accruing to this Fund during fiscal year 2019
2 in excess of such amount shall remain in the Fund and
3 shall not be available for expenditure except as authorized
4 in appropriations Acts: *Provided further*, That the transfer
5 authorities provided herein shall be in addition to any
6 other transfer authority provided in this Act.

7 TECHNOLOGY MODERNIZATION FUND

8 For the Technology Modernization Fund,
9 \$25,000,000, to remain available until expended, for tech-
10 nology-related modernization activities.

11 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

12 For carrying out the purposes of the Federal Assets
13 Sale and Transfer Act of 2016 (Public Law 114–287),
14 \$25,000,000, to be deposited into the Asset Proceeds and
15 Space Management Fund, to remain available until ex-
16 pended.

17 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

18 For necessary expenses of the Environmental Review
19 Improvement Fund established pursuant to 42 U.S.C.
20 4370m–8(d), \$6,070,000, to remain available until ex-
21 pended.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund
8 made available for fiscal year 2019 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. 522. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2020 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. 523. 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. 524. 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. 525. 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. 526. 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. 527. The Administrator of General Services
21 shall submit a report to the Committees on Appropriations
22 of the Senate and House of Representatives not later than
23 30 days following implementation of the initiative estab-
24 lished under (c)(2) of Section 846 of the National Defense
25 Authorization Act for Fiscal Year 2018 (Public Law 115-

1 91; 41 U.S.C. 1901 note) containing a market analysis
2 and an implementation strategy related to the require-
3 ments under subparagraph (h) of Section 846. The report
4 shall address strategies and processes for proper govern-
5 ment safeguards to data management and privacy for in-
6 corporation into the implementation of Section 846 to en-
7 sure a competitive environment.

8 HARRY S TRUMAN SCHOLARSHIP FOUNDATION
9 SALARIES AND EXPENSES

10 For payment to the Harry S Truman Scholarship
11 Foundation Trust Fund, established by section 10 of Pub-
12 lic Law 93-642, \$1,000,000, to remain available until ex-
13 pended.

14 MERIT SYSTEMS PROTECTION BOARD
15 SALARIES AND EXPENSES
16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses to carry out functions of the
18 Merit Systems Protection Board pursuant to Reorganiza-
19 tion Plan Numbered 2 of 1978, the Civil Service Reform
20 Act of 1978, and the Whistleblower Protection Act of
21 1989 (5 U.S.C. 5509 note), including services as author-
22 ized by 5 U.S.C. 3109, rental of conference rooms in the
23 District of Columbia and elsewhere, hire of passenger
24 motor vehicles, direct procurement of survey printing, and
25 not to exceed \$2,000 for official reception and representa-

1 tion expenses, \$44,490,000, to remain available until Sep-
2 tember 30, 2020, and in addition not to exceed
3 \$2,345,000, to remain available until September 30, 2020,
4 for administrative expenses to adjudicate retirement ap-
5 peals to be transferred from the Civil Service Retirement
6 and Disability Fund in amounts determined by the Merit
7 Systems Protection Board.

8 MORRIS K. UDALL AND STEWART L. UDALL
9 FOUNDATION

10 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
11 (INCLUDING TRANSFER OF FUNDS)

12 For payment to the Morris K. Udall and Stewart L.
13 Udall Trust Fund, pursuant to the Morris K. Udall and
14 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
15 seq.), \$1,875,000, to remain available until expended, of
16 which, notwithstanding sections 8 and 9 of such Act: (1)
17 up to \$50,000 shall be used to conduct financial audits
18 pursuant to the Accountability of Tax Dollars Act of 2002
19 (Public Law 107–289); and (2) up to \$1,000,000 shall
20 be available to carry out the activities authorized by sec-
21 tion 6(7) of Public Law 102–259 and section 817(a) of
22 Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That
23 of the total amount made available under this heading
24 \$200,000 shall be transferred to the Office of Inspector
25 General of the Department of the Interior, to remain

1 available until expended, for audits and investigations of
2 the Morris K. Udall and Stewart L. Udall Foundation,
3 consistent with the Inspector General Act of 1978 (5
4 U.S.C. App.).

5 ENVIRONMENTAL DISPUTE RESOLUTION FUND

6 For payment to the Environmental Dispute Resolu-
7 tion Fund to carry out activities authorized in the Envi-
8 ronmental Policy and Conflict Resolution Act of 1998,
9 \$3,200,000, to remain available until expended.

10 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

11 OPERATING EXPENSES

12 For necessary expenses in connection with the admin-
13 istration of the National Archives and Records Adminis-
14 tration and archived Federal records and related activities,
15 as provided by law, and for expenses necessary for the re-
16 view and declassification of documents, the activities of
17 the Public Interest Declassification Board, the operations
18 and maintenance of the electronic records archives, the
19 hire of passenger motor vehicles, and for uniforms or al-
20 lowances therefor, as authorized by law (5 U.S.C. 5901),
21 including maintenance, repairs, and cleaning,
22 \$373,000,000.

23 OFFICE OF INSPECTOR GENERAL

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

1 General Reform Act of 2008, Public Law 110–409, 122
2 Stat. 4302–16 (2008), and the Inspector General Act of
3 1978 (5 U.S.C. App.), and for the hire of passenger motor
4 vehicles, \$4,823,000.

5 REPAIRS AND RESTORATION

6 For the repair, alteration, and improvement of ar-
7 chives facilities, and to provide adequate storage for hold-
8 ings, \$7,500,000, to remain available until expended.

9 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

10 COMMISSION

11 GRANTS PROGRAM

12 For necessary expenses for allocations and grants for
13 historical publications and records as authorized by 44
14 U.S.C. 2504, \$6,000,000, to remain available until ex-
15 pended.

16 NATIONAL CREDIT UNION ADMINISTRATION

17 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

18 For the Community Development Revolving Loan
19 Fund program as authorized by 42 U.S.C. 9812, 9822
20 and 9910, \$2,000,000 shall be available until September
21 30, 2020, for technical assistance to low-income des-
22 igned credit unions.

1 OFFICE OF GOVERNMENT ETHICS

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, the Ethics Reform Act of 1989,
6 and the Stop Trading on Congressional Knowledge Act of
7 2012, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses, \$17,019,000.

12 OFFICE OF PERSONNEL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses to carry out functions of the
16 Office of Personnel Management (OPM) pursuant to Re-
17 organization Plan Numbered 2 of 1978 and the Civil Serv-
18 ice Reform Act of 1978, including services as authorized
19 by 5 U.S.C. 3109; medical examinations performed for
20 veterans by private physicians on a fee basis; rental of con-
21 ference rooms in the District of Columbia and elsewhere;
22 hire of passenger motor vehicles; not to exceed \$2,500 for
23 official reception and representation expenses; advances
24 for reimbursements to applicable funds of OPM and the
25 Federal Bureau of Investigation for expenses incurred

1 under Executive Order No. 10422 of January 9, 1953,
2 as amended; and payment of per diem and/or subsistence
3 allowances to employees where Voting Rights Act activities
4 require an employee to remain overnight at his or her post
5 of duty, \$132,172,000: *Provided*, That of the total amount
6 made available under this heading, not to exceed
7 \$14,000,000 shall remain available until September 30,
8 2020, for information technology infrastructure mod-
9 ernization and Trust Fund Federal Financial System mi-
10 gration or modernization, and shall be in addition to funds
11 otherwise made available for such purposes: *Provided fur-*
12 *ther*, That of the total amount made available under this
13 heading, \$639,018 may be made available for strength-
14 ening the capacity and capabilities of the acquisition work-
15 force (as defined by the Office of Federal Procurement
16 Policy Act, as amended (41 U.S.C. 4001 et seq.)), includ-
17 ing the recruitment, hiring, training, and retention of such
18 workforce and information technology in support of acqui-
19 sition workforce effectiveness or for management solutions
20 to improve acquisition management; and in addition
21 \$133,483,000 for administrative expenses, to be trans-
22 ferred from the appropriate trust funds of OPM without
23 regard to other statutes, including direct procurement of
24 printed materials, for the retirement and insurance pro-
25 grams: *Provided further*, That the provisions of this appro-

1 priation shall not affect the authority to use applicable
2 trust funds as provided by sections 8348(a)(1)(B),
3 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
4 5, United States Code: *Provided further*, That no part of
5 this appropriation shall be available for salaries and ex-
6 penses of the Legal Examining Unit of OPM established
7 pursuant to Executive Order No. 9358 of July 1, 1943,
8 or any successor unit of like purpose: *Provided further*,
9 That the President's Commission on White House Fel-
10 lows, established by Executive Order No. 11183 of Octo-
11 ber 3, 1964, may, during fiscal year 2019, accept dona-
12 tions of money, property, and personal services: *Provided*
13 *further*, That such donations, including those from prior
14 years, may be used for the development of publicity mate-
15 rials to provide information about the White House Fel-
16 lows, except that no such donations shall be accepted for
17 travel or reimbursement of travel expenses, or for the sala-
18 ries of employees of such Commission.

19 OFFICE OF INSPECTOR GENERAL
20 SALARIES AND EXPENSES
21 (INCLUDING TRANSFER OF TRUST FUNDS)

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, including services as authorized by
25 5 U.S.C. 3109, hire of passenger motor vehicles,

1 \$5,000,000, and in addition, not to exceed \$25,265,000
2 for administrative expenses to audit, investigate, and pro-
3 vide other oversight of the Office of Personnel Manage-
4 ment's retirement and insurance programs, to be trans-
5 ferred from the appropriate trust funds of the Office of
6 Personnel Management, as determined by the Inspector
7 General: *Provided*, That the Inspector General is author-
8 ized to rent conference rooms in the District of Columbia
9 and elsewhere.

10 OFFICE OF SPECIAL COUNSEL

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the
13 Office of Special Counsel pursuant to Reorganization Plan
14 Numbered 2 of 1978, the Civil Service Reform Act of
15 1978 (Public Law 95-454), the Whistleblower Protection
16 Act of 1989 (Public Law 101-12) as amended by Public
17 Law 107-304, the Whistleblower Protection Enhancement
18 Act of 2012 (Public Law 112-199), and the Uniformed
19 Services Employment and Reemployment Rights Act of
20 1994 (Public Law 103-353), including services as author-
21 ized by 5 U.S.C. 3109, payment of fees and expenses for
22 witnesses, rental of conference rooms in the District of Co-
23 lumbia and elsewhere, and hire of passenger motor vehi-
24 cles; \$26,535,000.

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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), \$5,000,000, to remain available
16 until September 30, 2020.

17 SECURITIES AND EXCHANGE COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Securities and Ex-
20 change Commission, including services as authorized by
21 5 U.S.C. 3109, the rental of space (to include multiple
22 year leases) in the District of Columbia and elsewhere, and
23 not to exceed \$3,500 for official reception and representa-
24 tion expenses, \$1,674,902,000, to remain available until
25 expended; of which not less than \$15,206,000 shall be for

1 the Office of Inspector General; of which not to exceed
2 \$75,000 shall be available for a permanent secretariat for
3 the International Organization of Securities Commissions;
4 and of which not to exceed \$100,000 shall be available
5 for expenses for consultations and meetings hosted by the
6 Commission with foreign governmental and other regu-
7 latory officials, members of their delegations and staffs to
8 exchange views concerning securities matters, such ex-
9 penses to include necessary logistic and administrative ex-
10 penses and the expenses of Commission staff and foreign
11 invitees in attendance including: (1) incidental expenses
12 such as meals; (2) travel and transportation; and (3) re-
13 lated lodging or subsistence; and of which not less than
14 \$75,081,000 shall be for the Division of Economic and
15 Risk Analysis.

16 In addition to the foregoing appropriation, for costs
17 associated with relocation under a replacement lease for
18 the Commission's New York regional office facilities, not
19 to exceed \$37,189,000, to remain available until expended:
20 *Provided*, That for purposes of calculating the fee rate
21 under section 31(j) of the Securities Exchange Act of
22 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts
23 appropriated under this heading shall be deemed to be the
24 regular appropriation to the Commission for fiscal year
25 2019: *Provided further*, That fees and charges authorized

1 by section 31 of the Securities Exchange Act of 1934 (15
2 U.S.C. 78ee) shall be credited to this account as offsetting
3 collections: *Provided further*, That not to exceed
4 \$1,674,902,000 of such offsetting collections shall be
5 available until expended for necessary expenses of this ac-
6 count and not to exceed \$37,189,000 of such offsetting
7 collections shall be available until expended for costs under
8 this heading associated with relocation under a replace-
9 ment lease for the Commission's New York regional office
10 facilities: *Provided further*, That the total amount appro-
11 priated under this heading from the general fund for fiscal
12 year 2019 shall be reduced as such offsetting fees are re-
13 ceived so as to result in a final total fiscal year 2019 ap-
14 propriation from the general fund estimated at not more
15 than \$0: *Provided further*, That if any amount of the ap-
16 propriation for costs associated with relocation under a re-
17 placement lease for the Commission's New York regional
18 office facilities is subsequently de-obligated by the Com-
19 mission, such amount that was derived from the general
20 fund shall be returned to the general fund, and such
21 amounts that were derived from fees or assessments col-
22 lected for such purpose shall be paid to each national secu-
23 rities exchange and national securities association, respec-
24 tively, in proportion to any fees or assessments paid by
25 such national securities exchange or national securities as-

1 sociation under section 31 of the Securities Exchange Act
2 of 1934 (15 U.S.C. 78ee) in fiscal year 2019.

3 SELECTIVE SERVICE SYSTEM

4 SALARIES AND EXPENSES

5 For necessary expenses of the Selective Service Sys-
6 tem, including expenses of attendance at meetings and of
7 training for uniformed personnel assigned to the Selective
8 Service System, as authorized by 5 U.S.C. 4101–4118 for
9 civilian employees; hire of passenger motor vehicles; serv-
10 ices as authorized by 5 U.S.C. 3109; and not to exceed
11 \$750 for official reception and representation expenses;
12 \$26,000,000: *Provided*, That during the current fiscal
13 year, the President may exempt this appropriation from
14 the provisions of 31 U.S.C. 1341, whenever the President
15 deems such action to be necessary in the interest of na-
16 tional defense: *Provided further*, That none of the funds
17 appropriated by this Act may be expended for or in con-
18 nection with the induction of any person into the Armed
19 Forces of the United States.

20 SMALL BUSINESS ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses, not otherwise provided for,
23 of the Small Business Administration, including hire of
24 passenger motor vehicles as authorized by sections 1343
25 and 1344 of title 31, United States Code, and not to ex-

1 ceed \$3,500 for official reception and representation ex-
2 penses, \$267,500,000, of which not less than \$12,000,000
3 shall be available for examinations, reviews, and other
4 lender oversight activities: *Provided*, That the Adminis-
5 trator is authorized to charge fees to cover the cost of pub-
6 lications developed by the Small Business Administration,
7 and certain loan program activities, including fees author-
8 ized by section 5(b) of the Small Business Act: *Provided*
9 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
10 received from all such activities shall be credited to this
11 account, to remain available until expended, for carrying
12 out these purposes without further appropriations: *Pro-*
13 *vided further*, That the Small Business Administration
14 may accept gifts in an amount not to exceed \$4,000,000
15 and may co-sponsor activities, each in accordance with sec-
16 tion 132(a) of division K of Public Law 108–447, during
17 fiscal year 2019: *Provided further*, That \$6,100,000 shall
18 be available for the Loan Modernization and Accounting
19 System, to be available until September 30, 2020: *Pro-*
20 *vided further*, That \$3,000,000 shall be for the Federal
21 and State Technology Partnership Program under section
22 34 of the Small Business Act (15 U.S.C. 657d).

23 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

24 For necessary expenses of programs supporting en-
25 trepreneurial and small business development,

1 \$247,700,000, to remain available until September 30,
2 2020: *Provided*, That \$131,000,000 shall be available to
3 fund grants for performance in fiscal year 2019 or fiscal
4 year 2020 as authorized by section 21 of the Small Busi-
5 ness Act: *Provided further*, That \$31,000,000 shall be for
6 marketing, management, and technical assistance under
7 section 7(m) of the Small Business Act (15 U.S.C.
8 636(m)(4)) by intermediaries that make microloans under
9 the microloan program: *Provided further*, That
10 \$18,000,000 shall be available for grants to States to
11 carry out export programs that assist small business con-
12 cerns authorized under section 22(l) of the Small Business
13 Act (15 U.S.C. 649(l)).

14 OFFICE OF 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, \$21,900,000.

18 OFFICE OF ADVOCACY

19 For necessary expenses of the Office of Advocacy in
20 carrying out the provisions of title II of Public Law 94–
21 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
22 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
23 remain available until expended.

1 BUSINESS LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$4,000,000, to remain
4 available until expended: *Provided*, That such costs, in-
5 cluding the cost of modifying such loans, shall be as de-
6 fined in section 502 of the Congressional Budget Act of
7 1974: *Provided further*, That subject to section 502 of the
8 Congressional Budget Act of 1974, during fiscal year
9 2019 commitments to guarantee loans under section 503
10 of the Small Business Investment Act of 1958 shall not
11 exceed \$7,500,000,000: *Provided further*, That during fis-
12 cal year 2019 commitments for general business loans au-
13 thorized under section 7(a) of the Small Business Act
14 shall not exceed \$30,000,000,000 for a combination of
15 amortizing term loans and the aggregated maximum line
16 of credit provided by revolving loans: *Provided further*,
17 That during fiscal year 2019 commitments for loans au-
18 thorized under subparagraph (C) of section 502(7) of The
19 Small Business Investment Act of 1958 (15 U.S.C.
20 696(7)) shall not exceed \$7,500,000,000: *Provided further*,
21 That during fiscal year 2019 commitments to guarantee
22 loans for debentures under section 303(b) of the Small
23 Business Investment Act of 1958 shall not exceed
24 \$4,000,000,000: *Provided further*, That during fiscal year
25 2019, guarantees of trust certificates authorized by sec-

1 tion 5(g) of the Small Business Act shall not exceed a
2 principal amount of \$12,000,000,000. In addition, for ad-
3 ministrative expenses to carry out the direct and guaran-
4 teed loan programs, \$155,150,000, which may be trans-
5 ferred to and merged with the appropriations for Salaries
6 and Expenses.

7 DISASTER LOANS PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For administrative expenses to carry out the direct
10 loan program authorized by section 7(b) of the Small
11 Business Act, \$10,000,000, to be available until expended,
12 of which \$1,000,000 is for the Office of Inspector General
13 of the Small Business Administration for audits and re-
14 views of disaster loans and the disaster loan programs and
15 shall be transferred to and merged with the appropriations
16 for the Office of Inspector General; and of which
17 \$9,000,000 is for indirect administrative expenses for the
18 direct loan program, which may be transferred to and
19 merged with the appropriations for Salaries and Expenses.

20 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

21 ADMINISTRATION

22 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

23 SEC. 530. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the
25 Small Business Administration in this Act may be trans-

1 ferred between such appropriations, but no such appro-
2 priation shall be increased by more than 10 percent by
3 any such transfers: *Provided*, That any transfer pursuant
4 to this paragraph shall be treated as a reprogramming of
5 funds under section 608 of this Act and shall not be avail-
6 able for obligation or expenditure except in compliance
7 with the procedures set forth in that section.

8 SEC. 531. Of the unobligated balances from prior
9 year appropriations available under the “Business Loans
10 Program Account” heading for the Certified Development
11 Company Program, \$50,000,000 are hereby permanently
12 rescinded: *Provided*, That no amounts may be rescinded
13 under this section from amounts that were designated by
14 the Congress as an emergency requirement pursuant to
15 a concurrent resolution on the budget or the Balanced
16 Budget and Emergency Deficit Control Act of 1985.

17 SEC. 532. Section 12085 of Public Law 110–246 is
18 repealed.

19 SEC. 533. Not to exceed 3 percent of any appropria-
20 tion made available in this Act for the Small Business Ad-
21 ministration under the headings “Salaries and Expenses”
22 and “Business Loans Program Account” may be trans-
23 ferred to the Administration’s information technology sys-
24 tem modernization and working capital fund (IT WCF),
25 as authorized by Section 1077(b)(1) of title X of division

1 A of the National Defense Authorization Act for Fiscal
2 Year 2018, for the purposes specified in section
3 1077(b)(3) of such Act, upon the advance approval of the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate: *Provided*, That amounts transferred
6 to the IT WCF under this section shall remain available
7 for obligation through September 30, 2022.

8 UNITED STATES POSTAL SERVICE

9 PAYMENT TO THE POSTAL SERVICE FUND

10 For payment to the Postal Service Fund for revenue
11 forgone on free and reduced rate mail, pursuant to sub-
12 sections (c) and (d) of section 2401 of title 39, United
13 States Code, \$55,235,000: *Provided*, That mail for over-
14 seas voting and mail for the blind shall continue to be free:
15 *Provided further*, That 6-day delivery and rural delivery
16 of mail shall continue at not less than the 1983 level: *Pro-*
17 *vided further*, That none of the funds made available to
18 the Postal Service by this Act shall be used to implement
19 any rule, regulation, or policy of charging any officer or
20 employee of any State or local child support enforcement
21 agency, or any individual participating in a State or local
22 program of child support enforcement, a fee for informa-
23 tion requested or provided concerning an address of a
24 postal customer: *Provided further*, That none of the funds

1 provided in this Act shall be used to consolidate or close
2 small rural and other small post offices.

3 OFFICE OF INSPECTOR GENERAL
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$250,000,000, to be derived by
9 transfer from the Postal Service Fund and expended as
10 authorized by section 603(b)(3) of the Postal Account-
11 ability and Enhancement Act (Public Law 109–435).

12 UNITED STATES TAX COURT
13 SALARIES AND EXPENSES

14 For necessary expenses, including contract reporting
15 and other services as authorized by 5 U.S.C. 3109,
16 \$51,515,000, of which \$500,000 shall remain available
17 until expended: *Provided*, That travel expenses of the
18 judges shall be paid upon the written certificate of the
19 judge.

1 TITLE VI

2 GENERAL PROVISIONS—THIS ACT

3 SEC. 601. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

8 SEC. 602. None of the funds appropriated in this Act
9 shall remain available for obligation beyond the current
10 fiscal year, nor may any be transferred to other appropria-
11 tions, unless expressly so provided herein.

12 SEC. 603. The expenditure of any appropriation
13 under this Act for any consulting service through procure-
14 ment contract pursuant to 5 U.S.C. 3109, shall be limited
15 to those contracts where such expenditures are a matter
16 of public record and available for public inspection, except
17 where otherwise provided under existing law, or under ex-
18 isting Executive order issued pursuant to existing law.

19 SEC. 604. None of the funds made available in this
20 Act may be transferred to any department, agency, or in-
21 strumentality of the United States Government, except
22 pursuant to a transfer made by, or transfer authority pro-
23 vided in, this Act or any other appropriations Act.

24 SEC. 605. None of the funds made available by this
25 Act shall be available for any activity or for paying the

1 salary of any Government employee where funding an ac-
2 tivity or paying a salary to a Government employee would
3 result in a decision, determination, rule, regulation, or pol-
4 icy that would prohibit the enforcement of section 307 of
5 the Tariff Act of 1930 (19 U.S.C. 1307).

6 SEC. 606. No funds appropriated pursuant to this
7 Act may be expended by an entity unless the entity agrees
8 that in expending the assistance the entity will comply
9 with chapter 83 of title 41, United States Code.

10 SEC. 607. No funds appropriated or otherwise made
11 available under this Act shall be made available to any
12 person or entity that has been convicted of violating chap-
13 ter 83 of title 41, United States Code.

14 SEC. 608. Except as otherwise provided in this Act,
15 none of the funds provided in this Act, provided by pre-
16 vious appropriations Acts to the agencies or entities fund-
17 ed in this Act that remain available for obligation or ex-
18 penditure in fiscal year 2019, or provided from any ac-
19 counts in the Treasury derived by the collection of fees
20 and available to the agencies funded by this Act, shall be
21 available for obligation or expenditure through a re-
22 programming of funds that: (1) creates a new program;
23 (2) eliminates a program, project, or activity; (3) increases
24 funds or personnel for any program, project, or activity
25 for which funds have been denied or restricted by the Con-

1 gress; (4) proposes to use funds directed for a specific ac-
2 tivity by the Committee on Appropriations of either the
3 House of Representatives or the Senate for a different
4 purpose; (5) augments existing programs, projects, or ac-
5 tivities in excess of \$5,000,000 or 10 percent, whichever
6 is less; (6) reduces existing programs, projects, or activi-
7 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
8 creates or reorganizes offices, programs, or activities un-
9 less prior approval is received from the Committees on Ap-
10 propriations of the House of Representatives and the Sen-
11 ate: *Provided*, That prior to any significant reorganization,
12 restructuring, relocation, or closing of offices, programs,
13 or activities, each agency or entity funded in this Act shall
14 consult with the Committees on Appropriations of the
15 House of Representatives and the Senate: *Provided fur-*
16 *ther*, That not later than 60 days after the date of enact-
17 ment of this Act, each agency funded by this Act shall
18 submit a report to the Committees on Appropriations of
19 the House of Representatives and the Senate to establish
20 the baseline for application of reprogramming and trans-
21 fer authorities for the current fiscal year: *Provided further*,
22 That at a minimum the report shall include: (1) a table
23 for each appropriation with a separate column to display
24 the President's budget request, adjustments made by Con-
25 gress, adjustments due to enacted rescissions, if appro-

1 priate, and the fiscal year enacted level; (2) a delineation
2 in the table for each appropriation both by object class
3 and program, project, and activity as detailed in the budg-
4 et appendix for the respective appropriation; and (3) an
5 identification of items of special congressional interest:
6 *Provided further*, That the amount appropriated or limited
7 for salaries and expenses for an agency shall be reduced
8 by \$100,000 per day for each day after the required date
9 that the report has not been submitted to the Congress.

10 SEC. 609. Except as otherwise specifically provided
11 by law, not to exceed 50 percent of unobligated balances
12 remaining available at the end of fiscal year 2019 from
13 appropriations made available for salaries and expenses
14 for fiscal year 2019 in this Act, shall remain available
15 through September 30, 2020, for each such account for
16 the purposes authorized: *Provided*, That a request shall
17 be submitted to the Committees on Appropriations of the
18 House of Representatives and the Senate for approval
19 prior to the expenditure of such funds: *Provided further*,
20 That these requests shall be made in compliance with re-
21 programming guidelines.

22 SEC. 610. (a) None of the funds made available in
23 this Act may be used by the Executive Office of the Presi-
24 dent to request—

1 (1) any official background investigation report
2 on any individual from the Federal Bureau of Inves-
3 tigation; or

4 (2) a determination with respect to the treat-
5 ment of an organization as described in section
6 501(c) of the Internal Revenue Code of 1986 and
7 exempt from taxation under section 501(a) of such
8 Code from the Department of the Treasury or the
9 Internal Revenue Service.

10 (b) Subsection (a) shall not apply—

11 (1) in the case of an official background inves-
12 tigation report, if such individual has given express
13 written consent for such request not more than 6
14 months prior to the date of such request and during
15 the same presidential administration; or

16 (2) if such request is required due to extraor-
17 dinary circumstances involving national security.

18 SEC. 611. The cost accounting standards promul-
19 gated under chapter 15 of title 41, United States Code
20 shall not apply with respect to a contract under the Fed-
21 eral Employees Health Benefits Program established
22 under chapter 89 of title 5, United States Code.

23 SEC. 612. For the purpose of resolving litigation and
24 implementing any settlement agreements regarding the
25 nonforeign area cost-of-living allowance program, the Of-

1 fice of Personnel Management may accept and utilize
2 (without regard to any restriction on unanticipated travel
3 expenses imposed in an Appropriations Act) funds made
4 available to the Office of Personnel Management pursuant
5 to court approval.

6 SEC. 613. No funds appropriated by this Act shall
7 be available to pay for an abortion, or the administrative
8 expenses in connection with any health plan under the
9 Federal employees health benefits program which provides
10 any benefits or coverage for abortions.

11 SEC. 614. The provision of section 613 shall not
12 apply where the life of the mother would be endangered
13 if the fetus were carried to term, or the pregnancy is the
14 result of an act of rape or incest.

15 SEC. 615. In order to promote Government access to
16 commercial information technology, the restriction on pur-
17 chasing nondomestic articles, materials, and supplies set
18 forth in chapter 83 of title 41, United States Code (popu-
19 larly known as the Buy American Act), shall not apply
20 to the acquisition by the Federal Government of informa-
21 tion technology (as defined in section 11101 of title 40,
22 United States Code), that is a commercial item (as defined
23 in section 103 of title 41, United States Code).

24 SEC. 616. Notwithstanding section 1353 of title 31,
25 United States Code, no officer or employee of any regu-

1 latory agency or commission funded by this Act may ac-
2 cept on behalf of that agency, nor may such agency or
3 commission accept, payment or reimbursement from a
4 non-Federal entity for travel, subsistence, or related ex-
5 penses for the purpose of enabling an officer or employee
6 to attend and participate in any meeting or similar func-
7 tion relating to the official duties of the officer or em-
8 ployee when the entity offering payment or reimbursement
9 is a person or entity subject to regulation by such agency
10 or commission, or represents a person or entity subject
11 to regulation by such agency or commission, unless the
12 person or entity is an organization described in section
13 501(c)(3) of the Internal Revenue Code of 1986 and ex-
14 empt from tax under section 501(a) of such Code.

15 SEC. 617. Notwithstanding section 708 of this Act,
16 funds made available to the Commodity Futures Trading
17 Commission and the Securities and Exchange Commission
18 by this or any other Act may be used for the interagency
19 funding and sponsorship of a joint advisory committee to
20 advise on emerging regulatory issues.

21 SEC. 618. (a)(1) Notwithstanding any other provision
22 of law, an Executive agency covered by this Act otherwise
23 authorized to enter into contracts for either leases or the
24 construction or alteration of real property for office, meet-
25 ing, storage, or other space must consult with the General

1 Services Administration before issuing a solicitation for of-
2 fers of new leases or construction contracts, and in the
3 case of succeeding leases, before entering into negotiations
4 with the current lessor.

5 (2) Any such agency with authority to enter into an
6 emergency lease may do so during any period declared by
7 the President to require emergency leasing authority with
8 respect to such agency.

9 (b) For purposes of this section, the term “Executive
10 agency covered by this Act” means any Executive agency
11 provided funds by this Act, but does not include the Gen-
12 eral Services Administration or the United States Postal
13 Service.

14 SEC. 619. (a) There are appropriated for the fol-
15 lowing activities the amounts required under current law:

16 (1) Compensation of the President (3 U.S.C.
17 102).

18 (2) Payments to—

19 (A) the Judicial Officers’ Retirement Fund
20 (28 U.S.C. 377(o));

21 (B) the Judicial Survivors’ Annuities Fund
22 (28 U.S.C. 376(c)); and

23 (C) the United States Court of Federal
24 Claims Judges’ Retirement Fund (28 U.S.C.
25 178(l)).

1 (3) Payment of Government contributions—

2 (A) with respect to the health benefits of
3 retired employees, as authorized by chapter 89
4 of title 5, United States Code, and the Retired
5 Federal Employees Health Benefits Act (74
6 Stat. 849); and

7 (B) with respect to the life insurance bene-
8 fits for employees retiring after December 31,
9 1989 (5 U.S.C. ch. 87).

10 (4) Payment to finance the unfunded liability of
11 new and increased annuity benefits under the Civil
12 Service Retirement and Disability Fund (5 U.S.C.
13 8348).

14 (5) Payment of annuities authorized to be paid
15 from the Civil Service Retirement and Disability
16 Fund by statutory provisions other than subchapter
17 III of chapter 83 or chapter 84 of title 5, United
18 States Code.

19 (b) Nothing in this section may be construed to ex-
20 empt any amount appropriated by this section from any
21 otherwise applicable limitation on the use of funds con-
22 tained in this Act.

23 SEC. 620. In addition to amounts made available in
24 prior fiscal years, the Public Company Accounting Over-
25 sight Board (Board) shall have authority to obligate funds

1 for the scholarship program established by section
2 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law
3 107–204) in an aggregate amount not exceeding the
4 amount of funds collected by the Board between January
5 1, 2018 and December 31, 2018, including accrued inter-
6 est, as a result of the assessment of monetary penalties.
7 Funds available for obligation in fiscal year 2019 shall re-
8 main available until expended. Beginning in fiscal year
9 2020 and for each fiscal year thereafter, monetary pen-
10 alties collected pursuant to 15 U.S.C. 7215 shall be depos-
11 ited in the Public Company Accounting Oversight Board
12 account as discretionary offsetting receipts.

13 SEC. 621. None of the funds made available in this
14 Act may be used by the Federal Trade Commission to
15 complete the draft report entitled “Interagency Working
16 Group on Food Marketed to Children: Preliminary Pro-
17 posed Nutrition Principles to Guide Industry Self-Regu-
18 latory Efforts” unless the Interagency Working Group on
19 Food Marketed to Children complies with Executive Order
20 No. 13563.

21 SEC. 622. None of the funds in this Act may be used
22 for the Director of the Office of Personnel Management
23 to award a contract, enter an extension of, or exercise an
24 option on a contract to a contractor conducting the final
25 quality review processes for background investigation

1 fieldwork services or background investigation support
2 services that, as of the date of the award of the contract,
3 are being conducted by that contractor.

4 SEC. 623. (a) The head of each executive branch
5 agency funded by this Act shall ensure that the Chief In-
6 formation Officer of the agency has the authority to par-
7 ticipate in decisions regarding the budget planning process
8 related to information technology.

9 (b) Amounts appropriated for any executive branch
10 agency funded by this Act that are available for informa-
11 tion technology shall be allocated within the agency, con-
12 sistent with the provisions of appropriations Acts and
13 budget guidelines and recommendations from the Director
14 of the Office of Management and Budget, in such manner
15 as specified by, or approved by, the Chief Information Of-
16 ficer of the agency in consultation with the Chief Financial
17 Officer of the agency and budget officials.

18 SEC. 624. None of the funds made available in this
19 Act may be used in contravention of chapter 29, 31, or
20 33 of title 44, United States Code.

21 SEC. 625. None of the funds made available in this
22 Act may be used by a governmental entity to require the
23 disclosure by a provider of electronic communication serv-
24 ice to the public or remote computing service of the con-
25 tents of a wire or electronic communication that is in elec-

1 tronic storage with the provider (as such terms are defined
2 in sections 2510 and 2711 of title 18, United States Code)
3 in a manner that violates the Fourth Amendment to the
4 Constitution of the United States.

5 SEC. 626. None of the funds appropriated by this Act
6 may be used by the Federal Communications Commission
7 to modify, amend, or change the rules or regulations of
8 the Commission for universal service high-cost support for
9 competitive eligible telecommunications carriers in a way
10 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
11 tion 54.307 of title 47, Code of Federal Regulations, as
12 in effect on July 15, 2015: *Provided*, That this section
13 shall not prohibit the Commission from considering, devel-
14 oping, or adopting other support mechanisms as an alter-
15 native to Mobility Fund Phase II.

16 SEC. 627. No funds provided in this Act shall be used
17 to deny an Inspector General funded under this Act timely
18 access to any records, documents, or other materials avail-
19 able to the department or agency over which that Inspec-
20 tor General has responsibilities under the Inspector Gen-
21 eral Act of 1978, or to prevent or impede that Inspector
22 General's access to such records, documents, or other ma-
23 terials, under any provision of law, except a provision of
24 law that expressly refers to the Inspector General and ex-
25 pressly limits the Inspector General's right of access. A

1 department or agency covered by this section shall provide
2 its Inspector General with access to all such records, docu-
3 ments, and other materials in a timely manner. Each In-
4 spector General shall ensure compliance with statutory
5 limitations on disclosure relevant to the information pro-
6 vided by the establishment over which that Inspector Gen-
7 eral has responsibilities under the Inspector General Act
8 of 1978. Each Inspector General covered by this section
9 shall report to the Committees on Appropriations of the
10 House of Representatives and the Senate within 5 cal-
11 endar days any failures to comply with this requirement.

12 SEC. 628. (a) None of the funds made available in
13 this Act may be used to maintain or establish a computer
14 network unless such network blocks the viewing,
15 downloading, and exchanging of pornography.

16 (b) Nothing in subsection (a) shall limit the use of
17 funds necessary for any Federal, State, tribal, or local law
18 enforcement agency or any other entity carrying out crimi-
19 nal investigations, prosecution, adjudication activities, or
20 other law enforcement- or victim assistance-related activ-
21 ity.

22 SEC. 629. None of the funds made available by this
23 Act shall be used by the Securities and Exchange Commis-
24 sion to finalize, issue, or implement any rule, regulation,
25 or order regarding the disclosure of political contributions,

1 contributions to tax exempt organizations, or dues paid
2 to trade associations.

3 SEC. 630. None of the funds appropriated or other-
4 wise made available by this Act may be used to pay award
5 or incentive fees for contractors whose performance has
6 been judged to be below satisfactory, behind schedule, over
7 budget, or has failed to meet the basic requirements of
8 a contract, unless the Agency determines that any such
9 deviations are due to unforeseeable events, government-
10 driven scope changes, or are not significant within the
11 overall scope of the project and/or program and unless
12 such awards or incentive fees are consistent with
13 16.401(e)(2) of the FAR.

14 SEC. 631. (a) None of the funds made available under
15 this Act may be used to pay for travel and conference ac-
16 tivities that result in a total cost to an Executive branch
17 department, agency, board or commission of more than
18 \$500,000 at any single conference unless the agency or
19 entity determines that such attendance is in the national
20 interest and advance notice is transmitted to the Commit-
21 tees on Appropriations of the House of Representatives
22 and the Senate that includes the basis of that determina-
23 tion.

24 (b) None of the funds made available under this Act
25 may be used to pay for the travel to or attendance of more

1 than 50 employees, who are stationed in the United
2 States, at any single conference occurring outside the
3 United States unless the agency or entity determines that
4 such attendance is in the national interest and advance
5 notice is transmitted to the Committees on Appropriations
6 of the House of Representatives and the Senate that in-
7 cludes the basis of that determination.

8 SEC. 632. None of the funds made available by this
9 Act may be used for first-class or business-class travel by
10 the employees of executive branch agencies funded by this
11 Act in contravention of sections 301–10.122 through 301–
12 10.125 of title 41, Code of Federal Regulations.

13 SEC. 633. In addition to any amounts appropriated
14 or otherwise made available for expenses related to en-
15 hancements to www.oversight.gov, \$2,000,000, to remain
16 available until expended, shall be provided for an addi-
17 tional amount for such purpose to the Inspectors General
18 Council Fund (Fund) established pursuant to Section
19 11(c)(3)(B) of the Inspector General Act of 1978 (5
20 U.S.C. App.), as amended: *Provided*, That these amounts
21 shall be in addition to any amounts or any authority avail-
22 able to the Council of the Inspectors General on Integrity
23 and Efficiency under section 11 of the Inspector General
24 Act of 1978 (5 U.S.C. App.), as amended.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 701. No department, agency, or instrumentality
6 of the United States receiving appropriated funds under
7 this or any other Act for fiscal year 2019 shall obligate
8 or expend any such funds, unless such department, agen-
9 cy, or instrumentality has in place, and will continue to
10 administer in good faith, a written policy designed to en-
11 sure that all of its workplaces are free from the illegal
12 use, possession, or distribution of controlled substances
13 (as defined in the Controlled Substances Act (21 U.S.C.
14 802)) by the officers and employees of such department,
15 agency, or instrumentality.

16 SEC. 702. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with subsection 1343(c) of title 31, United
19 States Code, for the purchase of any passenger motor ve-
20 hicle (exclusive of buses, ambulances, law enforcement ve-
21 hicles, protective vehicles, and undercover surveillance ve-
22 hicles), is hereby fixed at \$19,947 except station wagons
23 for which the maximum shall be \$19,997: *Provided*, That
24 these limits may be exceeded by not to exceed \$7,250 for
25 police-type vehicles: *Provided further*, That the limits set

1 forth in this section may not be exceeded by more than
2 5 percent for electric or hybrid vehicles purchased for
3 demonstration under the provisions of the Electric and
4 Hybrid Vehicle Research, Development, and Demonstra-
5 tion Act of 1976: *Provided further*, That the limits set
6 forth in this section may be exceeded by the incremental
7 cost of clean alternative fuels vehicles acquired pursuant
8 to Public Law 101–549 over the cost of comparable con-
9 ventionally fueled vehicles: *Provided further*, That the lim-
10 its set forth in this section shall not apply to any vehicle
11 that is a commercial item and which operates on alter-
12 native fuel, including but not limited to electric, plug-in
13 hybrid electric, and hydrogen fuel cell vehicles.

14 SEC. 703. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel, or for the ex-
17 penses of the activity concerned, are hereby made available
18 for quarters allowances and cost-of-living allowances, in
19 accordance with 5 U.S.C. 5922–5924.

20 SEC. 704. Unless otherwise specified in law during
21 the current fiscal year, no part of any appropriation con-
22 tained in this or any other Act shall be used to pay the
23 compensation of any officer or employee of the Govern-
24 ment of the United States (including any agency the ma-
25 jority of the stock of which is owned by the Government

1 of the United States) whose post of duty is in the conti-
2 nental United States unless such person: (1) is a citizen
3 of the United States; (2) is a person who is lawfully admit-
4 ted for permanent residence and is seeking citizenship as
5 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7 ed asylum under 8 U.S.C. 1158 and has filed a declaration
8 of intention to become a lawful permanent resident and
9 then a citizen when eligible; or (4) is a person who owes
10 allegiance to the United States: *Provided*, That for pur-
11 poses of this section, affidavits signed by any such person
12 shall be considered prima facie evidence that the require-
13 ments of this section with respect to his or her status are
14 being complied with: *Provided further*, That for purposes
15 of subsections (2) and (3) such affidavits shall be sub-
16 mitted prior to employment and updated thereafter as nec-
17 essary: *Provided further*, That any person making a false
18 affidavit shall be guilty of a felony, and upon conviction,
19 shall be fined no more than \$4,000 or imprisoned for not
20 more than 1 year, or both: *Provided further*, That the
21 above penal clause shall be in addition to, and not in sub-
22 stitution for, any other provisions of existing law: *Provided*
23 *further*, That any payment made to any officer or em-
24 ployee contrary to the provisions of this section shall be
25 recoverable in action by the Federal Government: *Provided*

1 *further*, That this section shall not apply to any person
2 who is an officer or employee of the Government of the
3 United States on the date of enactment of this Act, or
4 to international broadcasters employed by the Broad-
5 casting Board of Governors, or to temporary employment
6 of translators, or to temporary employment in the field
7 service (not to exceed 60 days) as a result of emergencies:
8 *Provided further*, That this section does not apply to the
9 employment as Wildland firefighters for not more than
10 120 days of nonresident aliens employed by the Depart-
11 ment of the Interior or the USDA Forest Service pursuant
12 to an agreement with another country.

13 SEC. 705. Appropriations available to any depart-
14 ment or agency during the current fiscal year for nec-
15 essary expenses, including maintenance or operating ex-
16 penses, shall also be available for payment to the General
17 Services Administration for charges for space and services
18 and those expenses of renovation and alteration of build-
19 ings and facilities which constitute public improvements
20 performed in accordance with the Public Buildings Act of
21 1959 (73 Stat. 479), the Public Buildings Amendments
22 of 1972 (86 Stat. 216), or other applicable law.

23 SEC. 706. In addition to funds provided in this or
24 any other Act, all Federal agencies are authorized to re-
25 ceive and use funds resulting from the sale of materials,

1 including Federal records disposed of pursuant to a
2 records schedule recovered through recycling or waste pre-
3 vention programs. Such funds shall be available until ex-
4 pended for the following purposes:

5 (1) Acquisition, waste reduction and prevention,
6 and recycling programs as described in Executive
7 Order No. 13693 (March 19, 2015), including any
8 such programs adopted prior to the effective date of
9 the Executive order.

10 (2) Other Federal agency environmental man-
11 agement programs, including, but not limited to, the
12 development and implementation of hazardous waste
13 management and pollution prevention programs.

14 (3) Other employee programs as authorized by
15 law or as deemed appropriate by the head of the
16 Federal agency.

17 SEC. 707. Funds made available by this or any other
18 Act for administrative expenses in the current fiscal year
19 of the corporations and agencies subject to chapter 91 of
20 title 31, United States Code, shall be available, in addition
21 to objects for which such funds are otherwise available,
22 for rent in the District of Columbia; services in accordance
23 with 5 U.S.C. 3109; and the objects specified under this
24 head, all the provisions of which shall be applicable to the
25 expenditure of such funds unless otherwise specified in the

1 Act by which they are made available: *Provided*, That in
2 the event any functions budgeted as administrative ex-
3 penses are subsequently transferred to or paid from other
4 funds, the limitations on administrative expenses shall be
5 correspondingly reduced.

6 SEC. 708. No part of any appropriation contained in
7 this or any other Act shall be available for interagency
8 financing of boards (except Federal Executive Boards),
9 commissions, councils, committees, or similar groups
10 (whether or not they are interagency entities) which do
11 not have a prior and specific statutory approval to receive
12 financial support from more than one agency or instru-
13 mentality.

14 SEC. 709. None of the funds made available pursuant
15 to the provisions of this or any other Act shall be used
16 to implement, administer, or enforce any regulation which
17 has been disapproved pursuant to a joint resolution duly
18 adopted in accordance with the applicable law of the
19 United States.

20 SEC. 710. During the period in which the head of
21 any department or agency, or any other officer or civilian
22 employee of the Federal Government appointed by the
23 President of the United States, holds office, no funds may
24 be obligated or expended in excess of \$5,000 to furnish
25 or redecorate the office of such department head, agency

1 head, officer, or employee, or to purchase furniture or
2 make improvements for any such office, unless advance
3 notice of such furnishing or redecoration is transmitted
4 to the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate. For the purposes of this sec-
6 tion, the term “office” shall include the entire suite of of-
7 fices assigned to the individual, as well as any other space
8 used primarily by the individual or the use of which is
9 directly controlled by the individual.

10 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
11 tion 708 of this Act, funds made available for the current
12 fiscal year by this or any other Act shall be available for
13 the interagency funding of national security and emer-
14 gency preparedness telecommunications initiatives which
15 benefit multiple Federal departments, agencies, or enti-
16 ties, as provided by Executive Order No. 13618 (July 6,
17 2012).

18 SEC. 712. (a) None of the funds made available by
19 this or any other Act may be obligated or expended by
20 any department, agency, or other instrumentality of the
21 Federal Government to pay the salaries or expenses of any
22 individual appointed to a position of a confidential or pol-
23 icy-determining character that is excepted from the com-
24 petitive service under section 3302 of title 5, United
25 States Code, (pursuant to schedule C of subpart C of part

1 213 of title 5 of the Code of Federal Regulations) unless
2 the head of the applicable department, agency, or other
3 instrumentality employing such schedule C individual cer-
4 tifies to the Director of the Office of Personnel Manage-
5 ment that the schedule C position occupied by the indi-
6 vidual was not created solely or primarily in order to detail
7 the individual to the White House.

8 (b) The provisions of this section shall not apply to
9 Federal employees or members of the armed forces de-
10 tailed to or from an element of the intelligence community
11 (as that term is defined under section 3(4) of the National
12 Security Act of 1947 (50 U.S.C. 3003(4))).

13 SEC. 713. No part of any appropriation contained in
14 this or any other Act shall be available for the payment
15 of the salary of any officer or employee of the Federal
16 Government, who—

17 (1) prohibits or prevents, or attempts or threat-
18 ens to prohibit or prevent, any other officer or em-
19 ployee of the Federal Government from having any
20 direct oral or written communication or contact with
21 any Member, committee, or subcommittee of the
22 Congress in connection with any matter pertaining
23 to the employment of such other officer or employee
24 or pertaining to the department or agency of such
25 other officer or employee in any way, irrespective of

1 whether such communication or contact is at the ini-
2 tiative of such other officer or employee or in re-
3 sponse to the request or inquiry of such Member,
4 committee, or subcommittee; or

5 (2) removes, suspends from duty without pay,
6 demotes, reduces in rank, seniority, status, pay, or
7 performance or efficiency rating, denies promotion
8 to, relocates, reassigns, transfers, disciplines, or dis-
9 criminates in regard to any employment right, enti-
10 tlement, or benefit, or any term or condition of em-
11 ployment of, any other officer or employee of the
12 Federal Government, or attempts or threatens to
13 commit any of the foregoing actions with respect to
14 such other officer or employee, by reason of any
15 communication or contact of such other officer or
16 employee with any Member, committee, or sub-
17 committee of the Congress as described in paragraph
18 (1).

19 SEC. 714. (a) None of the funds made available in
20 this or any other Act may be obligated or expended for
21 any employee training that—

22 (1) does not meet identified needs for knowl-
23 edge, skills, and abilities bearing directly upon the
24 performance of official duties;

1 (2) contains elements likely to induce high lev-
2 els of emotional response or psychological stress in
3 some participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the train-
6 ing and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Em-
10 ployment Opportunity Commission Notice N-
11 915.022, dated September 2, 1988; or

12 (5) is offensive to, or designed to change, par-
13 ticipants’ personal values or lifestyle outside the
14 workplace.

15 (b) Nothing in this section shall prohibit, restrict, or
16 otherwise preclude an agency from conducting training
17 bearing directly upon the performance of official duties.

18 SEC. 715. No part of any funds appropriated in this
19 or any other Act shall be used by an agency of the execu-
20 tive branch, other than for normal and recognized execu-
21 tive-legislative relationships, for publicity or propaganda
22 purposes, and for the preparation, distribution or use of
23 any kit, pamphlet, booklet, publication, radio, television,
24 or film presentation designed to support or defeat legisla-

1 tion pending before the Congress, except in presentation
2 to the Congress itself.

3 SEC. 716. None of the funds appropriated by this or
4 any other Act may be used by an agency to provide a Fed-
5 eral employee's home address to any labor organization
6 except when the employee has authorized such disclosure
7 or when such disclosure has been ordered by a court of
8 competent jurisdiction.

9 SEC. 717. None of the funds made available in this
10 or any other Act may be used to provide any non-public
11 information such as mailing, telephone or electronic mail-
12 ing lists to any person or any organization outside of the
13 Federal Government without the approval of the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate.

16 SEC. 718. No part of any appropriation contained in
17 this or any other Act shall be used directly or indirectly,
18 including by private contractor, for publicity or propa-
19 ganda purposes within the United States not heretofore
20 authorized by Congress.

21 SEC. 719. (a) In this section, the term "agency"—

22 (1) means an Executive agency, as defined
23 under 5 U.S.C. 105; and

24 (2) includes a military department, as defined
25 under section 102 of such title, the United States

1 Postal Service, and the Postal Regulatory Commis-
2 sion.

3 (b) Unless authorized in accordance with law or regu-
4 lations to use such time for other purposes, an employee
5 of an agency shall use official time in an honest effort
6 to perform official duties. An employee not under a leave
7 system, including a Presidential appointee exempted under
8 5 U.S.C. 6301(2), has an obligation to expend an honest
9 effort and a reasonable proportion of such employee's time
10 in the performance of official duties.

11 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
12 tion 708 of this Act, funds made available for the current
13 fiscal year by this or any other Act to any department
14 or agency, which is a member of the Federal Accounting
15 Standards Advisory Board (FASAB), shall be available to
16 finance an appropriate share of FASAB administrative
17 costs.

18 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
19 tion 708 of this Act, the head of each Executive depart-
20 ment and agency is hereby authorized to transfer to or
21 reimburse "General Services Administration, Government-
22 wide Policy" with the approval of the Director of the Of-
23 fice of Management and Budget, funds made available for
24 the current fiscal year by this or any other Act, including
25 rebates from charge card and other contracts: *Provided,*

1 That these funds shall be administered by the Adminis-
2 trator of General Services to support Government-wide
3 and other multi-agency financial, information technology,
4 procurement, and other management innovations, initia-
5 tives, and activities, including improving coordination and
6 reducing duplication, as approved by the Director of the
7 Office of Management and Budget, in consultation with
8 the appropriate interagency and multi-agency groups des-
9 ignated by the Director (including the President's Man-
10 agement Council for overall management improvement ini-
11 tiatives, the Chief Financial Officers Council for financial
12 management initiatives, the Chief Information Officers
13 Council for information technology initiatives, the Chief
14 Human Capital Officers Council for human capital initia-
15 tives, the Chief Acquisition Officers Council for procure-
16 ment initiatives, and the Performance Improvement Coun-
17 cil for performance improvement initiatives): *Provided fur-*
18 *ther*, That the total funds transferred or reimbursed shall
19 not exceed \$15,000,000 to improve coordination, reduce
20 duplication, and for other activities related to Federal
21 Government Priority Goals established by 31 U.S.C. 1120,
22 and not to exceed \$17,000,000 for Government-Wide inno-
23 vations, initiatives, and activities: *Provided further*, That
24 the funds transferred to or for reimbursement of "General
25 Services Administration, Government-wide Policy" during

1 fiscal year 2019 shall remain available for obligation
2 through September 30, 2020: *Provided further*, That such
3 transfers or reimbursements may only be made after 15
4 days following notification of the Committees on Appro-
5 priations of the House of Representatives and the Senate
6 by the Director of the Office of Management and Budget.

7 SEC. 722. Notwithstanding any other provision of
8 law, a woman may breastfeed her child at any location
9 in a Federal building or on Federal property, if the woman
10 and her child are otherwise authorized to be present at
11 the location.

12 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
13 tion 708 of this Act, funds made available for the current
14 fiscal year by this or any other Act shall be available for
15 the interagency funding of specific projects, workshops,
16 studies, and similar efforts to carry out the purposes of
17 the National Science and Technology Council (authorized
18 by Executive Order No. 12881), which benefit multiple
19 Federal departments, agencies, or entities: *Provided*, That
20 the Office of Management and Budget shall provide a re-
21 port describing the budget of and resources connected with
22 the National Science and Technology Council to the Com-
23 mittees on Appropriations, the House Committee on
24 Science and Technology, and the Senate Committee on

1 Commerce, Science, and Transportation 90 days after en-
2 actment of this Act.

3 SEC. 724. Any request for proposals, solicitation,
4 grant application, form, notification, press release, or
5 other publications involving the distribution of Federal
6 funds shall comply with any relevant requirements in part
7 200 of title 2, Code of Federal Regulations: *Provided*,
8 That this section shall apply to direct payments, formula
9 funds, and grants received by a State receiving Federal
10 funds.

11 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
12 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
13 the funds made available in this or any other Act may
14 be used by any Federal agency—

15 (1) to collect, review, or create any aggregation
16 of data, derived from any means, that includes any
17 personally identifiable information relating to an in-
18 dividual's access to or use of any Federal Govern-
19 ment Internet site of the agency; or

20 (2) to enter into any agreement with a third
21 party (including another government agency) to col-
22 lect, review, or obtain any aggregation of data, de-
23 rived from any means, that includes any personally
24 identifiable information relating to an individual's

1 access to or use of any nongovernmental Internet
2 site.

3 (b) EXCEPTIONS.—The limitations established in
4 subsection (a) shall not apply to—

5 (1) any record of aggregate data that does not
6 identify particular persons;

7 (2) any voluntary submission of personally iden-
8 tifiable information;

9 (3) any action taken for law enforcement, regu-
10 latory, or supervisory purposes, in accordance with
11 applicable law; or

12 (4) any action described in subsection (a)(1)
13 that is a system security action taken by the oper-
14 ator of an Internet site and is necessarily incident
15 to providing the Internet site services or to pro-
16 tecting the rights or property of the provider of the
17 Internet site.

18 (c) DEFINITIONS.—For the purposes of this section:

19 (1) The term “regulatory” means agency ac-
20 tions to implement, interpret or enforce authorities
21 provided in law.

22 (2) The term “supervisory” means examina-
23 tions of the agency’s supervised institutions, includ-
24 ing assessing safety and soundness, overall financial
25 condition, management practices and policies and

1 compliance with applicable standards as provided in
2 law.

3 SEC. 726. (a) None of the funds appropriated by this
4 Act may be used to enter into or renew a contract which
5 includes a provision providing prescription drug coverage,
6 except where the contract also includes a provision for con-
7 traceptive coverage.

8 (b) Nothing in this section shall apply to a contract
9 with—

10 (1) any of the following religious plans:

11 (A) Personal Care's HMO; and

12 (B) OSF HealthPlans, Inc.; and

13 (2) any existing or future plan, if the carrier
14 for the plan objects to such coverage on the basis of
15 religious beliefs.

16 (c) In implementing this section, any plan that enters
17 into or renews a contract under this section may not sub-
18 ject any individual to discrimination on the basis that the
19 individual refuses to prescribe or otherwise provide for
20 contraceptives because such activities would be contrary
21 to the individual's religious beliefs or moral convictions.

22 (d) Nothing in this section shall be construed to re-
23 quire coverage of abortion or abortion-related services.

24 SEC. 727. The United States is committed to ensur-
25 ing the health of its Olympic, Pan American, and

1 Paralympic athletes, and supports the strict adherence to
2 anti-doping in sport through testing, adjudication, edu-
3 cation, and research as performed by nationally recognized
4 oversight authorities.

5 SEC. 728. Notwithstanding any other provision of
6 law, funds appropriated for official travel to Federal de-
7 partments and agencies may be used by such departments
8 and agencies, if consistent with Office of Management and
9 Budget Circular A-126 regarding official travel for Gov-
10 ernment personnel, to participate in the fractional aircraft
11 ownership pilot program.

12 SEC. 729. Notwithstanding any other provision of
13 law, none of the funds appropriated or made available
14 under this or any other appropriations Act may be used
15 to implement or enforce restrictions or limitations on the
16 Coast Guard Congressional Fellowship Program, or to im-
17 plement the proposed regulations of the Office of Per-
18 sonnel Management to add sections 300.311 through
19 300.316 to part 300 of title 5 of the Code of Federal Reg-
20 ulations, published in the Federal Register, volume 68,
21 number 174, on September 9, 2003 (relating to the detail
22 of executive branch employees to the legislative branch).

23 SEC. 730. Notwithstanding any other provision of
24 law, no executive branch agency shall purchase, construct,
25 or lease any additional facilities, except within or contig-

1 uous to existing locations, to be used for the purpose of
2 conducting Federal law enforcement training without the
3 advance approval of the Committees on Appropriations of
4 the House of Representatives and the Senate, except that
5 the Federal Law Enforcement Training Center is author-
6 ized to obtain the temporary use of additional facilities
7 by lease, contract, or other agreement for training which
8 cannot be accommodated in existing Center facilities.

9 SEC. 731. Unless otherwise authorized by existing
10 law, none of the funds provided in this or any other Act
11 may be used by an executive branch agency to produce
12 any prepackaged news story intended for broadcast or dis-
13 tribution in the United States, unless the story includes
14 a clear notification within the text or audio of the pre-
15 packaged news story that the prepackaged news story was
16 prepared or funded by that executive branch agency.

17 SEC. 732. None of the funds made available in this
18 Act may be used in contravention of section 552a of title
19 5, United States Code (popularly known as the Privacy
20 Act), and regulations implementing that section.

21 SEC. 733. (a) IN GENERAL.—None of the funds ap-
22 propriated or otherwise made available by this or any
23 other Act may be used for any Federal Government con-
24 tract with any foreign incorporated entity which is treated
25 as an inverted domestic corporation under section 835(b)

1 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
2 or any subsidiary of such an entity.

3 (b) WAIVERS.—

4 (1) IN GENERAL.—Any Secretary shall waive
5 subsection (a) with respect to any Federal Govern-
6 ment contract under the authority of such Secretary
7 if the Secretary determines that the waiver is re-
8 quired in the interest of national security.

9 (2) REPORT TO CONGRESS.—Any Secretary
10 issuing a waiver under paragraph (1) shall report
11 such issuance to Congress.

12 (c) EXCEPTION.—This section shall not apply to any
13 Federal Government contract entered into before the date
14 of the enactment of this Act, or to any task order issued
15 pursuant to such contract.

16 SEC. 734. During fiscal year 2019, for each employee
17 who—

18 (1) retires under section 8336(d)(2) or
19 8414(b)(1)(B) of title 5, United States Code; or

20 (2) retires under any other provision of sub-
21 chapter III of chapter 83 or chapter 84 of such title
22 5 and receives a payment as an incentive to sepa-
23 rate, the separating agency shall remit to the Civil
24 Service Retirement and Disability Fund an amount
25 equal to the Office of Personnel Management's aver-

1 age unit cost of processing a retirement claim for
2 the preceding fiscal year. Such amounts shall be
3 available until expended to the Office of Personnel
4 Management and shall be deemed to be an adminis-
5 trative expense under section 8348(a)(1)(B) of title
6 5, United States Code.

7 SEC. 735. (a) None of the funds made available in
8 this or any other Act may be used to recommend or re-
9 quire any entity submitting an offer for a Federal contract
10 to disclose any of the following information as a condition
11 of submitting the offer:

12 (1) Any payment consisting of a contribution,
13 expenditure, independent expenditure, or disburse-
14 ment for an electioneering communication that is
15 made by the entity, its officers or directors, or any
16 of its affiliates or subsidiaries to a candidate for
17 election for Federal office or to a political com-
18 mittee, or that is otherwise made with respect to any
19 election for Federal office.

20 (2) Any disbursement of funds (other than a
21 payment described in paragraph (1)) made by the
22 entity, its officers or directors, or any of its affiliates
23 or subsidiaries to any person with the intent or the
24 reasonable expectation that the person will use the

1 funds to make a payment described in paragraph
2 (1).

3 (b) In this section, each of the terms “contribution”,
4 “expenditure”, “independent expenditure”, “election-
5 eering communication”, “candidate”, “election”, and
6 “Federal office” has the meaning given such term in the
7 Federal Election Campaign Act of 1971 (52 U.S.C. 30101
8 et seq.).

9 SEC. 736. None of the funds made available in this
10 or any other Act may be used to pay for the painting of
11 a portrait of an officer or employee of the Federal govern-
12 ment, including the President, the Vice President, a mem-
13 ber of Congress (including a Delegate or a Resident Com-
14 missioner to Congress), the head of an executive branch
15 agency (as defined in section 133 of title 41, United States
16 Code), or the head of an office of the legislative branch.

17 SEC. 737. (a)(1) Notwithstanding any other provision
18 of law, and except as otherwise provided in this section,
19 no part of any of the funds appropriated for fiscal year
20 2019, by this or any other Act, may be used to pay any
21 prevailing rate employee described in section
22 5342(a)(2)(A) of title 5, United States Code—

23 (A) during the period from the date of expira-
24 tion of the limitation imposed by the comparable sec-
25 tion for the previous fiscal years until the normal ef-

1 fective date of the applicable wage survey adjust-
2 ment that is to take effect in fiscal year 2019, in an
3 amount that exceeds the rate payable for the appli-
4 cable grade and step of the applicable wage schedule
5 in accordance with such section; and

6 (B) during the period consisting of the remain-
7 der of fiscal year 2019, in an amount that exceeds,
8 as a result of a wage survey adjustment, the rate
9 payable under subparagraph (A) by more than the
10 sum of—

11 (i) the percentage adjustment taking effect
12 in fiscal year 2019 under section 5303 of title
13 5, United States Code, in the rates of pay
14 under the General Schedule; and

15 (ii) the difference between the overall aver-
16 age percentage of the locality-based com-
17 parability payments taking effect in fiscal year
18 2019 under section 5304 of such title (whether
19 by adjustment or otherwise), and the overall av-
20 erage percentage of such payments which was
21 effective in the previous fiscal year under such
22 section.

23 (2) Notwithstanding any other provision of law, no
24 prevailing rate employee described in subparagraph (B) or
25 (C) of section 5342(a)(2) of title 5, United States Code,

1 and no employee covered by section 5348 of such title,
2 may be paid during the periods for which paragraph (1)
3 is in effect at a rate that exceeds the rates that would
4 be payable under paragraph (1) were paragraph (1) appli-
5 cable to such employee.

6 (3) For the purposes of this subsection, the rates pay-
7 able to an employee who is covered by this subsection and
8 who is paid from a schedule not in existence on September
9 30, 2018, shall be determined under regulations pre-
10 scribed by the Office of Personnel Management.

11 (4) Notwithstanding any other provision of law, rates
12 of premium pay for employees subject to this subsection
13 may not be changed from the rates in effect on September
14 30, 2018, except to the extent determined by the Office
15 of Personnel Management to be consistent with the pur-
16 pose of this subsection.

17 (5) This subsection shall apply with respect to pay
18 for service performed after September 30, 2018.

19 (6) For the purpose of administering any provision
20 of law (including any rule or regulation that provides pre-
21 mium pay, retirement, life insurance, or any other em-
22 ployee benefit) that requires any deduction or contribu-
23 tion, or that imposes any requirement or limitation on the
24 basis of a rate of salary or basic pay, the rate of salary

1 or basic pay payable after the application of this sub-
2 section shall be treated as the rate of salary or basic pay.

3 (7) Nothing in this subsection shall be considered to
4 permit or require the payment to any employee covered
5 by this subsection at a rate in excess of the rate that would
6 be payable were this subsection not in effect.

7 (8) The Office of Personnel Management may provide
8 for exceptions to the limitations imposed by this sub-
9 section if the Office determines that such exceptions are
10 necessary to ensure the recruitment or retention of quali-
11 fied employees.

12 (b) Notwithstanding subsection (a), the adjustment
13 in rates of basic pay for the statutory pay systems that
14 take place in fiscal year 2019 under sections 5344 and
15 5348 of title 5, United States Code, shall be—

16 (1) not less than the percentage received by em-
17 ployees in the same location whose rates of basic pay
18 are adjusted pursuant to the statutory pay systems
19 under sections 5303 and 5304 of title 5, United
20 States Code: *Provided*, That prevailing rate employ-
21 ees at locations where there are no employees whose
22 pay is increased pursuant to sections 5303 and 5304
23 of title 5, United States Code, and prevailing rate
24 employees described in section 5343(a)(5) of title 5,
25 United States Code, shall be considered to be located

1 in the pay locality designated as “Rest of United
2 States” pursuant to section 5304 of title 5, United
3 States Code, for purposes of this subsection; and

4 (2) effective as of the first day of the first ap-
5 plicable pay period beginning after September 30,
6 2018.

7 SEC. 738. (a) The head of any Executive branch de-
8 partment, agency, board, commission, or office funded by
9 this or any other appropriations Act shall submit annual
10 reports to the Inspector General or senior ethics official
11 for any entity without an Inspector General, regarding the
12 costs and contracting procedures related to each con-
13 ference held by any such department, agency, board, com-
14 mission, or office during fiscal year 2019 for which the
15 cost to the United States Government was more than
16 \$100,000.

17 (b) Each report submitted shall include, for each con-
18 ference described in subsection (a) held during the applica-
19 ble period—

20 (1) a description of its purpose;

21 (2) the number of participants attending;

22 (3) a detailed statement of the costs to the
23 United States Government, including—

24 (A) the cost of any food or beverages;

25 (B) the cost of any audio-visual services;

1 (C) the cost of employee or contractor
2 travel to and from the conference; and

3 (D) a discussion of the methodology used
4 to determine which costs relate to the con-
5 ference; and

6 (4) a description of the contracting procedures
7 used including—

8 (A) whether contracts were awarded on a
9 competitive basis; and

10 (B) a discussion of any cost comparison
11 conducted by the departmental component or
12 office in evaluating potential contractors for the
13 conference.

14 (c) Within 15 days after the end of a quarter, the
15 head of any such department, agency, board, commission,
16 or office shall notify the Inspector General or senior ethics
17 official for any entity without an Inspector General, of the
18 date, location, and number of employees attending a con-
19 ference held by any Executive branch department, agency,
20 board, commission, or office funded by this or any other
21 appropriations Act during fiscal year 2019 for which the
22 cost to the United States Government was more than
23 \$20,000.

24 (d) A grant or contract funded by amounts appro-
25 priated by this or any other appropriations Act may not

1 be used for the purpose of defraying the costs of a con-
2 ference described in subsection (c) that is not directly and
3 programmatically related to the purpose for which the
4 grant or contract was awarded, such as a conference held
5 in connection with planning, training, assessment, review,
6 or other routine purposes related to a project funded by
7 the grant or contract.

8 (e) None of the funds made available in this or any
9 other appropriations Act may be used for travel and con-
10 ference activities that are not in compliance with Office
11 of Management and Budget Memorandum M-12-12
12 dated May 11, 2012 or any subsequent revisions to that
13 memorandum.

14 SEC. 739. None of the funds made available in this
15 or any other appropriations Act may be used to increase,
16 eliminate, or reduce funding for a program, project, or ac-
17 tivity as proposed in the President's budget request for
18 a fiscal year until such proposed change is subsequently
19 enacted in an appropriation Act, or unless such change
20 is made pursuant to the reprogramming or transfer provi-
21 sions of this or any other appropriations Act.

22 SEC. 740. None of the funds made available by this
23 or any other Act may be used to implement, administer,
24 enforce, or apply the rule entitled "Competitive Area"
25 published by the Office of Personnel Management in the

1 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
2 et seq.).

3 SEC. 741. None of the funds appropriated or other-
4 wise made available by this or any other Act may be used
5 to begin or announce a study or public-private competition
6 regarding the conversion to contractor performance of any
7 function performed by Federal employees pursuant to Of-
8 fice of Management and Budget Circular A-76 or any
9 other administrative regulation, directive, or policy.

10 SEC. 742. (a) None of the funds appropriated or oth-
11 erwise made available by this or any other Act may be
12 available for a contract, grant, or cooperative agreement
13 with an entity that requires employees or contractors of
14 such entity seeking to report fraud, waste, or abuse to sign
15 internal confidentiality agreements or statements prohib-
16 iting or otherwise restricting such employees or contrac-
17 tors from lawfully reporting such waste, fraud, or abuse
18 to a designated investigative or law enforcement represent-
19 ative of a Federal department or agency authorized to re-
20 ceive such information.

21 (b) The limitation in subsection (a) shall not con-
22 travene requirements applicable to Standard Form 312,
23 Form 4414, or any other form issued by a Federal depart-
24 ment or agency governing the nondisclosure of classified
25 information.

1 SEC. 743. (a) No funds appropriated in this or any
2 other Act may be used to implement or enforce the agree-
3 ments in Standard Forms 312 and 4414 of the Govern-
4 ment or any other nondisclosure policy, form, or agree-
5 ment if such policy, form, or agreement does not contain
6 the following provisions: “These provisions are consistent
7 with and do not supersede, conflict with, or otherwise alter
8 the employee obligations, rights, or liabilities created by
9 existing statute or Executive order relating to (1) classi-
10 fied information, (2) communications to Congress, (3) the
11 reporting to an Inspector General of a violation of any
12 law, rule, or regulation, or mismanagement, a gross waste
13 of funds, an abuse of authority, or a substantial and spe-
14 cific danger to public health or safety, or (4) any other
15 whistleblower protection. The definitions, requirements,
16 obligations, rights, sanctions, and liabilities created by
17 controlling Executive orders and statutory provisions are
18 incorporated into this agreement and are controlling.”:
19 *Provided*, That notwithstanding the preceding provision of
20 this section, a nondisclosure policy form or agreement that
21 is to be executed by a person connected with the conduct
22 of an intelligence or intelligence-related activity, other
23 than an employee or officer of the United States Govern-
24 ment, may contain provisions appropriate to the particular
25 activity for which such document is to be used. Such form

1 or agreement shall, at a minimum, require that the person
2 will not disclose any classified information received in the
3 course of such activity unless specifically authorized to do
4 so by the United States Government. Such nondisclosure
5 forms shall also make it clear that they do not bar disclo-
6 sures to Congress, or to an authorized official of an execu-
7 tive agency or the Department of Justice, that are essen-
8 tial to reporting a substantial violation of law.

9 (b) A nondisclosure agreement may continue to be
10 implemented and enforced notwithstanding subsection (a)
11 if it complies with the requirements for such agreement
12 that were in effect when the agreement was entered into.

13 (c) No funds appropriated in this or any other Act
14 may be used to implement or enforce any agreement en-
15 tered into during fiscal year 2014 which does not contain
16 substantially similar language to that required in sub-
17 section (a).

18 SEC. 744. None of the funds made available by this
19 or any other Act may be used to enter into a contract,
20 memorandum of understanding, or cooperative agreement
21 with, make a grant to, or provide a loan or loan guarantee
22 to, any corporation that has any unpaid Federal tax liabil-
23 ity that has been assessed, for which all judicial and ad-
24 ministrative remedies have been exhausted or have lapsed,
25 and that is not being paid in a timely manner pursuant

1 to an agreement with the authority responsible for col-
2 lecting the tax liability, where the awarding agency is
3 aware of the unpaid tax liability, unless a Federal agency
4 has considered suspension or debarment of the corporation
5 and has made a determination that this further action is
6 not necessary to protect the interests of the Government.

7 SEC. 745. None of the funds made available by this
8 or any other Act may be used to enter into a contract,
9 memorandum of understanding, or cooperative agreement
10 with, make a grant to, or provide a loan or loan guarantee
11 to, any corporation that was convicted of a felony criminal
12 violation under any Federal law within the preceding 24
13 months, where the awarding agency is aware of the convic-
14 tion, unless a Federal agency has considered suspension
15 or debarment of the corporation and has made a deter-
16 mination that this further action is not necessary to pro-
17 tect the interests of the Government.

18 SEC. 746. (a) During fiscal year 2019, on the date
19 on which a request is made for a transfer of funds in ac-
20 cordance with section 1017 of Public Law 111–203, the
21 Bureau of Consumer Financial Protection shall notify the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate, the Committee on Financial Serv-
24 ices of the House of Representatives, and the Committee

1 on Banking, Housing, and Urban Affairs of the Senate
2 of such request.

3 (b) Any notification required by this section shall be
4 made available on the Bureau's public Web site.

5 SEC. 747. If, for fiscal year 2019, new budget author-
6 ity provided in appropriations Acts exceeds the discre-
7 tionary spending limit for any category set forth in section
8 251(c) of the Balanced Budget and Emergency Deficit
9 Control Act of 1985 due to estimating differences with the
10 Congressional Budget Office, an adjustment to the discre-
11 tionary spending limit in such category for fiscal year
12 2019 shall be made by the Director of the Office of Man-
13 agement and Budget in the amount of the excess but the
14 total of all such adjustments shall not exceed 0.2 percent
15 of the sum of the adjusted discretionary spending limits
16 for all categories for that fiscal year.

17 SEC. 748. (a) The adjustment in rates of basic pay
18 for employees under the statutory pay systems that takes
19 effect in fiscal year 2019 under section 5303 of title 5,
20 United States Code, shall be an increase of 1.4 percent,
21 and the overall average percentage of the adjustments tak-
22 ing effect in such fiscal year under sections 5304 and
23 5304a of such title 5 shall be an increase of 0.5 percent
24 (with comparability payments to be determined and allo-
25 cated among pay localities by the President). All adjust-

1 ments under this subsection shall be effective as of the
2 first day of the first applicable pay period beginning on
3 or after January 1, 2019.

4 (b) Notwithstanding section 737, the adjustment in
5 rates of basic pay for the statutory pay systems that take
6 place in fiscal year 2019 under sections 5344 and 5348
7 of title 5, United States Code, shall be no less than the
8 percentages in subsection (a) as employees in the same
9 location whose rates of basic pay are adjusted pursuant
10 to the statutory pay systems under section 5303, 5304,
11 and 5304a of title 5, United States Code. Prevailing rate
12 employees at locations where there are no employees whose
13 pay is increased pursuant to sections 5303, 5304, and
14 5304a of such title 5 and prevailing rate employees de-
15 scribed in section 5343(a)(5) of such title 5 shall be con-
16 sidered to be located in the pay locality designated as
17 "Rest of U.S." pursuant to section 5304 of such title 5
18 for purposes of this subsection.

19 (c) Funds used to carry out this section shall be paid
20 from appropriations, which are made to each applicable
21 department or agency for salaries and expenses for fiscal
22 year 2019.

23 SEC. 749. (a) Notwithstanding the official rate ad-
24 justed under section 104 of title 3, United States Code,
25 the rate payable to the Vice President during calendar

1 year 2019 shall be 1.9 percent above the rate payable to
2 the Vice President on December 31, 2018, as limited
3 under section 738 of division E of the Consolidated Appro-
4 priations Act, 2018 (Public Law 115–141).

5 (b) Notwithstanding the official rate adjusted under
6 section 5318 of title 5, United States Code, or any other
7 provision of law, the payable rate for an employee serving
8 in an Executive Schedule position, or in a position for
9 which the rate of pay is fixed by statute at an Executive
10 Schedule rate, shall be increased by 1.9 percent (relative
11 to the preexisting rate actually payable) at the time the
12 official rate is adjusted in January 2019. Such an em-
13 ployee may receive no other pay increase during calendar
14 year 2019, except as provided in subsection (i).

15 (c) Notwithstanding section 401 of the Foreign Serv-
16 ice Act of 1980 (Public Law 96–465) or any other provi-
17 sion of law, a chief of mission or ambassador at large is
18 subject to subsection (b) in the same manner as other em-
19 ployees who are paid at an Executive Schedule rate.

20 (d)(1) This subsection applies to—

21 (A) a noncareer appointee in the Senior
22 Executive Service paid a rate of basic pay at or
23 above the official rate for level IV of the Execu-
24 tive Schedule; or

1 (B) a limited term appointee or limited
2 emergency appointee in the Senior Executive
3 Service serving under a political appointment
4 and paid a rate of basic pay at or above the of-
5 ficial rate for level IV of the Executive Sched-
6 ule.

7 (2) Notwithstanding sections 5382 and 5383 of
8 title 5, United States Code, an employee described
9 in paragraph (1) who is serving at the time official
10 rates of the Executive Schedule are adjusted may re-
11 ceive a single increase in the employee's pay rate of
12 no more than 1.9 percent during calendar year
13 2019, subject to the normally applicable pay rules
14 and pay limitations in effect on December 31, 2013,
15 after those pay limitations are increased by 1.9 per-
16 cent (after applicable rounding). Such an employee
17 may receive no other pay increase during calendar
18 year 2019, except as provided in subsection (i).

19 (e) Notwithstanding any other provision of law, any
20 employee paid a rate of basic pay (including any locality-
21 based payments under section 5304 of title 5, United
22 States Code, or similar authority) at or above the official
23 rate for level IV of the Executive Schedule who serves
24 under a political appointment, and who is serving at the
25 time official rates of the Executive Schedule are adjusted,

1 may receive a single increase in the employee's pay rate
2 of no more than 1.9 percent during calendar year 2019,
3 subject to the normally applicable pay rules and pay limi-
4 tations in effect on December 31, 2013, after those pay
5 limitations are increased by 1.9 percent (after applicable
6 rounding). Such an employee may receive no other pay
7 increase during calendar year 2019, except as provided in
8 subsection (i). This subsection does not apply to employees
9 in the General Schedule pay system or the Foreign Service
10 pay system, to employees appointed under section 3161
11 of title 5, United States Code, or to employees in another
12 pay system whose position would be classified at GS-15
13 or below if chapter 51 of title 5, United States Code, ap-
14 plied to them.

15 (f) Nothing in subsections (b) through (e) shall pre-
16 vent employees who do not serve under a political appoint-
17 ment from receiving pay increases as otherwise provided
18 under applicable law.

19 (g) This section does not apply to an individual who
20 makes an election to retain Senior Executive Service basic
21 pay under section 3392(c) of title 5, United States Code,
22 for such time as that election is in effect.

23 (h) This section does not apply to an individual who
24 makes an election to retain Senior Foreign Service pay
25 entitlements under section 302(b) of the Foreign Service

1 Act of 1980 (Public Law 96–465) for such time as that
2 election is in effect.

3 (i) Notwithstanding subsections (b) through (e), an
4 employee in a covered position may receive a pay rate in-
5 crease upon an authorized movement to a different cov-
6 ered position only if that new position has higher-level du-
7 ties and a pre-established level or range of pay higher than
8 the level or range for the position held immediately before
9 the movement. Any such increase must be based on the
10 rates of pay and applicable pay limitations in effect on
11 December 31, 2013, after those rates and pay limitations
12 are increased by 1.9 percent (after applicable rounding).

13 (j) Notwithstanding any other provision of law, for
14 an individual who is newly appointed to a covered position
15 during the period of time subject to this section, the initial
16 pay rate shall be based on the rates of pay and applicable
17 pay limitations in effect on December 31, 2013, after
18 those rates and pay limitations are increased by 1.9 per-
19 cent (after applicable rounding).

20 (k) If an employee affected by this section is subject
21 to a biweekly pay period that begins in calendar year 2019
22 but ends in calendar year 2020, the bar on the employee's
23 receipt of pay rate increases shall apply through the end
24 of that pay period.

1 (l) For the purpose of this section, the term “covered
2 position” means a position occupied by an employee whose
3 pay is restricted under this section.

4 (m) This section takes effect on the first day of the
5 first applicable pay period beginning on or after January
6 1, 2019.

7 SEC. 750. Except as expressly provided otherwise,
8 any reference to “this Act” contained in any title other
9 than title IV or VIII shall not apply to such title IV or
10 VIII.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA

4 (INCLUDING TRANSFERS OF FUNDS)

5 SEC. 801. There are appropriated from the applicable
6 funds of the District of Columbia such sums as may be
7 necessary for making refunds and for the payment of legal
8 settlements or judgments that have been entered against
9 the District of Columbia government.

10 SEC. 802. None of the Federal funds provided in this
11 Act shall be used for publicity or propaganda purposes or
12 implementation of any policy including boycott designed
13 to support or defeat legislation pending before Congress
14 or any State legislature.

15 SEC. 803. (a) None of the Federal funds provided
16 under this Act to the agencies funded by this Act, both
17 Federal and District government agencies, that remain
18 available for obligation or expenditure in fiscal year 2019,
19 or provided from any accounts in the Treasury of the
20 United States derived by the collection of fees available
21 to the agencies funded by this Act, shall be available for
22 obligation or expenditures for an agency through a re-
23 programming of funds which—

24 (1) creates new programs;

1 (2) eliminates a program, project, or responsi-
2 bility center;

3 (3) establishes or changes allocations specifi-
4 cally denied, limited or increased under this Act;

5 (4) increases funds or personnel by any means
6 for any program, project, or responsibility center for
7 which funds have been denied or restricted;

8 (5) re-establishes any program or project pre-
9 viously deferred through reprogramming;

10 (6) augments any existing program, project, or
11 responsibility center through a reprogramming of
12 funds in excess of \$3,000,000 or 10 percent, which-
13 ever is less; or

14 (7) increases by 20 percent or more personnel
15 assigned to a specific program, project or responsi-
16 bility center,

17 unless prior approval is received from the Committees on
18 Appropriations of the House of Representatives and the
19 Senate.

20 (b) The District of Columbia government is author-
21 ized to approve and execute reprogramming and transfer
22 requests of local funds under this title through November
23 7, 2019.

24 SEC. 804. None of the Federal funds provided in this
25 Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the
2 offices of United States Senator or United States Rep-
3 resentative under section 4(d) of the District of Columbia
4 Statehood Constitutional Convention Initiatives of 1979
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

6 SEC. 805. Except as otherwise provided in this sec-
7 tion, none of the funds made available by this Act or by
8 any other Act may be used to provide any officer or em-
9 ployee of the District of Columbia with an official vehicle
10 unless the officer or employee uses the vehicle only in the
11 performance of the officer’s or employee’s official duties.
12 For purposes of this section, the term “official duties”
13 does not include travel between the officer’s or employee’s
14 residence and workplace, except in the case of—

15 (1) an officer or employee of the Metropolitan
16 Police Department who resides in the District of Co-
17 lumbia or is otherwise designated by the Chief of the
18 Department;

19 (2) at the discretion of the Fire Chief, an offi-
20 cer or employee of the District of Columbia Fire and
21 Emergency Medical Services Department who re-
22 sides in the District of Columbia and is on call 24
23 hours a day;

24 (3) at the discretion of the Director of the De-
25 partment of Corrections, an officer or employee of

1 the District of Columbia Department of Corrections
2 who resides in the District of Columbia and is on
3 call 24 hours a day;

4 (4) at the discretion of the Chief Medical Ex-
5 aminer, an officer or employee of the Office of the
6 Chief Medical Examiner who resides in the District
7 of Columbia and is on call 24 hours a day;

8 (5) at the discretion of the Director of the
9 Homeland Security and Emergency Management
10 Agency, an officer or employee of the Homeland Se-
11 curity and Emergency Management Agency who re-
12 sides in the District of Columbia and is on call 24
13 hours a day;

14 (6) the Mayor of the District of Columbia; and

15 (7) the Chairman of the Council of the District
16 of Columbia.

17 SEC. 806. (a) None of the Federal funds contained
18 in this Act may be used by the District of Columbia Attor-
19 ney General or any other officer or entity of the District
20 government to provide assistance for any petition drive or
21 civil action which seeks to require Congress to provide for
22 voting representation in Congress for the District of Co-
23 lumbia.

24 (b) Nothing in this section bars the District of Co-
25 lumbia Attorney General from reviewing or commenting

1 on briefs in private lawsuits, or from consulting with offi-
2 cials of the District government regarding such lawsuits.

3 SEC. 807. None of the Federal funds contained in
4 this Act may be used to distribute any needle or syringe
5 for the purpose of preventing the spread of blood borne
6 pathogens in any location that has been determined by the
7 local public health or local law enforcement authorities to
8 be inappropriate for such distribution.

9 SEC. 808. Nothing in this Act may be construed to
10 prevent the Council or Mayor of the District of Columbia
11 from addressing the issue of the provision of contraceptive
12 coverage by health insurance plans, but it is the intent
13 of Congress that any legislation enacted on such issue
14 should include a “conscience clause” which provides excep-
15 tions for religious beliefs and moral convictions.

16 SEC. 809. (a) None of the Federal funds contained
17 in this Act may be used to enact or carry out any law,
18 rule, or regulation to legalize or otherwise reduce penalties
19 associated with the possession, use, or distribution of any
20 schedule I substance under the Controlled Substances Act
21 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
22 rivative.

23 (b) No funds available for obligation or expenditure
24 by the District of Columbia government under any author-
25 ity may be used to enact any law, rule, or regulation to

1 legalize or otherwise reduce penalties associated with the
2 possession, use, or distribution of any schedule I substance
3 under the Controlled Substances Act (21 U.S.C. 801 et
4 seq.) or any tetrahydrocannabinols derivative for rec-
5 reational purposes.

6 SEC. 810. No funds available for obligation or ex-
7 penditure by the District of Columbia government under
8 any authority shall be expended for any abortion except
9 where the life of the mother would be endangered if the
10 fetus were carried to term or where the pregnancy is the
11 result of an act of rape or incest.

12 SEC. 811. (a) No later than 30 calendar days after
13 the date of the enactment of this Act, the Chief Financial
14 Officer for the District of Columbia shall submit to the
15 appropriate committees of Congress, the Mayor, and the
16 Council of the District of Columbia, a revised appropriated
17 funds operating budget in the format of the budget that
18 the District of Columbia government submitted pursuant
19 to section 442 of the District of Columbia Home Rule Act
20 (D.C. Official Code, sec. 1–204.42), for all agencies of the
21 District of Columbia government for fiscal year 2019 that
22 is in the total amount of the approved appropriation and
23 that realigns all budgeted data for personal services and
24 other-than-personal services, respectively, with anticipated
25 actual expenditures.

1 (b) This section shall apply only to an agency for
2 which the Chief Financial Officer for the District of Co-
3 lumbia certifies that a reallocation is required to address
4 unanticipated changes in program requirements.

5 SEC. 812. No later than 30 calendar days after the
6 date of the enactment of this Act, the Chief Financial Offi-
7 cer for the District of Columbia shall submit to the appro-
8 priate committees of Congress, the Mayor, and the Council
9 for the District of Columbia, a revised appropriated funds
10 operating budget for the District of Columbia Public
11 Schools that aligns schools budgets to actual enrollment.
12 The revised appropriated funds budget shall be in the for-
13 mat of the budget that the District of Columbia govern-
14 ment submitted pursuant to section 442 of the District
15 of Columbia Home Rule Act (D.C. Official Code, sec. 1-
16 204.42).

17 SEC. 813. (a) Amounts appropriated in this Act as
18 operating funds may be transferred to the District of Co-
19 lumbia's enterprise and capital funds and such amounts,
20 once transferred, shall retain appropriation authority con-
21 sistent with the provisions of this Act.

22 (b) The District of Columbia government is author-
23 ized to reprogram or transfer for operating expenses any
24 local funds transferred or reprogrammed in this or the
25 four prior fiscal years from operating funds to capital

1 funds, and such amounts, once transferred or repro-
2 grammed, shall retain appropriation authority consistent
3 with the provisions of this Act.

4 (c) The District of Columbia government may not
5 transfer or reprogram for operating expenses any funds
6 derived from bonds, notes, or other obligations issued for
7 capital projects.

8 SEC. 814. None of the Federal funds appropriated
9 in this Act shall remain available for obligation beyond
10 the current fiscal year, nor may any be transferred to
11 other appropriations, unless expressly so provided herein.

12 SEC. 815. Except as otherwise specifically provided
13 by law or under this Act, not to exceed 50 percent of unob-
14 ligated balances remaining available at the end of fiscal
15 year 2019 from appropriations of Federal funds made
16 available for salaries and expenses for fiscal year 2019 in
17 this Act, shall remain available through September 30,
18 2020, for each such account for the purposes authorized:
19 *Provided*, That a request shall be submitted to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate for approval prior to the expenditure of
22 such funds: *Provided further*, That these requests shall be
23 made in compliance with reprogramming guidelines out-
24 lined in section 803 of this Act.

1 SEC. 816. (a)(1) During fiscal year 2020, during a
2 period in which neither a District of Columbia continuing
3 resolution or a regular District of Columbia appropriation
4 bill is in effect, local funds are appropriated in the amount
5 provided for any project or activity for which local funds
6 are provided in the Act referred to in paragraph (2) (sub-
7 ject to any modifications enacted by the District of Colum-
8 bia as of the beginning of the period during which this
9 subsection is in effect) at the rate set forth by such Act.

10 (2) The Act referred to in this paragraph is the Act
11 of the Council of the District of Columbia pursuant to
12 which a proposed budget is approved for fiscal year 2020
13 which (subject to the requirements of the District of Co-
14 lumbia Home Rule Act) will constitute the local portion
15 of the annual budget for the District of Columbia govern-
16 ment for fiscal year 2020 for purposes of section 446 of
17 the District of Columbia Home Rule Act (sec. 1-204.46,
18 D.C. Official Code).

19 (b) Appropriations made by subsection (a) shall cease
20 to be available—

21 (1) during any period in which a District of Co-
22 lumbia continuing resolution for fiscal year 2020 is
23 in effect; or

1 (2) upon the enactment into law of the regular
2 District of Columbia appropriation bill for fiscal year
3 2020.

4 (c) An appropriation made by subsection (a) is pro-
5 vided under the authority and conditions as provided
6 under this Act and shall be available to the extent and
7 in the manner that would be provided by this Act.

8 (d) An appropriation made by subsection (a) shall
9 cover all obligations or expenditures incurred for such
10 project or activity during the portion of fiscal year 2020
11 for which this section applies to such project or activity.

12 (e) This section shall not apply to a project or activity
13 during any period of fiscal year 2020 if any other provi-
14 sion of law (other than an authorization of appropria-
15 tions)—

16 (1) makes an appropriation, makes funds avail-
17 able, or grants authority for such project or activity
18 to continue for such period; or

19 (2) specifically provides that no appropriation
20 shall be made, no funds shall be made available, or
21 no authority shall be granted for such project or ac-
22 tivity to continue for such period.

23 (f) Nothing in this section shall be construed to affect
24 obligations of the government of the District of Columbia
25 mandated by other law.

1 SEC. 817. Section 3(c)(2)(G) of the District of Co-
2 lumbia College Access Act of 1999 (Public Law 106–98;
3 sec. 38–2702(c)(2)(G), D.C. Official Code) is amended—

4 (1) in clause (i), by striking “and” after
5 “\$1,000,000” and inserting a semicolon;

6 (2) in clause (ii)—

7 (A) by inserting “but before school year
8 2019–2020” after “in or after school year
9 2016–2017”; and

10 (B) by striking the period at the end and
11 inserting “; and”; and

12 (3) by adding at the end the following:

13 “(iii) For individuals who begin an
14 undergraduate course of study in or after
15 school year 2019–2020, is from a family
16 with a taxable annual income of less than
17 \$500,000. Beginning with school year
18 2020–2021, the Mayor shall adjust the
19 amount in the previous sentence for infla-
20 tion, as measured by the percentage in-
21 crease, if any, from the preceding fiscal
22 year in the Consumer Price Index for All
23 Urban Consumers, published by the Bu-
24 reau of Labor Statistics of the Department
25 of Labor.”.

1 SEC. 818. Except as expressly provided otherwise,
2 any reference to “this Act” contained in this title or in
3 title IV shall be treated as referring only to the provisions
4 of this title or of title IV.

5 This division may be cited as the “Financial Services
6 and General Government Appropriations Act, 2019”.

1 **DIVISION D—DEPARTMENT OF HOME-**
2 **LAND SECURITY APPROPRIATIONS**
3 **ACT, 2019**

4 TITLE I

5 DEPARTMENTAL MANAGEMENT, OPERATIONS,
6 INTELLIGENCE, AND OVERSIGHT

7 OFFICE OF THE SECRETARY AND EXECUTIVE

8 MANAGEMENT

9 OPERATIONS AND SUPPORT

10 For necessary expenses of the Office of the Secretary
11 and for executive management for operations and support,
12 \$131,890,000: *Provided*, That not to exceed \$30,000 shall
13 be for official reception and representation expenses: *Pro-*
14 *vided further*, That of the funds provided under this head-
15 ing, \$13,000,000 shall be withheld from obligation until
16 the Secretary complies with section 106 of this Act and
17 \$13,000,000 shall be withheld from obligation until the
18 Secretary provides the first report on border apprehen-
19 sions required under this heading by the report accom-
20 panying this Act.

21 MANAGEMENT DIRECTORATE

22 OPERATIONS AND SUPPORT

23 For necessary expenses of the Management Direc-
24 torate for operations and support, \$1,063,975,000: *Pro-*

1 *vided*, That not to exceed \$2,000 shall be for official recep-
2 tion and representation expenses.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of the Management Direc-
6 torate for procurement, construction, and improvements,
7 \$157,171,000, to remain available until September 30,
8 2020, of which \$72,000,000 shall be derived by transfer
9 from unobligated balances from prior year appropriations
10 available under the heading “Disaster Relief Fund”: *Pro-*
11 *vided*, That no amounts may be transferred from unobli-
12 gated balances that were designated by the Congress as
13 an emergency requirement pursuant to the Concurrent
14 Resolution on the Budget or the Balanced Budget and
15 Emergency Deficit Control Act of 1985 or as being for
16 disaster relief pursuant to section 251(b)(2)(D) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985.

19 RESEARCH AND DEVELOPMENT

20 For necessary expenses of the Management Direc-
21 torate for research and development, \$2,545,000, to re-
22 main available until September 30, 2020.

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1 INTELLIGENCE, ANALYSIS, AND OPERATIONS

2 COORDINATION

3 OPERATIONS AND SUPPORT

4 For necessary expenses of the Office of Intelligence
5 and Analysis and the Office of Operations Coordination
6 for operations and support, \$253,253,000, of which
7 \$78,299,000 shall remain available until September 30,
8 2020: *Provided*, That not to exceed \$3,825 shall be for
9 official reception and representation expenses and not to
10 exceed \$2,000,000 is available for facility needs associated
11 with secure space at fusion centers, including improve-
12 ments to buildings.

13 OFFICE OF INSPECTOR GENERAL

14 OPERATIONS AND SUPPORT

15 For necessary expenses of the Office of Inspector
16 General for operations and support, \$168,000,000: *Pro-*
17 *vided*, That not to exceed \$300,000 may be used for cer-
18 tain confidential operational expenses, including the pay-
19 ment of informants, to be expended at the direction of the
20 Inspector General.

21 ADMINISTRATIVE PROVISIONS

22 SEC. 101. Not later than 30 days after the last day
23 of each month, the Chief Financial Officer of the Depart-
24 ment of Homeland Security shall submit to the Commit-
25 tees on Appropriations of the Senate and the House of

1 Representatives a monthly budget and staffing report that
2 includes total obligations of the Department for that
3 month and for the fiscal year at the appropriation and
4 program, project, and activity levels, by the source year
5 of the appropriation.

6 SEC. 102. (a) Notwithstanding Section 518 of Divi-
7 sion F of the Consolidated Appropriations Act, 2016
8 (Public Law 114–113), the Secretary of Homeland Secu-
9 rity shall submit a report not later than October 15, 2019,
10 to the Inspector General of the Department of Homeland
11 Security listing all grants and contracts awarded by any
12 means other than full and open competition during fiscal
13 years 2018 and 2019.

14 (b) The Inspector General shall review the report re-
15 quired by subsection (a) to assess departmental compli-
16 ance with applicable laws and regulations and report the
17 results of that review to the Committees on Appropriations
18 of the Senate and the House of Representatives not later
19 than February 15, 2020.

20 SEC. 103. The Secretary of Homeland Security shall
21 require that all contracts of the Department of Homeland
22 Security that provide award fees link such fees to success-
23 ful acquisition outcomes, which shall be specified in terms
24 of cost, schedule, and performance.

1 SEC. 104. The Secretary of Homeland Security, in
2 consultation with the Secretary of the Treasury, shall no-
3 tify the Committees on Appropriations of the Senate and
4 the House of Representatives of any proposed transfers
5 of funds available under section 9705(g)(4)(B) of title 31,
6 United States Code (as added by Public Law 102–393)
7 from the Department of the Treasury Forfeiture Fund to
8 any agency within the Department of Homeland Security:
9 *Provided*, That none of the funds identified for such a
10 transfer may be obligated until the Committees on Appro-
11 priations of the Senate and the House of Representatives
12 are notified of the proposed transfers.

13 SEC. 105. All official costs associated with the use
14 of Government aircraft by Department of Homeland Secu-
15 rity personnel to support official travel of the Secretary
16 and the Deputy Secretary shall be paid from amounts
17 made available for the Office of the Secretary.

18 SEC. 106. (a) Not later than 30 days after the date
19 of enactment of this Act, the Secretary of Homeland Secu-
20 rity shall submit to the Committees on Appropriations of
21 the Senate and the House of Representatives, the Commit-
22 tees on the Judiciary of the Senate and the House of Rep-
23 resentatives, the Committee on Homeland Security and
24 Governmental Affairs of the Senate, and the Committee
25 on Homeland Security of the House of Representatives,

1 a report for fiscal year 2018 on visa overstay data by
2 country as required by section 1376 of title 8, United
3 States Code: *Provided*, That the report on visa overstay
4 data shall also include—

5 (1) overstays from all nonimmigrant visa cat-
6 egories under the immigration laws, delineated by
7 each of the classes and sub-classes of such cat-
8 egories; and

9 (2) numbers as well as rates of overstays for
10 each class and sub-class of such nonimmigrant cat-
11 egories on a per-country basis.

12 (b) The Secretary of Homeland Security shall publish
13 on the Department's website the metrics developed to
14 measure the effectiveness of security between the ports of
15 entry, including the methodology and data supporting the
16 resulting measures.

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1 TITLE II
2 SECURITY, ENFORCEMENT, AND
3 INVESTIGATIONS
4 U.S. CUSTOMS AND BORDER PROTECTION
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Customs and Border
7 Protection for operations and support, including the trans-
8 portation of unaccompanied minor aliens; the provision of
9 air and marine support to Federal, State, and local agen-
10 cies in the enforcement or administration of laws enforced
11 by the Department of Homeland Security; at the discre-
12 tion of the Secretary of Homeland Security, the provision
13 of such support to Federal, State, and local agencies in
14 other law enforcement and emergency humanitarian ef-
15 forts; the purchase and lease of up to 7,500 (6,500 for
16 replacement only) police-type vehicles; the purchase, main-
17 tenance, or operation of marine vessels, aircraft, and un-
18 manned aerial systems; and contracting with individuals
19 for personal services abroad; \$12,289,046,000; of which
20 \$3,274,000 shall be derived from the Harbor Maintenance
21 Trust Fund for administrative expenses related to the col-
22 lection of the Harbor Maintenance Fee pursuant to section
23 9505(c)(3) of the Internal Revenue Code of 1986 (26
24 U.S.C. 9505(c)(3)) and notwithstanding section
25 1511(e)(1) of the Homeland Security Act of 2002 (6

1 U.S.C. 551(e)(1)); of which \$1,555,887,000 shall be avail-
2 able until September 30, 2020; and of which such sums
3 as become available in the Customs User Fee Account, ex-
4 cept sums subject to section 13031(f)(3) of the Consoli-
5 dated Omnibus Budget Reconciliation Act of 1985 (19
6 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
7 *vided*, That not to exceed \$34,425 shall be for official re-
8 ception and representation expenses: *Provided further*,
9 That not to exceed \$150,000 shall be available for pay-
10 ment for rental space in connection with preclearance op-
11 erations: *Provided further*, That not to exceed \$1,000,000
12 shall be for awards of compensation to informants, to be
13 accounted for solely under the certificate of the Secretary
14 of Homeland Security: *Provided further*, That of the
15 amount provided under this heading, \$325,465,000 is des-
16 igned by the Congress as an emergency requirement
17 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
18 et and Emergency Deficit Control Act of 1985.

19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of U.S. Customs and Border
21 Protection for procurement, construction, and improve-
22 ments, including procurements to buy marine vessels, air-
23 craft, and unmanned aerial systems, \$7,334,672,000, of
24 which \$193,326,000 shall remain available until Sep-
25 tember 30, 2021, and of which \$7,141,346,000 shall re-

1 main available until September 30, 2023, of which
2 \$5,700,000,000 shall be available for purposes authorized
3 by section 102 of the Illegal Immigration Reform and Im-
4 migrant Responsibility Act of 1996 (Public Law 104–208)
5 as amended by section 564 of the Consolidated Appropria-
6 tions Act, 2008 (Public Law 110–161), to include activi-
7 ties authorized under section 1103(b) of title 8, United
8 States Code: *Provided*, That the conditions set forth in
9 subsections (b) and (c) of section 230 of division F of the
10 Consolidated Appropriations Act, 2018 (Public Law 115–
11 141) shall apply during fiscal year 2019 to the amounts
12 made available in the clause preceding this proviso: *Pro-*
13 *vided further*, That not later than 180 days after the date
14 of the enactment of this Act, the Secretary of Homeland
15 Security shall submit to the Committee on Appropriations
16 of the Senate, the Committee on Appropriations of the
17 House of Representatives, and the Comptroller General of
18 the United States an updated risk-based plan for improv-
19 ing security along the borders of the United States that
20 includes the elements required under subsection (a) of sec-
21 tion 231 of division F of the Consolidated Appropriations
22 Act, 2018 (Public Law 115–141), which shall be evaluated
23 in accordance with subsection (b) of such section: *Provided*
24 *further*, That funds provided under this heading may be
25 used for roads, lighting, cameras, and sensors: *Provided*

1 *further*, That of the amount provided under this heading,
2 \$4,332,374,000 is designated by the Congress as an emer-
3 gency requirement pursuant to section 251(b)(2)(A)(i) of
4 the Balanced Budget and Emergency Deficit Control Act
5 of 1985.

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 \$8,447,855,000; of which \$6,000,000 shall remain avail-
15 able until expended to enforce laws against forced child
16 labor; of which \$13,700,000 shall remain available until
17 September 30, 2020; of which not less than \$15,000,000
18 shall be available for investigation of intellectual property
19 rights violations, including operation of the National Intel-
20 lectual Property Rights Coordination Center; of which not
21 less than \$9,000,000 shall be available for facilities repair
22 and maintenance projects; of which not less than
23 \$84,000,000 shall be available for vehicle fleet recapital-
24 ization; and of which not less than \$4,989,158,000 shall
25 be for enforcement, detention, and removal operations, in-

1 cluding transportation of unaccompanied minor aliens:
2 *Provided*, That not to exceed \$11,475 shall be for official
3 reception and representation expenses: *Provided further*,
4 That not to exceed \$10,000,000 shall be available until
5 expended for conducting special operations under section
6 3131 of the Customs Enforcement Act of 1986 (19 U.S.C.
7 2081): *Provided further*, That not to exceed \$2,000,000
8 shall be for awards of compensation to informants, to be
9 accounted for solely under the certificate of the Secretary
10 of Homeland Security: *Provided further*, That not to ex-
11 ceed \$11,216,000 shall be available to fund or reimburse
12 other Federal agencies for the costs associated with the
13 care, maintenance, and repatriation of smuggled aliens un-
14 lawfully present in the United States: *Provided further*,
15 That of the amount provided under this heading,
16 \$902,936,000 is designated by the Congress as an emer-
17 gency requirement pursuant to section 251(b)(2)(A)(i) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of U.S. Immigration and
22 Customs Enforcement for procurement, construction, and
23 improvements, \$70,431,000, to remain available until Sep-
24 tember 30, 2021; of which not less than \$10,000,000 shall
25 be available for facilities repair and maintenance projects.

1 TRANSPORTATION SECURITY ADMINISTRATION

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Transportation Secu-
4 rity Administration for operations and support,
5 \$7,302,455,000, to remain available until September 30,
6 2020: *Provided*, That not to exceed \$7,650 shall be for
7 official reception and representation expenses: *Provided*
8 *further*, That security service fees authorized under section
9 44940 of title 49, United States Code, shall be credited
10 to this appropriation as offsetting collections and shall be
11 available only for aviation security: *Provided further*, That
12 the sum appropriated under this heading from the general
13 fund shall be reduced on a dollar-for-dollar basis as such
14 offsetting collections are received during fiscal year 2019
15 so as to result in a final fiscal year appropriation from
16 the general fund estimated at not more than
17 \$4,632,455,000.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Transportation Secu-
20 rity Administration for procurement, construction, and
21 improvements, \$189,629,000, to remain available until
22 September 30, 2021.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Transportation Secu-
25 rity Administration for research and development,

420

1 \$20,594,000, to remain available until September 30,
2 2020.

3 COAST GUARD

4 OPERATIONS AND SUPPORT

5 For necessary expenses for the operations and sup-
6 port of the Coast Guard, not otherwise provided for; pur-
7 chase or lease of not to exceed 25 passenger motor vehi-
8 cles, which shall be for replacement only; purchase or lease
9 of small boats for contingent and emergent requirements
10 (at a unit cost of not more than \$700,000) and repairs
11 and service-life replacements, not to exceed a total of
12 \$31,000,000; purchase or lease of boats necessary for
13 overseas deployments and activities; payments pursuant to
14 section 156 of Public Law 97-377 (42 U.S.C. 402 note;
15 96 Stat. 1920); and recreation and welfare;
16 \$7,792,409,000; of which \$505,000,000 shall be for de-
17 fense-related activities, of which \$165,000,000 is des-
18 igned by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985; of which \$24,500,000 shall
22 be derived from the Oil Spill Liability Trust Fund to carry
23 out the purposes of section 1012(a)(5) of the Oil Pollution
24 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
25 \$11,000,000 shall remain available until September 30,

1 2021: *Provided*, That not to exceed \$23,000 shall be for
2 official reception and representation expenses: *Provided*
3 *further*, That \$25,000,000 shall be withheld from obliga-
4 tion for Coast Guard Headquarters Directorates until a
5 future-years capital investment plan for fiscal years 2020
6 through 2024 is submitted to the Committees on Appro-
7 priations of the Senate and the House of Representatives
8 pursuant to section 217 of this Act.

9 ENVIRONMENTAL COMPLIANCE AND RESTORATION

10 For necessary expenses to carry out the environ-
11 mental compliance and restoration functions of the Coast
12 Guard under chapter 19 of title 14, United States Code,
13 \$13,429,000, to remain available until September 30,
14 2023.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of the Coast Guard for pro-
17 curement, construction, renovation, and improvement of
18 aids to navigation, shore facilities (including facilities at
19 Department of Defense installations used by the Coast
20 Guard), vessels, and aircraft, including equipment related
21 thereto, \$2,169,260,000, to remain available until Sep-
22 tember 30, 2023, of which \$20,000,000 shall be derived
23 from the Oil Spill Liability Trust Fund to carry out the
24 purposes of section 1012(a)(5) of the Oil Pollution Act
25 of 1990 (33 U.S.C. 2712(a)(5)).

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Coast Guard for re-
3 search, development, test, and evaluation; and for mainte-
4 nance, rehabilitation, lease, and operation of facilities and
5 equipment; \$20,109,000, to remain available until Sep-
6 tember 30, 2021, of which \$500,000 shall be derived from
7 the Oil Spill Liability Trust Fund to carry out the pur-
8 poses of section 1012(a)(5) of the Oil Pollution Act of
9 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
10 be credited to and used for the purposes of this appropria-
11 tion funds received from State and local governments,
12 other public authorities, private sources, and foreign coun-
13 tries for expenses incurred for research, development, test-
14 ing, and evaluation.

15 RETIRED PAY

16 For retired pay, including the payment of obligations
17 otherwise chargeable to lapsed appropriations for this pur-
18 pose, payments under the Retired Serviceman's Family
19 Protection and Survivor Benefits Plans, payment for ca-
20 reer status bonuses, payment of continuation pay under
21 section 356 of title 37, United States Code, concurrent
22 receipts, combat-related special compensation, and pay-
23 ments for medical care of retired personnel and their de-
24 pendants under chapter 55 of title 10, United States Code,
25 \$1,739,844,000, to remain available until expended.

1 UNITED STATES SECRET SERVICE
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the United States Secret
4 Service for operations and support, including purchase of
5 not to exceed 652 vehicles for police-type use for replace-
6 ment only; hire of passenger motor vehicles; purchase of
7 motorcycles made in the United States; hire of aircraft;
8 rental of buildings in the District of Columbia; fencing,
9 lighting, guard booths, and other facilities on private or
10 other property not in Government ownership or control,
11 as may be necessary to perform protective functions; con-
12 duct of and participation in firearms matches; presen-
13 tation of awards; conduct of behavioral research in sup-
14 port of protective intelligence and operations; payment in
15 advance for commercial accommodations as may be nec-
16 essary to perform protective functions; and payment, with-
17 out regard to section 5702 of title 5, United States Code,
18 of subsistence expenses of employees who are on protective
19 missions, whether at or away from their duty stations;
20 \$2,093,684,000; of which \$6,782,000 shall remain avail-
21 able until September 30, 2020, and of which \$6,000,000
22 shall be for a grant for activities related to investigations
23 of missing and exploited children; and of which up to
24 \$9,500,000 may be for calendar year 2018 premium pay
25 in excess of the annual equivalent of the limitation on the

1 rate of pay contained in section 5547(a) of title 5, United
2 States Code, pursuant to section 2 of the Overtime Pay
3 for Protective Services Act of 2016 (5 U.S.C. 5547 note),
4 as amended by Public Law 115–160: *Provided*, That not
5 to exceed \$19,125 shall be for official reception and rep-
6 resentation expenses: *Provided further*, That not to exceed
7 \$100,000 shall be to provide technical assistance and
8 equipment to foreign law enforcement organizations in
9 counterfeit investigations.

10 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

11 For necessary expenses of the United States Secret
12 Service for procurement, construction, and improvements,
13 \$83,531,000, to remain available until September 30,
14 2021.

15 RESEARCH AND DEVELOPMENT

16 For necessary expenses of the United States Secret
17 Service for research and development, \$2,500,000, to re-
18 main available until September 30, 2020.

19 ADMINISTRATIVE PROVISIONS

20 SEC. 201. (a) For fiscal year 2019, the overtime limi-
21 tation prescribed in section 5(c)(1) of the Act of February
22 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$45,000; and not-
23 withstanding any other provision of law, none of the funds
24 appropriated by this Act shall be available to compensate
25 any employee of U.S. Customs and Border Protection for

1 overtime, from whatever source, in an amount that ex-
2 ceeds such limitation, except in individual cases deter-
3 mined by the Secretary of Homeland Security, or the des-
4 ignee of the Secretary, to be necessary for national secu-
5 rity purposes, to prevent excessive costs, or in cases of
6 immigration emergencies.

7 (b) None of the funds made available by this Act for
8 the following accounts shall be available to compensate
9 any employee for overtime in an annual amount in excess
10 of \$45,000:

11 (1) “U.S. Immigration and Customs Enforce-
12 ment—Operations and Support”, except that the
13 Secretary of Homeland Security, or the designee of
14 the Secretary, may waive such amount as necessary
15 for national security purposes and in cases of immi-
16 gration emergencies.

17 (2) “United States Secret Service—Operations
18 and Support”, except that the Secretary of Home-
19 land Security, or the designee of the Secretary, may
20 waive such amount as necessary for national security
21 purposes.

22 SEC. 202. Funding made available under the heading
23 “U.S. Customs and Border Protection—Operations and
24 Support” and “U.S. Customs and Border Protection—
25 Procurement, Construction, and Improvements” shall be

1 available for customs expenses when necessary to maintain
2 operations and prevent adverse personnel actions in Puer-
3 to Rico in addition to funding provided by 48 U.S.C. 740.

4 SEC. 203. 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. 204. For an additional amount for “U.S. Cus-
12 toms and Border Protection—Operations and Support”,
13 \$31,000,000, to remain available until expended, to be re-
14 duced by amounts collected and credited to this appropria-
15 tion in fiscal year 2019 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 114–25), or
21 other such authorizing language: *Provided*, That to the ex-
22 tent that amounts realized from such collections exceed
23 \$31,000,000, those amounts in excess of \$31,000,000
24 shall be credited to this appropriation, to remain available
25 until expended.

1 SEC. 205. 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. 206. 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 *Provided*, That the Secretary shall notify the Committees
5 on Appropriations of the Senate and the House of Rep-
6 resentatives, the Committee on Commerce, Science, and
7 Transportation of the Senate, and the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives within 2 business days of any request for
10 waivers of navigation and vessel-inspection laws pursuant
11 to section 501(b) of title 46, United States Code, with re-
12 spect to such transportation, and the disposition of such
13 requests.

14 SEC. 207. (a) Beginning on the date of enactment
15 of this Act, the Secretary of Homeland Security shall
16 not—

17 (1) establish, collect, or otherwise impose any
18 new border crossing fee on individuals crossing the
19 Southern border or the Northern border at a land
20 port of entry; or

21 (2) conduct any study relating to the imposition
22 of a border crossing fee.

23 (b) In this section, the term “border crossing fee”
24 means a fee that every pedestrian, cyclist, and driver and
25 passenger of a private motor vehicle is required to pay

1 for the privilege of crossing the Southern border or the
2 Northern border at a land port of entry.

3 SEC. 208. Without regard to the limitation as to time
4 and condition of section 503(d) of this Act, the Secretary
5 may reprogram within and transfer funds to “U.S. Immi-
6 gration and Customs Enforcement—Operations and Sup-
7 port” as necessary to ensure the detention of aliens
8 prioritized for removal.

9 SEC. 209. None of the funds provided under the
10 heading “U.S. Immigration and Customs Enforcement—
11 Operations and Support” may be used to continue a dele-
12 gation of law enforcement authority authorized under sec-
13 tion 287(g) of the Immigration and Nationality Act (8
14 U.S.C. 1357(g)) if the Department of Homeland Security
15 Inspector General determines that the terms of the agree-
16 ment governing the delegation of authority have been ma-
17 terially violated.

18 SEC. 210. None of the funds provided under the
19 heading “U.S. Immigration and Customs Enforcement—
20 Operations and Support” may be used to continue any
21 contract for the provision of detention services if the two
22 most recent overall performance evaluations received by
23 the contracted facility are less than “adequate” or the
24 equivalent median score in any subsequent performance
25 evaluation system.

1 SEC. 211. Members of the United States House of
2 Representatives and the United States Senate, including
3 the leadership; the heads of Federal agencies and commis-
4 sions, including the Secretary, Deputy Secretary, Under
5 Secretaries, and Assistant Secretaries of the Department
6 of Homeland Security; the United States Attorney Gen-
7 eral, Deputy Attorney General, Assistant Attorneys Gen-
8 eral, and the United States Attorneys; and senior mem-
9 bers of the Executive Office of the President, including
10 the Director of the Office of Management and Budget,
11 shall not be exempt from Federal passenger and baggage
12 screening.

13 SEC. 212. Any award by the Transportation Security
14 Administration to deploy explosives detection systems
15 shall be based on risk, the airport's current reliance on
16 other screening solutions, lobby congestion resulting in in-
17 creased security concerns, high injury rates, airport readi-
18 ness, and increased cost effectiveness.

19 SEC. 213. Notwithstanding section 44923 of title 49,
20 United States Code, for fiscal year 2019, any funds in
21 the Aviation Security Capital Fund established by section
22 44923(h) of title 49, United States Code, may be used
23 for the procurement and installation of explosives detec-
24 tion systems or for the issuance of other transaction agree-

1 ments for the purpose of funding projects described in sec-
2 tion 44923(a) of such title.

3 SEC. 214. None of the funds made available by this
4 or any other Act may be used by the Administrator of
5 the Transportation Security Administration to implement,
6 administer, or enforce, in abrogation of the responsibility
7 described in section 44903(n)(1) of title 49, United States
8 Code, any requirement that airport operators provide air-
9 port-financed staffing to monitor exit points from the ster-
10 ile area of any airport at which the Transportation Secu-
11 rity Administration provided such monitoring as of De-
12 cember 1, 2013.

13 SEC. 215. None of the funds made available by this
14 Act under the heading “Coast Guard—Operations and
15 Support” shall be for expenses incurred for recreational
16 vessels under section 12114 of title 46, United States
17 Code, except to the extent fees are collected from owners
18 of yachts and credited to the appropriation made available
19 by this Act under the heading “Coast Guard—Operations
20 and Support”: *Provided*, That to the extent such fees are
21 insufficient to pay expenses of recreational vessel docu-
22 mentation under such section 12114, and there is a back-
23 log of recreational vessel applications, personnel per-
24 forming non-recreational vessel documentation functions
25 under subchapter II of chapter 121 of title 46, United

1 States Code, may perform documentation under section
2 12114.

3 SEC. 216. Without regard to the limitation as to time
4 and condition of section 503(d) of this Act, after June
5 30, up to \$10,000,000 may be reprogrammed to or from
6 the Military Pay and Allowances funding category within
7 “Coast Guard—Operations and Support” in accordance
8 with subsection (a) of section 503 of this Act.

9 SEC. 217. Notwithstanding any other provision of
10 law, the Commandant of the Coast Guard shall submit
11 to the Committees on Appropriations of the Senate and
12 the House of Representatives a future-years capital invest-
13 ment plan as described in the second proviso under the
14 heading “Coast Guard—Acquisition, Construction, and
15 Improvements” in the Department of Homeland Security
16 Appropriations Act, 2015 (Public Law 114–4), which shall
17 be subject to the requirements in the third and fourth pro-
18 visos under such heading.

19 SEC. 218. None of the funds in this Act shall be used
20 to reduce the Coast Guard’s Operations Systems Center
21 mission or its government-employed or contract staff lev-
22 els.

23 SEC. 219. None of the funds appropriated by this Act
24 may be used to conduct, or to implement the results of,
25 a competition under Office of Management and Budget

1 Circular A-76 for activities performed with respect to the
2 Coast Guard National Vessel Documentation Center.

3 SEC. 220. Funds made available in this Act may be
4 used to alter operations within the Civil Engineering Pro-
5 gram of the Coast Guard nationwide, including civil engi-
6 neering units, facilities design and construction centers,
7 maintenance and logistics commands, and the Coast
8 Guard Academy, except that none of the funds provided
9 in this Act may be used to reduce operations within any
10 civil engineering unit unless specifically authorized by a
11 statute enacted after the date of enactment of this Act.

12 SEC. 221. Funds made available for Overseas Contin-
13 gency Operations/Global War on Terrorism under the
14 heading “Coast Guard—Operations and Support” may be
15 allocated by program, project, and activity, notwith-
16 standing section 503 of this Act.

17 SEC. 222. The United States Secret Service is au-
18 thorized to obligate funds in anticipation of reimburse-
19 ments from Federal agencies and entities, as defined in
20 section 105 of title 5, United States Code, for personnel
21 receiving training sponsored by the James J. Rowley
22 Training Center, except that total obligations at the end
23 of the fiscal year shall not exceed total budgetary re-
24 sources available under the heading “United States Secret

1 Service—Operations and Support” at the end of the fiscal
2 year.

3 SEC. 223. None of the funds made available to the
4 United States Secret Service by this Act or by previous
5 appropriations Acts may be made available for the protec-
6 tion of the head of a Federal agency other than the Sec-
7 retary of Homeland Security: *Provided*, That the Director
8 of the United States Secret Service may enter into agree-
9 ments to provide such protection on a fully reimbursable
10 basis.

11 SEC. 224. For purposes of section 503(a)(3) of this
12 Act, up to \$15,000,000 may be reprogrammed within
13 “United States Secret Service—Operations and Support”.

14 SEC. 225. Funding made available in this Act for
15 “United States Secret Service—Operations and Support”
16 is available for travel of United States Secret Service em-
17 ployees on protective missions without regard to the limi-
18 tations on such expenditures in this or any other Act if
19 the Director of the United States Secret Service or a des-
20 ignee notifies the Committees on Appropriations of the
21 Senate and the House of Representatives 10 or more days
22 in advance, or as early as practicable, prior to such ex-
23 penditures.

24 SEC. 226. Each amount designated in this title by
25 the Congress as being for an emergency requirement pur-

1 suant to section 251(b)(2)(A)(i) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985 shall be avail-
3 able (or rescinded or transferred, if applicable) only if the
4 President subsequently so designates all such amounts
5 and transmits such designations to the Congress.

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1 TITLE III
2 PROTECTION, PREPAREDNESS, RESPONSE, AND
3 RECOVERY
4 CYBERSECURITY AND INFRASTRUCTURE SECURITY
5 AGENCY
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Cybersecurity and In-
8 frastructure Security Agency for operations and support,
9 \$1,338,437,000, of which \$18,570,000 shall remain avail-
10 able until September 30, 2020: *Provided*, That not to ex-
11 ceed \$3,825 shall be for official reception and representa-
12 tion expenses.

13 FEDERAL PROTECTIVE SERVICE

14 The revenues and collections of security fees credited
15 to this account shall be available until expended for nec-
16 essary expenses related to the protection of federally
17 owned and leased buildings and for the operations of the
18 Federal Protective Service.

19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of the Cybersecurity and In-
21 frastructure Security Agency for procurement, construc-
22 tion, and improvements, \$329,678,000, to remain avail-
23 able until September 30, 2020.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Cybersecurity and In-
3 frastructure Security Agency for research and develop-
4 ment, \$11,126,000, to remain available until September
5 30, 2020.

6 FEDERAL EMERGENCY MANAGEMENT AGENCY

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Federal Emergency
9 Management Agency for operations and support,
10 \$1,054,838,000: *Provided*, That not to exceed \$2,250
11 shall be for official reception and representation expenses.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the Federal Emergency
14 Management Agency for procurement, construction, and
15 improvements, \$128,349,000, to remain available until
16 September 30, 2021.

17 FEDERAL ASSISTANCE

18 (INCLUDING TRANSFER OF FUNDS)

19 For activities of the Federal Emergency Management
20 Agency for Federal assistance through grants, contracts,
21 cooperative agreements, and other activities,
22 \$3,022,939,000, which shall be allocated as follows:

23 (1) \$512,000,000 for the State Homeland Secu-
24 rity Grant Program under section 2004 of the
25 Homeland Security Act of 2002 (6 U.S.C. 605), of

1 which \$90,000,000 shall be for Operation
2 Stonegarden, and \$10,000,000 shall be for organiza-
3 tions (as described under section 501(c)(3) of the
4 Internal Revenue Code of 1986 and exempt from tax
5 under section 501(a) of such code) determined by
6 the Secretary of Homeland Security to be at high
7 risk of a terrorist attack: *Provided*, That notwith-
8 standing subsection (c)(4) of such section 2004, for
9 fiscal year 2019, the Commonwealth of Puerto Rico
10 shall make available to local and tribal governments
11 amounts provided to the Commonwealth of Puerto
12 Rico under this paragraph in accordance with sub-
13 section (c)(1) of such section 2004.

14 (2) \$605,000,000 for the Urban Area Security
15 Initiative under section 2003 of the Homeland Secu-
16 rity Act of 2002 (6 U.S.C. 604), of which
17 \$25,000,000 shall be for organizations (as described
18 under section 501(c)(3) of the Internal Revenue
19 Code of 1986 and exempt from tax under section
20 501(a) of such code) determined by the Secretary of
21 Homeland Security to be at high risk of a terrorist
22 attack.

23 (3) \$100,000,000 for Public Transportation Se-
24 curity Assistance, Railroad Security Assistance, and
25 Over-the-Road Bus Security Assistance under sec-

1 tions 1406, 1513, and 1532 of the Implementing
2 Recommendations of the 9/11 Commission Act of
3 2007 (6 U.S.C. 1135, 1163, and 1182), of which
4 \$10,000,000 shall be for Amtrak security and
5 \$2,000,000 shall be for Over-the-Road Bus Security:
6 *Provided*, That such public transportation security
7 assistance shall be provided directly to public trans-
8 portation agencies.

9 (4) \$100,000,000 for Port Security Grants in
10 accordance with section 70107 of title 46, United
11 States Code.

12 (5) \$700,000,000, to remain available until
13 September 30, 2020, of which \$350,000,000 shall be
14 for Assistance to Firefighter Grants and
15 \$350,000,000 shall be for Staffing for Adequate
16 Fire and Emergency Response Grants under sec-
17 tions 33 and 34 respectively of the Federal Fire Pre-
18 vention and Control Act of 1974 (15 U.S.C. 2229
19 and 2229a).

20 (6) \$350,000,000 for emergency management
21 performance grants under the National Flood Insur-
22 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
23 Stafford Disaster Relief and Emergency Assistance
24 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
25 duction Act of 1977 (42 U.S.C. 7701), section 762

1 of title 6, United States Code, and Reorganization
2 Plan No. 3 of 1978 (5 U.S.C. App.).

3 (7) \$250,000,000 for necessary expenses for
4 Flood Hazard Mapping and Risk Analysis, in addi-
5 tion to and to supplement any other sums appro-
6 priated under the National Flood Insurance Fund,
7 and such additional sums as may be provided by
8 States or other political subdivisions for cost-shared
9 mapping activities under section 1360(f)(2) of the
10 National Flood Insurance Act of 1968 (42 U.S.C.
11 4101(f)(2)), to remain available until expended.

12 (8) \$15,000,000 for Regional Catastrophic Pre-
13 paredness Grants.

14 (9) \$15,000,000 for Rehabilitation of High
15 Hazard Potential Dams under section 8A of the Na-
16 tional Dam Safety Program Act (33 U.S.C. 467f-2).

17 (10) \$100,000,000 for the emergency food and
18 shelter program under title III of the McKinney-
19 Vento Homeless Assistance Act (42 U.S.C. 11331),
20 to remain available until expended: *Provided*, That
21 not to exceed 3.5 percent shall be for total adminis-
22 trative costs.

23 (11) \$275,939,000 to sustain current oper-
24 ations for training, exercises, technical assistance,
25 and other programs:

1 pursuant to subsection (i)(1) of section 203 of the Robert
2 T. Stafford Disaster Relief and Emergency Assistance Act
3 (42 U.S.C. 5133(i)(I)), \$250,000,000 shall be available to
4 carry out activities for the National Predisaster Mitigation
5 Fund under that section of that Act (as in effect on the
6 day before the amendments made by section 1234 of the
7 Disaster Recovery Reform Act of 2018 (division D of Pub-
8 lic Law 115–254) took effect), in addition to any amounts
9 otherwise made available for such purpose by this or any
10 other Act and may be merged in this account for all pur-
11 poses with funds for the revised National Public Infra-
12 structure Predisaster Hazard Mitigation Assistance, as
13 authorized by the amendments made to section 203 of the
14 Robert T. Stafford Disaster Relief and Emergency Assist-
15 ance Act (42 U.S.C. 5133) by section 1234 of the Disaster
16 Recovery Reform Act of 2018 (division D of Public Law
17 115–254), once that assistance has been fully imple-
18 mented.

19 NATIONAL FLOOD INSURANCE FUND

20 For activities under the National Flood Insurance
21 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
22 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
23 Biggert-Waters Flood Insurance Reform Act of 2012
24 (Public Law 112–141, 126 Stat. 916), and the Home-
25 owner Flood Insurance Affordability Act of 2014 (Public

1 Law 113–89; 128 Stat. 1020), \$201,691,000, to remain
2 available until September 30, 2020, which shall be derived
3 from offsetting amounts collected under section 1308(d)
4 of the National Flood Insurance Act of 1968 (42 U.S.C.
5 4015(d)); of which \$13,784,000 shall be available for mis-
6 sion support associated with flood management; and of
7 which \$187,907,000 shall be available for flood plain man-
8 agement and flood mapping: *Provided*, That any addi-
9 tional fees collected pursuant to section 1308(d) of the
10 National Flood Insurance Act of 1968 (42 U.S.C.
11 4015(d)) shall be credited as offsetting collections to this
12 account, to be available for flood plain management and
13 flood mapping: *Provided further*, That in fiscal year 2019,
14 no funds shall be available from the National Flood Insur-
15 ance Fund under section 1310 of the National Flood In-
16 surance Act of 1968 (42 U.S.C. 4017) in excess of—

17 (1) \$176,304,000 for operating expenses and
18 salaries and expenses associated with flood insurance
19 operations;

20 (2) \$1,123,000,000 for commissions and taxes
21 of agents;

22 (3) such sums as are necessary for interest on
23 Treasury borrowings; and

24 (4) \$175,000,000, which shall remain available
25 until expended, for flood mitigation actions and for

1 flood mitigation assistance under section 1366 of the
2 National Flood Insurance Act of 1968 (42 U.S.C.
3 4104e), notwithstanding sections 1366(e) and
4 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):
5 *Provided further*, That the amounts collected under section
6 102 of the Flood Disaster Protection Act of 1973 (42
7 U.S.C. 4012a) and section 1366(e) of the National Flood
8 Insurance Act of 1968 shall be deposited in the National
9 Flood Insurance Fund to supplement other amounts speci-
10 fied as available for section 1366 of the National Flood
11 Insurance Act of 1968, notwithstanding section 102(f)(8),
12 section 1366(e), and paragraphs (1) through (3) of section
13 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
14 4104d(b)(1)–(3)): *Provided further*, That total administra-
15 tive costs shall not exceed 4 percent of the total appropria-
16 tion: *Provided further*, That up to \$5,000,000 is available
17 to carry out section 24 of the Homeowner Flood Insurance
18 Affordability Act of 2014 (42 U.S.C. 4033).

19 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

20 For administrative expenses to carry out the disaster
21 assistance direct loan program as authorized by section
22 417 of the Robert T. Stafford Disaster Relief and Emer-
23 gency Assistance Act (42 U.S.C. 5184), \$3,000,000 to re-
24 main available until September 30, 2020.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 301. Notwithstanding section 2008(a)(12) of
3 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
4 or any other provision of law, not more than 5 percent
5 of the amount of a grant made available in paragraphs
6 (1) through (4) under “Federal Emergency Management
7 Agency—Federal Assistance”, may be used by the grantee
8 for expenses directly related to administration of the
9 grant.

10 SEC. 302. Applications for grants under the heading
11 “Federal Emergency Management Agency—Federal As-
12 sistance”, for paragraphs (1) through (4), shall be made
13 available to eligible applicants not later than 60 days after
14 the date of enactment of this Act, eligible applicants shall
15 submit applications not later than 80 days after the grant
16 announcement, and the Administrator of the Federal
17 Emergency Management Agency shall act within 65 days
18 after the receipt of an application.

19 SEC. 303. Under the heading “Federal Emergency
20 Management Agency—Federal Assistance”, for grants
21 under paragraphs (1) through (4), (8), and (9), the Ad-
22 ministrator of the Federal Emergency Management Agen-
23 cy shall brief the Committees on Appropriations of the
24 Senate and the House of Representatives 5 full business

1 days in advance of announcing publicly the intention of
2 making an award.

3 SEC. 304. Under the heading “Federal Emergency
4 Management Agency—Federal Assistance”, for grants
5 under paragraphs (1) and (2), the installation of commu-
6 nications towers is not considered construction of a build-
7 ing or other physical facility.

8 SEC. 305. The reporting requirements in paragraphs
9 (1) and (2) under the heading “Federal Emergency Man-
10 agement Agency—Disaster Relief Fund” in the Depart-
11 ment of Homeland Security Appropriations Act, 2015
12 (Public Law 114–4) shall be applied in fiscal year 2019
13 with respect to budget year 2020 and current fiscal year
14 2019, respectively—

15 (1) in paragraph (1) by substituting “fiscal
16 year 2020” for “fiscal year 2016”; and

17 (2) in paragraph (2) by inserting “business”
18 after “fifth”.

19 SEC. 306. The aggregate charges assessed during fis-
20 cal year 2019, as authorized in title III of the Depart-
21 ments of Veterans Affairs and Housing and Urban Devel-
22 opment, and Independent Agencies Appropriations Act,
23 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
24 cent of the amounts anticipated by the Department of
25 Homeland Security to be necessary for its Radiological

1 Emergency Preparedness Program for the next fiscal year:
2 *Provided*, That the methodology for assessment and collec-
3 tion of fees shall be fair and equitable and shall reflect
4 costs of providing such services, including administrative
5 costs of collecting such fees: *Provided further*, That such
6 fees shall be deposited in a Radiological Emergency Pre-
7 paredness Program account as offsetting collections and
8 will become available for authorized purposes on October
9 1, 2019, and remain available until expended.

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1 TITLE IV
2 RESEARCH, DEVELOPMENT, TRAINING, AND
3 SERVICES

4 U.S. CITIZENSHIP AND IMMIGRATION SERVICES
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Citizenship and Im-
7 migration Services for operations and support of the E-
8 Verify Program, \$109,081,000.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of U.S. Citizenship and Im-
11 migration Services for procurement, construction, and im-
12 provements of the E-Verify Program, \$22,838,000, to re-
13 main available until September 30, 2021.

14 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Federal Law Enforce-
17 ment Training Centers for operations and support, includ-
18 ing the purchase of not to exceed 117 vehicles for police-
19 type use and hire of passenger motor vehicles, and services
20 as authorized by section 3109 of title 5, United States
21 Code, \$275,666,000, of which \$38,874,000 shall remain
22 available until September 30, 2020: *Provided*, That not
23 to exceed \$7,180 shall be for official reception and rep-
24 resentation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Federal Law Enforce-
3 ment Training Centers for procurement, construction, and
4 improvements, including the planning, operational devel-
5 opment, engineering, and purchases prior to sustainment
6 and for information technology-related procurement, con-
7 struction, and improvements, including non-tangible as-
8 sets of the Federal Law Enforcement Training Centers,
9 \$85,577,000, to remain available until September 30,
10 2023.

11 SCIENCE AND TECHNOLOGY DIRECTORATE

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Science and Tech-
14 nology Directorate for operations and support, including
15 the purchase or lease of not to exceed 5 vehicles,
16 \$308,520,000, of which \$170,462,000 shall remain avail-
17 able until September 30, 2020: *Provided*, That not to ex-
18 ceed \$20,000 shall be for official reception and representa-
19 tion expenses.

20 RESEARCH AND DEVELOPMENT

21 For necessary expenses of the Science and Tech-
22 nology Directorate for research and development,
23 \$504,596,000, to remain available until September 30,
24 2021.

450

1 COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Countering Weapons
4 of Mass Destruction Office for operations and support,
5 \$181,464,000: *Provided*, That not to exceed \$2,250 shall
6 be for official reception and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Countering Weapons
9 of Mass Destruction Office for procurement, construction,
10 and improvements, \$100,096,000, to remain available
11 until September 30, 2021.

12 RESEARCH AND DEVELOPMENT

13 For necessary expenses of the Countering Weapons
14 of Mass Destruction Office for research and development,
15 \$83,043,000, to remain available until September 30,
16 2021.

17 FEDERAL ASSISTANCE

18 For necessary expenses of the Countering Weapons
19 of Mass Destruction Office for Federal assistance through
20 grants, contracts, cooperative agreements, and other ac-
21 tivities, \$64,663,000, to remain available until September
22 30, 2021.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 401. Notwithstanding any other provision of
4 law, funds otherwise made available to U.S. Citizenship
5 and Immigration Services may be used to acquire, operate,
6 equip, and dispose of up to 5 vehicles, for replacement
7 only, for areas where the Administrator of General Serv-
8 ices does not provide vehicles for lease: *Provided*, That the
9 Director of U.S. Citizenship and Immigration Services
10 may authorize employees who are assigned to those areas
11 to use such vehicles to travel between the employees' resi-
12 dences and places of employment.

13 SEC. 402. None of the funds made available in this
14 Act may be used by U.S. Citizenship and Immigration
15 Services to grant an immigration benefit unless the results
16 of background checks required by law to be completed
17 prior to the granting of the benefit have been received by
18 U.S. Citizenship and Immigration Services, and the re-
19 sults do not preclude the granting of the benefit.

20 SEC. 403. None of the funds appropriated by this Act
21 may be used to process or approve a competition under
22 Office of Management and Budget Circular A-76 for serv-
23 ices provided by employees (including employees serving
24 on a temporary or term basis) of U.S. Citizenship and Im-
25 migration Services of the Department of Homeland Secu-

1 rity who are known as Immigration Information Officers,
2 Immigration Service Analysts, Contact Representatives,
3 Investigative Assistants, or Immigration Services Officers.

4 SEC. 404. (a) Notwithstanding section 1356(n) of
5 title 8, United States Code, of the funds deposited into
6 the Immigration Examinations Fee Account, up to
7 \$10,000,000 may be allocated by U.S. Citizenship and Im-
8 migration Services in fiscal year 2019 for the purpose of
9 providing an Immigrant Integration grants program.

10 (b) None of the funds made available to U.S. Citizen-
11 ship and Immigration Services for grants for immigrant
12 integration under subsection (a) may be used to provide
13 services to aliens who have not been lawfully admitted for
14 permanent residence.

15 SEC. 405. The Director of the Federal Law Enforce-
16 ment Training Centers is authorized to distribute funds
17 to Federal law enforcement agencies for expenses incurred
18 participating in training accreditation.

19 SEC. 406. The Federal Law Enforcement Training
20 Accreditation Board, including representatives from the
21 Federal law enforcement community and non-Federal ac-
22 creditation experts involved in law enforcement training,
23 shall lead the Federal law enforcement training accredita-
24 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. The Director of the Federal Law Enforce-
4 ment Training Centers may accept transfers to the ac-
5 count established by section 407(a) of division F of the
6 Consolidated Appropriations Act, 2018 (Public Law 115–
7 141) from Government agencies requesting the construc-
8 tion of special use facilities, as authorized by the Economy
9 Act (31 U.S.C. 1535(b)): *Provided*, That the Federal Law
10 Enforcement Training Centers maintain administrative
11 control and ownership upon completion of such facilities.

12 SEC. 408. The functions of the Federal Law Enforce-
13 ment Training Centers instructor staff shall be classified
14 as inherently governmental for the purpose of the Federal
15 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
16 note).

17 SEC. 409. Up to \$15,000,000 in unexpended balances
18 of appropriations made by division F of the Consolidated
19 Appropriations Act, 2018 (Public Law 115–141) under
20 the heading “Science and Technology—Operations and
21 Support” may be transferred to the United States Depart-
22 ment of Agriculture for the purpose of contract support
23 of the operations of the National Bio and Agro-defense
24 Facility.

1

TITLE V

2

GENERAL PROVISIONS

3

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

4

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.

7

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.

15

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 2019, 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—

24

(1) creates or eliminates a program, project, or activity, or increases funds for any program, project,

25

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 2019 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; or

15 (5) results from any general savings from a re-
16 duction in personnel that would result in a change
17 in funding levels for programs, projects, or activities
18 as approved by the Congress.

19 (b) Subsection (a) shall not apply if the Committees
20 on Appropriations of the Senate and the House of Rep-
21 resentatives are notified at least 15 days in advance of
22 such reprogramming.

23 (c) Up to 5 percent of any appropriation made avail-
24 able for the current fiscal year for the Department of
25 Homeland Security by this Act or provided by previous

1 appropriations Acts may be transferred between such ap-
2 propriations if the Committees on Appropriations of the
3 Senate and the House of Representatives are notified at
4 least 30 days in advance of such transfer, but no such
5 appropriation, except as otherwise specifically provided,
6 shall be increased by more than 10 percent by such trans-
7 fer.

8 (d) Notwithstanding subsections (a), (b), and (c), no
9 funds shall be reprogrammed within or transferred be-
10 tween appropriations based upon an initial notification
11 provided after June 30, except in extraordinary cir-
12 cumstances that imminently threaten the safety of human
13 life or the protection of property.

14 (e) The notification thresholds and procedures set
15 forth in subsections (a), (b), (c), and (d) shall apply to
16 any use of deobligated balances of funds provided in pre-
17 vious Department of Homeland Security Appropriations
18 Acts.

19 (f) Notwithstanding subsection (c), the Secretary of
20 Homeland Security may transfer to the fund established
21 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
22 priations available to the Department of Homeland Secu-
23 rity: *Provided*, That the Secretary shall notify the Com-
24 mittees on Appropriations of the Senate and the House

1 of Representatives at least 5 days in advance of such
2 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 2019, as re-
12 corded in the financial records at the time of a reprogram-
13 ming notification, but not later than June 30, 2020, from
14 appropriations for “Operations and Support” for fiscal
15 year 2019 in this Act shall remain available through Sep-
16 tember 30, 2020, in the account and for the purposes for
17 which the appropriations were provided: *Provided*, That
18 prior to the obligation of such funds, a notification shall
19 be submitted to the Committees on Appropriations of the
20 Senate and the House of Representatives in accordance
21 with section 503 of this Act.

22 SEC. 506. Funds made available by this Act for intel-
23 ligence activities are deemed to be specifically authorized
24 by the Congress for purposes of section 504 of the Na-
25 tional Security Act of 1947 (50 U.S.C. 414) during fiscal

1 year 2019 until the enactment of an Act authorizing intel-
2 ligence activities for fiscal year 2019.

3 SEC. 507. (a) The Secretary of Homeland Security,
4 or the designee of the Secretary, shall notify the Commit-
5 tees on Appropriations of the Senate and the House of
6 Representatives at least 3 full business days in advance
7 of—

8 (1) making or awarding a grant allocation,
9 grant, contract, other transaction agreement, or task
10 or delivery order on a Department of Homeland Se-
11 curity multiple award contract, or to issue a letter
12 of intent totaling in excess of \$1,000,000;

13 (2) awarding a task or delivery order requiring
14 an obligation of funds in an amount greater than
15 \$10,000,000 from multi-year Department of Home-
16 land Security funds;

17 (3) making a sole-source grant award; or

18 (4) announcing publicly the intention to make
19 or award items under paragraph (1), (2), or (3), in-
20 cluding a contract covered by the Federal Acquisi-
21 tion Regulation.

22 (b) If the Secretary of Homeland Security determines
23 that compliance with this section would pose a substantial
24 risk to human life, health, or safety, an award may be
25 made without notification, and the Secretary shall notify

1 the Committees on Appropriations of the Senate and the
2 House of Representatives not later than 5 full business
3 days after such an award is made or letter issued.

4 (c) A notification under this section—

5 (1) may not involve funds that are not available
6 for obligation; and

7 (2) shall include the amount of the award; the
8 fiscal year for which the funds for the award were
9 appropriated; the type of contract; and the account
10 from which the funds are being drawn.

11 SEC. 508. Notwithstanding any other provision of
12 law, no agency shall purchase, construct, or lease any ad-
13 ditional facilities, except within or contiguous to existing
14 locations, to be used for the purpose of conducting Federal
15 law enforcement training without advance notification to
16 the Committees on Appropriations of the Senate and the
17 House of Representatives, except that the Federal Law
18 Enforcement Training Centers is authorized to obtain the
19 temporary use of additional facilities by lease, contract,
20 or other agreement for training that cannot be accommo-
21 dated in existing Centers facilities.

22 SEC. 509. None of the funds appropriated or other-
23 wise made available by this Act may be used for expenses
24 for any construction, repair, alteration, or acquisition
25 project for which a prospectus otherwise required under

1 chapter 33 of title 40, United States Code, has not been
2 approved, except that necessary funds may be expended
3 for each project for required expenses for the development
4 of a proposed prospectus.

5 SEC. 510. Sections 520, 522, and 530 of the Depart-
6 ment of Homeland Security Appropriations Act, 2008 (di-
7 vision E of Public Law 110–161; 121 Stat. 2073 and
8 2074) shall apply with respect to funds made available in
9 this Act in the same manner as such sections applied to
10 funds made available in that Act.

11 SEC. 511. None of the funds made available in this
12 Act may be used in contravention of the applicable provi-
13 sions of the Buy American Act: *Provided*, That for pur-
14 poses of the preceding sentence, the term “Buy American
15 Act” means chapter 83 of title 41, United States Code.

16 SEC. 512. None of the funds made available in this
17 Act may be used to amend the oath of allegiance required
18 by section 337 of the Immigration and Nationality Act
19 (8 U.S.C. 1448).

20 SEC. 513. None of the funds provided or otherwise
21 made available in this Act shall be available to carry out
22 section 872 of the Homeland Security Act of 2002 (6
23 U.S.C. 452) unless explicitly authorized by the Congress.

1 SEC. 514. None of the funds made available in this
2 Act may be used for planning, testing, piloting, or devel-
3 oping a national identification card.

4 SEC. 515. Any official that is required by this Act
5 to report or to certify to the Committees on Appropria-
6 tions of the Senate and the House of Representatives may
7 not delegate such authority to perform that act unless spe-
8 cifically authorized herein.

9 SEC. 516. None of the funds appropriated or other-
10 wise made available in this or any other Act may be used
11 to transfer, release, or assist in the transfer or release to
12 or within the United States, its territories, or possessions
13 Khalid Sheikh Mohammed or any other detainee who—

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

16 (2) is or was held on or after June 24, 2009,
17 at the United States Naval Station, Guantanamo
18 Bay, Cuba, by the Department of Defense.

19 SEC. 517. None of the funds made available in this
20 Act may be used for first-class travel by the employees
21 of agencies funded by this Act in contravention of sections
22 301–10.122 through 301–10.124 of title 41, Code of Fed-
23 eral Regulations.

24 SEC. 518. None of the funds made available in this
25 Act may be used to employ workers described in section

1 274A(h)(3) of the Immigration and Nationality Act (8
2 U.S.C. 1324a(h)(3)).

3 SEC. 519. Notwithstanding any other provision of
4 this Act, none of the funds appropriated or otherwise
5 made available by this Act may be used to pay award or
6 incentive fees for contractor performance that has been
7 judged to be below satisfactory performance or perform-
8 ance that does not meet the basic requirements of a con-
9 tract.

10 SEC. 520. None of the funds appropriated or other-
11 wise made available by this Act may be used by the De-
12 partment of Homeland Security to enter into any Federal
13 contract unless such contract is entered into in accordance
14 with the requirements of subtitle I of title 41, United
15 States Code, or chapter 137 of title 10, United States
16 Code, and the Federal Acquisition Regulation, unless such
17 contract is otherwise authorized by statute to be entered
18 into without regard to the above referenced statutes.

19 SEC. 521. (a) For an additional amount for financial
20 systems modernization, \$39,000,000, to remain available
21 until September 30, 2020.

22 (b) Funds made available in subsection (a) for finan-
23 cial systems modernization may be transferred by the Sec-
24 retary of Homeland Security between appropriations for
25 the same purpose, notwithstanding section 503 of this Act.

1 (c) No transfer described in subsection (b) shall occur
2 until 15 days after the Committees on Appropriations of
3 the Senate and the House of Representatives are notified
4 of such transfer.

5 SEC. 522. (a) The funds appropriated to the Depart-
6 ment of Homeland Security in this Act for “Operations
7 and Support” shall be hereby reduced, as determined by
8 the Chief Financial Officer, by a total of \$39,000,000 to
9 realize administrative savings, including savings from re-
10 quirements, supplies, or materials that were funded by the
11 Department using fiscal year 2018 appropriations for con-
12 tracts with periods of performance in fiscal year 2019.

13 (b) Funds may only be reduced for the respective ap-
14 propriations from amounts identified in the budget appen-
15 dix, as modified by the report accompanying this Act, by
16 object classes 25.1, 25.2, 25.3, and 26.2.

17 (c) No funds may be reduced from amounts provided
18 under the following headings and activities:

19 (1) “Cybersecurity and Infrastructure Security
20 Agency—Operations and Support”;

21 (2) “Coast Guard—Operations and Support”
22 for defense-related activities; and

23 (3) “Federal Emergency Management Agen-
24 cy—Operations and Support” for National Con-

1 continuity Programs in the Preparedness and Protec-
2 tion program, project, and activity.

3 (d) No amounts may be reduced from amounts that
4 were designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism or as an emergency
6 requirement pursuant to a concurrent resolution on the
7 budget or section 251(b)(2)(A) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985 or from
9 amounts that were designated by the Congress as being
10 for disaster relief pursuant to section 251(b)(2)(D) of the
11 Balanced Budget and Emergency Deficit Control Act of
12 1985.

13 (e) The Secretary shall submit a notification to the
14 Committees on Appropriations of the Senate and the
15 House of Representatives specifying the account and
16 amount of each reduction made pursuant to this section.

17 SEC. 523. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

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

1 SEC. 524. None of the funds made available in this
2 Act may be used by a Federal law enforcement officer to
3 facilitate the transfer of an operable firearm to an indi-
4 vidual if the Federal law enforcement officer knows or sus-
5 pects that the individual is an agent of a drug cartel unless
6 law enforcement personnel of the United States continu-
7 ously monitor or control the firearm at all times.

8 SEC. 525. None of the funds made available in this
9 Act may be used to pay for the travel to or attendance
10 of more than 50 employees of a single component of the
11 Department of Homeland Security, who are stationed in
12 the United States, at a single international conference un-
13 less the Secretary of Homeland Security, or a designee,
14 determines that such attendance is in the national interest
15 and notifies the Committees on Appropriations of the Sen-
16 ate and the House of Representatives within at least 10
17 days of that determination and the basis for that deter-
18 mination: *Provided*, That for purposes of this section the
19 term “international conference” shall mean a conference
20 occurring outside of the United States attended by rep-
21 resentatives of the United States Government and of for-
22 eign governments, international organizations, or non-
23 governmental organizations: *Provided further*, That the
24 total cost to the Department of Homeland Security of any
25 such conference shall not exceed \$500,000.

1 SEC. 526. None of the funds made available in this
2 Act may be used to reimburse any Federal department
3 or agency for its participation in a National Special Secu-
4 rity Event.

5 SEC. 527. None of the funds made available to the
6 Department of Homeland Security by this or any other
7 Act may be obligated for any structural pay reform that
8 affects more than 100 full-time positions or costs more
9 than \$5,000,000 in a single year before the end of the
10 30-day period beginning on the date on which the Sec-
11 retary of Homeland Security submits to Congress a notifi-
12 cation that includes—

13 (1) the number of full-time positions affected by
14 such change;

15 (2) funding required for such change for the
16 current year and through the Future Years Home-
17 land Security Program;

18 (3) justification for such change; and

19 (4) an analysis of compensation alternatives to
20 such change that were considered by the Depart-
21 ment.

22 SEC. 528. (a) Any agency receiving funds made avail-
23 able in this Act shall, subject to subsections (b) and (c),
24 post on the public website of that agency any report re-
25 quired to be submitted by the Committees on Appropria-

1 tions of the Senate and the House of Representatives in
2 this Act, upon the determination by the head of the agency
3 that it shall serve the national interest.

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

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

7 (2) the report contains proprietary information.

8 (c) The head of the agency posting such report shall
9 do so only after such report has been made available to
10 the Committees on Appropriations of the Senate and the
11 House of Representatives for not less than 45 days except
12 as otherwise specified in law.

13 SEC. 529. (a) Funding provided in this Act for “Op-
14 erations and Support” may be used for minor procure-
15 ment, construction, and improvements.

16 (b) For purposes of subsection (a), “minor” refers
17 to end items with a unit cost of \$250,000 or less for per-
18 sonal property, and \$2,000,000 or less for real property.

19 SEC. 530. None of the funds made available by this
20 Act may be obligated or expended to implement the Arms
21 Trade Treaty until the Senate approves a resolution of
22 ratification for the Treaty.

23 SEC. 531. For fiscal year 2019, the Secretary of
24 Homeland Security may provide, out of discretionary
25 funds available to the Department of Homeland Security,

1 for the primary and secondary schooling of dependents of
2 Department of Homeland Security personnel who are sta-
3 tioned outside the continental United States and for the
4 transportation of such dependents in the same manner
5 and to the same extent that, pursuant to section 544 of
6 title 14, United States Code, the Secretary may provide,
7 out of funds appropriated to or for the use of the Coast
8 Guard, for the primary and secondary schooling of, and
9 the transportation of, dependents of Coast Guard per-
10 sonnel stationed outside the continental United States:
11 *Provided*, That no amounts may be provided from
12 amounts that were designated by the Congress for Over-
13 seas Contingency Operations/Global War on Terrorism or
14 as an emergency requirement pursuant to a concurrent
15 resolution on the budget or section 251(b)(2)(A) of the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985: *Provided further*, That no amounts may be provided
18 from amounts that were designated by the Congress as
19 being for disaster relief pursuant to section 251(b)(2)(D)
20 of the Balanced Budget and Emergency Deficit Control
21 Act of 1985.

22 SEC. 532. Within 60 days of any budget submission
23 for the Department of Homeland Security for fiscal year
24 2020 that assumes revenues or proposes a reduction from
25 the previous year based on user fees proposals that have

1 not been enacted into law prior to the submission of the
2 budget, the Secretary of Homeland Security shall provide
3 the Committees on Appropriations of the Senate and the
4 House of Representatives specific reductions in proposed
5 discretionary budget authority commensurate with the
6 revenues assumed in such proposals in the event that they
7 are not enacted prior to October 1, 2019.

8 (RESCISSION)

9 SEC. 533. Of the funds appropriated to the Depart-
10 ment of Homeland Security the following funds are hereby
11 rescinded from the following accounts and programs in the
12 specified amounts: *Provided*, That no amounts may be re-
13 scinded from amounts that were designated by the Con-
14 gress as an emergency requirement pursuant to a concur-
15 rent resolution on the budget or the Balanced Budget and
16 Emergency Deficit Control Act of 1985 (Public Law 99-
17 177):

18 (1) \$17,471,912 from Public Law 115-31
19 under the heading “Coast Guard—Research, Devel-
20 opment, Test, and Evaluation”;

21 (2) \$20,971,000 from Public Law 115-141
22 under the heading “Domestic Nuclear Detection Of-
23 fice—Federal Assistance”;

1 (9) \$181,187 from “Federal Emergency Man-
2 agement Agency—Operations and Support”;

3 (10) \$362,942 from “Office of Health Affairs—
4 Operations and Support”;

5 (11) \$206,633 from “United States Citizenship
6 and Immigration Services—Operations and Sup-
7 port”;

8 (12) \$31,941 from “Science and Technology
9 Directorate—Operations and Support”;

10 (13) \$437,550 from “Domestic Nuclear Detec-
11 tion Office—Operations Support”.

12 SEC. 535. From the unobligated balances available
13 in the Department of the Treasury Forfeiture Fund estab-
14 lished by section 9703 of title 31, United States Code
15 (added by section 638 of Public Law 102–393),
16 \$120,000,000 shall be permanently rescinded not later
17 than September 30, 2019.

18 This division may be cited as the “Department of
19 Homeland Security Appropriations Act, 2019”.

1 **DIVISION E—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2019**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-
9 ment, development, disposal, cadastral surveying, classi-
10 fication, acquisition of easements and other interests in
11 lands, and performance of other functions, including main-
12 tenance of facilities, as authorized by law, in the manage-
13 ment of lands and their resources under the jurisdiction
14 of the Bureau of Land Management, including the general
15 administration of the Bureau, and assessment of mineral
16 potential of public lands pursuant to section 1010(a) of
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,198,000,000,
18 to remain available until expended, including all such
19 amounts as are collected from permit processing fees, as
20 authorized but made subject to future appropriation by
21 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
22 U.S.C. 191), except that amounts from permit processing
23 fees may be used for any bureau-related expenses associ-
24 ated with the processing of oil and gas applications for
25 permits to drill and related use of authorizations.

1 In addition, \$39,696,000 is for Mining Law Adminis-
2 tration program operations, including the cost of admin-
3 istering the mining claim fee program, to remain available
4 until expended, to be reduced by amounts collected by the
5 Bureau and credited to this appropriation from mining
6 claim maintenance fees and location fees that are hereby
7 authorized for fiscal year 2019, so as to result in a final
8 appropriation estimated at not more than \$1,198,000,000,
9 and \$2,000,000, to remain available until expended, from
10 communication site rental fees established by the Bureau
11 for the cost of administering communication site activities.

12 LAND ACQUISITION

13 (INCLUDING RESCISSION OF FUNDS)

14 For expenses necessary to carry out sections 205,
15 206, and 318(d) of Public Law 94–579, including admin-
16 istrative expenses and acquisition of lands or waters, or
17 interests therein, \$28,316,000, to be derived from the
18 Land and Water Conservation Fund and to remain avail-
19 able until expended.

20 Of the unobligated balances from amounts made
21 available for Land Acquisition and derived from the Land
22 and Water Conservation Fund, \$1,800,000 is hereby per-
23 manently rescinded from previously appropriated emer-
24 gencies, hardships, and inholdings funding: *Provided*,
25 That no amounts may be rescinded from amounts that

1 were designated by the Congress as an emergency require-
2 ment pursuant to the Concurrent Resolution on the Budg-
3 et or the Balanced Budget and Emergency Deficit Control
4 Act of 1985.

5 OREGON AND CALIFORNIA GRANT LANDS

6 For expenses necessary for management, protection,
7 and development of resources and for construction, oper-
8 ation, and maintenance of access roads, reforestation, and
9 other improvements on the revested Oregon and California
10 Railroad grant lands, on other Federal lands in the Or-
11 egon and California land-grant counties of Oregon, and
12 on adjacent rights-of-way; and acquisition of lands or in-
13 terests therein, including existing connecting roads on or
14 adjacent to such grant lands; \$106,985,000, to remain
15 available until expended: *Provided*, That 25 percent of the
16 aggregate of all receipts during the current fiscal year
17 from the revested Oregon and California Railroad grant
18 lands is hereby made a charge against the Oregon and
19 California land-grant fund and shall be transferred to the
20 General Fund in the Treasury in accordance with the sec-
21 ond paragraph of subsection (b) of title II of the Act of
22 August 28, 1937 (43 U.S.C. 2605).

23 RANGE IMPROVEMENTS

24 For rehabilitation, protection, and acquisition of
25 lands and interests therein, and improvement of Federal

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

13 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

14 For administrative expenses and other costs related
15 to processing application documents and other authoriza-
16 tions for use and disposal of public lands and resources,
17 for costs of providing copies of official public land docu-
18 ments, for monitoring construction, operation, and termi-
19 nation of facilities in conjunction with use authorizations,
20 and for rehabilitation of damaged property, such amounts
21 as may be collected under Public Law 94–579 (43 U.S.C.
22 1701 et seq.), and under section 28 of the Mineral Leasing
23 Act (30 U.S.C. 185), to remain available until expended:
24 *Provided*, That notwithstanding any provision to the con-
25 trary of section 305(a) of Public Law 94–579 (43 U.S.C.

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

17 MISCELLANEOUS TRUST FUNDS

18 In addition to amounts authorized to be expended
19 under existing laws, there is hereby appropriated such
20 amounts as may be contributed under section 307 of Pub-
21 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
22 may be advanced for administrative costs, surveys, ap-
23 praisals, and costs of making conveyances of omitted lands
24 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
25 remain available until expended.

1 ADMINISTRATIVE PROVISIONS

2 The Bureau of Land Management may carry out the
3 operations funded under this Act by direct expenditure,
4 contracts, grants, cooperative agreements and reimburs-
5 able agreements with public and private entities, including
6 with States. Appropriations for the Bureau shall be avail-
7 able for purchase, erection, and dismantlement of tem-
8 porary structures, and alteration and maintenance of nec-
9 essary buildings and appurtenant facilities to which the
10 United States has title; up to \$100,000 for payments, at
11 the discretion of the Secretary, for information or evidence
12 concerning violations of laws administered by the Bureau;
13 miscellaneous and emergency expenses of enforcement ac-
14 tivities authorized or approved by the Secretary and to be
15 accounted for solely on the Secretary's certificate, not to
16 exceed \$10,000: *Provided*, That notwithstanding Public
17 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
18 operative cost-sharing and partnership arrangements au-
19 thorized by law, procure printing services from cooperators
20 in connection with jointly produced publications for which
21 the cooperators share the cost of printing either in cash
22 or in services, and the Bureau determines the cooperator
23 is capable of meeting accepted quality standards: *Provided*
24 *further*, That projects to be funded pursuant to a written
25 commitment by a State government to provide an identi-

1 fied amount of money in support of the project may be
2 carried out by the Bureau on a reimbursable basis. Appro-
3 priations herein made shall not be available for the de-
4 struction of healthy, unadopted, wild horses and burros
5 in the care of the Bureau or its contractors or for the
6 sale of wild horses and burros that results in their destruc-
7 tion for processing into commercial products.

8 UNITED STATES FISH AND WILDLIFE SERVICE
9 RESOURCE MANAGEMENT

10 For necessary expenses of the United States Fish and
11 Wildlife Service, as authorized by law, and for scientific
12 and economic studies, general administration, and for the
13 performance of other authorized functions related to such
14 resources, \$1,292,078,000, to remain available until Sep-
15 tember 30, 2020: *Provided*, That not to exceed
16 \$18,318,000 shall be used for implementing subsections
17 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
18 cies Act of 1973 (16 U.S.C. 1533) (except for processing
19 petitions, developing and issuing proposed and final regu-
20 lations, and taking any other steps to implement actions
21 described in subsection (c)(2)(A), (c)(2)(B)(i), or
22 (c)(2)(B)(ii)).

1 CONSTRUCTION

2 (INCLUDING RESCISSION OF FUNDS)

3 For construction, improvement, acquisition, or re-
4 moval of buildings and other facilities required in the con-
5 servation, management, investigation, protection, and uti-
6 lization of fish and wildlife resources, and the acquisition
7 of lands and interests therein; \$55,613,000, to remain
8 available until expended.

9 Of the unobligated balances available for Construc-
10 tion, \$1,500,000 is permanently rescinded, including
11 \$300,000 of unobligated balances available for Construc-
12 tion under Public Law 111–8: *Provided*, That no amounts
13 may be rescinded from amounts that were designated by
14 the Congress as an emergency requirement pursuant to
15 the Concurrent Resolution on the Budget or the Balanced
16 Budget and Emergency Deficit Control Act of 1985.

17 LAND ACQUISITION

18 For expenses necessary to carry out chapter 2003 of
19 title 54, United States Code, including administrative ex-
20 penses, and for acquisition of land or waters, or interest
21 therein, in accordance with statutory authority applicable
22 to the United States Fish and Wildlife Service,
23 \$65,189,000, to be derived from the Land and Water Con-
24 servation Fund and to remain available until expended,
25 of which, notwithstanding section 200306 of title 54,

1 United States Code, not more than \$20,000,000 shall be
2 for land conservation partnerships authorized by the
3 Highlands Conservation Act of 2004, including not to ex-
4 ceed \$320,000 for administrative expenses: *Provided*, That
5 none of the funds appropriated for specific land acquisi-
6 tion projects may be used to pay for any administrative
7 overhead, planning or other management costs.

8 COOPERATIVE ENDANGERED SPECIES CONSERVATION

9 FUND

10 (INCLUDING RESCISSION OF FUNDS)

11 For expenses necessary to carry out section 6 of the
12 Endangered Species Act of 1973 (16 U.S.C. 1535),
13 \$53,495,000, to remain available until expended, of which
14 \$22,695,000 is to be derived from the Cooperative Endan-
15 gered Species Conservation Fund; and of which
16 \$30,800,000 is to be derived from the Land and Water
17 Conservation Fund.

18 Of the unobligated balances made available from the
19 Cooperative Endangered Species Conservation Fund,
20 \$7,500,000 is permanently rescinded: *Provided*, That no
21 amounts may be rescinded from amounts that were des-
22 ignated by the Congress as an emergency requirement
23 pursuant to the Concurrent Resolution on the Budget or
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985.

1 NATIONAL WILDLIFE REFUGE FUND

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

4 NORTH AMERICAN WETLANDS CONSERVATION FUND

5 For expenses necessary to carry out the provisions
6 of the North American Wetlands Conservation Act (16
7 U.S.C. 4401 et seq.), \$42,000,000, to remain available
8 until expended.

9 NEOTROPICAL MIGRATORY BIRD CONSERVATION

10 For expenses necessary to carry out the Neotropical
11 Migratory Bird Conservation Act (16 U.S.C. 6101 et
12 seq.), \$3,910,000, to remain available until expended.

13 MULTINATIONAL SPECIES CONSERVATION FUND

14 For expenses necessary to carry out the African Ele-
15 phant Conservation Act (16 U.S.C. 4201 et seq.), the
16 Asian Elephant Conservation Act of 1997 (16 U.S.C.
17 4261 et seq.), the Rhinoceros and Tiger Conservation Act
18 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
19 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
20 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
21 et seq.), \$11,561,000, to remain available until expended.

22 STATE AND TRIBAL WILDLIFE GRANTS

23 For wildlife conservation grants to States and to the
24 District of Columbia, Puerto Rico, Guam, the United
25 States Virgin Islands, the Northern Mariana Islands,

1 American Samoa, and Indian tribes under the provisions
2 of the Fish and Wildlife Act of 1956 and the Fish and
3 Wildlife Coordination Act, for the development and imple-
4 mentation of programs for the benefit of wildlife and their
5 habitat, including species that are not hunted or fished,
6 \$64,571,000, to remain available until expended: *Pro-*
7 *vided*, That of the amount provided herein, \$4,209,000 is
8 for a competitive grant program for Indian tribes not sub-
9 ject to the remaining provisions of this appropriation: *Pro-*
10 *vided further*, That \$6,362,000 is for a competitive grant
11 program to implement approved plans for States, terri-
12 tories, and other jurisdictions and at the discretion of af-
13 fected States, the regional Associations of fish and wildlife
14 agencies, not subject to the remaining provisions of this
15 appropriation: *Provided further*, That the Secretary shall,
16 after deducting \$10,571,000 and administrative expenses,
17 apportion the amount provided herein in the following
18 manner: (1) to the District of Columbia and to the Com-
19 monwealth of Puerto Rico, each a sum equal to not more
20 than one-half of 1 percent thereof; and (2) to Guam,
21 American Samoa, the United States Virgin Islands, and
22 the Commonwealth of the Northern Mariana Islands, each
23 a sum equal to not more than one-fourth of 1 percent
24 thereof: *Provided further*, That the Secretary shall appor-
25 tion the remaining amount in the following manner: (1)

1 one-third of which is based on the ratio to which the land
2 area of such State bears to the total land area of all such
3 States; and (2) two-thirds of which is based on the ratio
4 to which the population of such State bears to the total
5 population of all such States: *Provided further*, That the
6 amounts apportioned under this paragraph shall be ad-
7 justed equitably so that no State shall be apportioned a
8 sum which is less than 1 percent of the amount available
9 for apportionment under this paragraph for any fiscal year
10 or more than 5 percent of such amount: *Provided further*,
11 That the Federal share of planning grants shall not exceed
12 75 percent of the total costs of such projects and the Fed-
13 eral share of implementation grants shall not exceed 65
14 percent of the total costs of such projects: *Provided fur-*
15 *ther*, That the non-Federal share of such projects may not
16 be derived from Federal grant programs: *Provided further*,
17 That any amount apportioned in 2019 to any State, terri-
18 tory, or other jurisdiction that remains unobligated as of
19 September 30, 2020, shall be reapportioned, together with
20 funds appropriated in 2021, in the manner provided here-
21 in.

22 ADMINISTRATIVE PROVISIONS

23 (INCLUDING RESCISSION OF FUNDS)

24 The United States Fish and Wildlife Service may
25 carry out the operations of Service programs by direct ex-

1 penditure, contracts, grants, cooperative agreements and
2 reimbursable agreements with public and private entities.
3 Appropriations and funds available to the United States
4 Fish and Wildlife Service shall be available for repair of
5 damage to public roads within and adjacent to reservation
6 areas caused by operations of the Service; options for the
7 purchase of land at not to exceed \$1 for each option; facili-
8 ties incident to such public recreational uses on conserva-
9 tion areas as are consistent with their primary purpose;
10 and the maintenance and improvement of aquaria, build-
11 ings, and other facilities under the jurisdiction of the Serv-
12 ice and to which the United States has title, and which
13 are used pursuant to law in connection with management,
14 and investigation of fish and wildlife resources: *Provided*,
15 That notwithstanding 44 U.S.C. 501, the Service may,
16 under cooperative cost sharing and partnership arrange-
17 ments authorized by law, procure printing services from
18 cooperators in connection with jointly produced publica-
19 tions for which the cooperators share at least one-half the
20 cost of printing either in cash or services and the Service
21 determines the cooperator is capable of meeting accepted
22 quality standards: *Provided further*, That the Service may
23 accept donated aircraft as replacements for existing air-
24 craft: *Provided further*, That notwithstanding 31 U.S.C.
25 3302, all fees collected for non-toxic shot review and ap-

1 proval shall be deposited under the heading “United
2 States Fish and Wildlife Service—Resource Management”
3 and shall be available to the Secretary, without further
4 appropriation, to be used for expenses of processing of
5 such non-toxic shot type or coating applications and revis-
6 ing regulations as necessary, and shall remain available
7 until expended.

8 Of the unobligated balances available for grants
9 under Public Law 109–58, title III, subtitle G, section
10 384, \$15,000,000 is permanently rescinded: *Provided*,
11 That no amounts may be rescinded from amounts that
12 were designated by the Congress as an emergency require-
13 ment pursuant to the Concurrent Resolution on the Budg-
14 et or the Balanced Budget and Emergency Deficit Control
15 Act of 1985.

16 NATIONAL PARK SERVICE

17 OPERATION OF THE NATIONAL PARK SYSTEM

18 For expenses necessary for the management, oper-
19 ation, and maintenance of areas and facilities adminis-
20 tered by the National Park Service and for the general
21 administration of the National Park Service,
22 \$2,502,711,000, of which \$10,032,000 for planning and
23 interagency coordination in support of Everglades restora-
24 tion and \$135,980,000 for maintenance, repair, or reha-
25 bilitation projects for constructed assets and

1 \$151,575,000 for cyclic maintenance projects for con-
2 structed assets and cultural resources shall remain avail-
3 able until September 30, 2020: *Provided*, That funds ap-
4 propriated under this heading in this Act are available for
5 the purposes of section 5 of Public Law 95–348: *Provided*
6 *further*, That notwithstanding section 9(a) of the United
7 States Semiquincentennial Commission Act of 2016 (Pub-
8 lic Law 114–196; 130 Stat. 691), \$500,000 of the funds
9 made available under this heading shall be provided to the
10 organization selected under section 9(b) of that Act for
11 expenditure by the United States Semiquincentennial
12 Commission in accordance with that Act.

13 NATIONAL RECREATION AND PRESERVATION

14 For expenses necessary to carry out recreation pro-
15 grams, natural programs, cultural programs, heritage
16 partnership programs, environmental compliance and re-
17 view, international park affairs, and grant administration,
18 not otherwise provided for, \$64,138,000.

19 HISTORIC PRESERVATION FUND

20 For expenses necessary in carrying out the National
21 Historic Preservation Act (division A of subtitle III of title
22 54, United States Code), \$102,660,000, to be derived
23 from the Historic Preservation Fund and to remain avail-
24 able until September 30, 2020, of which \$13,000,000 shall
25 be for Save America’s Treasures grants for preservation

1 of national significant sites, structures and artifacts as au-
2 thorized by section 7303 of the Omnibus Public Land
3 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
4 That an individual Save America's Treasures grant shall
5 be matched by non-Federal funds: *Provided further*, That
6 individual projects shall only be eligible for one grant: *Pro-*
7 *vided further*, That all projects to be funded shall be ap-
8 proved by the Secretary of the Interior in consultation
9 with the House and Senate Committees on Appropria-
10 tions: *Provided further*, That of the funds provided for the
11 Historic Preservation Fund, \$750,000 is for competitive
12 grants for the survey and nomination of properties to the
13 National Register of Historic Places and as National His-
14 toric Landmarks associated with communities currently
15 under-represented, as determined by the Secretary,
16 \$14,500,000 is for competitive grants to preserve the sites
17 and stories of the Civil Rights movement, \$8,000,000 is
18 for grants to Historically Black Colleges and Universities,
19 and \$5,000,000 is for competitive grants for the restora-
20 tion of historic properties of national, State and local sig-
21 nificance listed on or eligible for inclusion on the National
22 Register of Historic Places, to be made without imposing
23 the usage or direct grant restrictions of section 101(e)(3)
24 (54 U.S.C. 302904) of the National Historical Preserva-
25 tion Act: *Provided further*, That such competitive grants

1 shall be made without imposing the matching require-
2 ments in section 302902(b)(3) of title 54, United States
3 Code, to States and Indian tribes as defined in chapter
4 3003 of such title, Native Hawaiian organizations, local
5 governments, including Certified Local Governments, and
6 non-profit organizations.

7 CONSTRUCTION

8 For construction, improvements, repair, or replace-
9 ment of physical facilities, and compliance and planning
10 for programs and areas administered by the National
11 Park Service, \$364,704,000, to remain available until ex-
12 pended: *Provided*, That notwithstanding any other provi-
13 sion of law, for any project initially funded in fiscal year
14 2019 with a future phase indicated in the National Park
15 Service 5-Year Line Item Construction Plan, a single pro-
16 curement may be issued which includes the full scope of
17 the project: *Provided further*, That the solicitation and
18 contract shall contain the clause availability of funds
19 found at 48 CFR 52.232-18: *Provided further*, That Na-
20 tional Park Service Donations, Park Concessions Fran-
21 chise Fees, and Recreation Fees may be made available
22 for the cost of adjustments and changes within the origi-
23 nal scope of effort for projects funded by the National
24 Park Service Construction appropriation: *Provided further*,
25 That the Secretary of the Interior shall consult with the

1 Committees on Appropriations, in accordance with current
2 reprogramming thresholds, prior to making any charges
3 authorized by this section.

4 LAND ACQUISITION AND STATE ASSISTANCE

5 For expenses necessary to carry out chapter 2003 of
6 title 54, United States Code, including administrative ex-
7 penses, and for acquisition of lands or waters, or interest
8 therein, in accordance with the statutory authority appli-
9 cable to the National Park Service, \$168,444,000, to be
10 derived from the Land and Water Conservation Fund and
11 to remain available until expended, of which \$124,006,000
12 is for the State assistance program and of which
13 \$10,000,000 shall be for the American Battlefield Protec-
14 tion Program grants as authorized by chapter 3081 of title
15 54, United States Code.

16 CENTENNIAL CHALLENGE

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

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 In addition to other uses set forth in section
4 101917(c)(2) of title 54, United States Code, franchise
5 fees credited to a sub-account shall be available for ex-
6 penditure by the Secretary, without further appropriation,
7 for use at any unit within the National Park System to
8 extinguish or reduce liability for Possessory Interest or
9 leasehold surrender interest. Such funds may only be used
10 for this purpose to the extent that the benefitting unit an-
11 ticipated franchise fee receipts over the term of the con-
12 tract at that unit exceed the amount of funds used to ex-
13 tinguish or reduce liability. Franchise fees at the benefit-
14 ting unit shall be credited to the sub-account of the origi-
15 nating unit over a period not to exceed the term of a single
16 contract at the benefitting unit, in the amount of funds
17 so expended to extinguish or reduce liability.

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

1 National Park Service funds may be transferred to
2 the Federal Highway Administration (FHWA), Depart-
3 ment of Transportation, for purposes authorized under 23
4 U.S.C. 204. Transfers may include a reasonable amount
5 for FHWA administrative support costs.

6 UNITED STATES GEOLOGICAL SURVEY

7 SURVEYS, INVESTIGATIONS, AND RESEARCH

8 For expenses necessary for the United States Geo-
9 logical Survey to perform surveys, investigations, and re-
10 search covering topography, geology, hydrology, biology,
11 and the mineral and water resources of the United States,
12 its territories and possessions, and other areas as author-
13 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
14 to their mineral and water resources; give engineering su-
15 pervision to power permittees and Federal Energy Regu-
16 latory Commission licensees; administer the minerals ex-
17 ploration program (30 U.S.C. 641); conduct inquiries into
18 the economic conditions affecting mining and materials
19 processing industries (30 U.S.C. 3, 21a, and 1603; 50
20 U.S.C. 98g(1)) and related purposes as authorized by law;
21 and to publish and disseminate data relative to the fore-
22 going activities; \$1,160,596,000, to remain available until
23 September 30, 2020; of which \$84,337,000 shall remain
24 available until expended for satellite operations; and of
25 which \$15,164,000 shall be available until expended for

1 deferred maintenance and capital improvement projects
2 that exceed \$100,000 in cost: *Provided*, That none of the
3 funds provided for the ecosystem research activity shall
4 be used to conduct new surveys on private property, unless
5 specifically authorized in writing by the property owner:
6 *Provided further*, That no part of this appropriation shall
7 be used to pay more than one-half the cost of topographic
8 mapping or water resources data collection and investiga-
9 tions carried on in cooperation with States and municipali-
10 ties.

11 ADMINISTRATIVE PROVISIONS

12 From within the amount appropriated for activities
13 of the United States Geological Survey such sums as are
14 necessary shall be available for contracting for the fur-
15 nishing of topographic maps and for the making of geo-
16 physical or other specialized surveys when it is administra-
17 tively determined that such procedures are in the public
18 interest; construction and maintenance of necessary build-
19 ings and appurtenant facilities; acquisition of lands for
20 gauging stations, observation wells, and seismic equip-
21 ment; expenses of the United States National Committee
22 for Geological Sciences; and payment of compensation and
23 expenses of persons employed by the Survey duly ap-
24 pointed to represent the United States in the negotiation
25 and administration of interstate compacts: *Provided*, That

1 activities funded by appropriations herein made may be
2 accomplished through the use of contracts, grants, or co-
3 operative agreements as defined in section 6302 of title
4 31, United States Code: *Provided further*, That the United
5 States Geological Survey may enter into contracts or coop-
6 erative agreements directly with individuals or indirectly
7 with institutions or nonprofit organizations, without re-
8 gard to 41 U.S.C. 6101, for the temporary or intermittent
9 services of students or recent graduates, who shall be con-
10 sidered employees for the purpose of chapters 57 and 81
11 of title 5, United States Code, relating to compensation
12 for travel and work injuries, and chapter 171 of title 28,
13 United States Code, relating to tort claims, but shall not
14 be considered to be Federal employees for any other pur-
15 poses.

16 BUREAU OF OCEAN ENERGY MANAGEMENT

17 OCEAN ENERGY MANAGEMENT

18 For expenses necessary for granting and admin-
19 istering leases, easements, rights-of-way and agreements
20 for use for oil and gas, other minerals, energy, and ma-
21 rine-related purposes on the Outer Continental Shelf and
22 approving operations related thereto, as authorized by law;
23 for environmental studies, as authorized by law; for imple-
24 menting other laws and to the extent provided by Presi-
25 dential or Secretarial delegation; and for matching grants

1 or cooperative agreements, \$179,266,000, of which
2 \$129,450,000 is to remain available until September 30,
3 2020, and of which \$49,816,000 is to remain available
4 until expended: *Provided*, That this total appropriation
5 shall be reduced by amounts collected by the Secretary
6 and credited to this appropriation from additions to re-
7 ceipts resulting from increases to lease rental rates in ef-
8 fect on August 5, 1993, and from cost recovery fees from
9 activities conducted by the Bureau of Ocean Energy Man-
10 agement pursuant to the Outer Continental Shelf Lands
11 Act, including studies, assessments, analysis, and miscella-
12 neous administrative activities: *Provided further*, That the
13 sum herein appropriated shall be reduced as such collec-
14 tions are received during the fiscal year, so as to result
15 in a final fiscal year 2019 appropriation estimated at not
16 more than \$129,450,000: *Provided further*, That not to
17 exceed \$3,000 shall be available for reasonable expenses
18 related to promoting volunteer beach and marine cleanup
19 activities.

20 BUREAU OF SAFETY AND ENVIRONMENTAL

21 ENFORCEMENT

22 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

23 For expenses necessary for the regulation of oper-
24 ations related to leases, easements, rights-of-way and
25 agreements for use for oil and gas, other minerals, energy,

1 and marine-related purposes on the Outer Continental
2 Shelf, as authorized by law; for enforcing and imple-
3 menting laws and regulations as authorized by law and
4 to the extent provided by Presidential or Secretarial dele-
5 gation; and for matching grants or cooperative agree-
6 ments, \$145,475,000, of which \$121,351,000 is to remain
7 available until September 30, 2020, and of which
8 \$24,124,000 is to remain available until expended: *Pro-*
9 *vided*, That this total appropriation shall be reduced by
10 amounts collected by the Secretary and credited to this
11 appropriation from additions to receipts resulting from in-
12 creases to lease rental rates in effect on August 5, 1993,
13 and from cost recovery fees from activities conducted by
14 the Bureau of Safety and Environmental Enforcement
15 pursuant to the Outer Continental Shelf Lands Act, in-
16 cluding studies, assessments, analysis, and miscellaneous
17 administrative activities: *Provided further*, That the sum
18 herein appropriated shall be reduced as such collections
19 are received during the fiscal year, so as to result in a
20 final fiscal year 2019 appropriation estimated at not more
21 than \$121,351,000.

22 For an additional amount, \$41,765,000, to remain
23 available until expended, to be reduced by amounts col-
24 lected by the Secretary and credited to this appropriation,
25 which shall be derived from non-refundable inspection fees

1 collected in fiscal year 2019, as provided in this Act: *Pro-*
2 *vided*, That to the extent that amounts realized from such
3 inspection fees exceed \$41,765,000, the amounts realized
4 in excess of \$41,765,000 shall be credited to this appro-
5 priation and remain available until expended: *Provided*
6 *further*, That for fiscal year 2019, not less than 50 percent
7 of the inspection fees expended by the Bureau of Safety
8 and Environmental Enforcement will be used to fund per-
9 sonnel and mission-related costs to expand capacity and
10 expedite the orderly development, subject to environmental
11 safeguards, of the Outer Continental Shelf pursuant to the
12 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
13 seq.), including the review of applications for permits to
14 drill.

15 OIL SPILL RESEARCH

16 For necessary expenses to carry out title I, section
17 1016, title IV, sections 4202 and 4303, title VII, and title
18 VIII, section 8201 of the Oil Pollution Act of 1990,
19 \$14,899,000, which shall be derived from the Oil Spill Li-
20 ability Trust Fund, to remain available until expended.

21 OFFICE OF SURFACE MINING RECLAMATION AND

22 ENFORCEMENT

23 REGULATION AND TECHNOLOGY

24 For necessary expenses to carry out the provisions
25 of the Surface Mining Control and Reclamation Act of

1 1977, Public Law 95–87, \$115,804,000, to remain avail-
2 able until September 30, 2020: *Provided*, That appropria-
3 tions for the Office of Surface Mining Reclamation and
4 Enforcement may provide for the travel and per diem ex-
5 penses of State and tribal personnel attending Office of
6 Surface Mining Reclamation and Enforcement sponsored
7 training: *Provided further*, That of the amounts made
8 available under this heading and notwithstanding the Fed-
9 eral share limits contained in section 705 of the Surface
10 Mining Control and Reclamation Act of 1977 (30 U.S.C.
11 1295), not to exceed \$2,300,000 shall be for the Secretary
12 of the Interior to make grants to any State with active
13 coal mine operations within its borders that does not have
14 an approved State regulatory program under section 503
15 of the Surface Mining Control and Reclamation Act of
16 1977 (30 U.S.C. 1253) for the purpose of developing a
17 State program under such Act.

18 In addition, for costs to review, administer, and en-
19 force permits issued by the Office pursuant to section 507
20 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
21 main available until expended: *Provided*, That fees as-
22 sessed and collected by the Office pursuant to such section
23 507 shall be credited to this account as discretionary off-
24 setting collections, to remain available until expended:
25 *Provided further*, That the sum herein appropriated from

1 the general fund shall be reduced as collections are re-
2 ceived during the fiscal year, so as to result in a fiscal
3 year 2019 appropriation estimated at not more than
4 \$115,804,000.

5 ABANDONED MINE RECLAMATION FUND

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

1 State and tribal personnel attending Office of Surface
2 Mining Reclamation and Enforcement sponsored training.

3 In addition, \$115,000,000, to remain available until
4 expended, for grants to States and federally recognized In-
5 dian Tribes for reclamation of abandoned mine lands and
6 other related activities in accordance with the terms and
7 conditions in the explanatory statement described in sec-
8 tion 4 (in the matter preceding division A of this consoli-
9 dated Act): *Provided*, That such additional amount shall
10 be used for economic and community development in con-
11 junction with the priorities in section 403(a) of the Sur-
12 face Mining Control and Reclamation Act of 1977 (30
13 U.S.C. 1233(a)): *Provided further*, That of such additional
14 amount, \$75,000,000 shall be distributed in equal
15 amounts to the 3 Appalachian States with the greatest
16 amount of unfunded needs to meet the priorities described
17 in paragraphs (1) and (2) of such section, \$30,000,000
18 shall be distributed in equal amounts to the 3 Appalachian
19 States with the subsequent greatest amount of unfunded
20 needs to meet such priorities, and \$10,000,000 shall be
21 for grants to federally recognized Indian Tribes without
22 regard to their status as certified or uncertified under the
23 Surface Mining Control and Reclamation Act of 1977 (30
24 U.S.C. 1233(a)), for reclamation of abandoned mine lands
25 and other related activities in accordance with the terms

1 and conditions in the explanatory statement described in
2 section 4 (in the matter preceding division A of this con-
3 solidated Act) and shall be used for economic and commu-
4 nity development in conjunction with the priorities in sec-
5 tion 403(a) of the Surface Mining Control and Reclama-
6 tion Act of 1977: *Provided further*, That such additional
7 amount shall be allocated to States and Indian Tribes
8 within 60 days after the date of enactment of this Act.

9 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
10 EDUCATION

11 OPERATION OF INDIAN PROGRAMS
12 (INCLUDING TRANSFER OF FUNDS)

13 For expenses necessary for the operation of Indian
14 programs, as authorized by law, including the Snyder Act
15 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
16 termination and Education Assistance Act of 1975 (25
17 U.S.C. 5301 et seq.), the Education Amendments of 1978
18 (25 U.S.C. 2001–2019), and the Tribally Controlled
19 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
20 \$2,414,577,000, to remain available until September 30,
21 2020, except as otherwise provided herein; of which not
22 to exceed \$8,500 may be for official reception and rep-
23 resentation expenses; of which not to exceed \$76,000,000
24 shall be for welfare assistance payments: *Provided*, That
25 in cases of designated Federal disasters, the Secretary

1 may exceed such cap, from the amounts provided herein,
2 to provide for disaster relief to Indian communities af-
3 fected by the disaster: *Provided further*, That federally rec-
4 ognized Indian tribes and tribal organizations of federally
5 recognized Indian tribes may use their tribal priority allo-
6 cations for unmet welfare assistance costs: *Provided fur-*
7 *ther*, That not to exceed \$683,572,000 for school oper-
8 ations costs of Bureau-funded schools and other education
9 programs shall become available on July 1, 2019, and
10 shall remain available until September 30, 2020: *Provided*
11 *further*, That not to exceed \$55,174,000 shall remain
12 available until expended for housing improvement, road
13 maintenance, attorney fees, litigation support, land
14 records improvement, and the Navajo-Hopi Settlement
15 Program: *Provided further*, That notwithstanding any
16 other provision of law, including but not limited to the
17 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
18 et seq.) and section 1128 of the Education Amendments
19 of 1978 (25 U.S.C. 2008), not to exceed \$82,935,000
20 within and only from such amounts made available for
21 school operations shall be available for administrative cost
22 grants associated with grants approved prior to July 1,
23 2019: *Provided further*, That any forestry funds allocated
24 to a federally recognized tribe which remain unobligated
25 as of September 30, 2020, may be transferred during fis-

1 cal year 2021 to an Indian forest land assistance account
2 established for the benefit of the holder of the funds within
3 the holder's trust fund account: *Provided further*, That
4 any such unobligated balances not so transferred shall ex-
5 pire on September 30, 2021: *Provided further*, That in
6 order to enhance the safety of Bureau field employees, the
7 Bureau may use funds to purchase uniforms or other iden-
8 tifying articles of clothing for personnel: *Provided further*,
9 That the Bureau of Indian Affairs may accept transfers
10 of funds from U.S. Customs and Border Protection to
11 supplement any other funding available for reconstruction
12 or repair of roads owned by the Bureau of Indian Affairs
13 as identified on the National Tribal Transportation Facil-
14 ity Inventory, 23 U.S.C. 202(b)(1).

15 CONTRACT SUPPORT COSTS

16 For payments to tribes and tribal organizations for
17 contract support costs associated with Indian Self-Deter-
18 mination and Education Assistance Act agreements with
19 the Bureau of Indian Affairs for fiscal year 2019, such
20 sums as may be necessary, which shall be available for
21 obligation through September 30, 2020: *Provided*, That
22 notwithstanding any other provision of law, no amounts
23 made available under this heading shall be available for
24 transfer to another budget account.

503

1 CONSTRUCTION

2 (INCLUDING TRANSFER OF FUNDS)

3 For construction, repair, improvement, and mainte-
4 nance of irrigation and power systems, buildings, utilities,
5 and other facilities, including architectural and engineer-
6 ing services by contract; acquisition of lands, and interests
7 in lands; and preparation of lands for farming, and for
8 construction of the Navajo Indian Irrigation Project pur-
9 suant to Public Law 87-483; \$358,719,000, to remain
10 available until expended: *Provided*, That such amounts as
11 may be available for the construction of the Navajo Indian
12 Irrigation Project may be transferred to the Bureau of
13 Reclamation: *Provided further*, That not to exceed 6 per-
14 cent of contract authority available to the Bureau of In-
15 dian Affairs from the Federal Highway Trust Fund may
16 be used to cover the road program management costs of
17 the Bureau: *Provided further*, That any funds provided for
18 the Safety of Dams program pursuant to the Act of No-
19 vember 2, 1921 (25 U.S.C. 13), shall be made available
20 on a nonreimbursable basis: *Provided further*, That for fis-
21 cal year 2019, in implementing new construction, replace-
22 ment facilities construction, or facilities improvement and
23 repair project grants in excess of \$100,000 that are pro-
24 vided to grant schools under Public Law 100-297, the
25 Secretary of the Interior shall use the Administrative and

1 Audit Requirements and Cost Principles for Assistance
2 Programs contained in part 12 of title 43, Code of Federal
3 Regulations, as the regulatory requirements: *Provided fur-*
4 *ther*, That such grants shall not be subject to section
5 12.61 of title 43, Code of Federal Regulations; the Sec-
6 retary and the grantee shall negotiate and determine a
7 schedule of payments for the work to be performed: *Pro-*
8 *vided further*, That in considering grant applications, the
9 Secretary shall consider whether such grantee would be
10 deficient in assuring that the construction projects con-
11 form to applicable building standards and codes and Fed-
12 eral, tribal, or State health and safety standards as re-
13 quired by section 1125(b) of title XI of Public Law 95-
14 561 (25 U.S.C. 2005(b)), with respect to organizational
15 and financial management capabilities: *Provided further*,
16 That if the Secretary declines a grant application, the Sec-
17 retary shall follow the requirements contained in section
18 5206(f) of Public Law 100-297 (25 U.S.C. 2504(f)): *Pro-*
19 *vided further*, That any disputes between the Secretary
20 and any grantee concerning a grant shall be subject to
21 the disputes provision in section 5208(e) of Public Law
22 107-110 (25 U.S.C. 2507(e)): *Provided further*, That in
23 order to ensure timely completion of construction projects,
24 the Secretary may assume control of a project and all
25 funds related to the project, if, within 18 months of the

1 date of enactment of this Act, any grantee receiving funds
2 appropriated in this Act or in any prior Act, has not com-
3 pleted the planning and design phase of the project and
4 commenced construction: *Provided further*, That this ap-
5 propriation may be reimbursed from the Office of the Spe-
6 cial Trustee for American Indians appropriation for the
7 appropriate share of construction costs for space expan-
8 sion needed in agency offices to meet trust reform imple-
9 mentation: *Provided further*, That of the funds made avail-
10 able under this heading, \$10,000,000 shall be derived
11 from the Indian Irrigation Fund established by section
12 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
13 1749): *Provided further*, That for funds appropriated
14 under this heading, the date specified in section 3216 of
15 Public Law 114–322 shall be applied as substituting
16 “September 30, 2028” for “September 30, 2021”.

17 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
18 MISCELLANEOUS PAYMENTS TO INDIANS

19 For payments and necessary administrative expenses
20 for implementation of Indian land and water claim settle-
21 ments pursuant to Public Laws 99–264, 100–580, 101–
22 618, 111–11, 111–291, and 114–322, and for implemen-
23 tation of other land and water rights settlements,
24 \$50,057,000, to remain available until expended: *Pro-*
25 *vided*, That the Secretary shall make payments in such

1 amounts as necessary to satisfy the total authorized
2 amount for the Navajo Nation Water Rights Trust Fund.

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

4 For the cost of guaranteed loans and insured loans,
5 \$10,779,000, of which \$1,455,000 is for administrative
6 expenses, as authorized by the Indian Financing Act of
7 1974: *Provided*, That such costs, including the cost of
8 modifying such loans, shall be as defined in section 502
9 of the Congressional Budget Act of 1974: *Provided fur-*
10 *ther*, That these funds are available to subsidize total loan
11 principal, any part of which is to be guaranteed or insured,
12 not to exceed \$174,616,164.

13 ADMINISTRATIVE PROVISIONS

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

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

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau of Indian Affairs for central office
25 oversight and Executive Direction and Administrative

1 Services (except executive direction and administrative
2 services funding for Tribal Priority Allocations, regional
3 offices, and facilities operations and maintenance) shall be
4 available for contracts, grants, compacts, or cooperative
5 agreements with the Bureau of Indian Affairs under the
6 provisions of the Indian Self-Determination Act or the
7 Tribal Self-Governance Act of 1994 (Public Law 103–
8 413).

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

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

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

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

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

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

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

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

18 DEPARTMENTAL OFFICES

19 OFFICE OF THE SECRETARY

20 DEPARTMENTAL OPERATIONS

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for management of the De-
23 partment of the Interior and for grants and cooperative
24 agreements, as authorized by law, \$124,673,000, to re-
25 main available until September 30, 2020; of which not to

1 exceed \$15,000 may be for official reception and represen-
2 tation expenses; and of which up to \$1,000,000 shall be
3 available for workers compensation payments and unem-
4 ployment compensation payments associated with the or-
5 derly closure of the United States Bureau of Mines; and
6 of which \$9,000,000 for the Office of Valuation Services
7 is to be derived from the Land and Water Conservation
8 Fund and shall remain available until expended; and of
9 which \$9,704,000 for Indian land, mineral, and resource
10 valuation activities shall remain available until expended:
11 *Provided*, That funds for Indian land, mineral, and re-
12 source valuation activities may, as needed, be transferred
13 to and merged with the Bureau of Indian Affairs and Bu-
14 reau of Indian Education “Operation of Indian Programs”
15 account and the Office of the Special Trustee for Amer-
16 ican Indians “Federal Trust Programs” account: *Provided*
17 *further*, That funds made available through contracts or
18 grants obligated during fiscal year 2019, as authorized by
19 the Indian Self-Determination Act of 1975 (25 U.S.C.
20 5301 et seq.), shall remain available until expended by the
21 contractor or grantee: *Provided further*, That of the
22 amounts made available under this heading, \$400,000
23 shall be made available to the commission established by
24 section 3(a) of the Alyce Spotted Bear and Walter

1 Soboleff Commission on Native Children Act (Public Law
2 114–244; 130 Stat. 981).

3 ADMINISTRATIVE PROVISIONS

4 For fiscal year 2019, up to \$400,000 of the payments
5 authorized by chapter 69 of title 31, United States Code,
6 may be retained for administrative expenses of the Pay-
7 ments in Lieu of Taxes Program: *Provided*, That the
8 amounts provided under this Act specifically for the Pay-
9 ments in Lieu of Taxes program are the only amounts
10 available for payments authorized under chapter 69 of
11 title 31, United States Code: *Provided further*, That in the
12 event the sums appropriated for any fiscal year for pay-
13 ments pursuant to this chapter are insufficient to make
14 the full payments authorized by that chapter to all units
15 of local government, then the payment to each local gov-
16 ernment shall be made proportionally: *Provided further*,
17 That the Secretary may make adjustments to payment to
18 individual units of local government to correct for prior
19 overpayments or underpayments: *Provided further*, That
20 no payment shall be made pursuant to that chapter to oth-
21 erwise eligible units of local government if the computed
22 amount of the payment is less than \$100.

1 INSULAR AFFAIRS

2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories
4 under the jurisdiction of the Department of the Interior
5 and other jurisdictions identified in section 104(e) of Pub-
6 lic Law 108–188, \$100,688,000, of which: (1)
7 \$91,240,000 shall remain available until expended for ter-
8 ritorial assistance, including general technical assistance,
9 maintenance assistance, disaster assistance, coral reef ini-
10 tiative activities, and brown tree snake control and re-
11 search; grants to the judiciary in American Samoa for
12 compensation and expenses, as authorized by law (48
13 U.S.C. 1661(c)); grants to the Government of American
14 Samoa, in addition to current local revenues, for construc-
15 tion and support of governmental functions; grants to the
16 Government of the Virgin Islands, as authorized by law;
17 grants to the Government of Guam, as authorized by law;
18 and grants to the Government of the Northern Mariana
19 Islands , as authorized by law (Public Law 94–241; 90
20 Stat. 272); and (2) \$9,448,000 shall be available until
21 September 30, 2020, for salaries and expenses of the Of-
22 fice of Insular Affairs: *Provided*, That all financial trans-
23 actions of the territorial and local governments herein pro-
24 vided for, including such transactions of all agencies or
25 instrumentalities established or used by such governments,

1 may be audited by the Government Accountability Office,
2 at its discretion, in accordance with chapter 35 of title
3 31, United States Code: *Provided further*, That Northern
4 Mariana Islands Covenant grant funding shall be provided
5 according to those terms of the Agreement of the Special
6 Representatives on Future United States Financial Assist-
7 ance for the Northern Mariana Islands approved by Public
8 Law 104–134: *Provided further*, That the funds for the
9 program of operations and maintenance improvement are
10 appropriated to institutionalize routine operations and
11 maintenance improvement of capital infrastructure with
12 territorial participation and cost sharing to be determined
13 by the Secretary based on the grantee’s commitment to
14 timely maintenance of its capital assets: *Provided further*,
15 That any appropriation for disaster assistance under this
16 heading in this Act or previous appropriations Acts may
17 be used as non–Federal matching funds for the purpose
18 of hazard mitigation grants provided pursuant to section
19 404 of the Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5170c).

21 COMPACT OF FREE ASSOCIATION

22 For grants and necessary expenses, \$3,413,000, to
23 remain available until expended, as provided for in sec-
24 tions 221(a)(2) and 233 of the Compact of Free Associa-
25 tion for the Republic of Palau; and section 221(a)(2) of

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

5 ADMINISTRATIVE PROVISIONS

6 (INCLUDING TRANSFER OF FUNDS)

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

1 Farm and Rural Development Act: *Provided further*, That
2 any funds transferred to the Secretary of Agriculture shall
3 be in addition to funds otherwise made available to make
4 or guarantee loans under such authorities.

5 OFFICE OF THE SOLICITOR
6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Solicitor,
8 \$65,674,000.

9 OFFICE OF INSPECTOR GENERAL
10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector
12 General, \$52,486,000.

13 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
14 INDIANS

15 FEDERAL TRUST PROGRAMS
16 (INCLUDING TRANSFER OF FUNDS)

17 For the operation of trust programs for Indians by
18 direct expenditure, contracts, cooperative agreements,
19 compacts, and grants, \$111,540,000, to remain available
20 until expended, of which not to exceed \$19,016,000 from
21 this or any other Act, may be available for historical ac-
22 counting: *Provided*, That funds for trust management im-
23 provements and litigation support may, as needed, be
24 transferred to or merged with the Bureau of Indian Af-
25 fairs and Bureau of Indian Education, “Operation of In-

1 dian Programs” account; the Office of the Solicitor, “Sala-
2 ries and Expenses” account; and the Office of the Sec-
3 retary, “Departmental Operations” account: *Provided fur-*
4 *ther*, That funds made available through contracts or
5 grants obligated during fiscal year 2019, as authorized by
6 the Indian Self-Determination Act of 1975 (25 U.S.C.
7 5301 et seq.), shall remain available until expended by the
8 contractor or grantee: *Provided further*, That notwith-
9 standing any other provision of law, the Secretary shall
10 not be required to provide a quarterly statement of per-
11 formance for any Indian trust account that has not had
12 activity for at least 15 months and has a balance of \$15
13 or less: *Provided further*, That the Secretary shall issue
14 an annual account statement and maintain a record of any
15 such accounts and shall permit the balance in each such
16 account to be withdrawn upon the express written request
17 of the account holder: *Provided further*, That not to exceed
18 \$50,000 is available for the Secretary to make payments
19 to correct administrative errors of either disbursements
20 from or deposits to Individual Indian Money or Tribal ac-
21 counts after September 30, 2002: *Provided further*, That
22 erroneous payments that are recovered shall be credited
23 to and remain available in this account for this purpose:
24 *Provided further*, That the Secretary shall not be required
25 to reconcile Special Deposit Accounts with a balance of

1 less than \$500 unless the Office of the Special Trustee
2 receives proof of ownership from a Special Deposit Ac-
3 counts claimant: *Provided further*, That notwithstanding
4 section 102 of the American Indian Trust Fund Manage-
5 ment Reform Act of 1994 (Public Law 103–412) or any
6 other provision of law, the Secretary may aggregate the
7 trust accounts of individuals whose whereabouts are un-
8 known for a continuous period of at least five years and
9 shall not be required to generate periodic statements of
10 performance for the individual accounts: *Provided further*,
11 That with respect to the eighth proviso, the Secretary shall
12 continue to maintain sufficient records to determine the
13 balance of the individual accounts, including any accrued
14 interest and income, and such funds shall remain available
15 to the individual account holders.

16 DEPARTMENT-WIDE PROGRAMS

17 WILDLAND FIRE MANAGEMENT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses for fire preparedness, fire
20 suppression operations, fire science and research, emer-
21 gency rehabilitation, fuels management activities, and
22 rural fire assistance by the Department of the Interior,
23 \$941,211,000, to remain available until expended, of
24 which not to exceed \$18,427,000 shall be for the renova-
25 tion or construction of fire facilities: *Provided*, That such

1 funds are also available for repayment of advances to
2 other appropriation accounts from which funds were pre-
3 viously transferred for such purposes: *Provided further,*
4 That of the funds provided \$189,000,000 is for fuels man-
5 agement activities: *Provided further,* That of the funds
6 provided \$20,470,000 is for burned area rehabilitation:
7 *Provided further,* That persons hired pursuant to 43
8 U.S.C. 1469 may be furnished subsistence and lodging
9 without cost from funds available from this appropriation:
10 *Provided further,* That notwithstanding 42 U.S.C. 1856d,
11 sums received by a bureau or office of the Department
12 of the Interior for fire protection rendered pursuant to 42
13 U.S.C. 1856 et seq., protection of United States property,
14 may be credited to the appropriation from which funds
15 were expended to provide that protection, and are avail-
16 able without fiscal year limitation: *Provided further,* That
17 using the amounts designated under this title of this Act,
18 the Secretary of the Interior may enter into procurement
19 contracts, grants, or cooperative agreements, for fuels
20 management activities, and for training and monitoring
21 associated with such fuels management activities on Fed-
22 eral land, or on adjacent non-Federal land for activities
23 that benefit resources on Federal land: *Provided further,*
24 That the costs of implementing any cooperative agreement
25 between the Federal Government and any non-Federal en-

1 tity may be shared, as mutually agreed on by the affected
2 parties: *Provided further*, That notwithstanding require-
3 ments of the Competition in Contracting Act, the Sec-
4 retary, for purposes of fuels management activities, may
5 obtain maximum practicable competition among: (1) local
6 private, nonprofit, or cooperative entities; (2) Youth Con-
7 servation Corps crews, Public Lands Corps (Public Law
8 109–154), or related partnerships with State, local, or
9 nonprofit youth groups; (3) small or micro-businesses; or
10 (4) other entities that will hire or train locally a significant
11 percentage, defined as 50 percent or more, of the project
12 workforce to complete such contracts: *Provided further*,
13 That in implementing this section, the Secretary shall de-
14 velop written guidance to field units to ensure account-
15 ability and consistent application of the authorities pro-
16 vided herein: *Provided further*, That funds appropriated
17 under this heading may be used to reimburse the United
18 States Fish and Wildlife Service and the National Marine
19 Fisheries Service for the costs of carrying out their re-
20 sponsibilities under the Endangered Species Act of 1973
21 (16 U.S.C. 1531 et seq.) to consult and conference, as
22 required by section 7 of such Act, in connection with
23 wildland fire management activities: *Provided further*,
24 That the Secretary of the Interior may use wildland fire
25 appropriations to enter into leases of real property with

1 local governments, at or below fair market value, to con-
2 struct capitalized improvements for fire facilities on such
3 leased properties, including but not limited to fire guard
4 stations, retardant stations, and other initial attack and
5 fire support facilities, and to make advance payments for
6 any such lease or for construction activity associated with
7 the lease: *Provided further*, That the Secretary of the Inte-
8 rior and the Secretary of Agriculture may authorize the
9 transfer of funds appropriated for wildland fire manage-
10 ment, in an aggregate amount not to exceed \$50,000,000,
11 between the Departments when such transfers would fa-
12 cilitate and expedite wildland fire management programs
13 and projects: *Provided further*, That funds provided for
14 wildfire suppression shall be available for support of Fed-
15 eral emergency response actions: *Provided further*, That
16 funds appropriated under this heading shall be available
17 for assistance to or through the Department of State in
18 connection with forest and rangeland research, technical
19 information, and assistance in foreign countries, and, with
20 the concurrence of the Secretary of State, shall be avail-
21 able to support forestry, wildland fire management, and
22 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 and international organizations.

1 CENTRAL HAZARDOUS MATERIALS FUND

2 For necessary expenses of the Department of the In-
3 terior and any of its component offices and bureaus for
4 the response action, including associated activities, per-
5 formed pursuant to the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act (42 U.S.C. 9601
7 et seq.), \$10,010,000, to remain available until expended.

8 NATURAL RESOURCE DAMAGE ASSESSMENT AND
9 RESTORATION

10 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

11 To conduct natural resource damage assessment, res-
12 toration activities, and onshore oil spill preparedness by
13 the Department of the Interior necessary to carry out the
14 provisions of the Comprehensive Environmental Response,
15 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
16 the Federal Water Pollution Control Act (33 U.S.C. 1251
17 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
18 et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
19 remain available until expended.

20 WORKING CAPITAL FUND

21 For the operation and maintenance of a departmental
22 financial and business management system, information
23 technology improvements of general benefit to the Depart-
24 ment, cybersecurity, and the consolidation of facilities and
25 operations throughout the Department, \$55,735,000, to

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, \$137,505,000, to remain
18 available until September 30, 2020; 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 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
4 (INCLUDING TRANSFERS OF FUNDS)

5 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

19 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

20 SEC. 102. The Secretary may authorize the expendi-
21 ture or transfer of any no year appropriation in this title,
22 in addition to the amounts included in the budget pro-
23 grams of the several agencies, for the suppression or emer-
24 gency prevention of wildland fires on or threatening lands
25 under the jurisdiction of the Department of the Interior;

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

1 at the time of receipt thereof: *Provided further*, That for
2 wildland fire operations, no funds shall be made available
3 under this authority until the Secretary determines that
4 funds appropriated for “wildland fire suppression” shall
5 be exhausted within 30 days: *Provided further*, That all
6 funds used pursuant to this section must be replenished
7 by a supplemental appropriation, which must be requested
8 as promptly as possible: *Provided further*, That such re-
9 plenishment funds shall be used to reimburse, on a pro
10 rata basis, accounts from which emergency funds were
11 transferred.

12 AUTHORIZED USE OF FUNDS

13 SEC. 103. Appropriations made to the Department
14 of the Interior in this title shall be available for services
15 as authorized by section 3109 of title 5, United States
16 Code, when authorized by the Secretary, in total amount
17 not to exceed \$500,000; purchase and replacement of
18 motor vehicles, including specially equipped law enforce-
19 ment vehicles; hire, maintenance, and operation of air-
20 craft; hire of passenger motor vehicles; purchase of re-
21 prints; payment for telephone service in private residences
22 in the field, when authorized under regulations approved
23 by the Secretary; and the payment of dues, when author-
24 ized by the Secretary, for library membership in societies
25 or associations which issue publications to members only

1 or at a price to members lower than to subscribers who
2 are not members.

3 AUTHORIZED USE OF FUNDS, INDIAN TRUST

4 MANAGEMENT

5 SEC. 104. Appropriations made in this Act under the
6 headings Bureau of Indian Affairs and Bureau of Indian
7 Education, and Office of the Special Trustee for American
8 Indians and any unobligated balances from prior appro-
9 priations Acts made under the same headings shall be
10 available for expenditure or transfer for Indian trust man-
11 agement and reform activities. Total funding for historical
12 accounting activities shall not exceed amounts specifically
13 designated in this Act for such purpose.

14 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

15 AFFAIRS

16 SEC. 105. Notwithstanding any other provision of
17 law, the Secretary of the Interior is authorized to redis-
18 tribute any Tribal Priority Allocation funds, including
19 tribal base funds, to alleviate tribal funding inequities by
20 transferring funds to address identified, unmet needs,
21 dual enrollment, overlapping service areas or inaccurate
22 distribution methodologies. No tribe shall receive a reduc-
23 tion in Tribal Priority Allocation funds of more than 10
24 percent in fiscal year 2019. Under circumstances of dual
25 enrollment, overlapping service areas or inaccurate dis-

1 tribution methodologies, the 10 percent limitation does not
2 apply.

3 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

19 OUTER CONTINENTAL SHELF INSPECTION FEES

20 SEC. 107. (a) In fiscal year 2019, the Secretary shall
21 collect a nonrefundable inspection fee, which shall be de-
22 posited in the “Offshore Safety and Environmental En-
23 forcement” account, from the designated operator for fa-
24 cilities subject to inspection under 43 U.S.C. 1348(c).

1 (b) Annual fees shall be collected for facilities that
2 are above the waterline, excluding drilling rigs, and are
3 in place at the start of the fiscal year. Fees for fiscal year
4 2019 shall be:

5 (1) \$10,500 for facilities with no wells, but with
6 processing equipment or gathering lines;

7 (2) \$17,000 for facilities with 1 to 10 wells,
8 with any combination of active or inactive wells; and

9 (3) \$31,500 for facilities with more than 10
10 wells, with any combination of active or inactive
11 wells.

12 (c) Fees for drilling rigs shall be assessed for all in-
13 spections completed in fiscal year 2019. Fees for fiscal
14 year 2019 shall be:

15 (1) \$30,500 per inspection for rigs operating in
16 water depths of 500 feet or more; and

17 (2) \$16,700 per inspection for rigs operating in
18 water depths of less than 500 feet.

19 (d) The Secretary shall bill designated operators
20 under subsection (b) within 60 days, with payment re-
21 quired within 30 days of billing. The Secretary shall bill
22 designated operators under subsection (c) within 30 days
23 of the end of the month in which the inspection occurred,
24 with payment required within 30 days of billing.

1 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
2 AND ENFORCEMENT REORGANIZATION

3 SEC. 108. The Secretary of the Interior, in order to
4 implement a reorganization of the Bureau of Ocean En-
5 ergy Management, Regulation and Enforcement, may
6 transfer funds among and between the successor offices
7 and bureaus affected by the reorganization only in con-
8 formance with the reprogramming guidelines described in
9 the explanatory statement described in section 4 (in the
10 matter preceding division A of this consolidated Act).

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

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

1 MASS MARKING OF SALMONIDS

2 SEC. 110. The United States Fish and Wildlife Serv-
3 ice shall, in carrying out its responsibilities to protect
4 threatened and endangered species of salmon, implement
5 a system of mass marking of salmonid stocks, intended
6 for harvest, that are released from federally operated or
7 federally financed hatcheries including but not limited to
8 fish releases of coho, chinook, and steelhead species.
9 Marked fish must have a visible mark that can be readily
10 identified by commercial and recreational fishers.

11 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

12 SEC. 111. Notwithstanding any other provision of
13 law, during fiscal year 2019, in carrying out work involv-
14 ing cooperation with State, local, and tribal governments
15 or any political subdivision thereof, Indian Affairs may
16 record obligations against accounts receivable from any
17 such entities, except that total obligations at the end of
18 the fiscal year shall not exceed total budgetary resources
19 available at the end of the fiscal year.

20 HUMANE TRANSFER OF EXCESS ANIMALS

21 SEC. 112. Notwithstanding any other provision of
22 law, the Secretary of the Interior may transfer excess wild
23 horses or burros that have been removed from the public
24 lands to other Federal, State, and local government agen-
25 cies for use as work animals: *Provided*, That the Secretary

1 may make any such transfer immediately upon request of
2 such Federal, State, or local government agency: *Provided*
3 *further*, That any excess animal transferred under this
4 provision shall lose its status as a wild free-roaming horse
5 or burro as defined in the Wild Free-Roaming Horses and
6 Burros Act: *Provided further*, That any Federal, State, or
7 local government agency receiving excess wild horses or
8 burros as authorized in this section shall not: destroy the
9 horses or burros in a way that results in their destruction
10 into commercial products; sell or otherwise transfer the
11 horses or burros in a way that results in their destruction
12 for processing into commercial products; or euthanize the
13 horses or burros except upon the recommendation of a li-
14 censed veterinarian, in cases of severe injury, illness, or
15 advanced age.

16 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
17 PROGRAM

18 SEC. 113. (a) Notwithstanding any other provision
19 of law relating to Federal grants and cooperative agree-
20 ments, the Secretary of the Interior is authorized to make
21 grants to, or enter into cooperative agreements with, pri-
22 vate nonprofit organizations designated by the Secretary
23 of Labor under title V of the Older Americans Act of 1965
24 to utilize the talents of older Americans in programs au-

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

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

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

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

16 (3) affect existing contracts for services.

17 CONTRIBUTION AUTHORITY

18 SEC. 114. Section 113 of Division G of Public Law
19 113–76 is amended by striking “2019,” and inserting
20 “2024,”.

21 INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL

22 H. DOUGLAS TRAIL REDESIGNATION

23 SEC. 115. (a) INDIANA DUNES NATIONAL LAKE
24 SHORE RETITLED.—

1 (1) IN GENERAL.—Public Law 89–761 (16
2 U.S.C. 460u et seq.) is amended—

3 (A) by striking “National Lakeshore” and
4 “national lakeshore” each place it appears and
5 inserting “National Park”; and

6 (B) by striking “lakeshore” each place it
7 appears and inserting “Park”.

8 (2) NONAPPLICATION.—The amendment made
9 by subsection (a)(1) shall not apply to—

10 (A) the title of the map referred to in the
11 first section of Public Law 89–761 (16 U.S.C.
12 460u); and

13 (B) the title of the maps referred to in sec-
14 tion 4 of Public Law 89–761 (16 U.S.C. 460u–
15 3).

16 (b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—
17 The 1.6 mile trail within the Indiana Dunes National Park
18 designated the “Miller-Woods Trail” is hereby redesi-
19 gnated as the “Paul H. Douglas Trail”.

20 PAYMENTS IN LIEU OF TAXES (PILT)

21 SEC. 116. Section 6906 of title 31, United States
22 Code, is amended by striking “fiscal year 2018” and in-
23 serting “fiscal year 2019”.

1 TECHNICAL CORRECTION

2 SEC. 117. Division II of Public Law 104–333 (54
3 U.S.C. 320101 note), as amended by section 116(b)(2) of
4 Public Law 114–113, is amended in each of sections 208,
5 310, and 607, by striking “2017” and inserting “2019”.

6 DESIGNATION OF PETER B. WEBSTER III MEMORIAL AREA

7 SEC. 118. (a)(1) The rest area bound by Alexandria
8 Avenue, West Boulevard Drive, and the George Wash-
9 ington Memorial Parkway on the Mount Vernon Trail
10 within the George Washington Memorial Parkway is des-
11 igned as the “Peter B. Webster III Memorial Area”.

12 (2) Any reference in a law, map, regulation, docu-
13 ment, paper, or other record of the United States to the
14 rest area described in paragraph (1) shall be deemed to
15 be a reference to the “Peter B. Webster III Memorial
16 Area”.

17 (b)(1) A plaque honoring Peter B. Webster III may
18 be installed at the Peter B. Webster III Memorial Area
19 on a signpost, bench, or other appropriate structure, on
20 the condition that the Director of the National Park Serv-
21 ice shall approve the design and placement of the plaque.

22 (2) No Federal funds may be used to design, procure,
23 prepare, or install the plaque authorized under paragraph
24 (1).

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1 TITLE II
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY
4 (INCLUDING RESCISSION OF FUNDS)

5 For science and technology, including research and
6 development activities, which shall include research and
7 development activities under the Comprehensive Environ-
8 mental Response, Compensation, and Liability Act of
9 1980; necessary expenses for personnel and related costs
10 and travel expenses; procurement of laboratory equipment
11 and supplies; and other operating expenses in support of
12 research and development, \$717,723,000, to remain avail-
13 able until September 30, 2020: *Provided*, That of the
14 funds included under this heading, \$5,000,000 shall be for
15 Research: National Priorities as specified in the explana-
16 tory statement described in section 4 (in the matter pre-
17 ceding division A of this consolidated Act): *Provided fur-*
18 *ther*, That of the unobligated balances from appropriations
19 made available under this heading, \$11,250,000 are per-
20 manently rescinded: *Provided further*, That no amounts
21 may be rescinded pursuant to the preceding proviso from
22 amounts made available in the first proviso for Research:
23 National Priorities.

1 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

2 (INCLUDING RESCISSION OF FUNDS)

3 For environmental programs and management, in-
4 cluding necessary expenses, not otherwise provided for, for
5 personnel and related costs and travel expenses; hire of
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; im-
13 plementation of a coal combustion residual permit pro-
14 gram under section 2301 of the Water and Waste Act of
15 2016; and not to exceed \$9,000 for official reception and
16 representation expenses, \$2,658,200,000, to remain avail-
17 able until September 30, 2020: *Provided*, That of the
18 funds included under this heading, \$15,000,000 shall be
19 for Environmental Protection: National Priorities as speci-
20 fied in the explanatory statement described in section 4
21 (in the matter preceding division A of this consolidated
22 Act): *Provided further*, That of the funds included under
23 this heading, \$456,958,000 shall be for Geographic Pro-
24 grams specified in the explanatory statement described in
25 section 4 (in the matter preceding division A of this con-

1 consolidated Act): *Provided further*, That of the unobligated
2 balances from appropriations made available under this
3 heading, \$60,201,000 are permanently rescinded: *Pro-*
4 *vided further*, That no amounts may be rescinded pursuant
5 to the preceding proviso from amounts made available in
6 the first proviso for Environmental Protection: National
7 Priorities, from amounts made available in the second pro-
8 viso for Geographic Programs, or from the National Estu-
9 ary Program (33 U.S.C. 1330).

10 In addition, \$5,000,000 to remain available until ex-
11 pended, for necessary expenses of activities described in
12 section 26(b)(1) of the Toxic Substances Control Act (15
13 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
14 ant to that section of that Act and deposited in the “TSCA
15 Service Fee Fund” as discretionary offsetting receipts in
16 fiscal year 2019 shall be retained and used for necessary
17 salaries and expenses in this appropriation and shall re-
18 main available until expended: *Provided further*, That the
19 sum herein appropriated in this paragraph from the gen-
20 eral fund for fiscal year 2019 shall be reduced by the
21 amount of discretionary offsetting receipts received during
22 fiscal year 2019, so as to result in a final fiscal year 2019
23 appropriation from the general fund estimated at not more
24 than \$0: *Provided further*, That to the extent that amounts
25 realized from such receipts exceed \$5,000,000, those

1 amount in excess of \$5,000,000 shall be deposited in the
2 “TSCA Service Fee Fund” as discretionary offsetting re-
3 cepts in fiscal year 2019, shall be retained and used for
4 necessary salaries and expenses in this account, and shall
5 remain available until expended: *Provided further*, That of
6 the funds included in the first paragraph under this head-
7 ing, the Chemical Risk Review and Reduction program
8 project shall be allocated for this fiscal year, excluding the
9 amount of any fees appropriated, not less than the amount
10 of appropriations for that program project for fiscal year
11 2014.

12 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
13 FUND

14 For necessary expenses to carry out section 3024 of
15 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
16 ing the development, operation, maintenance, and upgrad-
17 ing of the hazardous waste electronic manifest system es-
18 tablished by such section, \$8,000,000, to remain available
19 until expended: *Provided*, That the sum herein appro-
20 priated from the general fund shall be reduced as offset-
21 ting collections under such section 3024 are received dur-
22 ing fiscal year 2019, which shall remain available until ex-
23 pended and be used for necessary expenses in this appro-
24 priation, so as to result in a final fiscal year 2019 appro-
25 priation from the general fund estimated at not more than

1 \$0: *Provided further*, That to the extent such offsetting
2 collections received in fiscal year 2019 exceed \$8,000,000,
3 those excess amounts shall remain available until ex-
4 pended and be used for necessary expenses in this appro-
5 priation.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$41,489,000, to remain available
10 until September 30, 2020.

11 BUILDINGS AND FACILITIES

12 For construction, repair, improvement, extension, al-
13 teration, and purchase of fixed equipment or facilities of,
14 or for use by, the Environmental Protection Agency,
15 \$34,467,000, to remain available until expended.

16 HAZARDOUS SUBSTANCE SUPERFUND

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses to carry out the Comprehen-
19 sive Environmental Response, Compensation, and Liabil-
20 ity Act of 1980 (CERCLA), including sections 111(c)(3),
21 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
22 \$1,091,947,000, to remain available until expended, con-
23 sisting of such sums as are available in the Trust Fund
24 on September 30, 2018, as authorized by section 517(a)
25 of the Superfund Amendments and Reauthorization Act

1 of 1986 (SARA) and up to \$1,091,947,000 as a payment
2 from general revenues to the Hazardous Substance Super-
3 fund for purposes as authorized by section 517(b) of
4 SARA: *Provided*, That funds appropriated under this
5 heading may be allocated to other Federal agencies in ac-
6 cordance with section 111(a) of CERCLA: *Provided fur-*
7 *ther*, That of the funds appropriated under this heading,
8 \$8,778,000 shall be paid to the “Office of Inspector Gen-
9 eral” appropriation to remain available until September
10 30, 2020, and \$15,496,000 shall be paid to the “Science
11 and Technology” appropriation to remain available until
12 September 30, 2020.

13 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
14 PROGRAM

15 For necessary expenses to carry out leaking under-
16 ground storage tank cleanup activities authorized by sub-
17 title I of the Solid Waste Disposal Act, \$91,941,000, to
18 remain available until expended, of which \$66,572,000
19 shall be for carrying out leaking underground storage tank
20 cleanup activities authorized by section 9003(h) of the
21 Solid Waste Disposal Act; \$25,369,000 shall be for car-
22 rying out the other provisions of the Solid Waste Disposal
23 Act specified in section 9508(c) of the Internal Revenue
24 Code: *Provided*, That the Administrator is authorized to
25 use appropriations made available under this heading to

1 implement section 9013 of the Solid Waste Disposal Act
2 to provide financial assistance to federally recognized In-
3 dian tribes for the development and implementation of
4 programs to manage underground storage tanks.

5 INLAND OIL SPILL PROGRAMS

6 For expenses necessary to carry out the Environ-
7 mental Protection Agency's responsibilities under the Oil
8 Pollution Act of 1990, \$18,209,000, to be derived from
9 the Oil Spill Liability trust fund, to remain available until
10 expended.

11 STATE AND TRIBAL ASSISTANCE GRANTS

12 For environmental programs and infrastructure as-
13 sistance, including capitalization grants for State revolv-
14 ing funds and performance partnership grants,
15 \$3,605,041,000, to remain available until expended, of
16 which—

17 (1) \$1,394,000,000 shall be for making capital-
18 ization grants for the Clean Water State Revolving
19 Funds under title VI of the Federal Water Pollution
20 Control Act; and of which \$864,000,000 shall be for
21 making capitalization grants for the Drinking Water
22 State Revolving Funds under section 1452 of the
23 Safe Drinking Water Act: *Provided*, That for fiscal
24 year 2019, to the extent there are sufficient eligible
25 project applications and projects are consistent with

1 State Intended Use Plans, not less than 10 percent
2 of the funds made available under this title to each
3 State for Clean Water State Revolving Fund capital-
4 ization grants shall be used by the State for projects
5 to address green infrastructure, water or energy effi-
6 ciency improvements, or other environmentally inno-
7 vative activities: *Provided further*, That for fiscal
8 year 2019, funds made available under this title to
9 each State for Drinking Water State Revolving
10 Fund capitalization grants may, at the discretion of
11 each State, be used for projects to address green in-
12 frastructure, water or energy efficiency improve-
13 ments, or other environmentally innovative activities:
14 *Provided further*, That notwithstanding section
15 603(d)(7) of the Federal Water Pollution Control
16 Act, the limitation on the amounts in a State water
17 pollution control revolving fund that may be used by
18 a State to administer the fund shall not apply to
19 amounts included as principal in loans made by such
20 fund in fiscal year 2019 and prior years where such
21 amounts represent costs of administering the fund
22 to the extent that such amounts are or were deemed
23 reasonable by the Administrator, accounted for sepa-
24 rately from other assets in the fund, and used for
25 eligible purposes of the fund, including administra-

1 tion: *Provided further*, That for fiscal year 2019,
2 notwithstanding the provisions of subsections (g)(1),
3 (h), and (l) of section 201 of the Federal Water Pol-
4 lution Control Act, grants made under title II of
5 such Act for American Samoa, Guam, the common-
6 wealth of the Northern Marianas, the United States
7 Virgin Islands, and the District of Columbia may
8 also be made for the purpose of providing assistance:
9 (1) solely for facility plans, design activities, or
10 plans, specifications, and estimates for any proposed
11 project for the construction of treatment works; and
12 (2) for the construction, repair, or replacement of
13 privately owned treatment works serving one or
14 more principal residences or small commercial estab-
15 lishments: *Provided further*, That for fiscal year
16 2019, notwithstanding the provisions of such sub-
17 sections (g)(1), (h), and (l) of section 201 and sec-
18 tion 518(c) of the Federal Water Pollution Control
19 Act, funds reserved by the Administrator for grants
20 under section 518(c) of the Federal Water Pollution
21 Control Act may also be used to provide assistance:
22 (1) solely for facility plans, design activities, or
23 plans, specifications, and estimates for any proposed
24 project for the construction of treatment works; and
25 (2) for the construction, repair, or replacement of

1 privately owned treatment works serving one or
2 more principal residences or small commercial estab-
3 lishments: *Provided further*, That for fiscal year
4 2019, notwithstanding any provision of the Federal
5 Water Pollution Control Act and regulations issued
6 pursuant thereof, up to a total of \$2,000,000 of the
7 funds reserved by the Administrator for grants
8 under section 518(c) of such Act may also be used
9 for grants for training, technical assistance, and
10 educational programs relating to the operation and
11 management of the treatment works specified in sec-
12 tion 518(c) of such Act: *Provided further*, That for
13 fiscal year 2019, funds reserved under section
14 518(c) of such Act shall be available for grants only
15 to Indian tribes, as defined in section 518(h) of such
16 Act and former Indian reservations in Oklahoma (as
17 determined by the Secretary of the Interior) and Na-
18 tive Villages as defined in Public Law 92-203: *Pro-*
19 *vided further*, That for fiscal year 2019, notwith-
20 standing the limitation on amounts in section 518(c)
21 of the Federal Water Pollution Control Act, up to a
22 total of 2 percent of the funds appropriated, or
23 \$30,000,000, whichever is greater, and notwith-
24 standing the limitation on amounts in section
25 1452(i) of the Safe Drinking Water Act, up to a

1 total of 2 percent of the funds appropriated, or
2 \$20,000,000, whichever is greater, for State Revolv-
3 ing Funds under such Acts may be reserved by the
4 Administrator for grants under section 518(c) and
5 section 1452(i) of such Acts: *Provided further*, That
6 for fiscal year 2019, notwithstanding the amounts
7 specified in section 205(c) of the Federal Water Pol-
8 lution Control Act, up to 1.5 percent of the aggre-
9 gate funds appropriated for the Clean Water State
10 Revolving Fund program under the Act less any
11 sums reserved under section 518(c) of the Act, may
12 be reserved by the Administrator for grants made
13 under title II of the Federal Water Pollution Control
14 Act for American Samoa, Guam, the Commonwealth
15 of the Northern Marianas, and United States Virgin
16 Islands: *Provided further*, That for fiscal year 2019,
17 notwithstanding the limitations on amounts specified
18 in section 1452(j) of the Safe Drinking Water Act,
19 up to 1.5 percent of the funds appropriated for the
20 Drinking Water State Revolving Fund programs
21 under the Safe Drinking Water Act may be reserved
22 by the Administrator for grants made under section
23 1452(j) of the Safe Drinking Water Act: *Provided*
24 *further*, That 10 percent of the funds made available
25 under this title to each State for Clean Water State

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

1 State for Drinking Water State Revolving Fund cap-
2 italization grants to provide additional subsidy to eli-
3 gible recipients;

4 (2) \$15,000,000 shall be for architectural, engi-
5 neering, planning, design, construction and related
6 activities in connection with the construction of high
7 priority water and wastewater facilities in the area
8 of the United States-Mexico Border, after consulta-
9 tion with the appropriate border commission: *Pro-*
10 *vided*, That no funds provided by this appropriations
11 Act to address the water, wastewater and other crit-
12 ical infrastructure needs of the colonias in the
13 United States along the United States-Mexico bor-
14 der shall be made available to a county or municipal
15 government unless that government has established
16 an enforceable local ordinance, or other zoning rule,
17 which prevents in that jurisdiction the development
18 or construction of any additional colonia areas, or
19 the development within an existing colonia the con-
20 struction of any new home, business, or other struc-
21 ture which lacks water, wastewater, or other nec-
22 essary infrastructure;

23 (3) \$25,000,000 shall be for grants to the State
24 of Alaska to address drinking water and wastewater
25 infrastructure needs of rural and Alaska Native Vil-

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

16 (4) \$87,000,000 shall be to carry out section
17 104(k) of the Comprehensive Environmental Re-
18 sponse, Compensation, and Liability Act of 1980
19 (CERCLA), including grants, interagency agree-
20 ments, and associated program support costs: *Pro-*
21 *vided*, That not more than 25 percent of the amount
22 appropriated to carry out section 104(k) of
23 CERCLA shall be used for site characterization, as-
24 sessment, and remediation of facilities described in
25 section 101(39)(D)(ii)(II) of CERCLA: *Provided*

1 *further*, That at least 10 percent shall be allocated
2 for assistance in persistent poverty counties: *Pro-*
3 *vided further*, That for purposes of this section, the
4 term “persistent poverty counties” means any coun-
5 ty that has had 20 percent or more of its population
6 living in poverty over the past 30 years, as measured
7 by the 1990 and 2000 decennial censuses and the
8 most recent Small Area Income and Poverty Esti-
9 mates;

10 (5) \$87,000,000 shall be for grants under title
11 VII, subtitle G of the Energy Policy Act of 2005;

12 (6) \$52,000,000 shall be for targeted airshed
13 grants in accordance with the terms and conditions
14 in the explanatory statement described in section 4
15 (in the matter preceding division A of this consoli-
16 dated Act);

17 (7) \$4,000,000 shall be to carry out the water
18 quality program authorized in section 5004(d) of the
19 Water Infrastructure Improvements for the Nation
20 Act (Public Law 114–322); and

21 (8) \$1,077,041,000 shall be for grants, includ-
22 ing associated program support costs, to States, fed-
23 erally recognized tribes, interstate agencies, tribal
24 consortia, and air pollution control agencies for
25 multi-media or single media pollution prevention,

1 control and abatement and related activities, includ-
2 ing activities pursuant to the provisions set forth
3 under this heading in Public Law 104–134, and for
4 making grants under section 103 of the Clean Air
5 Act for particulate matter monitoring and data col-
6 lection activities subject to terms and conditions
7 specified by the Administrator, of which:
8 \$47,745,000 shall be for carrying out section 128 of
9 CERCLA; \$9,646,000 shall be for Environmental
10 Information Exchange Network grants, including as-
11 sociated program support costs; \$1,498,000 shall be
12 for grants to States under section 2007(f)(2) of the
13 Solid Waste Disposal Act, which shall be in addition
14 to funds appropriated under the heading “Leaking
15 Underground Storage Tank Trust Fund Program”
16 to carry out the provisions of the Solid Waste Dis-
17 posal Act specified in section 9508(c) of the Internal
18 Revenue Code other than section 9003(h) of the
19 Solid Waste Disposal Act; \$17,848,000 of the funds
20 available for grants under section 106 of the Federal
21 Water Pollution Control Act shall be for State par-
22 ticipation in national- and State-level statistical sur-
23 veys of water resources and enhancements to State
24 monitoring programs; \$11,000,000 shall be for mul-
25 tipurpose grants, including interagency agreements.

1 WATER INFRASTRUCTURE FINANCE AND INNOVATION
2 PROGRAM ACCOUNT

3 For the cost of direct loans and for the cost of guar-
4 anteed loans, as authorized by the Water Infrastructure
5 Finance and Innovation Act of 2014, \$5,000,000, to re-
6 main available until expended: *Provided*, That such costs,
7 including the cost of modifying such loans, shall be as de-
8 fined in section 502 of the Congressional Budget Act of
9 1974: *Provided further*, That these funds are available to
10 subsidize gross obligations for the principal amount of di-
11 rect loans, including capitalized interest, and total loan
12 principal, including capitalized interest, any part of which
13 is to be guaranteed, not to exceed \$610,000,000.

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

18 In addition, for administrative expenses to carry out
19 the direct and guaranteed loan programs, notwithstanding
20 section 5033 of the Water Infrastructure Finance and In-
21 novation Act of 2014, \$5,000,000, to remain available
22 until September 30, 2020.

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2019.

3 The Administrator is authorized to transfer up to
4 \$300,000,000 of the funds appropriated for the Great
5 Lakes Restoration Initiative under the heading “Environ-
6 mental Programs and Management” to the head of any
7 Federal department or agency, with the concurrence of
8 such head, to carry out activities that would support the
9 Great Lakes Restoration Initiative and Great Lakes
10 Water Quality Agreement programs, projects, or activities;
11 to enter into an interagency agreement with the head of
12 such Federal department or agency to carry out these ac-
13 tivities; and to make grants to governmental entities, non-
14 profit organizations, institutions, and individuals for plan-
15 ning, research, monitoring, outreach, and implementation
16 in furtherance of the Great Lakes Restoration Initiative
17 and the Great Lakes Water Quality Agreement.

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

1 For fiscal year 2019, and notwithstanding section
2 518(f) of the Federal Water Pollution Control Act (33
3 U.S.C. 1377(f)), the Administrator is authorized to use
4 the amounts appropriated for any fiscal year under section
5 319 of the Act to make grants to Indian tribes pursuant
6 to sections 319(h) and 518(e) of that Act.

7 The Administrator is authorized to use the amounts
8 appropriated under the heading “Environmental Pro-
9 grams and Management” for fiscal year 2019 to provide
10 grants to implement the Southeastern New England Wa-
11 tershed Restoration Program.

12 Of the unobligated balances available for the “State
13 and Tribal Assistance Grants” account, \$139,078,000 are
14 hereby permanently rescinded: *Provided*, That no amounts
15 may be rescinded from amounts that were designated by
16 the Congress as an emergency requirement pursuant to
17 the Concurrent Resolution on the Budget or the Balanced
18 Budget and Emergency Deficit Control Act of 1985 or
19 from amounts that were made available by subsection (a)
20 of section 196 of the Continuing Appropriations Act, 2017
21 (division C of Public Law 114–223), as amended by the
22 Further Continuing and Security Assistance Appropria-
23 tions Act, 2017 (Public Law 114–254).

24 Notwithstanding the limitations on amounts in sec-
25 tion 320(i)(2)(B) of the Federal Water Pollution Control

1 Act, not less than \$1,000,000 of the funds made available
2 under this title for the National Estuary Program shall
3 be for making competitive awards described in section
4 320(g)(4).

5 TITLE III

6 RELATED AGENCIES

7 DEPARTMENT OF AGRICULTURE

8 OFFICE OF THE UNDER SECRETARY FOR NATURAL 9 RESOURCES AND ENVIRONMENT

10 For necessary expenses of the Office of the Under
11 Secretary for Natural Resources and Environment,
12 \$875,000: *Provided*, That funds made available by this
13 Act to any agency in the Natural Resources and Environ-
14 ment mission area for salaries and expenses are available
15 to fund up to one administrative support staff for the of-
16 fice.

17 FOREST SERVICE

18 FOREST AND RANGELAND RESEARCH

19 For necessary expenses of forest and rangeland re-
20 search as authorized by law, \$300,000,000, to remain
21 available through September 30, 2022: *Provided*, That of
22 the funds provided, \$77,000,000 is for the forest inventory
23 and analysis program: *Provided further*, That all authori-
24 ties for the use of funds, including the use of contracts,
25 grants, and cooperative agreements, available to execute

1 the Forest and Rangeland Research appropriation, are
2 also available in the utilization of these funds for Fire
3 Science Research.

4 STATE AND PRIVATE FORESTRY
5 (INCLUDING RESCISSION OF FUNDS)

6 For necessary expenses of cooperating with and pro-
7 viding technical and financial assistance to States, terri-
8 tories, possessions, and others, and for forest health man-
9 agement, and conducting an international program as au-
10 thorized, \$336,990,000, to remain available through Sep-
11 tember 30, 2022, as authorized by law; of which
12 \$63,990,000 is to be derived from the Land and Water
13 Conservation Fund to be used for the Forest Legacy Pro-
14 gram, to remain available until expended.

15 Of the unobligated balances from amounts made
16 available for the Forest Legacy Program and derived from
17 the Land and Water Conservation Fund, \$1,503,000 is
18 hereby permanently rescinded from projects with cost sav-
19 ings or failed or partially failed projects that had funds
20 returned: *Provided*, That no amounts may be rescinded
21 from amounts that were designated by the Congress as
22 an emergency requirement pursuant to the Concurrent
23 Resolution on the Budget or the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 NATIONAL FOREST SYSTEM

2 For necessary expenses of the Forest Service, not
3 otherwise provided for, for management, protection, im-
4 provement, and utilization of the National Forest System,
5 and for hazardous fuels management on or adjacent to
6 such lands, \$1,938,000,000, to remain available through
7 September 30, 2022: *Provided*, That of the funds pro-
8 vided, \$40,000,000 shall be deposited in the Collaborative
9 Forest Landscape Restoration Fund for ecological restora-
10 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
11 *vided further*, That of the funds provided, \$368,000,000
12 shall be for forest products: *Provided further*, That of the
13 funds provided, \$435,000,000 shall be for hazardous fuels
14 management activities, of which not to exceed
15 \$15,000,000 may be used to make grants, using any au-
16 thorities available to the Forest Service under the “State
17 and Private Forestry” appropriation, for the purpose of
18 creating incentives for increased use of biomass from Na-
19 tional Forest System lands: *Provided further*, That
20 \$20,000,000 may be used by the Secretary of Agriculture
21 to enter into procurement contracts or cooperative agree-
22 ments or to issue grants for hazardous fuels management
23 activities, and for training or monitoring associated with
24 such hazardous fuels management activities on Federal
25 land, or on non-Federal land if the Secretary determines

1 such activities benefit resources on Federal land: *Provided*
2 *further*, That funds made available to implement the Com-
3 munity Forestry Restoration Act, Public Law 106–393,
4 title VI, shall be available for use on non-Federal lands
5 in accordance with authorities made available to the For-
6 est Service under the “State and Private Forestry” appro-
7 priations: *Provided further*, That notwithstanding section
8 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
9 1012), the Secretary of Agriculture, in calculating a fee
10 for grazing on a National Grassland, may provide a credit
11 of up to 50 percent of the calculated fee to a Grazing As-
12 sociation or direct permittee for a conservation practice
13 approved by the Secretary in advance of the fiscal year
14 in which the cost of the conservation practice is incurred.
15 And, that the amount credited shall remain available to
16 the Grazing Association or the direct permittee, as appro-
17 priate, in the fiscal year in which the credit is made and
18 each fiscal year thereafter for use on the project for con-
19 servation practices approved by the Secretary.

20 CAPITAL IMPROVEMENT AND MAINTENANCE

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Forest Service, not
23 otherwise provided for, \$446,000,000, to remain available
24 through September 30, 2022, for construction, capital im-
25 provement, maintenance and acquisition of buildings and

1 other facilities and infrastructure; and for construction,
2 reconstruction, decommissioning of roads that are no
3 longer needed, including unauthorized roads that are not
4 part of the transportation system, and maintenance of for-
5 est roads and trails by the Forest Service as authorized
6 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
7 *vided*, That funds becoming available in fiscal year 2019
8 under the Act of March 4, 1913 (16 U.S.C. 501) shall
9 be transferred to the General Fund of the Treasury and
10 shall not be available for transfer or obligation for any
11 other purpose unless the funds are appropriated.

12 LAND ACQUISITION

13 For expenses necessary to carry out the provisions
14 of chapter 2003 of title 54, United States Code, including
15 administrative expenses, and for acquisition of land or wa-
16 ters, or interest therein, in accordance with statutory au-
17 thority applicable to the Forest Service, \$72,564,000, to
18 be derived from the Land and Water Conservation Fund
19 and to remain available until expended.

20 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

21 ACTS

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

1 Forests, California; and the Ozark-St. Francis and
2 Ouachita National Forests, Arkansas; as authorized by
3 law, \$700,000, to be derived from forest receipts.

4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

5 For acquisition of lands, such sums, to be derived
6 from funds deposited by State, county, or municipal gov-
7 ernments, public school districts, or other public school au-
8 thorities, and for authorized expenditures from funds de-
9 posited by non-Federal parties pursuant to Land Sale and
10 Exchange Acts, pursuant to the Act of December 4, 1967
11 (16 U.S.C. 484a), to remain available through September
12 30, 2022, (16 U.S.C. 516–617a, 555a; Public Law 96–
13 586; Public Law 76–589, 76–591; and Public Law 78–
14 310).

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 Public
21 Law 94–579, to remain available through September 30,
22 2022, of which not to exceed 6 percent shall be available
23 for administrative expenses associated with on-the-ground
24 range rehabilitation, protection, and improvements.

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

3 For expenses authorized by 16 U.S.C. 1643(b),
4 \$45,000, to remain available through September 30, 2022,
5 to be derived from the fund established pursuant to the
6 above Act.

7 MANAGEMENT OF NATIONAL FOREST LANDS FOR
8 SUBSISTENCE USES

9 For necessary expenses of the Forest Service to man-
10 age Federal lands in Alaska for subsistence uses under
11 title VIII of the Alaska National Interest Lands Conserva-
12 tion Act (16 U.S.C. 3111 et seq.), \$2,500,000, to remain
13 available through September 30, 2022.

14 WILDLAND FIRE MANAGEMENT
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses for forest fire presuppression
17 activities on National Forest System lands, for emergency
18 wildland fire suppression on or adjacent to such lands or
19 other lands under fire protection agreement, and for emer-
20 gency rehabilitation of burned-over National Forest Sys-
21 tem lands and water, \$3,004,986,000, to remain available
22 through September 30, 2022: *Provided*, That such funds
23 including unobligated balances under this heading, are
24 available for repayment of advances from other appropria-
25 tions accounts previously transferred for such purposes:

1 *Provided further*, That any unobligated funds appropriated
2 in a previous fiscal year for hazardous fuels management
3 may be transferred to the “National Forest System” ac-
4 count: *Provided further*, That such funds shall be available
5 to reimburse State and other cooperating entities for serv-
6 ices provided in response to wildfire and other emergencies
7 or disasters to the extent such reimbursements by the For-
8 est Service for non-fire emergencies are fully repaid by the
9 responsible emergency management agency: *Provided fur-*
10 *ther*, That funds provided shall be available for support
11 to Federal emergency response: *Provided further*, That the
12 costs of implementing any cooperative agreement between
13 the Federal Government and any non-Federal entity may
14 be shared, as mutually agreed on by the affected parties:
15 *Provided further*, That funds designated for wildfire sup-
16 pression, shall be assessed for cost pools on the same basis
17 as such assessments are calculated against other agency
18 programs.

19 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

20 (INCLUDING TRANSFERS OF FUNDS)

21 Appropriations to the Forest Service for the current
22 fiscal year shall be available for: (1) purchase of passenger
23 motor vehicles; acquisition of passenger motor vehicles
24 from excess sources, and hire of such vehicles; purchase,
25 lease, operation, maintenance, and acquisition of aircraft

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

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

1 graph must be replenished by a supplemental appropria-
2 tion which must be requested as promptly as possible.

3 Not more than \$50,000,000 of funds appropriated to
4 the Forest Service shall be available for expenditure or
5 transfer to the Department of the Interior for wildland
6 fire management, hazardous fuels management, and State
7 fire assistance when such transfers would facilitate and
8 expedite wildland fire management programs and projects.

9 Notwithstanding any other provision of this Act, the
10 Forest Service may transfer unobligated balances of dis-
11 cretionary funds appropriated to the Forest Service by
12 this Act to or within the National Forest System Account,
13 or reprogram funds to be used for the purposes of haz-
14 ardous fuels management and urgent rehabilitation of
15 burned-over National Forest System lands and water,
16 such transferred funds shall remain available through Sep-
17 tember 30, 2022: *Provided*, That none of the funds trans-
18 ferred pursuant to this section shall be available for obli-
19 gation without written notification to and the prior ap-
20 proval of the Committees on Appropriations of both
21 Houses of Congress: *Provided further*, That this section
22 does not apply to funds derived from the Land and Water
23 Conservation Fund.

24 Funds appropriated to the Forest Service shall be
25 available for assistance to or through the Agency for Inter-

1 national Development in connection with forest and range-
2 land research, technical information, and assistance in for-
3 eign countries, and shall be available to support forestry
4 and related natural resource activities outside the United
5 States and its territories and possessions, including tech-
6 nical assistance, education and training, and cooperation
7 with U.S., private, and international organizations. The
8 Forest Service, acting for the International Program, may
9 sign direct funding agreements with foreign governments
10 and institutions as well as other domestic agencies (includ-
11 ing the U.S. Agency for International Development, the
12 Department of State, and the Millennium Challenge Cor-
13 poration), U.S. private sector firms, institutions and orga-
14 nizations to provide technical assistance and training pro-
15 grams overseas on forestry and rangeland management.

16 Funds appropriated to the Forest Service shall be
17 available for expenditure or transfer to the Department
18 of the Interior, Bureau of Land Management, for removal,
19 preparation, and adoption of excess wild horses and burros
20 from National Forest System lands, and for the perform-
21 ance of cadastral surveys to designate the boundaries of
22 such lands.

23 None of the funds made available to the Forest Serv-
24 ice in this Act or any other Act with respect to any fiscal
25 year shall be subject to transfer under the provisions of

1 section 702(b) of the Department of Agriculture Organic
2 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
3 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
4 Law 107–171 (7 U.S.C. 8316(b)).

5 None of the funds available to the Forest Service may
6 be reprogrammed without the advance approval of the
7 House and Senate Committees on Appropriations in ac-
8 cordance with the reprogramming procedures contained in
9 the explanatory statement described in section 4 (in the
10 matter preceding division A of this consolidated Act).

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

23 Of the funds available to the Forest Service, up to
24 \$5,000,000 shall be available for priority projects within
25 the scope of the approved budget, which shall be carried

1 out by the Youth Conservation Corps and shall be carried
2 out under the authority of the Public Lands Corps Act
3 of 1993 (16 U.S.C. 1721 et seq.).

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

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

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

14 Funds appropriated to the Forest Service shall be
15 available for interactions with and providing technical as-
16 sistance to rural communities and natural resource-based
17 businesses for sustainable rural development purposes.

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

23 Any funds appropriated to the Forest Service may
24 be used to meet the non-Federal share requirement in sec-

1 tion 502(c) of the Older Americans Act of 1965 (42
2 U.S.C. 3056(c)(2)).

3 The Forest Service shall not assess funds for the pur-
4 pose of performing fire, administrative, and other facilities
5 maintenance and decommissioning.

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

18 An eligible individual who is employed in any project
19 funded under title V of the Older Americans Act of 1965
20 (42 U.S.C. 3056 et seq.) and administered by the Forest
21 Service shall be considered to be a Federal employee for
22 purposes of chapter 171 of title 28, United States Code.

23 Notwithstanding any other provision of this Act,
24 through the Office of Budget and Program Analysis, the
25 Forest Service shall report no later than 30 business days

1 following the close of each fiscal quarter all current and
2 prior year unobligated balances, by fiscal year, budget line
3 item and account, to the House and Senate Committees
4 on Appropriations.

5 DEPARTMENT OF HEALTH AND HUMAN
6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

9 For expenses necessary to carry out the Act of Au-
10 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
11 tion and Education Assistance Act, the Indian Health
12 Care Improvement Act, and titles II and III of the Public
13 Health Service Act with respect to the Indian Health Serv-
14 ice, \$4,103,190,000, to remain available until September
15 30, 2020, except as otherwise provided herein, together
16 with payments received during the fiscal year pursuant to
17 sections 231(b) and 233 of the Public Health Service Act
18 (42 U.S.C. 238(b), 238b), for services furnished by the
19 Indian Health Service: *Provided*, That funds made avail-
20 able to tribes and tribal organizations through contracts,
21 grant agreements, or any other agreements or compacts
22 authorized by the Indian Self-Determination and Edu-
23 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
24 deemed to be obligated at the time of the grant or contract
25 award and thereafter shall remain available to the tribe

1 or tribal organization without fiscal year limitation: *Pro-*
2 *vided further*, That \$2,000,000 shall be available for
3 grants or contracts with public or private institutions to
4 provide alcohol or drug treatment services to Indians, in-
5 cluding alcohol detoxification services: *Provided further*,
6 That \$964,819,000 for Purchased/Referred Care, includ-
7 ing \$53,000,000 for the Indian Catastrophic Health
8 Emergency Fund, shall remain available until expended:
9 *Provided further*, That of the funds provided, up to
10 \$44,000,000 shall remain available until expended for im-
11 plementation of the loan repayment program under section
12 108 of the Indian Health Care Improvement Act: *Provided*
13 *further*, That of the funds provided, \$36,000,000 shall re-
14 main available until expended to supplement funds avail-
15 able for operational costs at tribal clinics operated under
16 an Indian Self-Determination and Education Assistance
17 Act compact or contract where health care is delivered in
18 space acquired through a full service lease, which is not
19 eligible for maintenance and improvement and equipment
20 funds from the Indian Health Service, and \$58,000,000
21 shall be for costs related to or resulting from accreditation
22 emergencies, of which up to \$4,000,000 may be used to
23 supplement amounts otherwise available for Purchased/
24 Referred Care: *Provided further*, That the amounts col-
25 lected by the Federal Government as authorized by sec-

1 tions 104 and 108 of the Indian Health Care Improvement
2 Act (25 U.S.C. 1613a and 1616a) during the preceding
3 fiscal year for breach of contracts shall be deposited to
4 the Fund authorized by section 108A of that Act (25
5 U.S.C. 1616a-1) and shall remain available until ex-
6 pended and, notwithstanding section 108A(c) of that Act
7 (25 U.S.C. 1616a-1(c)), funds shall be available to make
8 new awards under the loan repayment and scholarship
9 programs under sections 104 and 108 of that Act (25
10 U.S.C. 1613a and 1616a): *Provided further*, That the
11 amounts made available within this account for the Sub-
12 stance Abuse and Suicide Prevention Program, for Opioid
13 Prevention, Treatment and Recovery Services, for the Do-
14 mestic Violence Prevention Program, for the Zero Suicide
15 Initiative, for the housing subsidy authority for civilian
16 employees, for aftercare pilot programs at Youth Regional
17 Treatment Centers, to improve collections from public and
18 private insurance at Indian Health Service and tribally op-
19 erated facilities, and for accreditation emergencies shall be
20 allocated at the discretion of the Director of the Indian
21 Health Service and shall remain available until expended:
22 *Provided further*, That funds provided in this Act may be
23 used for annual contracts and grants for which the per-
24 formance period falls within 2 fiscal years, provided the
25 total obligation is recorded in the year the funds are ap-

1 appropriated: *Provided further*, That the amounts collected
2 by the Secretary of Health and Human Services under the
3 authority of title IV of the Indian Health Care Improve-
4 ment Act shall remain available until expended for the
5 purpose of achieving compliance with the applicable condi-
6 tions and requirements of titles XVIII and XIX of the So-
7 cial Security Act, except for those related to the planning,
8 design, or construction of new facilities: *Provided further*,
9 That funding contained herein for scholarship programs
10 under the Indian Health Care Improvement Act shall re-
11 main available until expended: *Provided further*, That
12 amounts received by tribes and tribal organizations under
13 title IV of the Indian Health Care Improvement Act shall
14 be reported and accounted for and available to the receiv-
15 ing tribes and tribal organizations until expended: *Pro-*
16 *vided further*, That the Bureau of Indian Affairs may col-
17 lect from the Indian Health Service, and from tribes and
18 tribal organizations operating health facilities pursuant to
19 Public Law 93-638, such individually identifiable health
20 information relating to disabled children as may be nec-
21 essary for the purpose of carrying out its functions under
22 the Individuals with Disabilities Education Act (20 U.S.C.
23 1400 et seq.): *Provided further*, That of the funds pro-
24 vided, \$72,280,000 is for the Indian Health Care Improve-
25 ment Fund and may be used, as needed, to carry out ac-

1 tivities typically funded under the Indian Health Facilities
2 account: *Provided further*, That the accreditation emer-
3 gency funds may be used, as needed, to carry out activities
4 typically funded under the Indian Health Facilities ac-
5 count.

6 CONTRACT SUPPORT COSTS

7 For payments to tribes and tribal organizations for
8 contract support costs associated with Indian Self-Deter-
9 mination and Education Assistance Act agreements with
10 the Indian Health Service for fiscal year 2019, such sums
11 as may be necessary: *Provided*, That notwithstanding any
12 other provision of law, no amounts made available under
13 this heading shall be available for transfer to another
14 budget account.

15 INDIAN HEALTH FACILITIES

16 For construction, repair, maintenance, improvement,
17 and equipment of health and related auxiliary facilities,
18 including quarters for personnel; preparation of plans,
19 specifications, and drawings; acquisition of sites, purchase
20 and erection of modular buildings, and purchases of trail-
21 ers; and for provision of domestic and community sanita-
22 tion facilities for Indians, as authorized by section 7 of
23 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
24 Self-Determination Act, and the Indian Health Care Im-
25 provement Act, and for expenses necessary to carry out

1 such Acts and titles II and III of the Public Health Serv-
2 ice Act with respect to environmental health and facilities
3 support activities of the Indian Health Service,
4 \$878,806,000, to remain available until expended: *Pro-*
5 *vided*, That notwithstanding any other provision of law,
6 funds appropriated for the planning, design, construction,
7 renovation or expansion of health facilities for the benefit
8 of an Indian tribe or tribes may be used to purchase land
9 on which such facilities will be located: *Provided further*,
10 That not to exceed \$500,000 may be used by the Indian
11 Health Service to purchase TRANSAM equipment from
12 the Department of Defense for distribution to the Indian
13 Health Service and tribal facilities: *Provided further*, That
14 none of the funds appropriated to the Indian Health Serv-
15 ice may be used for sanitation facilities construction for
16 new homes funded with grants by the housing programs
17 of the United States Department of Housing and Urban
18 Development: *Provided further*, That not to exceed
19 \$2,700,000 from this account and the “Indian Health
20 Services” account may be used by the Indian Health Serv-
21 ice to obtain ambulances for the Indian Health Service
22 and tribal facilities in conjunction with an existing inter-
23 agency agreement between the Indian Health Service and
24 the General Services Administration: *Provided further*,
25 That not to exceed \$500,000 may be placed in a Demoli-

1 tion Fund, to remain available until expended, and be used
2 by the Indian Health Service for the demolition of Federal
3 buildings.

4 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

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

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

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

1 costs, including direct, administrative, and overhead costs
2 associated with the provision of goods, services, or tech-
3 nical assistance: *Provided further*, That the Indian Health
4 Service may provide to civilian medical personnel serving
5 in hospitals operated by the Indian Health Service housing
6 allowances equivalent to those that would be provided to
7 members of the Commissioned Corps of the United States
8 Public Health Service serving in similar positions at such
9 hospitals: *Provided further*, That the appropriation struc-
10 ture for the Indian Health Service may not be altered
11 without advance notification to the House and Senate
12 Committees on Appropriations.

13 NATIONAL INSTITUTES OF HEALTH

14 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

15 SCIENCES

16 For necessary expenses for the National Institute of
17 Environmental Health Sciences in carrying out activities
18 set forth in section 311(a) of the Comprehensive Environ-
19 mental Response, Compensation, and Liability Act of
20 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
21 Superfund Amendments and Reauthorization Act of 1986,
22 \$79,000,000.

1 OTHER RELATED AGENCIES
2 EXECUTIVE OFFICE OF THE PRESIDENT
3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-
6 signed to the Council on Environmental Quality and Office
7 of Environmental Quality pursuant to the National Envi-
8 ronmental Policy Act of 1969, the Environmental Quality
9 Improvement Act of 1970, and Reorganization Plan No.
10 1 of 1977, and not to exceed \$750 for official reception
11 and representation expenses, \$2,994,000: *Provided*, That
12 notwithstanding section 202 of the National Environ-
13 mental Policy Act of 1970, the Council shall consist of
14 one member, appointed by the President, by and with the
15 advice and consent of the Senate, serving as chairman and
16 exercising all powers, functions, and duties of the Council.

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18 SALARIES AND EXPENSES

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

1 5376, \$12,000,000: *Provided*, That the Chemical Safety
2 and Hazard Investigation Board (Board) shall have not
3 more than three career Senior Executive Service positions:
4 *Provided further*, That notwithstanding any other provi-
5 sion of law, the individual appointed to the position of In-
6 spector General of the Environmental Protection Agency
7 (EPA) shall, by virtue of such appointment, also hold the
8 position of Inspector General of the Board: *Provided fur-*
9 *ther*, That notwithstanding any other provision of law, the
10 Inspector General of the Board shall utilize personnel of
11 the Office of Inspector General of EPA in performing the
12 duties of the Inspector General of the Board, and shall
13 not appoint any individuals to positions within the Board.

14 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Office of Navajo and
18 Hopi Indian Relocation as authorized by Public Law 93-
19 531, \$8,750,000, to remain available until expended: *Pro-*
20 *vided*, That funds provided in this or any other appropria-
21 tions Act are to be used to relocate eligible individuals and
22 groups including evictees from District 6, Hopi-partitioned
23 lands residents, those in significantly substandard hous-
24 ing, and all others certified as eligible and not included
25 in the preceding categories: *Provided further*, That none

1 of the funds contained in this or any other Act may be
2 used by the Office of Navajo and Hopi Indian Relocation
3 to evict any single Navajo or Navajo family who, as of
4 November 30, 1985, was physically domiciled on the lands
5 partitioned to the Hopi Tribe unless a new or replacement
6 home is provided for such household: *Provided further*,
7 That no relocatee will be provided with more than one new
8 or replacement home: *Provided further*, That the Office
9 shall relocate any certified eligible relocatees who have se-
10 lected and received an approved homesite on the Navajo
11 reservation or selected a replacement residence off the
12 Navajo reservation or on the land acquired pursuant to
13 section 11 of Public Law 93–531 (88 Stat. 1716): *Pro-*
14 *vided further*, That \$1,000,000 shall be transferred to the
15 Office of the Inspector General of the Department of the
16 Interior, to remain available until expended, for audits and
17 investigations of the Office of Navajo and Hopi Indian Re-
18 location, consistent with the Inspector General Act of
19 1978 (5 U.S.C. App.).

20 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
21 CULTURE AND ARTS DEVELOPMENT

22 PAYMENT TO THE INSTITUTE

23 For payment to the Institute of American Indian and
24 Alaska Native Culture and Arts Development, as author-
25 ized by part A of title XV of Public Law 99–498 (20

1 U.S.C. 4411 et seq.), \$9,960,000, which shall become
2 available on July 1, 2019, and shall remain available until
3 September 30, 2020.

4 SMITHSONIAN INSTITUTION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Smithsonian Institu-
7 tion, as authorized by law, including research in the fields
8 of art, science, and history; development, preservation, and
9 documentation of the National Collections; presentation of
10 public exhibits and performances; collection, preparation,
11 dissemination, and exchange of information and publica-
12 tions; conduct of education, training, and museum assist-
13 ance programs; maintenance, alteration, operation, lease
14 agreements of no more than 30 years, and protection of
15 buildings, facilities, and approaches; not to exceed
16 \$100,000 for services as authorized by 5 U.S.C. 3109; and
17 purchase, rental, repair, and cleaning of uniforms for em-
18 ployees, \$739,994,000, to remain available until Sep-
19 tember 30, 2020, except as otherwise provided herein; of
20 which not to exceed \$6,917,000 for the instrumentation
21 program, collections acquisition, exhibition reinstallation,
22 and the repatriation of skeletal remains program shall re-
23 main available until expended; and including such funds
24 as may be necessary to support American overseas re-
25 search centers: *Provided*, That funds appropriated herein

1 are available for advance payments to independent con-
2 tractors performing research services or participating in
3 official Smithsonian presentations.

4 FACILITIES CAPITAL

5 For necessary expenses of repair, revitalization, and
6 alteration of facilities owned or occupied by the Smithso-
7 nian Institution, by contract or otherwise, as authorized
8 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
9 and for construction, including necessary personnel,
10 \$303,503,000, to remain available until expended, of
11 which not to exceed \$10,000 shall be for services as au-
12 thorized by 5 U.S.C. 3109.

13 NATIONAL GALLERY OF ART

14 SALARIES AND EXPENSES

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

1 general public; purchase, repair, and cleaning of uniforms
2 for guards, and uniforms, or allowances therefor, for other
3 employees as authorized by law (5 U.S.C. 5901–5902);
4 purchase or rental of devices and services for protecting
5 buildings and contents thereof, and maintenance, alter-
6 ation, improvement, and repair of buildings, approaches,
7 and grounds; and purchase of services for restoration and
8 repair of works of art for the National Gallery of Art by
9 contracts made, without advertising, with individuals,
10 firms, or organizations at such rates or prices and under
11 such terms and conditions as the Gallery may deem prop-
12 er, \$144,202,000, to remain available until September 30,
13 2020, of which not to exceed \$3,640,000 for the special
14 exhibition program shall remain available until expended.

15 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

16 For necessary expenses of repair, restoration and
17 renovation of buildings, grounds and facilities owned or
18 occupied by the National Gallery of Art, by contract or
19 otherwise, for operating lease agreements of no more than
20 10 years, with no extensions or renewals beyond the 10
21 years, that address space needs created by the ongoing
22 renovations in the Master Facilities Plan, as authorized,
23 \$24,203,000, to remain available until expended: *Pro-*
24 *vided*, That contracts awarded for environmental systems,
25 protection systems, and exterior repair or renovation of

1 buildings of the National Gallery of Art may be negotiated
2 with selected contractors and awarded on the basis of con-
3 tractor qualifications as well as price.

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

7 For necessary expenses for the operation, mainte-
8 nance and security of the John F. Kennedy Center for
9 the Performing Arts, \$24,490,000.

10 CAPITAL REPAIR AND RESTORATION

11 For necessary expenses for capital repair and restora-
12 tion of the existing features of the building and site of
13 the John F. Kennedy Center for the Performing Arts,
14 \$16,800,000, to remain available until expended.

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

18 For expenses necessary in carrying out the provisions
19 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
20 1356) including hire of passenger vehicles and services as
21 authorized by 5 U.S.C. 3109, \$12,000,000, to remain
22 available until September 30, 2020.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$155,000,000 shall be available to the National Endow-
8 ment for the Arts for the support of projects and produc-
9 tions in the arts, including arts education and public out-
10 reach activities, through assistance to organizations and
11 individuals pursuant to section 5 of the Act, for program
12 support, and for administering the functions of the Act,
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National
17 Foundation on the Arts and the Humanities Act of 1965,
18 \$155,000,000 to remain available until expended, of which
19 \$141,750,000 shall be available for support of activities
20 in the humanities, pursuant to section 7(c) of the Act and
21 for administering the functions of the Act; and
22 \$13,250,000 shall be available to carry out the matching
23 grants program pursuant to section 10(a)(2) of the Act,
24 including \$11,250,000 for the purposes of section 7(h):
25 *Provided*, That appropriations for carrying out section

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

9 ADMINISTRATIVE PROVISIONS

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

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

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$2,771,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study, or education: *Provided further*,
17 That one-tenth of one percent of the funds provided under
18 this heading may be used for official reception and rep-
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law
22 99-190 (20 U.S.C. 956a), \$2,750,000.

1 ADVISORY COUNCIL ON HISTORIC PRESERVATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Advisory Council on
4 Historic Preservation (Public Law 89–665), \$6,890,000.

5 NATIONAL CAPITAL PLANNING COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the National Capital Plan-
8 ning Commission under chapter 87 of title 40, United
9 States Code, including services as authorized by 5 U.S.C.
10 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-
11 cent of the funds provided under this heading may be used
12 for official reception and representational expenses associ-
13 ated with hosting international visitors engaged in the
14 planning and physical development of world capitals.

15 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

16 HOLOCAUST MEMORIAL MUSEUM

17 For expenses of the Holocaust Memorial Museum, as
18 authorized by Public Law 106–292 (36 U.S.C. 2301–
19 2310), \$59,000,000, of which \$1,715,000 shall remain
20 available until September 30, 2021, for the Museum’s
21 equipment replacement program; and of which \$4,000,000
22 for the Museum’s repair and rehabilitation program and
23 \$1,264,000 for the Museum’s outreach initiatives program
24 shall remain available until expended.

1 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Dwight D. Eisenhower
4 Memorial Commission, \$1,800,000, to remain available
5 until expended.

6 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses for the Women's Suffrage
9 Centennial Commission, as authorized by the Women's
10 Suffrage Centennial Commission Act (section 431(a)(3) of
11 division G of Public Law 115-31), \$1,000,000, to remain
12 available until expended.

13 WORLD WAR I CENTENNIAL COMMISSION

14 SALARIES AND EXPENSES

15 Notwithstanding section 9 of the World War I Cen-
16 tennial Commission Act, as authorized by the World War
17 I Centennial Commission Act (Public Law 112-272) and
18 the Carl Levin and Howard P. "Buck" McKeon National
19 Defense Authorization Act for Fiscal Year 2015 (Public
20 Law 113-291), for necessary expenses of the World War
21 I Centennial Commission, \$7,000,000, to remain available
22 until expended: *Provided*, That in addition to the authority
23 provided by section 6(g) of such Act, the World War I
24 Commission may accept money, in-kind personnel services,

- 1 contractual support, or any appropriate support from any
- 2 executive branch agency for activities of the Commission.

1 TITLE IV
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFERS OF FUNDS)
4 RESTRICTION ON USE OF FUNDS

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

12 OBLIGATION OF APPROPRIATIONS

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

16 DISCLOSURE OF ADMINISTRATIVE EXPENSES

17 SEC. 403. The amount and basis of estimated over-
18 head charges, deductions, reserves or holdbacks, including
19 working capital fund and cost pool charges, from pro-
20 grams, projects, activities and subactivities to support gov-
21 ernment-wide, departmental, agency, or bureau adminis-
22 trative functions or headquarters, regional, or central op-
23 erations shall be presented in annual budget justifications
24 and subject to approval by the Committees on Appropria-
25 tions 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, 2020, 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 2019.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
25 year 2019 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 2019 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;

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 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 PROHIBITION ON USE OF FUNDS

10 SEC. 416. Notwithstanding any other provision of
11 law, none of the funds made available in this Act or any
12 other Act may be used to promulgate or implement any
13 regulation requiring the issuance of permits under title V
14 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
15 dioxide, nitrous oxide, water vapor, or methane emissions
16 resulting from biological processes associated with live-
17 stock production.

18 GREENHOUSE GAS REPORTING RESTRICTIONS

19 SEC. 417. Notwithstanding any other provision of
20 law, none of the funds made available in this or any other
21 Act may be used to implement any provision in a rule,
22 if that provision requires mandatory reporting of green-
23 house gas emissions from manure management systems.

1 enforcement agency or any other entity carrying out crimi-
2 nal investigations, prosecution, or adjudication activities.

3 FOREST SERVICE FACILITY REALIGNMENT AND
4 ENHANCEMENT ACT

5 SEC. 422. Section 503(f) of the Forest Service Facil-
6 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
7 580d note; Public Law 109–54) is amended by striking
8 “2018” and inserting “2019”.

9 USE OF AMERICAN IRON AND STEEL

10 SEC. 423. (a)(1) None of the funds made available
11 by a State water pollution control revolving fund as au-
12 thorized by section 1452 of the Safe Drinking Water Act
13 (42 U.S.C. 300j–12) shall be used for a project for the
14 construction, alteration, maintenance, or repair of a public
15 water system or treatment works unless all of the iron and
16 steel products used in the project are produced in the
17 United States.

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

24 (b) Subsection (a) shall not apply in any case or cat-
25 egory of cases in which the Administrator of the Environ-

1 mental Protection Agency (in this section referred to as
2 the “Administrator”) finds that—

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

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

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

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

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

24 (e) The Administrator may retain up to 0.25 percent
25 of the funds appropriated in this Act for the Clean and

1 Drinking Water State Revolving Funds for carrying out
2 the provisions described in subsection (a)(1) for manage-
3 ment and oversight of the requirements of this section.

4 MIDWAY ISLAND

5 SEC. 424. None of the funds made available by this
6 Act may be used to destroy any buildings or structures
7 on Midway Island that have been recommended by the
8 United States Navy for inclusion in the National Register
9 of Historic Places (54 U.S.C. 302101).

10 JOHN F. KENNEDY CENTER REAUTHORIZATION

11 SEC. 425. Section 13 of the John F. Kennedy Center
12 Act (20 U.S.C. 76r) is amended by striking subsections
13 (a) and (b) and inserting the following:

14 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
15 There is authorized to be appropriated to the Board to
16 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
17 2019.

18 “(b) CAPITAL PROJECTS.—There is authorized to be
19 appropriated to the Board to carry out subparagraphs (F)
20 and (G) of section 4(a)(1), \$16,800,000 for fiscal year
21 2019.”.

1 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
2 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
3 WILDFIRES

4 SEC. 426. The Secretary of the Interior is authorized
5 to enter into grants and cooperative agreements with vol-
6 unteer fire departments, rural fire departments, rangeland
7 fire protection associations, and similar organizations to
8 provide for wildland fire training and equipment, including
9 supplies and communication devices. Notwithstanding
10 121(c) of title 40, United States Code, or section 521 of
11 title 40, United States Code, the Secretary is further au-
12 thorized to transfer title to excess Department of the Inte-
13 rior firefighting equipment no longer needed to carry out
14 the functions of the Department's wildland fire manage-
15 ment program to such organizations.

16 RECREATION FEES

17 SEC. 427. Section 810 of the Federal Lands Recre-
18 ation Enhancement Act (16 U.S.C. 6809) shall be applied
19 by substituting "October 1, 2020" for "September 30,
20 2019".

21 POLICIES RELATING TO BIOMASS ENERGY

22 SEC. 428. To support the key role that forests in the
23 United States can play in addressing the energy needs of
24 the United States, the Secretary of Energy, the Secretary
25 of Agriculture, and the Administrator of the Environ-

1 mental Protection Agency shall, consistent with their mis-
2 sions, jointly—

3 (1) ensure that Federal policy relating to forest
4 bioenergy—

5 (A) is consistent across all Federal depart-
6 ments and agencies; and

7 (B) recognizes the full benefits of the use
8 of forest biomass for energy, conservation, and
9 responsible forest management; and

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

13 (A) reflect the carbon-neutrality of forest
14 bioenergy and recognize biomass as a renewable
15 energy source, provided the use of forest bio-
16 mass for energy production does not cause con-
17 version of forests to non-forest use;

18 (B) encourage private investment through-
19 out the forest biomass supply chain, including
20 in—

21 (i) working forests;

22 (ii) harvesting operations;

23 (iii) forest improvement operations;

24 (iv) forest bioenergy production;

25 (v) wood products manufacturing; or

- 1 (vi) paper manufacturing;
- 2 (C) encourage forest management to im-
- 3 prove forest health; and
- 4 (D) recognize State initiatives to produce
- 5 and use forest biomass.

6 INFRASTRUCTURE

7 SEC. 429. (a) For an additional amount for “Envi-

8 ronmental Protection Agency—Hazardous Substance

9 Superfund”, \$68,000,000, of which \$60,000,000 shall be

10 for the Superfund Remedial program and \$8,000,000

11 shall be for the Superfund Emergency Response and Re-

12 moval program, to remain available until expended, con-

13 sisting of such sums as are available in the Trust Fund

14 on September 30, 2018, as authorized by section 517(a)

15 of the Superfund Amendments and Reauthorization Act

16 of 1986 (SARA) and up to \$68,000,000 as a payment

17 from general revenues to the Hazardous Substance Super-

18 fund for purposes as authorized by section 517(b) of

19 SARA.

20 (b) For an additional amount for “Environmental

21 Protection Agency—State and Tribal Assistance Grants,”

22 for environmental programs and infrastructure assistance,

23 including capitalization grants for State revolving funds

24 and performance partnership grants, \$665,000,000 to re-

25 main available until expended, of which—

1 (1) \$300,000,000 shall be for making capital-
2 ization grants for the Clean Water State Revolving
3 Funds under title VI of the Federal Water Pollution
4 Control Act; and of which \$300,000,000 shall be for
5 making capitalization grants for the Drinking Water
6 State Revolving Funds under section 1452 of the
7 Safe Drinking Water Act;

8 (2) \$25,000,000 shall be for grants for small
9 and disadvantaged communities authorized in sec-
10 tion 2104 of the Water Infrastructure Improvements
11 for the Nation Act (Public Law 114–322);

12 (3) \$25,000,000 shall be for grants for lead
13 testing in school and child care program drinking
14 water authorized in section 2107 of the Water Infra-
15 structure Improvements for the Nation Act (Public
16 Law 114–322);

17 (4) \$15,000,000 shall be for grants for reduc-
18 ing lead in drinking water authorized in section
19 2105 of the Water Infrastructure Improvements for
20 the Nation Act (Public Law 114–322).

21 (c) For an additional amount for “Environmental
22 Protection Agency—Water Infrastructure Finance and In-
23 novation Program Account”, \$58,000,000, to remain
24 available until expended, for the cost of direct loans, for
25 the cost of guaranteed loans, and for administrative ex-

1 penses to carry out the direct and guaranteed loan pro-
2 grams, of which \$3,000,000, to remain available until Sep-
3 tember 30, 2020, may be used for such administrative ex-
4 penses: *Provided*, That these additional funds are available
5 to subsidize gross obligations for the principal amount of
6 direct loans, including capitalized interest, and total loan
7 principal, including capitalized interest, any part of which
8 is to be guaranteed, not to exceed \$6,700,000,000.

9 SMALL REMOTE INCINERATORS

10 SEC. 430. None of the funds made available in this
11 Act may be used to implement or enforce the regulation
12 issued on March 21, 2011 at 40 CFR part 60 subparts
13 CCCC and DDDD with respect to units in the State of
14 Alaska that are defined as “small, remote incinerator”
15 units in those regulations and, until a subsequent regula-
16 tion is issued, the Administrator shall implement the law
17 and regulations in effect prior to such date.

18 CLARIFICATION OF EXEMPTIONS

19 SEC. 431. None of the funds made available in this
20 Act may be used to require a permit for the discharge
21 of dredged or fill material under the Federal Water Pollu-
22 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
23 identified in subparagraphs (A) and (C) of section
24 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1 This division may be cited as the “Department of the
2 Interior, Environment, and Related Agencies Appropria-
3 tions Act, 2019”.

1 **DIVISION F—DEPARTMENT OF STATE,**
2 **FOREIGN OPERATIONS, AND RELATED**
3 **PROGRAMS APPROPRIATIONS ACT,**
4 **2019**

5 TITLE I

6 DEPARTMENT OF STATE AND RELATED

7 AGENCY

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for,
13 \$5,947,952,000, of which up to \$671,726,000 may remain
14 available until September 30, 2020, and of which up to
15 \$1,469,777,000 may remain available until expended for
16 Worldwide Security Protection: *Provided*, That funds
17 made available under this heading shall be allocated in ac-
18 cordance with paragraphs (1) through (4) as follows:

19 (1) HUMAN RESOURCES.—For necessary ex-
20 penses for training, human resources management,
21 and salaries, including employment without regard
22 to civil service and classification laws of persons on
23 a temporary basis (not to exceed \$700,000), as au-
24 thorized by section 801 of the United States Infor-
25 mation and Educational Exchange Act of 1948,

1 \$2,871,794,000, of which up to \$528,000,000 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 \$1,338,227,000.

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, \$773,847,000.

16 (4) SECURITY PROGRAMS.—For necessary ex-
17 penses for security activities, \$964,084,000, of which
18 up to \$941,777,000 is for Worldwide Security Pro-
19 tection.

20 (5) FEES AND PAYMENTS COLLECTED.—In ad-
21 dition to amounts otherwise made available under
22 this heading—

23 (A) as authorized by section 810 of the
24 United States Information and Educational Ex-
25 change Act, not to exceed \$5,000,000, to re-

1 main available until expended, may be credited
2 to this appropriation from fees or other pay-
3 ments received from English teaching, library,
4 motion pictures, and publication programs and
5 from fees from educational advising and coun-
6 seling and exchange visitor programs; and

7 (B) not to exceed \$15,000, which shall be
8 derived from reimbursements, surcharges, and
9 fees for use of Blair House facilities.

10 (6) TRANSFER OF FUNDS, REPROGRAMMING,
11 AND OTHER MATTERS.—

12 (A) Notwithstanding any other provision of
13 this Act, funds may be reprogrammed within
14 and between paragraphs (1) through (4) under
15 this heading subject to section 7015 of this Act.

16 (B) Of the amount made available under
17 this heading, not to exceed \$10,000,000 may be
18 transferred to, and merged with, funds made
19 available by this Act under the heading “Emer-
20 gencies in the Diplomatic and Consular Serv-
21 ice”, to be available only for emergency evacu-
22 ations and rewards, as authorized.

23 (C) Funds appropriated under this heading
24 are available for acquisition by exchange or pur-
25 chase of passenger motor vehicles as authorized

1 by law and, pursuant to section 1108(g) of title
2 31, United States Code, for the field examina-
3 tion of programs and activities in the United
4 States funded from any account contained in
5 this title.

6 (D) Funds appropriated under this head-
7 ing that are designated for Worldwide Security
8 Protection shall continue to be made available
9 for support of security-related training at sites
10 in existence prior to the enactment of this Act.

11 (7) CLARIFICATION.—References to the “Diplo-
12 matic and Consular Programs” account in any pro-
13 vision of law shall be construed to include the “Dip-
14 lomatic Programs” account in this Act and other
15 Acts making appropriations for the Department of
16 State, foreign operations, and related programs.

17 CAPITAL INVESTMENT FUND

18 For necessary expenses of the Capital Investment
19 Fund, as authorized, \$92,770,000, to remain available
20 until expended.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General, \$90,829,000, notwithstanding section 209(a)(1)
24 of the Foreign Service Act of 1980 (22 U.S.C.
25 3929(a)(1)), as it relates to post inspections: *Provided,*

1 That of the funds appropriated under this heading,
2 \$13,624,000 may remain available until September 30,
3 2020.

4 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

5 For expenses of educational and cultural exchange
6 programs, as authorized, \$700,946,000, to remain avail-
7 able until expended, of which not less than \$271,500,000
8 shall be for the Fulbright Program and not less than
9 \$111,860,000 shall be for Citizen Exchange Program:
10 *Provided*, That fees or other payments received from, or
11 in connection with, English teaching, educational advising
12 and counseling programs, and exchange visitor programs
13 as authorized may be credited to this account, to remain
14 available until expended: *Provided further*, That a portion
15 of the Fulbright awards from the Eurasia and Central
16 Asia regions shall be designated as Edmund S. Muskie
17 Fellowships, following consultation with the Committees
18 on Appropriations: *Provided further*, That any substantive
19 modifications from the prior fiscal year to programs fund-
20 ed by this Act under this heading shall be subject to prior
21 consultation with, and the regular notification procedures
22 of, the Committees on Appropriations.

23 REPRESENTATION EXPENSES

24 For representation expenses as authorized,
25 \$8,030,000.

1 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

2 For expenses, not otherwise provided, to enable the
3 Secretary of State to provide for extraordinary protective
4 services, as authorized, \$30,890,000, to remain available
5 until September 30, 2020.

6 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

7 For necessary expenses for carrying out the Foreign
8 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
9 preserving, maintaining, repairing, and planning for real
10 property that are owned or leased by the Department of
11 State, and renovating, in addition to funds otherwise avail-
12 able, the Harry S Truman Building, \$777,200,000, to re-
13 main available until September 30, 2023, of which not to
14 exceed \$25,000 may be used for overseas representation
15 expenses as authorized: *Provided*, That none of the funds
16 appropriated in this paragraph shall be available for acqui-
17 sition of furniture, furnishings, or generators for other de-
18 partments and agencies of the United States Government.

19 In addition, for the costs of worldwide security up-
20 grades, acquisition, and construction as authorized,
21 \$1,198,249,000, to remain available until expended: *Pro-*
22 *vided*, That not later than 45 days after enactment of this
23 Act, the Secretary of State shall submit to the Committees
24 on Appropriations the proposed allocation of funds made
25 available under this heading and the actual and antici-

625

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such funds are available to subsidize gross obli-
4 gations for the principal amount of direct loans not to ex-
5 ceed \$5,686,032.

6 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

7 For necessary expenses to carry out the Taiwan Rela-
8 tions Act (Public Law 96–8), \$31,963,000.

9 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
10 COLUMBIA

11 Not to exceed \$1,806,600 shall be derived from fees
12 collected from other executive agencies for lease or use of
13 facilities at the International Center in accordance with
14 section 4 of the International Center Act (Public Law 90–
15 553), and, in addition, as authorized by section 5 of such
16 Act, \$743,000, to be derived from the reserve authorized
17 by such section, to be used for the purposes set out in
18 that section.

19 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
20 DISABILITY FUND

21 For payment to the Foreign Service Retirement and
22 Disability Fund, as authorized, \$158,900,000.

1 INTERNATIONAL ORGANIZATIONS

2 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

3 For necessary expenses, not otherwise provided for,
4 to meet annual obligations of membership in international
5 multilateral organizations, pursuant to treaties ratified
6 pursuant to the advice and consent of the Senate, conven-
7 tions, or specific Acts of Congress, \$1,264,030,000: *Pro-*
8 *vided*, That the Secretary of State shall, at the time of
9 the submission of the President's budget to Congress
10 under section 1105(a) of title 31, United States Code,
11 transmit to the Committees on Appropriations the most
12 recent biennial budget prepared by the United Nations for
13 the operations of the United Nations: *Provided further*,
14 That the Secretary of State shall notify the Committees
15 on Appropriations at least 15 days in advance (or in an
16 emergency, as far in advance as is practicable) of any
17 United Nations action to increase funding for any United
18 Nations program without identifying an offsetting de-
19 crease elsewhere in the United Nations budget: *Provided*
20 *further*, That not later than May 1, 2019, and 30 days
21 after the end of fiscal year 2019, the Secretary of State
22 shall report to the Committees on Appropriations any
23 credits attributable to the United States, including from
24 the United Nations Tax Equalization Fund, and provide
25 updated fiscal year 2019 and fiscal year 2020 assessment

1 costs including offsets from available credits and updated
2 foreign currency exchange rates: *Provided further*, That
3 any such credits shall only be available for United States
4 assessed contributions to the United Nations regular
5 budget, and the Committees on Appropriations shall be
6 notified when such credits are applied to any assessed con-
7 tribution, including any payment of arrearages: *Provided*
8 *further*, That any notification regarding funds appro-
9 priated or otherwise made available under this heading in
10 this Act or prior Acts making appropriations for the De-
11 partment of State, foreign operations, and related pro-
12 grams submitted pursuant to section 7015 of this Act, sec-
13 tion 34 of the State Department Basic Authorities Act
14 of 1956 (22 U.S.C. 2706), or any operating plan sub-
15 mitted pursuant to section 7070 of this Act, shall include
16 an estimate of all known credits currently attributable to
17 the United States and provide updated assessment costs
18 including offsets from available credits and updated for-
19 eign currency exchange rates: *Provided further*, That any
20 payment of arrearages under this heading shall be directed
21 to activities that are mutually agreed upon by the United
22 States and the respective international organization and
23 shall be subject to the regular notification procedures of
24 the Committees on Appropriations: *Provided further*, That
25 none of the funds appropriated under this heading shall

1 be available for a United States contribution to an inter-
2 national organization for the United States share of inter-
3 est costs made known to the United States Government
4 by such organization for loans incurred on or after Octo-
5 ber 1, 1984, through external borrowings.

6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

7 ACTIVITIES

8 For necessary expenses to pay assessed and other ex-
9 penses of international peacekeeping activities directed to
10 the maintenance or restoration of international peace and
11 security, \$562,344,000, of which 15 percent shall remain
12 available until September 30, 2020: *Provided*, That none
13 of the funds made available by this Act shall be obligated
14 or expended for any new or expanded United Nations
15 peacekeeping mission unless, at least 15 days in advance
16 of voting for such mission in the United Nations Security
17 Council (or in an emergency as far in advance as is prac-
18 ticable), the Committees on Appropriations are notified of:
19 (1) the estimated cost and duration of the mission, the
20 objectives of the mission, the national interest that will
21 be served, and the exit strategy; and (2) the sources of
22 funds, including any reprogrammings or transfers, that
23 will be used to pay the cost of the new or expanded mis-
24 sion, and the estimated cost in future fiscal years: *Pro-*
25 *vided further*, That none of the funds appropriated under

1 this heading may be made available for obligation unless
2 the Secretary of State certifies and reports to the Commit-
3 tees on Appropriations on a peacekeeping mission-by-mis-
4 sion basis that the United Nations is implementing effec-
5 tive policies and procedures to prevent United Nations em-
6 ployees, contractor personnel, and peacekeeping troops
7 serving in such mission from trafficking in persons, ex-
8 ploiting victims of trafficking, or committing acts of sexual
9 exploitation and abuse or other violations of human rights,
10 and to hold accountable individuals who engage in such
11 acts while participating in such mission, including pros-
12 ecution in their home countries and making information
13 about such prosecutions publicly available on the website
14 of the United Nations: *Provided further*, That the Sec-
15 retary of State shall work with the United Nations and
16 foreign governments contributing peacekeeping troops to
17 implement effective vetting procedures to ensure that such
18 troops have not violated human rights: *Provided further*,
19 That funds shall be available for peacekeeping expenses
20 unless the Secretary of State determines that United
21 States manufacturers and suppliers are not being given
22 opportunities to provide equipment, services, and material
23 for United Nations peacekeeping activities equal to those
24 being given to foreign manufacturers and suppliers: *Pro-*
25 *vided further*, That none of the funds appropriated or oth-

1 erwise made available under this heading may be used for
2 any United Nations peacekeeping mission that will involve
3 United States Armed Forces under the command or oper-
4 ational control of a foreign national, unless the President's
5 military advisors have submitted to the President a rec-
6 ommendation that such involvement is in the national in-
7 terest of the United States and the President has sub-
8 mitted to Congress such a recommendation: *Provided fur-*
9 *ther*, That not later than May 1, 2019, and 30 days after
10 the end of fiscal year 2019, the Secretary of State shall
11 report to the Committees on Appropriations any credits
12 attributable to the United States, including those resulting
13 from United Nations peacekeeping missions or the United
14 Nations Tax Equalization Fund, and provide updated fis-
15 cal year 2019 and fiscal year 2020 assessment costs in-
16 cluding offsets from available credits: *Provided further*,
17 That any such credits shall only be available for United
18 States assessed contributions to United Nations peace-
19 keeping missions, and the Committees on Appropriations
20 shall be notified when such credits are applied to any as-
21 sessed contribution, including any payment of arrearages:
22 *Provided further*, That any notification regarding funds
23 appropriated or otherwise made available under this head-
24 ing in this Act or prior Acts making appropriations for
25 the Department of State, foreign operations, and related

1 programs submitted pursuant to section 7015 of this Act,
2 section 34 of the State Department Basic Authorities Act
3 of 1956 (22 U.S.C. 2706), or any operating plan sub-
4 mitted pursuant to section 7070 of this Act, shall include
5 an estimate of all known credits currently attributable to
6 the United States and provide updated assessment costs,
7 including offsets from available credits: *Provided further*,
8 That any payment of arrearages with funds appropriated
9 by this Act shall be subject to the regular notification pro-
10 cedures of the Committees on Appropriations: *Provided*
11 *further*, That the Secretary of State shall work with the
12 United Nations and members of the United Nations Secu-
13 rity Council to evaluate and prioritize peacekeeping mis-
14 sions, and to consider a draw down when mission goals
15 have been substantially achieved.

16 INTERNATIONAL COMMISSIONS

17 For necessary expenses, not otherwise provided for,
18 to meet obligations of the United States arising under
19 treaties, or specific Acts of Congress, as follows:

20 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

21 UNITED STATES AND MEXICO

22 For necessary expenses for the United States Section
23 of the International Boundary and Water Commission,
24 United States and Mexico, and to comply with laws appli-

1 cable to the United States Section, including not to exceed
2 \$6,000 for representation expenses; as follows:

3 SALARIES AND EXPENSES

4 For salaries and expenses, not otherwise provided for,
5 \$48,134,000.

6 CONSTRUCTION

7 For detailed plan preparation and construction of au-
8 thorized projects, \$29,400,000, to remain available until
9 expended, as authorized.

10 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

11 For necessary expenses, not otherwise provided, for
12 the International Joint Commission and the International
13 Boundary Commission, United States and Canada, as au-
14 thorized by treaties between the United States and Can-
15 ada or Great Britain, and the Border Environment Co-
16 operation Commission as authorized by the North Amer-
17 ican Free Trade Agreement Implementation Act (Public
18 Law 103-182), \$13,258,000: *Provided*, That of the
19 amount provided under this heading for the International
20 Joint Commission, up to \$500,000 may remain available
21 until September 30, 2020, and \$9,000 may be made avail-
22 able for representation expenses: *Provided further*, That
23 of the amount provided under this heading for the Inter-
24 national Boundary Commission, \$1,000 may be made
25 available for representation expenses.

1 INTERNATIONAL FISHERIES COMMISSIONS

2 For necessary expenses for international fisheries
3 commissions, not otherwise provided for, as authorized by
4 law, \$50,651,000: *Provided*, That the United States share
5 of such expenses may be advanced to the respective com-
6 missions pursuant to section 3324 of title 31, United
7 States Code.

8 RELATED AGENCY

9 BROADCASTING BOARD OF GOVERNORS

10 INTERNATIONAL BROADCASTING OPERATIONS

11 For necessary expenses to enable the Broadcasting
12 Board of Governors (BBG), as authorized, to carry out
13 international communication activities, and to make and
14 supervise grants for radio, Internet, and television broad-
15 casting to the Middle East, \$798,196,000: *Provided*, That
16 in addition to amounts otherwise available for such pur-
17 poses, up to \$34,508,000 of the amount appropriated
18 under this heading may remain available until expended
19 for satellite transmissions and Internet freedom programs,
20 of which not less than \$13,800,000 shall be for Internet
21 freedom programs: *Provided further*, That of the total
22 amount appropriated under this heading, not to exceed
23 \$35,000 may be used for representation expenses, of
24 which \$10,000 may be used for such expenses within the
25 United States as authorized, and not to exceed \$30,000

1 may be used for representation expenses of Radio Free
2 Europe/Radio Liberty: *Provided further*, That the BBG
3 shall notify the Committees on Appropriations within 15
4 days of any determination by the BBG that any of its
5 broadcast entities, including its grantee organizations,
6 provides an open platform for international terrorists or
7 those who support international terrorism, or is in viola-
8 tion of the principles and standards set forth in sub-
9 sections (a) and (b) of section 303 of the United States
10 International Broadcasting Act of 1994 (22 U.S.C. 6202)
11 or the entity's journalistic code of ethics: *Provided further*,
12 That significant modifications to BBG broadcast hours
13 previously justified to Congress, including changes to
14 transmission platforms (shortwave, medium wave, sat-
15 ellite, Internet, and television), for all BBG language serv-
16 ices shall be subject to the regular notification procedures
17 of the Committees on Appropriations: *Provided further*,
18 That in addition to funds made available under this head-
19 ing, and notwithstanding any other provision of law, up
20 to \$5,000,000 in receipts from advertising and revenue
21 from business ventures, up to \$500,000 in receipts from
22 cooperating international organizations, and up to
23 \$1,000,000 in receipts from privatization efforts of the
24 Voice of America and the International Broadcasting Bu-

1 reau, shall remain available until expended for carrying
2 out authorized purposes.

3 BROADCASTING CAPITAL IMPROVEMENTS

4 For the purchase, rent, construction, repair, preser-
5 vation, and improvement of facilities for radio, television,
6 and digital transmission and reception; the purchase, rent,
7 and installation of necessary equipment for radio, tele-
8 vision, and digital transmission and reception, including
9 to Cuba, as authorized; and physical security worldwide,
10 in addition to amounts otherwise available for such pur-
11 poses, \$9,700,000, to remain available until expended, as
12 authorized.

13 RELATED PROGRAMS

14 THE ASIA FOUNDATION

15 For a grant to The Asia Foundation, as authorized
16 by The Asia Foundation Act (22 U.S.C. 4402),
17 \$17,000,000, to remain available until expended: *Pro-*
18 *vided*, That funds appropriated under this heading shall
19 be apportioned and obligated to the Foundation not later
20 than 60 days after enactment of this Act.

21 UNITED STATES INSTITUTE OF PEACE

22 For necessary expenses of the United States Institute
23 of Peace, as authorized by the United States Institute of
24 Peace Act (22 U.S.C. 4601 et seq.), \$38,634,000, to re-

1 main available until September 30, 2020, which shall not
2 be used for construction activities.

3 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
4 TRUST FUND

5 For necessary expenses of the Center for Middle
6 Eastern-Western Dialogue Trust Fund, as authorized by
7 section 633 of the Departments of Commerce, Justice, and
8 State, the Judiciary, and Related Agencies Appropriations
9 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
10 est and earnings accruing to such Fund on or before Sep-
11 tember 30, 2019, to remain available until expended.

12 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

13 For necessary expenses of Eisenhower Exchange Fel-
14 lowships, Incorporated, as authorized by sections 4 and
15 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
16 U.S.C. 5204–5205), all interest and earnings accruing to
17 the Eisenhower Exchange Fellowship Program Trust
18 Fund on or before September 30, 2019, to remain avail-
19 able until expended: *Provided*, That none of the funds ap-
20 propriated herein shall be used to pay any salary or other
21 compensation, or to enter into any contract providing for
22 the payment thereof, in excess of the rate authorized by
23 section 5376 of title 5, United States Code; or for pur-
24 poses which are not in accordance with section 200 of title

1 2 of the Code of Federal Regulations, including the re-
2 strictions on compensation for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program, as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452 note), all interest and earnings accruing
8 to the Israeli Arab Scholarship Fund on or before Sep-
9 tember 30, 2019, to remain available until expended.

10 EAST-WEST CENTER

11 To enable the Secretary of State to provide for car-
12 rying out the provisions of the Center for Cultural and
13 Technical Interchange Between East and West Act of
14 1960, by grant to the Center for Cultural and Technical
15 Interchange Between East and West in the State of Ha-
16 waii, \$16,700,000: *Provided*, That funds appropriated
17 under this heading shall be apportioned and obligated to
18 the Center not later than 60 days after enactment of this
19 Act.

20 NATIONAL ENDOWMENT FOR DEMOCRACY

21 For grants made by the Department of State to the
22 National Endowment for Democracy, as authorized by the
23 National Endowment for Democracy Act (22 U.S.C.
24 4412), \$180,000,000, to remain available until expended,
25 of which \$117,500,000 shall be allocated in the traditional

1 and customary manner, including for the core institutes,
2 and \$62,500,000 shall be for democracy programs: *Pro-*
3 *vided*, That the requirements of section 7070(a) of this
4 Act shall not apply to funds made available under this
5 heading: *Provided further*, That funds appropriated under
6 this heading shall be apportioned and obligated to the En-
7 dowment not later than 60 days after enactment of this
8 Act.

9 OTHER COMMISSIONS

10 COMMISSION FOR THE PRESERVATION OF AMERICA'S

11 HERITAGE ABROAD

12 SALARIES AND EXPENSES

13 For necessary expenses for the Commission for the
14 Preservation of America's Heritage Abroad, \$675,000, as
15 authorized by chapter 3123 of title 54, United States
16 Code: *Provided*, That the Commission may procure tem-
17 porary, intermittent, and other services notwithstanding
18 paragraph (3) of section 312304(b) of such chapter: *Pro-*
19 *vided further*, That such authority shall terminate on Oc-
20 tober 1, 2019: *Provided further*, That the Commission
21 shall notify the Committees on Appropriations prior to ex-
22 ercising such authority.

1 UNITED STATES COMMISSION ON INTERNATIONAL
2 RELIGIOUS FREEDOM
3 SALARIES AND EXPENSES

4 For necessary expenses for the United States Com-
5 mission on International Religious Freedom (USCIRF),
6 as authorized by title II of the International Religious
7 Freedom Act of 1998 (22 U.S.C. 6431 et seq.),
8 \$4,500,000, to remain available until September 30, 2020,
9 including not more than \$4,000 for representation ex-
10 penses: *Provided*, That prior to the obligation of
11 \$1,000,000 of the funds appropriated under this heading,
12 the Commission shall consult with the appropriate con-
13 gressional committees on the steps taken to implement the
14 recommendations of the Independent Review of USCIRF
15 Mission Effectiveness that was conducted pursuant to the
16 United States Commission on International Religious
17 Freedom Reauthorization Act of 2015 (Public Law 114–
18 71), and such funds shall be subject to the regular notifi-
19 cation procedures of the Committees on Appropriations.

20 COMMISSION ON SECURITY AND COOPERATION IN
21 EUROPE
22 SALARIES AND EXPENSES

23 For necessary expenses of the Commission on Secu-
24 rity and Cooperation in Europe, as authorized by Public
25 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,579,000, includ-

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1 ing not more than \$4,000 for representation expenses, to
2 remain available until September 30, 2020.

3 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
4 PEOPLE'S REPUBLIC OF CHINA
5 SALARIES AND EXPENSES

6 For necessary expenses of the Congressional-Execu-
7 tive Commission on the People's Republic of China, as au-
8 thorized by title III of the U.S.-China Relations Act of
9 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
10 more than \$3,000 for representation expenses, to remain
11 available until September 30, 2020.

12 UNITED STATES-CHINA ECONOMIC AND SECURITY
13 REVIEW COMMISSION
14 SALARIES AND EXPENSES

15 For necessary expenses of the United States-China
16 Economic and Security Review Commission, as authorized
17 by section 1238 of the Floyd D. Spence National Defense
18 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
19 \$3,500,000, including not more than \$4,000 for represen-
20 tation expenses, to remain available until September 30,
21 2020: *Provided*, That the authorities, requirements, limi-
22 tations, and conditions contained in the second through
23 sixth provisos under this heading in the Department of
24 State, Foreign Operations, and Related Programs Appro-
25 priations Act, 2010 (division F of Public Law 111-117)

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1 shall continue in effect during fiscal year 2019 and shall
2 apply to funds appropriated under this heading as if in-
3 cluded in this Act.

4 WESTERN HEMISPHERE DRUG POLICY COMMISSION
5 SALARIES AND EXPENSES

6 For necessary expenses of the Western Hemisphere
7 Drug Policy Commission, as authorized by title VI of the
8 Department of State Authorities Act, Fiscal Year 2017
9 (Public Law 114–323), \$1,500,000 to remain available
10 until September 30, 2020.

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1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$1,214,808,000, of which up to \$182,221,000 may remain
9 available until September 30, 2020: *Provided*, That none
10 of the funds appropriated under this heading and under
11 the heading “Capital Investment Fund” in this title may
12 be made available to finance the construction (including
13 architect and engineering services), purchase, or long-term
14 lease of offices for use by the United States Agency for
15 International Development, unless the USAID Adminis-
16 trator has identified such proposed use of funds in a re-
17 port submitted to the Committees on Appropriations at
18 least 15 days prior to the obligation of funds for such pur-
19 poses: *Provided further*, That contracts or agreements en-
20 tered into with funds appropriated under this heading may
21 entail commitments for the expenditure of such funds
22 through the following fiscal year: *Provided further*, That
23 the authority of sections 610 and 109 of the Foreign As-
24 sistance Act of 1961 may be exercised by the Secretary
25 of State to transfer funds appropriated to carry out chap-

1 ter 1 of part I of such Act to “Operating Expenses” in
2 accordance with the provisions of those sections: *Provided*
3 *further*, That of the funds appropriated or made available
4 under this heading, not to exceed \$250,000 may be avail-
5 able for representation and entertainment expenses, of
6 which not to exceed \$5,000 may be available for entertain-
7 ment expenses, and not to exceed \$100,500 shall be for
8 official residence expenses, for USAID during the current
9 fiscal year.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses for overseas construction and
12 related costs, and for the procurement and enhancement
13 of information technology and related capital investments,
14 pursuant to section 667 of the Foreign Assistance Act of
15 1961, \$225,000,000, to remain available until expended:
16 *Provided*, That this amount is in addition to funds other-
17 wise available for such purposes: *Provided further*, That
18 funds appropriated under this heading shall be available
19 subject to the regular notification procedures of the Com-
20 mittees on Appropriations.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 \$76,600,000, of which up to \$11,490,000 may remain
25 available until September 30, 2020, for the Office of In-

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1 spector General of the United States Agency for Inter-
2 national Development.

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1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, as follows:

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for global health activities, in addition to
11 funds otherwise available for such purposes,
12 \$3,117,450,000, to remain available until September 30,
13 2020, and which shall be apportioned directly to the
14 United States Agency for International Development: *Pro-*
15 *vided*, That this amount shall be made available for train-
16 ing, equipment, and technical assistance to build the ca-
17 pacity of public health institutions and organizations in
18 developing countries, and for such activities as: (1) child
19 survival and maternal health programs; (2) immunization
20 and oral rehydration programs; (3) other health, nutrition,
21 water and sanitation programs which directly address the
22 needs of mothers and children, and related education pro-
23 grams; (4) assistance for children displaced or orphaned
24 by causes other than AIDS; (5) programs for the preven-
25 tion, treatment, control of, and research on HIV/AIDS,

1 tuberculosis, polio, malaria, and other infectious diseases
2 including neglected tropical diseases, and for assistance to
3 communities severely affected by HIV/AIDS, including
4 children infected or affected by AIDS; (6) disaster pre-
5 paredness training for health crises; (7) programs to pre-
6 vent, prepare for, and respond to, unanticipated and
7 emerging global health threats; and (8) family planning/
8 reproductive health: *Provided further*, That funds appro-
9 priated under this paragraph may be made available for
10 a United States contribution to the GAVI Alliance: *Pro-*
11 *vided further*, That none of the funds made available in
12 this Act nor any unobligated balances from prior appro-
13 priations Acts may be made available to any organization
14 or program which, as determined by the President of the
15 United States, supports or participates in the manage-
16 ment of a program of coercive abortion or involuntary
17 sterilization: *Provided further*, That any determination
18 made under the previous proviso must be made not later
19 than 6 months after the date of enactment of this Act,
20 and must be accompanied by the evidence and criteria uti-
21 lized to make the determination: *Provided further*, That
22 none of the funds made available under this Act may be
23 used to pay for the performance of abortion as a method
24 of family planning or to motivate or coerce any person
25 to practice abortions: *Provided further*, That nothing in

1 this paragraph shall be construed to alter any existing
2 statutory prohibitions against abortion under section 104
3 of the Foreign Assistance Act of 1961: *Provided further*,
4 That none of the funds made available under this Act may
5 be used to lobby for or against abortion: *Provided further*,
6 That in order to reduce reliance on abortion in developing
7 nations, funds shall be available only to voluntary family
8 planning projects which offer, either directly or through
9 referral to, or information about access to, a broad range
10 of family planning methods and services, and that any
11 such voluntary family planning project shall meet the fol-
12 lowing requirements: (1) service providers or referral
13 agents in the project shall not implement or be subject
14 to quotas, or other numerical targets, of total number of
15 births, number of family planning acceptors, or acceptors
16 of a particular method of family planning (this provision
17 shall not be construed to include the use of quantitative
18 estimates or indicators for budgeting and planning pur-
19 poses); (2) the project shall not include payment of incen-
20 tives, bribes, gratuities, or financial reward to: (A) an indi-
21 vidual in exchange for becoming a family planning accep-
22 tor; or (B) program personnel for achieving a numerical
23 target or quota of total number of births, number of fam-
24 ily planning acceptors, or acceptors of a particular method
25 of family planning; (3) the project shall not deny any right

1 or benefit, including the right of access to participate in
2 any program of general welfare or the right of access to
3 health care, as a consequence of any individual's decision
4 not to accept family planning services; (4) the project shall
5 provide family planning acceptors comprehensible infor-
6 mation on the health benefits and risks of the method cho-
7 sen, including those conditions that might render the use
8 of the method inadvisable and those adverse side effects
9 known to be consequent to the use of the method; and
10 (5) the project shall ensure that experimental contracep-
11 tive drugs and devices and medical procedures are pro-
12 vided only in the context of a scientific study in which
13 participants are advised of potential risks and benefits;
14 and, not less than 60 days after the date on which the
15 USAID Administrator determines that there has been a
16 violation of the requirements contained in paragraph (1),
17 (2), (3), or (5) of this proviso, or a pattern or practice
18 of violations of the requirements contained in paragraph
19 (4) of this proviso, the Administrator shall submit to the
20 Committees on Appropriations a report containing a de-
21 scription of such violation and the corrective action taken
22 by the Agency: *Provided further*, That in awarding grants
23 for natural family planning under section 104 of the For-
24 eign Assistance Act of 1961 no applicant shall be discrimi-
25 nated against because of such applicant's religious or con-

1 scientific commitment to offer only natural family plan-
2 ning; and, additionally, all such applicants shall comply
3 with the requirements of the previous proviso: *Provided*
4 *further*, That for purposes of this or any other Act author-
5 izing or appropriating funds for the Department of State,
6 foreign operations, and related programs, the term “moti-
7 vate”, as it relates to family planning assistance, shall not
8 be construed to prohibit the provision, consistent with
9 local law, of information or counseling about all pregnancy
10 options: *Provided further*, That information provided
11 about the use of condoms as part of projects or activities
12 that are funded from amounts appropriated by this Act
13 shall be medically accurate and shall include the public
14 health benefits and failure rates of such use.

15 In addition, for necessary expenses to carry out the
16 provisions of the Foreign Assistance Act of 1961 for the
17 prevention, treatment, and control of, and research on,
18 HIV/AIDS, \$5,720,000,000, to remain available until
19 September 30, 2023, which shall be apportioned directly
20 to the Department of State: *Provided*, That funds appro-
21 priated under this paragraph may be made available, not-
22 withstanding any other provision of law, except for the
23 United States Leadership Against HIV/AIDS, Tuber-
24 culosis, and Malaria Act of 2003 (Public Law 108–25),
25 for a United States contribution to the Global Fund to

1 Fight AIDS, Tuberculosis and Malaria (Global Fund),
2 and shall be expended at the minimum rate necessary to
3 make timely payment for projects and activities: *Provided*
4 *further*, That the amount of such contribution should be
5 \$1,350,000,000: *Provided further*, That clauses (i) and
6 (vi) of section 202(d)(4)(A) of the United States Leader-
7 ship Against HIV/AIDS, Tuberculosis, and Malaria Act
8 of 2003 (22 U.S.C. 7622) shall be applied with respect
9 to such funds made available for fiscal years 2015 through
10 2019 by substituting “2004” for “2009”: *Provided fur-*
11 *ther*, That up to 5 percent of the aggregate amount of
12 funds made available to the Global Fund in fiscal year
13 2019 may be made available to USAID for technical as-
14 sistance related to the activities of the Global Fund, sub-
15 ject to the regular notification procedures of the Commit-
16 tees on Appropriations: *Provided further*, That of the
17 funds appropriated under this paragraph, up to
18 \$17,000,000 may be made available, in addition to
19 amounts otherwise available for such purposes, for admin-
20 istrative expenses of the Office of the United States Global
21 AIDS Coordinator.

22

DEVELOPMENT ASSISTANCE

23 For necessary expenses to carry out the provisions
24 of sections 103, 105, 106, 214, and sections 251 through
25 255, and chapter 10 of part I of the Foreign Assistance

1 Act of 1961, \$3,000,000,000, to remain available until
2 September 30, 2020.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses to carry out the provisions
5 of section 491 of the Foreign Assistance Act of 1961 for
6 international disaster relief, rehabilitation, and recon-
7 struction assistance, \$3,801,034,000, to remain available
8 until expended: *Provided*, That such funds shall be appor-
9 tioned to the United States Agency for International De-
10 velopment not later than 60 days after enactment of this
11 Act.

12 TRANSITION INITIATIVES

13 For necessary expenses for international disaster re-
14 habilitation and reconstruction assistance administered by
15 the Office of Transition Initiatives, United States Agency
16 for International Development, pursuant to section 491 of
17 the Foreign Assistance Act of 1961, \$30,000,000, to re-
18 main available until expended, to support transition to de-
19 mocracy and long-term development of countries in crisis:
20 *Provided*, That such support may include assistance to de-
21 velop, strengthen, or preserve democratic institutions and
22 processes, revitalize basic infrastructure, and foster the
23 peaceful resolution of conflict: *Provided further*, That the
24 USAID Administrator shall submit a report to the Com-
25 mittees on Appropriations at least 5 days prior to begin-

1 *vided further*, That funds appropriated under this heading
2 may be made available notwithstanding any other provi-
3 sion of law, except sections 7007, 7008, and 7018 of this
4 Act and section 620M of the Foreign Assistance Act of
5 1961: *Provided further*, That funds appropriated under
6 this heading may be used for administrative expenses, in
7 addition to funds otherwise available for such purposes,
8 except that such expenses may not exceed 5 percent of
9 the funds appropriated under this heading: *Provided fur-*
10 *ther*, That funds appropriated under this heading shall be
11 apportioned to USAID not later than 60 days after enact-
12 ment of this Act: *Provided further*, That funds appro-
13 priated under this heading shall be subject to the regular
14 notification procedures of the Committees on Appropria-
15 tions, except that such notifications shall be transmitted
16 at least 5 days prior to the obligation of funds.

17 DEVELOPMENT CREDIT AUTHORITY

18 For the cost of direct loans and loan guarantees pro-
19 vided by the United States Agency for International De-
20 velopment, as authorized by sections 256 and 635 of the
21 Foreign Assistance Act of 1961, up to \$55,000,000 may
22 be derived by transfer from funds appropriated by this Act
23 to carry out part I of such Act and under the heading
24 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*
25 *vided*, That funds provided under this paragraph and

1 funds provided as a gift that are used for purposes of this
2 paragraph pursuant to section 635(d) of the Foreign As-
3 sistance Act of 1961 shall be made available only for
4 micro- and small enterprise programs, urban programs,
5 and other programs which further the purposes of part
6 I of such Act: *Provided further*, That funds provided as
7 a gift that are used for purposes of this paragraph shall
8 be subject to prior consultation with, and the regular noti-
9 fication procedures of, the Committees on Appropriations:
10 *Provided further*, That such costs, including the cost of
11 modifying such direct and guaranteed loans, shall be as
12 defined in section 502 of the Congressional Budget Act
13 of 1974, as amended: *Provided further*, That funds made
14 available by this paragraph may be used for the cost of
15 modifying any such guaranteed loans under this Act or
16 prior Acts making appropriations for the Department of
17 State, foreign operations, and related programs, and funds
18 used for such cost, including if the cost results in a nega-
19 tive subsidy, shall be subject to the regular notification
20 procedures of the Committees on Appropriations: *Provided*
21 *further*, That the provisions of section 107A(d) (relating
22 to general provisions applicable to the Development Credit
23 Authority) of the Foreign Assistance Act of 1961, as con-
24 tained in section 306 of H.R. 1486 as reported by the
25 House Committee on International Relations on May 9,

1 1997, shall be applicable to direct loans and loan guaran-
2 tees provided under this heading, except that the principal
3 amount of loans made or guaranteed under this heading
4 with respect to any single country shall not exceed
5 \$300,000,000: *Provided further*, That these funds are
6 available to subsidize total loan principal, any portion of
7 which is to be guaranteed, of up to \$1,750,000,000.

8 In addition, for administrative expenses to carry out
9 credit programs administered by USAID, \$10,000,000,
10 which may be transferred to, and merged with, funds
11 made available under the heading “Operating Expenses”
12 in title II of this Act: *Provided*, That funds made available
13 under this heading shall remain available until September
14 30, 2021: *Provided further*, That of the funds appro-
15 priated under this paragraph in this Act and prior Acts
16 making appropriations for the Department of State, for-
17 eign operations, and related programs for administrative
18 expenses to carry out credit programs administered by
19 USAID, up to \$1,000,000 may be made available for lim-
20 ited transition costs associated with the implementation
21 of section 1463 of the Better Utilization of Investments
22 Leading to Development (BUILD) Act of 2018 (division
23 F of Public Law 115–254): *Provided further*, That prior
24 to the initial obligation of funds made available for such
25 transition costs, the USAID Administrator shall submit

1 a spend plan to the Committees on Appropriations for the
2 use of such funds: *Provided further*, That funds made
3 available for such transition costs shall be subject to the
4 regular notification procedures of the Committees on Ap-
5 propriations, and may not be made available until the re-
6 organization plan required by section 1462(a) of the
7 BUILD Act of 2018 is transmitted to Congress.

8 ECONOMIC SUPPORT FUND

9 For necessary expenses to carry out the provisions
10 of chapter 4 of part II of the Foreign Assistance Act of
11 1961, \$2,545,525,000, to remain available until Sep-
12 tember 30, 2020.

13 DEMOCRACY FUND

14 For necessary expenses to carry out the provisions
15 of the Foreign Assistance Act of 1961 for the promotion
16 of democracy globally, including to carry out the purposes
17 of section 502(b)(3) and (5) of Public Law 98–164 (22
18 U.S.C. 4411), \$157,700,000, to remain available until
19 September 30, 2020, which shall be made available for the
20 Human Rights and Democracy Fund of the Bureau of De-
21 mocracy, Human Rights, and Labor, Department of
22 State: *Provided*, That funds appropriated under this head-
23 ing that are made available to the National Endowment
24 for Democracy and its core institutes are in addition to
25 amounts otherwise available by this Act for such purposes:

1 *Provided further*, That the Assistant Secretary for Democ-
2 racy, Human Rights, and Labor, Department of State,
3 shall consult with the Committees on Appropriations prior
4 to the obligation of funds appropriated under this para-
5 graph.

6 For an additional amount for such purposes,
7 \$69,500,000, to remain available until September 30,
8 2020, which shall be made available for the Bureau for
9 Democracy, Conflict, and Humanitarian Assistance,
10 United States Agency for International Development.

11 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

12 For necessary expenses to carry out the provisions
13 of the Foreign Assistance Act of 1961, the FREEDOM
14 Support Act (Public Law 102–511), and the Support for
15 Eastern European Democracy (SEED) Act of 1989 (Pub-
16 lic Law 101–179), \$760,334,000, to remain available until
17 September 30, 2020, which shall be available, notwith-
18 standing any other provision of law, except section 7047
19 of this Act, for assistance and related programs for coun-
20 tries identified in section 3 of Public Law 102–511 (22
21 U.S.C. 5801) and section 3(c) of Public Law 101–179 (22
22 U.S.C. 5402), in addition to funds otherwise available for
23 such purposes: *Provided*, That funds appropriated by this
24 Act under the headings “Global Health Programs”, “Eco-
25 nomic Support Fund”, and “International Narcotics Con-

1 trol and Law Enforcement” that are made available for
2 assistance for such countries shall be administered in ac-
3 cordance with the responsibilities of the coordinator des-
4 igned pursuant to section 102 of Public Law 102–511
5 and section 601 of Public Law 101–179: *Provided further*,
6 That funds appropriated under this heading shall be con-
7 sidered to be economic assistance under the Foreign As-
8 sistance Act of 1961 for purposes of making available the
9 administrative authorities contained in that Act for the
10 use of economic assistance: *Provided further*, That any no-
11 tification of funds made available under this heading in
12 this Act or prior Acts making appropriations for the De-
13 partment of State, foreign operations and related pro-
14 grams shall include information (if known on the date of
15 transmittal of such notification) on the use of notwith-
16 standing authority: *Provided further*, That if subsequent
17 to the notification of assistance it becomes necessary to
18 rely on notwithstanding authority, the Committees on Ap-
19 propriations should be informed at the earliest opportunity
20 and to the extent practicable.

21 DEPARTMENT OF STATE

22 MIGRATION AND REFUGEE ASSISTANCE

23 For necessary expenses not otherwise provided for,
24 to enable the Secretary of State to carry out the provisions
25 of section 2(a) and (b) of the Migration and Refugee As-

1 sistance Act of 1962, and other activities to meet refugee
2 and migration needs; salaries and expenses of personnel
3 and dependents as authorized by the Foreign Service Act
4 of 1980; allowances as authorized by sections 5921
5 through 5925 of title 5, United States Code; purchase and
6 hire of passenger motor vehicles; and services as author-
7 ized by section 3109 of title 5, United States Code,
8 \$2,027,876,000, to remain available until expended, of
9 which not less than \$35,000,000 shall be made available
10 to respond to small-scale emergency humanitarian require-
11 ments, and \$5,000,000 shall be made available for refu-
12 gees resettling in Israel.

13 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
14 ASSISTANCE FUND

15 For necessary expenses to carry out the provisions
16 of section 2(c) of the Migration and Refugee Assistance
17 Act of 1962, as amended (22 U.S.C. 2601(c)),
18 \$1,000,000, to remain available until expended: *Provided*,
19 That amounts in excess of the limitation contained in
20 paragraph (2) of such section shall be transferred to, and
21 merged with, funds made available by this Act under the
22 heading “Migration and Refugee Assistance”.

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1 INDEPENDENT AGENCIES

2 PEACE CORPS

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
6 the purchase of not to exceed five passenger motor vehicles
7 for administrative purposes for use outside of the United
8 States, \$410,500,000, of which \$6,000,000 is for the Of-
9 fice of Inspector General, to remain available until Sep-
10 tember 30, 2020: *Provided*, That the Director of the Peace
11 Corps may transfer to the Foreign Currency Fluctuations
12 Account, as authorized by section 16 of the Peace Corps
13 Act (22 U.S.C. 2515), an amount not to exceed
14 \$5,000,000: *Provided further*, That funds transferred pur-
15 suant to the previous proviso may not be derived from
16 amounts made available for Peace Corps overseas oper-
17 ations: *Provided further*, That of the funds appropriated
18 under this heading, not to exceed \$104,000 may be avail-
19 able for representation expenses, of which not to exceed
20 \$4,000 may be made available for entertainment expenses:
21 *Provided further*, That none of the funds appropriated
22 under this heading shall be used to pay for abortions: *Pro-*
23 *vided further*, That notwithstanding the previous proviso,
24 section 614 of division E of Public Law 113-76 shall
25 apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions
3 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4 et seq.) (MCA), \$905,000,000, to remain available until
5 expended: *Provided*, That of the funds appropriated under
6 this heading, up to \$105,000,000 may be available for ad-
7 ministrative expenses of the Millennium Challenge Cor-
8 poration: *Provided further*, That section 605(e) of the
9 MCA shall apply to funds appropriated under this head-
10 ing: *Provided further*, That funds appropriated under this
11 heading may be made available for a Millennium Challenge
12 Compact entered into pursuant to section 609 of the MCA
13 only if such Compact obligates, or contains a commitment
14 to obligate subject to the availability of funds and the mu-
15 tual agreement of the parties to the Compact to proceed,
16 the entire amount of the United States Government fund-
17 ing anticipated for the duration of the Compact: *Provided*
18 *further*, That no country should be eligible for a threshold
19 program after such country has completed a country com-
20 pact: *Provided further*, That any funds that are
21 deobligated from a Millennium Challenge Compact shall
22 be subject to the regular notification procedures of the
23 Committees on Appropriations prior to re-obligation: *Pro-*
24 *vided further*, That of the funds appropriated under this
25 heading, not to exceed \$100,000 may be available for rep-

1 representation and entertainment expenses, of which not to
2 exceed \$5,000 may be available for entertainment ex-
3 penses.

4 INTER-AMERICAN FOUNDATION

5 For necessary expenses to carry out the functions of
6 the Inter-American Foundation in accordance with the
7 provisions of section 401 of the Foreign Assistance Act
8 of 1969, \$22,500,000, to remain available until September
9 30, 2020: *Provided*, That of the funds appropriated under
10 this heading, not to exceed \$2,000 may be available for
11 representation expenses.

12 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

13 For necessary expenses to carry out the African De-
14 velopment Foundation Act (title V of Public Law 96-533;
15 22 U.S.C. 290h et seq.), \$30,000,000, to remain available
16 until September 30, 2020, of which not to exceed \$2,000
17 may be available for representation expenses: *Provided*,
18 That funds made available to grantees may be invested
19 pending expenditure for project purposes when authorized
20 by the Board of Directors of the United States African
21 Development Foundation (USADF): *Provided further*,
22 That interest earned shall be used only for the purposes
23 for which the grant was made: *Provided further*, That not-
24 withstanding section 505(a)(2) of the African Develop-
25 ment Foundation Act (22 U.S.C. 290h-3(a)(2)), in excep-

1 tional circumstances the Board of Directors of the
2 USADF may waive the \$250,000 limitation contained in
3 that section with respect to a project and a project may
4 exceed the limitation by up to 10 percent if the increase
5 is due solely to foreign currency fluctuation: *Provided fur-*
6 *ther*, That the USADF shall submit a report to the appro-
7 priate congressional committees after each time such waiv-
8 er authority is exercised: *Provided further*, That the
9 USADF may make rent or lease payments in advance
10 from appropriations available for such purpose for offices,
11 buildings, grounds, and quarters in Africa as may be nec-
12 essary to carry out its functions: *Provided further*, That
13 the USADF may maintain bank accounts outside the
14 United States Treasury and retain any interest earned on
15 such accounts, in furtherance of the purposes of the Afri-
16 can Development Foundation Act: *Provided further*, That
17 the USADF may not withdraw any appropriation from the
18 Treasury prior to the need of spending such funds for pro-
19 gram purposes.

20 DEPARTMENT OF THE TREASURY

21 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

22 For necessary expenses to carry out the provisions
23 of section 129 of the Foreign Assistance Act of 1961,
24 \$30,000,000, to remain available until expended, of which
25 not more than \$6,000,000 may be used for administrative

1 expenses: *Provided*, That amounts made available under
2 this heading may be made available to contract for services
3 as described in section 129(d)(3)(A) of the Foreign Assist-
4 ance Act of 1961, without regard to the location in which
5 such services are performed.

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1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$1,497,469,000, to
8 remain available until September 30, 2020: *Provided*,
9 That the Department of State may use the authority of
10 section 608 of the Foreign Assistance Act of 1961, with-
11 out regard to its restrictions, to receive excess property
12 from an agency of the United States Government for the
13 purpose of providing such property to a foreign country
14 or international organization under chapter 8 of part I of
15 such Act, subject to the regular notification procedures of
16 the Committees on Appropriations: *Provided further*, That
17 section 482(b) of the Foreign Assistance Act of 1961 shall
18 not apply to funds appropriated under this heading, except
19 that any funds made available notwithstanding such sec-
20 tion shall be subject to the regular notification procedures
21 of the Committees on Appropriations: *Provided further*,
22 That funds appropriated under this heading shall be made
23 available to support training and technical assistance for
24 foreign law enforcement, corrections, judges, and other ju-
25 dicial authorities, utilizing regional partners: *Provided fur-*

1 *ther*, That funds made available under this heading that
2 are transferred to another department, agency, or instru-
3 mentality of the United States Government pursuant to
4 section 632(b) of the Foreign Assistance Act of 1961 val-
5 ued in excess of \$5,000,000, and any agreement made
6 pursuant to section 632(a) of such Act, shall be subject
7 to the regular notification procedures of the Committees
8 on Appropriations.

9 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
10 RELATED PROGRAMS

11 For necessary expenses for nonproliferation, anti-ter-
12 rorism, demining and related programs and activities,
13 \$864,550,000, to remain available until September 30,
14 2020, to carry out the provisions of chapter 8 of part II
15 of the Foreign Assistance Act of 1961 for anti-terrorism
16 assistance, chapter 9 of part II of the Foreign Assistance
17 Act of 1961, section 504 of the FREEDOM Support Act,
18 section 23 of the Arms Export Control Act, or the Foreign
19 Assistance Act of 1961 for demining activities, the clear-
20 ance of unexploded ordnance, the destruction of small
21 arms, and related activities, notwithstanding any other
22 provision of law, including activities implemented through
23 nongovernmental and international organizations, and sec-
24 tion 301 of the Foreign Assistance Act of 1961 for a
25 United States contribution to the Comprehensive Nuclear

1 Test Ban Treaty Preparatory Commission, and for a vol-
2 untary contribution to the International Atomic Energy
3 Agency (IAEA): *Provided*, That funds made available
4 under this heading for the Nonproliferation and Disar-
5 mament Fund shall be made available, notwithstanding
6 any other provision of law and subject to prior consulta-
7 tion with, and the regular notification procedures of, the
8 Committees on Appropriations, to promote bilateral and
9 multilateral activities relating to nonproliferation, disar-
10 mament, and weapons destruction, and shall remain avail-
11 able until expended: *Provided further*, That such funds
12 may also be used for such countries other than the Inde-
13 pendent States of the former Soviet Union and inter-
14 national organizations when it is in the national security
15 interest of the United States to do so: *Provided further*,
16 That funds appropriated under this heading may be made
17 available for the IAEA unless the Secretary of State deter-
18 mines that Israel is being denied its right to participate
19 in the activities of that Agency: *Provided further*, That
20 funds made available for conventional weapons destruction
21 programs, including demining and related activities, in ad-
22 dition to funds otherwise available for such purposes, may
23 be used for administrative expenses related to the oper-
24 ation and management of such programs and activities,

1 subject to the regular notification procedures of the Com-
2 mittees on Appropriations.

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961,
6 \$163,457,000: *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 and not less than \$71,000,000
15 shall be made available for the Global Peace Operations
16 Initiative: *Provided further*, That none of the funds appro-
17 priated under this heading shall be obligated except as
18 provided through the regular notification procedures of the
19 Committees on Appropriations.

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 INTERNATIONAL MILITARY EDUCATION AND TRAINING

22 For necessary expenses to carry out the provisions
23 of section 541 of the Foreign Assistance Act of 1961,
24 \$110,778,000, of which up to \$11,000,000 may remain
25 available until September 30, 2020: *Provided*, That the

1 civilian personnel for whom military education and train-
2 ing may be provided under this heading may include civil-
3 ians who are not members of a government whose partici-
4 pation would contribute to improved civil-military rela-
5 tions, civilian control of the military, or respect for human
6 rights: *Provided further*, That of the funds appropriated
7 under this heading, not to exceed \$50,000 may be avail-
8 able for entertainment expenses.

9 FOREIGN MILITARY FINANCING PROGRAM

10 For necessary expenses for grants to enable the
11 President to carry out the provisions of section 23 of the
12 Arms Export Control Act, \$5,962,241,000: *Provided*,
13 That to expedite the provision of assistance to foreign
14 countries and international organizations, the Secretary of
15 State, following consultation with the Committees on Ap-
16 propriations and subject to the regular notification proce-
17 dures of such Committees, may use the funds appro-
18 priated under this heading to procure defense articles and
19 services to enhance the capacity of foreign security forces:
20 *Provided further*, That of the funds appropriated under
21 this heading, not less than \$3,300,000,000 shall be avail-
22 able for grants only for Israel which 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 funds appropriated or other-
7 wise made available under this heading shall be nonrepay-
8 able notwithstanding any requirement in section 23 of the
9 Arms Export Control Act: *Provided further*, That funds
10 made available under this heading shall be obligated upon
11 apportionment in accordance with paragraph (5)(C) of
12 section 1501(a) of title 31, United States Code.

13 None of the funds made available under this heading
14 shall be available to finance the procurement of defense
15 articles, defense services, or design and construction serv-
16 ices that are not sold by the United States Government
17 under the Arms Export Control Act unless the foreign
18 country proposing to make such procurement has first
19 signed an agreement with the United States Government
20 specifying the conditions under which such procurement
21 may be financed with such funds: *Provided*, That all coun-
22 try and funding level increases in allocations shall be sub-
23 mitted through the regular notification procedures of sec-
24 tion 7015 of this Act: *Provided further*, That funds made
25 available under this heading may be used, notwithstanding

1 any other provision of law, for demining, the clearance of
2 unexploded ordnance, and related activities, and may in-
3 clude activities implemented through nongovernmental
4 and international organizations: *Provided further*, That
5 only those countries for which assistance was justified for
6 the “Foreign Military Sales Financing Program” in the
7 fiscal year 1989 congressional presentation for security as-
8 sistance programs may utilize funds made available under
9 this heading for procurement of defense articles, defense
10 services, or design and construction services that are not
11 sold by the United States Government under the Arms
12 Export Control Act: *Provided further*, That funds appro-
13 priated under this heading shall be expended at the min-
14 imum rate necessary to make timely payment for defense
15 articles and services: *Provided further*, That not more than
16 \$75,000,000 of the funds appropriated under this heading
17 may be obligated for necessary expenses, including the
18 purchase of passenger motor vehicles for replacement only
19 for use outside of the United States, for the general costs
20 of administering military assistance and sales, except that
21 this limitation may be exceeded only through the regular
22 notification procedures of the Committees on Appropria-
23 tions: *Provided further*, That of the funds made available
24 under this heading for general costs of administering mili-
25 tary assistance and sales, not to exceed \$4,000 may be

1 available for entertainment expenses and not to exceed
2 \$130,000 may be available for representation expenses:
3 *Provided further*, That not more than \$1,009,700,000 of
4 funds realized pursuant to section 21(e)(1)(A) of the Arms
5 Export Control Act may be obligated for expenses incurred
6 by the Department of Defense during fiscal year 2019
7 pursuant to section 43(b) of the Arms Export Control Act,
8 except that this limitation may be exceeded only through
9 the regular notification procedures of the Committees on
10 Appropriations.

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1 TITLE V
2 MULTILATERAL ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5 For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961,
7 \$339,000,000: *Provided*, That section 307(a) of the For-
8 eign Assistance Act of 1961 shall not apply to contribu-
9 tions to the United Nations Democracy Fund.

10 INTERNATIONAL FINANCIAL INSTITUTIONS
11 GLOBAL ENVIRONMENT FACILITY

12 For payment to the International Bank for Recon-
13 struction and Development as trustee for the Global Envi-
14 ronment Facility by the Secretary of the Treasury,
15 \$139,575,000, to remain available until, and to be fully
16 disbursed no later than, September 30, 2020: *Provided*,
17 That of such amount, \$136,563,000, which shall remain
18 available until September 30, 2019, is only available for
19 the first installment of the seventh replenishment of the
20 Global Environment Facility, and shall be obligated and
21 disbursed not later than 90 days after enactment of this
22 Act: *Provided further*, That the Secretary shall report to
23 the Committees on Appropriations on the status of funds
24 provided under this heading not less than quarterly until
25 fully disbursed: *Provided further*, That in such report the

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1 Secretary shall provide a timeline for the obligation and
2 disbursement of any funds that have not yet been obli-
3 gated or disbursed.

4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
5 ASSOCIATION

6 For payment to the International Development Asso-
7 ciation by the Secretary of the Treasury, \$1,097,010,000,
8 to remain available until expended.

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 expended.

13 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

14 For payment to the African Development Bank by
15 the Secretary of the Treasury for the United States share
16 of the paid-in portion of the increase in capital stock,
17 \$32,417,159, to remain available until expended.

18 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

19 The United States Governor of the African Develop-
20 ment Bank may subscribe without fiscal year limitation
21 to the callable capital portion of the United States share
22 of such capital stock in an amount not to exceed
23 \$507,860,806.

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1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For payment to the African Development Fund by
3 the Secretary of the Treasury, \$171,300,000, to remain
4 available until expended.

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, and to be fully dis-
10 bursed no later than, September 30, 2020, for the first
11 installment of the eleventh replenishment of the Inter-
12 national Fund for Agricultural Development: *Provided*,
13 That the Secretary of the Treasury shall report to the
14 Committees on Appropriations on the status of such pay-
15 ment not less than quarterly until fully disbursed: *Pro-*
16 *vided further*, That in such report the Secretary shall pro-
17 vide a timeline for the obligation and disbursement of any
18 funds that have not yet been obligated or disbursed.

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1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$5,700,000, of which
8 up to \$855,000 may remain available until September 30,
9 2020.

10 PROGRAM ACCOUNT

11 The Export-Import Bank of the United States is au-
12 thorized to make such expenditures within the limits of
13 funds and borrowing authority available to such corpora-
14 tion, and in accordance with law, and to make such con-
15 tracts and commitments without regard to fiscal year limi-
16 tations, as provided by section 9104 of title 31, United
17 States Code, as may be necessary in carrying out the pro-
18 gram for the current fiscal year for such corporation: *Pro-*
19 *vided*, That none of the funds available during the current
20 fiscal year may be used to make expenditures, contracts,
21 or commitments for the export of nuclear equipment, fuel,
22 or technology to any country, other than a nuclear-weapon
23 state as defined in Article IX of the Treaty on the Non-
24 Proliferation of Nuclear Weapons eligible to receive eco-
25 nomic or military assistance under this Act, that has deto-

1 nated a nuclear explosive after the date of enactment of
2 this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not
8 to exceed \$30,000 for official reception and representation
9 expenses for members of the Board of Directors, not to
10 exceed \$110,000,000, of which up to \$16,500,000 may re-
11 main available until September 30, 2020: *Provided*, That
12 the Export-Import Bank (the Bank) may accept, and use,
13 payment or services provided by transaction participants
14 for legal, financial, or technical services in connection with
15 any transaction for which an application for a loan, guar-
16 antee or insurance commitment has been made: *Provided*
17 *further*, That the Bank shall charge fees for necessary ex-
18 penses (including special services performed on a contract
19 or fee basis, but not including other personal services) in
20 connection with the collection of moneys owed the Bank,
21 repossession or sale of pledged collateral or other assets
22 acquired by the Bank in satisfaction of moneys owed the
23 Bank, or the investigation or appraisal of any property,
24 or the evaluation of the legal, financial, or technical as-
25 pects of any transaction for which an application for a

1 loan, guarantee or insurance commitment has been made,
2 or systems infrastructure directly supporting transactions:
3 *Provided further*, That in addition to other funds appro-
4 priated for administrative expenses, such fees shall be
5 credited to this account for such purposes, to remain avail-
6 able until expended.

7 RECEIPTS COLLECTED

8 Receipts collected pursuant to the Export-Import
9 Bank Act of 1945 (Public Law 79–173) and the Federal
10 Credit Reform Act of 1990, in an amount not to exceed
11 the amount appropriated herein, shall be credited as off-
12 setting collections to this account: *Provided*, That the
13 sums herein appropriated from the General Fund shall be
14 reduced on a dollar-for-dollar basis by such offsetting col-
15 lections so as to result in a final fiscal year appropriation
16 from the General Fund estimated at \$0.

17 OVERSEAS PRIVATE INVESTMENT CORPORATION

18 NONCREDIT ACCOUNT

19 The Overseas Private Investment Corporation is au-
20 thorized to make, without regard to fiscal year limitations,
21 as provided by section 9104 of title 31, United States
22 Code, such expenditures and commitments within the lim-
23 its of funds available to it and in accordance with law as
24 may be necessary: *Provided*, That the amount available for
25 administrative expenses to carry out the credit and insur-

1 ance programs (including an amount for official reception
2 and representation expenses which shall not exceed
3 \$35,000) shall not exceed \$79,200,000: *Provided further,*
4 That project-specific transaction costs, including direct
5 and indirect costs incurred in claims settlements, and
6 other direct costs associated with services provided to spe-
7 cific investors or potential investors pursuant to section
8 234 of the Foreign Assistance Act of 1961, shall not be
9 considered administrative expenses for the purposes of this
10 heading: *Provided further,* That of the funds appropriated
11 under this heading in this Act and prior Acts making ap-
12 propriations for the Department of State, foreign oper-
13 ations, and related programs, up to \$5,000,000 may be
14 made available for limited transition costs associated with
15 the implementation of section 1463 of the Better Utiliza-
16 tion of Investments Leading to Development (BUILD)
17 Act of 2018 (division F of Public Law 115–254): *Provided*
18 *further,* That prior to the initial obligation of funds made
19 available for such transition costs, the President of the
20 Overseas Private Investment Corporation shall submit a
21 spend plan to the Committees on Appropriations for the
22 use of such funds: *Provided further,* That funds made
23 available for such transition costs shall be subject to the
24 regular notification procedures of the Committees on Ap-
25 propriations, and may not be made available until the re-

1 organization plan required by section 1462(a) of the
2 BUILD Act of 2018 is transmitted to Congress.

3 PROGRAM ACCOUNT

4 For the cost of direct and guaranteed loans as au-
5 thorized by section 234 of the Foreign Assistance Act of
6 1961, \$20,000,000, to be derived by transfer from the
7 Overseas Private Investment Corporation Noncredit Ac-
8 count, to remain available until September 30, 2021: *Pro-*
9 *vided*, That such costs, including the cost of modifying
10 such loans, shall be as defined in section 502 of the Con-
11 gressional Budget Act of 1974: *Provided further*, That
12 funds so obligated in fiscal year 2019 remain available for
13 disbursement through 2027; funds obligated in fiscal year
14 2020 remain available for disbursement through 2028;
15 and funds obligated in fiscal year 2021 remain available
16 for disbursement through 2029: *Provided further*, That
17 notwithstanding any other provision of law, the Overseas
18 Private Investment Corporation is authorized to undertake
19 any program authorized by title IV of chapter 2 of part
20 I of the Foreign Assistance Act of 1961 in Iraq: *Provided*
21 *further*, That funds made available pursuant to the au-
22 thority of the previous proviso shall be subject to the reg-
23 ular notification procedures of the Committees on Appro-
24 priations.

1 In addition, such sums as may be necessary for ad-
2 ministrative expenses to carry out the credit program may
3 be derived from amounts available for administrative ex-
4 penses to carry out the credit and insurance programs in
5 the Overseas Private Investment Corporation Noncredit
6 Account and merged with said account.

7 TRADE AND DEVELOPMENT AGENCY

8 For necessary expenses to carry out the provisions
9 of section 661 of the Foreign Assistance Act of 1961,
10 \$79,500,000, to remain available until September 30,
11 2020, of which no more than \$19,000,000 may be used
12 for administrative expenses: *Provided*, That of the funds
13 appropriated under this heading, not more than \$5,000
14 may be available for representation and entertainment ex-
15 penses.

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1 TITLE VII

2 GENERAL PROVISIONS

3 ALLOWANCES AND DIFFERENTIALS

4 SEC. 7001. Funds appropriated under title I of this
5 Act shall be available, except as otherwise provided, for
6 allowances and differentials as authorized by subchapter
7 59 of title 5, United States Code; for services as author-
8 ized by section 3109 of such title and for hire of passenger
9 transportation pursuant to section 1343(b) of title 31,
10 United States Code.

11 UNOBLIGATED BALANCES REPORT

12 SEC. 7002. Any department or agency of the United
13 States Government to which funds are appropriated or
14 otherwise made available by this Act shall provide to the
15 Committees on Appropriations a quarterly accounting of
16 cumulative unobligated balances and obligated, but unex-
17 pended, balances by program, project, and activity, and
18 Treasury Account Fund Symbol of all funds received by
19 such department or agency in fiscal year 2019 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section shall be submitted
22 not later than 30 days after the end of each fiscal quarter
23 and should specify by account the amount of funds obli-
24 gated pursuant to bilateral agreements which have not
25 been further sub-obligated.

1 CONSULTING SERVICES

2 SEC. 7003. The expenditure of any appropriation
3 under title I of this Act for any consulting service through
4 procurement contract, pursuant to section 3109 of title
5 5, United States Code, shall be limited to those contracts
6 where such expenditures are a matter of public record and
7 available for public inspection, except where otherwise pro-
8 vided under existing law, or under existing Executive order
9 issued pursuant to existing law.

10 DIPLOMATIC FACILITIES

11 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
12 INFORMATION.—The Secretary of State shall promptly in-
13 form the Committees on Appropriations of each instance
14 in which a Federal department or agency is delinquent in
15 providing the full amount of funding required by section
16 604(e) of the Secure Embassy Construction and Counter-
17 terrorism Act of 1999 (22 U.S.C. 4865 note).

18 (b) EXCEPTION.—Notwithstanding paragraph (2) of
19 section 604(e) of the Secure Embassy Construction and
20 Counterterrorism Act of 1999 (title VI of division A of
21 H.R. 3427, as enacted into law by section 1000(a)(7) of
22 Public Law 106–113 and contained in appendix G of that
23 Act), as amended by section 111 of the Department of
24 State Authorities Act, Fiscal Year 2017 (Public Law 114–
25 323), a project to construct a facility of the United States

1 may include office space or other accommodations for
2 members of the United States Marine Corps.

3 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
4 poses of calculating the fiscal year 2019 costs of providing
5 new United States diplomatic facilities in accordance with
6 section 604(e) of the Secure Embassy Construction and
7 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
8 Secretary of State, in consultation with the Director of
9 the Office of Management and Budget, shall determine the
10 annual program level and agency shares in a manner that
11 is proportional to the contribution of the Department of
12 State for this purpose.

13 (d) CONSULTATION AND NOTIFICATION.—Funds ap-
14 propriated by this Act and prior Acts making appropria-
15 tions for the Department of State, foreign operations, and
16 related programs, which may be made available for the
17 acquisition of property or award of construction contracts
18 for overseas United States diplomatic facilities during fis-
19 cal year 2019, shall be subject to prior consultation with,
20 and the regular notification procedures of, the Committees
21 on Appropriations: *Provided*, That notifications pursuant
22 to this subsection shall include the information enumer-
23 ated under the heading “Embassy Security, Construction,
24 and Maintenance” in House Report 115–829.

1 (e) INTERIM AND TEMPORARY FACILITIES
2 ABROAD.—

3 (1) SECURITY VULNERABILITIES.—Funds ap-
4 propriated by this Act under the heading “Embassy
5 Security, Construction, and Maintenance” may be
6 made available, following consultation with the ap-
7 propriate congressional committees, to address secu-
8 rity vulnerabilities at interim and temporary United
9 States diplomatic facilities abroad, including physical
10 security upgrades and local guard staffing, except
11 that the amount of funds made available for such
12 purposes from this Act and prior Acts making ap-
13 propriations for the Department of State, foreign
14 operations, and related programs shall be a min-
15 imum of \$25,000,000.

16 (2) CONSULTATION.—Notwithstanding any
17 other provision of law, the opening, closure, or any
18 significant modification to an interim or temporary
19 United States diplomatic facility shall be subject to
20 prior consultation with the appropriate congressional
21 committees and the regular notification procedures
22 of the Committees on Appropriations, except that
23 such consultation and notification may be waived if
24 there is a security risk to personnel.

1 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
2 propriated under the headings “Diplomatic Programs”,
3 including for Worldwide Security Protection, “Emer-
4 gencies in the Diplomatic and Consular Service”, and
5 “Embassy Security, Construction, and Maintenance” in
6 this Act may be transferred to, and merged with, funds
7 appropriated under such headings if the Secretary of State
8 determines and reports to the Committees on Appropria-
9 tions that to do so is necessary to implement the rec-
10 ommendations of the Benghazi Accountability Review
11 Board, for emergency evacuations, or to prevent or re-
12 spond to security situations and requirements, following
13 consultation with, and subject to the regular notification
14 procedures of, such Committees: *Provided*, That such
15 transfer authority is in addition to any transfer authority
16 otherwise available in this Act and under any other provi-
17 sion of law.

18 (g) SOFT TARGETS.—Funds appropriated by this Act
19 under the heading “Embassy Security, Construction, and
20 Maintenance” may be made available for security up-
21 grades to soft targets, including schools, recreational fa-
22 cilities, and residences used by United States diplomatic
23 personnel and their dependents, except that the amount
24 made available for such purposes shall be a minimum of
25 \$10,000,000.

1 (h) REPORT.—Within 45 days of enactment of this
2 Act and every 3 months thereafter until the completion
3 of each project, the Secretary of State shall submit to the
4 Committees on Appropriations a report on the Erbil Con-
5 sulate, Beirut Embassy, Jakarta Embassy, Mexico City
6 Embassy, and New Delhi Embassy, as described under
7 this section in the explanatory statement described in sec-
8 tion 4 (in the matter preceding division A of this consoli-
9 dated Act).

10 (i) SECURE RESUPPLY AND MAINTENANCE.—The
11 Secretary of State may not grant final approval for the
12 construction of a new facility or substantial construction
13 to improve or expand an existing facility in the United
14 States by or for the Government of the People’s Republic
15 of China until the Secretary certifies and reports to the
16 appropriate congressional committees that an agreement
17 has been concluded between the Governments of the
18 United States and the People’s Republic of China that
19 permits secure resupply, maintenance, and new construc-
20 tion of United States Government facilities in the People’s
21 Republic of China.

22 PERSONNEL ACTIONS

23 SEC. 7005. Any costs incurred by a department or
24 agency funded under title I of this Act resulting from per-
25 sonnel actions taken in response to funding reductions in-

1 cluded in this Act shall be absorbed within the total budg-
2 etary resources available under title I to such department
3 or agency: *Provided*, That the authority to transfer funds
4 between appropriations accounts as may be necessary to
5 carry out this section is provided in addition to authorities
6 included elsewhere in this Act: *Provided further*, That use
7 of funds to carry out this section shall be treated as a
8 reprogramming of funds under section 7015 of this Act.

9 DEPARTMENT OF STATE MANAGEMENT

10 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
11 MENT.—Funds appropriated by this Act for the operations
12 of the Department of State under the headings “Diplo-
13 matic Programs” and “Capital Investment Fund” shall be
14 made available to implement the recommendations con-
15 tained in the Foreign Assistance Data Review Findings
16 Report (FADR) and the Office of Inspector General (OIG)
17 report entitled “Department Financial Systems Are Insuf-
18 ficient to Track and Report on Foreign Assistance
19 Funds”: *Provided*, That not later than 45 days after en-
20 actment of this Act, the Secretary of State shall submit
21 to the Committees on Appropriations an update to the
22 plan required under section 7006 of the Department of
23 State, Foreign Operations, and Related Programs Appro-
24 priations Act, 2017 (division J of Public Law 115–31) for
25 implementing the FADR and OIG recommendations: *Pro-*

1 *vided further*, That such funds may not be obligated for
2 enhancements to, or expansions of, the Budget System
3 Modernization Financial System, Central Resource Man-
4 agement System, Joint Financial Management System, or
5 Foreign Assistance Coordination and Tracking System
6 until such updated plan is submitted to the Committees
7 on Appropriations: *Provided further*, That such funds may
8 not be obligated for new, or expansion of existing, ad hoc
9 electronic systems to track commitments, obligations, or
10 expenditures of funds unless the Secretary of State, fol-
11 lowing consultation with the Chief Information Officer of
12 the Department of State, has reviewed and certified that
13 such new system or expansion is consistent with the
14 FADR and OIG recommendations.

15 (b) WORKING CAPITAL FUND.—Funds appropriated
16 by this Act or otherwise made available to the Department
17 of State for payments to the Working Capital Fund may
18 only be used for the service centers included in the Con-
19 gressional Budget Justification, Department of State,
20 Foreign Operations, and Related Programs, Fiscal Year
21 2019: *Provided*, That the amounts for such service centers
22 shall be the amounts included in such budget justification,
23 except as provided in section 7015(b) of this Act: *Provided*
24 *further*, That Federal agency components shall be charged
25 only for their direct usage of each Working Capital Fund

1 service: *Provided further*, That prior to increasing the per-
2 centage charged to Department of State bureaus and of-
3 fices for procurement-related activities, the Secretary of
4 State shall include the proposed increase in the Depart-
5 ment of State budget justification or, at least 60 days
6 prior to the increase, provide the Committees on Appro-
7 priations a justification for such increase, including a de-
8 tailed assessment of the cost and benefit of the services
9 provided by the procurement fee: *Provided further*, That
10 Federal agency components may only pay for Working
11 Capital Fund services that are consistent with the purpose
12 and authorities of such components: *Provided further*,
13 That the Working Capital Fund shall be paid in advance
14 or reimbursed at rates which will return the full cost of
15 each service.

16 (c) CERTIFICATION.—

17 (1) Not later than 45 days after the initial obli-
18 gation of funds appropriated under titles III and IV
19 of this Act that are made available to a Department
20 of State bureau or office with responsibility for the
21 management and oversight of such funds, the Sec-
22 retary of State shall certify and report to the Com-
23 mittees on Appropriations, on an individual bureau
24 or office basis, that such bureau or office is in com-
25 pliance with Department and Federal financial and

1 grants management policies, procedures, and regula-
2 tions, as applicable.

3 (2) When making a certification required by
4 paragraph (1), the Secretary of State shall consider
5 the capacity of a bureau or office to—

6 (A) account for the obligated funds at the
7 country and program level, as appropriate;

8 (B) identify risks and develop mitigation
9 and monitoring plans;

10 (C) establish performance measures and
11 indicators;

12 (D) review activities and performance; and

13 (E) assess final results and reconcile fi-
14 nances.

15 (3) If the Secretary of State is unable to make
16 a certification required by paragraph (1), the Sec-
17 retary shall submit a plan and timeline detailing the
18 steps to be taken to bring such bureau or office into
19 compliance.

20 (4) The report accompanying a certification re-
21 quired by paragraph (1) shall include the require-
22 ments contained under this section in House Report
23 115–829.

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
2 COUNTRIES

3 SEC. 7007. None of the funds appropriated or other-
4 wise made available pursuant to titles III through VI of
5 this Act shall be obligated or expended to finance directly
6 any assistance or reparations for the governments of
7 Cuba, North Korea, Iran, or Syria: *Provided*, That for
8 purposes of this section, the prohibition on obligations or
9 expenditures shall include direct loans, credits, insurance,
10 and guarantees of the Export-Import Bank or its agents.

11 COUPS D'ÉTAT

12 SEC. 7008. None of the funds appropriated or other-
13 wise made available pursuant to titles III through VI of
14 this Act shall be obligated or expended to finance directly
15 any assistance to the government of any country whose
16 duly elected head of government is deposed by military
17 coup d'état or decree or, after the date of enactment of
18 this Act, a coup d'état or decree in which the military
19 plays a decisive role: *Provided*, That assistance may be re-
20 sumed to such government if the Secretary of State cer-
21 tifies and reports to the appropriate congressional commit-
22 tees that subsequent to the termination of assistance a
23 democratically elected government has taken office: *Pro-*
24 *vided further*, That the provisions of this section shall not
25 apply to assistance to promote democratic elections or

1 public participation in democratic processes: *Provided fur-*
2 *ther*, That funds made available pursuant to the previous
3 provisos shall be subject to the regular notification proce-
4 dures of the Committees on Appropriations.

5 TRANSFER OF FUNDS AUTHORITY

6 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-
7 CASTING BOARD OF GOVERNORS.—

8 (1) DEPARTMENT OF STATE.—Not to exceed 5
9 percent of any appropriation made available for the
10 current fiscal year for the Department of State
11 under title I of this Act may be transferred between,
12 and merged with, such appropriations, but no such
13 appropriation, except as otherwise specifically pro-
14 vided, shall be increased by more than 10 percent by
15 any such transfers, and no such transfer may be
16 made to increase the appropriation under the head-
17 ing “Representation Expenses”.

18 (2) BROADCASTING BOARD OF GOVERNORS.—
19 Not to exceed 5 percent of any appropriation made
20 available for the current fiscal year for the Broad-
21 casting Board of Governors under title I of this Act
22 may be transferred between, and merged with, such
23 appropriations, but no such appropriation, except as
24 otherwise specifically provided, shall be increased by
25 more than 10 percent by any such transfers.

1 (3) TREATMENT AS REPROGRAMMING.—Any
2 transfer pursuant to this subsection shall be treated
3 as a reprogramming of funds under section 7015 of
4 this Act and shall not be available for obligation or
5 expenditure except in compliance with the proce-
6 dures set forth in that section.

7 (b) TITLE VI AGENCIES.—Not to exceed 5 percent
8 of any appropriation, other than for administrative ex-
9 penses made available for fiscal year 2019, for programs
10 under title VI of this Act may be transferred between such
11 appropriations for use for any of the purposes, programs,
12 and activities for which the funds in such receiving ac-
13 count may be used, but no such appropriation, except as
14 otherwise specifically provided, shall be increased by more
15 than 25 percent by any such transfer: *Provided*, That the
16 exercise of such authority shall be subject to the regular
17 notification procedures of the Committees on Appropria-
18 tions.

19 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
20 TWEEN AGENCIES.—

21 (1) IN GENERAL.—None of the funds made
22 available under titles II through V of this Act may
23 be transferred to any department, agency, or instru-
24 mentality of the United States Government, except
25 pursuant to a transfer made by, or transfer author-

1 ity provided in, this Act or any other appropriations
2 Act.

3 (2) ALLOCATION AND TRANSFERS.—Notwith-
4 standing paragraph (1), in addition to transfers
5 made by, or authorized elsewhere in, this Act, funds
6 appropriated by this Act to carry out the purposes
7 of the Foreign Assistance Act of 1961 may be allo-
8 cated or transferred to agencies of the United States
9 Government pursuant to the provisions of sections
10 109, 610, and 632 of the Foreign Assistance Act of
11 1961.

12 (3) NOTIFICATION.—Any agreement entered
13 into by the United States Agency for International
14 Development or the Department of State with any
15 department, agency, or instrumentality of the United
16 States Government pursuant to section 632(b) of the
17 Foreign Assistance Act of 1961 valued in excess of
18 \$1,000,000 and any agreement made pursuant to
19 section 632(a) of such Act, with funds appropriated
20 by this Act or prior Acts making appropriations for
21 the Department of State, foreign operations, and re-
22 lated programs under the headings “Global Health
23 Programs”, “Development Assistance”, “Economic
24 Support Fund”, and “Assistance for Europe, Eur-
25 asia and Central Asia” shall be subject to the reg-

1 ular notification procedures of the Committees on
2 Appropriations: *Provided*, That the requirement in
3 the previous sentence shall not apply to agreements
4 entered into between USAID and the Department of
5 State.

6 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
7 None of the funds made available under titles II through
8 V of this Act may be obligated under an appropriations
9 account to which such funds were not appropriated, except
10 for transfers specifically provided for in this Act, unless
11 the President, not less than 5 days prior to the exercise
12 of any authority contained in the Foreign Assistance Act
13 of 1961 to transfer funds, consults with and provides a
14 written policy justification to the Committees on Appro-
15 priations.

16 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
17 FUNDS.—Any agreement for the transfer or allocation of
18 funds appropriated by this Act or prior Acts making ap-
19 propriations for the Department of State, foreign oper-
20 ations and related programs, entered into between the De-
21 partment of State or USAID and another agency of the
22 United States Government under the authority of section
23 632(a) of the Foreign Assistance Act of 1961 or any com-
24 parable provision of law, shall expressly provide that the
25 Inspector General (IG) for the agency receiving the trans-

1 fer or allocation of such funds, or other entity with audit
2 responsibility if the receiving agency does not have an IG,
3 shall perform periodic program and financial audits of the
4 use of such funds and report to the Department of State
5 or USAID, as appropriate, upon completion of such au-
6 dits: *Provided*, That such audits shall be transmitted to
7 the Committees on Appropriations by the Department of
8 State or USAID, as appropriate: *Provided further*, That
9 funds transferred under such authority may be made
10 available for the cost of such audits.

11 (f) REPORT.—Not later than October 31, 2019, the
12 Secretary of State and the USAID Administrator shall
13 each submit a report to the Committees on Appropriations
14 detailing all transfers to another agency of the United
15 States Government made pursuant to sections 632(a) and
16 632(b) of the Foreign Assistance Act of 1961 with funds
17 provided in the Department of State, Foreign Operations,
18 and Related Programs Appropriations Act, 2018 (division
19 K of Public Law 115–141): *Provided*, That such reports
20 shall include a list of each transfer made pursuant to such
21 sections with the respective funding level, appropriation
22 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
11 websites: *Provided*, That nothing in this subsection shall
12 limit the use of funds necessary for any Federal, State,
13 tribal, or local law enforcement agency, or any other entity
14 carrying out the following activities: criminal investiga-
15 tions, prosecutions, and adjudications; administrative dis-
16 cipline; and the monitoring of such websites undertaken
17 as part 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, 2017
21 (division J of Public Law 115–31) and the Department
22 of State, Foreign Operations, and Related Programs Ap-
23 propriations Act, 2018 (division K of Public Law 115–
24 141): *Provided further*, That notwithstanding any other
25 provision of this Act, any funds made available for the

1 purposes of chapter 1 of part I and chapter 4 of part II
2 of the Foreign Assistance Act of 1961 which are allocated
3 or obligated for cash disbursements in order to address
4 balance of payments or economic policy reform objectives,
5 shall remain available for an additional 4 years from the
6 date on which the availability of such funds would other-
7 wise have expired, if such funds are initially allocated or
8 obligated before the expiration of their respective periods
9 of availability contained in this Act: *Provided further*, That
10 the Secretary of State shall provide a report to the Com-
11 mittees on Appropriations not later than October 31,
12 2019, detailing by account and source year, the use of this
13 authority during the previous fiscal year.

14 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT
15 SEC. 7012. No part of any appropriation provided
16 under titles III through VI in this Act shall be used to
17 furnish assistance to the government of any country which
18 is in default during a period in excess of 1 calendar year
19 in payment to the United States of principal or interest
20 on any loan made to the government of such country by
21 the United States pursuant to a program for which funds
22 are appropriated under this Act unless the President de-
23 termines, following consultation with the Committees on
24 Appropriations, that assistance for such country is in the
25 national interest of the United States.

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1 PROHIBITION ON TAXATION OF UNITED STATES

2 ASSISTANCE

3 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
4 of the funds appropriated under titles III through VI of
5 this Act may be made available to provide assistance for
6 a foreign country under a new bilateral agreement gov-
7 erning the terms and conditions under which such assist-
8 ance is to be provided unless such agreement includes a
9 provision stating that assistance provided by the United
10 States shall be exempt from taxation, or reimbursed, by
11 the foreign government, and the Secretary of State and
12 the Administrator of the United States Agency for Inter-
13 national Development shall expeditiously seek to negotiate
14 amendments to existing bilateral agreements, as nec-
15 essary, to conform with this requirement.

16 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
17 EIGN TAXES.—An amount equivalent to 200 percent of
18 the total taxes assessed during fiscal year 2019 on funds
19 appropriated by this Act and prior Acts making appropria-
20 tions for the Department of State, foreign operations, and
21 related programs by a foreign government or entity
22 against United States assistance programs, either directly
23 or through grantees, contractors, and subcontractors, shall
24 be withheld from obligation from funds appropriated for
25 assistance for fiscal year 2020 and for prior fiscal years

1 and allocated for the central government of such country
2 or for the West Bank and Gaza program, as applicable,
3 if, not later than September 30, 2020, such taxes have
4 not been reimbursed: *Provided*, That the Secretary of
5 State shall report to the Committees on Appropriations
6 by such date on the foreign governments and entities that
7 have not reimbursed such taxes, including any amount of
8 funds withheld pursuant to this subsection.

9 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
10 minimis nature shall not be subject to the provisions of
11 subsection (b).

12 (d) REPROGRAMMING OF FUNDS.—Funds withheld
13 from obligation for each foreign government or entity pur-
14 suant to subsection (b) shall be reprogrammed for assist-
15 ance for countries which do not assess taxes on United
16 States assistance or which have an effective arrangement
17 that is providing substantial reimbursement of such taxes,
18 and that can reasonably accommodate such assistance in
19 a programmatically responsible manner.

20 (e) DETERMINATIONS.—

21 (1) IN GENERAL.—The provisions of this sec-
22 tion shall not apply to any foreign government or en-
23 tity that assesses such taxes if the Secretary of
24 State reports to the Committees on Appropriations
25 that—

1 (A) such foreign government or entity has
2 an effective arrangement that is providing sub-
3 stantial reimbursement of such taxes; or

4 (B) the foreign policy interests of the
5 United States outweigh the purpose of this sec-
6 tion to ensure that United States assistance is
7 not subject to taxation.

8 (2) CONSULTATION.—The Secretary of State
9 shall consult with the Committees on Appropriations
10 at least 15 days prior to exercising the authority of
11 this subsection with regard to any foreign govern-
12 ment or entity.

13 (f) IMPLEMENTATION.—The Secretary of State shall
14 issue and update rules, regulations, or policy guidance, as
15 appropriate, to implement the prohibition against the tax-
16 ation of assistance contained in this section.

17 (g) DEFINITIONS.—As used in this section:

18 (1) BILATERAL AGREEMENT.—The term “bilat-
19 eral agreement” refers to a framework bilateral
20 agreement between the Government of the United
21 States and the government of the country receiving
22 assistance that describes the privileges and immuni-
23 ties applicable to United States foreign assistance
24 for such country generally, or an individual agree-
25 ment between the Government of the United States

1 and such government that describes, among other
2 things, the treatment for tax purposes that will be
3 accorded the United States assistance provided
4 under that agreement.

5 (2) TAXES AND TAXATION.—The term “taxes
6 and taxation” shall include value added taxes and
7 customs duties but shall not include individual in-
8 come taxes assessed to local staff.

9 (h) REPORT.—Not later than 90 days after enact-
10 ment of this Act, the Secretary of State, in consultation
11 with the heads of other relevant agencies of the United
12 States Government, shall submit a report to the Commit-
13 tees on Appropriations on the requirements contained
14 under this section in House Report 115–829.

15 RESERVATIONS OF FUNDS

16 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
17 priated under titles III through VI of this Act which are
18 specifically designated may be reprogrammed for other
19 programs within the same account notwithstanding the
20 designation if compliance with the designation is made im-
21 possible by operation of any provision of this or any other
22 Act: *Provided*, That any such reprogramming shall be sub-
23 ject to the regular notification procedures of the Commit-
24 tees on Appropriations: *Provided further*, That assistance
25 that is reprogrammed pursuant to this subsection shall be

1 made available under the same terms and conditions as
2 originally provided.

3 (b) EXTENSION OF AVAILABILITY.—In addition to
4 the authority contained in subsection (a), the original pe-
5 riod of availability of funds appropriated by this Act and
6 administered by the Department of State or the United
7 States Agency for International Development that are spe-
8 cifically designated for particular programs or activities by
9 this or any other Act may be extended for an additional
10 fiscal year if the Secretary of State or the USAID Admin-
11 istrator, as appropriate, determines and reports promptly
12 to the Committees on Appropriations that the termination
13 of assistance to a country or a significant change in cir-
14 cumstances makes it unlikely that such designated funds
15 can be obligated during the original period of availability:
16 *Provided*, That such designated funds that continue to be
17 available for an additional fiscal year shall be obligated
18 only for the purpose of such designation.

19 (c) OTHER ACTS.—Ceilings and specifically des-
20 igned funding levels contained in this Act shall not be
21 applicable to funds or authorities appropriated or other-
22 wise made available by any subsequent Act unless such
23 Act specifically so directs: *Provided*, That specifically des-
24 igned funding levels or minimum funding requirements

1 contained in any other Act shall not be applicable to funds
2 appropriated by this Act.

3 NOTIFICATION REQUIREMENTS

4 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
5 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
6 made available in titles I and II of this Act or prior Acts
7 making appropriations for the Department of State, for-
8 eign operations, and related programs to the departments
9 and agencies funded by this Act that remain available for
10 obligation in fiscal year 2019, or provided from any ac-
11 counts in the Treasury of the United States derived by
12 the collection of fees or of currency reflows or other offset-
13 ting collections, or made available by transfer, to the de-
14 partments and agencies funded by this Act, shall be avail-
15 able for obligation to—

16 (1) create new programs;

17 (2) suspend or eliminate a program, project, or
18 activity;

19 (3) close, suspend, open, or reopen a mission or
20 post;

21 (4) create, close, reorganize, downsize, or re-
22 name bureaus, centers, or offices; or

23 (5) contract out or privatize any functions or
24 activities presently performed by Federal employees;

1 unless previously justified to the Committees on Appro-
2 priations or such Committees are notified 15 days in ad-
3 vance of such obligation.

4 (b) NOTIFICATION OF REPROGRAMMING OF
5 FUNDS.—None of the funds provided under titles I and
6 II of this Act or prior Acts making appropriations for the
7 Department of State, foreign operations, and related pro-
8 grams, to the departments and agencies funded under ti-
9 tles I and II of this Act that remain available for obliga-
10 tion in fiscal year 2019, or provided from any accounts
11 in the Treasury of the United States derived by the collec-
12 tion of fees available to the department and agency funded
13 under title I of this Act, shall be available for obligation
14 or expenditure for activities, programs, or projects
15 through a reprogramming of funds in excess of
16 \$1,000,000 or 10 percent, whichever is less, that—

17 (1) augments or changes existing programs,
18 projects, or activities;

19 (2) relocates an existing office or employees;

20 (3) reduces by 10 percent funding for any exist-
21 ing program, project, or activity, or numbers of per-
22 sonnel by 10 percent as approved by Congress; or

23 (4) results from any general savings, including
24 savings from a reduction in personnel, which would

1 result in a change in existing programs, activities, or
2 projects as approved by Congress;

3 unless the Committees on Appropriations are notified 15
4 days in advance of such reprogramming of funds.

5 (c) NOTIFICATION REQUIREMENT.—None of the
6 funds made available by this Act under the headings
7 “Global Health Programs”, “Development Assistance”,
8 “International Organizations and Programs”, “Trade and
9 Development Agency”, “International Narcotics Control
10 and Law Enforcement”, “Economic Support Fund”, “De-
11 mocracy Fund”, “Assistance for Europe, Eurasia and
12 Central Asia”, “Peacekeeping Operations”, “Non-
13 proliferation, Anti-terrorism, Demining and Related Pro-
14 grams”, “Millennium Challenge Corporation”, “Foreign
15 Military Financing Program”, “International Military
16 Education and Training”, and “Peace Corps”, shall be
17 available for obligation for activities, programs, projects,
18 type of materiel assistance, countries, or other operations
19 not justified or in excess of the amount justified to the
20 Committees on Appropriations for obligation under any of
21 these specific headings unless the Committees on Appro-
22 priations are notified 15 days in advance of such obliga-
23 tion: *Provided*, That the President shall not enter into any
24 commitment of funds appropriated for the purposes of sec-
25 tion 23 of the Arms Export Control Act for the provision

1 of major defense equipment, other than conventional am-
2 munition, or other major defense items defined to be air-
3 craft, ships, missiles, or combat vehicles, not previously
4 justified to Congress or 20 percent in excess of the quan-
5 tities justified to Congress unless the Committees on Ap-
6 propriations are notified 15 days in advance of such com-
7 mitment: *Provided further*, That requirements of this sub-
8 section or any similar provision of this or any other Act
9 shall not apply to any reprogramming for an activity, pro-
10 gram, or project for which funds are appropriated under
11 titles III through VI of this Act of less than 10 percent
12 of the amount previously justified to Congress for obliga-
13 tion for such activity, program, or project for the current
14 fiscal year: *Provided further*, That any notification sub-
15 mitted pursuant to subsection (f) of this section shall in-
16 clude information (if known on the date of transmittal of
17 such notification) on the use of notwithstanding authority:
18 *Provided further*, That if subsequent to the notification of
19 assistance it becomes necessary to rely on notwithstanding
20 authority, the Committees on Appropriations should be in-
21 formed at the earliest opportunity and to the extent prac-
22 ticable.

23 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
24 FUNDING NOTIFICATIONS.—

1 (1) PROGRAMS.—None of the funds appro-
2 priated by this Act or prior Acts making appropria-
3 tions for the Department of State, foreign oper-
4 ations, and related programs may be made available
5 to support or continue any program initially funded
6 under any authority of title 10, United States Code,
7 or any Act making or authorizing appropriations for
8 the Department of Defense, unless the Secretary of
9 State, in consultation with the Secretary of Defense
10 and in accordance with the regular notification pro-
11 cedures of the Committees on Appropriations, sub-
12 mits a justification to such Committees that includes
13 a description of, and the estimated costs associated
14 with, the support or continuation of such program.

15 (2) FUNDING.—Notwithstanding any other pro-
16 vision of law, funds transferred by the Department
17 of Defense to the Department of State and the
18 United States Agency for International Development
19 for assistance for foreign countries and international
20 organizations shall be subject to the regular notifica-
21 tion procedures of the Committees on Appropria-
22 tions.

23 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
24 CLES.—Prior to providing excess Department of De-
25 fense articles in accordance with section 516(a) of

1 the Foreign Assistance Act of 1961, the Department
2 of Defense shall notify the Committees on Appro-
3 priations to the same extent and under the same
4 conditions as other committees pursuant to sub-
5 section (f) of that section: *Provided*, That before
6 issuing a letter of offer to sell excess defense articles
7 under the Arms Export Control Act, the Department
8 of Defense shall notify the Committees on Appro-
9 priations in accordance with the regular notification
10 procedures of such Committees if such defense arti-
11 cles are significant military equipment (as defined in
12 section 47(9) of the Arms Export Control Act) or
13 are valued (in terms of original acquisition cost) at
14 \$7,000,000 or more, or if notification is required
15 elsewhere in this Act for the use of appropriated
16 funds for specific countries that would receive such
17 excess defense articles: *Provided further*, That such
18 Committees shall also be informed of the original ac-
19 quisition cost of such defense articles.

20 (e) WAIVER.—The requirements of this section or
21 any similar provision of this Act or any other Act, includ-
22 ing any prior Act requiring notification in accordance with
23 the regular notification procedures of the Committees on
24 Appropriations, may be waived if failure to do so would
25 pose a substantial risk to human health or welfare: *Pro-*

1 *vided*, That in case of any such waiver, notification to the
2 Committees on Appropriations shall be provided as early
3 as practicable, but in no event later than 3 days after tak-
4 ing the action to which such notification requirement was
5 applicable, in the context of the circumstances necessi-
6 tating such waiver: *Provided further*, That any notification
7 provided pursuant to such a waiver shall contain an expla-
8 nation of the emergency circumstances.

9 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
10 of the funds appropriated under titles III through VI of
11 this Act may be obligated or expended for assistance for
12 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colom-
13 bia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala,
14 Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico,
15 Nicaragua, Pakistan, Philippines, the Russian Federation,
16 Somalia, South Sudan, Sri Lanka, Sudan, Syria,
17 Uzbekistan, Venezuela, Yemen, and Zimbabwe except as
18 provided through the regular notification procedures of the
19 Committees on Appropriations.

20 (g) TRUST FUNDS.—Funds appropriated or other-
21 wise made available in title III of this Act and prior Acts
22 making funds available for the Department of State, for-
23 eign operations, and related programs that are made avail-
24 able for a trust fund held by an international financial
25 institution shall be subject to the regular notification pro-

1 cedures of the Committees on Appropriations: *Provided*,
2 That such notification shall include the information speci-
3 fied under this section in the explanatory statement ac-
4 companying the Department of State, Foreign Operations,
5 and Related Programs Appropriations Act, 2018 (division
6 K of Public Law 115–141).

7 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
8 MENT.—

9 (1) DIPLOMATIC PROGRAMS.—Funds appro-
10 priated under title I of this Act under the heading
11 “Diplomatic Programs” that are made available for
12 a pilot program for lateral entry into the Foreign
13 Service shall be subject to prior consultation with,
14 and the regular notification procedures of, the Com-
15 mittees on Appropriations.

16 (2) OTHER PROGRAMS.—Funds appropriated by
17 this Act that are made available for the following
18 programs and activities shall be subject to the reg-
19 ular notification procedures of the Committees on
20 Appropriations—

21 (A) The Global Engagement Center, except
22 that the Secretary of State shall consult with
23 the appropriate congressional committees prior
24 to submitting such notification;

1 (B) The Power Africa initiative, or any
2 successor program;

3 (C) Community-based police assistance
4 conducted pursuant to the authority of section
5 7049(a)(1) of this Act;

6 (D) Programs to counter foreign fighters
7 and extremist organizations, pursuant to sec-
8 tion 7071(a) of this Act;

9 (E) The Relief and Recovery Fund;

10 (F) The Indo-Pacific Strategy;

11 (G) The Global Security Contingency
12 Fund;

13 (H) The Countering Russian Influence
14 Fund; and

15 (I) Programs to end modern slavery.

16 (i) WITHHOLDING OF FUNDS.—Funds appropriated
17 by this Act under titles III and IV that are withheld from
18 obligation or otherwise not programmed as a result of ap-
19 plication of a provision of law in this or any other Act
20 shall, if reprogrammed, be subject to the regular notifica-
21 tion procedures of the Committees on Appropriations.

22 (j) REQUIREMENT TO INFORM, COORDINATE, AND
23 CONSULT.—

24 (1) The Secretary of State shall promptly in-
25 form the appropriate congressional committees of

1 each instance in which funds appropriated by this
2 Act for assistance for Iraq, Libya, Somalia, Syria,
3 the Counterterrorism Partnership Fund, the Relief
4 and Recovery Fund, or programs to counter extre-
5 mism and foreign fighters abroad, have been di-
6 verted or destroyed, to include the type and amount
7 of assistance, a description of the incident and par-
8 ties involved, and an explanation of the response of
9 the Department of State or USAID, as appropriate:
10 *Provided*, That the Secretary shall ensure such
11 funds are coordinated with, and complement, the
12 programs of other United States Government de-
13 partments and agencies and international partners
14 in such countries and on such activities.

15 (2) The Secretary of State shall consult with
16 the Committees on Appropriations at least seven
17 days prior to informing a government of, or pub-
18 lically announcing a decision on, the suspension of
19 assistance to a country or a territory, including as
20 a result of an interagency review of such assistance,
21 from funds appropriated by this Act or prior Acts
22 making appropriations for the Department of State,
23 foreign operations, and related programs.

1 DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
2 RELATED CYBERSECURITY PROTECTIONS

3 SEC. 7016. (a) REQUESTS FOR DOCUMENTS.—None
4 of the funds appropriated or made available pursuant to
5 titles III through VI of this Act shall be available to a
6 nongovernmental organization, including any contractor,
7 which fails to provide upon timely request any document,
8 file, or record necessary to the auditing requirements of
9 the Department of State and the United States Agency
10 for International Development.

11 (b) RECORDS MANAGEMENT AND RELATED
12 CYBERSECURITY PROTECTIONS.—

13 (1) LIMITATION.—None of the funds appro-
14 priated by this Act under the headings “Diplomatic
15 Programs” and “Capital Investment Fund” in title
16 I, and “Operating Expenses” and “Capital Invest-
17 ment Fund” in title II that are made available to
18 the Department of State and USAID may be made
19 available to support the use or establishment of
20 email accounts or email servers created outside the
21 .gov domain or not fitted for automated records
22 management as part of a Federal government
23 records management program in contravention of
24 the Presidential and Federal Records Act Amend-
25 ments of 2014 (Public Law 113–187).

1 (2) DIRECTIVES.—The Secretary of State and
2 USAID Administrator shall—

3 (A) regularly review and update the poli-
4 cies, directives, and oversight necessary to com-
5 ply with Federal statutes, regulations, and pres-
6 idential executive orders and memoranda con-
7 cerning the preservation of all records made or
8 received in the conduct of official business, in-
9 cluding record emails, instant messaging, and
10 other online tools;

11 (B) use funds appropriated by this Act
12 under the headings “Diplomatic Programs” and
13 “Capital Investment Fund” in title I, and “Op-
14 erating Expenses” and “Capital Investment
15 Fund” in title II, as appropriate, to improve
16 Federal records management pursuant to the
17 Federal Records Act (44 U.S.C. Chapters 21,
18 29, 31, and 33) and other applicable Federal
19 records management statutes, regulations, or
20 policies for the Department of State and
21 USAID;

22 (C) direct departing employees that all
23 Federal records generated by such employees,
24 including senior officials, belong to the Federal
25 Government;

1 (D) improve the response time for identi-
2 fying and retrieving Federal records, including
3 requests made pursuant to section 552 of title
4 5, United States Code (commonly known as the
5 “Freedom of Information Act”); and

6 (E) strengthen cyber security measures to
7 mitigate vulnerabilities, including those result-
8 ing from the use of personal email accounts or
9 servers outside the .gov domain, improve the
10 process to identify and remove inactive user ac-
11 counts, update and enforce guidance related to
12 the control of national security information, and
13 implement the recommendations of the applica-
14 ble reports of the cognizant Office of Inspector
15 General.

16 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

17 SEC. 7017. If the President makes a determination
18 not to comply with any provision of this Act on constitu-
19 tional grounds, the head of the relevant Federal agency
20 shall notify the Committees on Appropriations in writing
21 within 5 days of such determination, the basis for such
22 determination and any resulting changes to program and
23 policy.

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 AND REPORTS

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 explanatory statement described in section 4 (in the mat-
7 ter preceding division A of this consolidated Act): *Pro-*
8 *vided*, That such designated amounts for foreign countries
9 and international organizations shall serve as the amounts
10 for such countries and international organizations trans-
11 mitted to Congress in the report required by section
12 653(a) of the Foreign Assistance Act of 1961.

13 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
14 provided for by this Act, the Secretary of State and the
15 Administrator of the United States Agency for Inter-
16 national Development, as applicable, may only deviate up
17 to 10 percent from the amounts specifically designated in
18 the respective tables included in the explanatory statement
19 described in section 4 (in the matter preceding division
20 A of this consolidated Act): *Provided*, That such percent-
21 age may be exceeded only if the Secretary of State and
22 USAID Administrator, as applicable, determines and re-
23 ports to the Committees on Appropriations on a case-by-
24 case basis that such deviation is necessary to respond to
25 significant, exigent, or unforeseen events or to address

1 other exceptional circumstances directly related to the na-
2 tional security interest of the United States: *Provided fur-*
3 *ther*, That deviations pursuant to the previous proviso
4 shall be subject to prior consultation with, and the regular
5 notification procedures of, the Committees on Appropria-
6 tions.

7 (c) LIMITATION.—For specifically designated
8 amounts that are included, pursuant to subsection (a), in
9 the report required by section 653(a) of the Foreign As-
10 sistance Act of 1961, no deviations authorized by sub-
11 section (b) may take place until submission of such report.

12 (d) EXCEPTIONS.—

13 (1) Subsections (a) and (b) shall not apply to—

14 (A) amounts designated for “International
15 Military Education and Training” in the re-
16 spective tables included in the explanatory
17 statement described in section 4 (in the matter
18 preceding division A of this consolidated Act);

19 (B) funds for which the initial period of
20 availability has expired;

21 (C) amounts designated by this Act as
22 minimum funding requirements; and

23 (D) funds made available for a country
24 pursuant to sections 7043(c), 7047(d), and
25 7071(b) of this Act.

1 (2) The authority in subsection (b) to deviate
2 below amounts designated in the respective tables in-
3 cluded in the explanatory statement described in sec-
4 tion 4 (in the matter preceding division A of this
5 consolidated Act) shall not apply to the table in-
6 cluded under the heading “Global Health Programs”
7 in such explanatory statement.

8 (3) With respect to the amounts designated for
9 “Global Programs” in the table under the heading
10 “Economic Support Fund” included in the explana-
11 tory statement described in section 4 (in the matter
12 preceding division A of this consolidated Act), sub-
13 section (b) shall be applied by substituting “5 per-
14 cent” for “10 percent”.

15 (e) REPORTS.—The Secretary of State and the
16 USAID Administrator, as appropriate, shall submit the
17 reports required, in the manner described, in House Re-
18 port 115–829, Senate Report 115–282, and the explana-
19 tory statement described in section 4 (in the matter pre-
20 ceding division A of this consolidated Act), unless directed
21 otherwise in such explanatory statement.

22 REPRESENTATION AND ENTERTAINMENT EXPENSES

23 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
24 partment, agency, or entity funded in titles I or II of this
25 Act, and the Department of the Treasury and independent

1 agencies funded in titles III or VI of this Act, shall take
2 steps to ensure that domestic and overseas representation
3 and entertainment expenses further official agency busi-
4 ness and United States foreign policy interests, and—

5 (1) are primarily for fostering relations outside
6 of the Executive Branch;

7 (2) are principally for meals and events of a
8 protocol nature;

9 (3) are not for employee-only events; and

10 (4) do not include activities that are substan-
11 tially of a recreational character.

12 (b) LIMITATIONS.—None of the funds appropriated
13 or otherwise made available by this Act under the head-
14 ings “International Military Education and Training” or
15 “Foreign Military Financing Program” for Informational
16 Program activities or under the headings “Global Health
17 Programs”, “Development Assistance”, “Economic Sup-
18 port Fund”, and “Assistance for Europe, Eurasia and
19 Central Asia” may be obligated or expended to pay for—

20 (1) alcoholic beverages; or

21 (2) entertainment expenses for activities that
22 are substantially of a recreational character, includ-
23 ing entrance fees at sporting events, theatrical and
24 musical productions, and amusement parks.

1 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

2 SUPPORTING INTERNATIONAL TERRORISM

3 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-

4 PORTS.—

5 (1) PROHIBITION.—None of the funds appro-
6 priated or otherwise made available under titles III
7 through VI of this Act may be made available to any
8 foreign government which provides lethal military
9 equipment to a country the government of which the
10 Secretary of State has determined supports inter-
11 national terrorism for purposes of section 6(j) of the
12 Export Administration Act of 1979 as continued in
13 effect pursuant to the International Emergency Eco-
14 nomic Powers Act: *Provided*, That the prohibition
15 under this section with respect to a foreign govern-
16 ment shall terminate 12 months after that govern-
17 ment ceases to provide such military equipment:
18 *Provided further*, That this section applies with re-
19 spect to lethal military equipment provided under a
20 contract entered into after October 1, 1997.

21 (2) DETERMINATION.—Assistance restricted by
22 paragraph (1) or any other similar provision of law,
23 may be furnished if the President determines that to
24 do so is important to the national interest of the
25 United States.

1 (3) REPORT.—Whenever the President makes a
2 determination pursuant to paragraph (2), the Presi-
3 dent shall submit to the Committees on Appropria-
4 tions a report with respect to the furnishing of such
5 assistance, including a detailed explanation of the
6 assistance to be provided, the estimated dollar
7 amount of such assistance, and an explanation of
8 how the assistance furthers United States national
9 interest.

10 (b) BILATERAL ASSISTANCE.—

11 (1) LIMITATIONS.—Funds appropriated for bi-
12 lateral assistance in titles III through VI of this Act
13 and funds appropriated under any such title in prior
14 Acts making appropriations for the Department of
15 State, foreign operations, and related programs,
16 shall not be made available to any foreign govern-
17 ment which the President determines—

18 (A) grants sanctuary from prosecution to
19 any individual or group which has committed
20 an act of international terrorism;

21 (B) otherwise supports international ter-
22 rorism; or

23 (C) is controlled by an organization des-
24 ignated as a terrorist organization under sec-

1 tion 219 of the Immigration and Nationality
2 Act (8 U.S.C. 1189).

3 (2) WAIVER.—The President may waive the ap-
4 plication of paragraph (1) to a government if the
5 President determines that national security or hu-
6 manitarian reasons justify such waiver: *Provided*,
7 That the President shall publish each such waiver in
8 the Federal Register and, at least 15 days before the
9 waiver takes effect, shall notify the Committees on
10 Appropriations of the waiver (including the justifica-
11 tion for the waiver) in accordance with the regular
12 notification procedures of the Committees on Appro-
13 priations.

14 AUTHORIZATION REQUIREMENTS

15 SEC. 7022. Funds appropriated by this Act, except
16 funds appropriated under the heading “Trade and Devel-
17 opment Agency”, may be obligated and expended notwith-
18 standing section 10 of Public Law 91–672 (22 U.S.C.
19 2412), section 15 of the State Department Basic Authori-
20 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
21 eign Relations Authorization Act, Fiscal Years 1994 and
22 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
23 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

1 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

2 SEC. 7023. For the purpose of titles II through VI
3 of this Act “program, project, and activity” shall be de-
4 fined at the appropriations Act account level and shall in-
5 clude all appropriations and authorizations Acts funding
6 directives, ceilings, and limitations with the exception that
7 for the following accounts: “Economic Support Fund”,
8 “Assistance for Europe, Eurasia and Central Asia”, and
9 “Foreign Military Financing Program”, “program,
10 project, and activity” shall also be considered to include
11 country, regional, and central program level funding with-
12 in each such account; and for the development assistance
13 accounts of the United States Agency for International
14 Development, “program, project, and activity” shall also
15 be considered to include central, country, regional, and
16 program level funding, either as—

17 (1) justified to Congress; or

18 (2) allocated by the Executive Branch in ac-
19 cordance with a report, to be provided to the Com-
20 mittees on Appropriations within 30 days after en-
21 actment of this Act, as required by section 653(a)
22 of the Foreign Assistance Act of 1961 or as modi-
23 fied pursuant to section 7019 of this Act.

1 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
2 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
3 OPMENT FOUNDATION

4 SEC. 7024. Unless expressly provided to the contrary,
5 provisions of this or any other Act, including provisions
6 contained in prior Acts authorizing or making appropria-
7 tions for the Department of State, foreign operations, and
8 related programs, shall not be construed to prohibit activi-
9 ties authorized by or conducted under the Peace Corps
10 Act, the Inter-American Foundation Act or the African
11 Development Foundation Act: *Provided*, That prior to con-
12 ducting activities in a country for which assistance is pro-
13 hibited, the agency shall consult with the Committees on
14 Appropriations and report to such Committees within 15
15 days of taking such action.

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

17 SEC. 7025. (a) WORLD MARKETS.—None of the
18 funds appropriated or made available pursuant to titles
19 III through VI of this Act for direct assistance and none
20 of the funds otherwise made available to the Export-Im-
21 port Bank and the Overseas Private Investment Corpora-
22 tion shall be obligated or expended to finance any loan,
23 any assistance, or any other financial commitments for es-
24 tablishing or expanding production of any commodity for
25 export by any country other than the United States, if

1 the commodity is likely to be in surplus on world markets
2 at the time the resulting productive capacity is expected
3 to become operative and if the assistance will cause sub-
4 stantial injury to United States producers of the same,
5 similar, or competing commodity: *Provided*, That such
6 prohibition shall not apply to the Export-Import Bank if
7 in the judgment of its Board of Directors the benefits to
8 industry and employment in the United States are likely
9 to outweigh the injury to United States producers of the
10 same, similar, or competing commodity, and the Chairman
11 of the Board so notifies the Committees on Appropria-
12 tions: *Provided further*, That this subsection shall not pro-
13 hibit—

14 (1) activities in a country that is eligible for as-
15 sistance from the International Development Asso-
16 ciation, is not eligible for assistance from the Inter-
17 national Bank for Reconstruction and Development,
18 and does not export on a consistent basis the agri-
19 cultural commodity with respect to which assistance
20 is furnished; or

21 (2) activities in a country the President deter-
22 mines is recovering from widespread conflict, a hu-
23 manitarian crisis, or a complex emergency.

24 (b) EXPORTS.—None of the funds appropriated by
25 this or any other Act to carry out chapter 1 of part I

1 of the Foreign Assistance Act of 1961 shall be available
2 for any testing or breeding feasibility study, variety im-
3 provement or introduction, consultancy, publication, con-
4 ference, or training in connection with the growth or pro-
5 duction in a foreign country of an agricultural commodity
6 for export which would compete with a similar commodity
7 grown or produced in the United States: *Provided*, That
8 this subsection shall not prohibit—

9 (1) activities designed to increase food security
10 in developing countries where such activities will not
11 have a significant impact on the export of agricul-
12 tural commodities of the United States;

13 (2) research activities intended primarily to
14 benefit United States producers;

15 (3) activities in a country that is eligible for as-
16 sistance from the International Development Asso-
17 ciation, is not eligible for assistance from the Inter-
18 national Bank for Reconstruction and Development,
19 and does not export on a consistent basis the agri-
20 cultural commodity with respect to which assistance
21 is furnished; or

22 (4) activities in a country the President deter-
23 mines is recovering from widespread conflict, a hu-
24 manitarian crisis, or a complex emergency.

1 (i) the amount of the local currencies
2 to be generated; and

3 (ii) the terms and conditions under
4 which the currencies so deposited may be
5 utilized, consistent with this section; and

6 (C) establish by agreement with that gov-
7 ernment the responsibilities of USAID and that
8 government to monitor and account for deposits
9 into and disbursements from the separate ac-
10 count.

11 (2) USES OF LOCAL CURRENCIES.—As may be
12 agreed upon with the foreign government, local cur-
13 rencies deposited in a separate account pursuant to
14 subsection (a), or an equivalent amount of local cur-
15 rencies, shall be used only—

16 (A) to carry out chapter 1 or 10 of part
17 I or chapter 4 of part II of the Foreign Assist-
18 ance Act of 1961 (as the case may be), for such
19 purposes as—

20 (i) project and sector assistance activi-
21 ties; or

22 (ii) debt and deficit financing; or

23 (B) for the administrative requirements of
24 the United States Government.

1 (3) PROGRAMMING ACCOUNTABILITY.—USAID
2 shall take all necessary steps to ensure that the
3 equivalent of the local currencies disbursed pursuant
4 to subsection (a)(2)(A) from the separate account
5 established pursuant to subsection (a)(1) are used
6 for the purposes agreed upon pursuant to subsection
7 (a)(2).

8 (4) TERMINATION OF ASSISTANCE PRO-
9 GRAMS.—Upon termination of assistance to a coun-
10 try under chapter 1 or 10 of part I or chapter 4 of
11 part II of the Foreign Assistance Act of 1961 (as
12 the case may be), any unencumbered balances of
13 funds which remain in a separate account estab-
14 lished pursuant to subsection (a) shall be disposed of
15 for such purposes as may be agreed to by the gov-
16 ernment of that country and the United States Gov-
17 ernment.

18 (5) REPORT.—The USAID Administrator shall
19 report as part of the congressional budget justifica-
20 tion submitted to the Committees on Appropriations
21 on the use of local currencies for the administrative
22 requirements of the United States Government as
23 authorized in subsection (a)(2)(B), and such report
24 shall include the amount of local currency (and

1 United States dollar equivalent) used or to be used
2 for such purpose in each applicable country.

3 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

4 (1) IN GENERAL.—If assistance is made avail-
5 able to the government of a foreign country, under
6 chapter 1 or 10 of part I or chapter 4 of part II of
7 the Foreign Assistance Act of 1961, as cash transfer
8 assistance or as nonproject sector assistance, that
9 country shall be required to maintain such funds in
10 a separate account and not commingle with any
11 other funds.

12 (2) APPLICABILITY OF OTHER PROVISIONS OF
13 LAW.—Such funds may be obligated and expended
14 notwithstanding provisions of law which are incon-
15 sistent with the nature of this assistance including
16 provisions which are referenced in the Joint Explan-
17 atory Statement of the Committee of Conference ac-
18 companying House Joint Resolution 648 (House Re-
19 port No. 98–1159).

20 (3) NOTIFICATION.—At least 15 days prior to
21 obligating any such cash transfer or nonproject sec-
22 tor assistance, the President shall submit a notifica-
23 tion through the regular notification procedures of
24 the Committees on Appropriations, which shall in-
25 clude a detailed description of how the funds pro-

1 posed to be made available will be used, with a dis-
2 cussion of the United States interests that will be
3 served by such assistance (including, as appropriate,
4 a description of the economic policy reforms that will
5 be promoted by such assistance).

6 (4) EXEMPTION.—Nonproject sector assistance
7 funds may be exempt from the requirements of para-
8 graph (1) only through the regular notification pro-
9 cedures of the Committees on Appropriations.

10 ELIGIBILITY FOR ASSISTANCE

11 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
12 MENTAL ORGANIZATIONS.—Restrictions contained in this
13 or any other Act with respect to assistance for a country
14 shall not be construed to restrict assistance in support of
15 programs of nongovernmental organizations from funds
16 appropriated by this Act to carry out the provisions of
17 chapters 1, 10, 11, and 12 of part I and chapter 4 of
18 part II of the Foreign Assistance Act of 1961 and from
19 funds appropriated under the heading “Assistance for Eu-
20 rope, Eurasia and Central Asia”: *Provided*, That before
21 using the authority of this subsection to furnish assistance
22 in support of programs of nongovernmental organizations,
23 the President shall notify the Committees on Appropria-
24 tions pursuant to the regular notification procedures, in-
25 cluding a description of the program to be assisted, the

1 assistance to be provided, and the reasons for furnishing
2 such assistance: *Provided further*, That nothing in this
3 subsection shall be construed to alter any existing statu-
4 tory prohibitions against abortion or involuntary steriliza-
5 tions contained in this or any other Act.

6 (b) PUBLIC LAW 480.—During fiscal year 2019, re-
7 strictions contained in this or any other Act with respect
8 to assistance for a country shall not be construed to re-
9 strict assistance under the Food for Peace Act (Public
10 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
11 of the funds appropriated to carry out title I of such Act
12 and made available pursuant to this subsection may be
13 obligated or expended except as provided through the reg-
14 ular notification procedures of the Committees on Appro-
15 priations.

16 (c) EXCEPTION.—This section shall not apply—

17 (1) with respect to section 620A of the Foreign
18 Assistance Act of 1961 or any comparable provision
19 of law prohibiting assistance to countries that sup-
20 port international terrorism; or

21 (2) with respect to section 116 of the Foreign
22 Assistance Act of 1961 or any comparable provision
23 of law prohibiting assistance to the government of a
24 country that violates internationally recognized
25 human rights.

1 LOCAL COMPETITION

2 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
3 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
4 priated by this Act that are made available to the United
5 States Agency for International Development may only be
6 made available for limited competitions through local enti-
7 ties if—

8 (1) prior to the determination to limit competi-
9 tion to local entities, USAID has—

10 (A) assessed the level of local capacity to
11 effectively implement, manage, and account for
12 programs included in such competition; and

13 (B) documented the written results of the
14 assessment and decisions made; and

15 (2) prior to making an award after limiting
16 competition to local entities—

17 (A) each successful local entity has been
18 determined to be responsible in accordance with
19 USAID guidelines; and

20 (B) effective monitoring and evaluation
21 systems are in place to ensure that award fund-
22 ing is used for its intended purposes; and

23 (3) no level of acceptable fraud is assumed.

24 (b) REPORT.—In addition to the requirements of sub-
25 section (a)(1), the USAID Administrator shall report to

1 the appropriate congressional committees not later than
2 45 days after the end of fiscal year 2019 on all awards
3 subject to limited or no competition for local entities: *Pro-*
4 *vided*, That such report shall be posted on the USAID
5 website: *Provided further*, That the requirements of this
6 subsection shall only apply to awards in excess of
7 \$3,000,000 and sole source awards to local entities in ex-
8 cess of \$2,000,000.

9 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
10 Section 7077 of the Department of State, Foreign Oper-
11 ations, and Related Programs Appropriations Act, 2012
12 (division I of Public Law 112–74) shall continue in effect
13 during fiscal year 2019.

14 INTERNATIONAL FINANCIAL INSTITUTIONS

15 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
16 Secretary of the Treasury shall instruct the United States
17 executive director of each international financial institu-
18 tion to seek to require that such institution adopts and
19 implements a publicly available policy, including the stra-
20 tegic use of peer reviews and external experts, to conduct
21 independent, in-depth evaluations of the effectiveness of
22 at least 25 percent of all loans, grants, programs, and sig-
23 nificant analytical non-lending activities in advancing the
24 institution’s goals of reducing poverty and promoting equi-
25 table economic growth, consistent with relevant safe-

1 guards, to ensure that decisions to support such loans,
2 grants, programs, and activities are based on accurate
3 data and objective analysis: *Provided*, That not later than
4 45 days after enactment of this Act, the Secretary shall
5 submit a report to the Committees on Appropriations on
6 steps taken in fiscal year 2018 by the United States execu-
7 tive directors and the international financial institutions
8 consistent with this subsection compared to the previous
9 fiscal year.

10 (b) SAFEGUARDS.—

11 (1) The Secretary of the Treasury shall instruct
12 the United States Executive Director of the Inter-
13 national Bank for Reconstruction and Development
14 and the International Development Association to
15 vote against any loan, grant, policy, or strategy if
16 such institution has adopted and is implementing
17 any social or environmental safeguard relevant to
18 such loan, grant, policy, or strategy that provides
19 less protection than World Bank safeguards in effect
20 on September 30, 2015.

21 (2) The Secretary of the Treasury should in-
22 struct the United States executive director of each
23 international financial institution to vote against
24 loans or other financing for projects unless such
25 projects—

1 (A) provide for accountability and trans-
2 parency, including the collection, verification
3 and publication of beneficial ownership informa-
4 tion related to extractive industries and on-site
5 monitoring during the life of the project;

6 (B) will be developed and carried out in ac-
7 cordance with best practices regarding environ-
8 mental conservation; cultural protection; and
9 empowerment of local populations, including
10 free, prior and informed consent of affected in-
11 digenous communities;

12 (C) do not provide incentives for, or facili-
13 tate, forced displacement; and

14 (D) do not partner with or otherwise in-
15 volve enterprises owned or controlled by the
16 armed forces.

17 (c) COMPENSATION.—None of the funds appro-
18 priated under title V of this Act may be made as payment
19 to any international financial institution while the United
20 States executive director to such institution is com-
21 pensated by the institution at a rate which, together with
22 whatever compensation such executive director receives
23 from the United States, is in excess of the rate provided
24 for an individual occupying a position at level IV of the
25 Executive Schedule under section 5315 of title 5, United

1 States Code, or while any alternate United States execu-
2 tive director to such institution is compensated by the in-
3 stitution at a rate in excess of the rate provided for an
4 individual occupying a position at level V of the Executive
5 Schedule under section 5316 of title 5, United States
6 Code.

7 (d) HUMAN RIGHTS.—The Secretary of the Treasury
8 shall instruct the United States executive director of each
9 international financial institution to promote human
10 rights due diligence and risk management, as appropriate,
11 in connection with any loan, grant, policy, or strategy of
12 such institution in accordance with the criteria specified
13 under this subsection in Senate Report 115–282: *Pro-*
14 *vided*, That prior to voting on any such loan, grant, policy,
15 or strategy the executive director shall consult with the
16 Assistant Secretary for Democracy, Human Rights, and
17 Labor, Department of State, if the executive director has
18 reason to believe that such loan, grant, policy, or strategy
19 could result in forced displacement or other violation of
20 human rights.

21 (e) FRAUD AND CORRUPTION.—The Secretary of the
22 Treasury shall instruct the United States executive direc-
23 tor of each international financial institution to promote
24 in loan, grant, and other financing agreements improve-
25 ments in borrowing countries' financial management and

1 judicial capacity to investigate, prosecute, and punish
2 fraud and corruption.

3 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
4 Secretary of the Treasury shall instruct the United States
5 executive director of each international financial institu-
6 tion to seek to require that such institution collects,
7 verifies, and publishes, to the maximum extent practicable,
8 beneficial ownership information (excluding proprietary
9 information) for any corporation or limited liability com-
10 pany, other than a publicly listed company, that receives
11 funds from any such financial institution: *Provided*, That
12 not later than 45 days after enactment of this Act, the
13 Secretary shall submit a report to the Committees on Ap-
14 propriations on steps taken in fiscal year 2018 by the
15 United States executive directors and the international fi-
16 nancial institutions consistent with this subsection com-
17 pared to the previous fiscal year.

18 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
19 of the Treasury shall instruct the United States executive
20 director of each international financial institution to seek
21 to require that each such institution is effectively imple-
22 menting and enforcing policies and procedures which re-
23 flect best practices for the protection of whistleblowers
24 from retaliation, including best practices for—

- 1 (1) protection against retaliation for internal
- 2 and lawful public disclosure;
- 3 (2) legal burdens of proof;
- 4 (3) statutes of limitation for reporting retalia-
- 5 tion;
- 6 (4) access to independent adjudicative bodies,
- 7 including external arbitration; and
- 8 (5) results that eliminate the effects of proven
- 9 retaliation.

10 DEBT-FOR-DEVELOPMENT

11 SEC. 7030. In order to enhance the continued partici-
12 pation of nongovernmental organizations in debt-for-devel-
13 opment and debt-for-nature exchanges, a nongovern-
14 mental organization which is a grantee or contractor of
15 the United States Agency for International Development
16 may place in interest bearing accounts local currencies
17 which accrue to that organization as a result of economic
18 assistance provided under title III of this Act and, subject
19 to the regular notification procedures of the Committees
20 on Appropriations, any interest earned on such investment
21 shall be used for the purpose for which the assistance was
22 provided to that organization.

23 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

24 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
25 MENT-TO-GOVERNMENT ASSISTANCE.—

1 (1) REQUIREMENTS.—Funds appropriated by
2 this Act may be made available for direct govern-
3 ment-to-government assistance only if—

4 (A)(i) each implementing agency or min-
5 istry to receive assistance has been assessed
6 and is considered to have the systems required
7 to manage such assistance and any identified
8 vulnerabilities or weaknesses of such agency or
9 ministry have been addressed;

10 (ii) the recipient agency or ministry em-
11 ploys and utilizes staff with the necessary tech-
12 nical, financial, and management capabilities;

13 (iii) the recipient agency or ministry has
14 adopted competitive procurement policies and
15 systems;

16 (iv) effective monitoring and evaluation
17 systems are in place to ensure that such assist-
18 ance is used for its intended purposes;

19 (v) no level of acceptable fraud is assumed;
20 and

21 (vi) the government of the recipient coun-
22 try is taking steps to publicly disclose on an an-
23 nual basis its national budget, to include in-
24 come and expenditures;

1 (B) the recipient government is in compli-
2 ance with the principles set forth in section
3 7013 of this Act;

4 (C) the recipient agency or ministry is not
5 headed or controlled by an organization des-
6 ignated as a foreign terrorist organization
7 under section 219 of the Immigration and Na-
8 tionality Act (8 U.S.C. 1189);

9 (D) the Government of the United States
10 and the government of the recipient country
11 have agreed, in writing, on clear and achievable
12 objectives for the use of such assistance, which
13 should be made available on a cost-reimbursable
14 basis; and

15 (E) the recipient government is taking
16 steps to protect the rights of civil society, in-
17 cluding freedoms of expression, association, and
18 assembly.

19 (2) CONSULTATION AND NOTIFICATION.—In
20 addition to the requirements in paragraph (1), no
21 funds may be made available for direct government-
22 to-government assistance without prior consultation
23 with, and notification of, the Committees on Appro-
24 priations: *Provided*, That such notification shall con-
25 tain an explanation of how the proposed activity

1 meets the requirements of paragraph (1): *Provided*
2 *further*, That the requirements of this paragraph
3 shall only apply to direct government-to-government
4 assistance in excess of \$10,000,000 and all funds
5 available for cash transfer, budget support, and cash
6 payments to individuals.

7 (3) SUSPENSION OF ASSISTANCE.—The Admin-
8 istrator of the United States Agency for Inter-
9 national Development or the Secretary of State, as
10 appropriate, shall suspend any direct government-to-
11 government assistance if the Administrator or the
12 Secretary has credible information of material mis-
13 use of such assistance, unless the Administrator or
14 the Secretary reports to the Committees on Appro-
15 priations that it is in the national interest of the
16 United States to continue such assistance, including
17 a justification, or that such misuse has been appro-
18 priately addressed.

19 (4) SUBMISSION OF INFORMATION.—The Sec-
20 retary of State shall submit to the Committees on
21 Appropriations, concurrent with the fiscal year 2020
22 congressional budget justification materials, amounts
23 planned for assistance described in paragraph (1) by
24 country, proposed funding amount, source of funds,
25 and type of assistance.

1 (5) REPORT.—Not later than 90 days after en-
2 actment of this Act and every 6 months thereafter
3 until September 30, 2020, the USAID Adminis-
4 trator shall submit to the Committees on Appropria-
5 tions a report that—

6 (A) details all assistance described in para-
7 graph (1) provided during the previous 6-month
8 period by country, funding amount, source of
9 funds, and type of such assistance; and

10 (B) the type of procurement instrument or
11 mechanism utilized and whether the assistance
12 was provided on a reimbursable basis.

13 (6) DEBT SERVICE PAYMENT PROHIBITION.—
14 None of the funds made available by this Act may
15 be used by the government of any foreign country
16 for debt service payments owed by any country to
17 any international financial institution.

18 (b) NATIONAL BUDGET AND CONTRACT TRANS-
19 PARENCY.—

20 (1) MINIMUM REQUIREMENTS OF FISCAL
21 TRANSPARENCY.—The Secretary of State shall con-
22 tinue to update and strengthen the “minimum re-
23 quirements of fiscal transparency” for each govern-
24 ment receiving assistance appropriated by this Act,
25 as identified in the report required by section

1 7031(b) of the Department of State, Foreign Oper-
2 ations, and Related Programs Appropriations Act,
3 2014 (division K of Public Law 113–76).

4 (2) DEFINITION.—For purposes of paragraph
5 (1), “minimum requirements of fiscal transparency”
6 are requirements consistent with those in subsection
7 (a)(1), and the public disclosure of national budget
8 documentation (to include receipts and expenditures
9 by ministry) and government contracts and licenses
10 for natural resource extraction (to include bidding
11 and concession allocation practices).

12 (3) DETERMINATION AND REPORT.—For each
13 government identified pursuant to paragraph (1),
14 the Secretary of State, not later than 180 days after
15 enactment of this Act, shall make or update any de-
16 termination of “significant progress” or “no signifi-
17 cant progress” in meeting the minimum require-
18 ments of fiscal transparency, and make such deter-
19 minations publicly available in an annual “Fiscal
20 Transparency Report” to be posted on the Depart-
21 ment of State website: *Provided*, That the Secretary
22 shall identify the significant progress made by each
23 such government to publicly disclose national budget
24 documentation, contracts, and licenses which are ad-
25 ditional to such information disclosed in previous fis-

1 cal years, and include specific recommendations of
2 short- and long-term steps such government should
3 take to improve fiscal transparency: *Provided fur-*
4 *ther*, That the annual report shall include a detailed
5 description of how funds appropriated by this Act
6 are being used to improve fiscal transparency, and
7 identify benchmarks for measuring progress.

8 (4) ASSISTANCE.—Funds appropriated under
9 title III of this Act shall be made available for pro-
10 grams and activities to assist governments identified
11 pursuant to paragraph (1) to improve budget trans-
12 parency and to support civil society organizations in
13 such countries that promote budget transparency:
14 *Provided*, That such sums shall be in addition to
15 funds otherwise available for such purposes: *Pro-*
16 *vided further*, That a description of the uses of such
17 funds shall be included in the annual “Fiscal Trans-
18 parency Report” required by paragraph (3).

19 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

20 (1) INELIGIBILITY.—

21 (A) Officials of foreign governments and
22 their immediate family members about whom
23 the Secretary of State has credible information
24 have been involved in significant corruption, in-
25 cluding corruption related to the extraction of

1 natural resources, or a gross violation of human
2 rights shall be ineligible for entry into the
3 United States.

4 (B) The Secretary shall also publicly or
5 privately designate or identify officials of for-
6 eign governments and their immediate family
7 members about whom the Secretary has such
8 credible information without regard to whether
9 the individual has applied for a visa.

10 (2) EXCEPTION.—Individuals shall not be ineli-
11 gible if entry into the United States would further
12 important United States law enforcement objectives
13 or is necessary to permit the United States to fulfill
14 its obligations under the United Nations Head-
15 quarters Agreement: *Provided*, That nothing in
16 paragraph (1) shall be construed to derogate from
17 United States Government obligations under applica-
18 ble international agreements.

19 (3) WAIVER.—The Secretary may waive the ap-
20 plication of paragraph (1) if the Secretary deter-
21 mines that the waiver would serve a compelling na-
22 tional interest or that the circumstances which
23 caused the individual to be ineligible have changed
24 sufficiently.

1 (4) REPORT.—Not later than 6 months after
2 enactment of this Act, the Secretary of State shall
3 submit a report, including a classified annex if nec-
4 essary, to the Committees on Appropriations and the
5 Committees on the Judiciary describing the informa-
6 tion related to corruption or violation of human
7 rights concerning each of the individuals found ineli-
8 gible in the previous 12 months pursuant to para-
9 graph (1)(A) as well as the individuals who the Sec-
10 retary designated or identified pursuant to para-
11 graph (1)(B), or who would be ineligible but for the
12 application of paragraph (2), a list of any waivers
13 provided under paragraph (3), and the justification
14 for each waiver.

15 (5) POSTING OF REPORT.—Any unclassified
16 portion of the report required under paragraph (4)
17 shall be posted on the Department of State website.

18 (6) CLARIFICATION.—For purposes of para-
19 graphs (1)(B), (4), and (5), the records of the De-
20 partment of State and of diplomatic and consular of-
21 fices of the United States pertaining to the issuance
22 or refusal of visas or permits to enter the United
23 States shall not be considered confidential.

24 (d) EXTRACTION OF NATURAL RESOURCES.—

1 (1) ASSISTANCE.—Funds appropriated by this
2 Act shall be made available to promote and support
3 transparency and accountability of expenditures and
4 revenues related to the extraction of natural re-
5 sources, including by strengthening implementation
6 and monitoring of the Extractive Industries Trans-
7 parency Initiative, implementing and enforcing sec-
8 tion 8204 of the Food, Conservation, and Energy
9 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
10 and the amendments made by such section, and to
11 prevent the sale of conflict diamonds, and provide
12 technical assistance to promote independent audit
13 mechanisms and support civil society participation in
14 natural resource management.

15 (2) UNITED STATES POLICY.—

16 (A) The Secretary of the Treasury shall in-
17 form the management of the international fi-
18 nancial institutions, and post on the Depart-
19 ment of the Treasury website, that it is the pol-
20 icy of the United States to vote against any as-
21 sistance by such institutions (including any
22 loan, credit, grant, or guarantee) to any coun-
23 try for the extraction and export of a natural
24 resource if the government of such country has
25 in place laws, regulations, or procedures to pre-

1 vent or limit the public disclosure of company
2 payments as required by United States law, and
3 unless such government has adopted laws, regu-
4 lations, or procedures in the sector in which as-
5 sistance is being considered for—

6 (i) accurately accounting for and pub-
7 lic disclosure of payments to the host gov-
8 ernment by companies involved in the ex-
9 traction and export of natural resources;

10 (ii) the independent auditing of ac-
11 counts receiving such payments and public
12 disclosure of the findings of such audits;
13 and

14 (iii) public disclosure of such docu-
15 ments as Host Government Agreements,
16 Concession Agreements, and bidding docu-
17 ments, allowing in any such dissemination
18 or disclosure for the redaction of, or excep-
19 tions for, information that is commercially
20 proprietary or that would create competi-
21 tive disadvantage.

22 (B) The requirements of subparagraph (A)
23 shall not apply to assistance for the purpose of
24 building the capacity of such government to
25 meet the requirements of this subparagraph.

1 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
2 priated by this Act under titles I and II, and funds made
3 available for any independent agency in title III, as appro-
4 priate, shall be made available to support the provision
5 of additional information on United States Government
6 foreign assistance on the Department of State foreign as-
7 sistance website: *Provided*, That all Federal agencies fund-
8 ed under this Act shall provide such information on for-
9 eign assistance, upon request, to the Department of State.

10 DEMOCRACY PROGRAMS

11 SEC. 7032. (a) FUNDING.—

12 (1) IN GENERAL.—Of the funds appropriated
13 by this Act under the headings “Development As-
14 sistance”, “Economic Support Fund”, “Democracy
15 Fund”, “Assistance for Europe, Eurasia and Cen-
16 tral Asia”, and “International Narcotics Control and
17 Law Enforcement”, not less than \$2,400,000,000
18 shall be made available for democracy programs.

19 (2) PROGRAMS.—Of the funds made available
20 for democracy programs under the headings “Eco-
21 nomic Support Fund” and “Assistance for Europe,
22 Eurasia and Central Asia” pursuant to paragraph
23 (1), not less than \$89,540,000 shall be made avail-
24 able to the Bureau of Democracy, Human Rights,
25 and Labor, Department of State, at not less than

1 the amounts specified for certain countries and re-
2 gional programs designated in the table under this
3 section in the explanatory statement described in
4 section 4 (in the matter preceding division A of this
5 consolidated Act).

6 (b) AUTHORITIES.—

7 (1) Funds made available by this Act for de-
8 mocracy programs pursuant to subsection (a) and
9 under the heading “National Endowment for De-
10 mocracy” may be made available notwithstanding
11 any other provision of law, and with regard to the
12 National Endowment for Democracy (NED), any
13 regulation.

14 (2) Funds made available by this Act for the
15 NED are made available pursuant to the authority
16 of the National Endowment for Democracy Act (title
17 V of Public Law 98–164), including all decisions re-
18 garding the selection of beneficiaries.

19 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
20 purposes of funds appropriated by this Act, the term “de-
21 mocracy programs” means programs that support good
22 governance, credible and competitive elections, freedom of
23 expression, association, assembly, and religion, human
24 rights, labor rights, independent media, and the rule of
25 law, and that otherwise strengthen the capacity of demo-

1 cratic political parties, governments, nongovernmental or-
2 ganizations and institutions, and citizens to support the
3 development of democratic states and institutions that are
4 responsive and accountable to citizens.

5 (d) PROGRAM PRIORITIZATION.—Funds made avail-
6 able pursuant to this section that are made available for
7 programs to strengthen government institutions shall be
8 prioritized for those institutions that demonstrate a com-
9 mitment to democracy and the rule of law, as determined
10 by the Secretary of State or the Administrator of the
11 United States Agency for International Development, as
12 appropriate.

13 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
14 spect to the provision of assistance for democracy pro-
15 grams in this Act, the organizations implementing such
16 assistance, the specific nature of that assistance, and the
17 participants in such programs shall not be subject to the
18 prior approval by the government of any foreign country:
19 *Provided*, That the Secretary of State, in coordination
20 with the USAID Administrator, shall report to the Com-
21 mittees on Appropriations, not later than 120 days after
22 enactment of this Act, detailing steps taken by the Depart-
23 ment of State and USAID to comply with the require-
24 ments of this subsection.

1 (f) CONTINUATION OF CURRENT PRACTICES.—
2 USAID shall continue to implement civil society and polit-
3 ical competition and consensus building programs abroad
4 with funds appropriated by this Act in a manner that rec-
5 ognizes the unique benefits of grants and cooperative
6 agreements in implementing such programs: *Provided*,
7 That nothing in this paragraph shall be construed to af-
8 fect the ability of any entity, including United States small
9 businesses, from competing for proposals for USAID-
10 funded civil society and political competition and con-
11 sensus building programs.

12 (g) INFORMING THE NATIONAL ENDOWMENT FOR
13 DEMOCRACY.—The Assistant Secretary for Democracy,
14 Human Rights, and Labor, Department of State, and the
15 Assistant Administrator for Democracy, Conflict, and Hu-
16 manitarian Assistance, USAID, shall regularly inform the
17 National Endowment for Democracy of democracy pro-
18 grams that are planned and supported by funds made
19 available by this Act and prior Acts making appropriations
20 for the Department of State, foreign operations, and re-
21 lated programs.

22 (h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND
23 JOURNALISTS.—Of the funds appropriated by this Act
24 under the headings “Economic Support Fund” and “De-
25 mocracy Fund”, not less than \$15,000,000 shall be made

1 available to support and protect civil society activists and
2 journalists who have been threatened, harassed, or at-
3 tacked, consistent with the action plan submitted pursuant
4 to, and on the same terms and conditions of, section
5 7032(i) of the Department of State, Foreign Operations,
6 and Related Programs Appropriations Act, 2018 (division
7 K of Public Law 115–141).

8 INTERNATIONAL RELIGIOUS FREEDOM

9 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
10 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
11 GIOUS FREEDOM.—

12 (1) OPERATIONS.—Funds appropriated by this
13 Act under the heading “Diplomatic Programs” shall
14 be made available for the Office of International Re-
15 ligious Freedom, Bureau of Democracy, Human
16 Rights, and Labor, Department of State, and the
17 Special Envoy to Promote Religious Freedom of Re-
18 ligious Minorities in the Near East and South Cen-
19 tral Asia, as authorized in the Near East and South
20 Central Asia Religious Freedom Act of 2014 (Public
21 Law 113–161), including for support staff at not
22 less than the amounts specified for such offices in
23 the table under such heading in the explanatory
24 statement described in section 4 (in the matter pre-
25 ceding division A of this consolidated Act).

1 (2) CURRICULUM.—Funds appropriated under
2 the heading “Diplomatic Programs” and designated
3 for the Office of International Religious Freedom
4 shall be made available for the development and im-
5 plementation of an international religious freedom
6 curriculum in accordance with section 708(a)(2) of
7 the Foreign Service Act of 1980 (22 U.S.C.
8 4028(a)(2)).

9 (b) ASSISTANCE.—

10 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
11 GRAMS.—Of the funds appropriated by this Act
12 under the heading “Democracy Fund” and available
13 for the Human Rights and Democracy Fund, not
14 less than \$10,000,000 shall be made available for
15 international religious freedom programs: *Provided*,
16 That the Ambassador-at-Large for International Re-
17 ligious Freedom shall consult with the Committees
18 on Appropriations on the uses of such funds.

19 (2) PROTECTION AND INVESTIGATION PRO-
20 GRAMS.—Of the funds appropriated by this Act
21 under the heading “Economic Support Fund”, not
22 less than \$10,000,000 shall be made available for
23 programs to protect vulnerable and persecuted reli-
24 gious minorities: *Provided*, That a portion of such
25 funds shall be made available for programs to inves-

1 tigate the persecution of such minorities by govern-
2 ments and non-state actors and for the public dis-
3 semination of information collected on such persecu-
4 tion, including on the Department of State website.

5 (3) HUMANITARIAN PROGRAMS.—Funds appro-
6 priated by this Act under the headings “Inter-
7 national Disaster Assistance” and “Migration and
8 Refugee Assistance” shall be made available for hu-
9 manitarian assistance for vulnerable and persecuted
10 religious minorities, including victims of genocide
11 designated by the Secretary of State and other
12 groups that have suffered crimes against humanity
13 and ethnic cleansing, to—

14 (A) facilitate the implementation of an im-
15 mediate, coordinated, and sustained response to
16 provide humanitarian assistance;

17 (B) enhance protection of conflict victims,
18 including those facing a dire humanitarian cri-
19 sis and severe persecution because of their faith
20 or ethnicity;

21 (C) improve access to secure locations for
22 obtaining humanitarian and resettlement serv-
23 ices; and

1 (D) build resilience and help reestablish
2 livelihoods for displaced and persecuted persons
3 in their communities of origin.

4 (4) TRANSITIONAL JUSTICE, RECONCILIATION,
5 AND REINTEGRATION PROGRAMS.—Of the funds ap-
6 propriated by this Act that are made available for
7 the Relief and Recovery Fund, not less than
8 \$5,000,000 shall be made available to support tran-
9 sitional justice, reconciliation, and reintegration pro-
10 grams for vulnerable and persecuted religious mi-
11 norities, including in the Middle East and North Af-
12 rica regions: *Provided*, That such funds shall be
13 matched, to the maximum extent practicable, from
14 sources other than the United States Government.

15 (5) RESPONSIBILITY FOR FUNDS.—Funds made
16 available by paragraphs (1) and (2) shall be the re-
17 sponsibility of the Ambassador-at-Large for Inter-
18 national Religious Freedom, in consultation with
19 other relevant United States Government officials.

20 (c) INTERNATIONAL BROADCASTING.—Funds appro-
21 priated by this Act under the heading “Broadcasting
22 Board of Governors, International Broadcasting Oper-
23 ations” shall be made available for programs related to
24 international religious freedom, including reporting on the
25 condition of vulnerable and persecuted religious groups.

1 (d) FUNDING CLARIFICATION.—

2 (1) Funds made available pursuant to sub-
3 section (b) are in addition to amounts otherwise
4 made available for such purposes.

5 (2) Funds appropriated by this Act and prior
6 Acts making appropriations for the Department of
7 State, foreign operations, and related programs
8 under the heading “Economic Support Fund” may
9 be made available notwithstanding any other provi-
10 sion of law for assistance for ethnic and religious
11 minorities in Iraq and Syria.

12 SPECIAL PROVISIONS

13 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
14 DREN, AND DISPLACED BURMESE.—Funds appropriated
15 in titles III and VI of this Act that are made available
16 for victims of war, displaced children, displaced Burmese,
17 and to combat trafficking in persons and assist victims
18 of such trafficking, may be made available notwith-
19 standing any other provision of law.

20 (b) FORENSIC ASSISTANCE.—

21 (1) Of the funds appropriated by this Act under
22 the heading “Economic Support Fund”, not less
23 than \$10,000,000 shall be made available for foren-
24 sic anthropology assistance related to the exhuma-
25 tion and identification of victims of war crimes,

1 crimes against humanity, and genocide, which shall
2 be administered by the Assistant Secretary for De-
3 mocracy, Human Rights, and Labor, Department of
4 State: *Provided*, That such funds shall be in addition
5 to funds made available by this Act and prior Acts
6 making appropriations for the Department of State,
7 foreign operations, and related programs for assist-
8 ance for countries.

9 (2) Of the funds appropriated by this Act under
10 the heading “International Narcotics Control and
11 Law Enforcement”, not less than \$8,000,000 shall
12 be made available for DNA forensic technology pro-
13 grams to combat human trafficking in Central
14 America and Mexico.

15 (c) ATROCITIES PREVENTION.—Of the funds appro-
16 priated by this Act under the headings “Economic Sup-
17 port Fund” and “International Narcotics Control and
18 Law Enforcement”, not less than \$5,000,000 shall be
19 made available for programs to prevent atrocities, includ-
20 ing to implement recommendations of the Atrocities Pre-
21 vention Board, or any successor entity: *Provided*, That the
22 Under Secretary for Civilian Security, Democracy, and
23 Human Rights, Department of State, shall be responsible
24 for providing the strategic policy direction for, and policy
25 oversight of, funds made available pursuant to this sub-

1 section to the Bureaus of International Narcotics and Law
2 Enforcement Affairs and Democracy, Human Rights, and
3 Labor, Department of State: *Provided further*, That funds
4 made available pursuant to this subsection are in addition
5 to amounts otherwise made available for such purposes:
6 *Provided further*, That such funds shall be subject to the
7 regular notification procedures of the Committees on Ap-
8 propriations.

9 (d) WORLD FOOD PROGRAMME.—Funds managed by
10 the Bureau for Democracy, Conflict, and Humanitarian
11 Assistance, United States Agency for International Devel-
12 opment, from this or any other Act, may be made available
13 as a general contribution to the World Food Programme,
14 notwithstanding any other provision of law.

15 (e) DIRECTIVES AND AUTHORITIES.—

16 (1) RESEARCH AND TRAINING.—Funds appro-
17 priated by this Act under the heading “Assistance
18 for Europe, Eurasia and Central Asia” shall be
19 made available to carry out the Program for Re-
20 search and Training on Eastern Europe and the
21 Independent States of the Former Soviet Union as
22 authorized by the Soviet-Eastern European Research
23 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

24 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
25 Funds appropriated by this Act and prior Acts mak-

1 ing appropriations for the Department of State, for-
2 foreign operations, and related programs under the
3 headings “Economic Support Fund” and “Assist-
4 ance for Europe, Eurasia and Central Asia” may be
5 made available as contributions to establish and
6 maintain memorial sites of genocide, subject to the
7 regular notification procedures of the Committees on
8 Appropriations.

9 (3) ADDITIONAL AUTHORITIES.—Of the
10 amounts made available by title I of this Act under
11 the heading “Diplomatic Programs”, up to \$500,000
12 may be made available for grants pursuant to sec-
13 tion 504 of the Foreign Relations Authorization Act,
14 Fiscal Year 1979 (22 U.S.C. 2656d), including to
15 facilitate collaboration with indigenous communities,
16 and up to \$1,000,000 may be made available for
17 grants to carry out the activities of the Cultural An-
18 tiquities Task Force.

19 (4) INNOVATION.—The USAID Administrator
20 may use funds appropriated by this Act under title
21 III to make innovation incentive awards: *Provided*,
22 That each individual award may not exceed
23 \$100,000: *Provided further*, That no more than 10
24 such awards may be made during fiscal year 2019:
25 *Provided further*, That for purposes of this para-

1 graph the term “innovation incentive award” means
2 the provision of funding on a competitive basis
3 that—

4 (A) encourages and rewards the develop-
5 ment of solutions for a particular, well-defined
6 problem related to the alleviation of poverty; or

7 (B) helps identify and promote a broad
8 range of ideas and practices facilitating further
9 development of an idea or practice by third par-
10 ties.

11 (5) EXCHANGE VISITOR PROGRAM.—None of
12 the funds made available by this Act may be used
13 to modify the Exchange Visitor Program adminis-
14 tered by the Department of State to implement the
15 Mutual Educational and Cultural Exchange Act of
16 1961, as amended, (Public Law 87–256; 22 U.S.C.
17 2451 et seq.), except through the formal rulemaking
18 process pursuant to the Administrative Procedure
19 Act and notwithstanding the exceptions to such rule-
20 making process in such Act: *Provided*, That funds
21 made available for such purpose shall only be made
22 available after consultation with, and subject to the
23 regular notification procedures of, the Committees
24 on Appropriations, regarding how any proposed
25 modification would affect the public diplomacy goals

1 of, and the estimated economic impact on, the
2 United States.

3 (6) REPORT.—The report required by section
4 502(d) of the Intelligence Authorization Act for Fis-
5 cal Year 2017 (division N of Public Law 115–31; 22
6 U.S.C. 254a note) shall be provided to the Commit-
7 tees on Appropriations.

8 (7) PRIVATE SECTOR PARTNERSHIPS.—Of the
9 funds appropriated by this Act under the headings
10 “Development Assistance” and “Economic Support
11 Fund” that are made available for private sector
12 partnerships, up to \$50,000,000 may remain avail-
13 able until September 30, 2021: *Provided*, That funds
14 made available pursuant to this paragraph may only
15 be made available following prior consultation with
16 the appropriate congressional committees, and the
17 regular notification procedures of the Committees on
18 Appropriations.

19 (f) PARTNER VETTING.—Prior to initiating a partner
20 vetting program, or making significant changes to the
21 scope of an existing partner vetting program, the Sec-
22 retary of State and USAID Administrator, as appropriate,
23 shall consult with the Committees on Appropriations.

24 (g) CONTINGENCIES.—During fiscal year 2019, 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 (h) 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 (i) 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 (j) 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 Programs” for fiscal year 2019, except for funds des-
3 ignated for Overseas Contingency Operations/Global War
4 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985, at no later than the end of the fifth fiscal year after
7 the last fiscal year for which such funds are available for
8 the purposes for which appropriated: *Provided*, That not
9 more than \$50,000,000 may be transferred.

10 (k) AUTHORITY TO COUNTER EXTREMISM.—Funds
11 made available by this Act under the heading “Economic
12 Support Fund” to counter extremism may be made avail-
13 able notwithstanding any other provision of law restricting
14 assistance to foreign countries, except sections 502B and
15 620A of the Foreign Assistance Act of 1961: *Provided*,
16 That the use of the authority of this subsection shall be
17 subject to prior consultation with the appropriate congres-
18 sional committees, and the regular notification procedures
19 of the Committees on Appropriations.

20 (l) PROTECTIONS AND REMEDIES FOR EMPLOYEES
21 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
22 ZATIONS.—Section 7034(k) of the Department of State,
23 Foreign Operations, and Related Programs Appropria-
24 tions Act, 2015 (division J of Public Law 113–235) shall
25 continue in effect during fiscal year 2019.

1 (m) EXTENSION OF AUTHORITIES.—

2 (1) PASSPORT FEES.—Section 1(b)(2) of the
3 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
4 shall be applied by substituting “September 30,
5 2019” for “September 30, 2010”.

6 (2) INCENTIVES FOR CRITICAL POSTS.—The
7 authority contained in section 1115(d) of the Sup-
8 plemental Appropriations Act, 2009 (Public Law
9 111–32) shall remain in effect through September
10 30, 2019.

11 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
12 ER.—Section 625(j)(1) of the Foreign Assistance
13 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
14 by substituting “September 30, 2019” for “October
15 1, 2010” in subparagraph (B).

16 (4) OVERSEAS PAY COMPARABILITY AND LIM-
17 ITATION.—

18 (A) Subject to the limitation described in
19 subparagraph (B), the authority provided by
20 section 1113 of the Supplemental Appropria-
21 tions Act, 2009 (Public Law 111–32) shall re-
22 main in effect through September 30, 2019.

23 (B) The authority described in subpara-
24 graph (A) may not be used to pay an eligible
25 member of the Foreign Service (as defined in

1 section 1113(b) of the Supplemental Appropria-
2 tions Act, 2009 (Public Law 111–32)) a local-
3 ity-based comparability payment (stated as a
4 percentage) that exceeds two-thirds of the
5 amount of the locality-based comparability pay-
6 ment (stated as a percentage) that would be
7 payable to such member under section 5304 of
8 title 5, United States Code, if such member’s
9 official duty station were in the District of Co-
10 lumbia.

11 (5) CATEGORICAL ELIGIBILITY.—The Foreign
12 Operations, Export Financing, and Related Pro-
13 grams Appropriations Act, 1990 (Public Law 101–
14 167) is amended—

15 (A) in section 599D (8 U.S.C. 1157
16 note)—

17 (i) in subsection (b)(3), by striking
18 “and 2018” and inserting “2018, and
19 2019”; and

20 (ii) in subsection (e), by striking
21 “2018” each place it appears and inserting
22 “2019”; and

23 (B) in section 599E (8 U.S.C. 1255 note)
24 in subsection (b)(2), by striking “2018” and in-
25 serting “2019”.

1 (6) INSPECTOR GENERAL ANNUITANT WAIV-
2 ER.—The authorities provided in section 1015(b) of
3 the Supplemental Appropriations Act, 2010 (Public
4 Law 111–212) shall remain in effect through Sep-
5 tember 30, 2019.

6 (7) ACCOUNTABILITY REVIEW BOARDS.—The
7 authority provided by section 301(a)(3) of the Omni-
8 bus Diplomatic Security and Antiterrorism Act of
9 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
10 for facilities in Afghanistan through September 30,
11 2019, except that the notification and reporting re-
12 quirements contained in such section shall include
13 the Committees on Appropriations.

14 (8) SPECIAL INSPECTOR GENERAL FOR AF-
15 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
16 TUS.—Notwithstanding any other provision of law,
17 any employee of the Special Inspector General for
18 Afghanistan Reconstruction (SIGAR) who completes
19 at least 12 months of continuous service after the
20 date of enactment of this Act or who is employed on
21 the date on which SIGAR terminates, whichever oc-
22 curs first, shall acquire competitive status for ap-
23 pointment to any position in the competitive service
24 for which the employee possesses the required quali-
25 fications.

1 (9) TRANSFER OF BALANCES.—Section 7081(h)
2 of the Department of State, Foreign Operations, and
3 Related Programs Appropriations Act, 2017 (divi-
4 sion J of Public Law 115–31) shall continue in ef-
5 fect during fiscal year 2019.

6 (10) DEPARTMENT OF STATE INSPECTOR GEN-
7 ERAL WAIVER AUTHORITY.—The Inspector General
8 of the Department of State may waive the provisions
9 of subsections (a) through (d) of section 824 of the
10 Foreign Service Act of 1980 (22 U.S.C. 4064) on a
11 case-by-case basis for an annuitant reemployed by
12 the Inspector General on a temporary basis, subject
13 to the same constraints and in the same manner by
14 which the Secretary of State may exercise such wai-
15 ver authority pursuant to subsection (g) of such sec-
16 tion.

17 (11) EXTENSION OF LOAN GUARANTEES TO
18 ISRAEL.—Chapter 5 of title I of the Emergency
19 Wartime Supplemental Appropriations Act, 2003
20 (Public Law 108–11; 117 Stat. 576) is amended
21 under the heading “Loan Guarantees to Israel”—

22 (A) in the matter preceding the first pro-
23 viso, by striking “September 30, 2019” and in-
24 serting “September 30, 2023”; and

1 (B) in the second proviso, by striking
2 “September 30, 2019” and inserting “Sep-
3 tember 30, 2023”.

4 (n) MONITORING AND EVALUATION.—Funds appro-
5 priated by this Act that are available for monitoring and
6 evaluation of assistance under the headings “Development
7 Assistance”, “International Disaster Assistance” and
8 “Migration and Refugee Assistance” shall, as appropriate,
9 be made available for the regular collection of feedback
10 obtained directly from beneficiaries on the quality and rel-
11 evance of such assistance: *Provided*, That the Department
12 of State and USAID shall establish procedures for imple-
13 menting partners that receive funds under such headings
14 for regularly collecting and responding to such feedback,
15 informing the Department of State and USAID of such
16 procedures, and reporting to the Department of State and
17 USAID on actions taken in response to the feedback re-
18 ceived: *Provided further*, That the Department of State
19 and USAID shall regularly conduct oversight to ensure
20 that such feedback is regularly collected and used by im-
21 plementing partners to maximize the cost-effectiveness
22 and utility of such assistance.

23 (o) HIV/AIDS WORKING CAPITAL FUND.—Funds
24 available in the HIV/AIDS Working Capital Fund estab-
25 lished pursuant to section 525(b)(1) of the Foreign Oper-

1 ations, Export Financing, and Related Programs Appro-
2 priations Act, 2005 (Public Law 108–447) may be made
3 available for pharmaceuticals and other products for child
4 survival, malaria, and tuberculosis to the same extent as
5 HIV/AIDS pharmaceuticals and other products, subject to
6 the terms and conditions in such section: *Provided*, That
7 the authority in section 525(b)(5) of the Foreign Oper-
8 ations, Export Financing, and Related Programs Appro-
9 priation Act, 2005 (Public Law 108–447) shall be exer-
10 cised by the Assistant Administrator for Global Health,
11 USAID, with respect to funds deposited for such non-
12 HIV/AIDS pharmaceuticals and other products, and shall
13 be subject to the regular notification procedures of the
14 Committees on Appropriations: *Provided further*, That the
15 Secretary of State shall include in the congressional budg-
16 et justification an accounting of budgetary resources, dis-
17 bursements, balances, and reimbursements related to such
18 fund.

19 (p) LOANS, CONSULTATION, AND NOTIFICATION.—

20 (1) LOAN GUARANTEES.—Funds appropriated
21 under the headings “Economic Support Fund” and
22 “Assistance for Europe, Eurasia and Central Asia”
23 by this Act and prior Acts making appropriations
24 for the Department of State, foreign operations, and
25 related programs may be made available for the

1 costs, as defined in section 502 of the Congressional
2 Budget Act of 1974, of loan guarantees for Egypt,
3 Jordan, Tunisia, and Ukraine, which are authorized
4 to be provided: *Provided*, That amounts made avail-
5 able under this paragraph for the costs of such
6 guarantees shall not be considered assistance for the
7 purposes of provisions of law limiting assistance to
8 a country.

9 (2) DESIGNATION REQUIREMENT.—Funds
10 made available pursuant to paragraph (1) from prior
11 Acts making appropriations for the Department of
12 State, foreign operations, and related programs that
13 were previously designated by the Congress for Over-
14 seas Contingency Operations/Global War on Ter-
15 rorism pursuant to section 251(b)(2)(A)(ii) of the
16 Balanced Budget and Emergency Deficit Control
17 Act of 1985 are designated by the Congress for
18 Overseas Contingency Operations/Global War on
19 Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 such Act.

21 (3) CONSULTATION AND NOTIFICATION.—
22 Funds made available pursuant to the authorities of
23 this subsection shall be subject to prior consultation
24 with the appropriate congressional committees, and

1 subject to the regular notification procedures of the
2 Committees on Appropriations.

3 (q) LOCAL WORKS.—

4 (1) Of the funds appropriated by this Act under
5 the headings “Development Assistance”, “Economic
6 Support Fund”, and “Assistance for Europe, Eur-
7 asia and Central Asia”, not less than \$50,000,000
8 shall be made available for Local Works pursuant to
9 section 7080 of the Department of State, Foreign
10 Operations, and Related Programs Appropriations
11 Act, 2015 (division J of Public Law 113–235),
12 which may remain available until September 30,
13 2023.

14 (2) For the purposes of section 7080 of the De-
15 partment of State, Foreign Operations, and Related
16 Programs Appropriations Act, 2015 (division J of
17 Public Law 113–235), “eligible entities” shall be de-
18 fined as small local, international, and United
19 States-based nongovernmental organizations, edu-
20 cational institutions, and other small entities that
21 have received less than a total of \$5,000,000 from
22 USAID over the previous 5 fiscal years: *Provided*,
23 That departments or centers of such educational in-
24 stitutions may be considered individually in deter-
25 mining such eligibility.

1 (r) DEFINITIONS.—

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—Unless otherwise defined in this Act, for
4 purposes of this Act the term “appropriate congress-
5 sional committees” means the Committees on Appro-
6 priations and Foreign Relations of the Senate and
7 the Committees on Appropriations and Foreign Af-
8 fairs of the House of Representatives.

9 (2) FUNDS APPROPRIATED BY THIS ACT AND
10 PRIOR ACTS.—Unless otherwise defined in this Act,
11 for purposes of this Act the term “funds appro-
12 priated by this Act and prior Acts making appro-
13 priations for the Department of State, foreign oper-
14 ations, and related programs” means funds that re-
15 main available for obligation, and have not expired.

16 (3) INTERNATIONAL FINANCIAL INSTITU-
17 TIONS.—In this Act “international financial institu-
18 tions” means the International Bank for Recon-
19 struction and Development, the International Devel-
20 opment Association, the International Finance Cor-
21 poration, the Inter-American Development Bank, the
22 International Monetary Fund, the International
23 Fund for Agricultural Development, the Asian De-
24 velopment Fund, the Inter-American Investment
25 Corporation, the North American Development

1 Bank, the European Bank for Reconstruction and
2 Development, the African Development Bank, the
3 African Development Fund, and the Multilateral In-
4 vestment Guarantee Agency.

5 (4) SOUTHERN KORDOFAN REFERENCE.—Any
6 reference to Southern Kordofan in this or any other
7 Act making appropriations for the Department of
8 State, foreign operations, and related programs shall
9 be deemed to include portions of Western Kordofan
10 that were previously part of Southern Kordofan
11 prior to the 2013 division of Southern Kordofan.

12 (5) USAID.—In this Act, the term “USAID”
13 means the United States Agency for International
14 Development.

15 (6) SPEND PLAN.—In this Act, the term
16 “spend plan” means a plan for the uses of funds ap-
17 propriated for a particular entity, country, program,
18 purpose, or account and which shall include, at a
19 minimum, a description of—

20 (A) realistic and sustainable goals, criteria
21 for measuring progress, and a timeline for
22 achieving such goals;

23 (B) amounts and sources of funds by ac-
24 count;

1 (C) how such funds will complement other
2 ongoing or planned programs; and

3 (D) implementing partners, to the max-
4 imum extent practicable.

5 (7) UNITED STATES AGENCY FOR GLOBAL
6 MEDIA.—References to the “Broadcasting Board of
7 Governors, International Broadcasting Operations”
8 account in any provision of law shall be construed to
9 include the “United States Agency for Global
10 Media” account in Acts making appropriations for
11 the Department of State, foreign operations, and re-
12 lated programs: *Provided*, That references to the
13 “Broadcasting Board of Governors” or “BBG” in
14 this Act and prior Acts making appropriations for
15 the Department of State, foreign operations, and re-
16 lated programs shall be construed to include the
17 “United States Agency for Global Media” or
18 “USAGM”.

19 ARAB LEAGUE BOYCOTT OF ISRAEL

20 SEC. 7035. It is the sense of the Congress that—

21 (1) the Arab League boycott of Israel, and the
22 secondary boycott of American firms that have com-
23 mercial ties with Israel, is an impediment to peace
24 in the region and to United States investment and
25 trade in the Middle East and North Africa;

1 this Act may be provided to support a Palestinian state
2 unless the Secretary of State determines and certifies to
3 the appropriate congressional committees that—

4 (1) the governing entity of a new Palestinian
5 state—

6 (A) has demonstrated a firm commitment
7 to peaceful co-existence with the State of Israel;
8 and

9 (B) is taking appropriate measures to
10 counter terrorism and terrorist financing in the
11 West Bank and Gaza, including the dismantling
12 of terrorist infrastructures, and is cooperating
13 with appropriate Israeli and other appropriate
14 security organizations; and

15 (2) the Palestinian Authority (or the governing
16 entity of a new Palestinian state) is working with
17 other countries in the region to vigorously pursue ef-
18 forts to establish a just, lasting, and comprehensive
19 peace in the Middle East that will enable Israel and
20 an independent Palestinian state to exist within the
21 context of full and normal relationships, which
22 should include—

23 (A) termination of all claims or states of
24 belligerency;

1 (B) respect for and acknowledgment of the
2 sovereignty, territorial integrity, and political
3 independence of every state in the area through
4 measures including the establishment of demili-
5 tarized zones;

6 (C) their right to live in peace within se-
7 cure and recognized boundaries free from
8 threats or acts of force;

9 (D) freedom of navigation through inter-
10 national waterways in the area; and

11 (E) a framework for achieving a just set-
12 tlement of the refugee problem.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that the governing entity should enact a constitution
15 assuring the rule of law, an independent judiciary, and
16 respect for human rights for its citizens, and should enact
17 other laws and regulations assuring transparent and ac-
18 countable governance.

19 (c) WAIVER.—The President may waive subsection
20 (a) if the President determines that it is important to the
21 national security interest of the United States to do so.

22 (d) EXEMPTION.—The restriction in subsection (a)
23 shall not apply to assistance intended to help reform the
24 Palestinian Authority and affiliated institutions, or the
25 governing entity, in order to help meet the requirements

1 of subsection (a), consistent with the provisions of section
2 7040 of this Act (“Limitation on Assistance for the Pales-
3 tinian Authority”).

4 RESTRICTIONS CONCERNING THE PALESTINIAN
5 AUTHORITY

6 SEC. 7037. None of the funds appropriated under ti-
7 tles II through VI of this Act may be obligated or ex-
8 pended to create in any part of Jerusalem a new office
9 of any department or agency of the United States Govern-
10 ment for the purpose of conducting official United States
11 Government business with the Palestinian Authority over
12 Gaza and Jericho or any successor Palestinian governing
13 entity provided for in the Israel-PLO Declaration of Prin-
14 ciples: *Provided*, That this restriction shall not apply to
15 the acquisition of additional space for the existing Con-
16 sulate General in Jerusalem: *Provided further*, That meet-
17 ings between officers and employees of the United States
18 and officials of the Palestinian Authority, or any successor
19 Palestinian governing entity provided for in the Israel-
20 PLO Declaration of Principles, for the purpose of con-
21 ducting official United States Government business with
22 such authority should continue to take place in locations
23 other than Jerusalem: *Provided further*, That as has been
24 true in the past, officers and employees of the United
25 States Government may continue to meet in Jerusalem on

1 other subjects with Palestinians (including those who now
2 occupy positions in the Palestinian Authority), have social
3 contacts, and have incidental discussions.

4 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
5 BROADCASTING CORPORATION

6 SEC. 7038. None of the funds appropriated or other-
7 wise made available by this Act may be used to provide
8 equipment, technical support, consulting services, or any
9 other form of assistance to the Palestinian Broadcasting
10 Corporation.

11 ASSISTANCE FOR THE WEST BANK AND GAZA

12 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2019,
13 30 days prior to the initial obligation of funds for the bi-
14 lateral West Bank and Gaza Program, the Secretary of
15 State shall certify to the Committees on Appropriations
16 that procedures have been established to assure the Comp-
17 troller General of the United States will have access to
18 appropriate United States financial information in order
19 to review the uses of United States assistance for the Pro-
20 gram funded under the heading “Economic Support
21 Fund” for the West Bank and Gaza.

22 (b) VETTING.—Prior to the obligation of funds ap-
23 propriated by this Act under the heading “Economic Sup-
24 port Fund” for assistance for the West Bank and Gaza,
25 the Secretary of State shall take all appropriate steps to

1 ensure that such assistance is not provided to or through
2 any individual, private or government entity, or edu-
3 cational institution that the Secretary knows or has reason
4 to believe advocates, plans, sponsors, engages in, or has
5 engaged in, terrorist activity nor, with respect to private
6 entities or educational institutions, those that have as a
7 principal officer of the entity's governing board or gov-
8 erning board of trustees any individual that has been de-
9 termined to be involved in, or advocating terrorist activity
10 or determined to be a member of a designated foreign ter-
11 rorist organization: *Provided*, That the Secretary of State
12 shall, as appropriate, establish procedures specifying the
13 steps to be taken in carrying out this subsection and shall
14 terminate assistance to any individual, entity, or edu-
15 cational institution which the Secretary has determined to
16 be involved in or advocating terrorist activity.

17 (c) PROHIBITION.—

18 (1) RECOGNITION OF ACTS OF TERRORISM.—

19 None of the funds appropriated under titles III
20 through VI of this Act for assistance under the West
21 Bank and Gaza Program may be made available
22 for—

23 (A) the purpose of recognizing or otherwise
24 honoring individuals who commit, or have com-
25 mitted acts of terrorism; and

1 (B) any educational institution located in
2 the West Bank or Gaza that is named after an
3 individual who the Secretary of State deter-
4 mines has committed an act of terrorism.

5 (2) SECURITY ASSISTANCE AND REPORTING RE-
6 QUIREMENT.—Notwithstanding any other provision
7 of law, none of the funds made available by this or
8 prior appropriations Acts, including funds made
9 available by transfer, may be made available for obli-
10 gation for security assistance for the West Bank and
11 Gaza until the Secretary of State reports to the
12 Committees on Appropriations on the benchmarks
13 that have been established for security assistance for
14 the West Bank and Gaza and reports on the extent
15 of Palestinian compliance with such benchmarks.

16 (d) OVERSIGHT BY THE UNITED STATES AGENCY
17 FOR INTERNATIONAL DEVELOPMENT.—

18 (1) The Administrator of the United States
19 Agency for International Development shall ensure
20 that Federal or non-Federal audits of all contractors
21 and grantees, and significant subcontractors and
22 sub-grantees, under the West Bank and Gaza Pro-
23 gram, are conducted at least on an annual basis to
24 ensure, among other things, compliance with this
25 section.

1 (2) Of the funds appropriated by this Act, up
2 to \$1,000,000 may be used by the Office of Inspec-
3 tor General of the United States Agency for Inter-
4 national Development for audits, investigations, and
5 other activities in furtherance of the requirements of
6 this subsection: *Provided*, That such funds are in ad-
7 dition to funds otherwise available for such pur-
8 poses.

9 (e) COMPTROLLER GENERAL OF THE UNITED
10 STATES AUDIT.—Subsequent to the certification specified
11 in subsection (a), the Comptroller General of the United
12 States shall conduct an audit and an investigation of the
13 treatment, handling, and uses of all funds for the bilateral
14 West Bank and Gaza Program, including all funds pro-
15 vided as cash transfer assistance, in fiscal year 2019
16 under the heading “Economic Support Fund”, and such
17 audit shall address—

18 (1) the extent to which such Program complies
19 with the requirements of subsections (b) and (c);
20 and

21 (2) an examination of all programs, projects,
22 and activities carried out under such Program, in-
23 cluding both obligations and expenditures.

24 (f) NOTIFICATION PROCEDURES.—Funds made
25 available in this Act for West Bank and Gaza shall be

1 subject to the regular notification procedures of the Com-
2 mittees on Appropriations.

3 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
4 AUTHORITY

5 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
6 the funds appropriated by this Act to carry out the provi-
7 sions of chapter 4 of part II of the Foreign Assistance
8 Act of 1961 may be obligated or expended with respect
9 to providing funds to the Palestinian Authority.

10 (b) WAIVER.—The prohibition included in subsection
11 (a) shall not apply if the President certifies in writing to
12 the Speaker of the House of Representatives, the Presi-
13 dent pro tempore of the Senate, and the Committees on
14 Appropriations that waiving such prohibition is important
15 to the national security interest of the United States.

16 (c) PERIOD OF APPLICATION OF WAIVER.—Any
17 waiver pursuant to subsection (b) shall be effective for no
18 more than a period of 6 months at a time and shall not
19 apply beyond 12 months after the enactment of this Act.

20 (d) REPORT.—Whenever the waiver authority pursu-
21 ant to subsection (b) is exercised, the President shall sub-
22 mit a report to the Committees on Appropriations detail-
23 ing the justification for the waiver, the purposes for which
24 the funds will be spent, and the accounting procedures in
25 place to ensure that the funds are properly disbursed: *Pro-*

1 *vided*, That the report shall also detail the steps the Pales-
2 tinian Authority has taken to arrest terrorists, confiscate
3 weapons and dismantle the terrorist infrastructure.

4 (e) CERTIFICATION.—If the President exercises the
5 waiver authority under subsection (b), the Secretary of
6 State must certify and report to the Committees on Ap-
7 propriations prior to the obligation of funds that the Pal-
8 estinian Authority has established a single treasury ac-
9 count for all Palestinian Authority financing and all fi-
10 nancing mechanisms flow through this account, no parallel
11 financing mechanisms exist outside of the Palestinian Au-
12 thority treasury account, and there is a single comprehen-
13 sive civil service roster and payroll, and the Palestinian
14 Authority is acting to counter incitement of violence
15 against Israelis and is supporting activities aimed at pro-
16 moting peace, coexistence, and security cooperation with
17 Israel.

18 (f) PROHIBITION TO HAMAS AND THE PALESTINE
19 LIBERATION ORGANIZATION.—

20 (1) None of the funds appropriated in titles III
21 through VI of this Act may be obligated for salaries
22 of personnel of the Palestinian Authority located in
23 Gaza or may be obligated or expended for assistance
24 to Hamas or any entity effectively controlled by
25 Hamas, any power-sharing government of which

1 Hamas is a member, or that results from an agree-
2 ment with Hamas and over which Hamas exercises
3 undue influence.

4 (2) Notwithstanding the limitation of paragraph
5 (1), assistance may be provided to a power-sharing
6 government only if the President certifies and re-
7 ports to the Committees on Appropriations that such
8 government, including all of its ministers or such
9 equivalent, has publicly accepted and is complying
10 with the principles contained in section 620K(b)(1)
11 (A) and (B) of the Foreign Assistance Act of 1961,
12 as amended.

13 (3) The President may exercise the authority in
14 section 620K(e) of the Foreign Assistance Act of
15 1961, as added by the Palestinian Anti-Terrorism
16 Act of 2006 (Public Law 109–446) with respect to
17 this subsection.

18 (4) Whenever the certification pursuant to
19 paragraph (2) is exercised, the Secretary of State
20 shall submit a report to the Committees on Appro-
21 priations within 120 days of the certification and
22 every quarter thereafter on whether such govern-
23 ment, including all of its ministers or such equiva-
24 lent are continuing to comply with the principles
25 contained in section 620K(b)(1) (A) and (B) of the

1 Foreign Assistance Act of 1961, as amended: *Pro-*
2 *vided*, That the report shall also detail the amount,
3 purposes and delivery mechanisms for any assistance
4 provided pursuant to the abovementioned certifi-
5 cation and a full accounting of any direct support of
6 such government.

7 (5) None of the funds appropriated under titles
8 III through VI of this Act may be obligated for as-
9 sistance for the Palestine Liberation Organization.

10 MIDDLE EAST AND NORTH AFRICA

11 SEC. 7041. (a) EGYPT.—

12 (1) CERTIFICATION AND REPORT.—Funds ap-
13 propriated by this Act that are available for assist-
14 ance for Egypt may be made available notwith-
15 standing any other provision of law restricting as-
16 sistance for Egypt, except for this subsection and
17 section 620M of the Foreign Assistance Act of 1961,
18 and may only be made available for assistance for
19 the Government of Egypt if the Secretary of State
20 certifies and reports to the Committees on Appro-
21 priations that such government is—

22 (A) sustaining the strategic relationship
23 with the United States; and

24 (B) meeting its obligations under the 1979
25 Egypt-Israel Peace Treaty.

1 (2) ECONOMIC SUPPORT FUND.—

2 (A) FUNDING.—Of the funds appropriated
3 by this Act under the heading “Economic Sup-
4 port Fund”, up to \$112,500,000 may be made
5 available for assistance for Egypt, of which not
6 less than \$35,000,000 should be made available
7 for higher education programs including not
8 less than \$10,000,000 for scholarships for
9 Egyptian students with high financial need to
10 attend not-for-profit institutions of higher edu-
11 cation: *Provided*, That such funds shall be made
12 available for democracy programs, and for de-
13 velopment programs in the Sinai: *Provided fur-*
14 *ther*, That such funds may not be made avail-
15 able for cash transfer assistance or budget sup-
16 port unless the Secretary of State certifies and
17 reports to the appropriate congressional com-
18 mittees that the Government of Egypt is taking
19 consistent and effective steps to stabilize the
20 economy and implement market-based economic
21 reforms.

22 (B) WITHHOLDING.—The Secretary of
23 State shall withhold from obligation funds ap-
24 propriated by this Act under the heading “Eco-
25 nomic Support Fund” for assistance for Egypt,

1 an amount of such funds that the Secretary de-
2 termines to be equivalent to that expended by
3 the United States Government for bail, and by
4 nongovernmental organizations for legal and
5 court fees, associated with democracy-related
6 trials in Egypt until the Secretary certifies and
7 reports to the Committees on Appropriations
8 that the Government of Egypt has dismissed
9 the convictions issued by the Cairo Criminal
10 Court on June 4, 2013, in “Public Prosecution
11 Case No. 1110 for the Year 2012”, and has not
12 subjected the defendants to further prosecution
13 or if convicted they have been granted full par-
14 dons.

15 (C) LIMITATION.—None of the funds ap-
16 propriated by this Act and prior Acts making
17 appropriations for the Department of State,
18 foreign operations, and related programs under
19 the heading “Economic Support Fund” may be
20 made available for a contribution, voluntary or
21 otherwise, to the “Civil Associations and Foun-
22 dations Support Fund”, or any similar fund, es-
23 tablished pursuant to Law 70 on Associations
24 and Other Foundations Working in the Field of

1 Civil Work published in the Official Gazette of
2 Egypt on May 29, 2017.

3 (3) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—

5 (A) CERTIFICATION.—Of the funds appro-
6 priated by this Act under the heading “Foreign
7 Military Financing Program”, up to
8 \$1,300,000,000, to remain available until Sep-
9 tember 30, 2020, may be made available for as-
10 sistance for Egypt: *Provided*, That such funds
11 may be transferred to an interest bearing ac-
12 count in the Federal Reserve Bank of New
13 York, following consultation with the Commit-
14 tees on Appropriations: *Provided further*, That
15 \$300,000,000 of such funds shall be withheld
16 from obligation until the Secretary of State cer-
17 tifies and reports to the Committees on Appro-
18 priations that the Government of Egypt is tak-
19 ing sustained and effective steps to—

20 (i) advance democracy and human
21 rights in Egypt, including to govern demo-
22 cratically and protect religious minorities
23 and the rights of women, which are in ad-
24 dition to steps taken during the previous
25 calendar year for such purposes;

1 (ii) implement reforms that protect
2 freedoms of expression, association, and
3 peaceful assembly, including the ability of
4 civil society organizations, human rights
5 defenders, and the media to function with-
6 out interference;

7 (iii) release political prisoners and
8 provide detainees with due process of law;

9 (iv) hold Egyptian security forces ac-
10 countable, including officers credibly al-
11 leged to have violated human rights;

12 (v) investigate and prosecute cases of
13 extrajudicial killings and forced disappear-
14 ances; and

15 (vi) provide regular access for United
16 States officials to monitor such assistance
17 in areas where the assistance is used:

18 *Provided further,* That the certification require-
19 ment of this paragraph shall not apply to funds
20 appropriated by this Act under such heading
21 for counterterrorism, border security, and non-
22 proliferation programs for Egypt.

23 (B) WAIVER.—The Secretary of State may
24 waive the certification requirement in subpara-
25 graph (A) if the Secretary determines and re-

1 ports to the Committees on Appropriations that
2 to do so is important to the national security
3 interest of the United States, and submits a re-
4 port to such Committees containing a detailed
5 justification for the use of such waiver and the
6 reasons why any of the requirements of sub-
7 paragraph (A) cannot be met, and including an
8 assessment of the compliance of the Govern-
9 ment of Egypt with United Nations Security
10 Council Resolution 2270 and other such resolu-
11 tions regarding North Korea: *Provided*, That
12 the report required by this paragraph shall be
13 submitted in unclassified form, but may be ac-
14 companied by a classified annex.

15 (4) OVERSIGHT REQUIREMENT.—The Secretary
16 of State shall take all practicable steps to ensure
17 that mechanisms are in place for monitoring, over-
18 sight, and control of funds made available by this
19 subsection for assistance for Egypt.

20 (5) CONSULTATION REQUIREMENT.—Not later
21 than 90 days after enactment of this Act, the Sec-
22 retary of State shall consult with the Committees on
23 Appropriations on any plan to restructure military
24 assistance for Egypt.

25 (b) IRAN.—

1 (1) FUNDING.—Funds appropriated by this Act
2 under the headings “Diplomatic Programs”, “Eco-
3 nomic Support Fund”, and “Nonproliferation, Anti-
4 terrorism, Demining and Related Programs” shall
5 be used by the Secretary of State—

6 (A) to support the United States policy to
7 prevent Iran from achieving the capability to
8 produce or otherwise obtain a nuclear weapon;

9 (B) to support an expeditious response to
10 any violation of United Nations Security Coun-
11 cil Resolutions or to efforts that advance Iran’s
12 nuclear program;

13 (C) to support the implementation and en-
14 forcement of sanctions against Iran for support
15 of nuclear weapons development, terrorism,
16 human rights abuses, and ballistic missile and
17 weapons proliferation; and

18 (D) for democracy programs for Iran, to
19 be administered by the Assistant Secretary for
20 Near Eastern Affairs, Department of State, in
21 consultation with the Assistant Secretary for
22 Democracy, Human Rights, and Labor, Depart-
23 ment of State.

24 (2) CONTINUATION OF PROHIBITION.—The
25 terms and conditions of section 7041(c)(2) of the

1 Department of State, Foreign Operations, and Re-
2 lated Programs Appropriations Act, 2012 (division I
3 of Public Law 112–74) shall continue in effect dur-
4 ing fiscal year 2019.

5 (3) REPORTS.—

6 (A) SEMI-ANNUAL REPORT.—The Sec-
7 retary of State shall submit to the Committees
8 on Appropriations the semi-annual report re-
9 quired by section 135 of the Atomic Energy Act
10 of 1954 (42 U.S.C. 2160e(d)(4)), as added by
11 section 2 of the Iran Nuclear Agreement Re-
12 view Act of 2015 (Public Law 114–17).

13 (B) SANCTIONS REPORT.—Not later than
14 180 days after the date of enactment of this
15 Act, the Secretary of State, in consultation with
16 the Secretary of the Treasury, shall submit to
17 the appropriate congressional committees a re-
18 port on the status of the implementation and
19 enforcement of bilateral United States and mul-
20 tilateral sanctions against Iran and actions
21 taken by the United States and the inter-
22 national community to enforce such sanctions
23 against Iran: *Provided*, That the report shall
24 also include any entities involved in providing
25 significant support for the development of a

1 ballistic missile by the Government of Iran after
2 October 1, 2015, including shipping and financ-
3 ing, and note whether such entities are cur-
4 rently under United States sanctions: *Provided*
5 *further*, That such report shall be submitted in
6 an unclassified form, but may contain a classi-
7 fied annex if necessary.

8 (c) IRAQ.—

9 (1) PURPOSES.—Funds appropriated under ti-
10 tles III and IV of this Act shall be made available
11 for assistance for Iraq for—

12 (A) bilateral economic assistance and inter-
13 national security assistance, including for the
14 Marla Ruzicka Iraqi War Victims Fund;

15 (B) stabilization assistance at not less than
16 the amounts specified for such purpose in the
17 table under this subsection in the explanatory
18 statement described in section 4 (in the matter
19 preceding division A of this consolidated Act);

20 (C) humanitarian assistance, including in
21 the Kurdistan Region of Iraq; and

22 (D) programs to protect and assist reli-
23 gious and ethnic minority populations in Iraq.

24 (2) BASING RIGHTS AGREEMENT.—None of the
25 funds appropriated or otherwise made available by

1 this Act may be used by the Government of the
2 United States to enter into a permanent basing
3 rights agreement between the United States and
4 Iraq.

5 (d) JORDAN.—Of the funds appropriated by this Act
6 under titles III and IV, not less than \$1,525,000,000 shall
7 be made available for assistance for Jordan, of which: not
8 less than \$1,082,400,000 shall be made available under
9 the heading “Economic Support Fund”, of which not less
10 than \$745,100,000 shall be made available for budget sup-
11 port for the Government of Jordan; and not less than
12 \$425,000,000 shall be made available under the heading
13 “Foreign Military Financing Program”.

14 (e) LEBANON.—

15 (1) LIMITATION.—None of the funds appro-
16 priated by this Act may be made available for the
17 Lebanese Internal Security Forces (ISF) or the Leb-
18 anese Armed Forces (LAF) if the ISF or the LAF
19 is controlled by a foreign terrorist organization, as
20 designated pursuant to section 219 of the Immigra-
21 tion and Nationality Act (8 U.S.C. 1189).

22 (2) CONSULTATION.—Funds appropriated by
23 this Act under the headings “International Narcotics
24 Control and Law Enforcement” and “Foreign Mili-
25 tary Financing Program” that are available for as-

1 sistance for Lebanon may be made available for pro-
2 grams and equipment for the ISF and the LAF to
3 address security and stability requirements in areas
4 affected by the conflict in Syria, following consulta-
5 tion with the appropriate congressional committees.

6 (3) ECONOMIC SUPPORT FUND.—Funds appro-
7 priated by this Act under the heading “Economic
8 Support Fund” that are available for assistance for
9 Lebanon may be made available notwithstanding
10 section 1224 of the Foreign Relations Authorization
11 Act, Fiscal Year 2003 (Public Law 107–228; 22
12 U.S.C. 2346 note).

13 (4) 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, 2019: *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) ASSISTANCE.—Funds appropriated under
15 titles III and IV of this Act shall be made available
16 for stabilization assistance for Libya, including bor-
17 der security: *Provided*, That the limitation on the
18 uses of funds for certain infrastructure projects in
19 section 7041(f)(2) of the Department of State, For-
20 eign Operations, and Related Programs Appropria-
21 tions Act, 2014 (division K of Public Law 113–76)
22 shall apply to such funds.

23 (2) CERTIFICATION.—Prior to the initial obliga-
24 tion of funds made available by this Act for assist-
25 ance for Libya, the Secretary of State shall certify

1 and report to the Committees on Appropriations
2 that all practicable steps have been taken to ensure
3 that mechanisms are in place for monitoring, over-
4 sight, and control of such funds.

5 (3) COOPERATION ON THE SEPTEMBER 2012 AT-
6 TACK ON UNITED STATES PERSONNEL AND FACILI-
7 TIES.—None of the funds appropriated by this Act
8 may be made available for assistance for the central
9 Government of Libya unless the Secretary of State
10 certifies and reports to the Committees on Appro-
11 priations that such government is cooperating with
12 United States Government efforts to investigate and
13 bring to justice those responsible for the attack on
14 United States personnel and facilities in Benghazi,
15 Libya in September 2012: *Provided*, That the limita-
16 tion in this paragraph shall not apply to funds made
17 available for the purpose of protecting United States
18 Government personnel or facilities.

19 (g) MOROCCO.—

20 (1) AVAILABILITY AND CONSULTATION RE-
21 QUIREMENT.—Funds appropriated under title III of
22 this Act shall be made available for assistance for
23 the Western Sahara: *Provided*, That not later than
24 90 days after enactment of this Act and prior to the
25 obligation of such funds, the Secretary of State, in

1 consultation with the USAID Administrator, shall
2 consult with the Committees on Appropriations on
3 the proposed uses of such funds.

4 (2) FOREIGN MILITARY FINANCING PRO-
5 GRAM.—Funds appropriated by this Act under the
6 heading “Foreign Military Financing Program” that
7 are available for assistance for Morocco may only be
8 used for the purposes requested in the Congressional
9 Budget Justification, Foreign Operations, Fiscal
10 Year 2017.

11 (h) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not
12 later than 45 days after enactment of this Act, the Sec-
13 retary of State, after consultation with the United Nations
14 High Commissioner for Refugees and the Executive Direc-
15 tor of the World Food Programme, shall submit a report
16 to the Committees on Appropriations describing steps
17 taken to strengthen monitoring of the delivery of humani-
18 tarian assistance provided for refugees in North Africa,
19 including any steps taken to ensure that all vulnerable ref-
20 ugees are receiving such assistance.

21 (i) SYRIA.—

22 (1) NON-LETHAL ASSISTANCE.—Of the funds
23 appropriated by this Act under the headings “Eco-
24 nomic Support Fund”, “International Narcotics
25 Control and Law Enforcement”, and “Peacekeeping

1 Operations”, not less than \$40,000,000 shall be
2 made available, notwithstanding any other provision
3 of law, for non-lethal stabilization assistance for
4 Syria, of which not less than \$7,000,000 shall be
5 made available for emergency medical and rescue re-
6 sponse and chemical weapons use investigations.

7 (2) SYRIAN ORGANIZATIONS.—Funds appro-
8 priated by this Act that are made available for as-
9 sistance for Syria shall be made available, on an
10 open and competitive basis, to continue to strength-
11 en the capability of Syrian civil society organizations
12 to address the immediate and long-term needs of the
13 Syrian people in Syria in a manner that supports
14 the sustainability of such organizations in imple-
15 menting Syrian-led humanitarian and development
16 programs: *Provided*, That funds made available by
17 this paragraph shall be administered by the Bureau
18 for Democracy, Human Rights, and Labor, Depart-
19 ment of State.

20 (3) LIMITATIONS.—Funds made available pur-
21 suant to paragraph (1) of this subsection—

22 (A) may not be made available for a
23 project or activity that supports or otherwise le-
24 gitimizes the Government of Iran, foreign ter-
25 rorist organizations (as designated pursuant to

1 section 219 of the Immigration and Nationality
2 Act (8 U.S.C. 1189)), or a proxy of Iran in
3 Syria; and

4 (B) should not be used in areas of Syria
5 controlled by a government led by Bashar al-
6 Assad or associated forces.

7 (4) MONITORING AND OVERSIGHT.—Prior to
8 the obligation of funds appropriated by this Act and
9 made available for assistance for Syria, the Sec-
10 retary of State shall take all practicable steps to en-
11 sure that mechanisms are in place for monitoring,
12 oversight, and control of such assistance inside
13 Syria.

14 (5) CONSULTATION AND NOTIFICATION.—
15 Funds made available pursuant to this subsection
16 may only be made available following consultation
17 with the appropriate congressional committees, and
18 shall be subject to the regular notification proce-
19 dures of the Committees on Appropriations.

20 (j) TUNISIA.—Of the funds appropriated under titles
21 III and IV of this Act, not less than \$191,400,000 shall
22 be made available for assistance for Tunisia.

23 (k) WEST BANK AND GAZA.—

24 (1) REPORT ON ASSISTANCE.—Prior to the ini-
25 tial obligation of funds made available by this Act

1 under the heading “Economic Support Fund” for
2 assistance for the West Bank and Gaza, the Sec-
3 retary of State shall report to the Committees on
4 Appropriations that the purpose of such assistance
5 is to—

6 (A) advance Middle East peace;

7 (B) improve security in the region;

8 (C) continue support for transparent and
9 accountable government institutions;

10 (D) promote a private sector economy; or

11 (E) address urgent humanitarian needs.

12 (2) LIMITATIONS.—

13 (A)(i) None of the funds appropriated
14 under the heading “Economic Support Fund”
15 in this Act may be made available for assistance
16 for the Palestinian Authority, if after the date
17 of enactment of this Act—

18 (I) the Palestinians obtain the same
19 standing as member states or full member-
20 ship as a state in the United Nations or
21 any specialized agency thereof outside an
22 agreement negotiated between Israel and
23 the Palestinians; or

24 (II) the Palestinians initiate an Inter-
25 national Criminal Court (ICC) judicially

1 authorized investigation, or actively sup-
2 port such an investigation, that subjects
3 Israeli nationals to an investigation for al-
4 leged crimes against Palestinians.

5 (ii) The Secretary of State may waive the
6 restriction in clause (i) of this subparagraph re-
7 sulting from the application of subclause (I) of
8 such clause if the Secretary certifies to the
9 Committees on Appropriations that to do so is
10 in the national security interest of the United
11 States, and submits a report to such Commit-
12 tees detailing how the waiver and the continu-
13 ation of assistance would assist in furthering
14 Middle East peace.

15 (B)(i) The President may waive the provi-
16 sions of section 1003 of the Foreign Relations
17 Authorization Act, Fiscal Years 1988 and 1989
18 (Public Law 100–204) if the President deter-
19 mines and certifies in writing to the Speaker of
20 the House of Representatives, the President pro
21 tempore of the Senate, and the appropriate con-
22 gressional committees that the Palestinians
23 have not, after the date of enactment of this
24 Act—

1 (I) obtained in the United Nations or
2 any specialized agency thereof the same
3 standing as member states or full member-
4 ship as a state outside an agreement nego-
5 tiated between Israel and the Palestinians;
6 and

7 (II) initiated or actively supported an
8 ICC investigation against Israeli nationals
9 for alleged crimes against Palestinians.

10 (ii) Not less than 90 days after the Presi-
11 dent is unable to make the certification pursu-
12 ant to clause (i) of this subparagraph, the
13 President may waive section 1003 of Public
14 Law 100–204 if the President determines and
15 certifies in writing to the Speaker of the House
16 of Representatives, the President pro tempore
17 of the Senate, and the Committees on Appro-
18 priations that the Palestinians have entered
19 into direct and meaningful negotiations with
20 Israel: *Provided*, That any waiver of the provi-
21 sions of section 1003 of Public Law 100–204
22 under clause (i) of this subparagraph or under
23 previous provisions of law must expire before
24 the waiver under the preceding sentence may be
25 exercised.

1 (iii) Any waiver pursuant to this subpara-
2 graph shall be effective for no more than a pe-
3 riod of 6 months at a time and shall not apply
4 beyond 12 months after the enactment of this
5 Act.

6 (3) REDUCTION.—The Secretary of State shall
7 reduce the amount of assistance made available by
8 this Act under the heading “Economic Support
9 Fund” for the Palestinian Authority by an amount
10 the Secretary determines is equivalent to the amount
11 expended by the Palestinian Authority, the Palestine
12 Liberation Organization, and any successor or affili-
13 ated organizations with such entities as payments
14 for acts of terrorism by individuals who are impris-
15 oned after being fairly tried and convicted for acts
16 of terrorism and by individuals who died committing
17 acts of terrorism during the previous calendar year:
18 *Provided*, That the Secretary shall report to the
19 Committees on Appropriations on the amount re-
20 duced for fiscal year 2019 prior to the obligation of
21 funds for the Palestinian Authority.

22 (4) PRIVATE SECTOR PARTNERSHIP PRO-
23 GRAMS.—Funds appropriated by this Act and prior
24 Acts making appropriations for the Department of
25 State, foreign operations, and related programs may

1 be made available for private sector partnership pro-
2 grams for the West Bank and Gaza if such funds
3 are authorized: *Provided*, That funds made available
4 pursuant to this paragraph shall be subject to prior
5 consultation with the appropriate congressional com-
6 mittees, and the regular notification procedures of
7 the Committees on Appropriations.

8 (5) SECURITY REPORT.—The reporting require-
9 ments in section 1404 of the Supplemental Appro-
10 priations Act, 2008 (Public Law 110–252) shall
11 apply to funds made available by this Act, including
12 a description of modifications, if any, to the security
13 strategy of the Palestinian Authority.

14 (6) INCITEMENT REPORT.—Not later than 90
15 days after enactment of this Act, the Secretary of
16 State shall submit a report to the appropriate con-
17 gressional committees detailing steps taken by the
18 Palestinian Authority to counter incitement of vio-
19 lence against Israelis and to promote peace and co-
20 existence with Israel.

21 (1) YEMEN.—Funds appropriated by this Act under
22 the heading “Economic Support Fund” shall be made
23 available for stabilization assistance for Yemen.

1 AFRICA

2 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
3 SISTANCE RESTRICTION.—Funds appropriated by this Act
4 under the heading “International Military Education and
5 Training” for the central government of a country in the
6 African Great Lakes region may be made available only
7 for Expanded International Military Education and Train-
8 ing and professional military education until the Secretary
9 of State determines and reports to the Committees on Ap-
10 propriations that such government is not facilitating or
11 otherwise participating in destabilizing activities in a
12 neighboring country, including aiding and abetting armed
13 groups.

14 (b) CENTRAL AFRICAN REPUBLIC.—Funds made
15 available by this Act for assistance for the Central African
16 Republic shall be made available for reconciliation and
17 peacebuilding programs, including activities to promote
18 inter-faith dialogue at the national and local levels, and
19 for programs to prevent crimes against humanity.

20 (c) COUNTER LORD’S RESISTANCE ARMY.—Funds
21 appropriated by this Act shall be made available for pro-
22 grams and activities in areas affected by the Lord’s Re-
23 sistance Army (LRA) consistent with the goals of the
24 Lord’s Resistance Army Disarmament and Northern
25 Uganda Recovery Act of 2009 (Public Law 111–172), in-

1 cluding to improve physical access, telecommunications in-
2 frastructure, and early-warning mechanisms and to sup-
3 port the disarmament, demobilization, and reintegration
4 of former LRA combatants, especially child soldiers.

5 (d) LAKE CHAD BASIN COUNTRIES.—Funds appro-
6 priated under titles III and IV of this Act shall be made
7 available, following consultation with the Committees on
8 Appropriations, for assistance for Cameroon, Chad, Niger,
9 and Nigeria for—

10 (1) democracy, development, and health pro-
11 grams;

12 (2) assistance for individuals targeted by for-
13 eign terrorist and other extremist organizations, in-
14 cluding Boko Haram, consistent with the provisions
15 of section 7059 of this Act;

16 (3) assistance for individuals displaced by vio-
17 lent conflict; and

18 (4) counterterrorism programs.

19 (e) MALAWI.—Of the funds appropriated by this Act
20 under the heading “Development Assistance”, not less
21 than \$56,000,000 shall be made available for assistance
22 for Malawi, of which up to \$10,000,000 shall be made
23 available for higher education programs.

24 (f) SOUTH SUDAN.—Funds appropriated by this Act
25 that are made available for assistance for the central Gov-

1 ernment of South Sudan may only be made available, fol-
2 lowing consultation with the Committees on Appropria-
3 tions, for—

4 (1) humanitarian assistance;

5 (2) health programs, including to prevent, de-
6 tect, and respond to the Ebola virus disease;

7 (3) assistance to support South Sudan peace
8 negotiations or to advance or implement a peace
9 agreement; and

10 (4) assistance to support implementation of
11 outstanding issues of the Comprehensive Peace
12 Agreement and mutual arrangements related to such
13 agreement:

14 *Provided*, That of the funds appropriated by this Act for
15 assistance for South Sudan, not less than \$7,000,000
16 shall be made available for conflict mitigation and rec-
17 onciliation programs: *Provided further*, That prior to the
18 initial obligation of funds made available pursuant to
19 paragraphs (3) and (4), the Secretary of State shall con-
20 sult with the Committees on Appropriations on the in-
21 tended uses of such funds and steps taken by such govern-
22 ment to advance or implement a peace agreement.

23 (g) SUDAN.—

24 (1) LIMITATIONS.—

1 (A) ASSISTANCE.—Notwithstanding any
2 other provision of law, none of the funds appro-
3 priated by this Act may be made available for
4 assistance for the Government of Sudan.

5 (B) LOANS.—None of the funds appro-
6 priated by this Act may be made available for
7 the cost, as defined in section 502 of the Con-
8 gressional Budget Act of 1974, of modifying
9 loans and loan guarantees held by the Govern-
10 ment of Sudan, including the cost of selling, re-
11 ducing, or canceling amounts owed to the
12 United States, and modifying concessional
13 loans, guarantees, and credit agreements.

14 (2) EXCLUSIONS.—The limitations of para-
15 graph (1) shall not apply to—

16 (A) humanitarian assistance;

17 (B) assistance for democracy programs;

18 (C) assistance for the Darfur region,
19 Southern Kordofan State, Blue Nile State,
20 other marginalized areas and populations in
21 Sudan, and Abyei; and

22 (D) assistance to support implementation
23 of outstanding issues of the Comprehensive
24 Peace Agreement, mutual arrangements related
25 to post-referendum issues associated with such

1 Agreement, or any other internationally recog-
2 nized viable peace agreement in Sudan.

3 (h) ZIMBABWE.—

4 (1) INSTRUCTION.—The Secretary of the Treas-
5 ury shall instruct the United States executive direc-
6 tor of each international financial institution to vote
7 against any extension by the respective institution of
8 any loan or grant to the Government of Zimbabwe,
9 except to meet basic human needs or to promote de-
10 mocracy, unless the Secretary of State certifies and
11 reports to the Committees on Appropriations that
12 the rule of law has been restored, including respect
13 for ownership and title to property, and freedoms of
14 expression, association, and assembly.

15 (2) LIMITATION.—None of the funds appro-
16 priated by this Act shall be made available for as-
17 sistance for the central Government of Zimbabwe,
18 except for health and education, unless the Secretary
19 of State certifies and reports as required in para-
20 graph (1), and funds may be made available for
21 macroeconomic growth assistance if the Secretary
22 reports to the Committees on Appropriations that
23 such government is implementing transparent fiscal
24 policies, including public disclosure of revenues from
25 the extraction of natural resources.

1 EAST ASIA AND THE PACIFIC

2 SEC. 7043. (a) BURMA.—

3 (1) BILATERAL ECONOMIC ASSISTANCE.—

4 (A) ECONOMIC SUPPORT FUND.—Funds
5 appropriated by this Act under the heading
6 “Economic Support Fund” for assistance for
7 Burma may be made available notwithstanding
8 any other provision of law, except for this sub-
9 section, and following consultation with the ap-
10 propriate congressional committees.

11 (B) USES.—Funds appropriated under
12 title III of this Act for assistance for Burma—

13 (i) shall be made available to
14 strengthen civil society organizations in
15 Burma and for programs to strengthen
16 independent media;

17 (ii) shall be made available for com-
18 munity-based organizations operating in
19 Thailand to provide food, medical, and
20 other humanitarian assistance to internally
21 displaced persons in eastern Burma, in ad-
22 dition to assistance for Burmese refugees
23 from funds appropriated by this Act under
24 the heading “Migration and Refugee As-
25 sistance”;

1 (iii) shall be made available for pro-
2 grams to promote ethnic and religious tol-
3 erance and to combat gender-based vio-
4 lence, including in Rakhine, Shan, Kachin,
5 and Karen states;

6 (iv) shall be made available to pro-
7 mote rural economic development in
8 Burma, including through microfinance
9 programs;

10 (v) shall be made available to increase
11 opportunities for foreign direct investment
12 by strengthening the rule of law, trans-
13 parency, and accountability;

14 (vi) shall be made available for pro-
15 grams to investigate and document allega-
16 tions of ethnic cleansing and other gross
17 violations of human rights committed
18 against the Rohingya people in Rakhine
19 state: *Provided*, That such sums shall be in
20 addition to funds otherwise made available
21 for such purposes;

22 (vii) shall be made available for pro-
23 grams to investigate and document allega-
24 tions of gross violations of human rights

1 committed in Burma, particularly in areas
2 of conflict; and

3 (viii) may be made available for ethnic
4 groups and civil society in Burma to help
5 sustain ceasefire agreements and further
6 prospects for reconciliation and peace,
7 which may include support to representa-
8 tives of ethnic armed groups for this pur-
9 pose.

10 (C) LIMITATIONS.—Funds appropriated
11 under title III of this Act for assistance for
12 Burma—

13 (i) may not be made available to any
14 individual or organization if the Secretary
15 of State has credible information that such
16 individual or organization has committed a
17 gross violation of human rights, including
18 against Rohingya and other minority
19 groups, or that advocates violence against
20 ethnic or religious groups or individuals in
21 Burma;

22 (ii) may not be made available to any
23 organization or entity controlled by the
24 armed forces of Burma;

1 (iii) may only be made available for
2 programs to support the return of
3 Rohingya, Karen, and other refugees and
4 internally displaced persons to their loca-
5 tions of origin or preference in Burma if
6 such returns are voluntary and consistent
7 with international law; and

8 (iv) may only be made available for
9 assistance for the Government of Burma to
10 support the implementation of Nationwide
11 Ceasefire Agreement conferences, commit-
12 tees, and other procedures if the Secretary
13 of State reports to the Committees on Ap-
14 propriations that such procedures are di-
15 rected toward a sustainable peace and the
16 Government of Burma is implementing its
17 commitments under such Agreement.

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 AND RESPONSIBILITIES.—

5 (A) Any new program or activity in Burma
6 initiated in fiscal year 2019 shall be subject to
7 prior consultation with the appropriate congres-
8 sional committees.

9 (B) The United States Chief of Mission in
10 Burma, in consultation with the Assistant Sec-
11 retary for Democracy, Human Rights, and
12 Labor, Department of State, shall be respon-
13 sible for democracy and human rights programs
14 in Burma.

15 (b) CAMBODIA.—

16 (1) ASSISTANCE.—

17 (A) None of the funds appropriated by this
18 Act that are made available for assistance for
19 the Government of Cambodia, except for health
20 programs, may be obligated or expended unless
21 the Secretary of State certifies and reports to
22 the Committees on Appropriations that such
23 Government is taking effective steps to—

24 (i) strengthen regional security and
25 stability, particularly regarding territorial

1 disputes in the South China Sea and the
2 enforcement of international sanctions with
3 respect to North Korea; and

4 (ii) respect the rights and responsibil-
5 ities enshrined in the Constitution of the
6 Kingdom of Cambodia as enacted in 1993,
7 including through the—

8 (I) restoration of the civil and
9 political rights of the opposition Cam-
10 bodia National Rescue Party, media,
11 and civil society organizations;

12 (II) restoration of all elected offi-
13 cials to elected offices held prior to
14 the July 2018 parliamentary elections;
15 and

16 (III) release of all political pris-
17 oners, including journalists, civil soci-
18 ety activists, and members of the op-
19 position political party.

20 (B) Funds appropriated under title III of
21 this Act for assistance for Cambodia shall be
22 made available for—

23 (i) democracy programs, including re-
24 search and education programs associated
25 with the Khmer Rouge in Cambodia, ex-

1 cept that no funds for such purposes may
2 be made available to the Extraordinary
3 Chambers in the Court of Cambodia; and

4 (ii) programs in the Khmer language
5 to counter the influence of the People's Re-
6 public of China in Cambodia.

7 (2) VISA RESTRICTION.—Funds appropriated
8 under title I of this Act shall be made available to
9 continue to implement the policy announced by the
10 Department of State on December 6, 2017, to re-
11 strict the issuance of visas to enter the United
12 States to individuals involved in undermining democ-
13 racy in Cambodia, including the family members of
14 such individuals, as appropriate: *Provided*, That not
15 later than 30 days after enactment of this Act, the
16 Secretary of State shall submit a report to the ap-
17 propriate congressional committees describing the
18 implementation of such policy.

19 (c) INDO-PACIFIC STRATEGY.—Of the funds appro-
20 priated by this Act, not less than \$160,000,000 shall be
21 made available to support the implementation of the Indo-
22 Pacific Strategy: *Provided*, That such funds are in addi-
23 tion to amounts otherwise made available for such pur-
24 poses.

25 (d) NORTH KOREA.—

1 (1) CYBERSECURITY.—None of the funds ap-
2 propriated by this Act and prior Acts making appro-
3 priations for the Department of State, foreign oper-
4 ations, and related programs may be made available
5 for assistance for the central government of a coun-
6 try the Secretary of State determines and reports to
7 the appropriate congressional committees engages in
8 significant transactions contributing materially to
9 the malicious cyber-intrusion capabilities of the Gov-
10 ernment of North Korea: *Provided*, That the Sec-
11 retary of State shall submit the report required by
12 section 209 of the North Korea Sanctions and Policy
13 Enhancement Act of 2016 (Public Law 114–122; 22
14 U.S.C. 9229), as amended, to the Committees on
15 Appropriations in the manner described in subpara-
16 graph (2)(A) of such section: *Provided further*, That
17 the Secretary of State may waive the application of
18 the restriction in this paragraph with respect to as-
19 sistance for the central government of a country if
20 the Secretary determines and reports to the appro-
21 priate congressional committees that to do so is im-
22 portant to the national security interest of the
23 United States, including a description of such inter-
24 est served.

1 (2) BROADCASTS.—Funds appropriated by this
2 Act under the heading “International Broadcasting
3 Operations” shall be made available to maintain
4 broadcasting hours into North Korea at levels not
5 less than the prior fiscal year.

6 (3) REFUGEES.—Funds appropriated by this
7 Act under the heading “Migration and Refugee As-
8 sistance” should be made available for assistance for
9 refugees from North Korea, including protection ac-
10 tivities in the People’s Republic of China and other
11 countries in Asia.

12 (4) HUMAN RIGHTS PROMOTION, DATABASE,
13 AND LIMITATION ON USE OF FUNDS.—

14 (A) HUMAN RIGHTS PROMOTION.—Funds
15 appropriated by this Act under the headings
16 “Economic Support Fund” and “Democracy
17 Fund” shall be made available for the pro-
18 motion of human rights in North Korea: *Pro-*
19 *vided*, That the authority of section 7032(b) of
20 this Act shall apply to such funds.

21 (B) DATABASE.—Funds appropriated by
22 this Act under title III shall be made available
23 to maintain a database of prisons and gulags in
24 North Korea, in accordance with section
25 7032(i) of the Department of State, Foreign

1 Operations, and Related Programs Appropria-
2 tions Act, 2014 (division K of Public Law 113–
3 76).

4 (C) LIMITATION.—None of the funds made
5 available by this Act under the heading “Eco-
6 nomic Support Fund” may be made available
7 for assistance for the Government of North
8 Korea.

9 (e) PEOPLE’S REPUBLIC OF CHINA.—

10 (1) LIMITATION ON USE OF FUNDS.—None of
11 the funds appropriated under the heading “Diplo-
12 matic Programs” in this Act may be obligated or ex-
13 pended for processing licenses for the export of sat-
14 ellites of United States origin (including commercial
15 satellites and satellite components) to the People’s
16 Republic of China (PRC) unless, at least 15 days in
17 advance, the Committees on Appropriations are noti-
18 fied of such proposed action.

19 (2) PEOPLE’S LIBERATION ARMY.—The terms
20 and requirements of section 620(h) of the Foreign
21 Assistance Act of 1961 shall apply to foreign assist-
22 ance projects or activities of the People’s Liberation
23 Army (PLA) of the PRC, to include such projects or
24 activities by any entity that is owned or controlled
25 by, or an affiliate of, the PLA: *Provided*, That none

1 of the funds appropriated or otherwise made avail-
2 able pursuant to this Act may be used to finance
3 any grant, contract, or cooperative agreement with
4 the PLA, or any entity that the Secretary of State
5 has reason to believe is owned or controlled by, or
6 an affiliate of, the PLA.

7 (3) AUTHORITY AND NOTIFICATION REQUIRE-
8 MENT.—

9 (A) AUTHORITY.—The uses of funds made
10 available by this Act for the promotion of de-
11 mocracy in the PRC, except for funds made
12 available under subsection (g), shall be the re-
13 sponsibility of the Assistant Secretary for De-
14 mocracy, Human Rights, and Labor, Depart-
15 ment of State.

16 (B) NOTIFICATION.—Funds appropriated
17 by this Act that are made available for trilateral
18 programs conducted with the PRC shall be sub-
19 ject to the regular notification procedures of the
20 Committees on Appropriations.

21 (f) PHILIPPINES.—None of the funds appropriated
22 by this Act under the heading “International Narcotics
23 Control and Law Enforcement” may be made available for
24 counternarcotics assistance for the Philippines, except for

1 drug demand reduction, maritime law enforcement, or
2 transnational interdiction.

3 (g) TIBET.—

4 (1) FINANCING OF PROJECTS IN TIBET.—The
5 Secretary of the Treasury should instruct the United
6 States executive director of each international finan-
7 cial institution to use the voice and vote of the
8 United States to support financing of projects in
9 Tibet if such projects do not provide incentives for
10 the migration and settlement of non-Tibetans into
11 Tibet or facilitate the transfer of ownership of Ti-
12 betan land and natural resources to non-Tibetans,
13 are based on a thorough needs-assessment, foster
14 self-sufficiency of the Tibetan people and respect Ti-
15 betan culture and traditions, and are subject to ef-
16 fective monitoring.

17 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

18 (A) TIBET AUTONOMOUS REGION.—Not-
19 withstanding any other provision of law, of the
20 funds appropriated by this Act under the head-
21 ing “Economic Support Fund”, not less than
22 \$8,000,000 shall be made available to non-
23 governmental organizations to support activities
24 which preserve cultural traditions and promote
25 sustainable development, education, and envi-

1 ronmental conservation in Tibetan communities
2 in the Tibet Autonomous Region and in other
3 Tibetan communities in China.

4 (B) INDIA AND NEPAL.—Of the funds ap-
5 propriated by this Act under the heading “Eco-
6 nomic Support Fund”, not less than
7 \$6,000,000 shall be made available for pro-
8 grams to promote and preserve Tibetan culture,
9 development, and the resilience of Tibetan com-
10 munities in India and Nepal, and to assist in
11 the education and development of the next gen-
12 eration of Tibetan leaders from such commu-
13 nities: *Provided*, That such funds are in addi-
14 tion to amounts made available in subpara-
15 graph (A) for programs inside Tibet.

16 (C) TIBETAN GOVERNANCE.—Of the funds
17 appropriated by this Act under the heading
18 “Economic Support Fund”, not less than
19 \$3,000,000 shall be made available for pro-
20 grams to strengthen the capacity of Tibetan in-
21 stitutions and governance.

22 (h) VIETNAM.—

23 (1) DIOXIN REMEDIATION.—Notwithstanding
24 any other provision of law, of the funds appropriated
25 by this Act under the heading “Economic Support

1 Fund”, not less than \$20,000,000 shall be made
2 available for activities related to the remediation of
3 dioxin contaminated sites in Vietnam and may be
4 made available for assistance for the Government of
5 Vietnam, including the military, for such purposes.

6 (2) HEALTH AND DISABILITY PROGRAMS.—Of
7 the funds appropriated by this Act under the head-
8 ing “Development Assistance”, not less than
9 \$12,500,000 shall be made available for health and
10 disability programs in areas sprayed with Agent Or-
11 ange and otherwise contaminated with dioxin, to as-
12 sist individuals with severe upper or lower body mo-
13 bility impairment or cognitive or developmental dis-
14 abilities.

15 (3) RECONCILIATION PROGRAMS.—Funds ap-
16 propriated by this Act under the heading “Economic
17 Support Fund” that are made available for assist-
18 ance for Vietnam shall be made available for rec-
19 onciliation programs to address war legacy issues.

20 SOUTH AND CENTRAL ASIA

21 SEC. 7044. (a) AFGHANISTAN.—

22 (1) FUNDING AND LIMITATIONS.—Funds ap-
23 propriated by this Act under the headings “Eco-
24 nomic Support Fund” and “International Narcotics

1 Control and Law Enforcement” that are made avail-
2 able for assistance for Afghanistan—

3 (A) shall be made available to implement
4 the South Asia Strategy, the Revised Strategy
5 for United States Engagement in Afghanistan,
6 and the United States Agency for International
7 Development Country Development Cooperation
8 Strategy for Afghanistan;

9 (B) shall be made available for programs
10 in support of such strategies that protect and
11 strengthen the rights of women and girls and
12 promote the political and economic empower-
13 ment of women, including their meaningful in-
14 clusion in political processes: *Provided*, That
15 such assistance to promote the economic em-
16 powerment of women shall be made available as
17 grants to Afghan organizations, to the max-
18 imum extent practicable; and

19 (C) may not be made available for any pro-
20 gram, project, or activity that—

21 (i) cannot be sustained, as appro-
22 priate, by the Government of Afghanistan
23 or another Afghan entity;

24 (ii) is not accessible for the purposes
25 of conducting effective oversight in accord-

1 ance with applicable Federal statutes and
2 regulations;

3 (iii) initiates any new, major infra-
4 structure development; or

5 (iv) includes the participation of any
6 Afghan individual, organization, or govern-
7 ment entity if the Secretary of State has
8 credible information that such individual,
9 organization, or entity is knowingly in-
10 volved in acts of grand corruption, illicit
11 narcotics production or trafficking, or has
12 committed a gross violation of human
13 rights.

14 (2) AUTHORITIES.—

15 (A) Funds appropriated by this Act under
16 title III through VI that are made available for
17 assistance for Afghanistan may be made avail-
18 able—

19 (i) notwithstanding section 7012 of
20 this Act or any similar provision of law
21 and section 660 of the Foreign Assistance
22 Act of 1961;

23 (ii) for reconciliation programs and
24 disarmament, demobilization, and re-
25 integration activities for former combat-

1 ants who have renounced violence against
2 the Government of Afghanistan, including
3 in accordance with section
4 7046(a)(2)(B)(ii) of the Department of
5 State, Foreign Operations, and Related
6 Programs Appropriations Act, 2012 (divi-
7 sion I of Public Law 112–74); and
8 (iii) for an endowment to empower
9 women and girls.

10 (B) Section 7046(a)(2)(A) of the Depart-
11 ment of State, Foreign Operations, and Related
12 Programs Appropriations Act, 2012 (division I
13 of Public Law 112–74) shall apply to funds ap-
14 propriated by this Act for assistance for Af-
15 ghanistan.

16 (3) BASING RIGHTS AGREEMENT.—None of the
17 funds made available by this Act may be used by the
18 United States Government to enter into a perma-
19 nent basing rights agreement between the United
20 States and Afghanistan.

21 (b) NEPAL.—

22 (1) ASSISTANCE.—Of the funds appropriated
23 under titles III and IV of this Act, not less than
24 \$124,580,000 shall be made available for assistance

1 for Nepal, including for earthquake recovery and re-
2 construction programs.

3 (2) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Funds appropriated by this Act under the
5 heading “Foreign Military Financing Program”
6 shall only be made available for humanitarian and
7 disaster relief and reconstruction activities in Nepal,
8 and in support of international peacekeeping oper-
9 ations: *Provided*, That such funds may only be made
10 available for any additional uses if the Secretary of
11 State certifies and reports to the Committees on Ap-
12 propriations that the Government of Nepal is inves-
13 tigating and prosecuting violations of human rights
14 and the laws of war, and the Nepal Army is cooper-
15 ating fully with civilian judicial authorities in such
16 cases.

17 (c) PAKISTAN.—

18 (1) INTERNATIONAL SECURITY ASSISTANCE.—

19 (A) LIMITATION.—Funds appropriated by
20 this Act under the heading “Foreign Military
21 Financing Program” for assistance for Paki-
22 stan may be made available only to support
23 counterterrorism and counterinsurgency capa-
24 bilities in Pakistan.

1 (B) CONSULTATION.—Not later than 30
2 days after enactment of this Act, and prior to
3 the submission of the report required by section
4 653(a) of the Foreign Assistance Act of 1961,
5 the Secretary of State shall consult with the
6 Committees on Appropriations on the amount
7 of funds appropriated by this Act under the
8 heading “Foreign Military Financing Program”
9 that is anticipated to be subject to the January
10 2018 policy decision of the United States to
11 suspend security assistance for Pakistan, or any
12 subsequent policy decision affecting such assist-
13 ance: *Provided*, That the Secretary shall
14 promptly inform the appropriate congressional
15 committees in writing of any changes to such
16 policy, the justification for such changes, and
17 the progress made by the Government of Paki-
18 stan in meeting the counterterrorism objectives
19 described under this section in Senate Report
20 115–282.

21 (C) REPROGRAMMING.—Funds appro-
22 priated by this Act and prior Acts making ap-
23 propriations for the Department of State, for-
24 eign operations, and related programs under
25 the heading “Foreign Military Financing Pro-

1 gram” for assistance for Pakistan that are
2 withheld from obligation or expenditure by the
3 Department of State may be reprogrammed by
4 the Secretary of State, except that no such
5 funds may be reprogrammed that are required
6 to complete payment on existing and previously
7 approved contracts: *Provided*, That such re-
8 programming shall be subject to the regular no-
9 tification procedures of the Committees on Ap-
10 propriations.

11 (2) BILATERAL ECONOMIC ASSISTANCE RE-
12 PORT.—Prior to the obligation of funds made avail-
13 able by this Act under the heading “Economic Sup-
14 port Fund” for assistance for the central Govern-
15 ment of Pakistan, the Secretary of State shall sub-
16 mit a report to the appropriate congressional com-
17 mittees detailing—

18 (A) the amount of financing and other
19 support, if any, provided by the Government of
20 Pakistan to schools supported by, affiliated
21 with, or run by the Taliban or any domestic or
22 foreign terrorist organization in Pakistan;

23 (B) the extent of cooperation by such gov-
24 ernment in issuing visas in a timely manner for
25 United States visitors, including officials and

1 representatives of nongovernmental organiza-
2 tions, engaged in assistance and security pro-
3 grams in Pakistan;

4 (C) the extent to which such government is
5 providing humanitarian organizations access to
6 detainees, internally displaced persons, and
7 other Pakistani civilians affected by conflict in
8 Pakistan and the region; and

9 (D) the extent to which such government is
10 strengthening democracy in Pakistan, including
11 protecting freedom of expression, assembly, and
12 religion.

13 (3) AUTHORITY AND USES OF FUNDS.—

14 (A) Funds appropriated by this Act for as-
15 sistance for Pakistan may be made available
16 notwithstanding any other provision of law, ex-
17 cept for section 620M of the Foreign Assistance
18 Act of 1961.

19 (B) Funds appropriated by this Act for as-
20 sistance for Pakistan that are made available
21 for infrastructure projects shall be implemented
22 in a manner consistent with section 507(6) of
23 the Trade Act of 1974 (19 U.S.C. 2467(6)).

24 (C) The authorities and directives of sec-
25 tion 7044(d)(4) of the Department of State,

1 Foreign Operations, and Related Programs Ap-
2 propriations Act, 2015 (division J of Public
3 Law 113–235) regarding scholarships for
4 women shall apply to funds appropriated by
5 this Act for assistance for Pakistan, following
6 consultation with the Committees on Appropria-
7 tions.

8 (D) Funds appropriated by this Act under
9 the headings “Economic Support Fund” and
10 “Nonproliferation, Anti-terrorism, Demining
11 and Related Programs” that are made available
12 for assistance for Pakistan shall be made avail-
13 able to interdict precursor materials from Paki-
14 stan to Afghanistan that are used to manufac-
15 ture improvised explosive devices and for agri-
16 culture extension programs that encourage al-
17 ternative fertilizer use among Pakistani farmers
18 to decrease the dual use of fertilizer in the
19 manufacturing of improvised explosive devices.

20 (E) Of the funds appropriated by this Act
21 under the heading “International Narcotics
22 Control and Law Enforcement” that are made
23 available for assistance for Pakistan, not less
24 than \$15,000,000 shall be made available for
25 border security programs in Pakistan, following

1 consultation with the Committees on Appropria-
2 tions.

3 (F) Funds appropriated by title III of this
4 Act shall be made available for programs to
5 promote democracy in Pakistan.

6 (4) WITHHOLDING.—Of the funds appropriated
7 under titles III and IV of this Act that are made
8 available for assistance for Pakistan, \$33,000,000
9 shall be withheld from obligation until the Secretary
10 of State reports to the Committees on Appropria-
11 tions that Dr. Shakil Afridi has been released from
12 prison and cleared of all charges relating to the as-
13 sistance provided to the United States in locating
14 Osama bin Laden.

15 (5) OVERSIGHT.—The Secretary of State shall
16 take all practicable steps to ensure that mechanisms
17 are in place for monitoring, oversight, and control of
18 funds made available by this subsection for assist-
19 ance for Pakistan: *Provided*, That the Secretary
20 shall inform the Committees on Appropriations of
21 such steps in a timely manner.

22 (d) SRI LANKA.—

23 (1) BILATERAL ECONOMIC ASSISTANCE.—
24 Funds appropriated under title III of this Act shall
25 be made available for assistance for Sri Lanka for

1 economic development and democracy programs,
2 particularly in areas recovering from ethnic and reli-
3 gious conflict: *Provided*, That such funds shall be
4 made available for programs to assist in the identi-
5 fication and resolution of cases of missing persons.

6 (2) CERTIFICATION.—Funds appropriated by
7 this Act for assistance for the central Government of
8 Sri Lanka, except for funds made available for hu-
9 manitarian assistance and victims of trauma, may be
10 made available only if the Secretary of State certifies
11 and reports to the Committees on Appropriations
12 that the Government of Sri Lanka is—

13 (A) repealing laws that do not comply with
14 international standards for arrest and detention
15 by security forces, and ensuring that any suc-
16 cessor legislation meets such standards;

17 (B) increasing accountability and trans-
18 parency in governance;

19 (C) investigating allegations of arbitrary
20 arrest and torture, and supporting a credible
21 justice mechanism in compliance with United
22 Nations Human Rights Council Resolution (A/
23 HCR/RES/30/1) of October 2015;

24 (D) returning military occupied lands in
25 former conflict zones to their rightful owners or

1 compensating those whose land was confiscated
2 without due process, and which is in addition to
3 steps taken during the previous calendar year;

4 (E) establishing a functioning office of
5 missing persons and assisting its investigations
6 of cases of missing persons from Sri Lanka's
7 internal armed conflicts with the cooperation of
8 the armed forces of Sri Lanka; and

9 (F) substantially reducing the presence of
10 the armed forces in former conflict zones and
11 implementing a plan for restructuring the
12 armed forces to adopt a peacetime role that
13 contributes to post-conflict reconciliation and
14 regional security.

15 (3) INTERNATIONAL SECURITY ASSISTANCE.—
16 Funds appropriated under title IV of this Act that
17 are available for assistance for Sri Lanka shall be
18 subject to the following conditions—

19 (A) not to exceed \$500,000 under the
20 heading “Foreign Military Financing Program”
21 may only be made available for programs to
22 support humanitarian and disaster response
23 preparedness and maritime security, including
24 professionalization and training for the navy
25 and coast guard; and

1 (B) funds under the heading “Peace-
2 keeping Operations” may only be made avail-
3 able for training and equipment related to
4 international peacekeeping operations and im-
5 provements to peacekeeping-related facilities,
6 and only if the Government of Sri Lanka is tak-
7 ing effective steps to bring to justice Sri
8 Lankan peacekeeping troops who have engaged
9 in sexual exploitation and abuse.

10 (e) REGIONAL PROGRAMS.—

11 (1) CROSS BORDER PROGRAMS.—Funds appro-
12 priated by this Act under the heading “Economic
13 Support Fund” for assistance for Afghanistan and
14 Pakistan may be provided, notwithstanding any
15 other provision of law that restricts assistance to
16 foreign countries, for cross border stabilization and
17 development programs between Afghanistan and
18 Pakistan, or between either country and the Central
19 Asian countries.

20 (2) SECURITY AND JUSTICE PROGRAMS.—
21 Funds appropriated by this Act that are made avail-
22 able for assistance for countries in South and Cen-
23 tral Asia shall be made available to accelerate the re-
24 cruitment and enhance the retention and profes-

1 sionalism of women in the judiciary, police, and
2 other security forces.

3 LATIN AMERICA AND THE CARIBBEAN

4 SEC. 7045. (a) CENTRAL AMERICA.—

5 (1) CONDITIONS ON ASSISTANCE FOR THE CEN-
6 TRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA,
7 AND HONDURAS.—Of the funds appropriated by this
8 Act under titles III and IV that are made available
9 for assistance for each of the central governments of
10 El Salvador, Guatemala, and Honduras, 50 percent
11 may only be obligated after the Secretary of State
12 certifies and reports to the appropriate congressional
13 committees that such government is—

14 (A) informing its citizens of the dangers of
15 the journey to the southwest border of the
16 United States;

17 (B) combating human smuggling and traf-
18 ficking;

19 (C) improving border security, including
20 preventing illegal migration, human smuggling
21 and trafficking, and trafficking of illicit drugs
22 and other contraband;

23 (D) cooperating with United States Gov-
24 ernment agencies and other governments in the
25 region to facilitate the return, repatriation, and

1 reintegration of illegal migrants arriving at the
2 southwest border of the United States who do
3 not qualify for asylum, consistent with inter-
4 national law;

5 (E) working cooperatively with an autono-
6 mous, publicly accountable entity to provide
7 oversight of the Plan of the Alliance for Pros-
8 perity in the Northern Triangle in Central
9 America (the Plan);

10 (F) combating corruption, including inves-
11 tigating and prosecuting current and former
12 government officials credibly alleged to be cor-
13 rupt;

14 (G) implementing reforms, policies, and
15 programs to increase transparency and
16 strengthen public institutions and the rule of
17 law;

18 (H) working with local communities, civil
19 society organizations (including indigenous and
20 other marginalized groups), and local govern-
21 ments in the implementation and evaluation of
22 activities of the Plan;

23 (I) countering the activities of criminal
24 gangs, drug traffickers, and transnational
25 criminal organizations;

1 (J) investigating and prosecuting in the ci-
2 vilian justice system government personnel who
3 are credibly alleged to have violated human
4 rights;

5 (K) cooperating with commissions against
6 corruption and impunity and with regional
7 human rights entities;

8 (L) supporting programs to reduce pov-
9 erty, expand education and vocational training
10 for at-risk youth, create jobs, and promote equi-
11 table economic growth, particularly in areas
12 contributing to large numbers of migrants;

13 (M) creating a professional, accountable ci-
14 vilian police force and ending the role of the
15 military in internal policing;

16 (N) protecting the right of political opposi-
17 tion parties and other members of civil society
18 to operate without interference;

19 (O) implementing tax reforms; and

20 (P) resolving commercial disputes.

21 (2) DETERMINATIONS AND IMPACT ON ASSIST-
22 ANCE.—

23 (A) INSUFFICIENT PROGRESS.—The Sec-
24 retary of State shall periodically review the
25 progress of each of the central governments of

1 El Salvador, Guatemala, and Honduras in
2 meeting the requirements of paragraph (1):
3 *Provided*, That if the Secretary determines and
4 reports to the appropriate congressional com-
5 mittees that sufficient progress has not been
6 made by such government in meeting such re-
7 quirements, the Secretary shall suspend, in
8 whole or in part, assistance for such govern-
9 ment for programs supporting such require-
10 ment, and shall notify the appropriate congress-
11 sional committees in writing of such action:
12 *Provided further*, That the Secretary may re-
13 sume such assistance if the Secretary deter-
14 mines and reports to such committees that cor-
15 rective measures have been taken by such gov-
16 ernment.

17 (B) CHANGE IN NATIONAL GOVERN-
18 MENT.—Not later than 90 days following a
19 change of national government in El Salvador,
20 Guatemala, or Honduras, the Secretary of State
21 shall determine whether or not such government
22 is meeting the requirements of paragraph (1)
23 and submit a report to the appropriate congress-
24 sional committees detailing the reasons for such
25 determination: *Provided*, That if the Secretary

1 determines that such government is not meeting
2 such requirements, then the Secretary shall sus-
3 pend, in whole or in part, assistance for such
4 country until such time as such determination
5 and report can be made.

6 (C) REPROGRAMMING.—Assistance sus-
7 pended pursuant to subparagraphs (A) or (B)
8 may be reprogrammed if the Secretary of State
9 determines that corrective measures have not
10 been taken: *Provided*, That any such re-
11 programming shall only be made available for
12 assistance for other countries in Latin America
13 and the Caribbean and shall be subject to the
14 regular notification procedures of the Commit-
15 tees on Appropriations.

16 (3) CONSULTATION.—The Secretary of State
17 shall consult with the Committees on Appropriations
18 not less than 14 days prior to submitting any certifi-
19 cation made pursuant to subsection (a)(1) and any
20 suspension or reprogramming made pursuant to sub-
21 section (a)(2).

22 (4) EXCEPTIONS AND LIMITATIONS.—

23 (A) EXCEPTIONS.—The limitation of para-
24 graph (1) shall not apply to funds appropriated
25 by this Act that are made available for the

1 International Commission against Impunity in
2 Guatemala, the Mission to Support the Fight
3 against Corruption and Impunity in Honduras,
4 humanitarian assistance, and food security pro-
5 grams.

6 (B) LIMITATIONS.—None of the funds ap-
7 propriated by this Act that are made available
8 for assistance for countries in Central America
9 may be made available for direct government-
10 to-government assistance or for major infra-
11 structure projects.

12 (b) COLOMBIA.—

13 (1) ASSISTANCE.—Of the funds appropriated by
14 this Act under titles III and IV, not less than
15 \$418,253,000 shall be made available for assistance
16 for Colombia, including to support the efforts of the
17 Government of Colombia to—

18 (A) conduct a unified campaign against
19 narcotics trafficking, organizations designated
20 as foreign terrorist organizations pursuant to
21 section 219 of the Immigration and Nationality
22 Act (8 U.S.C. 1189), and other criminal or ille-
23 gal armed groups: *Provided*, That aircraft sup-
24 ported by funds made available by this Act and
25 prior Acts making appropriations for the De-

1 partment of State, foreign operations, and re-
2 lated programs may be used to transport per-
3 sonnel and supplies involved in drug eradication
4 and interdiction, including security for such ac-
5 tivities, and to provide transport in support of
6 alternative development programs and inves-
7 tigations by civilian judicial authorities;

8 (B) enhance security and stability in Co-
9 lombia and the region;

10 (C) strengthen and expand governance, the
11 rule of law, and access to justice throughout
12 Colombia;

13 (D) promote economic and social develop-
14 ment, including by improving access to areas
15 impacted by conflict through demining pro-
16 grams;

17 (E) assist communities impacted by signifi-
18 cant refugee or migrant populations; and

19 (F) implement a peace agreement between
20 the Government of Colombia and illegal armed
21 groups, in accordance with constitutional and
22 legal requirements in Colombia.

23 (2) LIMITATION.—None of the funds appro-
24 priated by this Act or prior Acts making appropria-
25 tions for the Department of State, foreign oper-

1 ations, and related programs that are made available
2 for assistance for Colombia may be made available
3 for payment of reparations to conflict victims or
4 compensation to demobilized combatants associated
5 with a peace agreement between the Government of
6 Colombia and illegal armed groups.

7 (3) COUNTERNARCOTICS.—Of the funds appro-
8 priated by this Act under the headings “Economic
9 Support Fund” and “International Narcotics Con-
10 trol and Law Enforcement” and made available for
11 counternarcotics assistance for Colombia, 20 percent
12 may be obligated only after the Secretary of State
13 certifies and reports to the Committees on Appro-
14 priations that the Government of Colombia has re-
15 duced overall illicit drug cultivation, production, and
16 trafficking.

17 (4) HUMAN RIGHTS.—Of the funds appro-
18 priated by this Act under the heading “Foreign Mili-
19 tary Financing Program” and made available for as-
20 sistance for Colombia, 20 percent may be obligated
21 only after the Secretary of State certifies and re-
22 ports to the Committees on Appropriations that—

23 (A) the Special Jurisdiction for Peace and
24 other judicial authorities are taking effective
25 steps to hold accountable perpetrators of gross

1 violations of human rights in a manner con-
2 sistent with international law, including for
3 command responsibility, and sentence them to
4 deprivation of liberty;

5 (B) the Government of Colombia is taking
6 effective steps to reduce attacks against human
7 rights defenders and other civil society activists,
8 trade unionists, and journalists, and judicial au-
9 thorities are prosecuting those responsible for
10 such attacks; and

11 (C) senior military officers responsible for
12 ordering, committing, and covering up cases of
13 false positives are being held accountable, in-
14 cluding removal from active duty if found guilty
15 through criminal or disciplinary proceedings.

16 (5) EXCEPTIONS.—The limitations of para-
17 graphs (3) and (4) shall not apply to funds made
18 available for aviation instruction and maintenance,
19 and maritime and riverine security programs.

20 (c) HAITI.—

21 (1) CERTIFICATION.—Funds appropriated by
22 this Act under the headings “Development Assist-
23 ance” and “Economic Support Fund” that are made
24 available for assistance for Haiti may not be made
25 available for assistance for the central Government

1 of Haiti unless the Secretary of State certifies and
2 reports to the Committees on Appropriations that
3 such government is taking effective steps, which are
4 steps taken since the certification and report sub-
5 mitted during the prior year, if applicable, to—

6 (A) strengthen the rule of law in Haiti, in-
7 cluding by—

8 (i) selecting judges in a transparent
9 manner based on merit;

10 (ii) reducing pre-trial detention;

11 (iii) respecting the independence of
12 the judiciary; and

13 (iv) improving governance by imple-
14 menting reforms to increase transparency
15 and accountability, including through the
16 penal and criminal codes;

17 (B) combat corruption, including by imple-
18 menting the anti-corruption law enacted in
19 2014 and prosecuting corrupt officials;

20 (C) increase government revenues, includ-
21 ing by implementing tax reforms, and increas-
22 ing expenditures on public services; and

23 (D) resolve commercial disputes between
24 United States entities and the Government of
25 Haiti.

1 those violations included in the Helsinki Final Act: *Pro-*
2 *vided*, That except as otherwise provided in section
3 7047(a) of this Act, funds may be made available without
4 regard to the restriction in this subsection if the President
5 determines that to do so is in the national security interest
6 of the United States: *Provided further*, That prior to exe-
7 cuting the authority contained in the previous proviso, the
8 Secretary of State shall consult with the Committees on
9 Appropriations on how such assistance supports the na-
10 tional security interest of the United States.

11 (c) SECTION 907 OF THE FREEDOM SUPPORT
12 ACT.—Section 907 of the FREEDOM Support Act (22
13 U.S.C. 5812 note) shall not apply to—

14 (1) activities to support democracy or assist-
15 ance under title V of the FREEDOM Support Act
16 (22 U.S.C. 5851 et seq.) and section 1424 of the
17 Defense Against Weapons of Mass Destruction Act
18 of 1996 (50 U.S.C. 2333) or non-proliferation as-
19 sistance;

20 (2) any assistance provided by the Trade and
21 Development Agency under section 661 of the For-
22 eign Assistance Act of 1961 (22 U.S.C. 2421);

23 (3) any activity carried out by a member of the
24 United States and Foreign Commercial Service while
25 acting within his or her official capacity;

1 (4) any insurance, reinsurance, guarantee, or
2 other assistance provided by the Overseas Private
3 Investment Corporation under title IV of chapter 2
4 of part I of the Foreign Assistance Act of 1961 (22
5 U.S.C. 2191 et seq.);

6 (5) any financing provided under the Export-
7 Import Bank Act of 1945 (Public Law 79–173); or

8 (6) humanitarian assistance.

9 (d) TURKEY.—

10 (1) TURKISH PRESIDENTIAL PROTECTION DI-
11 RECTORATE.—None of the funds made available by
12 this Act may be used to facilitate or support the sale
13 of defense articles or defense services to the Turkish
14 Presidential Protection Directorate (TPPD) under
15 chapter 2 of the Arms Export Control Act (22
16 U.S.C. 2761 et seq.), unless the Secretary of State
17 determines and reports to the appropriate congres-
18 sional committees that members of the TPPD that
19 are named in the July 17, 2017 indictment by the
20 Superior Court of the District of Columbia, and
21 against whom charges are pending, have returned to
22 the United States to stand trial in connection with
23 the offenses contained in such indictment or have
24 otherwise been brought to justice: *Provided*, That
25 the limitation in this paragraph shall not apply to

1 the use of funds made available by this Act for bor-
2 der security purposes, for North Atlantic Treaty Or-
3 ganization or coalition operations, or to enhance the
4 protection of United States officials and facilities in
5 Turkey.

6 (2) RESTRICTION ON FUNDS.—

7 (A) Not later than November 1, 2019, but
8 no sooner than six months after enactment of
9 this Act, the Secretary of State, in consultation
10 with the Secretary of Defense, shall submit an
11 update to the report required by section 1282
12 of the John S. McCain National Defense Au-
13 thorization Act for Fiscal Year 2019 (Public
14 Law 115–232) regarding the purchase by the
15 Republic of Turkey of the S–400 missile de-
16 fense system from the Russian Federation: *Pro-*
17 *vided*, That such report shall also include a de-
18 tailed description of plans for the imposition of
19 sanctions, if appropriate, for such purchase
20 pursuant to section 231 of the Countering Rus-
21 sian Influence in Europe and Eurasia Act of
22 2017 (Public Law 115–44).

23 (B) None of the funds appropriated by this
24 Act and prior Acts making appropriations for
25 the Department of State, foreign operations,

1 and related programs may be made available to
2 deliver F-35 aircraft to the territory of the Re-
3 public of Turkey until the report in subpara-
4 graph (A) is submitted to the Congress.

5 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

6 SEC. 7047. (a) LIMITATION.—None of the funds ap-
7 propriated by this Act may be made available for assist-
8 ance for the central Government of the Russian Federa-
9 tion.

10 (b) ANNEXATION OF CRIMEA.—

11 (1) None of the funds appropriated by this Act
12 may be made available for assistance for the central
13 government of a country that the Secretary of State
14 determines and reports to the Committees on Appro-
15 priations has taken affirmative steps intended to
16 support or be supportive of the Russian Federation
17 annexation of Crimea or other territory in Ukraine:
18 *Provided*, That except as otherwise provided in sub-
19 section (a), the Secretary may waive the restriction
20 on assistance required by this paragraph if the Sec-
21 retary determines and reports to such Committees
22 that to do so is in the national interest of the United
23 States, and includes a justification for such interest.

24 (2) None of the funds appropriated by this Act
25 may be made available for—

1 (A) the implementation of any action or
2 policy that recognizes the sovereignty of the
3 Russian Federation over Crimea or other terri-
4 tory in Ukraine;

5 (B) the facilitation, financing, or guarantee
6 of United States Government investments in
7 Crimea or other territory in Ukraine under the
8 control of Russian-backed separatists, if such
9 activity includes the participation of Russian
10 Government officials, or other Russian owned
11 or controlled financial entities; or

12 (C) assistance for Crimea or other terri-
13 tory in Ukraine under the control of Russian-
14 backed separatists, if such assistance includes
15 the participation of Russian Government offi-
16 cials, or other Russian owned or controlled fi-
17 nancial entities.

18 (3) The Secretary of the Treasury shall instruct
19 the United States executive directors of each inter-
20 national financial institution to vote against any as-
21 sistance by such institution (including any loan,
22 credit, or guarantee) for any program that violates
23 the sovereignty or territorial integrity of Ukraine.

24 (4) The requirements and limitations of this
25 subsection shall cease to be in effect if the Secretary

1 of State determines and reports to the Committees
2 on Appropriations that the Government of Ukraine
3 has reestablished sovereignty over Crimea and other
4 territory in Ukraine under the control of Russian-
5 backed separatists.

6 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
7 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

8 (1) None of the funds appropriated by this Act
9 may be made available for assistance for the central
10 government of a country that the Secretary of State
11 determines and reports to the Committees on Appro-
12 priations has recognized the independence of, or has
13 established diplomatic relations with, the Russian oc-
14 cupied Georgian territories of Abkhazia and
15 Tskhinvali Region/South Ossetia: *Provided*, That the
16 Secretary shall publish on the Department of State
17 website a list of any such central governments in a
18 timely manner: *Provided further*, That the Secretary
19 may waive the restriction on assistance required by
20 this paragraph if the Secretary determines and re-
21 ports to the Committees on Appropriations that to
22 do so is in the national interest of the United States,
23 and includes a justification for such interest.

24 (2) None of the funds appropriated by this Act
25 may be made available to support the Russian occu-

1 pation of the Georgian territories of Abkhazia and
2 Tskhinvali Region/South Ossetia.

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 and territorial integrity of Georgia.

9 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

10 (1) Of the funds appropriated by this Act under
11 the headings “Assistance for Europe, Eurasia and
12 Central Asia”, “International Narcotics Control and
13 Law Enforcement”, “International Military Edu-
14 cation and Training”, and “Foreign Military Fi-
15 nancing Program”, not less than \$275,000,000 shall
16 be made available to carry out the purposes of the
17 Countering Russian Influence Fund, as authorized
18 by section 254 of the Countering Russian Influence
19 in Europe and Eurasia Act of 2017 (Public Law
20 115–44; 22 U.S.C. 9543) and notwithstanding the
21 country limitation in subsection (b) of such section,
22 and programs to enhance the capacity of law en-
23 forcement and security forces in countries in Europe
24 and Eurasia and strengthen security cooperation be-

1 Operations), any United Nations agency, or the Or-
2 ganization of American States, 15 percent may not
3 be obligated for such organization, department, or
4 agency until the Secretary of State determines and
5 reports to the Committees on Appropriations that
6 the organization, department, or agency is—

7 (A) posting on a publicly available website,
8 consistent with privacy regulations and due
9 process, regular financial and programmatic au-
10 dits of such organization, department, or agen-
11 cy, and providing the United States Govern-
12 ment with necessary access to such financial
13 and performance audits;

14 (B) effectively implementing and enforcing
15 policies and procedures which reflect best prac-
16 tices for the protection of whistleblowers from
17 retaliation, including best practices for—

18 (i) protection against retaliation for
19 internal and lawful public disclosures;

20 (ii) legal burdens of proof;

21 (iii) statutes of limitation for report-
22 ing retaliation;

23 (iv) access to independent adjudicative
24 bodies, including external arbitration; and

1 (v) results that eliminate the effects of
2 proven retaliation; and

3 (C) effectively implementing and enforcing
4 policies and procedures on the appropriate use
5 of travel funds, including restrictions on first
6 class and business class travel.

7 (2) WAIVER.—The restrictions imposed by or
8 pursuant to paragraph (1) may be waived on a case-
9 by-case basis if the Secretary of State determines
10 and reports to the Committees on Appropriations
11 that such waiver is necessary to avert or respond to
12 a humanitarian crisis.

13 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
14 TIONS AND ORGANIZATIONS.—

15 (1) RESTRICTIONS ON UNITED STATES DELEGA-
16 TIONS.—None of the funds made available by this
17 Act may be used to pay expenses for any United
18 States delegation to any specialized agency, body, or
19 commission of the United Nations if such agency,
20 body, or commission is chaired or presided over by
21 a country, the government of which the Secretary of
22 State has determined, for purposes of section 6(j)(1)
23 of the Export Administration Act of 1979 as contin-
24 ued in effect pursuant to the International Emer-

1 agency Economic Powers Act (50 U.S.C. App.
2 2405(j)(1)), supports international terrorism.

3 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
4 of the funds made available by this Act may be used
5 by the Secretary of State as a contribution to any
6 organization, agency, commission, or program within
7 the United Nations system if such organization,
8 agency, commission, or program is chaired or pre-
9 sided over by a country the government of which the
10 Secretary of State has determined, for purposes of
11 section 620A of the Foreign Assistance Act of 1961,
12 section 40 of the Arms Export Control Act, section
13 6(j)(1) of the Export Administration Act of 1979, or
14 any other provision of law, is a government that has
15 repeatedly provided support for acts of international
16 terrorism.

17 (3) WAIVER.—The Secretary of State may
18 waive the restriction in this subsection if the Sec-
19 retary determines and reports to the Committees on
20 Appropriations that to do so is important to the na-
21 tional interest of the United States, including a de-
22 scription of the national interest served.

23 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
24 None of the funds appropriated by this Act may be made
25 available in support of the United Nations Human Rights

1 Council unless the Secretary of State determines and re-
2 ports to the Committees on Appropriations that partici-
3 tion in the Council is important to the national interest
4 of the United States and that such Council is taking sig-
5 nificant steps to remove Israel as a permanent agenda
6 item and ensure integrity in the election of members to
7 such Council: *Provided*, That such report shall include a
8 description of the national interest served and the steps
9 taken to remove Israel as a permanent agenda item and
10 ensure integrity in the election of members to such Coun-
11 cil: *Provided further*, That the Secretary of State shall re-
12 port to the Committees on Appropriations not later than
13 September 30, 2019, on the resolutions considered in the
14 United Nations Human Rights Council during the pre-
15 vious 12 months, and on steps taken to remove Israel as
16 a permanent agenda item and ensure integrity in the elec-
17 tion of members to such Council.

18 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
19 CY.—Prior to the initial obligation of funds for the United
20 Nations Relief and Works Agency (UNRWA), the Sec-
21 retary of State shall report to the Committees on Appro-
22 priations, in writing, on whether UNRWA is—

23 (1) utilizing Operations Support Officers in the
24 West Bank, Gaza, and other fields of operation to

1 inspect UNRWA installations and reporting any in-
2 appropriate use;

3 (2) acting promptly to address any staff or ben-
4 efiiciary violation of its own policies (including the
5 policies on neutrality and impartiality of employees)
6 and the legal requirements under section 301(c) of
7 the Foreign Assistance Act of 1961;

8 (3) implementing procedures to maintain the
9 neutrality of its facilities, including implementing a
10 no-weapons policy, and conducting regular inspec-
11 tions of its installations, to ensure they are only
12 used for humanitarian or other appropriate pur-
13 poses;

14 (4) taking necessary and appropriate measures
15 to ensure it is operating in compliance with the con-
16 ditions of section 301(c) of the Foreign Assistance
17 Act of 1961 and continuing regular reporting to the
18 Department of State on actions it has taken to en-
19 sure conformance with such conditions;

20 (5) taking steps to ensure the content of all
21 educational materials currently taught in UNRWA-
22 administered schools and summer camps is con-
23 sistent with the values of human rights, dignity, and
24 tolerance and does not induce incitement;

1 (6) not engaging in operations with financial in-
2 stitutions or related entities in violation of relevant
3 United States law, and is taking steps to improve
4 the financial transparency of the organization; and

5 (7) in compliance with the United Nations
6 Board of Auditors' biennial audit requirements and
7 is implementing in a timely fashion the Board's rec-
8 ommendations.

9 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
10 TIONS MEMBERS.—None of the funds appropriated or
11 made available pursuant to titles III through VI of this
12 Act for carrying out the Foreign Assistance Act of 1961,
13 may be used to pay in whole or in part any assessments,
14 arrearages, or dues of any member of the United Nations
15 or, from funds appropriated by this Act to carry out chap-
16 ter 1 of part I of the Foreign Assistance Act of 1961,
17 the costs for participation of another country's delegation
18 at international conferences held under the auspices of
19 multilateral or international organizations.

20 (f) CAPITAL PROJECTS.—Any operating plan sub-
21 mitted pursuant to this Act for funds made available
22 under the heading "Contributions to International Organi-
23 zations" shall include information on capital projects, as
24 described under such heading in House Report 115–253.

1 (g) REPORT.—Not later than 45 days after enact-
2 ment of this Act, the Secretary of State shall submit a
3 report to the Committees on Appropriations detailing the
4 amount of funds available for obligation or expenditure in
5 fiscal year 2019 for contributions to any organization, de-
6 partment, agency, or program within the United Nations
7 system or any international program that are withheld
8 from obligation or expenditure due to any provision of law:
9 *Provided*, That the Secretary shall update such report
10 each time additional funds are withheld by operation of
11 any provision of law: *Provided further*, That the re-
12 programming of any withheld funds identified in such re-
13 port, including updates thereof, shall be subject to prior
14 consultation with, and the regular notification procedures
15 of, the Committees on Appropriations.

16 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
17 KEEPING OPERATIONS.—

18 (1) IN GENERAL.—Funds appropriated by this
19 Act shall be made available to implement section
20 301 of the Department of State Authorities Act,
21 Fiscal Year 2017 (Public Law 114–323).

22 (2) WITHHOLDING OF FUNDS.—The Secretary
23 of State should withhold assistance to any unit of
24 the security forces of a foreign country if the Sec-
25 retary has credible information that such unit has

1 engaged in sexual exploitation or abuse, including
2 while serving in a United Nations peacekeeping op-
3 eration, until the Secretary determines that the gov-
4 ernment of such country is taking effective steps to
5 hold the responsible members of such unit account-
6 able and to prevent future incidents: *Provided*, That
7 the Secretary shall promptly notify the government
8 of each country subject to any withholding of assist-
9 ance pursuant to this paragraph, and shall notify
10 the appropriate congressional committees of such
11 withholding not later than 10 days after a deter-
12 mination to withhold such assistance is made: *Pro-*
13 *vided further*, That the Secretary shall, to the max-
14 imum extent practicable, assist such government in
15 bringing the responsible members of such unit to
16 justice.

17 (i) ADDITIONAL AVAILABILITY.—Subject to the reg-
18 ular notification procedures of the Committees on Appro-
19 priations, funds appropriated by this Act which are re-
20 turned or not made available due to the implementation
21 of subsection (a), the second proviso under the heading
22 “Contributions for International Peacekeeping Activities”
23 in title I of this Act, or section 307(a) of the Foreign As-
24 sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
25 available for obligation until September 30, 2020: *Pro-*

1 *vided*, That the requirement to withhold funds for pro-
2 grams in Burma under section 307(a) of the Foreign As-
3 sistance Act of 1961 shall not apply to funds appropriated
4 by this Act.

5 (j) NATIONAL SECURITY INTEREST WITH-
6 HOLDING.—

7 (1) WITHHOLDING.—The Secretary of State
8 shall withhold 5 percent of the funds appropriated
9 by this Act under the heading “Contributions to
10 International Organizations” for a specialized agen-
11 cy or other entity of the United Nations if the Sec-
12 retary, in consultation with the United States Am-
13 bassador to the United Nations, determines and re-
14 ports to the Committees on Appropriations that such
15 agency or entity has taken an official action that is
16 against the national security interest of the United
17 States or an ally of the United States, including
18 Israel.

19 (2) RELEASE OF FUNDS.—The Secretary of
20 State, in consultation with the United States Am-
21 bassador to the United Nations, may release funds
22 withheld pursuant to paragraph (1) if the Secretary
23 determines and reports to the Committees on Appro-
24 priations that such agency or entity is taking steps

1 to address the action that resulted in the with-
2 holding of such funds.

3 (3) REPROGRAMMING.—Should the Secretary of
4 State be unable to make a determination pursuant
5 to paragraph (2) regarding the release of withheld
6 funds, such funds may be reprogrammed for other
7 purposes under the heading “Contributions to Inter-
8 national Organizations”.

9 (4) WAIVER.—The Secretary of State, following
10 consultation with the Committees on Appropriations,
11 may waive the requirements of this subsection if the
12 Secretary determines that to do so in the national
13 interest.

14 (k) TRANSFER OF FUNDS.—Of the funds appro-
15 priated by this Act under the heading “Economic Support
16 Fund”, \$25,000,000 shall be transferred to, and merged
17 with, funds appropriated under the heading “International
18 Organizations and Programs”, of which \$23,000,000 shall
19 be for a contribution to support the United Nations resi-
20 dent coordinator system and \$2,000,000 shall be for a
21 contribution to the Montreal Protocol Multilateral Fund.

22 LAW ENFORCEMENT AND SECURITY

23 SEC. 7049. (a) ASSISTANCE.—

24 (1) COMMUNITY-BASED POLICE ASSISTANCE.—
25 Funds made available under titles III and IV of this

1 Act to carry out the provisions of chapter 1 of part
2 I and chapters 4 and 6 of part II of the Foreign As-
3 sistance Act of 1961, may be used, notwithstanding
4 section 660 of that Act, to enhance the effectiveness
5 and accountability of civilian police authority
6 through training and technical assistance in human
7 rights, the rule of law, anti-corruption, strategic
8 planning, and through assistance to foster civilian
9 police roles that support democratic governance, in-
10 cluding assistance for programs to prevent conflict,
11 respond to disasters, address gender-based violence,
12 and foster improved police relations with the com-
13 munities they serve.

14 (2) COMBAT CASUALTY CARE.—

15 (A) Consistent with the objectives of the
16 Foreign Assistance Act of 1961 and the Arms
17 Export Control Act, funds appropriated by this
18 Act under the headings “Peacekeeping Oper-
19 ations” and “Foreign Military Financing Pro-
20 gram” shall be made available for combat cas-
21 ualty training and equipment.

22 (B) The Secretary of State shall offer com-
23 bat casualty care training and equipment as a
24 component of any package of lethal assistance
25 funded by this Act with funds appropriated

1 under the headings “Peacekeeping Operations”
2 and “Foreign Military Financing Program”:
3 *Provided*, That the requirement of this subpara-
4 graph shall apply to a country in conflict, un-
5 less the Secretary determines that such country
6 has in place, to the maximum extent prac-
7 ticable, functioning combat casualty care treat-
8 ment and equipment that meets or exceeds the
9 standards recommended by the Committee on
10 Tactical Combat Casualty Care: *Provided fur-*
11 *ther*, That any such training and equipment for
12 combat casualty care shall be made available
13 through an open and transparent process.

14 (3) COUNTERTERRORISM PARTNERSHIPS
15 FUND.—Funds appropriated by this Act under the
16 heading Nonproliferation, Anti-terrorism, Demining
17 and Related Programs shall be made available for
18 the Counterterrorism Partnerships Fund for pro-
19 grams in areas liberated from, under the influence
20 of, or adversely affected by, the Islamic State of Iraq
21 and Syria or other terrorist organizations: *Provided*,
22 That such areas shall include the Kurdistan Region
23 of Iraq: *Provided further*, That prior to the obliga-
24 tion of funds made available pursuant to this para-
25 graph, the Secretary of State shall take all prac-

1 ticable steps to ensure that mechanisms are in place
2 for monitoring, oversight, and control of such funds:
3 *Provided further*, That funds made available pursu-
4 ant to this paragraph shall be subject to prior con-
5 sultation with the appropriate congressional commit-
6 tees, and the regular notification procedures of the
7 Committees on Appropriations.

8 (4) TRAINING RELATED TO INTERNATIONAL
9 HUMANITARIAN LAW.—The Secretary of State shall
10 offer training related to the requirements of inter-
11 national humanitarian law as a component of any
12 package of lethal assistance funded by this Act with
13 funds appropriated under the headings “Peace-
14 keeping Operations” and “Foreign Military Financ-
15 ing Program”: *Provided*, That the requirement of
16 this paragraph shall not apply to a country that is
17 a member of the North Atlantic Treaty Organization
18 (NATO), is a major non-NATO ally designated by
19 section 517(b) of the Foreign Assistance Act of
20 1961, or is complying with international humani-
21 tarian law: *Provided further*, That any such training
22 shall be made available through an open and trans-
23 parent process.

24 (5) SECURITY FORCE PROFESSIONALIZATION.—
25 Funds appropriated by this Act under the headings

1 “International Narcotics Control and Law Enforce-
2 ment” and “Peacekeeping Operations” shall be
3 made available to increase the capacity of foreign
4 military and law enforcement personnel to operate in
5 accordance with appropriate standards relating to
6 human rights and the protection of civilians in the
7 manner specified under this section in the explana-
8 tory statement described in section 4 (in the matter
9 preceding division A of this consolidated Act), fol-
10 lowing consultation with the Committees on Appro-
11 priations: *Provided*, That funds made available pur-
12 suant to this paragraph shall only be made available
13 on an open and competitive basis.

14 (b) AUTHORITIES.—

15 (1) RECONSTITUTING CIVILIAN POLICE AU-
16 THORITY.—In providing assistance with funds ap-
17 propriated by this Act under section 660(b)(6) of
18 the Foreign Assistance Act of 1961, support for a
19 nation emerging from instability may be deemed to
20 mean support for regional, district, municipal, or
21 other sub-national entity emerging from instability,
22 as well as a nation emerging from instability.

23 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
24 INTEGRATION.—Section 7034(d) of the Department
25 of State, Foreign Operations, and Related Programs

1 Appropriations Act, 2015 (division J of Public Law
2 113–235) shall continue in effect during fiscal year
3 2019.

4 (3) INTERNATIONAL PRISON CONDITIONS.—Of
5 the funds appropriated by this Act under the head-
6 ings “Development Assistance”, “Economic Support
7 Fund”, and “International Narcotics Control and
8 Law Enforcement”, not less than \$5,000,000 shall
9 be made available for assistance to eliminate inhu-
10 mane conditions in foreign prisons and other deten-
11 tion facilities, notwithstanding section 660 of the
12 Foreign Assistance Act of 1961: *Provided*, That the
13 Secretary of State and the USAID Administrator
14 shall consult with the Committees on Appropriations
15 on the proposed uses of such funds prior to obliga-
16 tion and not later than 120 days after enactment of
17 this Act: *Provided further*, That such funds shall be
18 in addition to funds otherwise made available by this
19 Act for such purpose.

20 (4) EXTENSION OF WAR RESERVES STOCKPILE
21 AUTHORITY.—

22 (A) Section 12001(d) of the Department of
23 Defense Appropriations Act, 2005 (Public Law
24 108–287; 118 Stat. 1011) is amended by strik-
25 ing “of this section” and all that follows

1 through the period at the end and inserting “of
2 this section after September 30, 2020.”.

3 (B) Section 514(b)(2)(A) of the Foreign
4 Assistance Act of 1961 (22 U.S.C.
5 2321h(b)(2)(A)) is amended by striking “and
6 2019” and inserting “2019, and 2020”.

7 (5) COMMERCIAL LEASING OF DEFENSE ARTI-
8 CLES.—Notwithstanding any other provision of law,
9 and subject to the regular notification procedures of
10 the Committees on Appropriations, the authority of
11 section 23(a) of the Arms Export Control Act may
12 be used to provide financing to Israel, Egypt, the
13 North Atlantic Treaty Organization (NATO), and
14 major non-NATO allies for the procurement by leas-
15 ing (including leasing with an option to purchase) of
16 defense articles from United States commercial sup-
17 pliers, not including Major Defense Equipment
18 (other than helicopters and other types of aircraft
19 having possible civilian application), if the President
20 determines that there are compelling foreign policy
21 or national security reasons for those defense arti-
22 cles being provided by commercial lease rather than
23 by government-to-government sale under such Act.

24 (6) SPECIAL DEFENSE ACQUISITION FUND.—
25 Not to exceed \$900,000,000 may be obligated pursu-

1 ant to section 51(c)(2) of the Arms Export Control
2 Act for the purposes of the Special Defense Acquisi-
3 tion Fund (the Fund), to remain available for obli-
4 gation until September 30, 2021: *Provided*, That the
5 provision of defense articles and defense services to
6 foreign countries or international organizations from
7 the Fund shall be subject to the concurrence of the
8 Secretary of State.

9 (7) PUBLIC DISCLOSURE.—For the purposes of
10 funds appropriated by this Act and prior Acts mak-
11 ing appropriations for the Department of State, for-
12 eign operations, and related programs that are made
13 available for assistance for units of foreign security
14 forces, the term “to the maximum extent prac-
15 ticable” in section 620M(d)(7) of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2378d) means that the
17 identity of such units shall be made publicly avail-
18 able unless the Secretary of State, on a case-by-case
19 basis, determines and reports to the appropriate con-
20 gressional committees that disclosure would endan-
21 ger the safety of human sources or reveal sensitive
22 intelligence sources and methods, or that non-disclo-
23 sure is in the national security interest of the United
24 States: *Provided*, That any such determination shall

1 include a detailed justification, and may be sub-
2 mitted in classified form.

3 (c) LIMITATIONS.—

4 (1) CHILD SOLDIERS.—Funds appropriated by
5 this Act should not be used to support any military
6 training or operations that include child soldiers.

7 (2) LANDMINES AND CLUSTER MUNITIONS.—

8 (A) LANDMINES.—Notwithstanding any
9 other provision of law, demining equipment
10 available to the United States Agency for Inter-
11 national Development and the Department of
12 State and used in support of the clearance of
13 landmines and unexploded ordnance for human-
14 itarian purposes may be disposed of on a grant
15 basis in foreign countries, subject to such terms
16 and conditions as the Secretary of State may
17 prescribe.

18 (B) CLUSTER MUNITIONS.—No military
19 assistance shall be furnished for cluster muni-
20 tions, no defense export license for cluster mu-
21 nitions may be issued, and no cluster munitions
22 or cluster munitions technology shall be sold or
23 transferred, unless—

24 (i) the submunitions of the cluster
25 munitions, after arming, do not result in

1 more than 1 percent unexploded ordnance
2 across the range of intended operational
3 environments, and the agreement applica-
4 ble to the assistance, transfer, or sale of
5 such cluster munitions or cluster munitions
6 technology specifies that the cluster muni-
7 tions will only be used against clearly de-
8 fined military targets and will not be used
9 where civilians are known to be present or
10 in areas normally inhabited by civilians; or

11 (ii) such assistance, license, sale, or
12 transfer is for the purpose of demilitarizing
13 or permanently disposing of such cluster
14 munitions.

15 (3) CROWD CONTROL ITEMS.—Funds appro-
16 priated by this Act should not be used for tear gas,
17 small arms, light weapons, ammunition, or other
18 items for crowd control purposes for foreign security
19 forces that use excessive force to repress peaceful ex-
20 pression, association, or assembly in countries that
21 the Secretary of State determines are undemocratic
22 or are undergoing democratic transitions.

23 (d) REPORTS.—

24 (1) SECURITY ASSISTANCE REPORT.—Not later
25 than 120 days after enactment of this Act, the Sec-

1 retary of State shall submit to the Committees on
2 Appropriations a report on funds obligated and ex-
3 pended during fiscal year 2018, by country and pur-
4 pose of assistance, under the headings “Peace-
5 keeping Operations”, “International Military Edu-
6 cation and Training”, and “Foreign Military Fi-
7 nancing Program”.

8 (2) QUARTERLY STATUS REPORT.—Following
9 the submission of the quarterly report required by
10 section 36 of Public Law 90–629 (22 U.S.C. 2776),
11 the Secretary of State, in coordination with the Sec-
12 retary of Defense, shall submit to the Committees on
13 Appropriations a status report that contains the in-
14 formation described under the heading “Foreign
15 Military Financing Program” in House Report 115–
16 829.

17 (3) VETTING REPORT.—

18 (A) IN GENERAL.—Not later than 90 days
19 after enactment of this Act, the Secretary of
20 State shall submit a report to the appropriate
21 congressional committees on foreign assistance
22 cases submitted for vetting for purposes of sec-
23 tion 620M of the Foreign Assistance Act of
24 1961 during the preceding fiscal year, includ-
25 ing—

1 (i) the total number of cases sub-
2 mitted, approved, suspended, or rejected
3 for human rights reasons; and

4 (ii) for cases rejected, a description of
5 the steps taken to assist the foreign gov-
6 ernment in taking effective measures to
7 bring the responsible members of the secu-
8 rity forces to justice, in accordance with
9 section 620M(c) of the Foreign Assistance
10 Act of 1961.

11 (B) FORM.—The report required by this
12 paragraph shall be submitted in unclassified
13 form, but may be accompanied by a classified
14 annex.

15 (4) ANNUAL FOREIGN MILITARY TRAINING RE-
16 PORT.—For the purposes of implementing section
17 656 of the Foreign Assistance Act of 1961, the term
18 “military training provided to foreign military per-
19 sonnel by the Department of Defense and the De-
20 partment of State” shall be deemed to include all
21 military training provided by foreign governments
22 with funds appropriated to the Department of De-
23 fense or the Department of State, except for train-
24 ing provided by the government of a country des-

1 ignated by section 517(b) of such Act as a major
2 non-NATO ally.

3 ARMS TRADE TREATY

4 SEC. 7050. None of the funds appropriated by this
5 Act may be obligated or expended to implement the Arms
6 Trade Treaty until the Senate approves a resolution of
7 ratification for the Treaty.

8 INTERNATIONAL CONFERENCES

9 SEC. 7051. None of the funds made available in this
10 Act may be used to send or otherwise pay for the attend-
11 ance of more than 50 employees of agencies or depart-
12 ments of the United States Government who are stationed
13 in the United States, at any single international con-
14 ference occurring outside the United States, unless the
15 Secretary of State reports to the Committees on Appro-
16 priations at least 5 days in advance that such attendance
17 is important to the national interest: *Provided*, That for
18 purposes of this section the term “international con-
19 ference” shall mean a conference attended by representa-
20 tives of the United States Government and of foreign gov-
21 ernments, international organizations, or nongovern-
22 mental organizations.

23 AIRCRAFT TRANSFER, COORDINATION, AND USE

24 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
25 standing any other provision of law or regulation, aircraft

1 procured with funds appropriated by this Act and prior
2 Acts making appropriations for the Department of State,
3 foreign operations, and related programs under the head-
4 ings “Diplomatic Programs”, “International Narcotics
5 Control and Law Enforcement”, “Andean Counterdrug
6 Initiative”, and “Andean Counterdrug Programs” may be
7 used for any other program and in any region.

8 (b) PROPERTY DISPOSAL.—The authority provided
9 in subsection (a) shall apply only after the Secretary of
10 State determines and reports to the Committees on Appro-
11 priations that the equipment is no longer required to meet
12 programmatic purposes in the designated country or re-
13 gion: *Provided*, That any such transfer shall be subject
14 to prior consultation with, and the regular notification
15 procedures of, the Committees on Appropriations.

16 (c) AIRCRAFT COORDINATION.—

17 (1) AUTHORITY.—The uses of aircraft pur-
18 chased or leased by the Department of State and the
19 United States Agency for International Development
20 with funds made available in this Act or prior Acts
21 making appropriations for the Department of State,
22 foreign operations, and related programs shall be co-
23 ordinated under the authority of the appropriate
24 Chief of Mission: *Provided*, That notwithstanding
25 section 7006(b) of this Act, such aircraft may be

1 used to transport, on a reimbursable or non-reim-
2 bursable basis, Federal and non-Federal personnel
3 supporting Department of State and USAID pro-
4 grams and activities: *Provided further*, That official
5 travel for other agencies for other purposes may be
6 supported on a reimbursable basis, or without reim-
7 bursement when traveling on a space available basis:
8 *Provided further*, That funds received by the Depart-
9 ment of State in connection with the use of aircraft
10 owned, leased, or chartered by the Department of
11 State may be credited to the Working Capital Fund
12 of the Department and shall be available for ex-
13 penses related to the purchase, lease, maintenance,
14 chartering, or operation of such aircraft.

15 (2) SCOPE.—The requirement and authorities
16 of this subsection shall only apply to aircraft, the
17 primary purpose of which is the transportation of
18 personnel.

19 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
20 To the maximum extent practicable, the costs of oper-
21 ations and maintenance, including fuel, of aircraft funded
22 by this Act shall be borne by the recipient country.

1 under the heading “Assistance for Europe, Eurasia and
2 Central Asia”, may be used by the United States Agency
3 for International Development to hire and employ individ-
4 uals in the United States and overseas on a limited ap-
5 pointment basis pursuant to the authority of sections 308
6 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
7 3948 and 3949).

8 (b) RESTRICTIONS.—

9 (1) The number of individuals hired in any fis-
10 cal year pursuant to the authority contained in sub-
11 section (a) may not exceed 175.

12 (2) The authority to hire individuals contained
13 in subsection (a) shall expire on September 30,
14 2020.

15 (c) CONDITIONS.—The authority of subsection (a)
16 should only be used to the extent that an equivalent num-
17 ber of positions that are filled by personal services contrac-
18 tors or other non-direct hire employees of USAID, who
19 are compensated with funds appropriated to carry out part
20 I of the Foreign Assistance Act of 1961, including funds
21 appropriated under the heading “Assistance for Europe,
22 Eurasia and Central Asia”, are eliminated.

23 (d) PROGRAM ACCOUNT CHARGED.—The account
24 charged for the cost of an individual hired and employed
25 under the authority of this section shall be the account

1 to which the responsibilities of such individual primarily
2 relate: *Provided*, That funds made available to carry out
3 this section may be transferred to, and merged with, funds
4 appropriated by this Act in title II under the heading “Op-
5 erating Expenses”.

6 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
7 viduals hired and employed by USAID, with funds made
8 available in this Act or prior Acts making appropriations
9 for the Department of State, foreign operations, and re-
10 lated programs, pursuant to the authority of section 309
11 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
12 be extended for a period of up to 4 years notwithstanding
13 the limitation set forth in such section.

14 (f) DISASTER SURGE CAPACITY.—Funds appro-
15 priated under title III of this Act to carry out part I of
16 the Foreign Assistance Act of 1961, including funds ap-
17 propriated under the heading “Assistance for Europe,
18 Eurasia and Central Asia”, may be used, in addition to
19 funds otherwise available for such purposes, for the cost
20 (including the support costs) of individuals detailed to or
21 employed by USAID whose primary responsibility is to
22 carry out programs in response to natural disasters, or
23 man-made disasters subject to the regular notification
24 procedures of the Committees on Appropriations.

1 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
2 propriated by this Act to carry out chapter 1 of part I,
3 chapter 4 of part II, and section 667 of the Foreign As-
4 sistance Act of 1961, and title II of the Food for Peace
5 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
6 used by USAID to employ up to 40 personal services con-
7 tractors in the United States, notwithstanding any other
8 provision of law, for the purpose of providing direct, in-
9 terim support for new or expanded overseas programs and
10 activities managed by the agency until permanent direct
11 hire personnel are hired and trained: *Provided*, That not
12 more than 15 of such contractors shall be assigned to any
13 bureau or office: *Provided further*, That such funds appro-
14 priated to carry out title II of the Food for Peace Act
15 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
16 available only for personal services contractors assigned
17 to the Office of Food for Peace.

18 (h) SMALL BUSINESS.—In entering into multiple
19 award indefinite-quantity contracts with funds appro-
20 priated by this Act, USAID may provide an exception to
21 the fair opportunity process for placing task orders under
22 such contracts when the order is placed with any category
23 of small or small disadvantaged business.

24 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
25 MENTS.—Individuals hired pursuant to the authority pro-

1 vided by section 7059(o) of the Department of State, For-
2 eign Operations, and Related Programs Appropriations
3 Act, 2010 (division F of Public Law 111–117) may be
4 assigned to or support programs in Afghanistan or Paki-
5 stan with funds made available in this Act and prior Acts
6 making appropriations for the Department of State, for-
7 eign operations, and related programs.

8 GLOBAL HEALTH ACTIVITIES

9 SEC. 7058. (a) IN GENERAL.—Funds appropriated
10 by titles III and IV of this Act that are made available
11 for bilateral assistance for child survival activities or dis-
12 ease programs including activities relating to research on,
13 and the prevention, treatment and control of, HIV/AIDS
14 may be made available notwithstanding any other provi-
15 sion of law except for provisions under the heading “Glob-
16 al Health Programs” and the United States Leadership
17 Against HIV/AIDS, Tuberculosis, and Malaria Act of
18 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
19 ed: *Provided*, That of the funds appropriated under title
20 III of this Act, not less than \$575,000,000 should be made
21 available for family planning/reproductive health, includ-
22 ing in areas where population growth threatens biodiver-
23 sity or endangered species.

24 (b) GLOBAL FUND.—Of the funds appropriated by
25 this Act that are available for a contribution to the Global

1 Fund to Fight AIDS, Tuberculosis and Malaria (Global
2 Fund), 10 percent should be withheld from obligation until
3 the Secretary of State determines and reports to the Com-
4 mittees on Appropriations that the Global Fund is—

5 (1) maintaining and implementing a policy of
6 transparency, including the authority of the Global
7 Fund Office of the Inspector General (OIG) to pub-
8 lish OIG reports on a public website;

9 (2) providing sufficient resources to maintain
10 an independent OIG that—

11 (A) reports directly to the Board of the
12 Global Fund;

13 (B) maintains a mandate to conduct thor-
14 ough investigations and programmatic audits,
15 free from undue interference; and

16 (C) compiles regular, publicly published
17 audits and investigations of financial, pro-
18 grammatic, and reporting aspects of the Global
19 Fund, its grantees, recipients, sub-recipients,
20 and Local Fund Agents;

21 (3) effectively implementing and enforcing poli-
22 cies and procedures which reflect best practices for
23 the protection of whistleblowers from retaliation, in-
24 cluding best practices for—

1 (A) protection against retaliation for inter-
2 nal and lawful public disclosures;

3 (B) legal burdens of proof;

4 (C) statutes of limitation for reporting re-
5 tialiation;

6 (D) access to independent adjudicative
7 bodies, including external arbitration; and

8 (E) results that eliminate the effects of
9 proven retaliation:

10 *Provided*, That such withholding shall not be in ad-
11 dition to funds that are withheld from the Global
12 Fund in fiscal year 2019 pursuant to the application
13 of any other provision contained in this or any other
14 Act.

15 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
16 BREAKS.—

17 (1) EXTRAORDINARY MEASURES.—If the Sec-
18 retary of State determines and reports to the Com-
19 mittees on Appropriations that an international in-
20 fectious disease outbreak is sustained, severe, and is
21 spreading internationally, or that it is in the na-
22 tional interest to respond to a Public Health Emer-
23 gency of International Concern, funds appropriated
24 by this Act under the headings “Global Health Pro-
25 grams”, “Development Assistance”, “International

1 Disaster Assistance”, “Complex Crises Fund”,
2 “Economic Support Fund”, “Democracy Fund”,
3 “Assistance for Europe, Eurasia and Central Asia”,
4 “Migration and Refugee Assistance”, and “Millen-
5 nium Challenge Corporation” may be made available
6 to combat such infectious disease or public health
7 emergency, and may be transferred to, and merged
8 with, funds appropriated under such headings for
9 the purposes of this paragraph.

10 (2) CONSULTATION AND NOTIFICATION.—

11 Funds made available by this subsection shall be
12 subject to prior consultation with the appropriate
13 congressional committees, and the regular notifica-
14 tion procedures of the Committees on Appropria-
15 tions.

16 (d) REPURPOSED FUNDS.—

17 (1) USES.—Of the unobligated balances avail-
18 able under the heading “Bilateral Economic Assist-
19 ance” in title IX of the Department of State, For-
20 eign Operations, and Related Programs Appropria-
21 tions Act, 2015 (division J of Public Law 113–
22 235)—

23 (A) \$38,000,000 shall be for programs to
24 accelerate the capabilities of targeted countries

1 to prevent, detect, and respond to infectious
2 disease outbreaks; and

3 (B) \$2,000,000 shall be made available for
4 the Emergency Reserve Fund established pur-
5 suant to section 7058(c)(1) of the Department
6 of State, Foreign Operations, and Related Pro-
7 grams Appropriations Act, 2017 (division J of
8 Public Law 115–31) and shall be made avail-
9 able under the same terms and conditions of
10 such section: *Provided*, That the second proviso
11 of such paragraph is amended by striking “Sec-
12 retary of State” and inserting in lieu thereof
13 “Administrator of the United States Agency for
14 International Development”.

15 (2) CONSULTATION AND NOTIFICATION.—
16 Funds made available by this subsection shall be
17 subject to prior consultation with, and the regular
18 notification procedures of, the Committees on Ap-
19 propriations.

20 (3) TRANSFER BETWEEN ACCOUNTS.—Funds
21 made available pursuant to this subsection under the
22 headings “Global Health Programs” and “Inter-
23 national Disaster Assistance” may be transferred to,
24 and merged with, funds made available under such
25 headings: *Provided*, That such transfer authority is

1 in addition to any other transfer authority provided
2 by law.

3 (4) CLARIFICATION.—Funds made available
4 pursuant to this subsection are in addition to funds
5 otherwise made available for such purposes.

6 (5) DESIGNATION.—The amounts repurposed
7 under this subsection are designated by the Con-
8 gress as an emergency requirement pursuant to sec-
9 tion 251(b)(2)(A)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985 and shall be
11 available only if the President subsequently so des-
12 ignates all such amounts and transmits such des-
13 ignations to the Congress.

14 GENDER EQUALITY

15 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
16 priated by this Act shall be made available to promote gen-
17 der equality in United States Government diplomatic and
18 development efforts by raising the status, increasing the
19 participation, and protecting the rights of women and girls
20 worldwide.

21 (b) WOMEN'S LEADERSHIP.—Of the funds appro-
22 priated by title III of this Act, not less than \$50,000,000
23 shall be made available for programs specifically designed
24 to increase leadership opportunities for women in coun-
25 tries where women and girls suffer discrimination due to

1 law, policy, or practice, by strengthening protections for
2 women's political status, expanding women's participation
3 in political parties and elections, and increasing women's
4 opportunities for leadership positions in the public and
5 private sectors at the local, provincial, and national levels.

6 (c) GENDER-BASED VIOLENCE.—

7 (1)(A) Of the funds appropriated under titles
8 III and IV of this Act, not less than \$150,000,000
9 shall be made available to implement a multi-year
10 strategy to prevent and respond to gender-based vio-
11 lence in countries where it is common in conflict and
12 non-conflict settings.

13 (B) Funds appropriated under titles III and IV
14 of this Act that are available to train foreign police,
15 judicial, and military personnel, including for inter-
16 national peacekeeping operations, shall address,
17 where appropriate, prevention and response to gen-
18 der-based violence and trafficking in persons, and
19 shall promote the integration of women into the po-
20 lice and other security forces.

21 (2) Department of State and United States
22 Agency for International Development gender pro-
23 grams shall incorporate coordinated efforts to com-
24 bat a variety of forms of gender-based violence, in-
25 cluding child marriage, rape, female genital cutting

1 and mutilation, and domestic violence, among other
2 forms of gender-based violence in conflict and non-
3 conflict settings.

4 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
5 priated by this Act under the headings “Development As-
6 sistance”, “Economic Support Fund”, “Assistance for Eu-
7 rope, Eurasia and Central Asia”, and “International Nar-
8 cotics Control and Law Enforcement” should be made
9 available to support a multi-year strategy to expand, and
10 improve coordination of, United States Government ef-
11 forts to empower women as equal partners in conflict pre-
12 vention, peace building, transitional processes, and recon-
13 struction efforts in countries affected by conflict or in po-
14 litical transition, and to ensure the equitable provision of
15 relief and recovery assistance to women and girls.

16 (e) WOMEN AND GIRLS AT RISK FROM EXTRE-
17 MISM.—Of the funds appropriated by this Act under the
18 heading “Economic Support Fund”, not less than
19 \$15,000,000 shall be made available to support women
20 and girls who are at risk from extremism and conflict, and
21 for the activities described in section 7059(e)(1) of the De-
22 partment of State, Foreign Operations, and Related Pro-
23 grams Appropriations Act, 2018 (division K of Public Law
24 115–141): *Provided*, That such funds are in addition to
25 amounts otherwise made available by this Act for such

1 shall report to the Committees on Appropria-
2 tions on the status of cumulative unobligated
3 balances and obligated, but unexpended, bal-
4 ances in each country where USAID provides
5 basic education assistance and such report shall
6 also include details on the types of contracts
7 and grants provided and the goals and objec-
8 tives of such assistance: *Provided*, That the
9 USAID Administrator shall update such report
10 on a quarterly basis until September 30, 2020:
11 *Provided further*, That if the USAID Adminis-
12 trator determines that any unobligated balances
13 of funds specifically designated for assistance
14 for basic education in prior Acts making appro-
15 priations for the Department of State, foreign
16 operations, and related programs are in excess
17 of the absorptive capacity of recipient countries,
18 such funds may be made available for other
19 programs authorized under chapter 1 of part I
20 of the Foreign Assistance Act of 1961, notwith-
21 standing such funding designation: *Provided*
22 *further*, That the authority of the previous pro-
23 viso shall be subject to prior consultation with,
24 and the regular notification procedures of, the
25 Committees on Appropriations.

1 (C) Of the funds appropriated under title
2 III of this Act for assistance for basic education
3 programs, not less than \$90,000,000 shall be
4 made available for a contribution to multilateral
5 partnerships that support education.

6 (2) HIGHER EDUCATION.—Of the funds appro-
7 priated by title III of this Act, not less than
8 \$235,000,000 shall be made available for assistance
9 for higher education: *Provided*, That such funds may
10 be made available notwithstanding any other provi-
11 sion of law that restricts assistance to foreign coun-
12 tries, and shall be subject to the regular notification
13 procedures of the Committees on Appropriations:
14 *Provided further*, That of such amount, not less than
15 \$35,000,000 shall be made available for human and
16 institutional capacity building partnerships between
17 higher education institutions in the United States
18 and developing countries, of which not less than
19 \$15,000,000 shall be for new partnerships: *Provided*
20 *further*, That not later than 45 days after enactment
21 of this Act, the USAID Administrator shall consult
22 with the Committees on Appropriations on the pro-
23 posed uses of funds for such partnerships.

24 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
25 priated by this Act under the heading “Development As-

1 sistance”, not less than \$12,000,000 shall be made avail-
2 able for cooperative development programs of USAID, and
3 not less than \$30,000,000 shall be made available for the
4 American Schools and Hospitals Abroad program: *Pro-*
5 *vided*, That any substantive modifications from the prior
6 fiscal year to the evaluation methodology or criteria for
7 selecting grantees for the American Schools and Hospitals
8 Abroad program shall be subject to prior consultation with
9 the Committees on Appropriations.

10 (c) ENVIRONMENT PROGRAMS.—

11 (1) AUTHORITY AND NOTIFICATION.—

12 (A) Funds appropriated by this Act to
13 carry out the provisions of sections 103 through
14 106, and chapter 4 of part II, of the Foreign
15 Assistance Act of 1961 may be used, notwith-
16 standing any other provision of law, except for
17 the provisions of this subsection, to support en-
18 vironment programs.

19 (B) Funds made available pursuant to this
20 subsection shall be subject to the regular notifi-
21 cation procedures of the Committees on Appro-
22 priations.

23 (C) None of the funds in this Act are ap-
24 propriated or otherwise made available for a

1 contribution, grant, or any other payment for
2 the Green Climate Fund.

3 (2) CONSERVATION PROGRAMS AND LIMITA-
4 TIONS.—

5 (A) Of the funds appropriated under title
6 III of this Act, not less than \$285,000,000
7 shall be made available for biodiversity con-
8 servation programs.

9 (B) Not less than \$90,664,000 of the
10 funds appropriated under titles III and IV of
11 this Act shall be made available to combat the
12 transnational threat of wildlife poaching and
13 trafficking.

14 (C) None of the funds appropriated under
15 title IV of this Act may be made available for
16 training or other assistance for any military
17 unit or personnel that the Secretary of State
18 determines has been credibly alleged to have
19 participated in wildlife poaching or trafficking,
20 unless the Secretary reports to the appropriate
21 congressional committees that to do so is in the
22 national security interest of the United States.

23 (D) Funds appropriated by this Act for
24 biodiversity programs shall not be used to sup-
25 port the expansion of industrial scale logging or

1 any other industrial scale extractive activity
2 into areas that were primary/intact tropical for-
3 ests as of December 30, 2013, and the Sec-
4 retary of the Treasury shall instruct the United
5 States executive directors of each international
6 financial institutions (IFI) to vote against any
7 financing of any such activity.

8 (3) LARGE DAMS.—The Secretary of the Treas-
9 ury shall instruct the United States executive direc-
10 tor of each IFI that it is the policy of the United
11 States to vote in relation to any loan, grant, strat-
12 egy, or policy of such institution to support the con-
13 struction of any large dam consistent with the cri-
14 teria set forth in Senate Report 114–79, while also
15 considering whether the project involves important
16 foreign policy objectives.

17 (4) SUSTAINABLE LANDSCAPES.—Of the funds
18 appropriated under title III of this Act, not less than
19 \$125,000,000 shall be made available for sustainable
20 landscapes programs.

21 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
22 MENT.—Of the funds appropriated by title III of this Act,
23 not less than \$1,000,600,000 shall be made available for
24 food security and agricultural development programs to
25 carry out the purposes of the Global Food Security Act

1 of 2016 (Public Law 114–195), of which not less than
2 \$315,960,000 shall be made available for the Bureau for
3 Food Security, USAID, including not less than
4 \$55,000,000 for the Feed the Future Innovation Labs:
5 *Provided*, That funds may be made available for a con-
6 tribution as authorized by section 3202 of the Food, Con-
7 servation, and Energy Act of 2008 (Public Law 110–246),
8 as amended by section 3206 of the Agricultural Act of
9 2014 (Public Law 113–79).

10 (e) MICRO- AND SMALL ENTERPRISES.—Of the
11 funds appropriated by this Act, not less than
12 \$265,000,000 shall be made available to support the devel-
13 opment of, and access to financing for, micro- and small
14 enterprises that benefit the poor, especially women.

15 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
16 SONS.—Of the funds appropriated by this Act under the
17 headings “Development Assistance”, “Economic Support
18 Fund”, “Assistance for Europe, Eurasia and Central
19 Asia”, and “International Narcotics Control and Law En-
20 forcement”, not less than \$67,000,000 shall be made
21 available for activities to combat trafficking in persons
22 internationally, of which not less than \$45,000,000 shall
23 be from funds made available under the heading “Inter-
24 national Narcotics Control and Law Enforcement”: *Pro-*
25 *vided*, That funds appropriated by this Act that are made

1 available for programs to end modern slavery shall be in
2 addition to funds made available by this subsection to
3 combat trafficking in persons.

4 (g) RECONCILIATION PROGRAMS.—Funds appro-
5 priated by this Act under the headings “Economic Sup-
6 port Fund” and “Development Assistance” shall be made
7 available to support people-to-people reconciliation pro-
8 grams which bring together individuals of different ethnic,
9 religious, and political backgrounds from areas of civil
10 strife and war: *Provided*, That the USAID Administrator
11 shall consult with the Committees on Appropriations, prior
12 to the initial obligation of funds, on the uses of such funds,
13 and such funds shall be subject to the regular notification
14 procedures of the Committees on Appropriations: *Provided*
15 *further*, That to the maximum extent practicable, such
16 funds shall be matched by sources other than the United
17 States Government: *Provided further*, That such funds
18 shall be administered by the Office of Conflict Manage-
19 ment and Mitigation, USAID.

20 (h) WATER AND SANITATION.—Of the funds appro-
21 priated by this Act, not less than \$435,000,000 shall be
22 made available for water supply and sanitation projects
23 pursuant to section 136 of the Foreign Assistance Act of
24 1961, of which not less than \$195,000,000 shall be for
25 programs in sub-Saharan Africa, and of which not less

1 than \$15,000,000 shall be made available to support ini-
2 tiatives by local communities in developing countries to
3 build and maintain safe latrines.

4 ENTERPRISE FUNDS

5 SEC. 7061. (a) NOTIFICATION.—None of the funds
6 made available under titles III through VI of this Act may
7 be made available for Enterprise Funds unless the appro-
8 priate congressional committees are notified at least 15
9 days in advance.

10 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
11 distribution of any assets resulting from any liquidation,
12 dissolution, or winding up of an Enterprise Fund, in whole
13 or in part, the President shall submit to the appropriate
14 congressional committees a plan for the distribution of the
15 assets of the Enterprise Fund.

16 (c) TRANSITION OR OPERATING PLAN.—Prior to a
17 transition to and operation of any private equity fund or
18 other parallel investment fund under an existing Enter-
19 prise Fund, the President shall submit such transition or
20 operating plan to the appropriate congressional commit-
21 tees.

22 IMPACT ON JOBS IN THE UNITED STATES

23 SEC. 7062. None of the funds appropriated or other-
24 wise made available under titles III through VI of this
25 Act may be obligated or expended to provide—

1 (1) any financial incentive to a business enter-
2 prise currently located in the United States for the
3 purpose of inducing such an enterprise to relocate
4 outside the United States if such incentive or in-
5 ducement is likely to reduce the number of employ-
6 ees of such business enterprise in the United States
7 because United States production is being replaced
8 by such enterprise outside the United States;

9 (2) assistance for any program, project, or ac-
10 tivity that contributes to the violation of internation-
11 ally recognized workers' rights, as defined in section
12 507(4) of the Trade Act of 1974, of workers in the
13 recipient country, including any designated zone or
14 area in that country: *Provided*, That the application
15 of section 507(4)(D) and (E) of such Act should be
16 commensurate with the level of development of the
17 recipient country and sector, and shall not preclude
18 assistance for the informal sector in such country,
19 micro and small-scale enterprise, and smallholder
20 agriculture;

21 (3) any assistance to an entity outside the
22 United States if such assistance is for the purpose
23 of directly relocating or transferring jobs from the
24 United States to other countries and adversely im-
25 pacts the labor force in the United States; or

1 (4) for the enforcement of any rule, regulation,
2 policy, or guidelines implemented pursuant to—

3 (A) the third proviso of subsection 7079(b)
4 of the Department of State, Foreign Oper-
5 ations, and Related Programs Appropriations
6 Act, 2010 (division F of Public Law 111–117);

7 (B) the modification proposed by the Over-
8 seas Private Investment Corporation in Novem-
9 ber 2013 to the Corporation’s Environmental
10 and Social Policy Statement relating to coal; or

11 (C) the Supplemental Guidelines for High
12 Carbon Intensity Projects approved by the Ex-
13 port-Import Bank of the United States on De-
14 cember 12, 2013,

15 when enforcement of such rule, regulation, policy, or
16 guidelines would prohibit, or have the effect of pro-
17 hibiting, any coal-fired or other power-generation
18 project the purpose of which is to: (i) provide afford-
19 able electricity in International Development Asso-
20 ciation (IDA)-eligible countries and IDA-blend coun-
21 tries; and (ii) increase exports of goods and services
22 from the United States or prevent the loss of jobs
23 from the United States.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION

2 SEC. 7063. (a) TRANSFER OF FUNDS.—Whenever
3 the President determines that it is in furtherance of the
4 purposes of the Foreign Assistance Act of 1961, up to a
5 total of \$20,000,000 of the funds appropriated under title
6 III of this Act may be transferred to, and merged with,
7 funds appropriated by this Act for the Overseas Private
8 Investment Corporation Program Account, to be subject
9 to the terms and conditions of that account: *Provided*,
10 That such funds shall not be available for administrative
11 expenses of the Overseas Private Investment Corporation:
12 *Provided further*, That designated funding levels in this
13 Act shall not be transferred pursuant to this section: *Pro-*
14 *vided further*, That the exercise of such authority shall be
15 subject to the regular notification procedures of the Com-
16 mittees on Appropriations.

17 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
18 of the Foreign Assistance Act of 1961, the authority of
19 subsections (a) through (c) of section 234 of such Act
20 shall remain in effect until September 30, 2019.

21 INSPECTORS GENERAL

22 SEC. 7064. (a) PROHIBITION ON USE OF FUNDS.—
23 None of the funds appropriated by this Act may be used
24 to deny an Inspector General funded under this Act timely
25 access to any records, documents, or other materials avail-

1 able to the department or agency of the United States
2 Government over which such Inspector General has re-
3 sponsibilities under the Inspector General Act of 1978 (5
4 U.S.C. App.), or to prevent or impede the access of such
5 Inspector General to such records, documents, or other
6 materials, under any provision of law, except a provision
7 of law that expressly refers to such Inspector General and
8 expressly limits the right of access of such Inspector Gen-
9 eral.

10 (b) **TIMELY ACCESS.**—A department or agency of the
11 United States Government covered by this section shall
12 provide its Inspector General access to all records, docu-
13 ments, and other materials in a timely manner.

14 (c) **COMPLIANCE.**—Each Inspector General covered
15 by this section shall ensure compliance with statutory limi-
16 tations on disclosure relevant to the information provided
17 by the department or agency over which that Inspector
18 General has responsibilities under the Inspector General
19 Act of 1978 (5 U.S.C. App.).

20 (d) **REPORT.**—Each Inspector General covered by
21 this section shall report to the Committees on Appropria-
22 tions within 5 calendar days of any failure by any depart-
23 ment or agency of the United States Government to pro-
24 vide its Inspector General access to all requested records,
25 documents, and other materials.

1 GLOBAL INTERNET FREEDOM

2 SEC. 7065. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2019 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, “Democracy Fund”, and “Assistance for
6 Europe, Eurasia and Central Asia”, not less than
7 \$60,500,000 shall be made available for programs to pro-
8 mote Internet freedom globally: *Provided*, That such pro-
9 grams shall be prioritized for countries whose governments
10 restrict freedom of expression on the Internet, and that
11 are important to the national interest of the United
12 States: *Provided further*, That funds made available pursu-
13 ant to this section shall be matched, to the maximum ex-
14 tent practicable, by sources other than the United States
15 Government, including from the private sector.

16 (b) REQUIREMENTS.—

17 (1) Funds appropriated by this Act under the
18 headings “Economic Support Fund”, “Democracy
19 Fund”, and “Assistance for Europe, Eurasia and
20 Central Asia” that are made available pursuant to
21 subsection (a) shall be—

22 (A) coordinated with other democracy pro-
23 grams funded by this Act under such headings,
24 and shall be incorporated into country assist-

1 ance and democracy promotion strategies, as
2 appropriate;

3 (B) for programs to implement the May
4 2011, International Strategy for Cyberspace;
5 the Department of State International Cyber-
6 space Policy Strategy required by section 402
7 of the Cybersecurity Act of 2015 (division N of
8 Public Law 114–113); and the comprehensive
9 strategy to promote Internet freedom and ac-
10 cess to information in Iran, as required by sec-
11 tion 414 of the Iran Threat Reduction and
12 Syria Human Rights Act of 2012 (22 U.S.C.
13 8754);

14 (C) made available for programs that sup-
15 port the efforts of civil society to counter the
16 development of repressive Internet-related laws
17 and regulations, including countering threats to
18 Internet freedom at international organizations;
19 to combat violence against bloggers and other
20 users; and to enhance digital security training
21 and capacity building for democracy activists;

22 (D) made available for research of key
23 threats to Internet freedom; the continued de-
24 velopment of technologies that provide or en-
25 hance access to the Internet, including cir-

1 cumvention tools that bypass Internet blocking,
2 filtering, and other censorship techniques used
3 by authoritarian governments; and maintenance
4 of the technological advantage of the United
5 States Government over such censorship tech-
6 niques: *Provided*, That the Secretary of State,
7 in consultation with the Chief Executive Officer
8 (CEO) of the Broadcasting Board of Governors
9 (BBG), shall coordinate any such research and
10 development programs with other relevant
11 United States Government departments and
12 agencies in order to share information, tech-
13 nologies, and best practices, and to assess the
14 effectiveness of such technologies; and

15 (E) made available only after the Assistant
16 Secretary for Democracy, Human Rights, and
17 Labor, Department of State, concurs that such
18 funds are allocated consistent with—

19 (i) the strategies referenced in sub-
20 paragraph (B) of this paragraph;

21 (ii) best practices regarding security
22 for, and oversight of, Internet freedom pro-
23 grams; and

1 (iii) sufficient resources and support
2 for the development and maintenance of
3 anti-censorship technology and tools.

4 (2) Funds appropriated by this Act under the
5 heading “International Broadcasting Operations”
6 that are made available pursuant to subsection (a)
7 shall be—

8 (A) made available only for tools and tech-
9 niques to securely develop and distribute BBG
10 digital content; facilitate audience access to
11 such content on websites that are censored; co-
12 ordinate the distribution of BBG digital content
13 to targeted regional audiences; and to promote
14 and distribute such tools and techniques, in-
15 cluding digital security techniques;

16 (B) coordinated with programs funded by
17 this Act under the heading “International
18 Broadcasting Operations”, and shall be incor-
19 porated into country broadcasting strategies, as
20 appropriate;

21 (C) coordinated by the BBG CEO to pro-
22 vide Internet circumvention tools and tech-
23 niques for audiences in countries that are stra-
24 tegic priorities for the BBG and in a manner

1 consistent with the BBG Internet freedom
2 strategy; and

3 (D) made available for the research and
4 development of new tools or techniques author-
5 ized in paragraph (A) only after the BBG CEO,
6 in consultation with the Secretary of State and
7 other relevant United States Government de-
8 partments and agencies, evaluates the risks and
9 benefits of such new tools or techniques, and
10 establishes safeguards to minimize the use of
11 such new tools or techniques for illicit purposes.

12 (c) COORDINATION AND SPEND PLANS.—After con-
13 sultation among the relevant agency heads to coordinate
14 and de-conflict planned activities, but not later than 90
15 days after enactment of this Act, the Secretary of State
16 and the BBG CEO shall submit to the Committees on Ap-
17 propriations spend plans for funds made available by this
18 Act for programs to promote Internet freedom globally,
19 which shall include a description of safeguards established
20 by relevant agencies to ensure that such programs are not
21 used for illicit purposes: *Provided*, That the Department
22 of State spend plan shall include funding for all such pro-
23 grams for all relevant Department of State and the United
24 States Agency for International Development offices and
25 bureaus.

1 (d) SECURITY AUDITS.—Funds made available pur-
2 suant to this section to promote Internet freedom globally
3 may only be made available to support technologies that
4 undergo comprehensive security audits conducted by the
5 Bureau of Democracy, Human Rights, and Labor, De-
6 partment of State to ensure that such technology is secure
7 and has not been compromised in a manner detrimental
8 to the interest of the United States or to individuals and
9 organizations benefiting from programs supported by such
10 funds: *Provided*, That the security auditing procedures
11 used by such Bureau shall be reviewed and updated peri-
12 odically to reflect current industry security standards.

13 (e) SURGE.—Of the funds appropriated by this Act
14 under the heading “Economic Support Fund”, up to
15 \$2,500,000 may be made available to surge Internet free-
16 dom programs in closed societies if the Secretary of State
17 determines and reports to the appropriate congressional
18 committees that such use of funds is in the national inter-
19 est: *Provided*, That such funds are in addition to amounts
20 made available for such purposes: *Provided further*, That
21 such funds may be transferred to, and merged with, funds
22 appropriated by this Act under the heading “International
23 Broadcasting Operations” following consultation with, and
24 the regular notification procedures of, the Committees on
25 Appropriations.

1 MULTI-YEAR PLEDGES

2 SEC. 7066. 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.

20 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
21 TREATMENT OR PUNISHMENT

22 SEC. 7067. (a) LIMITATION.—None of the funds
23 made available by this Act may be used to support or jus-
24 tify the use of torture and other cruel, inhuman, or de-

1 grading treatment or punishment by any official or con-
2 tract employee of the United States Government.

3 (b) ASSISTANCE.—Funds appropriated under titles
4 III and IV of this Act shall be made available, notwith-
5 standing section 660 of the Foreign Assistance Act of
6 1961 and following consultation with the Committees on
7 Appropriations, for assistance to eliminate torture and
8 other cruel, inhuman, or degrading treatment or punish-
9 ment by foreign police, military or other security forces
10 in countries receiving assistance from funds appropriated
11 by this Act.

12 EXTRADITION

13 SEC. 7068. (a) LIMITATION.—None of the funds ap-
14 propriated in this Act may be used to provide assistance
15 (other than funds provided under the headings “Inter-
16 national Disaster Assistance”, “Complex Crises Fund”,
17 “International Narcotics Control and Law Enforcement”,
18 “Migration and Refugee Assistance”, “United States
19 Emergency Refugee and Migration Assistance Fund”, and
20 “Nonproliferation, Anti-terrorism, Demining and Related
21 Assistance”) for the central government of a country
22 which has notified the Department of State of its refusal
23 to extradite to the United States any individual indicted
24 for a criminal offense for which the maximum penalty is
25 life imprisonment without the possibility of parole or for

1 killing a law enforcement officer, as specified in a United
2 States extradition request.

3 (b) CLARIFICATION.—Subsection (a) shall only apply
4 to the central government of a country with which the
5 United States maintains diplomatic relations and with
6 which the United States has an extradition treaty and the
7 government of that country is in violation of the terms
8 and conditions of the treaty.

9 (c) WAIVER.—The Secretary of State may waive the
10 restriction in subsection (a) on a case-by-case basis if the
11 Secretary certifies to the Committees on Appropriations
12 that such waiver is important to the national interest of
13 the United States.

14 WAR CRIMES TRIBUNALS

15 SEC. 7069. If the President determines that doing so
16 will contribute to a just resolution of charges regarding
17 genocide or other violations of international humanitarian
18 law, the President may direct a drawdown pursuant to sec-
19 tion 552(c) of the Foreign Assistance Act of 1961 of up
20 to \$30,000,000 of commodities and services for the United
21 Nations War Crimes Tribunal established with regard to
22 the former Yugoslavia by the United Nations Security
23 Council or such other tribunals or commissions as the
24 Council may establish or authorize to deal with such viola-
25 tions, without regard to the ceiling limitation contained

1 in paragraph (2) thereof: *Provided*, That the determina-
2 tion required under this section shall be in lieu of any de-
3 terminations otherwise required under section 552(c): *Pro-*
4 *vided further*, That funds made available pursuant to this
5 section shall be made available subject to the regular noti-
6 fication procedures of the Committees on Appropriations.

7 BUDGET DOCUMENTS

8 SEC. 7070. (a) OPERATING PLANS.—Not later than
9 45 days after the date of enactment of this Act, each de-
10 partment, agency, or organization funded in titles I, II,
11 and VI of this Act, and the Department of the Treasury
12 and Independent Agencies funded in title III of this Act,
13 including the Inter-American Foundation and the United
14 States African Development Foundation, shall submit to
15 the Committees on Appropriations an operating plan for
16 funds appropriated to such department, agency, or organi-
17 zation in such titles of this Act, or funds otherwise avail-
18 able for obligation in fiscal year 2019, that provides de-
19 tails of the uses of such funds at the program, project,
20 and activity level: *Provided*, That such plans shall include,
21 as applicable, a comparison between the congressional
22 budget justification funding levels, the most recent con-
23 gressional directives or approved funding levels, and the
24 funding levels proposed by the department or agency; and
25 a clear, concise, and informative description/justification:

1 *Provided further*, That if such department, agency, or or-
2 ganization receives an additional amount under the same
3 heading in title VIII of this Act, operating plans required
4 by this subsection shall include consolidated information
5 on all such funds: *Provided further*, That operating plans
6 that include changes in levels of funding for programs,
7 projects, and activities specified in the congressional budg-
8 et justification, in this Act, or amounts specifically des-
9 ignated in the respective tables included in the explanatory
10 statement described in section 4 (in the matter preceding
11 division A of this consolidated Act), as applicable, shall
12 be subject to the notification and reprogramming require-
13 ments of section 7015 of this Act.

14 (b) SPEND PLANS.—

15 (1) Prior to the initial obligation of funds but
16 not later than 120 days after enactment of this Act,
17 the Secretary of State or Administrator of the
18 United States Agency for International Develop-
19 ment, as appropriate, shall submit to the Commit-
20 tees on Appropriations a spend plan for funds made
21 available by this Act, for—

22 (A) assistance for Afghanistan, Iraq, Leb-
23 anon, Pakistan, the West Bank and Gaza, Co-
24 lombia, and countries in Central America;

1 (B) assistance made available pursuant to
2 section 7047(d) of this Act to counter Russian
3 influence and aggression, except that such plan
4 shall be on a country-by-country basis;

5 (C) assistance made available pursuant to
6 section 7059 of this Act;

7 (D) the Indo-Pacific Strategy;

8 (E) democracy programs, Power Africa,
9 programs to support section 7071(a) of this
10 Act, and sectors enumerated in subsections (a),
11 (c), (d), (e), (f), (g), and (h) of section 7060
12 of this Act; and

13 (F) funds provided under the heading
14 “International Narcotics Control and Law En-
15 forcement” for International Organized Crime
16 and for Cybercrime and Intellectual Property
17 Rights: *Provided*, That the spend plans shall in-
18 clude bilateral and global programs funded
19 under such heading along with a brief descrip-
20 tion of the activities planned for each country.

21 (2) Not later than 45 days after enactment of
22 this Act, the Secretary of the Treasury shall submit
23 to the Committees on Appropriations a detailed
24 spend plan for funds made available by this Act
25 under the heading “Department of the Treasury,

1 International Affairs Technical Assistance” in title
2 III.

3 (3) Notwithstanding paragraph (1), up to 10
4 percent of the funds contained in a spend plan re-
5 quired by this subsection may be obligated prior to
6 the submission of such spend plan if the Secretary
7 of State or the USAID Administrator, as appro-
8 priate, determines that the obligation of such funds
9 is necessary to avoid significant programmatic dis-
10 ruption: *Provided*, That not less than seven days
11 prior to such obligation, the Secretary or Adminis-
12 trator, as appropriate, shall consult with the Com-
13 mittees on Appropriations on the justification for
14 such obligation and the proposed uses of such funds.

15 (c) SPENDING REPORT.—Not later than 45 days
16 after enactment of this Act, the USAID Administrator
17 shall submit to the Committees on Appropriations a de-
18 tailed report on spending of funds made available during
19 fiscal year 2018 under the heading “Development Credit
20 Authority”.

21 (d) CLARIFICATION.—The spend plans referenced in
22 subsection (b) shall not be considered as meeting the noti-
23 fication requirements in this Act or under section 634A
24 of the Foreign Assistance Act of 1961.

25 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

1 (1) The congressional budget justification for
2 Department of State operations and foreign oper-
3 ations shall be provided to the Committees on Ap-
4 propriations concurrent with the date of submission
5 of the President’s budget for fiscal year 2020: *Pro-*
6 *vided*, That the appendices for such justification
7 shall be provided to the Committees on Appropria-
8 tions not later than 10 calendar days thereafter.

9 (2) The Secretary of State and the USAID Ad-
10 ministrator shall include in the congressional budget
11 justification a detailed justification for multi-year
12 availability for any funds requested under the head-
13 ings “Diplomatic Programs” and “Operating Ex-
14 penses”.

15 STABILIZATION AND DEVELOPMENT IN REGIONS

16 IMPACTED BY EXTREMISM AND CONFLICT

17 SEC. 7071. (a) COUNTERING FOREIGN FIGHTERS
18 AND EXTREMIST ORGANIZATIONS.—Funds appropriated
19 under titles III and IV of this Act shall be made available
20 for programs and activities to counter and defeat violent
21 extremism and foreign fighters abroad, consistent with the
22 strategy required by section 7073(a)(1) of the Department
23 of State, Foreign Operations, and Related Programs Ap-
24 propriations Act, 2017 (division J of Public Law 115–31):
25 *Provided*, That the Secretary of State shall ensure such

1 programs are coordinated with and complement the efforts
2 of other United States Government agencies and inter-
3 national partners, and that information gained through
4 the conduct of such programs is shared in a timely manner
5 with relevant departments and agencies of the United
6 States Government, other international partners, and the
7 appropriate congressional committees, as appropriate.

8 (b) RELIEF AND RECOVERY FUND.—

9 (1) FUNDS AND TRANSFER AUTHORITY.—Of
10 the funds appropriated by this Act under the head-
11 ings “Economic Support Fund”, “International Nar-
12 cotics Control and Law Enforcement”, “Non-
13 proliferation, Anti-terrorism, Demining and Related
14 Programs”, “Peacekeeping Operations”, and “For-
15 eign Military Financing Program”, not less than
16 \$200,000,000 shall be made available for the Relief
17 and Recovery Fund for assistance for areas liberated
18 or at risk from, or under the control of, the Islamic
19 State of Iraq and Syria, other terrorist organiza-
20 tions, or violent extremist organizations, including
21 for stabilization assistance for vulnerable ethnic and
22 religious minority communities affected by conflict:
23 *Provided*, That such funds are in addition to
24 amounts otherwise made available for such purposes
25 and to amounts specifically designated in this Act or

1 in the explanatory statement described in section 4
2 (in the matter preceding division A of this consoli-
3 dated Act) for assistance for countries: *Provided fur-*
4 *ther*, That such funds appropriated under such head-
5 ings may be transferred to, and merged with, funds
6 appropriated under such headings: *Provided further*,
7 That such transfer authority is in addition to any
8 other transfer authority provided by this Act or any
9 other Act, and is subject to the regular notification
10 procedures of the Committees on Appropriations.

11 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
12 propriated by this Act under the heading “Inter-
13 national Narcotics Control and Law Enforcement”
14 that are made available for the Relief and Recovery
15 Fund, not less than \$5,000,000 shall be made avail-
16 able for programs to promote accountability in Iraq
17 and Syria for genocide, crimes against humanity,
18 and war crimes, which shall be in addition to any
19 other funds made available by this Act for such pur-
20 poses: *Provided*, That such programs shall include
21 components to develop local investigative and judi-
22 cial skills, and to collect and preserve evidence and
23 maintain the chain of custody of evidence, including
24 for use in prosecutions: *Provided further*, That such
25 funds shall be administered by the Special Coordi-

1 nator for the Office of Global Criminal Justice, De-
2 partment of State: *Provided further*, That funds
3 made available by this paragraph shall only be made
4 available on an open and competitive basis.

5 (3) FUNDS FOR JORDAN AND TUNISIA.—Of the
6 funds appropriated in prior Acts making appropri-
7 ations for the Department of State, foreign oper-
8 ations, and related programs that are made available
9 for the Relief and Recovery Fund, not less than the
10 following amounts shall be made available—

11 (A) \$50,000,000 for assistance for Jordan;

12 and

13 (B) \$50,000,000 for assistance for Tuni-

14 sia:

15 *Provided*, That such funds are in addition to
16 amounts otherwise made available by this Act for
17 such countries.

18 (c) PREVENTION OF FAILED STATES THROUGH PUB-
19 LIC-PRIVATE PARTNERSHIPS.—Of the funds appropriated
20 by this Act and prior Acts making appropriations for the
21 Department of State, foreign operations, and related pro-
22 grams that are made available for the Relief and Recovery
23 Fund, up to \$10,000,000 shall be made available to imple-
24 ment the program described under this section in the ex-
25 planatory statement described in section 4 (in the matter

1 preceding division A of this consolidated Act), which shall
2 be apportioned to USAID not later than 90 days after
3 enactment of this Act: *Provided*, That such funds shall
4 be in addition to funds made available for bilateral assist-
5 ance for such countries, and shall remain available until
6 expended: *Provided further*, That in addition to funds oth-
7 erwise made available for such purposes, up to \$750,000
8 of the funds made available by this paragraph may be used
9 by USAID for administrative expenses related to the de-
10 sign and implementation of such program.

11 (d) COUNTER VIOLENT EXTREMISM IN ASIA.—Of
12 the funds appropriated by this Act under the heading
13 “Economic Support Fund”, not less than \$2,500,000 shall
14 be made available for programs to counter violent extre-
15 mism in Asia, including within the Buddhist community:
16 *Provided*, That such funds shall be administered by the
17 Mission Director of the Regional Development Mission for
18 Asia, USAID: *Provided further*, That such funds are in
19 addition to funds otherwise made available for such pur-
20 poses.

21 (e) FRAGILE STATES AND EXTREMISM.—Funds ap-
22 propriated by this Act shall be made available for the pur-
23 poses of section 7080 of the Department of State, Foreign
24 Operations, and Related Programs Appropriations Act,
25 2017 (division J of Public Law 115–31), subject to the

1 regular notification procedures of the Committees on Ap-
2 propriations.

3 (f) GLOBAL CONCESSIONAL FINANCING FACILITY.—
4 Funds appropriated by this Act under the heading “Eco-
5 nomic Support Fund” may be made available for the Glob-
6 al Concessional Financing Facility of the World Bank to
7 provide financing to support refugees and host commu-
8 nities: *Provided*, That such funds shall be in addition to
9 funds made available for bilateral assistance in the report
10 required by section 653(a) of the Foreign Assistance Act
11 of 1961, and may only be made available subject to prior
12 consultation with the Committees on Appropriations.

13 UNITED NATIONS POPULATION FUND

14 SEC. 7072. (a) CONTRIBUTION.—Of the funds made
15 available under the heading “International Organizations
16 and Programs” in this Act for fiscal year 2019,
17 \$32,500,000 shall be made available for the United Na-
18 tions Population Fund (UNFPA).

19 (b) AVAILABILITY OF FUNDS.—Funds appropriated
20 by this Act for UNFPA, that are not made available for
21 UNFPA because of the operation of any provision of law,
22 shall be transferred to the “Global Health Programs” ac-
23 count and shall be made available for family planning, ma-
24 ternal, and reproductive health activities, subject to the

1 regular notification procedures of the Committees on Ap-
2 propriations.

3 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—

4 None of the funds made available by this Act may be used
5 by UNFPA for a country program in the People's Repub-
6 lic of China.

7 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—

8 Funds made available by this Act for UNFPA may not
9 be made available unless—

10 (1) UNFPA maintains funds made available by
11 this Act in an account separate from other accounts
12 of UNFPA and does not commingle such funds with
13 other sums; and

14 (2) UNFPA does not fund abortions.

15 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-

16 LAR WITHHOLDING OF FUNDS.—

17 (1) Not later than 4 months after the date of
18 enactment of this Act, the Secretary of State shall
19 submit a report to the Committees on Appropria-
20 tions indicating the amount of funds that UNFPA
21 is budgeting for the year in which the report is sub-
22 mitted for a country program in the People's Repub-
23 lic of China.

24 (2) If a report under paragraph (1) indicates
25 that UNFPA plans to spend funds for a country

1 program in the People’s Republic of China in the
2 year covered by the report, then the amount of such
3 funds UNFPA plans to spend in the People’s Re-
4 public of China shall be deducted from the funds
5 made available to UNFPA after March 1 for obliga-
6 tion for the remainder of the fiscal year in which the
7 report is submitted.

8 REORGANIZATION AND INFORMATION TECHNOLOGY

9 SEC. 7073. (a) OVERSIGHT.—

10 (1) PRIOR CONSULTATION AND NOTIFICA-
11 TION.—Funds appropriated by this Act, prior Acts
12 making appropriations for the Department of State,
13 foreign operations, and related programs, or any
14 other Act may not be used to implement a reorga-
15 nization, redesign, or other plan described in para-
16 graph (2) by the Department of State, the United
17 States Agency for International Development, or any
18 other Federal department, agency, or organization
19 funded by this Act without prior consultation by the
20 head of such department, agency, or organization
21 with the appropriate congressional committees: *Pro-*
22 *vided*, That such funds shall be subject to the reg-
23 ular notification procedures of the Committees on
24 Appropriations: *Provided further*, That any such no-
25 tification submitted to such Committees shall include

1 a detailed justification for any proposed action, in-
2 cluding the information specified under this section
3 in the explanatory statement described in section 4
4 (in the matter preceding division A of this consoli-
5 dated Act): *Provided further*, That congressional no-
6 tifications submitted during the previous fiscal year
7 pursuant to section 7081 of the Department of
8 State, Foreign Operations, and Related Programs
9 Appropriations Act, 2018 (division K of Public Law
10 115–141) may be deemed to meet the notification
11 requirements of this section.

12 (2) DESCRIPTION OF ACTIVITIES.—Pursuant to
13 paragraph (1), a reorganization, redesign, or other
14 plan shall include any action to—

15 (A) expand, eliminate, consolidate, or
16 downsize covered departments, agencies, or or-
17 ganizations, including bureaus and offices with-
18 in or between such departments, agencies, or
19 organizations, including the transfer to other
20 agencies of the authorities and responsibilities
21 of such bureaus and offices;

22 (B) expand, eliminate, consolidate, or
23 downsize the United States official presence
24 overseas including at bilateral, regional, and

1 multilateral diplomatic facilities and other plat-
2 forms; or

3 (C) expand or reduce the size of the Civil
4 Service, Foreign Service, eligible family mem-
5 ber, and locally employed staff workforce of the
6 Department of State and USAID from the on-
7 board levels as of December 31, 2017.

8 (b) ADDITIONAL REQUIREMENTS AND LIMITA-
9 TIONS.—

10 (1) PERSONNEL LEVELS.—Funds made avail-
11 able by this Act are made available to support the
12 agency-wide on-board Foreign Service and Civil
13 Service staff levels of the Department of State and
14 USAID at not less than the levels as of December
15 31, 2017.

16 (2) REPORTS.—

17 (A) Not later than 30 days after enact-
18 ment of this Act, and quarterly thereafter until
19 September 30, 2020, the USAID Administrator
20 shall submit a report to the appropriate con-
21 gressional committees on the status of USAID
22 reorganization as described in the explanatory
23 statement described in section 4 (in the matter
24 preceding division A of this consolidated Act):
25 *Provided*, That the USAID Administrator shall

1 consult with the appropriate congressional com-
2 mittees on the format of such reports.

3 (B) Not later than 60 days after enact-
4 ment of this Act and every 60 days thereafter
5 until September 30, 2020, the Secretary of
6 State, in the case of the Department of State,
7 and the USAID Administrator, in the case of
8 USAID, shall report to the appropriate congres-
9 sional committees on the on-board personnel
10 levels, hiring, and attrition of the Civil Service,
11 Foreign Service, eligible family member, and lo-
12 cally employed staff workforce of the Depart-
13 ment of State and USAID, as appropriate, on
14 an operating unit-by-operating unit basis: *Pro-*
15 *vided*, That such report shall also include a hir-
16 ing plan, including timelines, for maintaining
17 the agency-wide, on-board Foreign Service and
18 Civil Service at not less than the December 31,
19 2017 level through fiscal year 2019.

20 (3) BUREAU OF POPULATION, REFUGEES, AND
21 MIGRATION, DEPARTMENT OF STATE.—None of the
22 funds appropriated by this Act, prior Acts making
23 appropriations for the Department of State, foreign
24 operations, and related programs, or any other Act
25 may be used to downsize, downgrade, consolidate,

1 close, move, or relocate the Bureau of Population,
2 Refugees, and Migration, Department of State, or
3 any activities of such Bureau, to another Federal
4 agency.

5 (4) ADMINISTRATION OF FUNDS.—Funds made
6 available by this Act—

7 (A) under the heading “Migration and
8 Refugee Assistance” shall be administered by
9 the Assistant Secretary for Population, Refu-
10 gees, and Migration, Department of State, and
11 this responsibility shall not be delegated; and

12 (B) that are made available for the Office
13 of Global Women’s Issues shall be administered
14 by the United States Ambassador-at-Large for
15 Global Women’s Issues, Department of State,
16 and this responsibility shall not be delegated.

17 (5) INFORMATION TECHNOLOGY PLATFORM.—

18 (A) None of the funds appropriated in title
19 I of this Act under the heading “Administration
20 of Foreign Affairs” may be made available for
21 a new major information technology (IT) in-
22 vestment without the concurrence of the Chief
23 Information Officer, Department of State.

24 (B) In complying with the requirements of
25 this paragraph, the Chief Information Officer,

1 Department of State, shall consider whether a
2 new major information technology investment—

3 (i) is consistent with the Department
4 Information Technology Strategic Plan;

5 (ii) maintains consolidated control
6 over enterprise IT functions or improves
7 operational maintenance;

8 (iii) improves Department of State re-
9 siliency to a cyber-attack;

10 (iv) reduces Department of State IT
11 costs over the long-term; and

12 (v) is in accordance with the Federal
13 Acquisition Regulation (FAR), including
14 FAR Part 6 regarding competition require-
15 ments.

16 (6) TECHNOLOGY MODERNIZATION FUND LIM-
17 TATION.—

18 (A) None of the funds made available by
19 this Act and prior Acts making appropriations
20 for the Department of State, foreign operations,
21 and related programs may be used by an agen-
22 cy to submit a project proposal to the Tech-
23 nology Modernization Board for funding from
24 the Technology Modernization Fund unless, not
25 later than 15 days in advance of submitting the

1 project proposal to the Board, the head of the
2 agency—

3 (i) notifies the Committees on Appro-
4 priations of the proposed submission of the
5 project proposal; and

6 (ii) submits to the Committees on Ap-
7 propriations a copy of the project proposal.

8 (B) None of the funds made available by
9 this Act and prior Acts making appropriations
10 for the Department of State, foreign operations,
11 and related programs may be used by an agen-
12 cy to carry out a project that is approved by the
13 Board unless the head of the agency—

14 (i) submits to the Committees on Ap-
15 propriations a copy of the approved project
16 proposal, including the terms of reimburse-
17 ment of funding received for the project;
18 and

19 (ii) agrees to submit to the Commit-
20 tees on Appropriations a copy of each re-
21 port relating to the project that the head
22 of the agency submits to the Board.

23 (7) FOREIGN ASSISTANCE REVIEW.—Pro-
24 grammatic, funding, and organizational changes re-
25 sulting from implementation of the Foreign Assist-

1 Act of 2000 (Public Law 106–309), to include the depend-
2 ents of active United States military personnel who are
3 receiving any form of Federal Financial Aid under title
4 IV of the Higher Education Act of 1965.

5 AFGHAN SPECIAL IMMIGRANT VISAS

6 SEC. 7076. (a) AFGHAN ALLIES.—Section
7 602(b)(3)(F) of the Afghan Allies Protection Act of 2009
8 (division F of Public Law 111–8), as amended, is further
9 amended by substituting “18,500” for “14,500” in the
10 matter preceding clause (i).

11 (b) CONDITIONS.—None of the funds appropriated by
12 this Act may be made available for the additional special
13 immigrant visas made available under subsection (a) until
14 the Secretary of State—

15 (1) develops and implements a system to
16 prioritize the processing of Afghan applicants for
17 special immigrant visas under section 602 of the Af-
18 ghan Allies Protection Act of 2009 (8 U.S.C. 1101
19 note); and

20 (2) submits to the appropriate congressional
21 committees, as defined in section 602(a) of the Af-
22 ghan Allies Protection Act of 2009 (8 U.S.C. 1101
23 note), the following reports:

24 (A) the report required under paragraph
25 (12) of section 602(b) of the Afghan Allies Pro-

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1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic Pro-
9 grams”, \$3,225,971,000, to remain available until Sep-
10 tember 30, 2020, of which \$2,626,122,000 is for World-
11 wide Security Protection and shall remain available until
12 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
18 to carry out the provisions of the Foreign Assistance Act
19 of 1961: *Provided further*, That any such transfer shall
20 be subject to the regular notification procedures of the
21 Committees on Appropriations: *Provided further*, That
22 such amount is designated by the Congress for Overseas
23 Contingency Operations/Global War on Terrorism pursu-
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 OFFICE OF INSPECTOR GENERAL

2 For an additional amount for “Office of Inspector
3 General”, \$54,900,000, to remain available until Sep-
4 tember 30, 2020, which shall be for the Special Inspector
5 General for Afghanistan Reconstruction (SIGAR) for re-
6 construction oversight: *Provided*, That printing and repro-
7 duction costs of SIGAR shall not exceed amounts for such
8 costs during fiscal year 2018: *Provided further*, That such
9 amount is designated by the Congress for Overseas Con-
10 tingency Operations/Global War on Terrorism pursuant to
11 section 251(b)(2)(A)(ii) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985.

13 INTERNATIONAL ORGANIZATIONS

14 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

15 For an additional amount for “Contributions to
16 International Organizations”, \$96,240,000: *Provided*,
17 That such amount is designated by the Congress for Over-
18 seas Contingency Operations/Global War on Terrorism
19 pursuant to section 251(b)(2)(A)(ii) of the Balanced
20 Budget and Emergency Deficit Control Act of 1985.

21 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

22 ACTIVITIES

23 For an additional amount for “Contributions for
24 International Peacekeeping Activities”, \$988,656,000, to
25 remain available until September 30, 2020: *Provided*,

1 That such amount is designated by the Congress for Over-
2 seas Contingency Operations/Global War on Terrorism
3 pursuant to section 251(b)(2)(A)(ii) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985.

5 UNITED STATES AGENCY FOR INTERNATIONAL
6 DEVELOPMENT

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 OPERATING EXPENSES

9 For an additional amount for “Operating Expenses”,
10 \$158,067,000, to remain available until September 30,
11 2020: *Provided*, That such amount is designated by the
12 Congress for Overseas Contingency Operations/Global
13 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
14 the Balanced Budget and Emergency Deficit Control Act
15 of 1985.

16 BILATERAL ECONOMIC ASSISTANCE

17 FUNDS APPROPRIATED TO THE PRESIDENT

18 INTERNATIONAL DISASTER ASSISTANCE

19 For an additional amount for “International Disaster
20 Assistance”, \$584,278,000, to remain available until ex-
21 pended: *Provided*, That such funds shall be apportioned
22 to the United States Agency for International Develop-
23 ment not later than 60 days after enactment of this Act:
24 *Provided further*, That such amount is designated by the
25 Congress for Overseas Contingency Operations/Global

1 available for the resettlement costs of refugees in the
2 United States: *Provided*, That such amount is designated
3 by the Congress 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.

7 INTERNATIONAL SECURITY ASSISTANCE

8 DEPARTMENT OF STATE

9 PEACEKEEPING OPERATIONS

10 For an additional amount for “Peacekeeping Oper-
11 ations”, \$325,213,000, to remain available until Sep-
12 tember 30, 2020: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985: *Provided further*, That funds
17 available for obligation under this heading in this Act may
18 be used to pay assessed expenses of international peace-
19 keeping activities in Somalia under the same terms and
20 conditions, as applicable, as funds appropriated under the
21 heading “Contributions for International Peacekeeping
22 Activities” in this Act, subject to the regular notification
23 procedures of the Committees on Appropriations.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 FOREIGN MILITARY FINANCING PROGRAM

3 For an additional amount for “Foreign Military Fi-
4 nancing Program”, \$229,372,000, to remain available
5 until September 30, 2020: *Provided*, That such amount
6 is designated by the Congress for Overseas Contingency
7 Operations/Global War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 GENERAL PROVISIONS

11 ADDITIONAL APPROPRIATIONS

12 SEC. 8001. Notwithstanding any other provision of
13 law, funds appropriated in this title are in addition to
14 amounts appropriated or otherwise made available in this
15 Act for fiscal year 2019.

16 EXTENSION OF AUTHORITIES AND CONDITIONS

17 SEC. 8002. Unless otherwise provided for in this Act,
18 the additional amounts appropriated by this title to appro-
19 priations accounts in this Act shall be available under the
20 authorities and conditions applicable to such appropria-
21 tions accounts.

22 TRANSFER OF FUNDS

23 SEC. 8003. (a) TRANSFER OF FUNDS BETWEEN AC-
24 COUNTS.—

1 (1) Funds appropriated by this title in this Act
2 under the headings “Transition Initiatives” and
3 “Economic Support Fund” may be transferred to,
4 and merged with, funds appropriated by this title
5 under such headings.

6 (2) Funds appropriated by this title in this Act
7 under the headings “Peacekeeping Operations” and
8 “Foreign Military Financing Program” may be
9 transferred to, and merged with, funds appropriated
10 by this title under such headings.

11 (b) GLOBAL SECURITY CONTINGENCY FUND.—Not-
12 withstanding any other provision of this section, up to
13 \$7,500,000 from funds appropriated under the headings
14 “Peacekeeping Operations” and “Foreign Military Fi-
15 nancing Program” by this title in this Act may be trans-
16 ferred to, and merged with, funds previously made avail-
17 able under the heading “Global Security Contingency
18 Fund”.

19 (c) LIMITATION.—The transfer authority provided in
20 subsection (a) may only be exercised to address contin-
21 gencies.

22 (d) NOTIFICATION.—The transfer authority provided
23 by this section shall be subject to prior consultation with,
24 and the regular notification procedures of, the Committees
25 on Appropriations: *Provided*, That such transfer authority

1 is in addition to any transfer authority otherwise available
2 under any other provision of law, including section 610
3 of the Foreign Assistance Act of 1961 which may be exer-
4 cised by the Secretary of State for the purposes of this
5 title.

6 RESCISSION

7 (INCLUDING RESCISSION OF FUNDS)

8 SEC. 8004. Of the unobligated balances from
9 amounts available under the heading “Diplomatic and
10 Consular Programs” in title II of the Security Assistance
11 Appropriations Act, 2017 (division B of Public Law 114–
12 254), \$301,200,000 are rescinded: *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 This division may be cited as the “Department of
18 State, Foreign Operations, and Related Programs Appro-
19 priations Act, 2019”.

1 **DIVISION G—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2019**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$113,910,000, of which not to exceed \$3,065,000 shall be
11 available for the immediate Office of the Secretary; not
12 to exceed \$1,000,000 shall be available for the immediate
13 Office of the Deputy Secretary; not to exceed \$20,428,000
14 shall be available for the Office of the General Counsel;
15 not to exceed \$10,331,000 shall be available for the Office
16 of the Under Secretary of Transportation for Policy; not
17 to exceed \$14,300,000 shall be available for the Office of
18 the Assistant Secretary for Budget and Programs; not to
19 exceed \$2,546,000 shall be available for the Office of the
20 Assistant Secretary for Governmental Affairs; not to ex-
21 ceed \$29,244,000 shall be available for the Office of the
22 Assistant Secretary for Administration; not to exceed
23 \$2,142,000 shall be available for the Office of Public Af-
24 fairs; not to exceed \$1,859,000 shall be available for the
25 Office of the Executive Secretariat; not to exceed

1 \$12,181,000 shall be available for the Office of Intel-
2 ligence, Security, and Emergency Response; and not to ex-
3 ceed \$16,814,000 shall be available for the Office of the
4 Chief Information Officer: *Provided*, That the Secretary
5 of Transportation is authorized to transfer funds appro-
6 priated for any office of the Office of the Secretary to any
7 other office of the Office of the Secretary: *Provided fur-*
8 *ther*, That no appropriation for any office shall be in-
9 creased or decreased by more than 7 percent by all such
10 transfers: *Provided further*, That notice of any change in
11 funding greater than 7 percent shall be submitted for ap-
12 proval to the House and Senate Committees on Appropria-
13 tions: *Provided further*, That not to exceed \$60,000 shall
14 be for allocation within the Department for official recep-
15 tion and representation expenses as the Secretary may de-
16 termine: *Provided further*, That notwithstanding any other
17 provision of law, excluding fees authorized in Public Law
18 107-71, there may be credited to this appropriation up
19 to \$2,500,000 in funds received in user fees: *Provided fur-*
20 *ther*, That none of the funds provided in this Act shall
21 be available for the position of Assistant Secretary for
22 Public Affairs.

23 RESEARCH AND TECHNOLOGY

24 For necessary expenses related to the Office of the
25 Assistant Secretary for Research and Technology,

1 \$8,471,000, of which \$2,218,000 shall remain available
2 until September 30, 2021: *Provided*, That there may be
3 credited to this appropriation, to be available until ex-
4 pended, funds received from States, counties, municipali-
5 ties, other public authorities, and private sources for ex-
6 penses incurred for training: *Provided further*, That any
7 reference in law, regulation, judicial proceedings, or else-
8 where to the Research and Innovative Technology Admin-
9 istration shall continue to be deemed to be a reference to
10 the Office of the Assistant Secretary for Research and
11 Technology of the Department of Transportation.

12 NATIONAL INFRASTRUCTURE INVESTMENTS

13 For capital investments in surface transportation in-
14 frastructure, \$900,000,000, to remain available through
15 September 30, 2021: *Provided*, That the Secretary of
16 Transportation shall distribute funds provided under this
17 heading as discretionary grants to be awarded to a State,
18 local government, transit agency, port authority, or a col-
19 laboration among such entities on a competitive basis for
20 projects that will have a significant local or regional im-
21 pact: *Provided further*, That projects eligible for funding
22 provided under this heading shall include, but not be lim-
23 ited to, highway or bridge projects eligible under title 23,
24 United States Code; public transportation projects eligible
25 under chapter 53 of title 49, United States Code; pas-

1 senger and freight rail transportation projects; and port
2 infrastructure investments (including inland port infra-
3 structure and land ports of entry): *Provided further*, That
4 of the amount made available under this heading, the Sec-
5 retary may use an amount not to exceed \$15,000,000 for
6 the planning, preparation or design of projects eligible for
7 funding under this heading: *Provided further*, That grants
8 awarded under the previous proviso shall not be subject
9 to a minimum grant size: *Provided further*, That the Sec-
10 retary may use up to 20 percent of the funds made avail-
11 able under this heading for the purpose of paying the sub-
12 sidy and administrative costs of projects eligible for Fed-
13 eral credit assistance under chapter 6 of title 23, United
14 States Code, or sections 501 through 504 of the Railroad
15 Revitalization and Regulatory Reform Act of 1976 (Public
16 Law 94–210), as amended, if the Secretary finds that
17 such use of the funds would advance the purposes of this
18 paragraph: *Provided further*, That in distributing funds
19 provided under this heading, the Secretary shall take such
20 measures so as to ensure an equitable geographic distribu-
21 tion of funds, an appropriate balance in addressing the
22 needs of urban and rural areas, and the investment in a
23 variety of transportation modes: *Provided further*, That a
24 grant funded under this heading shall be not less than
25 \$5,000,000 and not greater than \$25,000,000: *Provided*

1 *further*, That not more than 10 percent of the funds made
2 available under this heading may be awarded to projects
3 in a single State: *Provided further*, That the Federal share
4 of the costs for which an expenditure is made under this
5 heading shall be, at the option of the recipient, up to 80
6 percent: *Provided further*, That the Secretary shall give
7 priority to projects that require a contribution of Federal
8 funds in order to complete an overall financing package:
9 *Provided further*, That of the funds made available under
10 this heading not more than 50 percent shall be for projects
11 located in a rural area with a population equal to or less
12 than 200,000: *Provided further*, That for projects located
13 in a rural area, the minimum grant size shall be
14 \$1,000,000 and the Secretary may increase the Federal
15 share of costs above 80 percent: *Provided further*, That
16 of the funds made available under this heading not more
17 than 50 percent shall be for projects located in an urban-
18 ized area with a population of more than 200,000: *Pro-*
19 *vided further*, That funds for an urbanized area under the
20 previous proviso may be obligated to projects in the metro-
21 politan area established under section 134 of title 23,
22 United States Code, that encompasses such urbanized
23 area: *Provided further*, That projects conducted using
24 funds provided under this heading must comply with the
25 requirements of subchapter IV of chapter 31 of title 40,

1 United States Code: *Provided further*, That the Secretary
2 shall conduct a new competition to select the grants and
3 credit assistance awarded under this heading: *Provided*
4 *further*, That the Secretary may set aside not more than
5 3 percent of the funds provided under this heading, and
6 may transfer portions of those funds to the Administrators
7 of the Federal Highway Administration, the Federal Tran-
8 sit Administration, the Federal Railroad Administration,
9 and the Maritime Administration to fund the award and
10 oversight of grants and credit assistance made under the
11 National Infrastructure Investments program: *Provided*
12 *further*, That the Secretary shall consider and award
13 projects based solely on the selection criteria from the fis-
14 cal year 2017 Notice of Funding Opportunity: *Provided*
15 *further*, That, notwithstanding the previous proviso, the
16 Secretary shall not use the Federal share or an applicant's
17 ability to generate non-Federal revenue as a selection cri-
18 teria in awarding projects: *Provided further*, That the Sec-
19 retary shall issue the Notice of Funding Opportunity no
20 later than 60 days after enactment of this Act: *Provided*
21 *further*, That such Notice of Funding Opportunity shall
22 require application submissions 90 days after the pub-
23 lishing of such Notice: *Provided further*, That of the appli-
24 cations submitted under the previous two provisos, the
25 Secretary shall make grants no later than 270 days after

1 enactment of this Act in such amounts that the Secretary
2 determines: *Provided further*, That such sums provided for
3 national infrastructure investments for passenger rail
4 transportation projects under title I of division C of the
5 Consolidated and Further Continuing Appropriations Act,
6 2012 (Public Law 112–55; 125 Stat. 641), shall remain
7 available for expenditure through fiscal year 2019 for the
8 liquidation of valid obligations of active grants awarded
9 with this funding: *Provided further*, That such sums pro-
10 vided for national infrastructure investments for port in-
11 frastructure projects under title VIII of division F of the
12 Consolidated and Further Continuing Appropriations Act,
13 2013 (Public Law 113–6; 127 Stat. 432) shall remain
14 available through fiscal year 2020 for the liquidation of
15 valid obligations of active grants awarded with this fund-
16 ing: *Provided further*, That the 2 preceding provisos shall
17 be applied as if they were in effect on September 30, 2018.

18 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE

19 FINANCE BUREAU

20 For necessary expenses of the National Surface
21 Transportation and Innovative Finance Bureau as author-
22 ized by 49 U.S.C. 116, \$5,000,000, to remain available
23 until expended: *Provided*, That the Secretary shall notify
24 the House and Senate Committees on Appropriations no
25 less than 15 days prior to exercising the transfer authority

1 granted under section 116(h) of title 49, United States
2 Code.

3 FINANCIAL MANAGEMENT CAPITAL

4 For necessary expenses for upgrading and enhancing
5 the Department of Transportation's financial systems and
6 re-engineering business processes, \$2,000,000, to remain
7 available through September 30, 2020.

8 CYBER SECURITY INITIATIVES

9 For necessary expenses for cyber security initiatives,
10 including necessary upgrades to wide area network and
11 information technology infrastructure, improvement of
12 network perimeter controls and identity management,
13 testing and assessment of information technology against
14 business, security, and other requirements, implementa-
15 tion of Federal cyber security initiatives and information
16 infrastructure enhancements, and implementation of en-
17 hanced security controls on network devices, \$15,000,000,
18 to remain available through September 30, 2020.

19 OFFICE OF CIVIL RIGHTS

20 For necessary expenses of the Office of Civil Rights,
21 \$9,470,000.

22 TRANSPORTATION PLANNING, RESEARCH, AND
23 DEVELOPMENT

24 For necessary expenses for conducting transportation
25 planning, research, systems development, development ac-

1 tivities, and making grants, \$7,879,000, to remain avail-
2 able until expended: *Provided*, That of such amount,
3 \$1,000,000 shall be for necessary expenses of the Inter-
4 agency Infrastructure Permitting Improvement Center
5 (IIPIC): *Provided further*, That there may be transferred
6 to this appropriation, to remain available until expended,
7 amounts transferred from other Federal agencies for ex-
8 penses incurred under this heading for IIPIC activities not
9 related to transportation infrastructure: *Provided further*,
10 That the tools and analysis developed by the IIPIC shall
11 be available to other Federal agencies for the permitting
12 and review of major infrastructure projects not related to
13 transportation only to the extent that other Federal agen-
14 cies provide funding to the Department as provided for
15 under the previous proviso.

16 WORKING CAPITAL FUND

17 For necessary expenses for operating costs and cap-
18 ital outlays of the Working Capital Fund, not to exceed
19 \$319,793,000, shall be paid from appropriations made
20 available to the Department of Transportation: *Provided*,
21 That such services shall be provided on a competitive basis
22 to entities within the Department of Transportation: *Pro-*
23 *vided further*, That the above limitation on operating ex-
24 penses shall not apply to non-DOT entities: *Provided fur-*
25 *ther*, That no funds appropriated in this Act to an agency

1 of the Department shall be transferred to the Working
2 Capital Fund without majority approval of the Working
3 Capital Fund Steering Committee and approval of the
4 Secretary: *Provided further*, That no assessments may be
5 levied against any program, budget activity, subactivity or
6 project funded by this Act unless notice of such assess-
7 ments and the basis therefor are presented to the House
8 and Senate Committees on Appropriations and are ap-
9 proved by such Committees.

10 MINORITY BUSINESS RESOURCE CENTER PROGRAM

11 For necessary expenses of the Minority Business Re-
12 source Center, the provision of financial education out-
13 reach activities to eligible transportation-related small
14 businesses, the monitoring of existing loans in the guaran-
15 teed loan program, and the modification of such loans of
16 the Minority Business Resource Center, \$500,000, as au-
17 thorized by 49 U.S.C. 332; *Provided*, That notwith-
18 standing that section, these funds may be for business op-
19 portunities related to any mode of transportation.

20 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND

21 OUTREACH

22 For necessary expenses for small and disadvantaged
23 business utilization and outreach activities, \$3,488,000, to
24 remain available until September 30, 2020: *Provided*,
25 That notwithstanding 49 U.S.C. 332, these funds may be

1 used for business opportunities related to any mode of
2 transportation.

3 PAYMENTS TO AIR CARRIERS

4 (AIRPORT AND AIRWAY TRUST FUND)

5 In addition to funds made available from any other
6 source to carry out the essential air service program under
7 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-
8 rived from the Airport and Airway Trust Fund, to remain
9 available until expended: *Provided*, That in determining
10 between or among carriers competing to provide service
11 to a community, the Secretary may consider the relative
12 subsidy requirements of the carriers: *Provided further*,
13 That basic essential air service minimum requirements
14 shall not include the 15-passenger capacity requirement
15 under subsection 41732(b)(3) of title 49, United States
16 Code: *Provided further*, That none of the funds in this Act
17 or any other Act shall be used to enter into a new contract
18 with a community located less than 40 miles from the
19 nearest small hub airport before the Secretary has nego-
20 tiated with the community over a local cost share: *Pro-*
21 *vided further*, That amounts authorized to be distributed
22 for the essential air service program under subsection
23 41742(b) of title 49, United States Code, shall be made
24 available immediately from amounts otherwise provided to
25 the Administrator of the Federal Aviation Administration:

1 *Provided further*, That the Administrator may reimburse
2 such amounts from fees credited to the account estab-
3 lished under section 45303 of title 49, United States Code.

4 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
5 SECRETARY OF TRANSPORTATION

6 SEC. 101. None of the funds made available in this
7 Act to the Department of Transportation may be obligated
8 for the Office of the Secretary of Transportation to ap-
9 prove assessments or reimbursable agreements pertaining
10 to funds appropriated to the modal administrations in this
11 Act, except for activities underway on the date of enact-
12 ment of this Act, unless such assessments or agreements
13 have completed the normal reprogramming process for
14 Congressional notification.

15 SEC. 102. The Secretary shall post on the Web site
16 of the Department of Transportation a schedule of all
17 meetings of the Council on Credit and Finance, including
18 the agenda for each meeting, and require the Council on
19 Credit and Finance to record the decisions and actions
20 of each meeting.

21 SEC. 103. In addition to authority provided by section
22 327 of title 49, United States Code, the Department's
23 Working Capital Fund is hereby authorized to provide
24 partial or full payments in advance and accept subsequent
25 reimbursements from all Federal agencies from available

1 funds for transit benefit distribution services that are nec-
2 essary to carry out the Federal transit pass transportation
3 fringe benefit program under Executive Order No. 13150
4 and section 3049 of Public Law 109–59: *Provided*, That
5 the Department shall maintain a reasonable operating re-
6 serve in the Working Capital Fund, to be expended in ad-
7 vance to provide uninterrupted transit benefits to Govern-
8 ment employees: *Provided further*, That such reserve will
9 not exceed one month of benefits payable and may be used
10 only for the purpose of providing for the continuation of
11 transit benefits: *Provided further*, That the Working Cap-
12 ital Fund will be fully reimbursed by each customer agen-
13 cy from available funds for the actual cost of the transit
14 benefit.

15 FEDERAL AVIATION ADMINISTRATION

16 OPERATIONS

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses of the Federal Aviation Ad-
19 ministration, not otherwise provided for, including oper-
20 ations and research activities related to commercial space
21 transportation, administrative expenses for research and
22 development, establishment of air navigation facilities, the
23 operation (including leasing) and maintenance of aircraft,
24 subsidizing the cost of aeronautical charts and maps sold
25 to the public, the lease or purchase of passenger motor

1 vehicles for replacement only, in addition to amounts made
2 available by Public Law 112–95, \$10,410,758,000, to re-
3 main available until September 30, 2020, of which
4 \$9,833,400,000 shall be derived from the Airport and Air-
5 way Trust Fund, of which not to exceed \$7,841,720,000
6 shall be available for air traffic organization activities; not
7 to exceed \$1,336,969,000 shall be available for aviation
8 safety activities; not to exceed \$24,949,000 shall be avail-
9 able for commercial space transportation activities; not to
10 exceed \$816,398,000 shall be available for finance and
11 management activities; not to exceed \$61,258,000 shall be
12 available for NextGen and operations planning activities;
13 not to exceed \$114,165,000 shall be available for security
14 and hazardous materials safety; and not to exceed
15 \$215,299,000 shall be available for staff offices: *Provided*,
16 That not to exceed 5 percent of any budget activity, except
17 for aviation safety budget activity, may be transferred to
18 any budget activity under this heading: *Provided further*,
19 That no transfer may increase or decrease any appropria-
20 tion by more than 5 percent: *Provided further*, That any
21 transfer in excess of 5 percent shall be treated as a re-
22 programming of funds under section 405 of this Act and
23 shall not be available for obligation or expenditure except
24 in compliance with the procedures set forth in that section:
25 *Provided further*, That not later than March 31 of each

1 fiscal year hereafter, the Administrator of the Federal
2 Aviation Administration shall transmit to Congress an an-
3 nual update to the report submitted to Congress in De-
4 cember 2004 pursuant to section 221 of Public Law 108–
5 176: *Provided further*, That the amount herein appro-
6 priated shall be reduced by \$100,000 for each day after
7 March 31 that such report has not been submitted to the
8 Congress: *Provided further*, That not later than March 31
9 of each fiscal year hereafter, the Administrator shall
10 transmit to Congress a companion report that describes
11 a comprehensive strategy for staffing, hiring, and training
12 flight standards and aircraft certification staff in a format
13 similar to the one utilized for the controller staffing plan,
14 including stated attrition estimates and numerical hiring
15 goals by fiscal year: *Provided further*, That the amount
16 herein appropriated shall be reduced by \$100,000 per day
17 for each day after March 31 that such report has not been
18 submitted to Congress: *Provided further*, That funds may
19 be used to enter into a grant agreement with a nonprofit
20 standard-setting organization to assist in the development
21 of aviation safety standards: *Provided further*, That none
22 of the funds in this Act shall be available for new appli-
23 cants for the second career training program: *Provided*
24 *further*, That none of the funds in this Act shall be avail-
25 able for the Federal Aviation Administration to finalize

1 or implement any regulation that would promulgate new
2 aviation user fees not specifically authorized by law after
3 the date of the enactment of this Act: *Provided further*,
4 That there may be credited to this appropriation, as off-
5 setting collections, funds received from States, counties,
6 municipalities, foreign authorities, other public authori-
7 ties, and private sources for expenses incurred in the pro-
8 vision of agency services, including receipts for the mainte-
9 nance and operation of air navigation facilities, and for
10 issuance, renewal or modification of certificates, including
11 airman, aircraft, and repair station certificates, or for
12 tests related thereto, or for processing major repair or al-
13 teration forms: *Provided further*, That of the funds appro-
14 priated under this heading, not less than \$168,000,000
15 shall be used to fund direct operations of the current 254
16 air traffic control towers in the contract tower program,
17 including the contract tower cost share program, and any
18 airport that is currently qualified or that will qualify for
19 the program during the fiscal year: *Provided further*, That
20 none of the funds in this Act for aeronautical charting
21 and cartography are available for activities conducted by,
22 or coordinated through, the Working Capital Fund: *Pro-*
23 *vided further*, That none of the funds appropriated or oth-
24 erwise made available by this Act or any other Act may
25 be used to eliminate the Contract Weather Observers pro-

1 gram at any airport: *Provided further*, That of the amount
2 appropriated under this heading, up to \$6,000,000 shall
3 be used for providing matching funds to qualified commer-
4 cial entities seeking to demonstrate or validate tech-
5 nologies that the Federal Aviation Administration con-
6 siders essential to the safe integration of unmanned air-
7 craft systems (UAS) in the National Airspace System at
8 Federal Aviation Administration designated UAS test
9 sites: *Provided further*, That not later than 60 days after
10 the date of enactment of this Act, the Administrator of
11 the Federal Aviation Administration shall identify essen-
12 tial integration technologies that could be demonstrated
13 or validated at test sites designated in accordance with
14 the preceding proviso.

15 FACILITIES AND EQUIPMENT

16 (AIRPORT AND AIRWAY TRUST FUND)

17 For necessary expenses, not otherwise provided for,
18 for acquisition, establishment, technical support services,
19 improvement by contract or purchase, and hire of national
20 airspace systems and experimental facilities and equip-
21 ment, as authorized under part A of subtitle VII of title
22 49, United States Code, including initial acquisition of
23 necessary sites by lease or grant; engineering and service
24 testing, including construction of test facilities and acqui-
25 sition of necessary sites by lease or grant; construction

1 and furnishing of quarters and related accommodations
2 for officers and employees of the Federal Aviation Admin-
3 istration stationed at remote localities where such accom-
4 modations are not available; and the purchase, lease, or
5 transfer of aircraft from funds available under this head-
6 ing, including aircraft for aviation regulation and certifi-
7 cation; to be derived from the Airport and Airway Trust
8 Fund, \$3,000,000,000, of which \$512,823,000 shall re-
9 main available until September 30, 2020, \$2,372,127,000
10 shall remain available until September 30, 2021, and
11 \$115,050,000 shall remain available until expended: *Pro-*
12 *vided*, That there may be credited to this appropriation
13 funds received from States, counties, municipalities, other
14 public authorities, and private sources, for expenses in-
15 curred in the establishment, improvement, and moderniza-
16 tion of national airspace systems: *Provided further*, That
17 no later than March 31, the Secretary of Transportation
18 shall transmit to the Congress an investment plan for the
19 Federal Aviation Administration which includes funding
20 for each budget line item for fiscal years 2020 through
21 2024, with total funding for each year of the plan con-
22 strained to the funding targets for those years as esti-
23 mated and approved by the Office of Management and
24 Budget.

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for research, engineering, and development, as authorized
5 under part A of subtitle VII of title 49, United States
6 Code, including construction of experimental facilities and
7 acquisition of necessary sites by lease or grant,
8 \$191,100,000, to be derived from the Airport and Airway
9 Trust Fund and to remain available until September 30,
10 2021: *Provided*, That there may be credited to this appro-
11 priation as offsetting collections, funds received from
12 States, counties, municipalities, other public authorities,
13 and private sources, which shall be available for expenses
14 incurred for research, engineering, and development: *Pro-*
15 *vided further*, That funds made available under this head-
16 ing shall be used in accordance with the explanatory state-
17 ment accompanying this Act: *Provided further*, That not
18 to exceed 10 percent of any funding level specified under
19 this heading in the explanatory statement accompanying
20 this Act may be transferred to any other funding level
21 specified under this heading in the explanatory statement
22 accompanying this Act: *Provided further*, That no transfer
23 may increase or decrease any funding level by more than
24 10 percent: *Provided further*, That any transfer in excess
25 of 10 percent shall be treated as a reprogramming of

1 funds under section 405 of this Act and shall not be avail-
2 able for obligation or expenditure except in compliance
3 with the procedures set forth in that section.

4 GRANTS-IN-AID FOR AIRPORTS
5 (LIQUIDATION OF CONTRACT AUTHORIZATION)
6 (LIMITATION ON OBLIGATIONS)
7 (AIRPORT AND AIRWAY TRUST FUND)
8 (INCLUDING TRANSFER OF FUNDS)

9 For liquidation of obligations incurred for grants-in-
10 aid for airport planning and development, and noise com-
11 patibility planning and programs as authorized under sub-
12 chapter I of chapter 471 and subchapter I of chapter 475
13 of title 49, United States Code, and under other law au-
14 thorizing such obligations; for procurement, installation,
15 and commissioning of runway incursion prevention devices
16 and systems at airports of such title; for grants authorized
17 under section 41743 of title 49, United States Code; and
18 for inspection activities and administration of airport safe-
19 ty programs, including those related to airport operating
20 certificates under section 44706 of title 49, United States
21 Code, \$3,000,000,000, to be derived from the Airport and
22 Airway Trust Fund and to remain available until ex-
23 pended: *Provided*, That none of the funds under this head-
24 ing shall be available for the planning or execution of pro-
25 grams the obligations for which are in excess of

1 \$3,350,000,000 in fiscal year 2019, notwithstanding sec-
2 tion 47117(g) of title 49, United States Code: *Provided*
3 *further*, That none of the funds under this heading shall
4 be available for the replacement of baggage conveyor sys-
5 tems, reconfiguration of terminal baggage areas, or other
6 airport improvements that are necessary to install bulk ex-
7 plosive detection systems: *Provided further*, That notwith-
8 standing section 47109(a) of title 49, United States Code,
9 the Government's share of allowable project costs under
10 paragraph (2) for subgrants or paragraph (3) of that sec-
11 tion shall be 95 percent for a project at other than a large
12 or medium hub airport that is a successive phase of a
13 multi-phased construction project for which the project
14 sponsor received a grant in fiscal year 2011 for the con-
15 struction project: *Provided further*, That notwithstanding
16 any other provision of law, of funds limited under this
17 heading, not more than \$112,600,000 shall be available
18 for administration, not less than \$15,000,000 shall be
19 available for the Airport Cooperative Research Program,
20 not less than \$33,210,000 shall be available for Airport
21 Technology Research, and \$10,000,000, to remain avail-
22 able until expended, shall be available and transferred to
23 "Office of the Secretary, Salaries and Expenses" to carry
24 out the Small Community Air Service Development Pro-
25 gram: *Provided further*, That in addition to airports eligi-

1 ble under section 41743 of title 49, United States Code,
2 such program may include the participation of an airport
3 that serves a community or consortium that is not larger
4 than a small hub airport, according to FAA hub classifica-
5 tions effective at the time the Office of the Secretary
6 issues a request for proposals.

7 GRANTS-IN-AID FOR AIRPORTS

8 For an additional amount for “Grants-In-Aid for Air-
9 ports”, to enable the Secretary of Transportation to make
10 grants for projects as authorized by subchapter 1 of chap-
11 ter 471 and subchapter 1 of chapter 475 of title 49,
12 United States Code, \$500,000,000, to remain available
13 through September 30, 2021: *Provided*, That amounts
14 made available under this heading shall be derived from
15 the general fund, and such funds shall not be subject to
16 apportionment formulas, special apportionment categories,
17 or minimum percentages under chapter 471: *Provided fur-*
18 *ther*, That the Secretary shall distribute funds provided
19 under this heading as discretionary grants to airports:
20 *Provided further*, That the amount made available under
21 this heading shall not be subject to any limitation on obli-
22 gations for the Grants-in-Aid for Airports program set
23 forth in any Act: *Provided further*, That the Administrator
24 of the Federal Aviation Administration may retain up to
25 0.5 percent of the funds provided under this heading to

1 fund the award and oversight by the Administrator of
2 grants made under this heading.

3 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

4 ADMINISTRATION

5 SEC. 110. None of the funds in this Act may be used
6 to compensate in excess of 600 technical staff-years under
7 the federally funded research and development center con-
8 tract between the Federal Aviation Administration and the
9 Center for Advanced Aviation Systems Development dur-
10 ing fiscal year 2019.

11 SEC. 111. None of the funds in this Act shall be used
12 to pursue or adopt guidelines or regulations requiring air-
13 port sponsors to provide to the Federal Aviation Adminis-
14 tration without cost building construction, maintenance,
15 utilities and expenses, or space in airport sponsor-owned
16 buildings for services relating to air traffic control, air
17 navigation, or weather reporting: *Provided*, That the pro-
18 hibition of funds in this section does not apply to negotia-
19 tions between the agency and airport sponsors to achieve
20 agreement on “below-market” rates for these items or to
21 grant assurances that require airport sponsors to provide
22 land without cost to the Federal Aviation Administration
23 for air traffic control facilities.

24 SEC. 112. The Administrator of the Federal Aviation
25 Administration may reimburse amounts made available to

1 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
2 49 U.S.C. 45303 and any amount remaining in such ac-
3 count at the close of that fiscal year may be made available
4 to satisfy section 41742(a)(1) for the subsequent fiscal
5 year.

6 SEC. 113. Amounts collected under section 40113(e)
7 of title 49, United States Code, shall be credited to the
8 appropriation current at the time of collection, to be
9 merged with and available for the same purposes of such
10 appropriation.

11 SEC. 114. None of the funds in this Act shall be avail-
12 able for paying premium pay under subsection 5546(a) of
13 title 5, United States Code, to any Federal Aviation Ad-
14 ministration employee unless such employee actually per-
15 formed work during the time corresponding to such pre-
16 mium pay.

17 SEC. 115. None of the funds in this Act may be obli-
18 gated or expended for an employee of the Federal Aviation
19 Administration to purchase a store gift card or gift certifi-
20 cate through use of a Government-issued credit card.

21 SEC. 116. None of the funds in this Act may be obli-
22 gated or expended for retention bonuses for an employee
23 of the Federal Aviation Administration without the prior
24 written approval of the Assistant Secretary for Adminis-
25 tration of the Department of Transportation.

1 SEC. 117. Notwithstanding any other provision of
2 law, none of the funds made available under this Act or
3 any prior Act may be used to implement or to continue
4 to implement any limitation on the ability of any owner
5 or operator of a private aircraft to obtain, upon a request
6 to the Administrator of the Federal Aviation Administra-
7 tion, a blocking of that owner's or operator's aircraft reg-
8 istration number from any display of the Federal Aviation
9 Administration's Aircraft Situational Display to Industry
10 data that is made available to the public, except data made
11 available to a Government agency, for the noncommercial
12 flights of that owner or operator.

13 SEC. 118. None of the funds in this Act shall be avail-
14 able for salaries and expenses of more than eight political
15 and Presidential appointees in the Federal Aviation Ad-
16 ministration.

17 SEC. 119. None of the funds made available under
18 this Act may be used to increase fees pursuant to section
19 44721 of title 49, United States Code, until the Federal
20 Aviation Administration provides to the House and Senate
21 Committees on Appropriations a report that justifies all
22 fees related to aeronautical navigation products and ex-
23 plains how such fees are consistent with Executive Order
24 13642.

1 SEC. 119A. None of the funds in this Act may be
2 used to close a regional operations center of the Federal
3 Aviation Administration or reduce its services unless the
4 Administrator notifies the House and Senate Committees
5 on Appropriations not less than 90 full business days in
6 advance.

7 SEC. 119B. None of the funds appropriated or lim-
8 ited by this Act may be used to change weight restrictions
9 or prior permission rules at Teterboro airport in
10 Teterboro, New Jersey.

11 SEC. 119C. None of the funds provided under this
12 Act may be used by the Administrator of the Federal Avia-
13 tion Administration to withhold from consideration and
14 approval any new application for participation in the Con-
15 tract Tower Program, or for reevaluation of Cost-share
16 Program participants as long as the Federal Aviation Ad-
17 ministration has received an application from the airport,
18 and as long as the Administrator determines such tower
19 is eligible using the factors set forth in the Federal Avia-
20 tion Administration report, Establishment and Dis-
21 continuance Criteria for Airport Traffic Control Towers
22 (FAA-APO-90-7 as of August, 1990).

23 SEC. 119D. Notwithstanding any other provision of
24 law, none of the funds made available in this Act may be
25 obligated or expended to limit the use of an Organization

1 Designation Authorization's (ODA) delegated functions
2 documented in its procedures manual on a type certifi-
3 cation project unless the Administrator documents a sys-
4 temic airworthiness noncompliance performance issue as
5 a result of inspection or oversight that the safety of air
6 commerce requires a limitation with regard to a specific
7 authorization or where an ODA's capability has not been
8 previously established in terms of a new compliance meth-
9 od or design feature: *Provided*, That in such cases FAA
10 shall work with the ODA holder if requested to develop
11 the capability to execute that function safely, efficiently
12 and effectively: *Provided further*, That this section does
13 not limit the authority of the Federal Aviation Administra-
14 tion to pursue emergency actions on ODAs where specific
15 safety issues are noted.

16 SEC. 119E. None of the funds made available by this
17 Act and apportioned under section 47114(d) of title 49,
18 United States Code, shall be made available for construc-
19 tion of a storage building, or a portion of such building,
20 to shelter snow equipment in excess of equipment needs
21 established by standards issued by the Secretary of Trans-
22 portation that is owned by an airport categorized as a local
23 general aviation airport as indicated in Federal Aviation
24 Administration 2017- 2021 National Plan of Integrated

1 Airport Systems (NPIAS) report unless such airport spon-
2 sor certifies conformity with the following:

3 (1) The storage building, or portion thereof, to
4 be constructed will be used to store snow removal
5 equipment exclusively used for clearing airfield pave-
6 ment of snow and ice following a weather event.

7 (2) The 30-year annual snowfall normal of the
8 nearest weather station based on the National Oee-
9 anic and Atmospheric Administration Summary of
10 Monthly Normals 1981-2010 exceeds 26 inches.

11 (3) The airport serves as a base for a medical
12 air ambulance transport aircraft; (d)that the airport
13 master record (Form 5010-1) effective on September
14 14, 2017 for the airport indicates 45 based aircraft
15 consisting of single engine, multiple engine, and jet
16 engine aircraft.

17 (4) The airport sponsor will complete design of
18 the storage building not later than fiscal year 2018
19 and initiate construction of the storage building not
20 later than fiscal year 2019.

21 (5) The area of the storage building, or portion
22 thereof, to be funded under this section shall not ex-
23 ceed 6,000 square feet.

24 SEC. 119F. (a) TERMINAL AERODROME FORE-
25 CAST.—The Administrator shall permit an air carrier op-

1 eration under part 121 of title 14, Code of Federal Regu-
2 lations, to operate to a destination determined to be under
3 visual flight rules without a Terminal Aerodrome Forecast
4 or Meteorological Aerodrome Report if a current Area
5 Forecast, supplemented by other local weather observa-
6 tions or reports, is available, and an alternate airport that
7 has an available Terminal Aerodrome Forecast and weath-
8 er report is specified. The air carrier shall have approved
9 procedures for dispatch and en route weather evaluation
10 and shall operate under instrument flight rules en route
11 to the destination.

12 (b) LIMITATION.—Without a written finding of neces-
13 sity, based on objective and historical evidence of immi-
14 nent threat to safety, the Administrator shall not promul-
15 gate any operation specification, policy, or guidance docu-
16 ment that is more restrictive than, or requires procedures
17 that are not expressly stated in, the regulations.

18 SEC. 119G. Of the funds provided under the heading
19 “Grants-in-aid for Airports”, up to \$3,500,000 shall be
20 for necessary expenses, including an independent
21 verification regime, to provide reimbursement to airport
22 sponsors that do not provide gateway operations and pro-
23 viders of general aviation ground support services located
24 at those airports closed during a temporary flight restric-
25 tion (TFR) for any residence of the President that is des-

1 ignated or identified to be secured by the United States
2 Secret Service, and for direct and incremental financial
3 losses incurred while such airports are closed solely due
4 to the actions of the Federal Government: *Provided*, That
5 no funds shall be obligated or distributed to airport spon-
6 sors that do not provide gateway operations and providers
7 of general aviation ground support services until an inde-
8 pendent audit is completed: *Provided further*, That losses
9 incurred as a result of violations of law, or through fault
10 or negligence, of such operators and service providers or
11 of third parties (including airports) are not eligible for re-
12 imbursements: *Provided further*, That obligation and ex-
13 penditure of funds are conditional upon full release of the
14 United States Government for all claims for financial
15 losses resulting from such actions.

16 FEDERAL HIGHWAY ADMINISTRATION
17 LIMITATION ON ADMINISTRATIVE EXPENSES
18 (HIGHWAY TRUST FUND)
19 (INCLUDING TRANSFER OF FUNDS)

20 Not to exceed \$446,444,304, together with advances
21 and reimbursements received by the Federal Highway Ad-
22 ministration, shall be obligated for necessary expenses for
23 administration and operation of the Federal Highway Ad-
24 ministration. In addition, \$3,248,000 shall be transferred

1 to the Appalachian Regional Commission in accordance
2 with section 104(a) of title 23, United States Code.

3 FEDERAL-AID HIGHWAYS

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 Funds available for the implementation or execution
7 of Federal-aid highway and highway safety construction
8 programs authorized under titles 23 and 49, United States
9 Code, and the provisions of the Fixing America's Surface
10 Transportation Act shall not exceed total obligations of
11 \$45,268,596,000 for fiscal year 2019: *Provided*, That the
12 Secretary may collect and spend fees, as authorized by
13 title 23, United States Code, to cover the costs of services
14 of expert firms, including counsel, in the field of municipal
15 and project finance to assist in the underwriting and serv-
16 icing of Federal credit instruments and all or a portion
17 of the costs to the Federal Government of servicing such
18 credit instruments: *Provided further*, That such fees are
19 available until expended to pay for such costs: *Provided*
20 *further*, That such amounts are in addition to administra-
21 tive expenses that are also available for such purpose, and
22 are not subject to any obligation limitation or the limita-
23 tion on administrative expenses under section 608 of title
24 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 \$46,007,596,000 derived from the Highway Trust Fund
7 (other than the Mass Transit Account), to remain avail-
8 able until expended.

9 HIGHWAY INFRASTRUCTURE PROGRAMS

10 There is hereby appropriated to the Secretary of
11 Transportation \$3,250,000,000: *Provided*, That the
12 amounts made available under this heading shall be de-
13 rived from the general fund, shall be in addition to any
14 funds provided for fiscal year 2019 in this or any other
15 Act for “Federal-aid Highways” under chapter 1 of title
16 23, United States Code, and shall not affect the distribu-
17 tion or amount of funds provided in any other Act: *Pro-*
18 *vided further*, That section 1101(b) of Public Law 114–
19 94 shall apply to funds made available under this heading:
20 *Provided further*, That of the funds made available under
21 this heading, \$2,729,000,000 shall be set aside for activi-
22 ties eligible under section 133(b)(1)(A) of title 23, United
23 States Code, and for the elimination of hazards and the
24 installation of protective devices at railway-highway cross-
25 ings, \$16,000,000 shall be set aside for activities eligible

1 under the Puerto Rico Highway Program as described in
2 section 165(b)(2)(C) of such title, \$5,000,000 shall be set
3 aside for activities eligible under the Territorial Highway
4 Program, as described in section 165(c)(6) of such title,
5 \$25,000,000 shall be set aside for the nationally signifi-
6 cant Federal lands and tribal projects program under sec-
7 tion 1123 of the Fixing America’s Surface Transportation
8 (FAST) Act (Public Law 114–94), and \$475,000,000
9 shall be set aside for a bridge replacement and rehabilita-
10 tion program for qualifying States: *Provided further*, That
11 for purposes of this heading, (1) the term “State” means
12 any of the 50 States or the District of Columbia and (2)
13 the term “qualifying State” means a State for which the
14 percentage of total deck area of bridges classified as in
15 poor condition in such State is at least 7.5 percent: *Pro-*
16 *vided further*, That the funds made available under this
17 heading for activities eligible under section 133(b)(1)(A)
18 of title 23, United States Code, and for the elimination
19 of hazards and the installation of protective devices at rail-
20 way-highway crossings, shall be suballocated in the man-
21 ner described in section 133(d) of such title, except that
22 the set-aside described in section 133(h) of such title shall
23 not apply to funds made available under this heading: *Pro-*
24 *vided further*, That the funds made available under this
25 heading for (1) activities eligible under section

1 133(b)(1)(A) of such title and for the elimination of haz-
2 ards and the installation of protective devices at railways-
3 highway crossings, and (2) a bridge replacement and reha-
4 bilitation program shall be administered as if apportioned
5 under chapter 1 of such title and shall remain available
6 through September 30, 2022: *Provided further*, That the
7 funds made available under this heading for activities eli-
8 gible under section 133(b)(1)(A) of title 23, United States
9 Code, and for the elimination of hazards and the installa-
10 tion of protective devices at railway-highway crossings,
11 shall be apportioned to the States in the same ratio as
12 the obligation limitation for fiscal year 2019 is distributed
13 among the States in section 120(a)(5) of this Act: *Pro-*
14 *vided further*, That, except as provided in the following
15 proviso, the funds made available under this heading for
16 activities eligible under the Puerto Rico Highway Program
17 and activities eligible under the Territorial Highway Pro-
18 gram shall be administered as if allocated under sections
19 165(b) and 165(c), respectively, of such title and shall re-
20 main available through September 30, 2022: *Provided fur-*
21 *ther*, That the funds made available under this heading
22 for activities eligible under the Puerto Rico Highway Pro-
23 gram shall not be subject to the requirements of sections
24 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided fur-*
25 *ther*, That the funds made available under this heading

1 for the nationally significant Federal lands and tribal
2 projects program under section 1123 of the FAST Act
3 shall remain available through September 30, 2022: *Pro-*
4 *vided further*, That the Secretary shall distribute funds
5 made available under this heading for a bridge replace-
6 ment and rehabilitation program to each qualifying State
7 by the proportion that the percentage of total deck area
8 of bridges classified as in poor condition in each qualifying
9 State bears to the sum of the percentages of total deck
10 area of bridges classified as in poor condition in all quali-
11 fying States: *Provided further*, That the funds made avail-
12 able under this heading for a bridge replacement and reha-
13 bilitation program shall be used for highway bridge re-
14 placement or rehabilitation projects on public roads: *Pro-*
15 *vided further*, That except as provided in the following pro-
16 viso the funds made available under this heading for a
17 bridge replacement and rehabilitation program shall be
18 used in areas of a qualifying State that have a population
19 of 200,000 or fewer individuals: *Provided further*, That if
20 a qualifying State has no bridges located in areas with
21 a population of 200,000 or fewer individuals, or if a quali-
22 fying State has insufficient bridge replacement or rehabili-
23 tation needs in areas of the State with a population of
24 200,000 or fewer individuals, the funds made available
25 under this heading for a bridge replacement and rehabili-

1 tation program may be used for highway bridge replace-
2 ment or rehabilitation projects on public roads in any area
3 of the State: *Provided further*, That for purposes of this
4 heading for a bridge replacement and rehabilitation pro-
5 gram, the Secretary shall (1) calculate population based
6 on the latest available data from the decennial census con-
7 ducted under section 141(a) of title 13, United States
8 Code, and (2) calculate the percentages of total deck area
9 of bridges classified as in poor condition based on the Na-
10 tional Bridge Inventory as of December 31, 2017.

11 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

12 ADMINISTRATION

13 SEC. 120. (a) For fiscal year 2019, the Secretary of
14 Transportation shall—

15 (1) not distribute from the obligation limitation
16 for Federal-aid highways—

17 (A) amounts authorized for administrative
18 expenses and programs by section 104(a) of
19 title 23, United States Code; and

20 (B) amounts authorized for the Bureau of
21 Transportation Statistics;

22 (2) not distribute an amount from the obliga-
23 tion limitation for Federal-aid highways that is equal
24 to the unobligated balance of amounts—

1 (A) made available from the Highway
2 Trust Fund (other than the Mass Transit Ac-
3 count) for Federal-aid highway and highway
4 safety construction programs for previous fiscal
5 years the funds for which are allocated by the
6 Secretary (or apportioned by the Secretary
7 under sections 202 or 204 of title 23, United
8 States Code); and

9 (B) for which obligation limitation was
10 provided in a previous fiscal year;

11 (3) determine the proportion that—

12 (A) the obligation limitation for Federal-
13 aid highways, less the aggregate of amounts not
14 distributed under paragraphs (1) and (2) of
15 this subsection; bears to

16 (B) the total of the sums authorized to be
17 appropriated for the Federal-aid highway and
18 highway safety construction programs (other
19 than sums authorized to be appropriated for
20 provisions of law described in paragraphs (1)
21 through (11) of subsection (b) and sums au-
22 thorized to be appropriated for section 119 of
23 title 23, United States Code, equal to the
24 amount referred to in subsection (b)(12) for
25 such fiscal year), less the aggregate of the

1 amounts not distributed under paragraphs (1)
2 and (2) of this subsection;

3 (4) distribute the obligation limitation for Fed-
4 eral-aid highways, less the aggregate amounts not
5 distributed under paragraphs (1) and (2), for each
6 of the programs (other than programs to which
7 paragraph (1) applies) that are allocated by the Sec-
8 retary under the Fixing America's Surface Trans-
9 portation Act and title 23, United States Code, or
10 apportioned by the Secretary under sections 202 or
11 204 of that title, by multiplying—

12 (A) the proportion determined under para-
13 graph (3); by

14 (B) the amounts authorized to be appro-
15 priated for each such program for such fiscal
16 year; and

17 (5) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2) and the
20 amounts distributed under paragraph (4), for Fed-
21 eral-aid highway and highway safety construction
22 programs that are apportioned by the Secretary
23 under title 23, United States Code (other than the
24 amounts apportioned for the National Highway Per-
25 formance Program in section 119 of title 23, United

1 States Code, that are exempt from the limitation
2 under subsection (b)(12) and the amounts appor-
3 tioned under sections 202 and 204 of that title) in
4 the proportion that—

5 (A) amounts authorized to be appropriated
6 for the programs that are apportioned under
7 title 23, United States Code, to each State for
8 such fiscal year; bears to

9 (B) the total of the amounts authorized to
10 be appropriated for the programs that are ap-
11 portioned under title 23, United States Code, to
12 all States for such fiscal year.

13 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—
14 The obligation limitation for Federal-aid highways shall
15 not apply to obligations under or for—

16 (1) section 125 of title 23, United States Code;

17 (2) section 147 of the Surface Transportation
18 Assistance Act of 1978 (23 U.S.C. 144 note; 92
19 Stat. 2714);

20 (3) section 9 of the Federal-Aid Highway Act
21 of 1981 (95 Stat. 1701);

22 (4) subsections (b) and (j) of section 131 of the
23 Surface Transportation Assistance Act of 1982 (96
24 Stat. 2119);

1 (5) subsections (b) and (c) of section 149 of the
2 Surface Transportation and Uniform Relocation As-
3 sistance Act of 1987 (101 Stat. 198);

4 (6) sections 1103 through 1108 of the Inter-
5 modal Surface Transportation Efficiency Act of
6 1991 (105 Stat. 2027);

7 (7) section 157 of title 23, United States Code
8 (as in effect on June 8, 1998);

9 (8) section 105 of title 23, United States Code
10 (as in effect for fiscal years 1998 through 2004, but
11 only in an amount equal to \$639,000,000 for each
12 of those fiscal years);

13 (9) Federal-aid highway programs for which ob-
14 ligation authority was made available under the
15 Transportation Equity Act for the 21st Century
16 (112 Stat. 107) or subsequent Acts for multiple
17 years or to remain available until expended, but only
18 to the extent that the obligation authority has not
19 lapsed or been used;

20 (10) section 105 of title 23, United States Code
21 (as in effect for fiscal years 2005 through 2012, but
22 only in an amount equal to \$639,000,000 for each
23 of those fiscal years);

24 (11) section 1603 of SAFETEA-LU (23
25 U.S.C. 118 note; 119 Stat. 1248), to the extent that

1 funds obligated in accordance with that section were
2 not subject to a limitation on obligations at the time
3 at which the funds were initially made available for
4 obligation; and

5 (12) section 119 of title 23, United States Code
6 (but, for each of fiscal years 2013 through 2019,
7 only in an amount equal to \$639,000,000).

8 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
9 THORITY.—Notwithstanding subsection (a), the Secretary
10 shall, after August 1 of such fiscal year—

11 (1) revise a distribution of the obligation limita-
12 tion made available under subsection (a) if an
13 amount distributed cannot be obligated during that
14 fiscal year; and

15 (2) redistribute sufficient amounts to those
16 States able to obligate amounts in addition to those
17 previously distributed during that fiscal year, giving
18 priority to those States having large unobligated bal-
19 ances of funds apportioned under sections 144 (as in
20 effect on the day before the date of enactment of
21 Public Law 112–141) and 104 of title 23, United
22 States Code.

23 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
24 TRANSPORTATION RESEARCH PROGRAMS.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the obligation limitation for Federal-aid
3 highways shall apply to contract authority for trans-
4 portation research programs carried out under—

5 (A) chapter 5 of title 23, United States
6 Code; and

7 (B) title VI of the Fixing America’s Sur-
8 face Transportation Act.

9 (2) EXCEPTION.—Obligation authority made
10 available under paragraph (1) shall—

11 (A) remain available for a period of 4 fis-
12 cal years; and

13 (B) be in addition to the amount of any
14 limitation imposed on obligations for Federal-
15 aid highway and highway safety construction
16 programs for future fiscal years.

17 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
18 FUNDS.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of distribution of obligation limitation
21 under subsection (a), the Secretary shall distribute
22 to the States any funds (excluding funds authorized
23 for the program under section 202 of title 23,
24 United States Code) that—

1 (A) are authorized to be appropriated for
2 such fiscal year for Federal-aid highway pro-
3 grams; and

4 (B) the Secretary determines will not be
5 allocated to the States (or will not be appor-
6 tioned to the States under section 204 of title
7 23, United States Code), and will not be avail-
8 able for obligation, for such fiscal year because
9 of the imposition of any obligation limitation for
10 such fiscal year.

11 (2) RATIO.—Funds shall be distributed under
12 paragraph (1) in the same proportion as the dis-
13 tribution of obligation authority under subsection
14 (a)(5).

15 (3) AVAILABILITY.—Funds distributed to each
16 State under paragraph (1) shall be available for any
17 purpose described in section 133(b) of title 23,
18 United States Code.

19 SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
20 ceived by the Bureau of Transportation Statistics from the
21 sale of data products, for necessary expenses incurred pur-
22 suant to chapter 63 of title 49, United States Code, may
23 be credited to the Federal-aid highways account for the
24 purpose of reimbursing the Bureau for such expenses:
25 *Provided*, That such funds shall be subject to the obliga-

1 tion limitation for Federal-aid highway and highway safety
2 construction programs.

3 SEC. 122. Not less than 15 days prior to waiving,
4 under his or her statutory authority, any Buy America re-
5 quirement for Federal-aid highways projects, the Sec-
6 retary of Transportation shall make an informal public no-
7 tice and comment opportunity on the intent to issue such
8 waiver and the reasons therefor: *Provided*, That the Sec-
9 retary shall provide an annual report to the House and
10 Senate Committees on Appropriations on any waivers
11 granted under the Buy America requirements.

12 SEC. 123. None of the funds provided in this Act to
13 the Department of Transportation may be used to provide
14 credit assistance unless not less than 3 days before any
15 application approval to provide credit assistance under
16 sections 603 and 604 of title 23, United States Code, the
17 Secretary of Transportation provides notification in writ-
18 ing to the following committees: the House and Senate
19 Committees on Appropriations; the Committee on Envi-
20 ronment and Public Works and the Committee on Bank-
21 ing, Housing and Urban Affairs of the Senate; and the
22 Committee on Transportation and Infrastructure of the
23 House of Representatives: *Provided*, That such notifica-
24 tion shall include, but not be limited to, the name of the
25 project sponsor; a description of the project; whether cred-

1 it assistance will be provided as a direct loan, loan guar-
2 antee, or line of credit; and the amount of credit assist-
3 ance.

4 SEC. 124. None of the funds in this Act may be used
5 to make a grant for a project under section 117 of title
6 23, United States Code, unless the Secretary, at least 60
7 days before making a grant under that section, provides
8 written notification to the House and Senate Committees
9 on Appropriations of the proposed grant, including an
10 evaluation and justification for the project and the amount
11 of the proposed grant award: *Provided*, That the written
12 notification required in the previous proviso shall be made
13 no later than 180 days after enactment of this Act.

14 SEC. 125. (a) A State or territory, as defined in sec-
15 tion 165 of title 23, United States Code, may use for any
16 project eligible under section 133(b) of title 23 or section
17 165 of title 23 and located within the boundary of the
18 State or territory any earmarked amount, and any associ-
19 ated obligation limitation: *Provided*, That the Department
20 of Transportation for the State or territory for which the
21 earmarked amount was originally designated or directed
22 notifies the Secretary of Transportation of its intent to
23 use its authority under this section and submits a quar-
24 terly report to the Secretary identifying the projects to
25 which the funding would be applied. Notwithstanding the

1 original period of availability of funds to be obligated
2 under this section, such funds and associated obligation
3 limitation shall remain available for obligation for a period
4 of 3 fiscal years after the fiscal year in which the Sec-
5 retary of Transportation is notified. The Federal share of
6 the cost of a project carried out with funds made available
7 under this section shall be the same as associated with
8 the earmark.

9 (b) In this section, the term “earmarked amount”
10 means—

11 (1) congressionally directed spending, as de-
12 fined in rule XLIV of the Standing Rules of the
13 Senate, identified in a prior law, report, or joint ex-
14 planatory statement, which was authorized to be ap-
15 propriated or appropriated more than 10 fiscal years
16 prior to the current fiscal year, and administered by
17 the Federal Highway Administration; or

18 (2) a congressional earmark, as defined in rule
19 XXI of the Rules of the House of Representatives,
20 identified in a prior law, report, or joint explanatory
21 statement, which was authorized to be appropriated
22 or appropriated more than 10 fiscal years prior to
23 the current fiscal year, and administered by the Fed-
24 eral Highway Administration.

1 (c) The authority under subsection (a) may be exer-
2 cised only for those projects or activities that have obli-
3 gated less than 10 percent of the amount made available
4 for obligation as of October 1 of the current fiscal year,
5 and shall be applied to projects within the same general
6 geographic area within 50 miles for which the funding was
7 designated, except that a State or territory may apply
8 such authority to unexpended balances of funds from
9 projects or activities the State or territory certifies have
10 been closed and for which payments have been made under
11 a final voucher.

12 (d) The Secretary shall submit consolidated reports
13 of the information provided by the States and territories
14 each quarter to the House and Senate Committees on Ap-
15 propriations.

16 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

17 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in the implemen-
22 tation, execution and administration of motor carrier safe-
23 ty operations and programs pursuant to section 31110 of
24 title 49, United States Code, as amended by the Fixing
25 America's Surface Transportation Act, \$284,000,000, to

1 be derived from the Highway Trust Fund (other than the
2 Mass Transit Account), together with advances and reim-
3 bursements received by the Federal Motor Carrier Safety
4 Administration, the sum of which shall remain available
5 until expended: *Provided*, That funds available for imple-
6 mentation, execution or administration of motor carrier
7 safety operations and programs authorized under title 49,
8 United States Code, shall not exceed total obligations of
9 \$284,000,000 for “Motor Carrier Safety Operations and
10 Programs” for fiscal year 2019, of which \$9,073,000, to
11 remain available for obligation until September 30, 2021,
12 is for the research and technology program, and of which
13 \$34,824,000, to remain available for obligation until Sep-
14 tember 30, 2021, is for information management.

15 MOTOR CARRIER SAFETY GRANTS
16 (LIQUIDATION OF CONTRACT AUTHORIZATION)
17 (LIMITATION ON OBLIGATIONS)
18 (HIGHWAY TRUST FUND)
19 (INCLUDING TRANSFER OF FUNDS)

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, \$382,800,000, 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 \$382,800,000 in fiscal year 2019 for
4 “Motor Carrier Safety Grants”; of which \$304,300,000
5 shall be available for the motor carrier safety assistance
6 program, \$32,500,000 shall be available for the commer-
7 cial driver’s license program implementation program,
8 \$44,000,000 shall be available for the high priority activi-
9 ties program, and \$2,000,000 shall be made available for
10 commercial motor vehicle operators grants, of which
11 \$1,000,000 is to be made available from prior year unobli-
12 gated contract authority provided for Motor Carrier Safe-
13 ty grants in the Transportation Equity Act for the 21st
14 Century (Public Law 105–178), SAFETEA–LU (Public
15 Law 109–59), or other appropriations or authorization
16 acts.

17 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

18 CARRIER SAFETY ADMINISTRATION

19 SEC. 130. The Federal Motor Carrier Safety Admin-
20 istration shall send notice of 49 CFR section 385.308 vio-
21 lations by certified mail, registered mail, or another man-
22 ner of delivery, which records the receipt of the notice by
23 the persons responsible for the violations.

24 SEC. 131. None of the funds appropriated or other-
25 wise made available to the Department of Transportation

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1 by this Act or any other Act may be obligated or expended
2 to implement, administer, or enforce the requirements of
3 section 31137 of title 49, United States Code, or any regu-
4 lation issued by the Secretary pursuant to such section,
5 with respect to the use of electronic logging devices by op-
6 erators of commercial motor vehicles, as defined in section
7 31132(1) of such title, transporting livestock as defined
8 in section 602 of the Emergency Livestock Feed Assist-
9 ance Act of 1988 (7 U.S.C. 1471) or insects.

10 SEC. 132. None of the funds appropriated or other-
11 wise made available by this Act or any other Act may be
12 used to implement, enforce or in any other way make ef-
13 fective the final rule published by the Federal Motor Car-
14 rier Safety Administration on May 27, 2015, entitled
15 “Lease and Interchange of Vehicles; Motor Carriers of
16 Passengers”.

17 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
18 OPERATIONS AND RESEARCH

19 For expenses necessary to discharge the functions of
20 the Secretary, with respect to traffic and highway safety
21 authorized under chapter 301 and part C of subtitle VI
22 of title 49, United States Code, \$190,000,000, of which
23 \$40,000,000 shall remain available through September
24 30, 2020.

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1 OPERATIONS AND RESEARCH
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 the provisions of 23 U.S.C. 403, section 4011 of the Fix-
7 ing America's Surface Transportation Act (Public Law
8 114–94), and chapter 303 of title 49, United States Code,
9 \$152,100,000, to be derived from the Highway Trust
10 Fund (other than the Mass Transit Account) and to re-
11 main available until expended: *Provided*, That none of the
12 funds in this Act shall be available for the planning or
13 execution of programs the total obligations for which, in
14 fiscal year 2019, are in excess of \$152,100,000, of which
15 \$146,700,000 shall be for programs authorized under 23
16 U.S.C. 403 and section 4011 of the Fixing America's Sur-
17 face Transportation Act (Public Law 114–94) and
18 \$5,400,000 shall be for the National Driver Register au-
19 thorized under chapter 303 of title 49, United States
20 Code: *Provided further*, That within the \$152,100,000 ob-
21 ligation limitation for operations and research,
22 \$20,000,000 shall remain available until September 30,
23 2020, and shall be in addition to the amount of any limita-
24 tion imposed on obligations for future years.

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1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 provisions of 23 U.S.C. 402, 404, and 405, and section
7 4001(a)(6) of the Fixing America's Surface Transpor-
8 tation Act, to remain available until expended,
9 \$610,208,000, to be derived from the Highway Trust
10 Fund (other than the Mass Transit Account): *Provided*,
11 That none of the funds in this Act shall be available for
12 the planning or execution of programs the total obligations
13 for which, in fiscal year 2019, are in excess of
14 \$610,208,000 for programs authorized under 23 U.S.C.
15 402, 404, and 405, and section 4001(a)(6) of the Fixing
16 America's Surface Transportation Act, of which
17 \$270,400,000 shall be for "Highway Safety Programs"
18 under 23 U.S.C. 402; \$283,000,000 shall be for "National
19 Priority Safety Programs" under 23 U.S.C. 405;
20 \$30,200,000 shall be for the "High Visibility Enforcement
21 Program" under 23 U.S.C. 404; \$26,608,000 shall be for
22 "Administrative Expenses" under section 4001(a)(6) of
23 the Fixing America's Surface Transportation Act: *Pro-*
24 *vided further*, That none of these funds shall be used for
25 construction, rehabilitation, or remodeling costs, or for of-

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1 fice furnishings and fixtures for State, local or private
2 buildings or structures: *Provided further*, That not to ex-
3 ceed \$500,000 of the funds made available for “National
4 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
5 paired Driving Countermeasures” (as described in sub-
6 section (d) of that section) shall be available for technical
7 assistance to the States: *Provided further*, That with re-
8 spect to the “Transfers” provision under 23 U.S.C.
9 405(a)(8), any amounts transferred to increase the
10 amounts made available under section 402 shall include
11 the obligation authority for such amounts: *Provided fur-*
12 *ther*, That the Administrator shall notify the House and
13 Senate Committees on Appropriations of any exercise of
14 the authority granted under the previous proviso or under
15 23 U.S.C. 405(a)(8) within 5 days.

16 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

17 TRAFFIC SAFETY ADMINISTRATION

18 SEC. 140. An additional \$130,000 shall be made
19 available to the National Highway Traffic Safety Adminis-
20 tration, out of the amount limited for section 402 of title
21 23, United States Code, to pay for travel and related ex-
22 penses for State management reviews and to pay for core
23 competency development training and related expenses for
24 highway safety staff.

1 SEC. 141. The limitations on obligations for the pro-
2 grams of the National Highway Traffic Safety Adminis-
3 tration set in this Act shall not apply to obligations for
4 which obligation authority was made available in previous
5 public laws but only to the extent that the obligation au-
6 thority has not lapsed or been used.

7 SEC. 142. None of the funds made available by this
8 Act may be used to mandate global positioning system
9 (GPS) tracking in private passenger motor vehicles with-
10 out providing full and appropriate consideration of privacy
11 concerns under 5 U.S.C. chapter 5, subchapter II.

12 SEC. 143. In addition to the amounts made available
13 under the heading, “Operations and Research (Liquida-
14 tion of Contract Authorization) (Limitation on Obliga-
15 tions) (Highway Trust Fund)” for carrying out the provi-
16 sions of section 403 of title 23, United States Code,
17 \$14,000,000, to remain available until September 30,
18 2020, shall be made available to the National Highway
19 Traffic Safety Administration from the general fund, of
20 which not to exceed \$7,000,000 shall be available to pro-
21 vide funding for grants, pilot program activities, and inno-
22 vative solutions to reduce impaired-driving fatalities in col-
23 laboration with eligible entities under section 403 of title
24 23, United States Code, and not to exceed \$7,000,000
25 shall be available to continue a high visibility enforcement

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1 paid-media campaign regarding highway-rail grade cross-
2 ing safety in collaboration with the Federal Railroad Ad-
3 ministration.

4 FEDERAL RAILROAD ADMINISTRATION
5 SAFETY AND OPERATIONS

6 For necessary expenses of the Federal Railroad Ad-
7 ministration, not otherwise provided for, \$221,698,000, of
8 which \$18,000,000 shall remain available until expended.

9 RAILROAD RESEARCH AND DEVELOPMENT

10 For necessary expenses for railroad research and de-
11 velopment, \$40,600,000, to remain available until ex-
12 pended.

13 RAILROAD REHABILITATION AND IMPROVEMENT
14 FINANCING PROGRAM

15 The Secretary of Transportation is authorized to
16 issue direct loans and loan guarantees pursuant to sec-
17 tions 501 through 504 of the Railroad Revitalization and
18 Regulatory Reform Act of 1976 (Public Law 94–210), as
19 amended, such authority shall exist as long as any such
20 direct loan or loan guarantee is outstanding.

21 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
22 REPAIR

23 For necessary expenses related to Federal-State
24 Partnership for State of Good Repair Grants as author-
25 ized by section 24911 of title 49, United States Code,

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1 \$400,000,000, 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 the Secretary shall issue the
7 Notice of Funding Opportunity that encompasses funds
8 provided under this heading in this Act and previously
9 unawarded funds provided under this heading in fiscal
10 year 2017 by Public Law 115–31 and fiscal year 2018
11 by Public Law 115–141, no later than 30 days after enact-
12 ment of this Act: *Provided further*, That the Secretary
13 shall announce the selection of projects to receive awards
14 for the funds in the previous proviso no later than 180
15 days after enactment of this Act.

16 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
17 IMPROVEMENTS

18 For necessary expenses related to Consolidated Rail
19 Infrastructure and Safety Improvements Grants, as au-
20 thorized by section 24407 of title 49, United States Code,
21 \$255,000,000, to remain available until expended: *Pro-*
22 *vided*, That section 24405(f) of title 49, United States
23 Code, shall not apply to projects for the implementation
24 of positive train control systems otherwise eligible under
25 section 24407(e)(1) of title 49, United States Code: *Pro-*

1 *vided further*, That amounts available under this heading
2 for projects selected for commuter rail passenger transpor-
3 tation may be transferred by the Secretary, after selection,
4 to the appropriate agencies to be administered in accord-
5 ance with chapter 53 of title 49, United States Code: *Pro-*
6 *vided further*, That the Secretary shall not limit eligible
7 projects from consideration for funding for planning, engi-
8 neering, environmental, construction, and design elements
9 of the same project in the same application: *Provided fur-*
10 *ther*, That unobligated balances remaining after 4 years
11 from the date of enactment may be used for any eligible
12 project under section 24407(c) of title 49, United States
13 Code: *Provided further*, That the Secretary may withhold
14 up to one percent of the amount provided under this head-
15 ing for the costs of award and project management over-
16 sight of grants carried out under section 24407 of title
17 49, United States Code: *Provided further*, That the Sec-
18 retary shall issue the Notice of Funding Opportunity that
19 encompasses previously unawarded funds provided under
20 this heading in fiscal year 2018 by Public Law 115–141
21 and funds provided under this heading in this Act no later
22 than 30 days after enactment of this Act: *Provided further*,
23 That the Secretary shall announce the selection of projects
24 to receive awards for the funds in the previous proviso no
25 later than 120 days after enactment of this Act.

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1 RESTORATION AND ENHANCEMENT

2 For necessary expenses related to Restoration and
3 Enhancement Grants, as authorized by section 24408 of
4 title 49, United States Code, \$5,000,000, to remain avail-
5 able until expended: *Provided*, That the Secretary may
6 withhold up to one percent of the funds provided under
7 this heading to fund the costs of award and project man-
8 agement and oversight: *Provided further*, That the Sec-
9 retary shall issue the Notice of Funding Opportunity for
10 funds provided under this heading no later than 30 days
11 after enactment of this Act: *Provided further*, That the
12 Secretary shall announce the selection of projects to re-
13 ceive awards for the funds in the previous proviso no later
14 than 120 days after enactment of this Act.

15 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT

16 PROGRAM

17 For necessary expenses related to the deployment of
18 magnetic levitation transportation projects, consistent
19 with language in 1307(a) through (e) of Public Law 109–
20 59, as amended by section 102 of Public Law 110–244
21 (section 322 of title 23, United States Code),
22 \$10,000,000, to remain available until expended.

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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), \$650,000,000, 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-

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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 \$1,291,600,000, 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: *Provided further*, That at least
16 \$50,000,000 of the amount provided under this heading
17 shall be available for the development, installation and op-
18 eration of railroad safety technology, including the imple-
19 mentation of a positive train control system, on State-sup-
20 ported routes as defined under section 24102(13) of title
21 49, United States Code, on which positive train control
22 systems are not required by law or regulation: *Provided*
23 *further*, That not less than \$50,000,000 of the amount
24 provided under this heading shall be for capital expenses
25 related to safety improvements, maintenance, and the non-

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1 Federal match for discretionary Federal grant programs
2 to enable continued passenger rail operations on long-dis-
3 tance routes (as defined in section 24102 of title 49,
4 United States Code) on which Amtrak is the sole operator
5 on a host railroad's line and a positive train control system
6 is not required by law or regulation: *Provided further*,
7 That none of the funds provided under this heading shall
8 be used by Amtrak to give notice under subsection (a) or
9 (b) of section 24706 of title 49, United States Code, with
10 respect to long-distance routes (as defined in section
11 24102 of title 49, United States Code) on which Amtrak
12 is the sole operator on a host railroad's line and a positive
13 train control system is not required by law or regulation,
14 or, except in an emergency or during maintenance or con-
15 struction outages impacting such routes, to otherwise dis-
16 continue, reduce the frequency of, suspend, or substan-
17 tially alter the route of rail service on any portion of such
18 route operated in fiscal year 2018, including implementa-
19 tion of service permitted by section 24305(a)(3)(A) of title
20 49, United States Code, in lieu of rail service.

21 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

22 ADMINISTRATION

23 SEC. 150. None of the funds provided to the National
24 Railroad Passenger Corporation may be used to fund any
25 overtime costs in excess of \$35,000 for any individual em-

1 ployee: *Provided*, That the President of Amtrak may waive
2 the cap set in the previous proviso for specific employees
3 when the President of Amtrak determines such a cap
4 poses a risk to the safety and operational efficiency of the
5 system: *Provided further*, That the President of Amtrak
6 shall report to the House and Senate Committees on Ap-
7 propriations within 60 days of enactment of this Act, a
8 summary of all overtime payments incurred by the Cor-
9 poration for 2018 and the three prior calendar years: *Pro-*
10 *vided further*, That such summary shall include the total
11 number of employees that received waivers and the total
12 overtime payments the Corporation paid to those employ-
13 ees receiving waivers for each month for 2018 and for the
14 three prior calendar years.

15 SEC. 151. It is the sense of Congress that—

16 (1) long-distance passenger rail routes provide
17 much-needed transportation access for 4,700,000
18 riders in 325 communities in 40 States and are par-
19 ticularly important in rural areas; and

20 (2) long-distance passenger rail routes and
21 services should be sustained to ensure connectivity
22 throughout the National Network (as defined in sec-
23 tion 24102 of title 49, United States Code).

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1 FEDERAL TRANSIT ADMINISTRATION

2 ADMINISTRATIVE EXPENSES

3 For necessary administrative expenses of the Federal
4 Transit Administration's programs authorized by chapter
5 53 of title 49, United States Code, \$113,165,000, of which
6 up to \$1,000,000 shall be available to carry out the provi-
7 sions of section 5326 of such title: *Provided*, That none
8 of the funds provided or limited in this Act may be used
9 to create a permanent office of transit security under this
10 heading: *Provided further*, That upon submission to the
11 Congress of the fiscal year 2020 President's budget, the
12 Secretary of Transportation shall transmit to Congress
13 the annual report on New Starts, including proposed allo-
14 cations for fiscal year 2020.

15 TRANSIT FORMULA GRANTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in the Federal
20 Public Transportation Assistance Program in this ac-
21 count, and for payment of obligations incurred in carrying
22 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
23 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
24 5340, as amended by the Fixing America's Surface Trans-
25 portation Act, section 20005(b) of Public Law 112-141,

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1 and section 3006(b) of the Fixing America's Surface
2 Transportation Act, \$9,900,000,000, to be derived from
3 the Mass Transit Account of the Highway Trust Fund
4 and to remain available until expended: *Provided*, That
5 funds available for the implementation or execution of pro-
6 grams authorized under 49 U.S.C. 5305, 5307, 5310,
7 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
8 and 5340, as amended by the Fixing America's Surface
9 Transportation Act, section 20005(b) of Public Law 112-
10 141, and section 3006(b) of the Fixing America's Surface
11 Transportation Act, shall not exceed total obligations of
12 \$9,939,380,030 in fiscal year 2019: *Provided further*, That
13 the Federal share of the cost of activities carried out under
14 49 U.S.C. section 5312 shall not exceed 80 percent, except
15 that if there is substantial public interest or benefit, the
16 Secretary may approve a greater Federal share.

17 TRANSIT INFRASTRUCTURE GRANTS

18 For an additional amount for buses and bus facilities
19 grants under section 5339 of title 49, United States Code,
20 state of good repair grants under section 5337 of such
21 title, formula grants for rural areas under section 5311
22 of such title, high density state apportionments under sec-
23 tion 5340(d) of such title, and the bus testing facilities
24 under sections 5312 and 5318 of such title, \$700,000,000
25 to remain available until expended: *Provided*, That

1 \$350,000,000 shall be available for grants as authorized
2 under section 5339 of such title, of which \$160,000,000
3 shall be available for the buses and bus facilities formula
4 grants as authorized under section 5339(a) of such title,
5 \$160,000,000 shall be available for the buses and bus fa-
6 cilities competitive grants as authorized under section
7 5339(b) of such title, and \$30,000,000 shall be available
8 for the low or no emission grants as authorized under sec-
9 tion 5339(c) of such title: *Provided further*, That
10 \$263,000,000 shall be available for the state of good re-
11 pair grants as authorized under section 5337 of such title:
12 *Provided further*, That \$40,000,000 shall be available for
13 formula grants for rural areas as authorized under section
14 5311 of such title: *Provided further*, That \$40,000,000
15 shall be available for the high density state apporportion-
16 ments as authorized under section 5340(d) of such title:
17 *Provided further*, That \$1,000,000 shall be available for
18 the bus testing facility as authorized under section 5318
19 of such title: *Provided further*, That notwithstanding sec-
20 tion 5318(a) of such title, \$6,000,000 shall be available
21 for the operation and maintenance of bus testing facilities
22 by institutions of higher education selected pursuant to
23 section 5312(h) of such title: *Provided further*, That the
24 Secretary shall enter into a contract or cooperative agree-
25 ment with, or make a grant to, each institution of higher

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1 education selected pursuant to section 5312(h) of such
2 title, to operate and maintain a facility to conduct the test-
3 ing of low or no emission vehicle new bus models using
4 the standards established pursuant to section 5318(e)(2)
5 of such title: *Provided further*, That the term “low or no
6 emission vehicle” has the meaning given the term in sec-
7 tion 5312(e)(6) of such title: *Provided further*, That the
8 Secretary shall pay 80 percent of the cost of testing a low
9 or no emission vehicle new bus model at each selected in-
10 stitution of higher education: *Provided further*, That the
11 entity having the vehicle tested shall pay 20 percent of
12 the cost of testing: *Provided further*, That a low or no
13 emission vehicle new bus model tested that receives a pass-
14 ing aggregate test score in accordance with the standards
15 established under section 5318(e)(2) of such title, shall be
16 deemed to be in compliance with the requirements of sec-
17 tion 5318(e) of such title: *Provided further*, That amounts
18 made available by this heading shall be derived from the
19 general fund: *Provided further*, That the amounts made
20 available under this heading shall not be subject to any
21 limitation on obligations for transit programs set forth in
22 any Act.

23 TECHNICAL ASSISTANCE AND TRAINING

24 For necessary expenses to carry out 49 U.S.C. 5314,
25 \$5,000,000, of which not less than \$1,500,000 shall be

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1 for a cooperative agreement through which the Federal
2 Transit Administration assists small-urban, rural and
3 tribal public transit recipients and planning organizations
4 with applied innovation and capacity-building: *Provided*,
5 That the assistance provided under this heading not dupli-
6 cate the activities of 49 U.S.C. 5311(b) or 49 U.S.C.
7 5312.

8 CAPITAL INVESTMENT GRANTS

9 For necessary expenses to carry out fixed guideway
10 capital investment grants under section 5309 of title 49,
11 United States Code, and section 3005(b) of the Fixing
12 America's Surface Transportation Act, \$2,552,687,000, to
13 remain available until September 30, 2022: *Provided*,
14 That of the amounts made available under this heading,
15 \$2,169,783,950 shall be obligated by December 31, 2020:
16 *Provided further*, That of the amounts made available
17 under this heading, \$1,265,670,000 shall be available for
18 projects authorized under section 5309(d) of title 49,
19 United States Code, \$635,000,000 shall be available for
20 projects authorized under section 5309(e) of title 49,
21 United States Code, \$526,500,000 shall be available for
22 projects authorized under section 5309(h) of title 49,
23 United States Code, and \$100,000,000 shall be available
24 for projects authorized under section 3005(b) of the Fix-
25 ing America's Surface Transportation Act: *Provided fur-*

1 *ther*, That the Secretary shall continue to administer the
2 capital investment grants program in accordance with the
3 procedural and substantive requirements of section 5309
4 of title 49, United States Code, and of section 3005(b)
5 of the Fixing America's Surface Transportation Act.

6 GRANTS TO THE WASHINGTON METROPOLITAN AREA
7 TRANSIT AUTHORITY

8 For grants to the Washington Metropolitan Area
9 Transit Authority as authorized under section 601 of divi-
10 sion B of Public Law 110–432, \$150,000,000, to remain
11 available until expended: *Provided*, That the Secretary of
12 Transportation shall approve grants for capital and pre-
13 ventive maintenance expenditures for the Washington
14 Metropolitan Area Transit Authority only after receiving
15 and reviewing a request for each specific project: *Provided*
16 *further*, That prior to approving such grants, the Secretary
17 shall certify that the Washington Metropolitan Area Tran-
18 sit Authority is making progress to improve its safety
19 management system in response to the Federal Transit
20 Administration's 2015 safety management inspection:
21 *Provided further*, That the Secretary shall determine that
22 the Washington Metropolitan Area Transit Authority has
23 placed the highest priority on those investments that will
24 improve the safety of the system before approving such
25 grants: *Provided further*, That the Secretary, in order to

1 ensure safety throughout the rail system, may waive the
2 requirements of section 601(e)(1) of division B of Public
3 Law 110–432.

4 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
5 ADMINISTRATION
6 (INCLUDING RESCISSION)

7 SEC. 160. The limitations on obligations for the pro-
8 grams of the Federal Transit Administration shall not
9 apply to any authority under 49 U.S.C. 5338, previously
10 made available for obligation, or to any other authority
11 previously made available for obligation.

12 SEC. 161. Notwithstanding any other provision of
13 law, funds appropriated or limited by this Act under the
14 heading “Fixed Guideway Capital Investment” of the Fed-
15 eral Transit Administration for projects specified in this
16 Act or identified in reports accompanying this Act not ob-
17 ligated by September 30, 2022, and other recoveries, shall
18 be directed to projects eligible to use the funds for the
19 purposes for which they were originally provided.

20 SEC. 162. Notwithstanding any other provision of
21 law, any funds appropriated before October 1, 2018, under
22 any section of chapter 53 of title 49, United States Code,
23 that remain available for expenditure, may be transferred
24 to and administered under the most recent appropriation
25 heading for any such section.

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1 SEC. 163. (a) Except as provided in subsection (b),
2 none of the funds in this or any other Act may be available
3 to advance in any way a new light or heavy rail project
4 towards a full funding grant agreement as defined by 49
5 U.S.C. 5309 for the Metropolitan Transit Authority of
6 Harris County, Texas if the proposed capital project is
7 constructed on or planned to be constructed on Richmond
8 Avenue west of South Shepherd Drive or on Post Oak
9 Boulevard north of Richmond Avenue in Houston, Texas.

10 (b) The Metropolitan Transit Authority of Harris
11 County, Texas, may attempt to construct or construct a
12 new fixed guideway capital project, including light rail, in
13 the locations referred to in subsection (a) if—

14 (1) voters in the jurisdiction that includes such
15 locations approve a ballot proposition that specifies
16 routes on Richmond Avenue west of South Shepherd
17 Drive or on Post Oak Boulevard north of Richmond
18 Avenue in Houston, Texas; and

19 (2) the proposed construction of such routes is
20 part of a comprehensive, multi-modal, service-area
21 wide transportation plan that includes multiple addi-
22 tional segments of fixed guideway capital projects,
23 including light rail for the jurisdiction set forth in
24 the ballot proposition. The ballot language shall in-
25 clude reasonable cost estimates, sources of revenue

1 to be used and the total amount of bonded indebted-
2 ness to be incurred as well as a description of each
3 route and the beginning and end point of each pro-
4 posed transit project.

5 SEC. 164. Notwithstanding any other provision of
6 law, none of the funds made available in this Act shall
7 be used to enter into a full funding grant agreement for
8 a project with a New Starts share greater than 51 percent.

9 SEC. 165. Of the unobligated amounts made available
10 for fiscal years 2005 or prior fiscal years to “Transit For-
11 mula Grants”, a total of \$46,560,000 is hereby perma-
12 nently rescinded.

13 SEC. 166. None of the funds made available under
14 this Act may be used for the implementation or further-
15 ance of new policies detailed in the “Dear Colleague” let-
16 ter distributed by the Federal Transit Administration to
17 capital investment grant program project sponsors on
18 June 29, 2018.

19 SAINT LAWRENCE SEAWAY DEVELOPMENT
20 CORPORATION

21 The Saint Lawrence Seaway Development Corpora-
22 tion is hereby authorized to make such expenditures, with-
23 in the limits of funds and borrowing authority available
24 to the Corporation, and in accord with law, and to make
25 such contracts and commitments without regard to fiscal

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1 year limitations, as provided by section 104 of the Govern-
2 ment Corporation Control Act, as amended, as may be
3 necessary in carrying out the programs set forth in the
4 Corporation's budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE
6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses to conduct the operations,
8 maintenance, and capital asset renewal activities on those
9 portions of the Saint Lawrence Seaway owned, operated,
10 and maintained by the Saint Lawrence Seaway Develop-
11 ment Corporation, \$36,000,000, to be derived from the
12 Harbor Maintenance Trust Fund, pursuant to Public Law
13 99-662: *Provided*, That of the amounts made available
14 under this heading, not less than \$16,000,000 shall be
15 used on capital asset renewal activities.

16 MARITIME ADMINISTRATION
17 MARITIME SECURITY PROGRAM

18 For necessary expenses to maintain and preserve a
19 U.S.-flag merchant fleet to serve the national security
20 needs of the United States, \$300,000,000, to remain avail-
21 able until expended.

22 OPERATIONS AND TRAINING
23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of operations and training ac-
25 tivities authorized by law, \$149,442,000, of which

1 \$70,593,000 shall remain available until September 30,
2 2020 for the operations of the United States Merchant
3 Marine Academy, and of which \$18,000,000 shall remain
4 available until expended for the maintenance and repair,
5 equipment, and capital improvements at the United States
6 Merchant Marine Academy: *Provided*, That not later than
7 January 12, 2019, the Administrator of the Maritime Ad-
8 ministration shall transmit to the House and Senate Com-
9 mittees on Appropriations the annual report on sexual as-
10 sault and sexual harassment at the United States Mer-
11 chant Marine Academy as required pursuant to section
12 3507 of Public Law 110–417: *Provided further*, That of
13 the amounts made available under this heading,
14 \$3,000,000 shall remain available until September 30,
15 2020 for the Maritime Environment and Technology As-
16 sistance program authorized under section 50307 of title
17 46, United States Code: *Provided further*, That of the
18 amounts made available under this heading, \$7,000,000,
19 shall remain available until expended for the Short Sea
20 Transportation Program (America’s Marine Highways) to
21 make grants for the purposes authorized under sections
22 55601(b)(1) and (3) of title 46, United States Code: *Pro-*
23 *vided further*, That available balances under this heading
24 for the Short Sea Transportation Program (America’s
25 Marine Highways) from prior year recoveries shall be

1 available to carry out activities authorized under sections
2 55601(b)(1) and (3) of title 46, United States Code: *Pro-*
3 *vided further*, That from funds provided under the pre-
4 vious two provisos, the Secretary of Transportation shall
5 make grants no later than 180 days after enactment of
6 this Act in such amounts as the Secretary determines:
7 *Provided further*, That any unobligated balances available
8 from previous appropriations for programs and activities
9 supporting State Maritime Academies shall be transferred
10 to and merged with the appropriations for “Maritime Ad-
11 ministration, State Maritime Academy Operations” and
12 shall be made available for the same purposes.

13 STATE MARITIME ACADEMY OPERATIONS

14 For necessary expenses of operations, support and
15 training activities for State Maritime Academies,
16 \$345,200,000, of which \$25,000,000, to remain available
17 until expended, shall be for maintenance, repair, life exten-
18 sion, and capacity improvement of National Defense Re-
19 serve Fleet training ships in support of State Maritime
20 Academies, of which \$8,000,000, to remain available until
21 expended, shall be for expenses related to training mari-
22 ners for costs associated with training vessel sharing pur-
23 suant to 46 U.S.C. 51504(g)(3) for costs associated with
24 mobilizing, operating and demobilizing the vessel, includ-
25 ing travel costs for students, faculty and crew, the costs

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1 of the general agent, crew costs, fuel, insurance, oper-
2 ational fees, and vessel hire costs, as determined by the
3 Secretary, of which \$300,000,000, to remain available
4 until expended, shall be for the National Security Multi-
5 Mission Vessel Program, including funds for construction,
6 planning, administration, and design of school ships, of
7 which \$2,400,000 shall remain available through Sep-
8 tember 30, 2020, for the Student Incentive Program, of
9 which \$3,800,000 shall remain available until expended
10 for training ship fuel assistance, and of which \$6,000,000
11 shall remain available until September 30, 2020, for direct
12 payments for State Maritime Academies.

13 ASSISTANCE TO SMALL SHIPYARDS

14 To make grants to qualified shipyards as authorized
15 under section 54101 of title 46, United States Code, as
16 amended by Public Law 113–281, \$20,000,000, to remain
17 available until expended.

18 SHIP DISPOSAL

19 For necessary expenses related to the disposal of ob-
20 solete vessels in the National Defense Reserve Fleet of the
21 Maritime Administration, \$5,000,000, to remain available
22 until expended.

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1 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

2 ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the guaran-
5 teed loan program, \$3,000,000, which shall be transferred
6 to and merged with the appropriations for “Operations
7 and Training”, Maritime Administration.

8 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

9 To make grants to improve port facilities as author-
10 ized under section 50302 of title 46, United States Code,
11 \$200,000,000 to remain available until expended: *Pro-*
12 *vided*, That projects eligible for funding provided under
13 this heading shall be projects for coastal seaports: *Pro-*
14 *vided further*, That in addition, \$92,730,000, to remain
15 available until expended, shall be for grants to the 15
16 coastal seaports that handled the greatest number of load-
17 ed foreign and domestic twenty-foot equivalent units of
18 containerized cargo in 2016, as identified by the U.S.
19 Army Corps of Engineers: *Provided further*, That the Mar-
20 itime Administration shall distribute funds provided under
21 this heading as discretionary grants to port authorities or
22 commissions or their subdivisions and agents under exist-
23 ing authority, as well as to a State or political subdivision
24 of a State or local government, a tribal government, a pub-
25 lic agency or publicly chartered authority established by

1 one or more States, a special purpose district with a trans-
2 portation function, a multistate or multijurisdictional
3 group of entities, or a lead entity described above jointly
4 with a private entity or group of private entities: *Provided*
5 *further*, That projects eligible for funding provided under
6 this heading shall be either within the boundary of a port,
7 or outside the boundary of a port, and directly related to
8 port operations or to an intermodal connection to a port
9 that will improve the safety, efficiency, or reliability of the
10 movement of goods into, out of, around, or within a port,
11 as well as the unloading and loading of cargo at a port:
12 *Provided further*, That in awarding grants from funds
13 made available by the second proviso under this heading
14 for the 15 coastal seaports referred to, the Maritime Ad-
15 ministration shall give priority consideration for proposed
16 projects that construct treatment facilities defined in sec-
17 tion 305.1 of title 7, Code of Federal Regulations, to meet
18 the phytosanitary treatment requirements of sections
19 305.5 through 305.8 of title 7, Code of Federal Regula-
20 tions: *Provided further*, That the Federal share of the
21 costs for which an expenditure is made under this heading
22 shall be up to 80 percent: *Provided further*, That not to
23 exceed 2 percent of the funds appropriated under this
24 heading shall be available for necessary costs of grant ad-
25 ministration: *Provided further*, That the proceeds of Fed-

1 eral credit assistance under chapter 6 of title 23, United
2 States Code or sections 501 through 504 of the Railroad
3 and Revitalization and Regulatory Reform Act of 1976
4 (Public Law 94–210), as amended, shall be considered to
5 be part of the non-Federal share of project costs if the
6 loan is repayable from non-Federal funds, unless otherwise
7 requested by the project sponsor.

8 ADMINISTRATIVE PROVISIONS—MARITIME

9 ADMINISTRATION

10 SEC. 170. Notwithstanding any other provision of
11 this Act, in addition to any existing authority, the Mari-
12 time Administration is authorized to furnish utilities and
13 services and make necessary repairs in connection with
14 any lease, contract, or occupancy involving Government
15 property under control of the Maritime Administration:
16 *Provided*, That payments received therefor shall be cred-
17 ited to the appropriation charged with the cost thereof and
18 shall remain available until expended: *Provided further*,
19 That rental payments under any such lease, contract, or
20 occupancy for items other than such utilities, services, or
21 repairs shall be covered into the Treasury as miscellaneous
22 receipts.

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1 PIPELINE AND HAZARDOUS MATERIALS SAFETY

2 ADMINISTRATION

3 OPERATIONAL EXPENSES

4 For necessary operational expenses of the Pipeline
5 and Hazardous Materials Safety Administration,
6 \$23,710,000: *Provided*, That the Secretary of Transpor-
7 tation shall issue a final rule to expand the applicability
8 of comprehensive oil spill response plans within 90 days
9 of enactment of this Act: *Provided further*, That the
10 amounts appropriated under this heading shall be reduced
11 by \$10,000 per day for each day that such rule has not
12 been issued following the expiration of the period set forth
13 in the previous proviso.

14 HAZARDOUS MATERIALS SAFETY

15 For expenses necessary to discharge the hazardous
16 materials safety functions of the Pipeline and Hazardous
17 Materials Safety Administration, \$58,000,000, of which
18 \$7,570,000 shall remain available until September 30,
19 2021: *Provided*, That up to \$800,000 in fees collected
20 under 49 U.S.C. 5108(g) shall be deposited in the general
21 fund of the Treasury as offsetting receipts: *Provided fur-*
22 *ther*, That there may be credited to this appropriation, to
23 be available until expended, funds received from States,
24 counties, municipalities, other public authorities, and pri-
25 vate sources for expenses incurred for training, for reports

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1 publication and dissemination, and for travel expenses in-
2 curred in performance of hazardous materials exemptions
3 and approvals functions.

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

7 For expenses necessary to carry out a pipeline safety
8 program, as authorized by 49 U.S.C. 60107, and to dis-
9 charge the pipeline program responsibilities of the Oil Pol-
10 lution Act of 1990, \$165,000,000, to remain available
11 until September 30, 2021, of which \$23,000,000 shall be
12 derived from the Oil Spill Liability Trust Fund; of which
13 \$134,000,000 shall be derived from the Pipeline Safety
14 Fund; and of which \$8,000,000 shall be derived from fees
15 collected under 49 U.S.C. 60302 and deposited in the Un-
16 derground Natural Gas Storage Facility Safety Account
17 for the purpose of carrying out 49 U.S.C. 60141: *Pro-*
18 *vided*, That not less than \$1,058,000 of the funds pro-
19 vided under this heading shall be for the One-Call State
20 grant program.

21 EMERGENCY PREPAREDNESS GRANTS

22 (EMERGENCY PREPAREDNESS FUND)

23 For expenses necessary to carry out the Emergency
24 Preparedness Grants program, not more than
25 \$28,318,000 shall remain available until September 30,

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1 2021, from amounts made available by 49 U.S.C. 5116(h),
2 and 5128(b) and (c): *Provided*, That notwithstanding 49
3 U.S.C. 5116(h)(4), not more than 4 percent of the
4 amounts made available from this account shall be avail-
5 able to pay administrative costs: *Provided further*, That
6 notwithstanding 49 U.S.C. 5128(b) and (c) and the cur-
7 rent year obligation limitation, prior year recoveries recog-
8 nized in the current year shall be available to develop a
9 hazardous materials response training curriculum for
10 emergency responders, including response activities for the
11 transportation of crude oil, ethanol and other flammable
12 liquids by rail, consistent with National Fire Protection
13 Association standards, and to make such training avail-
14 able through an electronic format: *Provided further*, That
15 the prior year recoveries made available under this head-
16 ing shall also be available to carry out 49 U.S.C.
17 5116(a)(1)(C) and 5116(i).

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of the Inspector
21 General to carry out the provisions of the Inspector Gen-
22 eral Act of 1978, as amended, \$92,600,000: *Provided*,
23 That the Inspector General shall have all necessary au-
24 thority, in carrying out the duties specified in the Inspec-
25 tor General Act, as amended (5 U.S.C. App. 3), to inves-

1 tigate allegations of fraud, including false statements to
2 the government (18 U.S.C. 1001), by any person or entity
3 that is subject to regulation by the Department of Trans-
4 portation: *Provided further*, That the funds made available
5 under this heading may be used to investigate, pursuant
6 to section 41712 of title 49, United States Code: (1) un-
7 fair or deceptive practices and unfair methods of competi-
8 tion by domestic and foreign air carriers and ticket agents;
9 and (2) the compliance of domestic and foreign air carriers
10 with respect to item (1) of this proviso.

11 GENERAL PROVISIONS—DEPARTMENT OF
12 TRANSPORTATION

13 SEC. 180. (a) During the current fiscal year, applica-
14 ble appropriations to the Department of Transportation
15 shall be available for maintenance and operation of air-
16 craft; hire of passenger motor vehicles and aircraft; pur-
17 chase of liability insurance for motor vehicles operating
18 in foreign countries on official department business; and
19 uniforms or allowances therefor, as authorized by law (5
20 U.S.C. 5901–5902).

21 (b) During the current fiscal year, applicable appro-
22 priations to the Department and its operating administra-
23 tions shall be available for the purchase, maintenance, op-
24 eration, and deployment of unmanned aircraft systems

1 that advance the Department's, or its operating adminis-
2 trations', missions.

3 (c) Any unmanned aircraft system purchased or pro-
4 cured by the Department prior to the enactment of this
5 Act shall be deemed authorized.

6 SEC. 181. Appropriations contained in this Act for
7 the Department of Transportation shall be available for
8 services as authorized by 5 U.S.C. 3109, but at rates for
9 individuals not to exceed the per diem rate equivalent to
10 the rate for an Executive Level IV.

11 SEC. 182. (a) No recipient of funds made available
12 in this Act shall disseminate personal information (as de-
13 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
14 ment of motor vehicles in connection with a motor vehicle
15 record as defined in 18 U.S.C. 2725(1), except as provided
16 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
17 2721.

18 (b) Notwithstanding subsection (a), the Secretary
19 shall not withhold funds provided in this Act for any
20 grantee if a State is in noncompliance with this provision.

21 SEC. 183. None of the funds in this Act shall be avail-
22 able for salaries and expenses of more than 125 political
23 and Presidential appointees in the Department of Trans-
24 portation: *Provided*, That none of the personnel covered

1 by this provision may be assigned on temporary detail out-
2 side the Department of Transportation.

3 SEC. 184. Funds received by the Federal Highway
4 Administration and Federal Railroad Administration from
5 States, counties, municipalities, other public authorities,
6 and private sources for expenses incurred for training may
7 be credited respectively to the Federal Highway Adminis-
8 tration's "Federal-Aid Highways" account and to the Fed-
9 eral Railroad Administration's "Safety and Operations"
10 account, except for State rail safety inspectors partici-
11 pating in training pursuant to 49 U.S.C. 20105.

12 SEC. 185. (a) None of the funds provided 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 notifies the
16 House and Senate Committees on Appropriations not less
17 than 3 full business days before any project competitively
18 selected to receive any discretionary grant award, letter
19 of intent, loan commitment, loan guarantee commitment,
20 line of credit commitment, or full funding grant agreement
21 is announced by the Department or its modal administra-
22 tions: *Provided*, That the Secretary gives concurrent noti-
23 fication to the House and Senate Committees on Appro-
24 priations for any "quick release" of funds from the emer-
25 gency relief program: *Provided further*, That no notifica-

1 tion shall involve funds that are not available for obliga-
2 tion.

3 (b) In addition to the notification required in sub-
4 section (a), none of the funds made available in this Act
5 to the Department of Transportation may be used to make
6 a loan, loan guarantee, line of credit, cooperative agree-
7 ment or discretionary grant unless the Secretary of Trans-
8 portation provides the House and Senate Committees on
9 Appropriations a comprehensive list of all such loans, loan
10 guarantees, lines of credit, cooperative agreement or dis-
11 cretionary grants that will be announced not less the 3
12 full business days before such announcement: *Provided*,
13 That the requirement to provide a list in this subsection
14 does not apply to any “quick release” of funds from the
15 emergency relief program: *Provided further*, That no list
16 shall involve funds that are not available for obligation.

17 SEC. 186. Rebates, refunds, incentive payments,
18 minor fees and other funds received by the Department
19 of Transportation from travel management centers,
20 charge card programs, the subleasing of building space,
21 and miscellaneous sources are to be credited to appropria-
22 tions of the Department of Transportation and allocated
23 to elements of the Department of Transportation using
24 fair and equitable criteria and such funds shall be avail-
25 able until expended.

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1 SEC. 187. Amounts made available in this or any
2 prior Act that the Secretary determines represent im-
3 proper payments by the Department of Transportation to
4 a third-party contractor under a financial assistance
5 award, which are recovered pursuant to law, shall be avail-
6 able—

7 (1) to reimburse the actual expenses incurred
8 by the Department of Transportation in recovering
9 improper payments: *Provided*, That amounts made
10 available in this Act shall be available until ex-
11 pended; and

12 (2) to pay contractors for services provided in
13 recovering improper payments or contractor support
14 in the implementation of the Improper Payments In-
15 formation Act of 2002, as amended by the Improper
16 Payments Elimination and Recovery Act of 2010
17 and Improper Payments Elimination and Recovery
18 Improvement Act of 2012, and Fraud Reduction and
19 Data Analytics Act of 2015: *Provided*, That amounts
20 in excess of that required for paragraphs (1) and
21 (2)—

22 (A) shall be credited to and merged with
23 the appropriation from which the improper pay-
24 ments were made, and shall be available for the
25 purposes and period for which such appropria-

1 tions are available: *Provided further*, That
2 where specific project or accounting information
3 associated with the improper payment or pay-
4 ments is not readily available, the Secretary
5 may credit an appropriate account, which shall
6 be available for the purposes and period associ-
7 ated with the account so credited; or

8 (B) if no such appropriation remains avail-
9 able, shall be deposited in the Treasury as mis-
10 cellaneous receipts: *Provided further*, That prior
11 to depositing such recovery in the Treasury, the
12 Secretary shall notify the House and Senate
13 Committees on Appropriations of the amount
14 and reasons for such transfer: *Provided further*,
15 That for purposes of this section, the term “im-
16 proper payments” has the same meaning as
17 that provided in section 2(e)(2) of Public Law
18 111–204.

19 SEC. 188. Notwithstanding any other provision of
20 law, if any funds provided in or limited by this Act are
21 subject to a reprogramming action that requires notice to
22 be provided to the House and Senate Committees on Ap-
23 propriations, transmission of said reprogramming notice
24 shall be provided solely to the House and Senate Commit-
25 tees on Appropriations, and said reprogramming action

1 shall be approved or denied solely by the House and Sen-
2 ate Committees on Appropriations: *Provided*, That the
3 Secretary of Transportation may provide notice to other
4 congressional committees of the action of the House and
5 Senate Committees on Appropriations on such reprogram-
6 ming but not sooner than 30 days following the date on
7 which the reprogramming action has been approved or de-
8 nied by the House and Senate Committees on Appropria-
9 tions.

10 SEC. 189. Funds appropriated in this Act to the
11 modal administrations may be obligated for the Office of
12 the Secretary for the costs related to assessments or reim-
13 bursable agreements only when such amounts are for the
14 costs of goods and services that are purchased to provide
15 a direct benefit to the applicable modal administration or
16 administrations.

17 SEC. 190. The Secretary of Transportation is author-
18 ized to carry out a program that establishes uniform
19 standards for developing and supporting agency transit
20 pass and transit benefits authorized under section 7905
21 of title 5, United States Code, including distribution of
22 transit benefits by various paper and electronic media.

23 SEC. 191. The Department of Transportation may
24 use funds provided by this Act, or any other Act, to assist
25 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing

1 geographic, economic, or any other hiring preference not
2 otherwise authorized by law, or to amend a rule, regula-
3 tion, policy or other measure that forbids a recipient of
4 a Federal Highway Administration or Federal Transit Ad-
5 ministration grant from imposing such hiring preference
6 on a contract or construction project with which the De-
7 partment of Transportation is assisting, only if the grant
8 recipient certifies the following:

9 (1) that except with respect to apprentices or
10 trainees, a pool of readily available but unemployed
11 individuals possessing the knowledge, skill, and abil-
12 ity to perform the work that the contract requires
13 resides in the jurisdiction;

14 (2) that the grant recipient will include appro-
15 priate provisions in its bid document ensuring that
16 the contractor does not displace any of its existing
17 employees in order to satisfy such hiring preference;
18 and

19 (3) that any increase in the cost of labor, train-
20 ing, or delays resulting from the use of such hiring
21 preference does not delay or displace any transpor-
22 tation project in the applicable Statewide Transpor-
23 tation Improvement Program or Transportation Im-
24 provement Program.

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1 This title may be cited as the “Department of Trans-
2 portation Appropriations Act, 2019”.

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1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 MANAGEMENT AND ADMINISTRATION
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$14,900,000, to remain available until September 30,
13 2020: *Provided*, That not to exceed \$25,000 of the amount
14 made available under this heading shall be available to the
15 Secretary for official reception and representation ex-
16 penses as the Secretary may determine.

17 ADMINISTRATIVE SUPPORT OFFICES

18 For necessary salaries and expenses for Administra-
19 tive Support Offices, \$541,500,000, to remain available
20 until September 30, 2020, of which \$70,400,000 shall be
21 available for the Office of the Chief Financial Officer, (and
22 of which \$20,000,000, to remain available until September
23 30, 2021, shall be for the financial transformation initia-
24 tive); \$97,800,000 shall be available for the Office of the
25 General Counsel, of which not less than \$15,000,000 shall

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1 be for the Departmental Enforcement Center;
2 \$206,300,000 shall be available for the Office of Adminis-
3 tration; \$40,400,000 shall be available for the Office of
4 the Chief Human Capital Officer; \$54,300,000 shall be
5 available for the Office of Field Policy and Management;
6 \$19,100,000 shall be available for the Office of the Chief
7 Procurement Officer; \$3,800,000 shall be available for the
8 Office of Departmental Equal Employment Opportunity;
9 \$4,700,000 shall be available for the Office of Business
10 Transformation; and \$44,700,000 shall be available for
11 the Office of the Chief Information Officer: *Provided*, That
12 funds provided under this heading may be used for nec-
13 essary administrative and non-administrative expenses of
14 the Department of Housing and Urban Development, not
15 otherwise provided for, including purchase of uniforms, or
16 allowances therefor, as authorized by 5 U.S.C. 5901–
17 5902; hire of passenger motor vehicles; and services as au-
18 thorized by 5 U.S.C. 3109: *Provided further*, That not-
19 withstanding any other provision of law, funds appro-
20 priated under this heading may be used for advertising
21 and promotional activities that directly support program
22 activities funded in this title: *Provided further*, That the
23 Secretary shall provide the House and Senate Committees
24 on Appropriations quarterly written notification regarding
25 the status of pending congressional reports: *Provided fur-*

1 *ther*, That the Secretary shall provide in electronic form
2 all signed reports required by Congress: *Provided further*,
3 That not more than 10 percent of the funds made avail-
4 able under this heading for the Office of Chief Financial
5 Officer for the financial transformation initiative may be
6 obligated until the Secretary submits to the House and
7 Senate Committees on Appropriations, for approval, a
8 plan for expenditure that includes the financial and inter-
9 nal control capabilities to be delivered and the mission
10 benefits to be realized, key milestones to be met, and the
11 relationship between the proposed use of funds made avail-
12 able under this heading and the projected total cost and
13 scope of the initiative.

14 PROGRAM OFFICE SALARIES AND EXPENSES

15 PUBLIC AND INDIAN HOUSING

16 For necessary salaries and expenses of the Office of
17 Public and Indian Housing, \$219,800,000, to remain
18 available until September 30, 2020.

19 COMMUNITY PLANNING AND DEVELOPMENT

20 For necessary salaries and expenses of the Office of
21 Community Planning and Development, \$112,344,000, to
22 remain available until September 30, 2020.

23 HOUSING

24 For necessary salaries and expenses of the Office of
25 Housing, \$382,500,000, to remain available until Sep-

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1 tember 30, 2020, of which not less than \$12,000,000 shall
2 be for the Office of Recapitalization.

3 POLICY DEVELOPMENT AND RESEARCH

4 For necessary salaries and expenses of the Office of
5 Policy Development and Research, \$26,000,000, to re-
6 main available until September 30, 2020.

7 FAIR HOUSING AND EQUAL OPPORTUNITY

8 For necessary salaries and expenses of the Office of
9 Fair Housing and Equal Opportunity, \$72,900,000, to re-
10 main available until September 30, 2020.

11 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

12 HOMES

13 For necessary salaries and expenses of the Office of
14 Lead Hazard Control and Healthy Homes, \$8,600,000, to
15 remain available until September 30, 2020.

16 WORKING CAPITAL FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For the working capital fund for the Department of
19 Housing and Urban Development (referred to in this para-
20 graph as the “Fund”), pursuant, in part, to section 7(f)
21 of the Department of Housing and Urban Development
22 Act (42 U.S.C. 3535(f)), amounts transferred, including
23 reimbursements pursuant to section 7(f), to the Fund
24 under this heading shall be available for Federal shared
25 services used by offices and agencies of the Department,

1 and for such portion of any office or agency's printing,
2 records management, space renovation, furniture, or sup-
3 ply services as the Secretary determines shall be derived
4 from centralized sources made available by the Depart-
5 ment to all offices and agencies and funded through the
6 Fund: *Provided*, That of the amounts made available in
7 this title for salaries and expenses under the headings
8 "Executive Offices", "Administrative Support Offices",
9 "Program Office Salaries and Expenses", and "Govern-
10 ment National Mortgage Association", the Secretary shall
11 transfer to the Fund such amounts, to remain available
12 until expended, as are necessary to fund services, specified
13 in the matter preceding the first proviso, for which the
14 appropriation would otherwise have been available, and
15 may transfer not to exceed an additional \$5,000,000, in
16 aggregate, from all such appropriations, to be merged with
17 the Fund and to remain available until expended for any
18 purpose under this heading: *Provided further*, That
19 amounts in the Fund shall be the only amounts available
20 to each office or agency of the Department for the serv-
21 ices, or portion of services, specified in the matter pre-
22 ceding the first proviso: *Provided further*, That with re-
23 spect to the Fund, the authorities and conditions under
24 this heading shall supplement the authorities and condi-
25 tions provided under section 7(f).

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1 PUBLIC AND INDIAN HOUSING

2 TENANT-BASED RENTAL ASSISTANCE

3 For activities and assistance for the provision of ten-
4 ant-based rental assistance authorized under the United
5 States Housing Act of 1937, as amended (42 U.S.C. 1437
6 et seq.) (“the Act” herein), not otherwise provided for,
7 \$18,598,000,000, to remain available until expended, shall
8 be available on October 1, 2018 (in addition to the
9 \$4,000,000,000 previously appropriated under this head-
10 ing that shall be available on October 1, 2018), and
11 \$4,000,000,000, to remain available until expended, shall
12 be available on October 1, 2019: *Provided*, That the
13 amounts made available under this heading are provided
14 as follows:

15 (1) \$20,313,000,000 shall be available for re-
16 newals of expiring section 8 tenant-based annual
17 contributions contracts (including renewals of en-
18 hanced vouchers under any provision of law author-
19 izing such assistance under section 8(t) of the Act)
20 and including renewal of other special purpose incre-
21 mental vouchers: *Provided*, That notwithstanding
22 any other provision of law, from amounts provided
23 under this paragraph and any carryover, the Sec-
24 retary for the calendar year 2019 funding cycle shall
25 provide renewal funding for each public housing

1 agency based on validated voucher management sys-
2 tem (VMS) leasing and cost data for the prior cal-
3 endar year and by applying an inflation factor as es-
4 tablished by the Secretary, by notice published in
5 the Federal Register, and by making any necessary
6 adjustments for the costs associated with the first-
7 time renewal of vouchers under this paragraph in-
8 cluding tenant protection and Choice Neighborhoods
9 vouchers: *Provided further*, That none of the funds
10 provided under this paragraph may be used to fund
11 a total number of unit months under lease which ex-
12 ceeds a public housing agency's authorized level of
13 units under contract, except for public housing agen-
14 cies participating in the MTW demonstration, which
15 are instead governed by the terms and conditions of
16 their MTW agreements: *Provided further*, That the
17 Secretary shall, to the extent necessary to stay with-
18 in the amount specified under this paragraph (ex-
19 cept as otherwise modified under this paragraph),
20 prorate each public housing agency's allocation oth-
21 erwise established pursuant to this paragraph: *Pro-*
22 *vided further*, That except as provided in the fol-
23 lowing provisos, the entire amount specified under
24 this paragraph (except as otherwise modified under
25 this paragraph) shall be obligated to the public hous-

1 ing agencies based on the allocation and pro rata
2 method described above, and the Secretary shall no-
3 tify public housing agencies of their annual budget
4 by the latter of 60 days after enactment of this Act
5 or March 1, 2019: *Provided further*, That the Sec-
6 retary may extend the notification period with the
7 prior written approval of the House and Senate
8 Committees on Appropriations: *Provided further*,
9 That public housing agencies participating in the
10 MTW demonstration shall be funded pursuant to
11 their MTW agreements and shall be subject to the
12 same pro rata adjustments under the previous pro-
13 visos: *Provided further*, That the Secretary may off-
14 set public housing agencies' calendar year 2019 allo-
15 cations based on the excess amounts of public hous-
16 ing agencies' net restricted assets accounts, includ-
17 ing HUD-held programmatic reserves (in accordance
18 with VMS data in calendar year 2018 that is
19 verifiable and complete), as determined by the Sec-
20 retary: *Provided further*, That public housing agen-
21 cies participating in the MTW demonstration shall
22 also be subject to the offset, as determined by the
23 Secretary, excluding amounts subject to the single
24 fund budget authority provisions of their MTW
25 agreements, from the agencies' calendar year 2019

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) \$85,000,000 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, Choice Neighborhood vouchers, manda-
15 tory and voluntary conversions, and tenant protec-
16 tion assistance including replacement and relocation
17 assistance or for project-based assistance to prevent
18 the displacement of unassisted elderly tenants cur-
19 rently residing in section 202 properties financed be-
20 tween 1959 and 1974 that are refinanced pursuant
21 to Public Law 106–569, as amended, or under the
22 authority as provided under this Act: *Provided*, That
23 when a public housing development is submitted for
24 demolition or disposition under section 18 of the
25 Act, the Secretary may provide section 8 rental as-

1 sistance when the units pose an imminent health
2 and safety risk to residents: *Provided further*, That
3 the Secretary may only provide replacement vouch-
4 ers for units that were occupied within the previous
5 24 months that cease to be available as assisted
6 housing, subject only to the availability of funds:
7 *Provided further*, That of the amounts made avail-
8 able under this paragraph, \$5,000,000 may be avail-
9 able to provide tenant protection assistance, not oth-
10 erwise provided under this paragraph, to residents
11 residing in low vacancy areas and who may have to
12 pay rents greater than 30 percent of household in-
13 come, as the result of: (A) the maturity of a HUD-
14 insured, HUD-held or section 202 loan that requires
15 the permission of the Secretary prior to loan prepay-
16 ment; (B) the expiration of a rental assistance con-
17 tract for which the tenants are not eligible for en-
18 hanced voucher or tenant protection assistance
19 under existing law; or (C) the expiration of afford-
20 ability restrictions accompanying a mortgage or
21 preservation program administered by the Secretary:
22 *Provided further*, That such tenant protection assist-
23 ance made available under the previous proviso may
24 be provided under the authority of section 8(t) or
25 section 8(o)(13) of the United States Housing Act

1 of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That
2 the Secretary shall issue guidance to implement the
3 previous provisos, including, but not limited to, re-
4 quirements for defining eligible at-risk households
5 within 60 days of the enactment of this Act: *Pro-*
6 *vided further*, That any tenant protection voucher
7 made available from amounts under this paragraph
8 shall not be reissued by any public housing agency,
9 except the replacement vouchers as defined by the
10 Secretary by notice, when the initial family that re-
11 ceived any such voucher no longer receives such
12 voucher, and the authority for any public housing
13 agency to issue any such voucher shall cease to exist:
14 *Provided further*, That the Secretary may provide
15 section 8 rental assistance from amounts made
16 available under this paragraph for units assisted
17 under a project-based subsidy contract funded under
18 the “Project-Based Rental Assistance” heading
19 under this title where the owner has received a No-
20 tice of Default and the units pose an imminent
21 health and safety risk to residents: *Provided further*,
22 That to the extent that the Secretary determines
23 that such units are not feasible for continued rental
24 assistance payments or transfer of the subsidy con-
25 tract associated with such units to another project

1 or projects and owner or owners, any remaining
2 amounts associated with such units under such con-
3 tract shall be recaptured and used to reimburse
4 amounts used under this paragraph for rental assist-
5 ance under the preceding proviso;

6 (3) \$1,886,000,000 shall be for administrative
7 and other expenses of public housing agencies in ad-
8 ministering the section 8 tenant-based rental assist-
9 ance program, of which up to \$30,000,000 shall be
10 available to the Secretary to allocate to public hous-
11 ing agencies that need additional funds to admin-
12 ister their section 8 programs, including fees associ-
13 ated with section 8 tenant protection rental assist-
14 ance, the administration of disaster related vouchers,
15 HUD-VASH vouchers, and other special purpose in-
16 cremental vouchers: *Provided*, That no less than
17 \$1,856,000,000 of the amount provided in this para-
18 graph shall be allocated to public housing agencies
19 for the calendar year 2019 funding cycle based on
20 section 8(q) of the Act (and related Appropriation
21 Act provisions) as in effect immediately before the
22 enactment of the Quality Housing and Work Re-
23 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
24 *vided further*, That if the amounts made available
25 under this paragraph are insufficient to pay the

1 amounts determined under the previous proviso, the
2 Secretary may decrease the amounts allocated to
3 agencies by a uniform percentage applicable to all
4 agencies receiving funding under this paragraph or
5 may, to the extent necessary to provide full payment
6 of amounts determined under the previous proviso,
7 utilize unobligated balances, including recaptures
8 and carryovers, remaining from funds appropriated
9 to the Department of Housing and Urban Develop-
10 ment under this heading from prior fiscal years, ex-
11 cluding special purpose vouchers, notwithstanding
12 the purposes for which such amounts were appro-
13 priated: *Provided further*, That all public housing
14 agencies participating in the MTW demonstration
15 shall be funded pursuant to their MTW agreements,
16 and shall be subject to the same uniform percentage
17 decrease as under the previous proviso: *Provided fur-*
18 *ther*, That amounts provided under this paragraph
19 shall be only for activities related to the provision of
20 tenant-based rental assistance authorized under sec-
21 tion 8, including related development activities;

22 (4) \$225,000,000 for the renewal of tenant-
23 based assistance contracts under section 811 of the
24 Cranston-Gonzalez National Affordable Housing Act
25 (42 U.S.C. 8013), including necessary administra-

1 tive expenses: *Provided*, That administrative and
2 other expenses of public housing agencies in admin-
3 istering the special purpose vouchers in this para-
4 graph shall be funded under the same terms and be
5 subject to the same pro rata reduction as the per-
6 cent decrease for administrative and other expenses
7 to public housing agencies under paragraph (3) of
8 this heading: *Provided further*, That any amounts
9 provided under this paragraph in this Act or prior
10 Acts, remaining available after funding renewals and
11 administrative expenses under this paragraph, shall
12 be available only for incremental tenant-based rental
13 assistance contracts under such section 811 for non-
14 elderly persons with disabilities, including necessary
15 administrative expenses: *Provided further*, That upon
16 turnover, section 811 special purpose vouchers fund-
17 ed under this heading in this or prior Acts, or under
18 any other heading in prior Acts, shall be provided to
19 non-elderly persons with disabilities;

20 (5) \$4,000,000 shall be for rental assistance
21 and associated administrative fees for Tribal HUD-
22 VASH to serve Native American veterans that are
23 homeless or at-risk of homelessness living on or near
24 a reservation or other Indian areas: *Provided*, That
25 such amount shall be made available for renewal

1 grants to recipients that received assistance under
2 prior Acts under the Tribal HUD–VASH program:
3 *Provided further*, That the Secretary shall be author-
4 ized to specify criteria for renewal grants, including
5 data on the utilization of assistance reported by
6 grant recipients: *Provided further*, That such assist-
7 ance shall be administered in accordance with pro-
8 gram requirements under the Native American
9 Housing Assistance and Self-Determination Act of
10 1996 and modeled after the HUD–VASH program:
11 *Provided further*, That the Secretary shall be author-
12 ized to waive, or specify alternative requirements for
13 any provision of any statute or regulation that the
14 Secretary administers in connection with the use of
15 funds made available under this paragraph (except
16 for requirements related to fair housing, non-
17 discrimination, labor standards, and the environ-
18 ment), upon a finding by the Secretary that any
19 such waivers or alternative requirements are nec-
20 essary for the effective delivery and administration
21 of such assistance: *Provided further*, That grant re-
22 cipients shall report to the Secretary on utilization
23 of such rental assistance and other program data, as
24 prescribed by the Secretary: *Provided further*, That
25 the Secretary may reallocate, as determined by the

1 Secretary, amounts returned or recaptured from
2 awards under prior acts;

3 (6) \$40,000,000 for incremental rental voucher
4 assistance for use through a supported housing pro-
5 gram administered in conjunction with the Depart-
6 ment of Veterans Affairs as authorized under section
7 8(o)(19) of the United States Housing Act of 1937:
8 *Provided*, That the Secretary of Housing and Urban
9 Development shall make such funding available, not-
10 withstanding section 203 (competition provision) of
11 this title, to public housing agencies that partner
12 with eligible VA Medical Centers or other entities as
13 designated by the Secretary of the Department of
14 Veterans Affairs, based on geographical need for
15 such assistance as identified by the Secretary of the
16 Department of Veterans Affairs, public housing
17 agency administrative performance, and other fac-
18 tors as specified by the Secretary of Housing and
19 Urban Development in consultation with the Sec-
20 retary of the Department of Veterans Affairs: *Pro-*
21 *vided further*, That the Secretary of Housing and
22 Urban Development may waive, or specify alter-
23 native requirements for (in consultation with the
24 Secretary of the Department of Veterans Affairs),
25 any provision of any statute or regulation that the

1 Secretary of Housing and Urban Development ad-
2 ministers in connection with the use of funds made
3 available under this paragraph (except for require-
4 ments related to fair housing, nondiscrimination,
5 labor standards, and the environment), upon a find-
6 ing by the Secretary that any such waivers or alter-
7 native requirements are necessary for the effective
8 delivery and administration of such voucher assist-
9 ance: *Provided further*, That assistance made avail-
10 able under this paragraph shall continue to remain
11 available for homeless veterans upon turn-over;

12 (7) \$20,000,000 shall be made available for
13 new incremental voucher assistance through the
14 family unification program as authorized by section
15 8(x) of the Act: *Provided*, That the assistance made
16 available under this paragraph shall continue to re-
17 main available for family unification upon turnover:
18 *Provided further*, That for any public housing agency
19 administering voucher assistance appropriated in a
20 prior Act under the family unification program that
21 determines that it no longer has an identified need
22 for such assistance upon turnover, such agency shall
23 notify the Secretary, and the Secretary shall recap-
24 ture such assistance from the agency and reallocate
25 it to any other public housing agency or agencies

1 based on need for voucher assistance in connection
2 with such program;

3 (8) \$25,000,000 shall be made available for the
4 mobility demonstration authorized under section 235
5 of this title, of which up to \$5,000,000 shall be for
6 new incremental voucher assistance and the remain-
7 der of which shall be available to provide mobility-
8 related services to families with children, including
9 pre- and post-move counseling and rent deposits,
10 and to offset the administrative costs of operating
11 the mobility demonstration: *Provided*, That incre-
12 mental voucher assistance made available under this
13 paragraph shall be for families with children partici-
14 pating in the mobility demonstration and shall con-
15 tinue to remain available for families with children
16 upon turnover: *Provided further*, That for any public
17 housing agency administering voucher assistance
18 under the mobility demonstration that determines
19 that it no longer has an identified need for such as-
20 sistance upon turnover, such agency shall notify the
21 Secretary, and the Secretary shall recapture such as-
22 sistance from the agency and reallocate it to any
23 other public housing agency or agencies based on
24 need for voucher assistance in connection with such
25 demonstration; and

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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”) \$2,775,000,000, to remain available until
7 September 30, 2022: *Provided*, That notwithstanding any
8 other provision of law or regulation, during fiscal year
9 2019, the Secretary of Housing and Urban Development
10 may not delegate to any Department official other than
11 the Deputy Secretary and the Assistant Secretary for
12 Public and Indian Housing any authority under paragraph
13 (2) of section 9(j) regarding the extension of the time peri-
14 ods under such section: *Provided further*, That for pur-
15 poses of such section 9(j), the term “obligate” means, with
16 respect to amounts, that the amounts are subject to a
17 binding agreement that will result in outlays, immediately
18 or in the future: *Provided further*, That of the total
19 amount made available under this heading, up to
20 \$14,000,000 shall be to support ongoing public housing
21 financial and physical assessment activities: *Provided fur-*
22 *ther*, That of the total amount made available under this
23 heading, up to \$1,000,000 shall be to support the costs
24 of administrative and judicial receiverships: *Provided fur-*
25 *ther*, That of the total amount provided under this head-

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1 ing, not to exceed \$30,000,000 shall be available for the
2 Secretary to make grants, notwithstanding section 203 of
3 this Act, to public housing agencies for emergency capital
4 needs including safety and security measures necessary to
5 address crime and drug-related activity as well as needs
6 resulting from unforeseen or unpreventable emergencies
7 and natural disasters excluding Presidentially declared
8 emergencies and natural disasters under the Robert T.
9 Stafford Disaster Relief and Emergency Act (42 U.S.C.
10 5121 et seq.) occurring in fiscal year 2019: *Provided fur-*
11 *ther*, That of the amount made available under the pre-
12 vious proviso, not less than \$10,000,000 shall be for safety
13 and security measures: *Provided further*, That in addition
14 to the amount in the previous proviso for such safety and
15 security measures, any amounts that remain available,
16 after all applications received on or before September 30,
17 2020, for emergency capital needs have been processed,
18 shall be allocated to public housing agencies for such safe-
19 ty and security measures: *Provided further*, That of the
20 total amount provided under this heading, up to
21 \$35,000,000 shall be for supportive services, service coor-
22 dinators and congregate services as authorized by section
23 34 of the Act (42 U.S.C. 1437z-6) and the Native Amer-
24 ican Housing Assistance and Self-Determination Act of
25 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of

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1 the total amount made available under this heading,
2 \$15,000,000 shall be for a Jobs-Plus initiative modeled
3 after the Jobs-Plus demonstration: *Provided further*, That
4 funding provided under the previous proviso shall be avail-
5 able for competitive grants to partnerships between public
6 housing authorities, local workforce investment boards es-
7 tablished under section 107 of the Workforce Innovation
8 and Opportunity Act of 2014 (29 U.S.C. 3122), and other
9 agencies and organizations that provide support to help
10 public housing residents obtain employment and increase
11 earnings: *Provided further*, That applicants must dem-
12 onstrate the ability to provide services to residents, part-
13 ner with workforce investment boards, and leverage service
14 dollars: *Provided further*, That the Secretary may allow
15 public housing agencies to request exemptions from rent
16 and income limitation requirements under sections 3 and
17 6 of the United States Housing Act of 1937 (42 U.S.C.
18 1437a and 1437d), as necessary to implement the Jobs-
19 Plus program, on such terms and conditions as the Sec-
20 retary may approve upon a finding by the Secretary that
21 any such waivers or alternative requirements are nec-
22 essary for the effective implementation of the Jobs-Plus
23 initiative as a voluntary program for residents: *Provided*
24 *further*, That the Secretary shall publish by notice in the
25 Federal Register any waivers or alternative requirements

1 pursuant to the preceding proviso no later than 10 days
2 before the effective date of such notice: *Provided further*,
3 That for funds provided under this heading, the limitation
4 in section 9(g)(1) of the Act shall be 25 percent: *Provided*
5 *further*, That the Secretary may waive the limitation in
6 the previous proviso to allow public housing agencies to
7 fund activities authorized under section 9(e)(1)(C) of the
8 Act: *Provided further*, That the Secretary shall notify pub-
9 lic housing agencies requesting waivers under the previous
10 proviso if the request is approved or denied within 14 days
11 of submitting the request: *Provided further*, That from the
12 funds made available under this heading, the Secretary
13 shall provide bonus awards in fiscal year 2019 to public
14 housing agencies that are designated high performers:
15 *Provided further*, That the Department shall notify public
16 housing agencies of their formula allocation within 60
17 days of enactment of this Act: *Provided further*, That of
18 the total amount provided under this heading,
19 \$25,000,000 shall be available for competitive grants to
20 public housing agencies to evaluate and reduce lead-based
21 paint hazards in public housing by carrying out the activi-
22 ties of risk assessments, abatement, and interim controls
23 (as those terms are defined in section 1004 of the Residen-
24 tial Lead-Based Paint Hazard Reduction Act of 1992 (42
25 U.S.C. 4851b)): *Provided further*, That for purposes of en-

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1 vironmental review, a grant under the previous proviso
2 shall be considered funds for projects or activities under
3 title I of the United States Housing Act of 1937 (42
4 U.S.C. 1437 et seq.) for purposes of section 26 of such
5 Act (42 U.S.C. 1437x) and shall be subject to the regula-
6 tions implementing such section.

7 PUBLIC HOUSING OPERATING FUND

8 For 2019 payments to public housing agencies for the
9 operation and management of public housing, as author-
10 ized by section 9(e) of the United States Housing Act of
11 1937 (42 U.S.C. 1437g(e)), \$4,653,116,000, to remain
12 available until September 30, 2020.

13 CHOICE NEIGHBORHOODS INITIATIVE

14 For competitive grants under the Choice Neighbor-
15 hoods Initiative (subject to section 24 of the United States
16 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
17 specified under this heading), for transformation, rehabili-
18 tation, and replacement housing needs of both public and
19 HUD-assisted housing and to transform neighborhoods of
20 poverty into functioning, sustainable mixed income neigh-
21 borhoods with appropriate services, schools, public assets,
22 transportation and access to jobs, \$150,000,000, to re-
23 main available until September 30, 2021: *Provided*, That
24 grant funds may be used for resident and community serv-
25 ices, community development, and affordable housing

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1 needs in the community, and for conversion of vacant or
2 foreclosed properties to affordable housing: *Provided fur-*
3 *ther*, That the use of funds made available under this
4 heading shall not be deemed to be public housing notwith-
5 standing section 3(b)(1) of such Act: *Provided further*,
6 That grantees shall commit to an additional period of af-
7 fordability determined by the Secretary of not fewer than
8 20 years: *Provided further*, That grantees shall provide a
9 match in State, local, other Federal or private funds: *Pro-*
10 *vided further*, That grantees may include local govern-
11 ments, tribal entities, public housing authorities, and non-
12 profits: *Provided further*, That for-profit developers may
13 apply jointly with a public entity: *Provided further*, That
14 for purposes of environmental review, a grantee shall be
15 treated as a public housing agency under section 26 of
16 the United States Housing Act of 1937 (42 U.S.C.
17 1437x), and grants under this heading shall be subject
18 to the regulations issued by the Secretary to implement
19 such section: *Provided further*, That of the amount pro-
20 vided, not less than \$75,000,000 shall be awarded to pub-
21 lic housing agencies: *Provided further*, That such grantees
22 shall create partnerships with other local organizations in-
23 cluding assisted housing owners, service agencies, and
24 resident organizations: *Provided further*, That the Sec-
25 retary shall consult with the Secretaries of Education,

1 Labor, Transportation, Health and Human Services, Agri-
2 culture, and Commerce, the Attorney General, and the Ad-
3 ministrator of the Environmental Protection Agency to co-
4 ordinate and leverage other appropriate Federal resources:
5 *Provided further*, That no more than \$5,000,000 of funds
6 made available under this heading may be provided as
7 grants to undertake comprehensive local planning with
8 input from residents and the community: *Provided further*,
9 That unobligated balances, including recaptures, remain-
10 ing from funds appropriated under the heading “Revital-
11 ization of Severely Distressed Public Housing (HOPE
12 VI)” in fiscal year 2011 and prior fiscal years may be used
13 for purposes under this heading, notwithstanding the pur-
14 poses for which such amounts were appropriated: *Provided*
15 *further*, That the Secretary shall issue the Notice of Fund-
16 ing Availability for funds made available under this head-
17 ing no later than 60 days after enactment of this Act: *Pro-*
18 *vided further*, That the Secretary shall make grant awards
19 no later than one year from the date of enactment of this
20 Act in such amounts that the Secretary determines: *Pro-*
21 *vided further*, That notwithstanding section 24(o) of the
22 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
23 the Secretary may, until September 30, 2019, obligate any
24 available unobligated balances made available under this
25 heading in this, or any prior Act.

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1 FAMILY SELF-SUFFICIENCY

2 For the Family Self-Sufficiency program to support
3 family self-sufficiency coordinators under section 23 of the
4 United States Housing Act of 1937, to promote the devel-
5 opment of local strategies to coordinate the use of assist-
6 ance under sections 8(o) and 9 of such Act with public
7 and private resources, and enable eligible families to
8 achieve economic independence and self-sufficiency,
9 \$80,000,000, to remain available until September 30,
10 2020: *Provided*, That the Secretary may, by Federal Reg-
11 istry notice, waive or specify alternative requirements
12 under subsections b(3), b(4), b(5), or c(1) of section 23
13 of such Act in order to facilitate the operation of a unified
14 self-sufficiency program for individuals receiving assist-
15 ance under different provisions of the Act, as determined
16 by the Secretary: *Provided further*, That owners of a pri-
17 vately owned multifamily property with a section 8 con-
18 tract may voluntarily make a Family Self-Sufficiency pro-
19 gram available to the assisted tenants of such property
20 in accordance with procedures established by the Sec-
21 retary: *Provided further*, That such procedures established
22 pursuant to the previous proviso shall permit participating
23 tenants to accrue escrow funds in accordance with section
24 23(d)(2) and shall allow owners to use funding from resid-

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1 ual receipt accounts to hire coordinators for their own
2 Family Self-Sufficiency program.

3 NATIVE AMERICAN HOUSING BLOCK GRANTS

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Native American Housing Block Grants pro-
6 gram, as authorized under title I of the Native American
7 Housing Assistance and Self-Determination Act of 1996
8 (NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to
9 remain available until September 30, 2023: *Provided*,
10 That, notwithstanding NAHASDA, to determine the
11 amount of the allocation under title I of such Act for each
12 Indian tribe, the Secretary shall apply the formula under
13 section 302 of such Act with the need component based
14 on single-race census data and with the need component
15 based on multi-race census data, and the amount of the
16 allocation for each Indian tribe shall be the greater of the
17 two resulting allocation amounts: *Provided further*, That
18 of the amounts made available under this heading,
19 \$7,000,000 shall be for providing training and technical
20 assistance to Indian housing authorities and tribally des-
21 ignated housing entities, to support the inspection of In-
22 dian housing units, contract expertise, and for training
23 and technical assistance related to funding provided under
24 this heading and other headings under this Act for the
25 needs of Native American families and Indian country:

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1 *Provided further*, That of the funds made available under
2 the previous proviso, not less than \$2,000,000 shall be
3 made available for a national organization as authorized
4 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*
5 *vided further*, That amounts made available under the pre-
6 vious two provisos may be used, contracted, or competed
7 as determined by the Secretary: *Provided further*, That of
8 the amount provided under this heading, \$2,000,000 shall
9 be made available for the cost of guaranteed notes and
10 other obligations, as authorized by title VI of NAHASDA:
11 *Provided further*, That such costs, including the costs of
12 modifying such notes and other obligations, shall be as de-
13 fined in section 502 of the Congressional Budget Act of
14 1974, as amended: *Provided further*, That these funds are
15 available to subsidize the total principal amount of any
16 notes and other obligations, any part of which is to be
17 guaranteed, not to exceed \$17,761,989: *Provided further*,
18 That the Department will notify grantees of their formula
19 allocation within 60 days of the date of enactment of this
20 Act: *Provided further*, That for an additional amount for
21 the Native American Housing Block Grants program, as
22 authorized under title I of NAHASDA, \$100,000,000 to
23 remain available until September 30, 2023: *Provided fur-*
24 *ther*, That the Secretary shall obligate this additional
25 amount for competitive grants to eligible recipients au-

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1 thORIZED under NAHASDA that apply for funds: *Provided*
2 *further*, That in awarding this additional amount, the Sec-
3 retary shall consider need and administrative capacity,
4 and shall give priority to projects that will spur construc-
5 tion and rehabilitation: *Provided further*, That up to 1 per-
6 cent of this additional amount may be transferred, in ag-
7 gregate, to “Program Office Salaries and Expenses—Pub-
8 lic and Indian Housing” for necessary costs of admin-
9 istering and overseeing the obligation and expenditure of
10 this additional amount: *Provided further*, That any funds
11 transferred pursuant to the previous proviso shall remain
12 available until September 30, 2024.

13 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

14 ACCOUNT

15 For the cost of guaranteed loans, as authorized by
16 section 184 of the Housing and Community Development
17 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-
18 main available until expended: *Provided*, That such costs,
19 including the costs of modifying such loans, shall be as
20 defined in section 502 of the Congressional Budget Act
21 of 1974: *Provided further*, That these funds are available
22 to subsidize total loan principal, any part of which is to
23 be guaranteed, up to \$553,846,154, to remain available
24 until expended: *Provided further*, That up to \$750,000 of
25 this amount may be for administrative contract expenses

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1 including management processes and systems to carry out
2 the loan guarantee program.

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-
5 gram, as authorized under title VIII of the Native Amer-
6 ican Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
8 available until September 30, 2023: *Provided*, That not-
9 withstanding section 812(b) of such Act, the Department
10 of Hawaiian Home Lands may not invest grant amounts
11 provided under this heading in investment securities and
12 other obligations: *Provided further*, That amounts made
13 available under this heading in this and prior fiscal years
14 may be used to provide rental assistance to eligible Native
15 Hawaiian families both on and off the Hawaiian Home
16 Lands, notwithstanding any other provision of law.

17 COMMUNITY PLANNING AND DEVELOPMENT

18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

19 For carrying out the Housing Opportunities for Per-
20 sons with AIDS program, as authorized by the AIDS
21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
22 \$393,000,000, to remain available until September 30,
23 2020, except that amounts allocated pursuant to section
24 854(c)(5) of such Act shall remain available until Sep-
25 tember 30, 2021: *Provided*, That the Secretary shall renew

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1 all expiring contracts for permanent supportive housing
2 that initially were funded under section 854(c)(5) of such
3 Act from funds made available under this heading in fiscal
4 year 2010 and prior fiscal years that meet all program
5 requirements before awarding funds for new contracts
6 under such section: *Provided further*, That the Depart-
7 ment shall notify grantees of their formula allocation with-
8 in 60 days of enactment of this Act.

9 COMMUNITY DEVELOPMENT FUND

10 For assistance to units of State and local govern-
11 ment, and to other entities, for economic and community
12 development activities, and for other purposes,
13 \$3,365,000,000, to remain available until September 30,
14 2021, unless otherwise specified: *Provided*, That of the
15 total amount provided, \$3,300,000,000 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, Indian tribe, or insular area that directly or indi-

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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 subsection (e)(2): *Provided further*,
12 That the Department shall notify grantees of their for-
13 mula allocation within 60 days of enactment of this Act:
14 *Provided further*, That of the total amount provided under
15 this heading, \$65,000,000 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 2019, commitments to
25 guarantee loans under section 108 of the Housing and

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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 \$1,250,000,000, to remain available until September 30,
16 2022: *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 Department shall notify grantees of their
21 formula allocation within 60 days of enactment of this Act.

22 SELF-HELP AND ASSISTED HOMEOWNERSHIP

23 OPPORTUNITY PROGRAM

24 For the Self-Help and Assisted Homeownership Op-
25 portunity Program, as authorized under section 11 of the

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1 Housing Opportunity Program Extension Act of 1996, as
2 amended, \$54,000,000, to remain available until Sep-
3 tember 30, 2021: *Provided*, That of the total amount pro-
4 vided under this heading, \$10,000,000 shall be made
5 available to the Self-Help Homeownership Opportunity
6 Program as authorized under section 11 of the Housing
7 Opportunity Program Extension Act of 1996, as amended:
8 *Provided further*, That of the total amount provided under
9 this heading, \$35,000,000 shall be made available for the
10 second, third, and fourth capacity building activities au-
11 thorized under section 4(a) of the HUD Demonstration
12 Act of 1993 (42 U.S.C. 9816 note), of which not less than
13 \$5,000,000 shall be made available for rural capacity
14 building activities: *Provided further*, That of the total
15 amount provided under this heading, \$5,000,000 shall be
16 made available for capacity building by national rural
17 housing organizations with experience assessing national
18 rural conditions and providing financing, training, tech-
19 nical assistance, information, and research to local non-
20 profits, local governments, and Indian Tribes serving high
21 need rural communities: *Provided further*, That of the
22 total amount provided under this heading, \$4,000,000,
23 shall be made available for a program to rehabilitate and
24 modify the homes of disabled or low-income veterans, as
25 authorized under section 1079 of Public Law 113–291:

1 *Provided further*, That funds provided under the previous
2 proviso shall be awarded within 180 days of enactment
3 of this Act: *Provided further*, That funds provided for such
4 program in fiscal years 2016, 2017, and 2018 shall be
5 awarded within 60 days of enactment of this Act.

6 HOMELESS ASSISTANCE GRANTS

7 For the Emergency Solutions Grants program as au-
8 thorized under subtitle B of title IV of the McKinney-
9 Vento Homeless Assistance Act, as amended; the Con-
10 tinuum of Care program as authorized under subtitle C
11 of title IV of such Act; and the Rural Housing Stability
12 Assistance program as authorized under subtitle D of title
13 IV of such Act, \$2,636,000,000, to remain available until
14 September 30, 2021: *Provided*, That any rental assistance
15 amounts that are recaptured under such Continuum of
16 Care program shall remain available until expended: *Pro-*
17 *vided further*, That not less than \$280,000,000 of the
18 funds appropriated under this heading shall be available
19 for such Emergency Solutions Grants program: *Provided*
20 *further*, That not less than \$2,219,000,000 of the funds
21 appropriated under this heading shall be available for such
22 Continuum of Care and Rural Housing Stability Assist-
23 ance programs: *Provided further*, That of the amounts
24 made available under this heading, up to \$50,000,000
25 shall be made available for grants for rapid re-housing

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1 projects and supportive service projects providing coordi-
2 nated entry, and for eligible activities the Secretary deter-
3 mines to be critical in order to assist survivors of domestic
4 violence, dating violence, and stalking: *Provided further,*
5 That such projects shall be eligible for renewal under the
6 continuum of care program subject to the same terms and
7 conditions as other renewal applicants: *Provided further,*
8 That up to \$7,000,000 of the funds appropriated under
9 this heading shall be available for the national homeless
10 data analysis project: *Provided further,* That all funds
11 awarded for supportive services under the Continuum of
12 Care program and the Rural Housing Stability Assistance
13 program shall be matched by not less than 25 percent in
14 cash or in kind by each grantee: *Provided further,* That
15 for all match requirements applicable to funds made avail-
16 able under this heading for this fiscal year and prior fiscal
17 years, a grantee may use (or could have used) as a source
18 of match funds other funds administered by the Secretary
19 and other Federal agencies unless there is (or was) a spe-
20 cific statutory prohibition on any such use of any such
21 funds: *Provided further,* That the Secretary shall collect
22 system performance measures for each continuum of care,
23 and that relative to fiscal year 2015, under the Continuum
24 of Care competition with respect to funds made available
25 under this heading, the Secretary shall base an increasing

1 share of the score on performance criteria: *Provided fur-*
2 *ther*, That none of the funds provided under this heading
3 shall be available to provide funding for new projects, ex-
4 cept for projects created through reallocation, unless the
5 Secretary determines that the continuum of care has dem-
6 onstrated that projects are evaluated and ranked based
7 on the degree to which they improve the continuum of
8 care's system performance: *Provided further*, That the
9 Secretary shall prioritize funding under the Continuum of
10 Care program to continuums of care that have dem-
11 onstrated a capacity to reallocate funding from lower per-
12 forming projects to higher performing projects: *Provided*
13 *further*, That all awards of assistance under this heading
14 shall be required to coordinate and integrate homeless pro-
15 grams with other mainstream health, social services, and
16 employment programs for which homeless populations
17 may be eligible: *Provided further*, That any unobligated
18 amounts remaining from funds appropriated under this
19 heading in fiscal year 2012 and prior years for project-
20 based rental assistance for rehabilitation projects with 10-
21 year grant terms may be used for purposes under this
22 heading, notwithstanding the purposes for which such
23 funds were appropriated: *Provided further*, That all bal-
24 ances for Shelter Plus Care renewals previously funded
25 from the Shelter Plus Care Renewal account and trans-

1 ferred to this account shall be available, if recaptured, for
2 Continuum of Care renewals in fiscal year 2019: *Provided*
3 *further*, That the Department shall notify grantees of their
4 formula allocation from amounts allocated (which may
5 represent initial or final amounts allocated) for the Emer-
6 gency Solutions Grant program within 60 days of enact-
7 ment of this Act: *Provided further*, That up to
8 \$80,000,000 of the funds appropriated under this heading
9 shall be to implement projects to demonstrate how a com-
10 prehensive approach to serving homeless youth, age 24
11 and under, in up to 25 communities, including at least
12 eight communities with substantial rural populations, can
13 dramatically reduce youth homelessness: *Provided further*,
14 That of the amount made available under the previous
15 proviso, up to \$5,000,000 shall be available to provide
16 technical assistance on youth homelessness, and collection,
17 analysis, and reporting of data and performance measures
18 under the comprehensive approaches to serve homeless
19 youth, in addition to and in coordination with other tech-
20 nical assistance funds provided under this title: *Provided*
21 *further*, That such projects shall be eligible for renewal
22 under the continuum of care program subject to the same
23 terms and conditions as other renewal applicants: *Pro-*
24 *vided further*, That youth aged 24 and under seeking as-
25 sistance under this heading shall not be required to pro-

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1 vide third party documentation to establish their eligibility
2 under 42 U.S.C. 11302(a) or (b) to receive services: *Pro-*
3 *vided further*, That unaccompanied youth aged 24 and
4 under or families headed by youth aged 24 and under who
5 are living in unsafe situations may be served by youth-
6 serving providers funded under this heading.

7 HOUSING PROGRAMS

8 PROJECT-BASED RENTAL ASSISTANCE

9 For activities and assistance for the provision of
10 project-based subsidy contracts under the United States
11 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
12 Act”), not otherwise provided for, \$11,347,000,000, to re-
13 main available until expended, shall be available on Octo-
14 ber 1, 2018 (in addition to the \$400,000,000 previously
15 appropriated under this heading that became available Oc-
16 tober 1, 2018), and \$400,000,000, to remain available
17 until expended, shall be available on October 1, 2019: *Pro-*
18 *vided*, That the amounts made available under this head-
19 ing shall be available for expiring or terminating section
20 8 project-based subsidy contracts (including section 8
21 moderate rehabilitation contracts), for amendments to sec-
22 tion 8 project-based subsidy contracts (including section
23 8 moderate rehabilitation contracts), for contracts entered
24 into pursuant to section 441 of the McKinney-Vento
25 Homeless Assistance Act (42 U.S.C. 11401), for renewal

1 of section 8 contracts for units in projects that are subject
2 to approved plans of action under the Emergency Low In-
3 come Housing Preservation Act of 1987 or the Low-In-
4 come Housing Preservation and Resident Homeownership
5 Act of 1990, and for administrative and other expenses
6 associated with project-based activities and assistance
7 funded under this paragraph: *Provided further*, That of
8 the total amounts provided under this heading, not to ex-
9 ceed \$245,000,000 shall be available for performance-
10 based contract administrators for section 8 project-based
11 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
12 *further*, That the Secretary may also use such amounts
13 in the previous proviso for performance-based contract ad-
14 ministrators for the administration of: interest reduction
15 payments pursuant to section 236(a) of the National
16 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement
17 payments pursuant to section 101 of the Housing and
18 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
19 tion 236(f)(2) rental assistance payments (12 U.S.C.
20 1715z-1(f)(2)); project rental assistance contracts for the
21 elderly under section 202(c)(2) of the Housing Act of
22 1959 (12 U.S.C. 1701q); project rental assistance con-
23 tracts for supportive housing for persons with disabilities
24 under section 811(d)(2) of the Cranston-Gonzalez Na-
25 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));

1 project assistance contracts pursuant to section 202(h) of
2 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
3 667); and loans under section 202 of the Housing Act of
4 1959 (Public Law 86–372; 73 Stat. 667): *Provided fur-*
5 *ther*, That amounts recaptured under this heading, the
6 heading “Annual Contributions for Assisted Housing”, or
7 the heading “Housing Certificate Fund”, may be used for
8 renewals of or amendments to section 8 project-based con-
9 tracts or for performance-based contract administrators,
10 notwithstanding the purposes for which such amounts
11 were appropriated: *Provided further*, That, notwith-
12 standing any other provision of law, upon the request of
13 the Secretary, project funds that are held in residual re-
14 ceipts accounts for any project subject to a section 8
15 project-based Housing Assistance Payments contract that
16 authorizes HUD or a Housing Finance Agency to require
17 that surplus project funds be deposited in an interest-
18 bearing residual receipts account and that are in excess
19 of an amount to be determined by the Secretary, shall be
20 remitted to the Department and deposited in this account,
21 to be available until expended: *Provided further*, That
22 amounts deposited pursuant to the previous proviso shall
23 be available in addition to the amount otherwise provided
24 by this heading for uses authorized under this heading.

1 HOUSING FOR THE ELDERLY

2 For capital advances, including amendments to cap-
3 ital advance contracts, for housing for the elderly, as au-
4 thorized by section 202 of the Housing Act of 1959, as
5 amended, for project rental assistance for the elderly
6 under section 202(c)(2) of such Act, including amend-
7 ments to contracts for such assistance and renewal of ex-
8 piring contracts for such assistance for up to a 1-year
9 term, for senior preservation rental assistance contracts,
10 including renewals, as authorized by section 811(e) of the
11 American Housing and Economic Opportunity Act of
12 2000, as amended, and for supportive services associated
13 with the housing, \$678,000,000, to remain available until
14 September 30, 2022: *Provided*, That of the amount pro-
15 vided under this heading, up to \$90,000,000 shall be for
16 service coordinators and the continuation of existing con-
17 gregate service grants for residents of assisted housing
18 projects: *Provided further*, That amounts under this head-
19 ing shall be available for Real Estate Assessment Center
20 inspections and inspection-related activities associated
21 with section 202 projects: *Provided further*, That the Sec-
22 retary may waive the provisions of section 202 governing
23 the terms and conditions of project rental assistance, ex-
24 cept that the initial contract term for such assistance shall
25 not exceed 5 years in duration: *Provided further*, That

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1 upon request of the Secretary, project funds that are held
2 in residual receipts accounts for any project subject to a
3 section 202 project rental assistance contract and, upon
4 termination of such contract, are in excess of an amount
5 to be determined by the Secretary shall be remitted to the
6 Department and deposited in this account, to remain
7 available until September 30, 2022: *Provided further*, That
8 amounts deposited in this account pursuant to the pre-
9 vious proviso shall be available, in addition to the amounts
10 otherwise provided by this heading, for amendments and
11 renewals: *Provided further*, That unobligated balances, in-
12 cluding recaptures and carryover, remaining from funds
13 transferred to or appropriated under this heading shall be
14 available for amendments and renewals in addition to the
15 purposes for which such funds originally were appro-
16 priated: *Provided further*, That of the total amount pro-
17 vided under this heading, \$10,000,000, shall be for a pro-
18 gram to be established by the Secretary to make grants
19 to experienced non-profit organizations, States, local gov-
20 ernments, or public housing agencies for safety and func-
21 tional home modification repairs to meet the needs of low-
22 income elderly persons to enable them to remain in their
23 primary residence: *Provided further*, That of the total
24 amount made available under the previous proviso, no less

1 than \$5,000,000 shall be available to meet such needs in
2 communities with substantial rural populations.

3 HOUSING FOR PERSONS WITH DISABILITIES

4 For capital advances, including amendments to cap-
5 ital advance contracts, for supportive housing for persons
6 with disabilities, as authorized by section 811 of the Cran-
7 ston-Gonzalez National Affordable Housing Act (42
8 U.S.C. 8013), as amended, for project rental assistance
9 for supportive housing for persons with disabilities under
10 section 811(d)(2) of such Act, for project assistance con-
11 tracts pursuant to section 202(h) of the Housing Act of
12 1959 (Public Law 86-372; 73 Stat. 667), including
13 amendments to contracts for such assistance and renewal
14 of expiring contracts for such assistance for up to a 1-
15 year term, for project rental assistance to State housing
16 finance agencies and other appropriate entities as author-
17 ized under section 811(b)(3) of the Cranston-Gonzalez
18 National Housing Act, and for supportive services associ-
19 ated with the housing for persons with disabilities as au-
20 thorized by section 811(b)(1) of such Act, \$184,155,000,
21 to remain available until September 30, 2022, of which
22 \$30,155,000 shall be for capital advance and project rent-
23 al assistance awards: *Provided*, That amounts made avail-
24 able under this heading shall be available for Real Estate
25 Assessment Center inspections and inspection-related ac-

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1 tivities associated with section 811 projects: *Provided fur-*
2 *ther*, That, upon the request of the Secretary, project
3 funds that are held in residual receipts accounts for any
4 project subject to a section 811 project rental assistance
5 contract and, upon termination of such contract, are in
6 excess of an amount to be determined by the Secretary
7 shall be remitted to the Department and deposited in this
8 account, to remain available until September 30, 2022:
9 *Provided further*, That amounts deposited in this account
10 pursuant to the previous proviso shall be available in addi-
11 tion to the amounts otherwise provided by this heading
12 for amendments and renewals: *Provided further*, That un-
13 obligated balances, including recaptures and carryover, re-
14 maining from funds transferred to or appropriated under
15 this heading shall be used for amendments and renewals
16 in addition to the purposes for which such funds originally
17 were appropriated.

18 HOUSING COUNSELING ASSISTANCE

19 For contracts, grants, and other assistance excluding
20 loans, as authorized under section 106 of the Housing and
21 Urban Development Act of 1968, as amended,
22 \$50,000,000, to remain available until September 30,
23 2020, including up to \$4,500,000 for administrative con-
24 tract services: *Provided*, That grants made available from
25 amounts provided under this heading shall be awarded

1 within 180 days of enactment of this Act: *Provided further*,
2 That funds shall be used for providing counseling and ad-
3 vice to tenants and homeowners, both current and pro-
4 spective, with respect to property maintenance, financial
5 management or literacy, and such other matters as may
6 be appropriate to assist them in improving their housing
7 conditions, meeting their financial needs, and fulfilling the
8 responsibilities of tenancy or homeownership; for program
9 administration; and for housing counselor training: *Pro-*
10 *vided further*, That for purposes of providing such grants
11 from amounts provided under this heading, the Secretary
12 may enter into multiyear agreements, as appropriate, sub-
13 ject to the availability of annual appropriations.

14 RENTAL HOUSING ASSISTANCE

15 For amendments to contracts under section 101 of
16 the Housing and Urban Development Act of 1965 (12
17 U.S.C. 1701s) and section 236(f)(2) of the National
18 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
19 insured rental housing projects, \$5,000,000, to remain
20 available until expended: *Provided*, That such amount, to-
21 gether with unobligated balances from recaptured
22 amounts appropriated prior to fiscal year 2006 from ter-
23 minated contracts under such sections of law, and any un-
24 obligated balances, including recaptures and carryover, re-
25 maining from funds appropriated under this heading after

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1 fiscal year 2005, shall also be available for extensions of
2 up to one year for expiring contracts under such sections
3 of law.

4 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
5 FUND

6 For necessary expenses as authorized by the National
7 Manufactured Housing Construction and Safety Stand-
8 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
9 \$12,000,000, to remain available until expended, of which
10 \$12,000,000 is to be derived from the Manufactured
11 Housing Fees Trust Fund: *Provided*, That not to exceed
12 the total amount appropriated under this heading shall be
13 available from the general fund of the Treasury to the ex-
14 tent necessary to incur obligations and make expenditures
15 pending the receipt of collections to the Fund pursuant
16 to section 620 of such Act: *Provided further*, That the
17 amount made available under this heading from the gen-
18 eral fund shall be reduced as such collections are received
19 during fiscal year 2019 so as to result in a final fiscal
20 year 2019 appropriation from the general fund estimated
21 at zero, and fees pursuant to such section 620 shall be
22 modified as necessary to ensure such a final fiscal year
23 2019 appropriation: *Provided further*, That for the dispute
24 resolution and installation programs, the Secretary of
25 Housing and Urban Development may assess and collect

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1 fees from any program participant: *Provided further*, That
2 such collections shall be deposited into the Fund, and the
3 Secretary, as provided herein, may use such collections,
4 as well as fees collected under section 620, for necessary
5 expenses of such Act: *Provided further*, That, notwith-
6 standing the requirements of section 620 of such Act, the
7 Secretary may carry out responsibilities of the Secretary
8 under such Act through the use of approved service pro-
9 viders that are paid directly by the recipients of their serv-
10 ices.

11 FEDERAL HOUSING ADMINISTRATION

12 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

13 New commitments to guarantee single family loans
14 insured under the Mutual Mortgage Insurance Fund shall
15 not exceed \$400,000,000,000, to remain available until
16 September 30, 2020: *Provided*, That during fiscal year
17 2019, obligations to make direct loans to carry out the
18 purposes of section 204(g) of the National Housing Act,
19 as amended, shall not exceed \$1,000,000: *Provided fur-*
20 *ther*, That the foregoing amount in the previous proviso
21 shall be for loans to nonprofit and governmental entities
22 in connection with sales of single family real properties
23 owned by the Secretary and formerly insured under the
24 Mutual Mortgage Insurance Fund: *Provided further*, That
25 for administrative contract expenses of the Federal Hous-

1 ing Administration, \$130,000,000, to remain available
2 until September 30, 2020: *Provided further*, That to the
3 extent guaranteed loan commitments exceed
4 \$200,000,000,000 on or before April 1, 2019, an addi-
5 tional \$1,400 for administrative contract expenses shall be
6 available for each \$1,000,000 in additional guaranteed
7 loan commitments (including a pro rata amount for any
8 amount below \$1,000,000), but in no case shall funds
9 made available by this proviso exceed \$30,000,000: *Pro-*
10 *vided further*, That notwithstanding the limitation in the
11 first sentence of section 255(g) of the National Housing
12 Act (12 U.S.C. 1715z-20(g)), during fiscal year 2019 the
13 Secretary may insure and enter into new commitments to
14 insure mortgages under section 255 of the National Hous-
15 ing Act only to the extent that the net credit subsidy cost
16 for such insurance does not exceed zero: *Provided further*,
17 That for fiscal year 2019, the Secretary shall not take any
18 action against a lender solely on the basis of compare ra-
19 tios that have been adversely affected by defaults on mort-
20 gages secured by properties in areas where a major dis-
21 aster was declared in 2017 or 2018 pursuant to the Rob-
22 ert T. Stafford Disaster Relief and Emergency Assistance
23 Act (42 U.S.C. 5121 et seq.).

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1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

2 New commitments to guarantee loans insured under
3 the General and Special Risk Insurance Funds, as author-
4 ized by sections 238 and 519 of the National Housing Act
5 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
6 \$30,000,000,000 in total loan principal, any part of which
7 is to be guaranteed, to remain available until September
8 30, 2020: *Provided*, That during fiscal year 2019, gross
9 obligations for the principal amount of direct loans, as au-
10 thorized by sections 204(g), 207(l), 238, and 519(a) of
11 the National Housing Act, shall not exceed \$1,000,000,
12 which shall be for loans to nonprofit and governmental en-
13 tities in connection with the sale of single family real prop-
14 erties owned by the Secretary and formerly insured under
15 such Act.

16 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

17 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

18 GUARANTEE PROGRAM ACCOUNT

19 New commitments to issue guarantees to carry out
20 the purposes of section 306 of the National Housing Act,
21 as amended (12 U.S.C. 1721(g)), shall not exceed
22 \$550,000,000,000, to remain available until September
23 30, 2020: *Provided*, That \$27,000,000, to remain avail-
24 able until September 30, 2020, shall be for necessary sala-
25 ries and expenses of the Office of Government National

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1 Mortgage Association: *Provided further*, That to the extent
2 that guaranteed loan commitments exceed
3 \$155,000,000,000 on or before April 1, 2019, an addi-
4 tional \$100 for necessary salaries and expenses shall be
5 available until expended for each \$1,000,000 in additional
6 guaranteed loan commitments (including a pro rata
7 amount for any amount below \$1,000,000), but in no case
8 shall funds made available by this proviso exceed
9 \$3,000,000: *Provided further*, That receipts from Commit-
10 ment and Multiclass fees collected pursuant to title III of
11 the National Housing Act, as amended, shall be credited
12 as offsetting collections to this account.

13 POLICY DEVELOPMENT AND RESEARCH

14 RESEARCH AND TECHNOLOGY

15 For contracts, grants, and necessary expenses of pro-
16 grams of research and studies relating to housing and
17 urban problems, not otherwise provided for, as authorized
18 by title V of the Housing and Urban Development Act
19 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
20 out the functions of the Secretary of Housing and Urban
21 Development under section 1(a)(1)(i) of Reorganization
22 Plan No. 2 of 1968, and for technical assistance,
23 \$96,000,000, to remain available until September 30,
24 2020: *Provided*, That with respect to amounts made avail-
25 able under this heading, notwithstanding section 203 of

1 this title, the Secretary may enter into cooperative agree-
2 ments funded with philanthropic entities, other Federal
3 agencies, State or local governments and their agencies,
4 or colleges or universities for research projects: *Provided*
5 *further*, That with respect to the previous proviso, such
6 partners to the cooperative agreements must contribute at
7 least a 50 percent match toward the cost of the project:
8 *Provided further*, That for non-competitive agreements en-
9 tered into in accordance with the previous two provisos,
10 the Secretary of Housing and Urban Development shall
11 comply with section 2(b) of the Federal Funding Account-
12 ability and Transparency Act of 2006 (Public Law 109-
13 282, 31 U.S.C. note) in lieu of compliance with section
14 102(a)(4)(C) with respect to documentation of award deci-
15 sions: *Provided further*, That prior to obligation of tech-
16 nical assistance funding, the Secretary shall submit a
17 plan, for approval, to the House and Senate Committees
18 on Appropriations on how it will allocate funding for this
19 activity: *Provided further*, That none of the funds provided
20 under this heading may be available for the doctoral dis-
21 sertation research grant program.

22 FAIR HOUSING AND EQUAL OPPORTUNITY

23 FAIR HOUSING ACTIVITIES

24 For contracts, grants, and other assistance, not oth-
25 erwise provided for, as authorized by title VIII of the Civil

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1 Rights Act of 1968, as amended by the Fair Housing
2 Amendments Act of 1988, and section 561 of the Housing
3 and Community Development Act of 1987, as amended,
4 \$65,300,000, to remain available until September 30,
5 2020: *Provided*, That notwithstanding 31 U.S.C. 3302,
6 the Secretary may assess and collect fees to cover the costs
7 of the Fair Housing Training Academy, and may use such
8 funds to develop on-line courses and provide such training:
9 *Provided further*, That no funds made available under this
10 heading shall be used to lobby the executive or legislative
11 branches of the Federal Government in connection with
12 a specific contract, grant, or loan: *Provided further*, That
13 of the funds made available under this heading, \$300,000
14 shall be available to the Secretary of Housing and Urban
15 Development for the creation and promotion of translated
16 materials and other programs that support the assistance
17 of persons with limited English proficiency in utilizing the
18 services provided by the Department of Housing and
19 Urban Development.

20 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

21 HOMES

22 LEAD HAZARD REDUCTION

23 For the Lead Hazard Reduction Program, as author-
24 ized by section 1011 of the Residential Lead-Based Paint
25 Hazard Reduction Act of 1992, \$279,000,000, to remain

1 available until September 30, 2020, of which \$45,000,000
2 shall be for the Healthy Homes Initiative, pursuant to sec-
3 tions 501 and 502 of the Housing and Urban Develop-
4 ment Act of 1970, which shall include research, studies,
5 testing, and demonstration efforts, including education
6 and outreach concerning lead-based paint poisoning and
7 other housing-related diseases and hazards: *Provided*,
8 That for purposes of environmental review, pursuant to
9 the National Environmental Policy Act of 1969 (42 U.S.C.
10 4321 et seq.) and other provisions of law that further the
11 purposes of such Act, a grant under the Healthy Homes
12 Initiative, or the Lead Technical Studies program under
13 this heading or under prior appropriations Acts for such
14 purposes under this heading, shall be considered to be
15 funds for a special project for purposes of section 305(c)
16 of the Multifamily Housing Property Disposition Reform
17 Act of 1994: *Provided further*, That not less than
18 \$95,000,000 of the amounts made available under this
19 heading for the award of grants pursuant to section 1011
20 of the Residential Lead-Based Paint Hazard Reduction
21 Act of 1992 shall be provided to areas with the highest
22 lead-based paint abatement needs: *Provided further*, That
23 \$64,000,000 of the funds appropriated under this heading
24 shall be for the implementation of projects to demonstrate
25 how intensive, extended multi-year interventions can dra-

1 matically reduce the presence of lead-based paint hazards
2 in communities containing high concentrations of both
3 pre-1940 housing and low-income families by achieving
4 economies of scale that substantially reduce the cost of
5 lead-based paint remediation activities and administrative
6 costs for grantees: *Provided further*, That such projects
7 in each of seven communities shall be for five years and
8 serve no more than four contiguous census tracts in which
9 there are high concentrations of housing stock built before
10 1940, in which low-income families with children make up
11 a significantly higher proportion of the population as com-
12 pared to the State average, and that are located in jurisdic-
13 tions in which instances of elevated blood lead levels
14 reported to the State are significantly higher than the
15 State average: *Provided further*, That funding awarded for
16 such projects shall be made available for draw down con-
17 tingent upon the grantee meeting cost-savings, produc-
18 tivity, and grant compliance benchmarks established by
19 the Secretary: *Provided further*, That each recipient of
20 funds for such projects shall contribute an amount not less
21 than 10 percent of the total award, and that the Secretary
22 shall give priority to applicants that secure commitments
23 for additional contributions from public and private
24 sources: *Provided further*, That grantees currently receiv-
25 ing grants made under this heading shall be eligible to

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1 apply for such projects, provided that they are deemed to
2 be in compliance with program requirements established
3 by the Secretary: *Provided further*, That each applicant
4 shall certify adequate capacity that is acceptable to the
5 Secretary to carry out the proposed use of funds pursuant
6 to a notice of funding availability: *Provided further*, That
7 amounts made available under this heading in this or prior
8 appropriations Acts, still remaining available, may be used
9 for any purpose under this heading notwithstanding the
10 purpose for which such amounts were appropriated if a
11 program competition is undersubscribed and there are
12 other program competitions under this heading that are
13 oversubscribed.

14 INFORMATION TECHNOLOGY FUND

15 For the development, modernization, and enhance-
16 ment of, modifications to, and infrastructure for Depart-
17 ment-wide and program-specific information technology
18 systems, for the continuing operation and maintenance of
19 both Department-wide and program-specific information
20 systems, and for program-related maintenance activities,
21 \$280,000,000, of which \$260,000,000 shall remain avail-
22 able until September 30, 2020, and of which \$20,000,000
23 shall remain available until September 30, 2021: *Provided*,
24 That any amounts transferred to this Fund under this Act
25 shall remain available until expended: *Provided further*,

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1 That any amounts transferred to this Fund from amounts
2 appropriated by previously enacted appropriations Acts
3 may be used for the purposes specified under this Fund,
4 in addition to any other information technology purposes
5 for which such amounts were appropriated: *Provided fur-*
6 *ther*, That not more than 10 percent of the funds made
7 available under this heading for development, moderniza-
8 tion and enhancement may be obligated until the Sec-
9 retary submits to the House and Senate Committees on
10 Appropriations, for approval, a plan for expenditure
11 that—(A) identifies for each modernization project: (i) the
12 functional and performance capabilities to be delivered
13 and the mission benefits to be realized, (ii) the estimated
14 life-cycle cost, and (iii) key milestones to be met; and (B)
15 demonstrates that each modernization project is: (i) com-
16 pliant with the Department’s enterprise architecture, (ii)
17 being managed in accordance with applicable life-cycle
18 management policies and guidance, (iii) subject to the De-
19 partment’s capital planning and investment control re-
20 quirements, and (iv) supported by an adequately staffed
21 project office.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary salaries and expenses of the Office of
24 Inspector General in carrying out the Inspector General
25 Act of 1978, as amended, \$128,082,000: *Provided*, That

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1 the Inspector General shall have independent authority
2 over all personnel issues within this office.

3 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4 URBAN DEVELOPMENT
5 (INCLUDING TRANSFER OF FUNDS)
6 (INCLUDING RESCISSIONS)

7 SEC. 201. Fifty percent of the amounts of budget au-
8 thority, or in lieu thereof 50 percent of the cash amounts
9 associated with such budget authority, that are recaptured
10 from projects described in section 1012(a) of the Stewart
11 B. McKinney Homeless Assistance Amendments Act of
12 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
13 case of cash, shall be remitted to the Treasury, and such
14 amounts of budget authority or cash recaptured and not
15 rescinded or remitted to the Treasury shall be used by
16 State housing finance agencies or local governments or
17 local housing agencies with projects approved by the Sec-
18 retary of Housing and Urban Development for which set-
19 tlement occurred after January 1, 1992, in accordance
20 with such section. Notwithstanding the previous sentence,
21 the Secretary may award up to 15 percent of the budget
22 authority or cash recaptured and not rescinded or remitted
23 to the Treasury to provide project owners with incentives
24 to refinance their project at a lower interest rate.

1 SEC. 202. None of the amounts made available under
2 this Act may be used during fiscal year 2019 to investigate
3 or prosecute under the Fair Housing Act any otherwise
4 lawful activity engaged in by one or more persons, includ-
5 ing the filing or maintaining of a nonfrivolous legal action,
6 that is engaged in solely for the purpose of achieving or
7 preventing action by a Government official or entity, or
8 a court of competent jurisdiction.

9 SEC. 203. Except as explicitly provided in law, any
10 grant, cooperative agreement or other assistance made
11 pursuant to title II of this Act shall be made on a competi-
12 tive basis and in accordance with section 102 of the De-
13 partment of Housing and Urban Development Reform Act
14 of 1989 (42 U.S.C. 3545).

15 SEC. 204. Funds of the Department of Housing and
16 Urban Development subject to the Government Corpora-
17 tion Control Act or section 402 of the Housing Act of
18 1950 shall be available, without regard to the limitations
19 on administrative expenses, for legal services on a contract
20 or fee basis, and for utilizing and making payment for
21 services and facilities of the Federal National Mortgage
22 Association, Government National Mortgage Association,
23 Federal Home Loan Mortgage Corporation, Federal Fi-
24 nancing Bank, Federal Reserve banks or any member
25 thereof, Federal Home Loan banks, and any insured bank

1 within the meaning of the Federal Deposit Insurance Cor-
2 poration Act, as amended (12 U.S.C. 1811–1).

3 SEC. 205. Unless otherwise provided for in this Act
4 or through a reprogramming of funds, no part of any ap-
5 propriation for the Department of Housing and Urban
6 Development shall be available for any program, project
7 or activity in excess of amounts set forth in the budget
8 estimates submitted to Congress.

9 SEC. 206. Corporations and agencies of the Depart-
10 ment of Housing and Urban Development which are sub-
11 ject to the Government Corporation Control Act are here-
12 by authorized to make such expenditures, within the limits
13 of funds and borrowing authority available to each such
14 corporation or agency and in accordance with law, and to
15 make such contracts and commitments without regard to
16 fiscal year limitations as provided by section 104 of such
17 Act as may be necessary in carrying out the programs set
18 forth in the budget for 2019 for such corporation or agen-
19 cy except as hereinafter provided: *Provided*, That collec-
20 tions of these corporations and agencies may be used for
21 new loan or mortgage purchase commitments only to the
22 extent expressly provided for in this Act (unless such loans
23 are in support of other forms of assistance provided for
24 in this or prior appropriations Acts), except that this pro-
25 viso shall not apply to the mortgage insurance or guaranty

1 operations of these corporations, or where loans or mort-
2 gage purchases are necessary to protect the financial in-
3 terest of the United States Government.

4 SEC. 207. The Secretary of Housing and Urban De-
5 velopment shall provide quarterly reports to the House
6 and Senate Committees on Appropriations regarding all
7 uncommitted, unobligated, recaptured and excess funds in
8 each program and activity within the jurisdiction of the
9 Department and shall submit additional, updated budget
10 information to these Committees upon request.

11 SEC. 208. The President's formal budget request for
12 fiscal year 2020, as well as the Department of Housing
13 and Urban Development's congressional budget justifica-
14 tions to be submitted to the Committees on Appropriations
15 of the House of Representatives and the Senate, shall use
16 the identical account and sub-account structure provided
17 under this Act.

18 SEC. 209. No funds provided under this title may be
19 used for an audit of the Government National Mortgage
20 Association that makes applicable requirements under the
21 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

22 SEC. 210. (a) Notwithstanding any other provision
23 of law, subject to the conditions listed under this section,
24 for fiscal years 2019 and 2020, the Secretary of Housing
25 and Urban Development may authorize the transfer of

1 some or all project-based assistance, debt held or insured
2 by the Secretary and statutorily required low-income and
3 very low-income use restrictions if any, associated with one
4 or more multifamily housing project or projects to another
5 multifamily housing project or projects.

6 (b) PHASED TRANSFERS.—Transfers of project-
7 based assistance under this section may be done in phases
8 to accommodate the financing and other requirements re-
9 lated to rehabilitating or constructing the project or
10 projects to which the assistance is transferred, to ensure
11 that such project or projects meet the standards under
12 subsection (c).

13 (c) The transfer authorized in subsection (a) is sub-
14 ject to the following conditions:

15 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

16 (A) For occupied units in the transferring
17 project: The number of low-income and very
18 low-income units and the configuration (i.e.,
19 bedroom size) provided by the transferring
20 project shall be no less than when transferred
21 to the receiving project or projects and the net
22 dollar amount of Federal assistance provided to
23 the transferring project shall remain the same
24 in the receiving project or projects.

1 (B) For unoccupied units in the transfer-
2 ring project: The Secretary may authorize a re-
3 duction in the number of dwelling units in the
4 receiving project or projects to allow for a re-
5 configuration of bedroom sizes to meet current
6 market demands, as determined by the Sec-
7 retary and provided there is no increase in the
8 project-based assistance budget authority.

9 (2) The transferring project shall, as deter-
10 mined by the Secretary, be either physically obsolete
11 or economically nonviable.

12 (3) The receiving project or projects shall meet
13 or exceed applicable physical standards established
14 by the Secretary.

15 (4) The owner or mortgagor of the transferring
16 project shall notify and consult with the tenants re-
17 siding in the transferring project and provide a cer-
18 tification of approval by all appropriate local govern-
19 mental officials.

20 (5) The tenants of the transferring project who
21 remain eligible for assistance to be provided by the
22 receiving project or projects shall not be required to
23 vacate their units in the transferring project or
24 projects until new units in the receiving project are
25 available for occupancy.

1 (6) The Secretary determines that this transfer
2 is in the best interest of the tenants.

3 (7) If either the transferring project or the re-
4 ceiving project or projects meets the condition speci-
5 fied in subsection (d)(2)(A), any lien on the receiv-
6 ing project resulting from additional financing ob-
7 tained by the owner shall be subordinate to any
8 FHA-insured mortgage lien transferred to, or placed
9 on, such project by the Secretary, except that the
10 Secretary may waive this requirement upon deter-
11 mination that such a waiver is necessary to facilitate
12 the financing of acquisition, construction, and/or re-
13 habilitation of the receiving project or projects.

14 (8) If the transferring project meets the re-
15 quirements of subsection (d)(2), the owner or mort-
16 gator of the receiving project or projects shall exe-
17 cute and record either a continuation of the existing
18 use agreement or a new use agreement for the
19 project where, in either case, any use restrictions in
20 such agreement are of no lesser duration than the
21 existing use restrictions.

22 (9) The transfer does not increase the cost (as
23 defined in section 502 of the Congressional Budget
24 Act of 1974, as amended) of any FHA-insured
25 mortgage, except to the extent that appropriations

1 are provided in advance for the amount of any such
2 increased cost.

3 (d) For purposes of this section—

4 (1) the terms “low-income” and “very low-in-
5 come” shall have the meanings provided by the stat-
6 ute and/or regulations governing the program under
7 which the project is insured or assisted;

8 (2) the term “multifamily housing project”
9 means housing that meets one of the following con-
10 ditions—

11 (A) housing that is subject to a mortgage
12 insured under the National Housing Act;

13 (B) housing that has project-based assist-
14 ance attached to the structure including
15 projects undergoing mark to market debt re-
16 structuring under the Multifamily Assisted
17 Housing Reform and Affordability Housing Act;

18 (C) housing that is assisted under section
19 202 of the Housing Act of 1959, as amended
20 by section 801 of the Cranston-Gonzales Na-
21 tional Affordable Housing Act;

22 (D) housing that is assisted under section
23 202 of the Housing Act of 1959, as such sec-
24 tion existed before the enactment of the Cran-
25 ston-Gonzales National Affordable Housing Act;

1 (E) housing that is assisted under section
2 811 of the Cranston-Gonzales National Afford-
3 able Housing Act; or

4 (F) housing or vacant land that is subject
5 to a use agreement;

6 (3) the term “project-based assistance”
7 means—

8 (A) assistance provided under section 8(b)
9 of the United States Housing Act of 1937;

10 (B) assistance for housing constructed or
11 substantially rehabilitated pursuant to assist-
12 ance provided under section 8(b)(2) of such Act
13 (as such section existed immediately before Oc-
14 tober 1, 1983);

15 (C) rent supplement payments under sec-
16 tion 101 of the Housing and Urban Develop-
17 ment Act of 1965;

18 (D) interest reduction payments under sec-
19 tion 236 and/or additional assistance payments
20 under section 236(f)(2) of the National Hous-
21 ing Act;

22 (E) assistance payments made under sec-
23 tion 202(e)(2) of the Housing Act of 1959; and

1 (F) assistance payments made under sec-
2 tion 811(d)(2) of the Cranston-Gonzalez Na-
3 tional Affordable Housing Act;

4 (4) the term “receiving project or projects”
5 means the multifamily housing project or projects to
6 which some or all of the project-based assistance,
7 debt, and statutorily required low-income and very
8 low-income use restrictions are to be transferred;

9 (5) the term “transferring project” means the
10 multifamily housing project which is transferring
11 some or all of the project-based assistance, debt, and
12 the statutorily required low-income and very low-in-
13 come use restrictions to the receiving project or
14 projects; and

15 (6) the term “Secretary” means the Secretary
16 of Housing and Urban Development.

17 (e) RESEARCH REPORT.—The Secretary shall con-
18 duct an evaluation of the transfer authority under this sec-
19 tion, including the effect of such transfers on the oper-
20 ational efficiency, contract rents, physical and financial
21 conditions, and long-term preservation of the affected
22 properties.

23 SEC. 211. (a) No assistance shall be provided under
24 section 8 of the United States Housing Act of 1937 (42
25 U.S.C. 1437f) to any individual who—

1 (1) is enrolled as a student at an institution of
2 higher education (as defined under section 102 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1002));

5 (2) is under 24 years of age;

6 (3) is not a veteran;

7 (4) is unmarried;

8 (5) does not have a dependent child;

9 (6) is not a person with disabilities, as such
10 term is defined in section 3(b)(3)(E) of the United
11 States Housing Act of 1937 (42 U.S.C.
12 1437a(b)(3)(E)) and was not receiving assistance
13 under such section 8 as of November 30, 2005;

14 (7) is not a youth who left foster care at age
15 14 or older and is at risk of becoming homeless; and

16 (8) is not otherwise individually eligible, or has
17 parents who, individually or jointly, are not eligible,
18 to receive assistance under section 8 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437f).

20 (b) For purposes of determining the eligibility of a
21 person to receive assistance under section 8 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
23 cial assistance (in excess of amounts received for tuition
24 and any other required fees and charges) that an indi-
25 vidual receives under the Higher Education Act of 1965

1 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
2 tution of higher education (as defined under the Higher
3 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
4 ered income to that individual, except for a person over
5 the age of 23 with dependent children.

6 SEC. 212. The funds made available for Native Alas-
7 kans under the heading “Native American Housing Block
8 Grants” in title II of this Act shall be allocated to the
9 same Native Alaskan housing block grant recipients that
10 received funds in fiscal year 2005.

11 SEC. 213. Notwithstanding any other provision of
12 law, in fiscal year 2019, in managing and disposing of any
13 multifamily property that is owned or has a mortgage held
14 by the Secretary of Housing and Urban Development, and
15 during the process of foreclosure on any property with a
16 contract for rental assistance payments under section 8
17 of the United States Housing Act of 1937 or other Fed-
18 eral programs, the Secretary shall maintain any rental as-
19 sistance payments under section 8 of the United States
20 Housing Act of 1937 and other programs that are at-
21 tached to any dwelling units in the property. To the extent
22 the Secretary determines, in consultation with the tenants
23 and the local government, that such a multifamily prop-
24 erty owned or held by the Secretary is not feasible for con-
25 tinued rental assistance payments under such section 8

1 or other programs, based on consideration of (1) the costs
2 of rehabilitating and operating the property and all avail-
3 able Federal, State, and local resources, including rent ad-
4 justments under section 524 of the Multifamily Assisted
5 Housing Reform and Affordability Act of 1997
6 (“MAHRAA”) and (2) environmental conditions that can-
7 not be remedied in a cost-effective fashion, the Secretary
8 may, in consultation with the tenants of that property,
9 contract for project-based rental assistance payments with
10 an owner or owners of other existing housing properties,
11 or provide other rental assistance. The Secretary shall also
12 take appropriate steps to ensure that project-based con-
13 tracts remain in effect prior to foreclosure, subject to the
14 exercise of contractual abatement remedies to assist relo-
15 cation of tenants for imminent major threats to health and
16 safety after written notice to and informed consent of the
17 affected tenants and use of other available remedies, such
18 as partial abatements or receivership. After disposition of
19 any multifamily property described under this section, the
20 contract and allowable rent levels on such properties shall
21 be subject to the requirements under section 524 of
22 MAHRAA.

23 SEC. 214. The commitment authority funded by fees
24 as provided under the heading “Community Development
25 Loan Guarantees Program Account” may be used to guar-

1 antee, or make commitments to guarantee, notes, or other
2 obligations issued by any State on behalf of non-entitle-
3 ment communities in the State in accordance with the re-
4 quirements of section 108 of the Housing and Community
5 Development Act of 1974: *Provided*, That any State re-
6 ceiving such a guarantee or commitment shall distribute
7 all funds subject to such guarantee to the units of general
8 local government in non-entitlement areas that received
9 the commitment.

10 SEC. 215. Public housing agencies that own and oper-
11 ate 400 or fewer public housing units may elect to be ex-
12 empt from any asset management requirement imposed by
13 the Secretary of Housing and Urban Development in con-
14 nection with the operating fund rule: *Provided*, That an
15 agency seeking a discontinuance of a reduction of subsidy
16 under the operating fund formula shall not be exempt
17 from asset management requirements.

18 SEC. 216. With respect to the use of amounts pro-
19 vided in this Act and in future Acts for the operation, cap-
20 ital improvement and management of public housing as
21 authorized by sections 9(d) and 9(e) of the United States
22 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
23 Secretary shall not impose any requirement or guideline
24 relating to asset management that restricts or limits in
25 any way the use of capital funds for central office costs

1 pursuant to section 9(g)(1) or 9(g)(2) of the United States
2 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
3 *vided*, That a public housing agency may not use capital
4 funds authorized under section 9(d) for activities that are
5 eligible under section 9(e) for assistance with amounts
6 from the operating fund in excess of the amounts per-
7 mitted under section 9(g)(1) or 9(g)(2).

8 SEC. 217. No official or employee of the Department
9 of Housing and Urban Development shall be designated
10 as an allotment holder unless the Office of the Chief Fi-
11 nancial Officer has determined that such allotment holder
12 has implemented an adequate system of funds control and
13 has received training in funds control procedures and di-
14 rectives. The Chief Financial Officer shall ensure that
15 there is a trained allotment holder for each HUD appro-
16 priation under the accounts “Executive Offices” and “Ad-
17 ministrative Support Offices,” as well as each account re-
18 ceiving appropriations under the general heading “Pro-
19 gram Office Salaries and Expenses”, “Government Na-
20 tional Mortgage Association—Guarantees of Mortgage-
21 Backed Securities Loan Guarantee Program Account”,
22 and “Office of Inspector General” within the Department
23 of Housing and Urban Development.

24 SEC. 218. The Secretary of the Department of Hous-
25 ing and Urban Development shall, for fiscal year 2019,

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1 notify the public through the Federal Register and other
2 means, as determined appropriate, of the issuance of a no-
3 tice of the availability of assistance or notice of funding
4 availability (NOFA) for any program or discretionary
5 fund administered by the Secretary that is to be competi-
6 tively awarded. Notwithstanding any other provision of
7 law, for fiscal year 2019, the Secretary may make the
8 NOFA available only on the Internet at the appropriate
9 Government web site or through other electronic media,
10 as determined by the Secretary.

11 SEC. 219. Payment of attorney fees in program-re-
12 lated litigation shall be paid from the individual program
13 office and Office of General Counsel salaries and expenses
14 appropriations. The annual budget submission for the pro-
15 gram offices and the Office of General Counsel shall in-
16 clude any such projected litigation costs for attorney fees
17 as a separate line item request. No funds provided in this
18 title may be used to pay any such litigation costs for attor-
19 ney fees until the Department submits for review a spend-
20 ing plan for such costs to the House and Senate Commit-
21 tees on Appropriations.

22 SEC. 220. The Secretary is authorized to transfer up
23 to 10 percent or \$5,000,000, whichever is less, of funds
24 appropriated for any office under the heading “Adminis-
25 trative Support Offices” or for any account under the gen-

1 eral heading “Program Office Salaries and Expenses” to
2 any other such office or account: *Provided*, That no appro-
3 priation for any such office or account shall be increased
4 or decreased by more than 10 percent or \$5,000,000,
5 whichever is less, without prior written approval of the
6 House and Senate Committees on Appropriations: *Pro-*
7 *vided further*, That the Secretary shall provide notification
8 to such Committees three business days in advance of any
9 such transfers under this section up to 10 percent or
10 \$5,000,000, whichever is less.

11 SEC. 221. (a) Any entity receiving housing assistance
12 payments shall maintain decent, safe, and sanitary condi-
13 tions, as determined by the Secretary of Housing and
14 Urban Development (in this section referred to as the
15 “Secretary”), and comply with any standards under appli-
16 cable State or local laws, rules, ordinances, or regulations
17 relating to the physical condition of any property covered
18 under a housing assistance payment contract.

19 (b) The Secretary shall take action under subsection
20 (c) when a multifamily housing project with a section 8
21 contract or contract for similar project-based assistance—

22 (1) receives a Uniform Physical Condition
23 Standards (UPCS) score of 60 or less; or

24 (2) fails to certify in writing to the Secretary
25 within 3 days that all Exigent Health and Safety de-

1 iciencies identified by the inspector at the project
2 have been corrected.

3 Such requirements shall apply to insured and noninsured
4 projects with assistance attached to the units under sec-
5 tion 8 of the United States Housing Act of 1937 (42
6 U.S.C. 1437f), but do not apply to such units assisted
7 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
8 public housing units assisted with capital or operating
9 funds under section 9 of the United States Housing Act
10 of 1937 (42 U.S.C. 1437g).

11 (c)(1) Within 15 days of the issuance of the REAC
12 inspection, the Secretary must provide the owner with a
13 Notice of Default with a specified timetable, determined
14 by the Secretary, for correcting all deficiencies. The Sec-
15 retary must also provide a copy of the Notice of Default
16 to the tenants, the local government, any mortgagees, and
17 any contract administrator. If the owner's appeal results
18 in a UPCS score of 60 or above, the Secretary may with-
19 draw the Notice of Default.

20 (2) At the end of the time period for correcting all
21 deficiencies specified in the Notice of Default, if the owner
22 fails to fully correct such deficiencies, the Secretary may—

23 (A) require immediate replacement of project
24 management with a management agent approved by
25 the Secretary;

1 (B) impose civil money penalties, which shall be
2 used solely for the purpose of supporting safe and
3 sanitary conditions at applicable properties, as des-
4 ignated by the Secretary, with priority given to the
5 tenants of the property affected by the penalty;

6 (C) abate the section 8 contract, including par-
7 tial abatement, as determined by the Secretary, until
8 all deficiencies have been corrected;

9 (D) pursue transfer of the project to an owner,
10 approved by the Secretary under established proce-
11 dures, which will be obligated to promptly make all
12 required repairs and to accept renewal of the assist-
13 ance contract as long as such renewal is offered;

14 (E) transfer the existing section 8 contract to
15 another project or projects and owner or owners;

16 (F) pursue exclusionary sanctions, including
17 suspensions or debarments from Federal programs;

18 (G) seek judicial appointment of a receiver to
19 manage the property and cure all project deficiencies
20 or seek a judicial order of specific performance re-
21 quiring the owner to cure all project deficiencies;

22 (H) work with the owner, lender, or other re-
23 lated party to stabilize the property in an attempt
24 to preserve the property through compliance, trans-

1 fer of ownership, or an infusion of capital provided
2 by a third-party that requires time to effectuate; or

3 (I) take any other regulatory or contractual
4 remedies available as deemed necessary and appro-
5 priate by the Secretary.

6 (d) The Secretary shall also take appropriate steps
7 to ensure that project-based contracts remain in effect,
8 subject to the exercise of contractual abatement remedies
9 to assist relocation of tenants for major threats to health
10 and safety after written notice to the affected tenants. To
11 the extent the Secretary determines, in consultation with
12 the tenants and the local government, that the property
13 is not feasible for continued rental assistance payments
14 under such section 8 or other programs, based on consid-
15 eration of—

16 (1) the costs of rehabilitating and operating the
17 property and all available Federal, State, and local
18 resources, including rent adjustments under section
19 524 of the Multifamily Assisted Housing Reform
20 and Affordability Act of 1997 (“MAHRAA”); and

21 (2) environmental conditions that cannot be
22 remedied in a cost-effective fashion, the Secretary
23 may contract for project-based rental assistance pay-
24 ments with an owner or owners of other existing

1 housing properties, or provide other rental assist-
2 ance.

3 (e) The Secretary shall report quarterly on all prop-
4 erties covered by this section that are assessed through
5 the Real Estate Assessment Center and have UPCS phys-
6 ical inspection scores of less than 60 or have received an
7 unsatisfactory management and occupancy review within
8 the past 36 months. The report shall include—

9 (1) the enforcement actions being taken to ad-
10 dress such conditions, including imposition of civil
11 money penalties and termination of subsidies, and
12 identify properties that have such conditions mul-
13 tiple times;

14 (2) actions that the Department of Housing
15 and Urban Development is taking to protect tenants
16 of such identified properties; and

17 (3) any administrative or legislative rec-
18 ommendations to further improve the living condi-
19 tions at properties covered under a housing assist-
20 ance payment contract.

21 This report shall be due to the Senate and House Commit-
22 tees on Appropriations no later than 30 days after the
23 enactment of this Act, and on the first business day of
24 each Federal fiscal year quarter thereafter while this sec-
25 tion remains in effect.

1 SEC. 222. None of the funds made available by this
2 Act, or any other Act, for purposes authorized under sec-
3 tion 8 (only with respect to the tenant-based rental assist-
4 ance program) and section 9 of the United States Housing
5 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
6 any public housing agency for any amount of salary, in-
7 cluding bonuses, for the chief executive officer of which,
8 or any other official or employee of which, that exceeds
9 the annual rate of basic pay payable for a position at level
10 IV of the Executive Schedule at any time during any pub-
11 lic housing agency fiscal year 2019.

12 SEC. 223. 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. 224. 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. 225. 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. 226. 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. 227. 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. 228. None of the funds provided in this Act or
2 any other act may be used for awards, including perform-
3 ance, special act, or spot, for any employee of the Depart-
4 ment of Housing and Urban Development subject to ad-
5 ministrative discipline (including suspension from work),
6 in this or the prior fiscal year, but this prohibition shall
7 not be effective prior to the effective date of any such ad-
8 ministrative discipline or after any final decision over-
9 turning such discipline.

10 SEC. 229. Funds made available in this title under
11 the heading “Homeless Assistance Grants” may be used
12 by the Secretary to participate in Performance Partner-
13 ship Pilots authorized under section 526 of division H of
14 Public Law 113–76, section 524 of division G of Public
15 Law 113–235, section 525 of division H of Public Law
16 114–113, and such authorities as are enacted for Perform-
17 ance Partnership Pilots in an appropriations Act for fiscal
18 year 2019: *Provided*, That such participation shall be lim-
19 ited to no more than 10 continuums of care and housing
20 activities to improve outcomes for disconnected youth.

21 SEC. 230. With respect to grant amounts awarded
22 under the heading “Homeless Assistance Grants” for fis-
23 cal years 2015, 2016, 2017, 2018 and 2019 for the con-
24 tinuum of care (CoC) program as authorized under sub-
25 title C of title IV of the McKinney-Vento Homeless Assist-

1 ance Act, costs paid by program income of grant recipients
2 may count toward meeting the recipient's matching re-
3 quirements, provided the costs are eligible CoC costs that
4 supplement the recipient's CoC program.

5 SEC. 231. (a) From amounts made available under
6 this title under the heading "Homeless Assistance
7 Grants", the Secretary may award 1-year transition
8 grants to recipients of funds for activities under subtitle
9 C of the McKinney-Vento Homeless Assistance Act (42
10 U.S.C. 11381 et seq.) to transition from one Continuum
11 of Care program component to another.

12 (b) No more than 50 percent of each transition grant
13 may be used for costs of eligible activities of the program
14 component originally funded.

15 (c) Transition grants made under this section are eli-
16 gible for renewal in subsequent fiscal years for the eligible
17 activities of the new program component.

18 (d) In order to be eligible to receive a transition
19 grant, the funding recipient must have the consent of the
20 Continuum of Care and meet standards determined by the
21 Secretary.

22 SEC. 232. None of the funds made available by this
23 Act may be used by the Department of Housing and
24 Urban Development to direct a grantee to undertake spe-
25 cific changes to existing zoning laws as part of carrying

1 out the final rule entitled “Affirmatively Furthering Fair
2 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
3 notice entitled “Affirmatively Furthering Fair Housing
4 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
5 2014)).

6 SEC. 233. Section 218(g) of the Cranston-Gonzalez
7 National Affordable Housing Act (42 U.S.C. 12748(g))
8 shall not apply with respect to the right of a jurisdiction
9 to draw funds from its HOME Investment Trust Fund
10 that otherwise expired or would expire in 2016, 2017,
11 2018, 2019, 2020, or 2021 under that section. Section
12 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply
13 to any uninvested funds that otherwise were deducted or
14 would be deducted from the line of credit in the partici-
15 pating jurisdiction’s HOME Investment Trust Fund in
16 2018, 2019, 2020, or 2021 under that section.

17 SEC. 234. Amounts made available in title II of divi-
18 sion K of the Consolidated Appropriations Resolution,
19 2003 (Public Law 108–7) under the heading “Indian
20 Housing Loan Guarantee Fund Program Account” for
21 necessary expenses of the Land Title Report Commission
22 are rescinded.

23 SEC. 235. (a) AUTHORITY.—The Secretary of Hous-
24 ing and Urban Development (in this section referred to
25 as the “Secretary”) may carry out a mobility demonstra-

1 tion program to enable public housing agencies to admin-
2 ister housing choice voucher assistance under section 8(o)
3 of the United States Housing Act of 1937 (42 U.S.C.
4 1437f(o)) in a manner designed to encourage families re-
5 ceiving such voucher assistance to move to lower-poverty
6 areas and expand access to opportunity areas.

7 (b) SELECTION OF PHAS.—

8 (1) REQUIREMENTS.—The Secretary shall es-
9 tablish requirements for public housing agencies to
10 participate in the demonstration program under this
11 section, which shall provide that the following public
12 housing agencies may participate:

13 (A) Public housing agencies that to-
14 gether—

15 (i) serve areas with high concentra-
16 tions of holders of rental assistance vouch-
17 ers under section 8(o) of the United States
18 Housing Act of 1937 (42 U.S.C. 1437f(o))
19 in poor, low-opportunity neighborhoods;
20 and

21 (ii) have an adequate number of mod-
22 erately priced rental units in higher-oppor-
23 tunity areas.

24 (B) Planned consortia or partial consortia
25 of public housing agencies that—

1 (i) include at least one agency with a
2 high-performing Family Self-Sufficiency
3 (FSS) program; and

4 (ii) will enable participating families
5 to continue in such program if they relo-
6 cate to the jurisdiction served by any other
7 agency of the consortium.

8 (C) Planned consortia or partial consortia
9 of public housing agencies that—

10 (i) serve jurisdictions within a single
11 region;

12 (ii) include one or more small agen-
13 cies; and

14 (iii) will consolidate mobility focused
15 operations.

16 (D) Such other public housing agencies as
17 the Secretary considers appropriate.

18 (2) SELECTION CRITERIA.—The Secretary shall
19 establish competitive selection criteria for public
20 housing agencies eligible under paragraph (1) to
21 participate in the demonstration program under this
22 section.

23 (3) RANDOM SELECTION OF FAMILIES.—The
24 Secretary may require participating agencies to use
25 a randomized selection process to select among the

1 families eligible to receive mobility assistance under
2 the demonstration program.

3 (c) REGIONAL HOUSING MOBILITY PLAN.—The Sec-
4 retary shall require each public housing agency applying
5 to participate in the demonstration program under this
6 section to submit a Regional Housing Mobility Plan (in
7 this section referred to as a “Plan”), which shall—

8 (1) identify the public housing agencies that
9 will participate under the Plan and the number of
10 vouchers each participating agency will make avail-
11 able out of their existing programs in connection
12 with the demonstration;

13 (2) identify any community-based organizations,
14 nonprofit organizations, businesses, and other enti-
15 ties that will participate under the Plan and describe
16 the commitments for such participation made by
17 each such entity;

18 (3) identify any waivers or alternative require-
19 ments under subparagraph (e) requested for the exe-
20 cution of the Plan;

21 (4) identify any specific actions that the public
22 housing agencies and other entities will undertake to
23 accomplish the goals of the demonstration, which
24 shall include a comprehensive approach to enable a
25 successful transition to opportunity areas and may

1 include counseling and continued support for fami-
2 lies;

3 (5) specify the criteria that the public housing
4 agencies would use to identify opportunity areas
5 under the plan;

6 (6) provide for establishment of priority and
7 preferences for participating families, including a
8 preference for families with young children, as such
9 term is defined by the Secretary, based on regional
10 housing needs and priorities; and

11 (7) comply with any other requirements estab-
12 lished by the Secretary.

13 (d) FUNDING FOR MOBILITY-RELATED SERVICES.—

14 (1) USE OF ADMINISTRATIVE FEES.—Public
15 housing agencies participating in the demonstration
16 program under this section may use administrative
17 fees under section 8(q) of the United States Housing
18 Act of 1937 (42 U.S.C. 1437f(q)), their administra-
19 tive fee reserves, and funding from private entities
20 to provide mobility-related services in connection
21 with the demonstration program, including services
22 such as counseling, portability coordination, landlord
23 outreach, security deposits, and administrative ac-
24 tivities associated with establishing and operating re-
25 gional mobility programs.

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1 (2) USE OF HOUSING ASSISTANCE FUNDS.—
2 Public housing agencies participating in the dem-
3 onstration under this section may use housing as-
4 sistance payments funds under section 8(o) of the
5 United States Housing Act of 1937 (42 U.S.C.
6 1437f(o)) for security deposits if necessary to enable
7 families to lease units with vouchers in designated
8 opportunity areas.

9 (e) WAIVERS; ALTERNATIVE REQUIREMENTS.—

10 (1) WAIVERS.—To allow for public housing
11 agencies to implement and administer their Regional
12 Housing Mobility Plans, the Secretary may waive or
13 specify alternative requirements for the following
14 provisions of the United States Housing Act of
15 1937:

16 (A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i)
17 (relating to the term of a lease and mobility re-
18 quirements).

19 (B) Section 8(o)(13)(C)(i) (relating to the
20 public housing plan for an agency).

21 (C) Section 8(r)(2) (relating to the respon-
22 sibility of a public housing agency to administer
23 ported assistance).

24 (2) ALTERNATIVE REQUIREMENTS FOR CON-
25 SORTIA.—The Secretary shall provide alternative ad-

1 ministrative requirements for public housing agen-
2 cies in a selected region to—

3 (A) form a consortium that has a single
4 housing choice voucher funding contract; or

5 (B) enter into a partial consortium to op-
6 erate all or portions of the Regional Housing
7 Mobility Plan, which may include agencies par-
8 ticipating in the Moving To Work Demonstra-
9 tion program.

10 (3) EFFECTIVE DATE.—Any waiver or alter-
11 native requirements pursuant to this subsection shall
12 not take effect before the expiration of the 10-day
13 period beginning upon publication of notice of such
14 waiver or alternative requirement in the Federal
15 Register.

16 (f) IMPLEMENTATION.—The Secretary may imple-
17 ment the demonstration, including its terms, procedures,
18 requirements, and conditions, by notice.

19 (g) EVALUATION.—Not later than five years after im-
20 plementation of the regional housing mobility programs
21 under the demonstration program under this section, the
22 Secretary shall submit to the Congress and publish in the
23 Federal Register a report evaluating the effectiveness of
24 the strategies pursued under the demonstration, subject
25 to the availability of funding to conduct the evaluation.

1 Through official websites and other methods, the Sec-
2 retary shall disseminate interim findings as they become
3 available, and shall, if promising strategies are identified,
4 notify the Congress of the amount of funds that would
5 be required to expand the testing of these strategies in
6 additional types of public housing agencies and housing
7 markets.

8 (h) TERMINATION.—The demonstration program
9 under this section shall terminate on October 1, 2028.

10 SEC. 236. Section 221 of the Department of Housing
11 and Urban Development Appropriations Act, 2015 (42
12 U.S.C. 1437f–1; Public Law 113–235; 128 Stat 2754) is
13 repealed.

14 SEC. 237. The Promise Zone designations and Prom-
15 ise Zone Designation Agreements entered into pursuant
16 to such designations, made by the Secretary of Housing
17 and Urban Development in prior fiscal years, shall remain
18 in effect in accordance with the terms and conditions of
19 such agreements.

20 SEC. 238. None of the funds made available by this
21 Act may be used to establish and apply review criteria,
22 including rating factors or preference points, for participa-
23 tion in or coordination with EnVision Centers, in the eval-
24 uation, selection, and award of any funds made available
25 and requiring competitive selection under this Act, except

1 with respect to any such funds otherwise authorized for
2 EnVision Center purposes under this Act.

3 This title may be cited as the “Department of Hous-
4 ing and Urban Development Appropriations Act, 2019”.

1134

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, \$8,400,000: *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.

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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-*

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1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2020, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2020 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), \$110,400,000, 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,

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1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$150,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram: *Provided*, That an additional \$2,000,000, to remain
5 available until September 30, 2023, shall be for the pro-
6 motion and development of shared equity housing models.

7 SURFACE TRANSPORTATION BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the Surface Transpor-
10 tation Board, including services authorized by 5 U.S.C.
11 3109, \$37,100,000: *Provided*, That notwithstanding any
12 other provision of law, not to exceed \$1,250,000 from fees
13 established by the Chairman of the Surface Transpor-
14 tation Board shall be credited to this appropriation as off-
15 setting collections and used for necessary and authorized
16 expenses under this heading: *Provided further*, That the
17 sum herein appropriated from the general fund shall be
18 reduced on a dollar-for-dollar basis as such offsetting col-
19 lections are received during fiscal year 2019, to result in
20 a final appropriation from the general fund estimated at
21 no more than \$35,850,000.

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1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$3,600,000: *Provided*, That the first proviso
12 in Public Law 115–141 under the heading “United States
13 Interagency Council on Homelessness—Operating Ex-
14 penses” is amended by striking “2020” and inserting
15 “2028”.

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1 TITLE IV

2 GENERAL PROVISIONS—THIS ACT

3 SEC. 401. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

8 SEC. 402. None of the funds appropriated in this Act
9 shall remain available for obligation beyond the current
10 fiscal year, nor may any be transferred to other appropria-
11 tions, unless expressly so provided herein.

12 SEC. 403. The expenditure of any appropriation
13 under this Act for any consulting service through a pro-
14 curement contract pursuant to section 3109 of title 5,
15 United States Code, shall be limited to those contracts
16 where such expenditures are a matter of public record and
17 available for public inspection, except where otherwise pro-
18 vided under existing law, or under existing Executive order
19 issued pursuant to existing law.

20 SEC. 404. (a) None of the funds made available in
21 this Act may be obligated or expended for any employee
22 training that—

23 (1) does not meet identified needs for knowl-
24 edge, skills, and abilities bearing directly upon the
25 performance of official duties;

1 (2) contains elements likely to induce high lev-
2 els of emotional response or psychological stress in
3 some participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the train-
6 ing and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Em-
10 ployment Opportunity Commission Notice N-
11 915.022, dated September 2, 1988; or

12 (5) is offensive to, or designed to change, par-
13 ticipants’ personal values or lifestyle outside the
14 workplace.

15 (b) Nothing in this section shall prohibit, restrict, or
16 otherwise preclude an agency from conducting training
17 bearing directly upon the performance of official duties.

18 SEC. 405. 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 2019, 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

1 available for obligation or expenditure through a re-
2 programming of funds that—

3 (1) creates a new program;

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

5 (3) increases funds or personnel for any pro-
6 gram, project, or activity for which funds have been
7 denied or restricted by the Congress;

8 (4) proposes to use funds directed for a specific
9 activity by either the House or Senate Committees
10 on Appropriations for a different purpose;

11 (5) augments existing programs, projects, or ac-
12 tivities in excess of \$5,000,000 or 10 percent, which-
13 ever is less;

14 (6) reduces existing programs, projects, or ac-
15 tivities by \$5,000,000 or 10 percent, whichever is
16 less; or

17 (7) creates, reorganizes, or restructures a
18 branch, division, office, bureau, board, commission,
19 agency, administration, or department different from
20 the budget justifications submitted to the Commit-
21 tees on Appropriations or the table accompanying
22 the joint explanatory statement accompanying this
23 Act, whichever is more detailed, unless prior ap-
24 proval is received from the House and Senate Com-
25 mittees on Appropriations: *Provided*, That not later

1 than 60 days after the date of enactment of this
2 Act, each agency funded by this Act shall submit a
3 report to the Committees on Appropriations of the
4 Senate and of the House of Representatives to es-
5 tablish the baseline for application of reprogram-
6 ming and transfer authorities for the current fiscal
7 year: *Provided further*, That the report shall in-
8 clude—

9 (A) a table for each appropriation with a
10 separate column to display the prior year en-
11 acted level, the President’s budget request, ad-
12 justments made by Congress, adjustments due
13 to enacted rescissions, if appropriate, and the
14 fiscal year enacted level;

15 (B) a delineation in the table for each ap-
16 propriation and its respective prior year enacted
17 level by object class and program, project, and
18 activity as detailed in this Act, the table accom-
19 panying the explanatory statement accom-
20 panying this Act, accompanying reports of the
21 House and Senate Committee on Appropria-
22 tions, or in the budget appendix for the respec-
23 tive appropriations, whichever is more detailed,
24 and shall apply to all items for which a dollar
25 amount is specified and to all programs for

1 which new budget (obligational) authority is
2 provided, as well as to discretionary grants and
3 discretionary grant allocations; and

4 (C) an identification of items of special
5 congressional interest.

6 SEC. 406. Except as otherwise specifically provided
7 by law, not to exceed 50 percent of unobligated balances
8 remaining available at the end of fiscal year 2019 from
9 appropriations made available for salaries and expenses
10 for fiscal year 2019 in this Act, shall remain available
11 through September 30, 2020, for each such account for
12 the purposes authorized: *Provided*, That a request shall
13 be submitted to the House and Senate Committees on Ap-
14 propriations for approval prior to the expenditure of such
15 funds: *Provided further*, That these requests shall be made
16 in compliance with reprogramming guidelines under sec-
17 tion 405 of this Act.

18 SEC. 407. No funds in this Act may be used to sup-
19 port any Federal, State, or local projects that seek to use
20 the power of eminent domain, unless eminent domain is
21 employed only for a public use: *Provided*, That for pur-
22 poses of this section, public use shall not be construed to
23 include economic development that primarily benefits pri-
24 vate entities: *Provided further*, That any use of funds for
25 mass transit, railroad, airport, seaport or highway

1 projects, as well as utility projects which benefit or serve
2 the general public (including energy-related, communica-
3 tion-related, water-related and wastewater-related infra-
4 structure), other structures designated for use by the gen-
5 eral public or which have other common-carrier or public-
6 utility functions that serve the general public and are sub-
7 ject to regulation and oversight by the government, and
8 projects for the removal of an immediate threat to public
9 health and safety or brownfields as defined in the Small
10 Business Liability Relief and Brownfields Revitalization
11 Act (Public Law 107–118) shall be considered a public
12 use for purposes of eminent domain.

13 SEC. 408. None of the funds made available in this
14 Act may be transferred to any department, agency, or in-
15 strumentality of the United States Government, except
16 pursuant to a transfer made by, or transfer authority pro-
17 vided in, this Act or any other appropriations Act.

18 SEC. 409. No part of any appropriation contained in
19 this Act shall be available to pay the salary for any person
20 filling a position, other than a temporary position, for-
21 merly held by an employee who has left to enter the Armed
22 Forces of the United States and has satisfactorily com-
23 pleted his or her period of active military or naval service,
24 and has within 90 days after his or her release from such
25 service or from hospitalization continuing after discharge

1 for a period of not more than 1 year, made application
2 for restoration to his or her former position and has been
3 certified by the Office of Personnel Management as still
4 qualified to perform the duties of his or her former posi-
5 tion and has not been restored thereto.

6 SEC. 410. No funds appropriated pursuant to this
7 Act may be expended by an entity unless the entity agrees
8 that in expending the assistance the entity will comply
9 with sections 2 through 4 of the Act of March 3, 1933
10 (41 U.S.C. 8301–8305, popularly known as the “Buy
11 American Act”).

12 SEC. 411. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating the
15 Buy American Act (41 U.S.C. 8301–8305).

16 SEC. 412. None of the funds made available in this
17 Act may be used for first-class airline accommodations in
18 contravention of sections 301–10.122 and 301–10.123 of
19 title 41, Code of Federal Regulations.

20 SEC. 413. (a) None of the funds made available by
21 this Act may be used to approve a new foreign air carrier
22 permit under sections 41301 through 41305 of title 49,
23 United States Code, or exemption application under sec-
24 tion 40109 of that title of an air carrier already holding
25 an air operators certificate issued by a country that is

1 party to the U.S.-E.U.-Iceland-Norway Air Transport
2 Agreement where such approval would contravene United
3 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
4 way Air Transport Agreement.

5 (b) Nothing in this section shall prohibit, restrict or
6 otherwise preclude the Secretary of Transportation from
7 granting a foreign air carrier permit or an exemption to
8 such an air carrier where such authorization is consistent
9 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
10 ment and United States law.

11 SEC. 414. None of the funds made available in this
12 Act may be used to send or otherwise pay for the attend-
13 ance of more than 50 employees of a single agency or de-
14 partment of the United States Government, who are sta-
15 tioned in the United States, at any single international
16 conference unless the relevant Secretary reports to the
17 House and Senate Committees on Appropriations at least
18 5 days in advance that such attendance is important to
19 the national interest: *Provided*, That for purposes of this
20 section the term “international conference” shall mean a
21 conference occurring outside of the United States attended
22 by representatives of the United States Government and
23 of foreign governments, international organizations, or
24 nongovernmental organizations.

1 SEC. 415. None of the funds appropriated or other-
2 wise made available under this Act may be used by the
3 Surface Transportation Board to charge or collect any fil-
4 ing fee for rate or practice complaints filed with the Board
5 in an amount in excess of the amount authorized for dis-
6 trict court civil suit filing fees under section 1914 of title
7 28, United States Code.

8 SEC. 416. None of the funds made available by this
9 Act may be used by the Department of Transportation,
10 the Department of Housing and Urban Development, or
11 any other Federal agency to lease or purchase new light
12 duty vehicles for any executive fleet, or for an agency's
13 fleet inventory, except in accordance with Presidential
14 Memorandum—Federal Fleet Performance, dated May
15 24, 2011.

16 SEC. 417. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

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

24 SEC. 418. (a) None of the funds made available in
25 this Act may be used to deny an Inspector General funded

1 under this Act timely access to any records, documents,
2 or other materials available to the department or agency
3 over which that Inspector General has responsibilities
4 under the Inspector General Act of 1978 (5 U.S.C. App.),
5 or to prevent or impede that Inspector General's access
6 to such records, documents, or other materials, under any
7 provision of law, except a provision of law that expressly
8 refers to the Inspector General and expressly limits the
9 Inspector General's right of access.

10 (b) A department or agency covered by this section
11 shall provide its Inspector General with access to all such
12 records, documents, and other materials in a timely man-
13 ner.

14 (c) Each Inspector General shall ensure compliance
15 with statutory limitations on disclosure relevant to the in-
16 formation provided by the establishment over which that
17 Inspector General has responsibilities under the Inspector
18 General Act of 1978 (5 U.S.C. App.).

19 (d) Each Inspector General covered by this section
20 shall report to the Committees on Appropriations of the
21 House of Representatives and the Senate within 5 cal-
22 endar days any failures to comply with this requirement.

23 SEC. 419. None of the funds appropriated or other-
24 wise made available by this Act may be used to pay award
25 or incentive fees for contractors whose performance has

1 been judged to be below satisfactory, behind schedule, over
2 budget, or has failed to meet the basic requirements of
3 a contract, unless the Agency determines that any such
4 deviations are due to unforeseeable events, government-
5 driven scope changes, or are not significant within the
6 overall scope of the project and/or program unless such
7 awards or incentive fees are consistent with 16.401(e)(2)
8 of the FAR.

9 SEC. 420. For an additional amount for the “Rail-
10 road Rehabilitation and Improvement Financing Pro-
11 gram” account for the cost of modifications, as defined
12 by section 502 of the Federal Credit Reform Act of 1990,
13 of direct loans issued pursuant to sections 501 through
14 504 of the Railroad Revitalization and Regulatory Reform
15 Act of 1976 (Public Law 94–210), as amended, and in-
16 cluded in cohort 1, as defined by the Department of
17 Transportation’s memorandum to the Office of Manage-
18 ment and Budget dated November 5, 2018, \$17,000,000,
19 to remain available until expended: *Provided*, That, for a
20 direct loan included in cohort 1, as defined in the memo-
21 randum described in the previous proviso, that has satis-
22 fied all obligations attached to such loan, the Secretary
23 shall repay the credit risk premiums of such loan, with
24 interest accrued thereon, not later than 60 days after the
25 enactment of this Act or, for a direct loan included in co-

1 hort 1 with obligations that have not yet been satisfied,
2 not later than 60 days after the date on which all obliga-
3 tions attached to such loan have been satisfied.

4 SEC. 421. Section 127(l) of title 23, United States
5 Code, is amended by adding at the end the following:

6 “(3) ADDITIONAL HIGHWAY SEGMENTS.—

7 “(A) IN GENERAL.—If any segment of
8 highway described in clause (i) or (ii) of this
9 subparagraph is designated as a route of the
10 Interstate System, a vehicle that could operate
11 legally on that segment before the date of such
12 designation may continue to operate on that
13 segment, without regard to any requirement
14 under subsection (a), except that such vehicle
15 shall not exceed a gross vehicle weight of
16 120,000 pounds. The highway segments re-
17 ferred to in this paragraph are as follows:

18 “(i) The William H. Natcher Parkway
19 (to be designated as a spur of Interstate
20 Route 65) from Interstate Route 65 in
21 Bowling Green, Kentucky, to United
22 States Route 60 in Owensboro, Kentucky.

23 “(ii) The Julian M. Carroll (Pur-
24 chase) Parkway (to be designated as Inter-
25 state Route 69) in Kentucky from the Ten-

1 nessee state line to the interchange with
2 Interstate Route 24, near Calvert City.

3 “(B) NONDIVISIBLE LOAD OR VEHICLE.—
4 Nothing in this paragraph shall prohibit the
5 State from issuing a permit for a nondivisible
6 load or vehicle with a gross vehicle weight that
7 exceeds 120,000 pounds.”.

8 SEC. 422. Section 127(s) of title 23, United States
9 Code, is amended—

10 (1) by striking the subsection heading and in-
11 serting the following: “(s) NATURAL GAS AND ELEC-
12 TRIC BATTERY VEHICLES”;

13 (2) by inserting “or powered primarily by
14 means of electric battery power” after the first time
15 “natural gas” appears;

16 (3) by striking “any vehicle weight limit” and
17 inserting “the weight limit on the power unit by up
18 to 2,000 pounds”; and

19 (4) by striking all that follows after “under this
20 section” and inserting a period after “section”.

21 SEC. 423. Section 31112(c) of title 49, United States
22 Code, is amended—

23 (1) in the subsection heading by striking “AND
24 KANSAS” and inserting “KANSAS, AND OREGON”;

1 (2) in paragraph (4) by striking “and” at the
2 end;

3 (3) in paragraph (5) by striking the period at
4 the end and inserting “; and”; and

5 (4) by adding at the end the following:

6 “(6) Oregon may allow the operation of a truck
7 tractor and 2 property-carrying units not in actual
8 lawful operation on a regular or periodic basis on
9 June 1, 1991, if—

10 “(A) the length of the property-carrying
11 units does not exceed 82 feet 8 inches;

12 “(B) the combination is used only to trans-
13 port sugar beets; and

14 “(C) the operation occurs on United States
15 Route 20, United States Route 26, United
16 States Route 30, or Oregon Route 201 in the
17 vicinity, or between any, of—

18 “(i) Vale, Oregon;

19 “(ii) Ontario, Oregon; or

20 “(iii) Nyssa, Oregon.”.

21 This division may be cited as the “Transportation,
22 Housing and Urban Development, and Related Agencies
23 Appropriations Act, 2019”.

1153

1 **DIVISION H—ADDITIONAL SUPPLE-**
2 **MENTAL APPROPRIATIONS FOR DIS-**
3 **ASTER RELIEF, 2019**

4 The following sums in this division are appropriated,
5 out of any money in the Treasury not otherwise appro-
6 priated, for the fiscal year ending September 30, 2019,
7 and for other purposes, namely:

8 **TITLE I**

9 **DEPARTMENT OF AGRICULTURE**

10 **AGRICULTURAL PROGRAMS**

11 **PROCESSING, RESEARCH AND MARKETING**

12 **OFFICE OF THE SECRETARY**

13 For an additional amount for the “Office of the Sec-
14 retary”, \$3,005,442,000, which shall remain available
15 until December 31, 2020, for necessary expenses related
16 to losses of crops (including milk and harvested adulter-
17 ated wine grapes), trees, bushes, and vines, as a con-
18 sequence of Hurricanes Michael or Florence, other hurri-
19 canes, typhoons, volcanic activity, or wildfires occurring
20 in calendar year 2018 under such terms and conditions
21 as determined by the Secretary: *Provided*, That the Sec-
22 retary may provide assistance for such losses in the form
23 of block grants to eligible states and territories and such
24 assistance may include compensation to producers, as de-
25 termined by the Secretary, for past or future crop insur-

1 ance premiums, forest restoration, and poultry and live-
2 stock losses: *Provided further*, That of the amounts pro-
3 vided under this heading, tree assistance payments may
4 be made under section 1501(e) of the Agricultural Act of
5 2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery
6 tree growers (as defined in such section) of pecan trees
7 with a tree mortality rate that exceeds 7.5 percent (ad-
8 justed for normal mortality) and is less than 15 percent
9 (adjusted for normal mortality), to be available until ex-
10 pended, for losses incurred during the period beginning
11 January 1, 2018, and ending December 31, 2018: *Pro-*
12 *vided further*, That in the case of producers impacted by
13 volcanic activity that resulted in the loss of crop land, or
14 access to crop land, the Secretary shall consider all meas-
15 ures available, as appropriate, to bring replacement land
16 into production: *Provided further*, That the total amount
17 of payments received under this heading and applicable
18 policies of crop insurance under the Federal Crop Insur-
19 ance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop
20 Disaster Assistance Program (NAP) under section 196 of
21 the Federal Agriculture Improvement and Reform Act of
22 1996 (7 U.S.C. 7333) shall not exceed 90 percent of the
23 loss as determined by the Secretary: *Provided further*,
24 That the total amount of payments received under this
25 heading for producers who did not obtain a policy or plan

1 of insurance for an insurable commodity for the applicable
2 crop year under the Federal Crop Insurance Act (7 U.S.C.
3 1501 et seq.) for the crop incurring the losses or did not
4 file the required paperwork and pay the service fee by the
5 applicable State filing deadline for a noninsurable com-
6 modity for the applicable crop year under NAP for the
7 crop incurring the losses shall not exceed 70 percent of
8 the loss as determined by the Secretary: *Provided further*,
9 That producers receiving payments under this heading, as
10 determined by the Secretary, shall be required to purchase
11 crop insurance where crop insurance is available for the
12 next two available crop years, excluding tree insurance
13 policies, and producers receiving payments under this
14 heading shall be required to purchase coverage under NAP
15 where crop insurance is not available in the next two avail-
16 able crop years, as determined by the Secretary: *Provided*
17 *further*, That, not later than 120 days after the end of
18 fiscal year 2019, the Secretary shall submit a report to
19 the Congress specifying the type, amount, and method of
20 such assistance by state and territory: *Provided further*,
21 That such amount is designated by the Congress as being
22 for an emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1156

1 FARM SERVICE AGENCY

2 EMERGENCY FOREST RESTORATION PROGRAM

3 For an additional amount for the “Emergency Forest
4 Restoration Program”, for necessary expenses related to
5 the consequences of Hurricanes Michael and Florence and
6 wildfires occurring in calendar year 2018, and other nat-
7 ural disasters, \$480,000,000, to remain available until ex-
8 pended: *Provided*, That such amount is designated by the
9 Congress as being for an emergency requirement pursuant
10 to section 251(b)(2)(A)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 NATURAL RESOURCES CONSERVATION SERVICE

13 WATERSHED AND FLOOD PREVENTION OPERATIONS

14 For an additional amount for “Watershed and Flood
15 Prevention Operations”, for necessary expenses for the
16 Emergency Watershed Protection Program related to the
17 consequences of Hurricanes Michael and Florence and
18 wildfires occurring in calendar year 2018, and other nat-
19 ural disasters, \$125,000,000, to remain available until ex-
20 pended: *Provided*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1157

1 RURAL DEVELOPMENT

2 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

3 For an additional amount for the cost of grants for
4 rural community facilities programs as authorized by sec-
5 tion 306 and described in section 381E(d)(1) of the Con-
6 solidated Farm and Rural Development Act, for necessary
7 expenses related to the consequences of Hurricanes Mi-
8 chael and Florence and wildfires occurring in calendar
9 year 2018, and other natural disasters, \$150,000,000, to
10 remain available until expended: *Provided*, That sections
11 381E-H and 381N of the Consolidated Farm and Rural
12 Development Act are not applicable to the funds made
13 available under this heading: *Provided further*, That such
14 amount is designated by the Congress as being for an
15 emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 GENERAL PROVISIONS—THIS TITLE

19 SEC. 101. In addition to amounts otherwise made
20 available, out of the funds made available under section
21 18 of Food and Nutrition Act of 2008, \$25,200,000 shall
22 be available for the Secretary to provide a grant to the
23 Commonwealth of the Northern Mariana Islands for dis-
24 aster nutrition assistance in response to the Presidentially
25 declared major disasters and emergencies: *Provided*, That

1 funds made available to the Commonwealth of the North-
2 ern Mariana Islands under this section shall remain avail-
3 able for obligation by the Commonwealth until September
4 30, 2020: *Provided further*, That such amount is des-
5 ignated by the Congress as being for an emergency re-
6 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985.

8 SEC. 102. For purposes of administering title I of
9 subdivision 1 of division B of the Bipartisan Budget Act
10 of 2018 (Public Law 115–123), losses to agricultural pro-
11 ducers resulting from hurricanes shall also include losses
12 incurred from Tropical Storm Cindy and losses of peach
13 and blueberry crops in calendar year 2017 due to extreme
14 cold: *Provided*, That the amounts provided by this section
15 are designated by the Congress as being for an emergency
16 requirement pursuant to section 251(b)(2)(A)(i) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985: *Provided further*, That amounts repurposed under
19 this heading that were previously designated by the Con-
20 gress as an emergency requirement pursuant to the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985
22 are designated by the Congress as an emergency require-
23 ment pursuant to section 251(b)(2)(A)(i) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985.

1 SEC. 103. (a)(1) Except as provided in paragraph
2 (2), a person or legal entity is not eligible to receive a
3 payment under the Market Facilitation Program estab-
4 lished pursuant to the Commodity Credit Corporation
5 Charter Act (15 U.S.C. 714 et seq.) if the average ad-
6 justed gross income of such person or legal entity is great-
7 er than \$900,000.

8 (2) Paragraph (1) shall not apply to a person or legal
9 entity if at least 75 percent of the adjusted gross income
10 of such person or legal entity is derived from farming,
11 ranching, or forestry related activities.

12 (b) A person or legal entity may not receive a pay-
13 ment under the Market Facilitation Program described in
14 subsection (a)(1), directly or indirectly, of more than
15 \$125,000.

16 (c) In this section, the term “average adjusted gross
17 income” has the meaning given the term defined in section
18 760.1502 of title 7 Code of Federal Regulations (as in
19 effect July 18, 2018).

20 (d) The amount provided by this section is designated
21 by the Congress as being for an emergency requirement
22 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
23 et and Emergency Deficit Control Act of 1985.

1160

1 TITLE II
2 DEPARTMENT OF COMMERCE
3 ECONOMIC DEVELOPMENT ADMINISTRATION
4 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
5 (INCLUDING TRANSFERS OF FUNDS)

6 Pursuant to section 703 of the Public Works and
7 Economic Development Act (42 U.S.C. 3233), for an addi-
8 tional amount for “Economic Development Assistance
9 Programs” for necessary expenses related to flood mitiga-
10 tion, disaster relief, long-term recovery, and restoration of
11 infrastructure in areas that received a major disaster des-
12 ignation as a result of Hurricanes Florence, Michael, and
13 Lane, Typhoons Yutu and Mangkhut, and of wildfires, vol-
14 canic eruptions, earthquakes, and other natural disasters
15 occurring in calendar year 2018 under the Robert T. Staf-
16 ford Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5121 et seq.), \$600,000,000, to remain available
18 until expended: *Provided*, That such amount is designated
19 by the Congress as being for an emergency requirement
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
21 et and Emergency Deficit Control Act of 1985: *Provided*
22 *further*, That within the amount appropriated, up to 2 per-
23 cent of funds may be transferred to the “Salaries and Ex-
24 penses” account for administration and oversight activi-
25 ties: *Provided further*, That within the amount appro-

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1 priated, \$1,000,000 shall be transferred to the “Office of
2 Inspector General” account for carrying out investigations
3 and audits related to the funding provided under this
4 heading.

5 NATIONAL OCEANIC AND ATMOSPHERIC
6 ADMINISTRATION
7 OPERATIONS, RESEARCH, AND FACILITIES

8 For an additional amount for “Operations, Research,
9 and Facilities” for necessary expenses related to the con-
10 sequences of Hurricanes Florence and Michael, Typhoon
11 Yutu, and of wildfires, \$120,570,000, to remain available
12 until September 30, 2020, as follows:

13 (1) \$3,000,000 for repair and replacement of
14 observing assets, real property, and equipment;

15 (2) \$11,000,000 for marine debris assessment
16 and removal;

17 (3) \$31,570,000 for mapping, charting, and ge-
18 odesy services;

19 (4) \$25,000,000 to improve: (a) hurricane in-
20 tensity forecasting, including through deployment of
21 unmanned ocean observing platforms and enhanced
22 data assimilation; (b) flood prediction, forecasting,
23 and mitigation capabilities; and (c) wildfire pre-
24 diction, detection, and forecasting; and

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1 (5) \$50,000,000 for Title IX Fund grants as
2 authorized under section 906(c) of division O of
3 Public Law 114–113:

4 *Provided*, That such amount is designated by the Congress
5 as being for an emergency requirement pursuant to sec-
6 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985: *Provided further*, That
8 the National Oceanic and Atmospheric Administration
9 shall submit a spending plan to the Committees on Appro-
10 priations of the House of Representatives and the Senate
11 for funding provided under subsection (4) of this heading
12 within 45 days after the date of enactment of this division.

13 PROCUREMENT, ACQUISITION AND CONSTRUCTION

14 For an additional amount for “Procurement, Acquisi-
15 tion and Construction”, \$25,000,000, to remain available
16 until September 30, 2021, for improvements to oper-
17 ational and research weather supercomputing infrastruc-
18 ture and satellite ground services used for hurricane inten-
19 sity and track prediction; flood prediction, forecasting, and
20 mitigation; and wildfire prediction, detection, and fore-
21 casting: *Provided*, That such amount is designated by the
22 Congress as being for an emergency requirement pursuant
23 to section 251(b)(2)(A)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985: *Provided further*,
25 That the National Oceanic and Atmospheric Administra-

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1 designated by the Congress as being for an emergency re-
2 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 FEDERAL PRISON SYSTEM

5 BUILDINGS AND FACILITIES

6 For an additional amount for “Buildings and Facili-
7 ties” for necessary expenses related to the consequences
8 of Hurricanes Florence and Michael and Typhoon Yutu,
9 \$28,400,000, to remain available until expended: *Pro-*
10 *vided*, That such amount is designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 RELATED AGENCIES

15 LEGAL SERVICES CORPORATION

16 PAYMENT TO THE LEGAL SERVICES CORPORATION

17 For an additional amount for “Payment to the Legal
18 Services Corporation” to carry out the purposes of the
19 Legal Services Corporation Act by providing for necessary
20 expenses related to the consequences of Hurricanes Flor-
21 ence, Michael, and Lane, Typhoons Yutu and Mangkhut,
22 and calendar year 2018 wildfires, volcanic eruptions, and
23 earthquakes, \$15,000,000: *Provided*, That such amount is
24 designated by the Congress as being for an emergency re-
25 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985:
2 *Provided further*, That none of the funds appropriated in
3 this division to the Legal Services Corporation shall be ex-
4 pended for any purpose prohibited or limited by, or con-
5 trary to any of the provisions of, sections 501, 502, 503,
6 504, 505, and 506 of Public Law 105–119, and all funds
7 appropriated in this division to the Legal Services Cor-
8 poration shall be subject to the same terms and conditions
9 set forth in such sections, except that all references in sec-
10 tions 502 and 503 to 1997 and 1998 shall be deemed to
11 refer instead to 2018 and 2019, respectively, and except
12 that sections 501 and 503 of Public Law 104–134 (ref-
13 erenced by Public Law 105–119) shall not apply to the
14 amount made available under this heading: *Provided fur-*
15 *ther*, That, for the purposes of this division, the Legal
16 Services Corporation shall be considered an agency of the
17 United States Government.

1166

1 TITLE III

2 DEPARTMENT OF DEFENSE

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-
5 tenance, Marine Corps”, \$200,000,000, for necessary ex-
6 penses related to the consequences of Hurricanes Michael
7 and Florence: *Provided*, That such amount is designated
8 by the Congress as being for an emergency requirement
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
10 et and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, AIR FORCE

12 For an additional amount for “Operation and Main-
13 tenance, Air Force”, \$400,000,000, for necessary ex-
14 penses related to the consequences of Hurricanes Michael
15 and Florence: *Provided*, That such amount is designated
16 by the Congress as being for an emergency requirement
17 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
18 et and Emergency Deficit Control Act of 1985.

1167

1 TITLE IV
2 CORPS OF ENGINEERS—CIVIL
3 DEPARTMENT OF THE ARMY
4 INVESTIGATIONS

5 For an additional amount for “Investigations” for
6 necessary expenses related to the completion, or initiation
7 and completion, of flood and storm damage reduction, in-
8 cluding shore protection, studies which are currently au-
9 thorized or which are authorized after the date of enact-
10 ment of this division, to reduce risk from future floods
11 and hurricanes, at full Federal expense, \$35,000,000, to
12 remain available until expended, for high priority studies
13 of projects in States and insular areas that were impacted
14 by Hurricanes Florence and Michael, Typhoon Mangkhut,
15 Super Typhoon Yutu, and Tropical Storm Gita: *Provided*,
16 That such amount is designated by the Congress as being
17 for an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985: *Provided further*, That the
20 Assistant Secretary of the Army for Civil Works shall pro-
21 vide a monthly report directly to the Committees on Ap-
22 propriations of the House and the Senate detailing the al-
23 location and obligation of these funds, including new stud-
24 ies selected to be initiated using funds provided under this

1 heading, beginning not later than 60 days after the date
2 of enactment of this division.

3 CONSTRUCTION

4 For an additional amount for “Construction” for nec-
5 essary expenses, \$740,000,000, to remain available until
6 expended, to construct flood and storm damage reduction,
7 including shore protection, projects which are currently
8 authorized or which are authorized after the date of enact-
9 ment of this division, and flood and storm damage reduc-
10 tion, including shore protection, projects which have
11 signed Chief’s Reports as of the date of enactment of this
12 division or which are studied using funds provided under
13 the heading “Investigations” if the Secretary determines
14 such projects to be technically feasible, economically justi-
15 fied, and environmentally acceptable, in States and insular
16 areas that were impacted by Hurricanes Florence and Mi-
17 chael, Typhoon Mangkhut, Super Typhoon Yutu, and
18 Tropical Storm Gita: *Provided*, That projects receiving
19 funds provided under the first proviso in “Title IV—Corps
20 of Engineers—Civil—Department of the Army—Con-
21 struction” in Public Law 115–123 shall not be eligible for
22 funding provided under this heading: *Provided further*,
23 That for projects receiving funds provided under this
24 heading, the provisions of Section 902 of the Water Re-
25 sources Act of 1986 shall not apply to these funds: *Pro-*

1 *vided further*, That the completion of ongoing construction
2 projects receiving funds provided under this heading shall
3 be at full Federal expense with respect to such funds: *Pro-*
4 *vided further*, That using funds provided under this head-
5 ing, the non-Federal cash contribution for projects other
6 than ongoing construction projects shall be financed in ac-
7 cordance with the provisions of section 103(k) of Public
8 Law 99–662 over a period of 30 years from the date of
9 completion of the project or separable element: *Provided*
10 *further*, That up to \$25,000,000 of the funds made avail-
11 able under this heading shall be used for continuing au-
12 thorities projects to reduce the risk of flooding and storm
13 damage: *Provided further*, That any projects using funds
14 appropriated under this heading shall be initiated only
15 after non-Federal interests have entered into binding
16 agreements with the Secretary requiring, where applicable,
17 the non-Federal interests to pay 100 percent of the oper-
18 ation, maintenance, repair, replacement, and rehabilita-
19 tion costs of the project and to hold and save the United
20 States free from damages due to the construction or oper-
21 ation and maintenance of the project, except for damages
22 due to the fault or negligence of the United States or its
23 contractors: *Provided further*, That such amount is des-
24 igned by the Congress as being for an emergency re-
25 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

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1 anced Budget and Emergency Deficit Control Act of 1985:
2 *Provided further*, That the Assistant Secretary of the
3 Army for Civil Works shall provide a monthly report di-
4 rectly to the Committees on Appropriations of the House
5 of Representatives and the Senate detailing the allocation
6 and obligation of these funds, beginning not later than 60
7 days after the date of enactment of this division.

8 MISSISSIPPI RIVER AND TRIBUTARIES

9 For an additional amount for “Mississippi River and
10 Tributaries” for necessary expenses to address emergency
11 situations at Corps of Engineers projects and rehabilitate
12 and repair damages to Corps of Engineers projects,
13 caused by natural disasters, \$225,000,000, to remain
14 available until expended: *Provided*, That such amount is
15 designated by the Congress as being for an emergency re-
16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985:
18 *Provided further*, That the Assistant Secretary of the
19 Army for Civil Works shall provide a monthly report di-
20 rectly to the Committees on Appropriations of the House
21 of Representatives and the Senate detailing the allocation
22 and obligation of these funds, beginning not later than 60
23 days after the date of enactment of this division.

1171

1 OPERATION AND MAINTENANCE

2 For an additional amount for “Operation and Main-
3 tenance” for necessary expenses to dredge Federal naviga-
4 tion projects in response to, and repair damages to Corps
5 of Engineers Federal projects caused by, natural disasters,
6 \$245,000,000, to remain available until expended, of
7 which such sums as are necessary to cover the Federal
8 share of eligible operation and maintenance costs for
9 coastal harbors and channels, and for inland harbors shall
10 be derived from the Harbor Maintenance Trust Fund:
11 *Provided*, That such amount is designated by the Congress
12 as being for an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985: *Provided further*, That
15 the Assistant Secretary of the Army for Civil Works shall
16 provide a monthly report directly to the Committees on
17 Appropriations of the House of Representatives and the
18 Senate detailing the allocation and obligation of these
19 funds, beginning not later than 60 days after the date of
20 enactment of this division.

21 DEPARTMENT OF THE INTERIOR

22 CENTRAL UTAH PROJECT

23 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

24 For an additional amount for “Central Utah Project
25 Completion Account”, \$350,000, to be deposited into the

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1 Utah Reclamation Mitigation and Conservation Account
2 for use by the Utah Reclamation Mitigation and Conserva-
3 tion Commission, to remain available until expended, for
4 expenses necessary in carrying out fire remediation activi-
5 ties related to wildfires in 2018: *Provided*, That such
6 amount is designated by the Congress as being for 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.

10 BUREAU OF RECLAMATION

11 WATER AND RELATED RESOURCES

12 For an additional amount for “Water and Related
13 Resources”, \$15,500,000, to remain available until ex-
14 pended, for fire remediation and suppression emergency
15 assistance related to wildfires in 2017 and 2018: *Provided*,
16 That such amount is designated by the Congress as being
17 for an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

1173

1 TITLE V
2 DEPARTMENT OF HOMELAND SECURITY
3 SECURITY, ENFORCEMENT, AND
4 INVESTIGATIONS
5 COAST GUARD
6 OPERATIONS AND SUPPORT

7 For an additional amount for “Operations and Sup-
8 port” for necessary expenses related to the consequences
9 of Hurricanes Michael, Florence, and Lane, Tropical
10 Storm Gordon, and Typhoon Mangkhut, \$46,977,000, to
11 remain available until September 30, 2020: *Provided*,
12 That such amount is designated by the Congress as being
13 for an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

17 For an additional amount for “Procurement, Con-
18 struction, and Improvements” for necessary expenses re-
19 lated to the consequences of Hurricanes Michael, Flor-
20 ence, and Lane, Tropical Storm Gordon, and Typhoon
21 Mangkhut, \$476,755,000, to remain available until Sep-
22 tember 30, 2023: *Provided*, That such amount is des-
23 ignated by the Congress as being for an emergency re-
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1174

1 ENVIRONMENTAL COMPLIANCE AND RESTORATION

2 For an additional amount for “Environmental Com-
3 pliance and Restoration” for necessary expenses related
4 to the consequences of Hurricanes Michael and Florence,
5 \$2,000,000, to remain available until September 30, 2023:
6 *Provided*, That such amount is designated by the Congress
7 as being for an emergency requirement pursuant to sec-
8 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985.

1175

1 TITLE VI
2 DEPARTMENT OF THE INTERIOR
3 UNITED STATES FISH AND WILDLIFE SERVICE
4 CONSTRUCTION

5 For an additional amount for “Construction” for nec-
6 essary expenses related to the consequences of Hurricanes
7 Florence, Lane, and Michael, and flooding associated with
8 major declared disaster DR-4365, and calendar year 2018
9 earthquakes, \$82,400,000, to remain available until ex-
10 pended: *Provided*, That of this amount \$50,000,000 shall
11 be used to restore and rebuild national wildlife refuges and
12 increase the resiliency and capacity of coastal habitat and
13 infrastructure to withstand storms and reduce the amount
14 of damage caused by such storms: *Provided further*, That
15 such amount is designated by the Congress as being for
16 an emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 NATIONAL PARK SERVICE
20 HISTORIC PRESERVATION FUND

21 For an additional amount for the “Historic Preserva-
22 tion Fund” for necessary expenses related to the con-
23 sequences of Hurricanes Florence and Michael, and Ty-
24 phoon Yutu, \$50,000,000, to remain available until Sep-
25 tember 30, 2022, including costs to States and territories

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1 necessary to complete compliance activities required by
2 section 306108 of title 54, United States Code (formerly
3 section 106 of the National Historic Preservation Act) and
4 costs needed to administer the program: *Provided*, That
5 grants shall only be available for areas that have received
6 a major disaster declaration pursuant to the Robert T.
7 Stafford Disaster Relief and Emergency Assistance Act
8 (42 U.S.C. 5121 et seq.): *Provided further*, That individual
9 grants shall not be subject to a non-Federal matching re-
10 quirement: *Provided further*, That such amount is des-
11 ignated by the Congress as being for an emergency re-
12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985.

14 CONSTRUCTION

15 For an additional amount for “Construction” for nec-
16 essary expenses related to the consequences of Hurricanes
17 Florence and Michael, Typhoons Yutu and Mangkhut, and
18 calendar year 2018 wildfires, earthquakes, and volcanic
19 eruptions, \$78,000,000, to remain available until ex-
20 pended: *Provided*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1177

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For an additional amount for “Surveys, Investiga-
4 tions, and Research” for necessary expenses related to the
5 consequences of Hurricanes Florence and Michael, and
6 calendar year 2018 wildfires, earthquake damage associ-
7 ated with emergency declaration EM–3410, and in those
8 areas impacted by a major disaster declared pursuant to
9 the Robert T. Stafford Disaster Relief and Emergency As-
10 sistance Act (42 U.S.C. 5121 et seq.) with respect to cal-
11 endar year 2018 wildfires or volcanic eruptions,
12 \$98,500,000, to remain available until expended: *Pro-*
13 *vided*, That of this amount, \$72,310,000 is for costs re-
14 lated to the repair and replacement of equipment and fa-
15 cilities damaged by disasters in 2018: *Provided further*,
16 That, not later than 90 days after enactment of this divi-
17 sion, the Survey shall submit a report to the Committees
18 on Appropriations that describes the potential options to
19 replace the facility damaged by the 2018 volcano disaster
20 along with cost estimates and a description of how the
21 Survey will provide direct access for monitoring volcanic
22 activity and the potential threat to at-risk communities:
23 *Provided further*, That such amount is designated by the
24 Congress as being for an emergency requirement pursuant

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1 to section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 DEPARTMENTAL OFFICES

4 INSULAR AFFAIRS

5 ASSISTANCE TO TERRITORIES

6 For an additional amount for “Technical Assistance”
7 for financial management expenses related to the con-
8 sequences of Typhoon Yutu, \$2,000,000, to remain avail-
9 able until expended: *Provided*, That such amount is des-
10 ignated by the Congress as being for an emergency re-
11 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985.

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 For an additional amount for “Salaries and Ex-
16 penses” for necessary expenses related to the con-
17 sequences of major disasters declared pursuant to the
18 Robert T. Stafford Disaster Relief and Emergency Assist-
19 ance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000,
20 to remain available until expended: *Provided*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

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1 ENVIRONMENTAL PROTECTION AGENCY

2 SCIENCE AND TECHNOLOGY

3 For an additional amount for “Science and Tech-
4 nology” for necessary expenses related to improving pre-
5 paredness of the water sector, \$600,000, to remain avail-
6 able until expended: *Provided*, That such amount is des-
7 ignated by the Congress as being for an emergency re-
8 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985.

10 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

11 PROGRAM

12 For an additional amount for “Leaking Underground
13 Storage Tank Fund” for necessary expenses related to the
14 consequences of Hurricanes Florence and Michael, cal-
15 endar year 2018 earthquakes, and Typhoon Yutu,
16 \$1,500,000, to remain available until expended: *Provided*,
17 That such amount is designated by the Congress as being
18 for an emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 STATE AND TRIBAL ASSISTANCE GRANTS

22 For additional amounts for “State and Tribal Assist-
23 ance Grants” for necessary expenses related to the con-
24 sequences of Hurricanes Florence and Michael and cal-
25 endar year 2018 earthquakes for the hazardous waste fi-

1 nancial assistance grants program, \$1,500,000, to remain
2 available until expended; for necessary expenses related to
3 the consequences of Typhoon Yutu for the hazardous
4 waste financial assistance grants program and for other
5 solid waste management activities, \$56,000,000, to remain
6 available until expended, provided that none of these funds
7 shall be subject to section 3011(b) of the Solid Waste Dis-
8 posal Act; and for grants under section 106 of the Federal
9 Water Pollution Control Act, \$5,000,000, to remain avail-
10 able until expended, to address impacts of Hurricane Flor-
11 ence, Hurricane Michael, Typhoon Yutu, and calendar
12 year 2018 wildfires, notwithstanding subsections (b), (e),
13 and (f), of such section: *Provided*, That such amounts are
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 For an additional amount for “State and Tribal As-
18 sistance Grants”, \$349,400,000 to remain available until
19 expended, of which \$53,300,000 shall be for capitalization
20 grants for the Clean Water State Revolving Funds under
21 title VI of the Federal Water Pollution Control Act, and
22 of which \$296,100,000 shall be for capitalization grants
23 under section 1452 of the Safe Drinking Water Act: *Pro-*
24 *vided*, That notwithstanding section 604(a) of the Federal
25 Water Pollution Control Act and section 1452(a)(1)(D) of

1 the Safe Drinking Water Act, funds appropriated herein
2 shall be provided to States in EPA Regions 4, 9, and 10
3 in amounts determined by the Administrator for waste-
4 water treatment works and drinking water facilities im-
5 pacted by Hurricanes Florence and Michael, Typhoon
6 Yutu, and calendar year 2018 wildfires and earthquakes:
7 *Provided further*, That notwithstanding the requirements
8 of section 603(i) of the Federal Water Pollution Control
9 Act and section 1452(d) of the Safe Drinking Water Act,
10 for the funds appropriated herein, each State shall use not
11 less than 20 percent but not more than 30 percent amount
12 of its capitalization grants to provide additional subsidiza-
13 tion to eligible recipients in the form of forgiveness of prin-
14 cipal, negative interest loans or grants or any combination
15 of these: *Provided further*, That the Administrator shall
16 retain \$10,400,000 of the funds appropriated herein for
17 grants for drinking water facilities and waste water treat-
18 ment plants impacted by Typhoon Yutu: *Provided further*,
19 That the funds appropriated herein shall be used for eligi-
20 ble projects whose purpose is to reduce flood or fire dam-
21 age risk and vulnerability or to enhance resiliency to rapid
22 hydrologic change or natural disaster at treatment works
23 as defined by section 212 of the Federal Water Pollution
24 Control Act or any eligible facilities under section 1452
25 of the Safe Drinking Water Act, and for other eligible

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1 tasks at such treatment works or facilities necessary to
2 further such purposes: *Provided further*, That the Admin-
3 istrator of the Environmental Protection Agency may re-
4 tain up to \$1,000,000 of the funds appropriated herein
5 for management and oversight: *Provided further*, That
6 such amount is designated by the Congress as being for
7 an emergency requirement pursuant to section
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 RELATED AGENCIES

11 DEPARTMENT OF AGRICULTURE

12 FOREST SERVICE

13 FOREST AND RANGELAND RESEARCH

14 For an additional amount for “Forest and Rangeland
15 Research” for necessary expenses related to the con-
16 sequences of Hurricanes Florence and Michael, and the
17 calendar year 2018 wildfires, \$1,000,000, to remain avail-
18 able until expended for the forest inventory and analysis
19 program: *Provided*, That such amount is designated by the
20 Congress as being for an emergency requirement pursuant
21 to section 251(b)(2)(A)(i) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

23 STATE AND PRIVATE FORESTRY

24 For an additional amount for “State and Private
25 Forestry” for necessary expenses related to the con-

1 sequences of Hurricanes Florence and Michael, and the
2 calendar year 2018 wildfires, \$12,000,000, to remain
3 available until expended: *Provided*, That such amount is
4 designated by the Congress as being for an emergency re-
5 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985.

7 NATIONAL FOREST SYSTEM

8 For an additional amount for “National Forest Sys-
9 tem” for necessary expenses related to the consequences
10 of Hurricanes Florence and Michael, and the calendar
11 year 2018 wildfires, \$84,960,000, to remain available
12 until expended: *Provided*, That of this amount
13 \$21,000,000 shall be used for hazardous fuels manage-
14 ment activities: *Provided further*, That such amount is des-
15 ignated by the Congress as being for an emergency re-
16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 CAPITAL IMPROVEMENT AND MAINTENANCE

19 For an additional amount for “Capital Improvement
20 and Maintenance” for necessary expenses related to the
21 consequences of Hurricanes Florence and Michael, and the
22 calendar year 2018 wildfires, \$36,040,000, to remain
23 available until expended: *Provided*, That such amount is
24 designated by the Congress as being for an emergency re-

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1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 WILDLAND FIRE MANAGEMENT
4 (INCLUDING TRANSFER OF FUNDS)

5 For an additional amount for “Wildland Fire Man-
6 agement”, \$720,271,000, to remain available through
7 September 30, 2022, for urgent wildland fire suppression
8 operations: *Provided*, That such funds shall be solely avail-
9 able to be transferred to and merged with other appropria-
10 tions accounts from which funds were previously trans-
11 ferred for wildland fire suppression in fiscal year 2018 to
12 fully repay those amounts: *Provided further*, That such
13 amount is designated by the Congress as an emergency
14 requirement pursuant to section 251(b)(2)(A)(i) of the
15 Balanced Budget and Emergency Deficit Control Act of
16 1985.

17 DEPARTMENT OF HEALTH AND HUMAN
18 SERVICES

19 NATIONAL INSTITUTES OF HEALTH
20 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
21 SCIENCES

22 For an additional amount for “National Institute of
23 Environmental Health Sciences” for necessary expenses in
24 carrying out activities set forth in section 311(a) of the
25 Comprehensive Environmental Response, Compensation,

1 and Liability Act of 1980 (42 U.S.C. 9660(a)) and section
2 126(g) of the Superfund Amendments and Reauthoriza-
3 tion Act of 1986 related to the consequences of major dis-
4 asters declared pursuant to the Robert T. Stafford Dis-
5 aster Relief and Emergency Assistance Act (42 U.S.C.
6 5121 et seq.) in 2018, \$1,000,000, to remain available
7 until expended: *Provided*, That such amount is designated
8 by the Congress as being for an emergency requirement
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
10 et and Emergency Deficit Control Act of 1985.

11 GENERAL PROVISION—THIS TITLE

12 SEC. 601. Not later than 45 days after the date of
13 enactment of this division, the agencies receiving funds ap-
14 propriated by this title shall provide a detailed operating
15 plan of anticipated uses of funds made available in this
16 title by State and Territory, and by program, project, and
17 activity, to the Committees on Appropriations: *Provided*,
18 That no such funds shall be obligated before the operating
19 plans are provided to the Committees: *Provided further*,
20 That such plans shall be updated, including obligations to
21 date, and submitted to the Committees on Appropriations
22 every 60 days until all such funds are expended.

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1 TITLE VII
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 TRAINING AND EMPLOYMENT SERVICES
5 (INCLUDING TRANSFER OF FUNDS)
6 For an additional amount for “Training and Employ-
7 ment Services”, \$50,000,000, for the dislocated workers
8 assistance national reserve for necessary expenses directly
9 related to the consequences of Hurricanes Florence and
10 Michael, Typhoon Mangkhut, Super Typhoon Yutu, and
11 wildfires or earthquakes occurring in 2018 (referred to
12 under this heading as “covered disaster or emergency”),
13 to remain available through September 30, 2020: *Pro-*
14 *vided*, That the Secretary of Labor may transfer up to
15 \$1,000,000 of such funds to any other Department of
16 Labor account for reconstruction and recovery needs, in-
17 cluding worker protection activities: *Provided further*, That
18 these sums may be used to replace grant funds previously
19 obligated to the impacted areas: *Provided further*, That of
20 the amount provided, up to \$500,000, to remain available
21 until expended, shall be transferred to “Office of Inspector
22 General” for oversight of activities responding to such cov-
23 ered disaster or emergency: *Provided further*, That such
24 amount is designated by the Congress as being for an
25 emergency requirement pursuant to section

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1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES

5 ADMINISTRATION FOR CHILDREN AND FAMILIES
6 CHILDREN AND FAMILIES SERVICES PROGRAMS

7 For an additional amount for “Children and Families
8 Services Programs”, \$80,000,000, to remain available
9 through September 30, 2021, for Head Start programs,
10 for necessary expenses directly related to the consequences
11 of Hurricanes Florence and Michael, Typhoon Mangkhut
12 and Super Typhoon Yutu, and wildfires or earthquakes
13 occurring in 2018 in those areas for which a major dis-
14 aster or emergency has been declared under section 401
15 or 501 of the Robert T. Stafford Disaster Relief and
16 Emergency Assistance Act (42 U.S.C. 5170 and 5191),
17 including making payments under the Head Start Act:
18 *Provided*, That none of the funds appropriated in this
19 paragraph shall be included in the calculation of the “base
20 grant” in subsequent fiscal years, as such term is defined
21 in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of
22 the Head Start Act: *Provided further*, That funds appro-
23 priated in this paragraph are not subject to the allocation
24 requirements of section 640(a) of the Head Start Act:
25 *Provided further*, That funds appropriated in this para-

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1 graph shall not be available for costs that are reimbursed
2 by the Federal Emergency Management Agency, under a
3 contract for insurance, or by self-insurance: *Provided fur-*
4 *ther*, That up to \$2,000,000 shall be available for Federal
5 administrative expenses: *Provided further*, That obliga-
6 tions incurred for the purposes provided herein prior to
7 the date of enactment of this division may be charged to
8 funds appropriated under this heading: *Provided further*,
9 That such amount is designated by the Congress as being
10 for an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 OFFICE OF THE SECRETARY
14 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
15 FUND
16 (INCLUDING TRANSFERS OF FUNDS)

17 For an additional amount for the “Public Health and
18 Social Services Emergency Fund”, \$166,000,000, to re-
19 main available through September 30, 2020, for necessary
20 expenses directly related to the consequences of Hurri-
21 canes Florence and Michael, Typhoon Mangkhut and
22 Super Typhoon Yutu, and wildfires or earthquakes occur-
23 ring in 2018 in those areas for which a major disaster
24 or emergency has been declared under sections 401 or 501
25 of the Robert T. Stafford Disaster Relief and Emergency

1 Assistance Act (42 U.S.C. 5170 and 5191) (referred to
2 under this heading as “covered disaster or emergency”),
3 including activities authorized under section 319(a) of the
4 Public Health Service Act (referred to in this division as
5 the “PHS Act”): *Provided*, That of the amount provided,
6 \$45,000,000 shall be transferred to “Health Resources
7 and Services Administration—Primary Health Care” for
8 expenses directly related to a covered disaster or emer-
9 gency for disaster response and recovery, for the Health
10 Centers Program under section 330 of the PHS Act, in-
11 cluding alteration, renovation, construction, equipment,
12 and other capital improvement costs as necessary to meet
13 the needs of areas affected by a covered disaster or emer-
14 gency: *Provided further*, That the time limitation in section
15 330(e)(3) of the PHS Act shall not apply to funds made
16 available under the preceding proviso: *Provided further*,
17 That of the amount provided, not less than \$20,000,000
18 shall be transferred to “Centers for Disease Control and
19 Prevention—CDC-Wide Activities and Program Support”
20 for response, recovery, mitigation, and other expenses di-
21 rectly related to a covered disaster or emergency: *Provided*
22 *further*, That of the amount provided, not less than
23 \$100,000,000 shall be transferred to “Substance Abuse
24 and Mental Health Services Administration—Health Sur-
25 veillance and Program Support” for grants, contracts, and

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1 cooperative agreements for behavioral health treatment,
2 crisis counseling, treatment of substance use disorders,
3 and other related helplines, and for other similar programs
4 to provide support to individuals impacted by a covered
5 disaster or emergency: *Provided further*, That of the
6 amount provided, up to \$1,000,000, to remain available
7 until expended, shall be transferred to “Office of the Sec-
8 retary—Office of Inspector General” for oversight of ac-
9 tivities responding to such hurricanes, typhoons, and
10 wildfires: *Provided further*, That such amount is des-
11 igned by the Congress as being for an emergency re-
12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985.

14 DEPARTMENT OF EDUCATION

15 HURRICANE EDUCATION RECOVERY

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Hurricane Education
18 Recovery” for necessary expenses directly related to the
19 consequences of Hurricanes Florence and Michael, Ty-
20 phoon Mangkhut, Super Typhoon Yutu, and wildfires,
21 earthquakes, or volcanic eruptions in 2018 in those areas
22 for which a major disaster or emergency has been declared
23 under section 401 or 501 of the Robert T. Stafford Dis-
24 aster Relief and Emergency Assistance Act (42 U.S.C.
25 5170 and 5191) (referred to under this heading as a “cov-

1 ered disaster or emergency’), \$165,000,000, to remain
2 available through September 30, 2021: *Provided*, That
3 such amount is designated by the Congress as being for
4 an emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985: *Provided further*, That such
7 assistance may be provided through any of the programs
8 authorized under this heading in division B of title VIII
9 of Public Law 115–123 (as amended by Public Law 115–
10 141), as determined by the Secretary of Education, and
11 subject to the terms and conditions that applied to those
12 programs, except that references to dates and school years
13 in Public Law 115–123 shall be deemed to be the cor-
14 responding dates and school years for the covered disaster
15 or emergency: *Provided further*, That the Secretary of
16 Education may determine the amounts to be used for each
17 such program and shall notify the Committees on Appro-
18 priations of the House of Representatives and the Senate
19 of these amounts not later than 7 days prior to obligation:
20 *Provided further*, That \$2,000,000 of the funds made
21 available under this heading, to remain available until ex-
22 pended, shall be transferred to the Office of the Inspector
23 General of the Department of Education for oversight of
24 activities supported with funds appropriated under this

1 heading, and up to \$1,000,000 of the funds made available
2 under this heading shall be for program administration.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 701. Not later than 30 days after the date of
5 enactment of this division, the Secretaries of Labor,
6 Health and Human Services, and Education shall provide
7 a detailed spend plan of anticipated uses of funds made
8 available in this title, including estimated personnel and
9 administrative costs, to the Committees on Appropria-
10 tions: *Provided*, That such plans shall be updated and sub-
11 mitted to the Committees on Appropriations every 60 days
12 until all funds are expended or expire.

13 SEC. 702. Unless otherwise provided for by this title,
14 the additional amounts appropriated by this title to appro-
15 priations accounts shall be available under the authorities
16 and conditions applicable to such appropriations accounts
17 for fiscal year 2019.

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1 TITLE VIII
2 LEGISLATIVE BRANCH
3 GOVERNMENT ACCOUNTABILITY OFFICE
4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-
6 penses”, \$10,000,000, to remain available until expended,
7 for audits and investigations related to Hurricanes Flor-
8 ence, Lane, and Michael, Typhoons Yutu and Mangkhut,
9 the calendar year 2018 wildfires, earthquakes, and volcano
10 eruptions, and other disasters declared pursuant to the
11 Robert T. Stafford Disaster Relief and Emergency Assist-
12 ance Act (42 U.S.C. 5121 et seq.): *Provided*, That, not
13 later than 90 days after the date of enactment of this divi-
14 sion, the Government Accountability Office shall submit
15 to the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate a spend plan specifying fund-
17 ing estimates for audits and investigations of any such de-
18 clared disasters occurring in 2018 and identifying funding
19 estimates or carryover balances, if any, that may be avail-
20 able for audits and investigations of any other such de-
21 clared disasters: *Provided further*, That such amount is
22 designated by the Congress as being for an emergency re-
23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985.

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1 TITLE IX

2 DEPARTMENT OF DEFENSE

3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

4 For an additional amount for “Military Construction,
5 Navy and Marine Corps”, \$115,000,000, to remain avail-
6 able until September 30, 2023, for planning and design
7 related to the consequences of Hurricanes Florence and
8 Michael on Navy and Marine Corps installations: *Pro-*
9 *vided*, That none of the funds shall be available for obliga-
10 tion until the Committees on Appropriations of the House
11 of Representatives and the Senate receive a master plan
12 for the installations and a form 1391 for each specific
13 project: *Provided further*, That, not later than 60 days
14 after enactment of this division, the Secretary of the Navy,
15 or his designee, shall submit to the Committees on Appro-
16 priations of the House of Representatives and the Senate
17 a detailed expenditure plan for funds provided under this
18 heading: *Provided further*, That such amount is designated
19 by the Congress as being for an emergency requirement
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
21 et and Emergency Deficit Control Act of 1985.

22 MILITARY CONSTRUCTION, AIR FORCE

23 For an additional amount for “Military Construction,
24 Air Force”, \$700,000,000, to remain available until Sep-
25 tember 30, 2023, for planning and design, and construc-

1 tion expenses related to the consequences of Hurricane
2 Michael: *Provided*, That none of the funds shall be avail-
3 able for obligation until the Committees on Appropriations
4 of the House of Representatives and the Senate receive
5 a basing plan and future mission requirements for instal-
6 lations significantly damaged by Hurricane Michael: *Pro-*
7 *vided further*, That, not later than 60 days after enact-
8 ment of this division, the Secretary of the Air Force, or
9 his designee, shall submit to the Committees on Appro-
10 priations of the House of Representatives and the Senate
11 a detailed expenditure plan for funds provided under this
12 heading: *Provided further*, That such amount is designated
13 by the Congress as being for an emergency requirement
14 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
15 et and Emergency Deficit Control Act of 1985.

16 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

17 For an additional amount for “Military Construction,
18 Army National Guard”, \$42,400,000, to remain available
19 until September 30, 2023, for necessary expenses related
20 to the consequences of Hurricanes Florence and Michael:
21 *Provided*, That none of the funds shall be available for
22 obligation until the Committees on Appropriations of the
23 House of Representatives and the Senate receive form
24 1391 for each specific request: *Provided further*, That, not
25 later than 60 days after enactment of this division, the

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1 Director of the Army National Guard, or his designee,
2 shall submit to the Committees on Appropriations of the
3 House of Representatives and the Senate a detailed ex-
4 penditure plan for funds provided under this heading: *Pro-*
5 *vided further*, That such funds may be obligated or ex-
6 pended for planning and design and military construction
7 projects not otherwise authorized by law: *Provided further*,
8 That such amount is designated by the Congress as being
9 for an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 DEPARTMENT OF VETERANS AFFAIRS

13 VETERANS HEALTH ADMINISTRATION

14 MEDICAL FACILITIES

15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for “Medical Facilities”,
17 \$3,000,000, to remain available until September 30, 2023,
18 for necessary expenses related to the consequences of Hur-
19 ricanes Florence and Michael and Typhoons Mangkhut
20 and Yutu: *Provided*, That the Secretary of Veterans Af-
21 fairs, upon determination that such action is necessary to
22 address needs as a result of the consequences of Hurri-
23 canes Florence and Michael and Typhoons Mangkhut and
24 Yutu, may transfer such funds to any discretionary ac-
25 count of the Department of Veterans Affairs: *Provided*

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1 *further*, That before a transfer may take place, the Sec-
2 retary of Veterans Affairs shall submit notice thereof to
3 the Committee on Appropriations of the House of Rep-
4 resentatives and the Senate: *Provided further*, That none
5 of these funds shall be available for obligation until the
6 Secretary of Veterans Affairs submits to the Committees
7 on Appropriations of the House of Representatives and the
8 Senate a detailed expenditure plan for funds provided
9 under this heading: *Provided further*, That such amount
10 is designated by the Congress as being for an emergency
11 requirement pursuant to section 251(b)(2)(A)(i) of the
12 Balanced Budget and Emergency Deficit Control Act of
13 1985.

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1 TITLE X

2 DEPARTMENT OF TRANSPORTATION

3 FEDERAL TRANSIT ADMINISTRATION

4 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

5 For an additional amount for the “Public Transpor-
6 tation Emergency Relief Program” as authorized under
7 section 5324 of title 49, United States Code, \$10,542,000
8 to remain available until expended, for transit systems af-
9 fected by major declared disasters occurring in calendar
10 year 2018: *Provided*, That not more than three-quarters
11 of 1 percent of the funds for public transportation emer-
12 gency relief shall be available for administrative expenses
13 and ongoing program management oversight as authorized
14 under sections 5334 and 5338(f)(2) of such title and shall
15 be in addition to any other appropriations for such pur-
16 pose: *Provided further*, That such amount is designated
17 by the Congress as being for an emergency requirement
18 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
19 et and Emergency Deficit Control Act of 1985.

20 FEDERAL AVIATION ADMINISTRATION

21 OPERATIONS

22 (AIRPORT AND AIRWAY TRUST FUND)

23 Of the amounts made available for “Federal Aviation
24 Administration—Operations” in division B of the Bipar-
25 tisan Budget Act of 2018 (Public Law 115–123), up to

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1 \$18,000,000 shall also be available for necessary expenses
2 related to the consequences of major declared disasters oc-
3 ccurring in calendar year 2018: *Provided*, That amounts
4 repurposed under this heading that were previously des-
5 igned by the Congress as an emergency requirement
6 pursuant to the Balanced Budget and Emergency Deficit
7 Control Act of 1985 are designated by the Congress as
8 an emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 FEDERAL HIGHWAY ADMINISTRATION

12 EMERGENCY RELIEF PROGRAM

13 For an additional amount for the Emergency Relief
14 Program as authorized under section 125 of title 23,
15 United States Code, \$1,650,000,000, to remain available
16 until expended: *Provided*, That such amount is designated
17 by the Congress as being for an emergency requirement
18 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
19 et and Emergency Deficit Control Act of 1985.

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1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT

3 COMMUNITY PLANNING AND DEVELOPMENT

4 COMMUNITY DEVELOPMENT FUND

5 (INCLUDING TRANSFERS OF FUNDS)

6 For an additional amount for “Community Develop-
7 ment Fund”, \$1,060,000,000, to remain available until
8 expended, for necessary expenses for activities authorized
9 under title I of the Housing and Community Development
10 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
11 relief, long-term recovery, restoration of infrastructure
12 and housing, economic revitalization, and mitigation in the
13 most impacted and distressed areas resulting from a
14 major disaster that occurred in 2018 pursuant to the Rob-
15 ert T. Stafford Disaster Relief and Emergency Assistance
16 Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall
17 be awarded directly to the State, unit of general local gov-
18 ernment, or Indian tribe (as such term is defined in sec-
19 tion 102 of the Housing and Community Development Act
20 of 1974) at the discretion of the Secretary: *Provided fur-*
21 *ther*, That any funds made available under this heading
22 and under the same heading in Public Law 115–254 that
23 remain available, after the funds under such headings
24 have been allocated for necessary expenses for activities
25 authorized under such headings, shall be allocated to

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1 grantees, for mitigation activities in the most impacted
2 and distressed areas resulting from a major disaster that
3 occurred in 2018: *Provided further*, That such allocations
4 shall be made in the same proportion that the amount of
5 funds each grantee received under this division and the
6 same heading in division I of Public Law 115–254 bears
7 to the amount of all funds provided to all grantees that
8 received allocations for disasters that occurred in 2018:
9 *Provided further*, That of the amounts made available
10 under the text preceding the first proviso under this head-
11 ing and under the same heading in Public Law 115–254,
12 the Secretary shall allocate to all such grantees an aggre-
13 gate amount not less than 33 percent of the sum of such
14 amounts of funds within 120 days after the enactment of
15 this division based on the best available data, and shall
16 allocate no less than 100 percent of such funds by no later
17 than 180 days after the enactment of this division: *Pro-*
18 *vided further*, That the Secretary shall not prohibit the
19 use of funds made available under this heading and the
20 same heading in Public Law 115–254 for non-Federal
21 share as authorized by section 105(a)(9) of the Housing
22 and Community Development Act of 1974 (42 U.S.C.
23 5305(a)(9)): *Provided further*, That of the amounts made
24 available under this heading, grantees may establish grant
25 programs to assist small businesses for working capital

1 purposes to aid in recovery: *Provided further*, That as a
2 condition of making any grant, the Secretary shall certify
3 in advance that such grantee has in place proficient finan-
4 cial controls and procurement processes and has estab-
5 lished adequate procedures to prevent any duplication of
6 benefits as defined by section 312 of the Robert T. Staf-
7 ford Disaster Relief and Emergency Assistance Act (42
8 U.S.C. 5155), to ensure timely expenditure of funds, to
9 maintain comprehensive websites regarding all disaster re-
10 covery activities assisted with these funds, and to detect
11 and prevent waste, fraud, and abuse of funds: *Provided*
12 *further*, That with respect to any such duplication of bene-
13 fits, the Secretary shall act in accordance with section
14 1210 of Public Law 115–254 (132 Stat. 3442) and section
15 312 of the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5155): *Provided further*,
17 That the Secretary shall require grantees to maintain on
18 a public website information containing common reporting
19 criteria established by the Department that permits indi-
20 viduals and entities awaiting assistance and the general
21 public to see how all grant funds are used, including copies
22 of all relevant procurement documents, grantee adminis-
23 trative contracts and details of ongoing procurement proc-
24 esses, as determined by the Secretary: *Provided further*,
25 That prior to the obligation of funds a grantee shall sub-

1 mit a plan to the Secretary for approval detailing the pro-
2 posed use of all funds, including criteria for eligibility and
3 how the use of these funds will address long-term recovery
4 and restoration of infrastructure and housing, economic
5 revitalization, and mitigation in the most impacted and
6 distressed areas: *Provided further*, That such funds may
7 not be used for activities reimbursed by, or for which
8 funds have been made available by, the Federal Emer-
9 gency Management Agency or the Army Corps of Engi-
10 neers, in excess of the authorized amount of the project
11 or its components: *Provided further*, That funds allocated
12 under this heading shall not be considered relevant to the
13 non-disaster formula allocations made pursuant to section
14 106 of the Housing and Community Development Act of
15 1974 (42 U.S.C. 5306): *Provided further*, That a State,
16 unit of general local government, or Indian tribe may use
17 up to 5 percent of its allocation for administrative costs:
18 *Provided further*, That the first proviso under this heading
19 in the Supplemental Appropriations for Disaster Relief
20 Requirements Act, 2018 (division I of Public Law 115–
21 254) is amended by striking “State or unit of general local
22 government” and inserting “State, unit of general local
23 government, or Indian tribe (as such term is defined in
24 section 102 of the Housing and Community Development
25 Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That

1 the sixth proviso under this heading in the Supplemental
2 Appropriations for Disaster Relief Requirements Act,
3 2018 (division I of Public Law 115–254) is amended by
4 striking “State or subdivision thereof” and inserting
5 “State, unit of general local government, or Indian tribe
6 (as such term is defined in section 102 of the Housing
7 and Community Development Act of 1974 (42 U.S.C.
8 5302))”: *Provided further*, That in administering the
9 funds under this heading, the Secretary of Housing and
10 Urban Development may waive, or specify alternative re-
11 quirements for, any provision of any statute or regulation
12 that the Secretary administers in connection with the obli-
13 gation by the Secretary or the use by the recipient of these
14 funds (except for requirements related to fair housing,
15 nondiscrimination, labor standards, and the environment),
16 if the Secretary finds that good cause exists for the waiver
17 or alternative requirement and such waiver or alternative
18 requirement would not be inconsistent with the overall
19 purpose of title I of the Housing and Community Develop-
20 ment Act of 1974: *Provided further*, That, notwithstanding
21 the preceding proviso, recipients of funds provided under
22 this heading that use such funds to supplement Federal
23 assistance provided under section 402, 403, 404, 406,
24 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster
25 Relief and Emergency Assistance Act (42 U.S.C. 5121 et

1 seq.) may adopt, without review or public comment, any
2 environmental review, approval, or permit performed by
3 a Federal agency, and such adoption shall satisfy the re-
4 sponsibilities of the recipient with respect to such environ-
5 mental review, approval or permit: *Provided further*, That,
6 notwithstanding section 104(g)(2) of the Housing and
7 Community Development Act of 1974 (42 U.S.C.
8 5304(g)(2)), the Secretary may, upon receipt of a request
9 for release of funds and certification, immediately approve
10 the release of funds for an activity or project assisted
11 under this heading if the recipient has adopted an environ-
12 mental review, approval or permit under the preceding
13 proviso or the activity or project is categorically excluded
14 from review under the National Environmental Policy Act
15 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
16 the Secretary shall publish via notice in the Federal Reg-
17 ister any waiver, or alternative requirement, to any statute
18 or regulation that the Secretary administers pursuant to
19 title I of the Housing and Community Development Act
20 of 1974 no later than 5 days before the effective date of
21 such waiver or alternative requirement: *Provided further*,
22 That of the amounts made available under this heading,
23 up to \$5,000,000 shall be made available for capacity
24 building and technical assistance, including assistance on
25 contracting and procurement processes, to support States,

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1 units of general local government, or Indian tribes (and
2 their subrecipients) that receive allocations pursuant to
3 this heading, received disaster recovery allocations under
4 the same heading in Public Law 115–254, or may receive
5 similar allocations for disaster recovery in future appro-
6 priations Acts: *Provided further*, That of the amounts
7 made available under this heading and under the same
8 heading in Public Law 115–254, up to \$2,500,000 shall
9 be transferred, in aggregate, to “Department of Housing
10 and Urban Development—Program Office Salaries and
11 Expenses—Community Planning and Development” for
12 necessary costs, including information technology costs, of
13 administering and overseeing the obligation and expendi-
14 ture of amounts under this heading: *Provided further*,
15 That the amount specified in the preceding proviso shall
16 be combined with funds appropriated under the same
17 heading and for the same purpose in Public Law 115–
18 254 and the aggregate of such amounts shall be available
19 for any of the same such purposes specified under this
20 heading or the same heading in Public Law 115–254 with-
21 out limitation: *Provided further*, That such amount is des-
22 ignated by the Congress as being for an emergency re-
23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985.

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1 GENERAL PROVISION—THIS TITLE

2 SEC. 1001. (a) Amounts previously made available
3 for activities authorized under title I of the Housing and
4 Community Development Act of 1974 (42 U.S.C. 5301 et
5 seq.) related to disaster relief, long-term recovery, restora-
6 tion of infrastructure and housing, economic revitalization,
7 and mitigation in the most impacted and distressed areas
8 resulting from a major disaster, including funds provided
9 under section 145 of division C of Public Law 114–223,
10 section 192 of division C of Public Law 114–223 (as
11 added by section 101(3) of division A of Public Law 114–
12 254), section 421 of division K of Public Law 115–31,
13 and any mitigation funding provided under the heading
14 “Department of Housing and Urban Development—Com-
15 munity Planning and Development—Community Develop-
16 ment Fund” of Public Law 115–123, that were allocated
17 in response to Hurricane Matthew, may be used inter-
18 changeably and without limitation for the same activities
19 in the most impacted and distressed areas related to Hur-
20 ricane Florence. In addition, any funds provided under the
21 heading “Department of Housing and Urban Develop-
22 ment—Community Planning and Development—Commu-
23 nity Development Fund” in this division or in division I
24 of Public Law 115–254 that are allocated in response to
25 Hurricane Florence may be used interchangeably and

1 without limitation for the same activities in the most im-
2 pacted and distressed areas related to Hurricane Matthew.
3 Until HUD publishes the Federal Register Notice imple-
4 menting this provision, grantees may submit for HUD ap-
5 proval revised plans for the use of funds related to Hurri-
6 cane Matthew that expand the eligible beneficiaries of ex-
7 isting programs contained in such previously approved
8 plans to include those impacted by Hurricane Florence.
9 Approval of any such revised plans shall include the execu-
10 tion of revised grant terms and conditions as necessary.
11 Once the implementing Notice is published, any additional
12 action plan revisions shall follow the requirements con-
13 tained therein.

14 (b) Amounts made available for administrative costs
15 for activities authorized under title I of the Housing and
16 Community Development Act of 1974 (42 U.S.C. 5301 et
17 seq.) related to disaster relief, long-term recovery, restora-
18 tion of infrastructure and housing, economic revitalization,
19 and mitigation in the most impacted and distressed areas
20 under this division or any future Act, and amounts pre-
21 viously provided under section 420 of division L of Public
22 Law 114–113, section 145 of division C of Public Law
23 114–223, section 192 of division C of Public Law 114–
24 223 (as added by section 101(3) of division A of Public
25 Law 114–254), section 421 of division K of Public Law

1 115–31, and under the heading “Department of Housing
2 and Urban Development—Community Planning and De-
3 velopment—Community Development Fund” of division B
4 of Public Law 115–56, Public Law 115–123, and Public
5 Law 115–254, shall be available for eligible administrative
6 costs of the grantee related to any disaster relief funding
7 identified in this subsection without regard to the par-
8 ticular disaster appropriation from which such funds origi-
9 nated.

10 (c) The additional uses pursuant to this section for
11 amounts that were previously designated by the Congress,
12 respectively, as an emergency requirement or as being for
13 disaster relief pursuant to the Balanced Budget and
14 Emergency Deficit Control Act are designated by the Con-
15 gress as being for an emergency requirement pursuant to
16 section 251(b)(2)(A)(i) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985 or as being for
18 disaster relief pursuant to section 251(b)(2)(D) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985.

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1 TITLE XI

2 GENERAL PROVISIONS—THIS DIVISION

3 SEC. 1101. Each amount appropriated or made avail-
4 able by this division is in addition to amounts otherwise
5 appropriated for the fiscal year involved.

6 SEC. 1102. No part of any appropriation contained
7 in this division shall remain available for obligation beyond
8 the current fiscal year unless expressly so provided herein.

9 SEC. 1103. Unless otherwise provided for by this divi-
10 sion, the additional amounts appropriated by this division
11 to appropriations accounts shall be available under the au-
12 thorities and conditions applicable to such appropriations
13 accounts for fiscal year 2019.

14 SEC. 1104. Each amount designated in this division
15 by the Congress as being for an emergency requirement
16 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
17 et and Emergency Deficit Control Act of 1985 shall be
18 available (or rescinded or transferred, if applicable) only
19 if the President subsequently so designates all such
20 amounts and transmits such designations to the Congress.

21 SEC. 1105. For purposes of this division, the con-
22 sequences or impacts of any hurricane shall include dam-
23 ages caused by the storm at any time during the entirety
24 of its duration as a cyclone, as defined by the National
25 Hurricane Center.

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1 SEC. 1106. Any amount appropriated by this division,
2 designated by the Congress as an emergency requirement
3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
4 et and Emergency Deficit Control Act of 1985 and subse-
5 quently so designated by the President, and transferred
6 pursuant to transfer authorities provided by this division
7 shall retain such designation.

8 This division may be cited as the “Additional Supple-
9 mental Appropriations for Disaster Relief, 2019”.

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1 **DIVISION I—EXTENSIONS, TECHNICAL**
2 **CORRECTIONS, AND OTHER MATTERS**

3 **TITLE I**

4 **IMMIGRATION EXTENSIONS**

5 SEC. 101. Section 401(b) of the Illegal Immigration
6 Reform and Immigrant Responsibility Act of 1996 (8
7 U.S.C. 1324a note) shall be applied by substituting “Sep-
8 tember 30, 2019” for “September 30, 2015”.

9 SEC. 102. Subclauses 101(a)(27)(C)(ii)(II) and (III)
10 of the Immigration and Nationality Act (8 U.S.C.
11 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by sub-
12 stituting “September 30, 2019” for “September 30,
13 2015”.

14 SEC. 103. Section 220(c) of the Immigration and Na-
15 tionality Technical Corrections Act of 1994 (8 U.S.C.
16 1182 note) shall be applied by substituting “September
17 30, 2019” for “September 30, 2015”.

18 SEC. 104. Section 610(b) of the Departments of
19 Commerce, Justice, and State, the Judiciary, and Related
20 Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note)
21 shall be applied by substituting “September 30, 2019” for
22 “September 30, 2015”.

23 SEC. 105. Notwithstanding the numerical limitation
24 set forth in section 214(g)(1)(B) of the Immigration and
25 Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary

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1 of Homeland Security, after consultation with the Sec-
2 retary of Labor, and upon the determination that the
3 needs of American businesses cannot be satisfied in fiscal
4 year 2019 with United States workers who are willing,
5 qualified, and able to perform temporary nonagricultural
6 labor, may increase the total number of aliens who may
7 receive a visa under section 101(a)(15)(H)(ii)(b) of such
8 Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year
9 above such limitation by not more than the highest num-
10 ber of H-2B nonimmigrants who participated in the H-
11 2B returning worker program in any fiscal year in which
12 returning workers were exempt from such numerical limi-
13 tation.

14 TITLE II

15 PESTICIDE REGISTRATION IMPROVEMENT ACT

16 EXTENSION

17 SEC. 201. (a) The following sections of the Federal
18 Insecticide, Fungicide, and Rodenticide Act shall continue
19 in effect through September 30, 2019—

20 (1) subparagraphs (C) through (E) of section

21 4(i)(1) (7 U.S.C. 136a-1(i)(1)(C)–(E));

22 (2) section 4(k)(3) (7 U.S.C. 136a-1(k)(3));

23 (3) section 4(k)(4) (7 U.S.C. 136a-1(k)(4));

24 and

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1 (4) section 33(c)(3)(B) (7 U.S.C. 136w–
2 8(c)(3)(B)).

3 (b)(1) Section 4(i)(1)(I) of the Federal Insecticide,
4 Fungicide, and Rodenticide Act (7 U.S.C. 136a–
5 1(i)(1)(I)) shall be applied by substituting “September 30,
6 2019” for “September 30, 2017”.

7 (2) Notwithstanding section 33(m)(2) of the
8 Federal Insecticide, Fungicide, and Rodenticide Act
9 (7 U.S.C. 136w–8(m)(2)), section 33(m)(1) of such
10 Act (7 U.S.C. 136w–8(m)(1)) shall be applied by
11 substituting “September 30, 2019” for “September
12 30, 2017”.

13 (c) Section 408(m)(3) of the Federal Food, Drug,
14 and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied
15 by substituting “September 30, 2019” for “September 30,
16 2017”.

TITLE III

18 VIOLENCE AGAINST WOMEN ACT EXTENSION

19 SEC. 301. Any program, authority, or provision, in-
20 cluding any pilot program, authorized under the Violence
21 Against Women Reauthorization Act of 2013 (Public Law
22 113–4; 127 Stat. 54) shall continue in effect through Sep-
23 tember 30, 2019.

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1 TITLE IV

2 PANDEMIC AND ALL-HAZARDS PREPAREDNESS

3 EXTENSIONS

4 SEC. 401. Section 319L(e)(1)(A) of the Public
5 Health Service Act (42 U.S.C. 247d–7e(e)(1)(A)) shall
6 continue in effect through September 30, 2019.

7 SEC. 402. Section 405(a) of the Pandemic and All-
8 Hazards Preparedness Act (42 U.S.C. 247d–6a note) shall
9 continue in effect through September 30, 2019.

10 TITLE V

11 TEMPORARY ASSISTANCE FOR NEEDY

12 FAMILIES PROGRAM EXTENSION

13 SEC. 501. Activities authorized by part A of title IV
14 and section 1108(b) of the Social Security Act shall con-
15 tinue through June 30, 2019, in the manner authorized
16 for fiscal year 2018, and out of any money in the Treasury
17 of the United States not otherwise appropriated, there are
18 hereby appropriated such sums as may be necessary for
19 such purpose.

20 TITLE VI

21 TECHNICAL CORRECTIONS

22 SEC. 601. (a) Section 3(20)(B) of the Carl D. Per-
23 kins Career and Technical Education Act of 2006 (20
24 U.S.C. 2302(20)(B)), as amended by section 7 of the
25 Strengthening Career and Technical Education for the

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1 21st Century Act (Public Law 115–224), is amended by
2 inserting “, except that, for the purpose of section 132,
3 the term ‘recognized postsecondary credential’ as used in
4 this subparagraph shall not include a baccalaureate de-
5 gree” after “associate degree”.

6 (b) The amendment made by subsection (a) shall take
7 effect on July 1, 2019, as if included in the Strengthening
8 Career and Technical Education for the 21st Century Act
9 (Public Law 115–224).

10 SEC. 602. Section 243 of title II of division C of Pub-
11 lic Law 115–244 is amended by inserting “248” after
12 “section”.

13 SEC. 603. Section 177 of division C of Public Law
14 114–223, as amended by Public Law 114–254, is amend-
15 ed by inserting “and the 116th Congress” after “the
16 115th Congress” in each instance it appears.

17 SEC. 604. (a) During fiscal year 2019 and each suc-
18 ceeding fiscal year, amounts appropriated or otherwise
19 made available for the Architect of the Capitol under the
20 heading “House Office Buildings” may be transferred to
21 the House of Representatives and merged with and made
22 available under the heading “Allowances and Expenses”,
23 subject to the approval of the Committee on Appropria-
24 tions of the House of Representatives.

1 (b) The period of availability of any amounts trans-
2 ferred to the House of Representatives under this section
3 shall be the same period of availability applicable to such
4 amounts as appropriated for the Architect of the Capitol.

5 SEC. 605. Amounts made available in divisions A
6 through G of this Act for personnel pay, allowances, and
7 benefits in each department and agency shall be available
8 for obligations incurred pursuant to 31 U.S.C. 1341.

9 SEC. 606. All obligations incurred and in anticipation
10 of the appropriations made and authority granted by divi-
11 sions A through G of this Act for the purposes of main-
12 taining the essential level of activity to protect life and
13 property and bringing about orderly termination of Gov-
14 ernment function, and for purposes as otherwise author-
15 ized by law, are hereby ratified and approved if otherwise
16 in accord with the provisions of divisions A through G of
17 this Act.

18 SEC. 607. For the purposes of this division and divi-
19 sions A through G of this Act, the time covered by those
20 divisions shall be considered to include the period which
21 began on or about December 22, 2018, during which there
22 occurred a lapse in appropriations.

23 SEC. 608. (a) If a State (or another Federal grantee)
24 used State funds (or the grantee's non-Federal funds) to
25 continue carrying out a Federal program or furloughed

1 State employees (or the grantee’s employees) whose com-
2 pensation is advanced or reimbursed in whole or in part
3 by the Federal Government—

4 (1) such furloughed employees shall be com-
5 pensated at their standard rate of compensation for
6 such period;

7 (2) the State (or such other grantee) shall be
8 reimbursed for expenses that would have been paid
9 by the Federal Government during such period had
10 appropriations been available, including the cost of
11 compensating such furloughed employees, together
12 with interest thereon calculated under section
13 6503(d) of title 31, United States Code; and

14 (3) the State (or such other grantee) may use
15 funds available to the State (or the grantee) under
16 such Federal program to reimburse such State (or
17 the grantee), together with interest thereon cal-
18 culated under section 6503(d) of title 31, United
19 States Code.

20 (b) For purposes of this section, the term “State”
21 and the term “grantee” shall have the meaning as such
22 term is defined under the applicable Federal program
23 under subsection (a). In addition, “to continue carrying
24 out a Federal program” means the continued performance
25 by a State or other Federal grantee, during the period

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1 of a lapse in appropriations, of a Federal program that
2 the State or such other grantee had been carrying out
3 prior to the period of the lapse in appropriations.

4 (c) The authority under this section applies with re-
5 spect to any period in fiscal year 2019 (not limited to peri-
6 ods beginning or ending after the date of the enactment
7 of this Act) during which there occurs a lapse in appro-
8 priations with respect to any department or agency of the
9 Federal Government which, but for such lapse in appro-
10 priations, would have paid, or made reimbursement relat-
11 ing to, any of the expenses referred to in this section with
12 respect to the program involved. Payments and reimburse-
13 ments under this authority shall be made only to the ex-
14 tent and in amounts provided in advance in appropriations
15 Acts.

16 SEC. 609. Subsection (c)(2) of section 1341 of title
17 31, United States Code, is amended by inserting “, and
18 subject to the enactment of appropriations Acts ending the
19 lapse” before the period.

20 TITLE VII

21 HARBOR MAINTENANCE TRUST FUND

22 SEC. 701. In subsequent fiscal years, any discre-
23 tionary appropriation derived from the Harbor Mainte-
24 nance Trust Fund (not to exceed the total amount depos-
25 ited in the Harbor Maintenance Trust Fund in the prior

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1 fiscal year) shall be subtracted from the estimate of discre-
2 tionary budget authority and outlays for any estimate of
3 an appropriations Act under the Congressional Budget
4 and Impoundment Control Act of 1974 or the Balanced
5 Budget and Emergency Deficit Control Act of 1985.

6

TITLE VIII

7 CONSUMER FINANCIAL PROTECTION BUREAU—

8

INSPECTOR GENERAL REFORM

9

SHORT TITLE

10 SEC. 801. This title may be cited as the “Consumer
11 Financial Protection Bureau—Inspector General Reform
12 Act”.

13

APPOINTMENT OF INSPECTOR GENERAL

14 SEC. 802. The Inspector General Act of 1978 (5
15 U.S.C. App.) is amended—

16

(1) in section 8G—

17

(A) in subsection (a)(2), by striking “and

18

the Bureau of Consumer Financial Protection”;

19

(B) in subsection (c), by striking “For

20

purposes of implementing this section” and all

21

that follows through the end of the subsection;

22

and

23

(C) in subsection (g)(3), by striking “and

24

the Bureau of Consumer Financial Protection”;

25

and

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1 (2) in section 12—

2 (A) in paragraph (1), by inserting “the Di-
3 rector of the Bureau of Consumer Financial
4 Protection;” after “the President of the Export-
5 Import Bank;”; and

6 (B) in paragraph (2), by inserting “the
7 Bureau of Consumer Financial Protection,”
8 after “the Export-Import Bank,”.

9 REQUIREMENTS FOR THE INSPECTOR GENERAL FOR THE
10 BUREAU OF CONSUMER FINANCIAL PROTECTION

11 SEC. 803. (a) ESTABLISHMENT.—Section 1011 of
12 the Dodd-Frank Wall Street Reform and Consumer Pro-
13 tection Act (12 U.S.C. 5491) is amended—

14 (1) in subsection (b)—

15 (A) in the subsection heading, by striking
16 “AND DEPUTY DIRECTOR” and inserting “,
17 DEPUTY DIRECTOR, AND INSPECTOR GEN-
18 ERAL”; and

19 (B) by inserting after paragraph (5) the
20 following:

21 “(6) INSPECTOR GENERAL.—There is estab-
22 lished the position of the Inspector General.”; and

23 (2) in subsection (d), by striking “or Deputy
24 Director” each place it appears and inserting “,
25 Deputy Director, or Inspector General”.

1 (b) FUNDING FOR OFFICE OF INSPECTOR GEN-
2 ERAL.—Section 1017(a)(2) of the Dodd-Frank Wall
3 Street Reform and Consumer Protection Act (12 U.S.C.
4 5497(a)(2)) is amended—

5 (1) by redesignating subparagraph (C) as sub-
6 paragraph (D); and

7 (2) by inserting after subparagraph (B) the fol-
8 lowing:

9 “(C) FUNDING FOR OFFICE OF INSPECTOR
10 GENERAL.—

11 “(i) IN GENERAL.—Beginning in the
12 first fiscal year beginning after the date
13 that is 6 months after the date of enact-
14 ment of the Consumer Financial Protec-
15 tion Bureau–Inspector General Reform
16 Act, each fiscal year (or quarter of such
17 fiscal year), the Board of Governors shall
18 transfer to the Inspector General from the
19 combined earnings of the Federal Reserve
20 System the amount determined by the In-
21 spector General to be reasonably necessary
22 to carry out the authorities of the Inspec-
23 tor General, taking into account such other
24 sums made available to the Inspector Gen-

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1 eral from the preceding fiscal year (or
2 quarter of such fiscal year).

3 “(ii) LIMITATION.—Funds transferred
4 each fiscal year under clause (i) shall not
5 exceed 2 percent of the maximum amount
6 eligible to be transferred to the Bureau
7 pursuant to paragraph (1) and shall not be
8 considered in calculating the funding cap
9 for the Bureau established under subpara-
10 graph (A).”.

11 (c) PARTICIPATION IN THE COUNCIL OF INSPECTORS
12 GENERAL ON FINANCIAL OVERSIGHT.—Section
13 989E(a)(1) of such Act is amended by adding at the end
14 the following:

15 “(J) The Bureau of Consumer Financial
16 Protection.”.

17 EFFECTIVE DATE

18 SEC. 804. The amendments made by this title shall
19 take effect on the date that is 60 days after the date of
20 enactment of this Act.

21 TRANSITION PERIOD

22 SEC. 805. (a) IN GENERAL.—The Inspector General
23 of the Board of Governors of the Federal Reserve System
24 and the Bureau of Consumer Financial Protection shall
25 serve in that position and maintain all of its authorities

1 until an Inspector General of the Bureau of Consumer Fi-
2 nancial Protection—

3 (1) has been confirmed; and

4 (2) submits to Congress a written notification
5 that the powers and authorities of the Inspector
6 General of the Board of Governors of the Federal
7 Reserve System and the Bureau of Consumer Finan-
8 cial Protection can be orderly transferred to the In-
9 spector General of the Bureau of Consumer Finan-
10 cial Protection without interruption or lapse in over-
11 sight responsibilities.

12 (b) INSPECTOR GENERAL OF THE BOARD OF GOV-
13 ERNORS OF THE FEDERAL RESERVE SYSTEM.—On the
14 date on which the Inspector General of the Bureau of Con-
15 sumer Financial Protection submits the written notifica-
16 tion required under subsection (a), the Inspector General
17 of the Board of Governors of the Federal Reserve System
18 and the Bureau of Consumer Financial Protection shall
19 become the Inspector General of the Board of Governors
20 of the Federal Reserve System.

21 TITLE IX

22 BUDGETARY EFFECTS

23 SEC. 901. (a) STATUTORY PAYGO SCORECARDS.—
24 The budgetary effects of this division and each succeeding
25 division shall not be entered on either PAYGO scorecard

1 maintained pursuant to section 4(d) of the Statutory Pay-
2 As-You-Go Act of 2010.

3 (b) SENATE PAYGO SCORECARDS.—The budgetary
4 effects of this division and each succeeding division shall
5 not be entered on any PAYGO scorecard maintained for
6 purposes of section 4106 of H. Con. Res. 71 (115th Con-
7 gress).

8 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
9 Notwithstanding Rule 3 of the Budget Scorekeeping
10 Guidelines set forth in the joint explanatory statement of
11 the committee of conference accompanying Conference Re-
12 port 105–217 and section 250(c)(8) of the Balanced
13 Budget and Emergency Deficit Control Act of 1985, the
14 budgetary effects of this division and each succeeding divi-
15 sion shall not be estimated—

16 (1) for purposes of section 251 of such Act; and

17 (2) for purposes of paragraph (4)(C) of section
18 3 of the Statutory Pay-As-You-Go Act of 2010 as
19 being included in an appropriation Act.

20 (d) PAYGO ANNUAL REPORT.—For the purposes of
21 the annual report issued pursuant to section 5 of the Stat-
22 utory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after
23 adjournment of the second session of the 115th Congress,
24 and for determining whether a sequestration order is nec-
25 essary under such section, the debit for the budget year

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1 on the 5-year scorecard, if any, and the 10-year scorecard,
2 if any, shall be deducted from such scorecard in 2019 and
3 added to such scorecard in 2020.

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1 **DIVISION J—VULNERABLE IMMI-**
2 **GRANTS PROTECTION AND**
3 **SECURITY ACT**

4 **SEC. 101. SHORT TITLE.**

5 This division may be cited as the “Vulnerable Immi-
6 grants Protection and Security Act”.

7 **SEC. 102. PROVISIONAL PROTECTED PRESENCE FOR**
8 **YOUNG INDIVIDUALS.**

9 (a) IN GENERAL.—Chapter 4 of title II of the Immi-
10 gration and Nationality Act (8 U.S.C. 1221 et seq.) is
11 amended by adding at the end the following:

12 **“SEC. 244A. PROVISIONAL PROTECTED PRESENCE.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) CRIMINAL GANG.—

15 “(A) IN GENERAL.—The term ‘criminal
16 gang’ means an ongoing group, club, organiza-
17 tion, or association of 5 or more persons—

18 “(i) that has, as 1 of its primary pur-
19 poses, the commission of 1 or more of the
20 criminal offenses listed in subparagraph
21 (B), whether in violation of Federal or
22 State law or foreign law and regardless of
23 whether the offenses occurred before, on,
24 or after the date of the enactment of this
25 section; and

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1 “(ii) the members of which engage, or
2 have engaged during the past 5 years, in
3 a continuing series of such offenses.

4 “(B) CRIMINAL OFFENSES.—The criminal
5 offenses listed in this subparagraph are—

6 “(i) a felony drug offense (as defined
7 in section 102 of the Controlled Sub-
8 stances Act (21 U.S.C. 802));

9 “(ii) a felony offense involving fire-
10 arms or explosives or in violation of section
11 931 of title 18, United States Code (relat-
12 ing to purchase, ownership, or possession
13 of body armor by violent felons);

14 “(iii) an offense under section 274
15 (relating to bringing in and harboring cer-
16 tain aliens), section 277 (relating to aiding
17 or assisting certain aliens to enter the
18 United States), or section 278 (relating to
19 importation of alien for immoral purpose);

20 “(iv) an offense that—

21 “(I) has, as an element of the of-
22 fense, the use, attempted use, or
23 threatened use of violent physical
24 force against the person or property
25 of another; or

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1 “(II) by its nature, involves a
2 substantial risk that violent physical
3 force against the person or property
4 of another may be used in the course
5 of committing the offense;

6 “(v) a crime involving obstruction of
7 justice or tampering with or retaliating
8 against a witness, victim, or informant;

9 “(vi) any conduct punishable under—

10 “(I) section 1028A or 1029 of
11 title 18, United States Code (relating
12 to aggravated identity theft or fraud
13 and related activity in connection with
14 identification documents or access de-
15 vices);

16 “(II) sections 1581 through 1594
17 of such title (relating to peonage, slav-
18 ery, and trafficking in persons);

19 “(III) section 1951 of such title
20 (relating to interference with com-
21 merce by threats or violence);

22 “(IV) section 1952 of such title
23 (relating to interstate and foreign
24 travel or transportation in aid of rack-
25 eteering enterprises);

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1 “(V) section 1956 of such title
2 (relating to the laundering of mone-
3 tary instruments);

4 “(VI) section 1957 of such title
5 (relating to engaging in monetary
6 transactions in property derived from
7 specified unlawful activity); or

8 “(VII) sections 2312 through
9 2315 of such title (relating to inter-
10 state transportation of stolen motor
11 vehicles or stolen property); and

12 “(vii) a conspiracy to commit any of
13 the offenses described in clauses (i)
14 through (vi).

15 “(2) DACA RECIPIENT.—The term ‘DACA re-
16 cipient’ means an alien who was granted deferred
17 action status on or before the date of the enactment
18 of this section pursuant to the Deferred Action for
19 Childhood Arrivals (‘DACA’) Program announced on
20 June 15, 2012.

21 “(3) FELONY.—The term ‘felony’ means a Fed-
22 eral, State, or local criminal offense punishable by
23 imprisonment for a term exceeding 1 year.

24 “(4) MISDEMEANOR.—The term ‘misdemeanor’
25 means a Federal, State, or local criminal offense for

1 which the maximum term of imprisonment is not
2 longer than 1 year.

3 “(5) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of Homeland Security.

5 “(6) SEXUAL ASSAULT OR HARASSMENT.—The
6 term ‘sexual assault or harassment’ means—

7 “(A) conduct engaged in by an alien who
8 is at least 18 years of age, consisting of unwel-
9 come sexual advances, requests for sexual fa-
10 vors, or other verbal or physical conduct of a
11 sexual nature if—

12 “(i) submission to such conduct is
13 made either explicitly or implicitly a term
14 or condition of an individual’s employment;

15 “(ii) submission to, or rejection of,
16 such conduct by an individual is used as
17 the basis for employment decisions affect-
18 ing such individual; or

19 “(iii) such conduct has the purpose or
20 effect of creating an intimidating, hostile,
21 or offensive environment;

22 “(B) conduct constituting the criminal of-
23 fense of rape, statutory rape, or any offense of
24 a sexual nature involving a victim who was
25 younger than 18 years of age;

1 “(C) sexual conduct with—

2 “(i) a minor who was younger than 14
3 years of age; or

4 “(ii) a minor who was younger than
5 16 years of age if the perpetrator was at
6 least 4 years older than the minor;

7 “(D) conduct punishable under section
8 2251 or 2251A of title 18, United States Code
9 (relating to the sexual exploitation of children
10 and the selling or buying of children), or section
11 2252 or 2252A of such title (relating to certain
12 activities relating to material involving the sex-
13 ual exploitation of minors or relating to mate-
14 rial constituting or containing child pornog-
15 raphy); or

16 “(E) conduct constituting the elements of
17 any other Federal or State sexual offense re-
18 quiring a defendant, if convicted, to register on
19 a sexual offender registry (except that this pro-
20 vision shall not apply to convictions solely for
21 urinating or defecating in public).

22 “(7) SIGNIFICANT MISDEMEANOR.—The term
23 ‘significant misdemeanor’ means a Federal, State, or
24 local criminal offense for which the maximum term
25 of imprisonment is not longer than 1 year that—

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1 “(A) regardless of the sentence imposed,
2 is—

3 “(i) an offense relating to a crime of
4 domestic violence (as defined in section
5 237(a)(2)(E)(i) of this Act or in section
6 40002(a) of the Violence Against Women
7 Act of 1994 (34 U.S.C. 12291(a)) or a
8 misdemeanor crime of domestic violence
9 (as defined in section 921(a)(33) of title
10 18, United States Code);

11 “(ii) an offense involving or relating
12 to sexual abuse or exploitation, burglary,
13 unlawful possession or use of a firearm, or
14 drug distribution or trafficking; or

15 “(iii) an offense of driving under the
16 influence if the State law requires, as an
17 element of the offense, the operation of a
18 motor vehicle and a finding of impairment
19 or a blood alcohol content of .08 percent or
20 higher; or

21 “(B) resulted in a sentence of time in cus-
22 tody of longer than 90 days.

23 “(8) THREAT TO NATIONAL SECURITY.—An
24 alien is a ‘threat to national security’ if the alien
25 is—

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1 “(A) inadmissible under section 212(a)(3);

2 or

3 “(B) deportable under section 237(a)(4).

4 “(9) THREAT TO PUBLIC SAFETY.—An alien is
5 a ‘threat to public safety’ if the alien—

6 “(A) has been charged or convicted of an
7 offense for which an element was participation
8 in a criminal street gang (as defined in section
9 521(a) of title 18, United States Code);

10 “(B) has engaged in a continuing criminal
11 enterprise (as defined in section 408(c) of the
12 Comprehensive Drug Abuse Prevention and
13 Control Act of 1970 (21 U.S.C. 848(c))); or

14 “(C) has participated in criminal conduct,
15 including criminal gang activity, that the Sec-
16 retary has determined to pose a threat to public
17 safety.

18 “(b) AUTHORIZATION.—The Secretary—

19 “(1) may grant provisional protected presence
20 to an alien who—

21 “(A) files an application demonstrating
22 that he or she meets the eligibility criteria de-
23 scribed in subsection (c); and

24 “(B) pays the appropriate application fee;

1 “(2) may not remove an alien described in
2 paragraph (1) from the United States during the pe-
3 riod in which such provisional protected presence is
4 in effect unless such deferred action is rescinded
5 pursuant to subsection (g); and

6 “(3) may provide such alien with employment
7 authorization, upon the request of the alien, after
8 the alien has paid the applicable fees.

9 “(c) ELIGIBILITY CRITERIA.—An alien is eligible for
10 provisional protected presence and employment authoriza-
11 tion under this section if the alien establishes, by clear
12 and convincing evidence, that the alien—

13 “(1) was born after June 15, 1981;

14 “(2) entered the United States before attaining
15 16 years of age;

16 “(3) continuously resided in the United States
17 between June 15, 2007, and the date on which the
18 alien files an application under this section;

19 “(4) was physically present in the United
20 States—

21 “(A) on June 15, 2012; and

22 “(B) on the date on which the alien files
23 an application under this section;

24 “(5) was unlawfully present in the United
25 States on June 15, 2012;

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1 “(6) on the date on which the alien files an ap-
2 plication for provisional protected presence under
3 this section—

4 “(A) is enrolled in school or in an accred-
5 ited education program assisting students in ob-
6 taining a regular high school diploma or its rec-
7 ognized equivalent under State law, or in pass-
8 ing a general educational development exam or
9 other State-authorized exam;

10 “(B) has graduated or obtained a certifi-
11 cate of completion from high school;

12 “(C) has obtained a general educational
13 development certificate; or

14 “(D) is an honorably discharged veteran of
15 the Armed Forces of the United States;

16 “(7) has not been convicted of—

17 “(A) a felony;

18 “(B) a significant misdemeanor; or

19 “(C) 3 or more misdemeanors not occur-
20 ring on the same date and not arising out of
21 the same act, omission, or scheme of mis-
22 conduct;

23 “(8) does not otherwise pose a threat to na-
24 tional security or a threat to public safety;

1 “(9) has not been adjudicated delinquent in a
2 State or local juvenile court proceeding for an of-
3 fense equivalent to—

4 “(A) an offense relating to murder, man-
5 slaughter, homicide, rape (whether the victim
6 was conscious or unconscious), statutory rape,
7 or any offense of a sexual nature involving a
8 victim who was younger than 18 years of age;

9 “(B) an offense that—

10 “(i) has, as an element of the offense,
11 the use, attempted use, or threatened use
12 of violent physical force against the person
13 or property of another; or

14 “(ii) by its nature, involves a substan-
15 tial risk that violent physical force against
16 the person or property of another may be
17 used in the course of committing the of-
18 fense (including offenses committed reck-
19 lessly if they otherwise qualify); or

20 “(C) an offense punishable under section
21 401 of the Controlled Substances Act (21
22 U.S.C. 841);

23 “(10) has not been convicted for any other
24 criminal offense, with regard to which the alien has
25 not satisfied any civil legal judgments awarded to

1 any victims (or family members of victims) of the
2 crime;

3 “(11)(A) is not, and has never been, a member
4 of a criminal gang; and

5 “(B) has never participated in the activities of
6 a criminal gang, knowing or having reason to know
7 that such activities would promote, further, aid, or
8 support the illegal activity of the criminal gang;

9 “(12) is not inadmissible under section 212(a),
10 except that in determining the alien’s inadmis-
11 sibility—

12 “(A) paragraphs (5), (7), and (9)(B) of
13 such subsection shall not apply; and

14 “(B) subparagraphs (A), (D), and (G) of
15 paragraph (6), and paragraphs (9)(C)(i)(I) and
16 (10)(B), of such subsection shall not apply, ex-
17 cept for an alien who unlawfully entered the
18 United States after June 15, 2007;

19 “(13) is not deportable under section 237(a),
20 except that in determining the alien’s deportability
21 subparagraphs (B) through (D) of paragraph (1) of
22 such subsection and paragraph (3)(A) of such sub-
23 section shall not apply;

24 “(14) has not failed to comply with the require-
25 ments of any removal order pursuant to section 240

1 or any grant of voluntary departure pursuant to sec-
2 tion 240B;

3 “(15) has not been ordered removed in absentia
4 pursuant to section 240(b)(5)(A);

5 “(16) if at least 18 years of age, has dem-
6 onstrated that he or she is able to maintain himself
7 or herself at an annual income that is not less than
8 125 percent of the Federal poverty level while main-
9 taining DACA benefits, unless the alien has dem-
10 onstrated that the alien is enrolled in, and is en-
11 gaged in a full course of study at, an educational in-
12 stitution within the United States;

13 “(17) is not delinquent with respect to any Fed-
14 eral, State, or local income or property tax liability;

15 “(18) has paid to the Treasury of the United
16 States, in addition to any amounts owed, an amount
17 equal to the aggregate value of any disbursements
18 received by such alien for refunds described in sec-
19 tion 1324(b)(2) of title 31, United States Code;

20 “(19) has not, at any time, engaged in sexual
21 assault or harassment; and

22 “(20) is a DACA recipient in good standing as
23 of the date on which the alien files an application for
24 provisional protected presence under this section.

1 “(d) DURATION OF PROVISIONAL PROTECTED PRES-
2 ENCE AND EMPLOYMENT AUTHORIZATION.—

3 “(1) DACA RECIPIENTS.—A DACA recipient
4 whose deferred action status had not expired as of
5 the date of the enactment of the Vulnerable Immig-
6 grants Protection and Security Act—

7 “(A) is deemed to have provisional pro-
8 tected presence under this section until the ex-
9 piration date of the alien’s deferred action
10 grant, as specified by the Secretary in conjunc-
11 tion with the approval of such grant; and

12 “(B) is eligible to apply for provisional
13 protected presence under this section.

14 “(2) EFFECTIVE PERIOD.—A grant of provi-
15 sional protected presence and the employment au-
16 thorization under this section—

17 “(A) shall be effective until the date that
18 is 3 years after the date on which the applica-
19 tion for such benefit is approved under this sec-
20 tion; and

21 “(B) may not be renewed or extended.

22 “(e) STATUS DURING PERIOD OF PROVISIONAL PRO-
23 TECTED PRESENCE.—

24 “(1) IN GENERAL.—An alien granted provi-
25 sional protected presence under this section is not

1 considered to be unlawfully present in the United
2 States during the period beginning on the date on
3 which deferred action is granted and ending on the
4 date described in subsection (d)(1).

5 “(2) STATUS OUTSIDE PERIOD.—The granting
6 of provisional protected presence under this section
7 does not excuse previous or subsequent periods of
8 unlawful presence.

9 “(f) APPLICATION.—

10 “(1) IN GENERAL.—An alien may apply for
11 provisional protected presence under this section by
12 electronically submitting a completed application to
13 the Secretary during the application period set forth
14 in paragraph (2), in accordance with the interim
15 final rule issued by the Secretary under section
16 102(d) of the Vulnerable Immigrants Protection and
17 Security Act.

18 “(2) APPLICATION PERIOD.—The Secretary
19 may only accept applications for provisional pro-
20 tected presence from aliens in the United States
21 during the 2-year period beginning on the date on
22 which the interim final rule is published in the Fed-
23 eral Register pursuant to such section 102(d).

24 “(3) APPLICATION FORM.—

1 “(A) REQUIRED INFORMATION.—The ap-
2 plication form referred to in paragraph (1) shall
3 collect such information as the Secretary deter-
4 mines to be necessary and appropriate to deter-
5 mine whether an alien meets the eligibility cri-
6 teria set forth in subsection (c).

7 “(B) INTERVIEW.—The Secretary shall
8 conduct in-person interviews of high-risk appli-
9 cants for provisional protected presence under
10 this section as part of the determination as to
11 whether the alien meets the eligibility criteria
12 set forth in subsection (b).

13 “(4) AGE REQUIREMENT.—An alien who has
14 never been in removal proceedings, or whose removal
15 proceedings under section 240 were terminated be-
16 fore making a request for provisional protected pres-
17 ence, shall be at least 15 years of age on the date
18 on which the alien submits an application under this
19 section.

20 “(5) APPLICATION FEES.—

21 “(A) IN GENERAL.—The Secretary may re-
22 quire each alien applying for provisional pro-
23 tected presence and employment authorization
24 under this section to pay reasonable fees that

1 are commensurate with the cost of processing
2 such application, including—

3 “(i) capturing and processing biomet-
4 ric information;

5 “(ii) conducting national security and
6 criminal background checks;

7 “(iii) preventing and investigating
8 fraud; and

9 “(iv) administering the collection of
10 such fee.

11 “(B) SECURITY FEE.—In addition to the
12 fees authorized under subparagraph (A), each
13 alien applying for provisional protected presence
14 under this section shall pay a security fee to the
15 Department of Homeland Security in an
16 amount equal to \$500.

17 “(C) EXEMPTION.—An applicant may be
18 exempted from paying the fees required under
19 subparagraphs (A) and (B) if the alien—

20 “(i)(I) is younger than 18 years of
21 age;

22 “(II) received total income during the
23 12-month period immediately preceding the
24 date on which the alien files an application
25 under this section that is less than 150

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1 percent of the United States poverty level;

2 and

3 “(III) is in foster care or otherwise
4 lacking any parental or other familial sup-
5 port;

6 “(ii) is younger than 18 years of age
7 and is homeless;

8 “(iii)(I) cannot care for himself or
9 herself because of a serious, chronic dis-
10 ability; and

11 “(II) received total income during the
12 12-month period immediately preceding the
13 date on which the alien files an application
14 under this section that is less than 150
15 percent of the United States poverty level;
16 or

17 “(iv)(I) as of the date on which the
18 alien files an application under this sec-
19 tion, has accumulated \$10,000 or more in
20 debt in the immediately preceding 12
21 months as a result of unreimbursed med-
22 ical expenses incurred by the alien or an
23 immediate family member of the alien; and

24 “(II) received total income during the
25 12-month period immediately preceding the

1 date on which the alien files an application
2 under this section that is less than 150
3 percent of the United States poverty level.

4 “(D) DEPOSIT AND USE OF FEES.—

5 “(i) PROCESSING FEE.—Fees col-
6 lected pursuant to subparagraph (A) shall
7 be deposited into the Immigration Exami-
8 nations Fee Account pursuant to section
9 286(m).

10 “(ii) SECURITY FEE.—Fees collected
11 pursuant to subparagraph (B) shall be de-
12 posited into the Immigration Enforcement
13 Account established under section 280(b)
14 and shall be available to the Secretary of
15 Homeland Security until expended for the
16 purposes described in paragraph (3)(A) of
17 such subsection.

18 “(6) ALIENS APPREHENDED BEFORE OR DUR-
19 ING THE APPLICATION PERIOD.—Upon request, if an
20 alien who is apprehended during the application pe-
21 riod appears prima facie eligible for provisional pro-
22 tected presence under this section, to the satisfaction
23 of the Secretary, the Secretary—

1 “(A) shall provide the alien with a reason-
2 able opportunity to file an application under
3 this section during the application period; and

4 “(B) may not remove the alien until the
5 Secretary has denied the application, unless the
6 Secretary, in the Secretary’s sole and
7 unreviewable discretion, determines that expedi-
8 tious removal of the alien is in the national se-
9 curity, public safety, or foreign policy interests
10 of the United States.

11 “(7) SUSPENSION OF REMOVAL DURING APPLI-
12 CATION PERIOD.—

13 “(A) ALIENS IN REMOVAL PRO-
14 CEEDINGS.—Notwithstanding any other provi-
15 sion under this section, if the Secretary deter-
16 mines that an alien, during the 6-month period
17 beginning on the date of the enactment of this
18 section, is in removal, deportation, or exclusion
19 proceedings before the Executive Office for Im-
20 migration Review and is prima facie eligible for
21 provisional protected presence under this sec-
22 tion, the Secretary shall provide the alien with
23 the opportunity to file an application for de-
24 ferred action unless the Secretary determines
25 such alien to be a threat to public safety or na-

1 tional security, provided that such opportunity
2 shall not serve as a basis to pause, continue, or
3 otherwise delay proceedings before the Execu-
4 tive Office for Immigration Review.

5 “(B) PERIOD PENDING ADJUDICATION OF
6 APPLICATION.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), during the period be-
9 ginning on the date on which an alien ap-
10 plies for provisional protected presence
11 under subsection (b)(1) and ending on the
12 date on which the Secretary makes a de-
13 termination regarding such application, an
14 alien with an administratively final order
15 of removal may be removed from the
16 United States unless the Secretary makes
17 a prima facie determination that such alien
18 is, or has become, eligible for provisional
19 protected presence under subsection (b).

20 “(ii) EXCEPTION.—The Secretary, in
21 the Secretary’s sole and unreviewable dis-
22 cretion, may proceed with the removal of
23 an alien described in clause (i) if the Sec-
24 retary determines that the removal of the
25 alien is in the national security, public

1 safety, or foreign policy interest of the
2 United States.

3 “(8) EVIDENTIARY REQUIREMENTS.—

4 “(A) BURDEN OF PROOF.—Applicants for
5 provisional protected presence under this sec-
6 tion bear the sole burden of proof of estab-
7 lishing eligibility for each requirement under
8 subsection (c), including proving that a bar
9 based on a conviction does not apply.

10 “(B) AFFIDAVITS.—An application may
11 not be granted based solely on affidavits used
12 to establish any requirement under subsection
13 (c).

14 “(C) REQUIRED DOCUMENTS.—Each ap-
15 plication filed by an alien under this section
16 shall include—

17 “(i) to demonstrate the alien’s iden-
18 tity—

19 “(I) a passport (or national iden-
20 tity document) from the alien’s coun-
21 try of origin;

22 “(II) a certified birth certificate
23 along with photo identification;

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1 “(III) a State-issued identifica-
2 tion card bearing the alien’s name and
3 photograph;

4 “(IV) an Armed Forces identi-
5 fication card issued by the Depart-
6 ment of Defense;

7 “(V) a Coast Guard identification
8 card issued by the Department of
9 Homeland Security;

10 “(VI) a document issued by the
11 Department of Homeland Security; or

12 “(VII) a travel document issued
13 by the Department of State;

14 “(ii) to demonstrate that the alien
15 satisfies the requirements under para-
16 graphs (1) and (2) of subsection (c), a cer-
17 tified copy of the alien’s birth certificate or
18 certified school transcript; and

19 “(iii) to demonstrate that the alien
20 satisfies the requirements under subsection
21 (c)(6)—

22 “(I) a certified school transcript;
23 or

24 “(II) an honorable discharge cer-
25 tificate.

1 “(9) ACCEPTANCE OF APPLICATIONS.—Not
2 later than 120 days after the date of the enactment
3 of this section, the Secretary shall begin accepting
4 electronically filed applications for provisional pro-
5 tected presence and employment authorization under
6 this section.

7 “(10) JUDICIAL REVIEW.—There shall be no ju-
8 dicial review of any claim, including claims alleging
9 violations of the subchapter II of chapter 5 of title
10 5, United States Code (commonly known as the ‘Ad-
11 ministrative Procedure Act’) or the Constitution of
12 the United States, challenging an action by the Sec-
13 retary—

14 “(A) to deny an application from an alien
15 for provisional protected presence under this
16 section; or

17 “(B) to rescind an alien’s provisional pro-
18 tected presence or employment authorization
19 granted under this section.

20 “(g) RESCISSION OF PROVISIONAL PROTECTED
21 PRESENCE.—The Secretary may not rescind an alien’s
22 provisional protected presence or employment authoriza-
23 tion granted under this section unless the Secretary deter-
24 mines that the alien—

25 “(1) has been convicted of—

1 “(A) a felony;

2 “(B) a significant misdemeanor; or

3 “(C) 3 or more misdemeanors not occur-
4 ring on the same date and not arising out of
5 the same act, omission, or scheme of mis-
6 conduct;

7 “(2) poses a threat to national security or a
8 threat to public safety;

9 “(3) fails to meet any of the eligibility require-
10 ments under subsection (c);

11 “(4) has traveled outside of the United States
12 without authorization from the Secretary;

13 “(5) has ceased to maintain a period of contin-
14 uous physical presence in the United States; or

15 “(6) has participated, benefitted from, or pro-
16 mulgated a fraud regarding or pertaining to an ap-
17 plication for provisional protected presence or any
18 other immigration benefit.

19 “(h) TREATMENT OF BRIEF AND INNOCENT DEPAR-
20 TURES AND CERTAIN OTHER ABSENCES.—

21 “(1) IN GENERAL.—For purposes of sub-
22 sections (c)(3) and (g)(4), an alien shall not be con-
23 sidered to have failed to continuously reside in the
24 United States or to maintain continuous physical
25 presence in the United States due to—

1 “(A) brief and innocent absences from the
2 United States during the period beginning on
3 June 15, 2007, and ending on August 14,
4 2012; or

5 “(B) travel outside of the United States on
6 or after August 15, 2012, if such travel was au-
7 thorized by the Secretary.

8 “(2) CLARIFICATION ON ADMISSION.—The ad-
9 mission to the United States of an alien who has
10 been granted provisional protected presence under
11 this section after a trip described in paragraph (1)
12 shall not be considered an admission for the pur-
13 poses of section 245(a).

14 “(i) EFFECT OF DEFERRED ACTION UNDER DE-
15 FERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM.—

16 “(1) PROVISIONAL PROTECTED PRESENCE.—A
17 DACA recipient—

18 “(A) is deemed to have provisional pro-
19 tected presence under this section through the
20 expiration date of the alien’s deferred action
21 status, as specified by the Secretary in conjunc-
22 tion with the approval of the alien’s DACA ap-
23 plication; and

1 “(B) is eligible to apply for provisional
2 protected presence under this section during the
3 application period set forth in subsection (f)(2).

4 “(2) EMPLOYMENT AUTHORIZATION.—If a
5 DACA recipient has been granted employment au-
6 thorization by the Secretary in addition to deferred
7 action, the employment authorization shall continue
8 through the expiration date of the alien’s deferred
9 action status, as specified by the Secretary in con-
10 junction with the approval of the alien’s DACA ap-
11 plication.

12 “(3) EFFECT OF APPLICATION.—If a DACA re-
13 cipient files an application for provisional protected
14 presence under this section not later than the expi-
15 ration date of the alien’s deferred action status, as
16 specified by the Secretary in conjunction with the
17 approval of the alien’s DACA application, the alien’s
18 provisional protected presence and any employment
19 authorization shall remain in effect pending the ad-
20 judication of such application.

21 “(j) SAVINGS PROVISION.—Nothing in this section
22 may be construed to affect whether the Secretary of
23 Homeland Security had the authority—

24 “(1) to adopt the Deferred Action for Childhood
25 Arrivals Program announced on June 15, 2012; or

1 “(2) to maintain such program.”.

2 (b) CONFORMING AMENDMENT.—Section 280(b)(2)
3 of the Immigration and Nationality Act (8 U.S.C.
4 1330(b)(2)) is amended by adding at the end the fol-
5 lowing:

6 “(C) Security fees collected under section
7 244A(f)(2)(B).”.

8 (c) CLERICAL AMENDMENT.—The table of contents
9 for the Immigration and Nationality Act (8 U.S.C. 1101
10 note) is amended by inserting after the item relating to
11 section 244 the following:

“Sec. 244A. Provisional protected presence.”.

12 (d) RULEMAKING.—Notwithstanding section 553 of
13 title 5, United States Code, not later than 6 months after
14 the date of the enactment of this Act, the Secretary of
15 Homeland Security shall issue an interim final rule to im-
16 plement section 244A of the Immigration and Nationality
17 Act, as added by subsection (a), which shall take effect
18 immediately upon publication in the Federal Register.

1 **DIVISION K—PROVISIONAL PRO-**
2 **TECTED PRESENCE FOR CER-**
3 **TAIN ALIENS IN THE UNITED**
4 **STATES WHO PREVIOUSLY**
5 **RECEIVED TEMPORARY PRO-**
6 **TECTED STATUS**

7 **SEC. 101. SHORT TITLE.**

8 This division may be cited as the “Provisional Pro-
9 tected Presence for Certain Aliens Whose Temporary Pro-
10 tected Status Was Terminated Act”.

11 **SEC. 102. PROVISIONAL PROTECTED PRESENCE FOR CER-**
12 **TAIN ALIENS WHO RECEIVED TEMPORARY**
13 **PROTECTED STATUS.**

14 (a) **IN GENERAL.**—Notwithstanding any other provi-
15 sion of law, the Secretary of Homeland Security may
16 grant provisional protected presence to any alien who—

17 (1) meets the eligibility requirements set forth
18 in subsection (b);

19 (2) submits a completed application before the
20 end of the period set forth in subsection (c)(2); and

21 (3) pays the fees required under subsection
22 (c)(5).

23 (b) **ELIGIBILITY REQUIREMENTS.**—

24 (1) **IN GENERAL.**—An alien is eligible for provi-
25 sional protected presence if the alien—

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1 (A) establishes, by clear and convincing
2 evidence, that the alien meets the requirements
3 set forth in paragraph (2); and

4 (B) is not ineligible under paragraph (3).

5 (2) GENERAL REQUIREMENTS.—An alien meets
6 the requirements under this paragraph if the alien—

7 (A) is a national of El Salvador, Haiti,
8 Honduras, Nicaragua;

9 (B) is physically present in the United
10 States on the date on which the alien submits
11 an application for provisional protected pres-
12 ence;

13 (C) was physically present in the United
14 States on January 1, 2011;

15 (D) has maintained continuous physical
16 presence in the United States from January 1,
17 2011, until the date on which the alien is grant-
18 ed provisional protected presence under this
19 section;

20 (E) is a person of good moral character;

21 (F) received temporary protected status
22 under section 244 of the Immigration and Na-
23 tionality Act (8 U.S.C. 1254a); and

24 (G) remains lawfully in temporary pro-
25 tected status, or remained lawfully in such sta-

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1 tus until the designation of his or her country
2 of nationality was terminated under section
3 244(b)(3)(B) of such Act.

4 (3) GROUNDS FOR INELIGIBILITY.—An alien is
5 ineligible for provisional protected presence under
6 this section if the Secretary of Homeland Security
7 determines that the alien—

8 (A) has a Federal, State, or local convic-
9 tion for—

10 (i) a felony;

11 (ii) an aggravated felony (as defined
12 in section 101(a)(43) of the Immigration
13 and Nationality Act (8 U.S.C.
14 1101(a)(43));

15 (iii) a misdemeanor involving or relat-
16 ing to—

17 (I) domestic violence (as defined
18 in section 40002(a) of the Violence
19 Against Women Act of 1994 (34
20 U.S.C. 12291(a));

21 (II) child abuse or neglect (as de-
22 fined in such section 40002(a));

23 (III) assault resulting in bodily
24 injury (as defined in section 2266 of
25 title 18, United States Code);

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1 (IV) the violation of a protection
2 order (as defined in such section
3 2266); or

4 (V) driving while intoxicated or
5 driving under the influence (as such
6 terms are defined in section 164(a)(2)
7 of title 23, United States Code);

8 (iv) 2 or more misdemeanor convic-
9 tions; or

10 (v) any offense under foreign law, ex-
11 cept for a purely political offense, which, if
12 the offense had been committed in the
13 United States, would render the alien inad-
14 missible under section 212(a) of the Immi-
15 gration and Nationality Act (8 U.S.C.
16 1182(a)) or deportable under section
17 237(a) of such Act (8 U.S.C. 1227(a));

18 (B) has been adjudicated delinquent in a
19 State or local juvenile court proceeding for an
20 offense equivalent to—

21 (i) an offense relating to murder,
22 manslaughter, homicide, rape (whether the
23 victim was conscious or unconscious), stat-
24 utory rape, or any offense of a sexual na-

1 ture involving a victim who was younger
2 than 18 years of age;

3 (ii) an offense that has, as an ele-
4 ment, the use, attempted use, or threat-
5 ened use of violent physical force against
6 the person or property of another, or any
7 other offense that, by its nature, involves a
8 substantial risk that violent physical force
9 against the person or property of another
10 may be used in the course of committing
11 the offense (including offenses committed
12 recklessly if they otherwise qualify); or

13 (iii) an offense punishable under sec-
14 tion 401 of the Controlled Substances Act
15 (21 U.S.C. 841);

16 (C) has been convicted for any other crimi-
17 nal offense, with regard to which the alien has
18 not satisfied any civil legal judgements awarded
19 to any victims (or family members of victims)
20 of the crime;

21 (D)(i) is, or has been, a member of a
22 criminal street gang (as defined in section
23 521(a) of title 18, United States Code); or

24 (ii) has participated in the activities of
25 such a gang, knowing or having reason to know

1 that such activities will promote, further, aid, or
2 support the illegal activity of the gang.

3 (E) has been charged with a felony or a
4 misdemeanor offense, which is still pending;

5 (F) is inadmissible under section 212(a) of
6 the Immigration and Nationality Act (8 U.S.C.
7 1182(a)), except that in determining an alien's
8 inadmissibility paragraph (5) of such subsection
9 shall not apply;

10 (G) was, on the date of the enactment of
11 this Act—

12 (i) an alien lawfully admitted for per-
13 manent residence;

14 (ii) an alien admitted as a refugee
15 under section 207 of the Immigration and
16 Nationality Act (8 U.S.C. 1157), or grant-
17 ed asylum under section 208 of such Act
18 (8 U.S.C. 1158); or

19 (iii) an alien who, according to the
20 records of the Secretary of Homeland Se-
21 curity or of the Secretary of State, is law-
22 fully present in the United States in any
23 nonimmigrant status (other than an alien
24 considered to be a nonimmigrant solely due
25 to the application of section 244(f)(4) of

1 the Immigration and Nationality Act (8
2 U.S.C. 1254a(f)(4)) or the amendment
3 made by section 702 of the Consolidated
4 Natural Resources Act of 2008 (Public
5 Law 110–229)), notwithstanding any un-
6 authorized employment or other violation
7 of nonimmigrant status;

8 (H) has failed to comply with an order of
9 supervision issued pursuant to section
10 240(b)(5)(A) of the Immigration and Nation-
11 ality Act (8 U.S.C. 1229a(b)(5)(A));

12 (I) has been ordered removed in absentia
13 pursuant to section 240(b)(5)(A) of the Immi-
14 gration and Nationality Act (8 U.S.C.
15 1229a(b)(5)(A));

16 (J) if at least 18 years of age, has failed
17 to demonstrate that he or she is able to main-
18 tain himself or herself at an annual income that
19 is not less than 125 percent of the Federal pov-
20 erty level, while maintaining benefits under a
21 temporary protected status designation unless
22 the alien has demonstrated that the alien is en-
23 rolled in, and is in regular full-time attendance
24 at, an educational institution within the United
25 States;

1 (K) is delinquent with respect to any Fed-
2 eral, State, or local income or property tax li-
3 ability;

4 (L) has failed to pay to the Treasury of
5 the United States, in addition to any amounts
6 owed, an amount equal to the aggregate value
7 of any disbursements received by such alien for
8 refunds described in section 1324(b)(2) of title
9 31, United States Code; or

10 (M) has at any time engaged in sexual as-
11 sult or harassment (as defined in section
12 244A(a)(6) of the Immigration and Nationality
13 Act, as added by section 102 of division J).

14 (c) APPLICATION PROCEDURES.—

15 (1) IN GENERAL.—An alien may apply for pro-
16 visional protected presence under this section by
17 electronically submitting a completed application
18 form to the Secretary of Homeland Security during
19 the application period set forth in paragraph (2), in
20 accordance with the interim final rule issued by the
21 Secretary pursuant to section 105 of this division.

22 (2) APPLICATION PERIOD.—The Secretary of
23 Homeland Security may only accept applications for
24 provisional protected presence from aliens in the
25 United States during the 6-month period beginning

1 on the date on which the interim final rule is pub-
2 lished in the Federal Register pursuant to such sec-
3 tion 105.

4 (3) APPLICATION FORM.—

5 (A) REQUIRED INFORMATION.—The appli-
6 cation form referred to in paragraph (1) shall
7 collect such information as the Secretary of
8 Homeland Security determines to be necessary
9 and appropriate to determine whether an alien
10 meets the eligibility requirements set forth in
11 subsection (b).

12 (B) INTERVIEW.—The Secretary of Home-
13 land Security shall conduct an in-person inter-
14 view of all high-risk applicants for provisional
15 protected presence under this section as part of
16 the determination as to whether the alien meets
17 the eligibility requirements set forth in sub-
18 section (b).

19 (4) DOCUMENTARY REQUIREMENTS.—An appli-
20 cation filed by an alien under this section shall in-
21 clude—

22 (A) to confirm the alien's identity—

23 (i) a passport (or national identity
24 document) from the alien's country of ori-
25 gin;

1 (ii) a certified birth certificate and
2 photo identification;

3 (iii) a State-issued identification card
4 bearing the alien's name and photograph;

5 (iv) an Armed Forces identification
6 card issued by the Department of Defense;

7 or

8 (v) a Coast Guard identification card
9 issued by the Department of Homeland Se-
10 curity; and

11 (B) a certified copy of the alien's birth cer-
12 tificate or certified school transcript.

13 (5) FEES.—

14 (A) STANDARD PROCESSING FEE.—

15 (i) IN GENERAL.—Aliens applying for
16 provisional protected presence under this
17 section shall pay a processing fee to the
18 Department of Homeland Security in an
19 amount determined by the Secretary of
20 Homeland Security.

21 (ii) RECOVERY OF COSTS.—The proc-
22 essing fee authorized under clause (i) shall
23 be set at a level that is sufficient to recover
24 the full costs of processing the application,
25 including any costs incurred—

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1 (I) to adjudicate the application;

2 (II) to take and process bio-

3 metrics;

4 (III) to perform national security

5 and criminal checks;

6 (IV) to prevent and investigate

7 fraud (including for the litigation-re-

8 lated costs of the Department of

9 Homeland Security in prosecuting re-

10 moval proceedings under section 240

11 of the Immigration and Nationality

12 Act (8 U.S.C. 1229a) related to such

13 fraud);

14 (V) to interview the applicant or

15 beneficiary; and

16 (VI) to administer the collection

17 of such fee.

18 (iii) DEPOSIT AND USE OF PROC-

19 ESSING FEES.—Fees collected under clause

20 (i) shall be deposited into the Immigration

21 Examinations Fee Account pursuant to

22 section 286(m) of the Immigration and

23 Nationality Act (8 U.S.C. 1356(m)).

24 (B) SECURITY FEE.—

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1 (i) IN GENERAL.—Aliens applying for
2 provisional protected presence under this
3 section shall pay a security fee to the De-
4 partment of Homeland Security in an
5 amount of \$500.

6 (ii) DEPOSIT AND USE OF SECURITY
7 FEES.—Fees collected under clause (i)
8 shall be deposited into the Immigration
9 Enforcement Account established under
10 section 280(b) of the Immigration and Na-
11 tionality Act (8 U.S.C. 1330(b)) and shall
12 be available to the Secretary of Homeland
13 Security until expended for the purposes
14 described in paragraph (3)(A) of such sub-
15 section.

16 (iii) CONFORMING AMENDMENT.—
17 Section 280(b)(2) of the Immigration and
18 Nationality Act, as amended by section
19 102(b) of division J, is further amended by
20 adding at the end the following:

21 “(D) Security fees collected under section
22 101(c)(5)(B) of the Provisional Protected Presence
23 for Certain Aliens Whose Temporary Protected Sta-
24 tus Was Terminated Act.”.

1 (6) ALIENS APPREHENDED BEFORE OR DURING
2 THE APPLICATION PERIOD.—If the Secretary of
3 Homeland Security, upon the request of an alien
4 who was apprehended during the period beginning
5 on the date of the enactment of this Act and ending
6 on the last day of the application period described
7 in paragraph (2), determines that such alien is
8 prima facie eligible for provisional protected pres-
9 ence, the Secretary—

10 (A) shall provide the alien with a reason-
11 able opportunity to file an application under
12 this section during such application period; and

13 (B) may not remove the alien until the
14 Secretary has denied the application, unless the
15 Secretary, in the Secretary's sole and
16 unreviewable discretion, determines that expedi-
17 tious removal of the alien is in the national se-
18 curity, public safety, or foreign policy interests
19 of the United States.

20 (7) SUSPENSION OF REMOVAL DURING APPLI-
21 CATION PERIOD.—

22 (A) ALIENS IN REMOVAL PROCEEDINGS.—
23 Notwithstanding any other provision of this di-
24 vision, if the Secretary of Homeland Security,
25 during the period beginning on the date of the

1 enactment of this Act and ending on the last
2 day of the application period described in para-
3 graph (2), upon the request of an alien who is
4 in removal, deportation, or exclusion pro-
5 ceedings before the Executive Office for Immi-
6 gration Review, determines that such alien is
7 prima facie eligible for provisional protected
8 presence under this section, the Secretary shall
9 provide the alien with an opportunity to file an
10 application for provisional protected presence
11 under this section, provided that such oppor-
12 tunity does not serve as a basis to pause, con-
13 tinue, or otherwise delay proceedings before the
14 Executive Office for Immigration Review.

15 (B) PERIOD PENDING ADJUDICATION OF
16 APPLICATION.—

17 (i) IN GENERAL.—Except as provided
18 in clause (ii), during the period beginning
19 on the date on which an alien applies for
20 provisional protected presence under sub-
21 section (c) and ending on the date on
22 which the Secretary of Homeland Security
23 makes a determination regarding such ap-
24 plication, the alien may be removed from
25 the United States unless the Secretary

1 makes a prima facie determination that
2 such alien is eligible for provisional pro-
3 tected presence under subsection (b).

4 (ii) OTHER CONSIDERATIONS.—The
5 Secretary of Homeland Security may pro-
6 ceed with the removal of an alien who is
7 prima facie eligible for provisional pro-
8 tected presence under this section if the
9 Secretary, in the Secretary's sole and
10 unreviewable discretion, determines that
11 the removal of such alien is in the national
12 security, public safety, or foreign policy in-
13 terest of the United States.

14 (8) SECURITY AND LAW ENFORCEMENT CLEAR-
15 ANCES.—

16 (A) BIOMETRIC AND BIOGRAPHIC DATA.—
17 The Secretary of Homeland Security may not
18 grant provisional protected presence to an alien
19 under this section unless the alien submits bio-
20 metric and biographic data in accordance with
21 procedures established by the Secretary.

22 (B) ALTERNATIVE PROCEDURES.—The
23 Secretary may provide an alternative procedure
24 for applicants who cannot provide the biometric
25 data required under subparagraph (A) due to a

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1 debilitating and irreversible physical impair-
2 ment.

3 (C) CLEARANCES.—

4 (i) DATA COLLECTION.—The Sec-
5 retary of Homeland Security shall collect,
6 from each applicant under this section, bio-
7 metric, biographic, and other data that the
8 Secretary determines to be appropriate—

9 (I) to conduct national security
10 and law enforcement checks; and

11 (II) to determine whether there
12 are any factors that would render an
13 alien ineligible for provisional pro-
14 tected protection under this section.

15 (ii) PREREQUISITE.—The required
16 clearances described in clause (i)(I) shall
17 be completed before the alien may be
18 granted provisional protected presence
19 under this section.

20 (9) DURATION OF STATUS AND EXTENSION.—

21 The period of provisional protected presence shall be
22 3 years unless revoked pursuant to subsection (e).

23 (10) JUDICIAL REVIEW.—There shall be no ju-
24 dicial review of any claim, including claims alleging
25 violations of subchapter II of chapter 5 of title 5,

1 United States Code (commonly known as the “Ad-
2 ministrative Procedure Act”) or the Constitution of
3 the United States, challenging the Secretary of
4 Homeland Security’s denial of an application for
5 provisional protected presence under this section, or
6 the revocation of provisional protected presence for
7 any alien.

8 (d) TERMS AND CONDITIONS OF PROVISIONAL PRO-
9 TECTED PRESENCE.—

10 (1) WORK AUTHORIZATION.—The Secretary of
11 Homeland Security may grant employment author-
12 ization to any alien granted provisional protected
13 presence who requests such authorization after the
14 alien pays the applicable fees, unless granting such
15 authorization would be contrary to the national in-
16 terest.

17 (2) TRAVEL OUTSIDE THE UNITED STATES.—

18 (A) IN GENERAL.—The status of an alien
19 granted provisional protected presence who is
20 absent from the United States without author-
21 ization shall be subject to revocation under sub-
22 section (e).

23 (B) AUTHORIZATION.—The Secretary of
24 Homeland Security may—

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1 (i) authorize an alien granted provi-
2 sional protected presence to travel outside
3 of the United States; and

4 (ii) grant reentry to such alien in the
5 same immigration status or situation that
6 the alien had before such travel if—

7 (I) the alien was not absent from
8 the United States for a period exceed-
9 ing 15 consecutive days, or 90 days in
10 the aggregate during each 3-year pe-
11 riod that the alien is in provisional
12 protected presence, unless the alien's
13 failure to return was due to extenu-
14 ating circumstances beyond the alien's
15 control;

16 (II) the purpose of the travel is
17 for—

18 (aa) urgent humanitarian
19 purposes, such as obtaining med-
20 ical treatment or attending the
21 funeral services of a family mem-
22 ber;

23 (bb) structured educational
24 purposes, such as semester

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1 abroad programs and academic
2 research; or

3 (cc) employment purposes,
4 such as overseas assignments,
5 conferences or training; and

6 (III) the alien is otherwise admis-
7 sible to the United States, except as
8 provided in subsection (b)(3)(F).

9 (C) CLARIFICATION ON ADMISSION.—The
10 admission to the United States of an alien
11 granted provisional protected presence after a
12 trip described in subparagraph (B) shall not be
13 considered an admission for the purposes of
14 section 245(a) of the Immigration and Nation-
15 ality Act (8 U.S.C. 1255(a)).

16 (D) TRAVEL OUTSIDE OF THE UNITED
17 STATES.—An alien in valid provisional protec-
18 tive presence who is subject to an outstanding
19 order of removal and travels outside of the
20 United States under authorization provided
21 pursuant to subparagraph (B) shall remain
22 subject to such order when he or she returns to
23 the United States.

24 (3) FEDERAL, STATE, AND LOCAL PUBLIC BEN-
25 EFITS.—For purposes of title IV of the Personal Re-

1 sponsibility and Work Opportunity Reconciliation
2 Act of 1996 (8 U.S.C. 1601 et seq.), an alien grant-
3 ed provisional protected presence shall not be consid-
4 ered a qualified alien under the Immigration and
5 Nationality Act (8 U.S.C. 1101 et seq.).

6 (e) REVOCATION.—

7 (1) IN GENERAL.—The Secretary of Homeland
8 Security shall revoke the status of an alien granted
9 provisional protected presence if the alien—

10 (A) no longer meets the eligibility require-
11 ments set forth in subsection (b);

12 (B) knowingly uses documentation issued
13 under this section for an unlawful or fraudulent
14 purpose; or

15 (C) was absent from the United States at
16 any time without authorization after being
17 granted provisional protected presence.

18 (2) ADDITIONAL EVIDENCE.—In determining
19 whether to revoke an alien’s status under paragraph
20 (1), the Secretary of Homeland Security may require
21 the alien—

22 (A) to submit additional evidence; or

23 (B) to appear for an in-person interview.

24 (3) INVALIDATION OF DOCUMENTATION.—If an
25 alien’s provisional protected presence is revoked

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1 under paragraph (1), any documentation issued by
2 the Secretary of Homeland Security to such alien
3 under this section shall automatically be rendered
4 invalid for any purpose except for departure from
5 the United States.

6 **SEC. 103. TEMPORARY PROTECTED STATUS ELIGIBILITY.**

7 (a) **ELIGIBILITY.**—Section 244(a)(1) of the Immigra-
8 tion and Nationality Act (8 U.S.C. 1254a(a)(1)) is amend-
9 ed by striking the matter preceding subparagraph (A) and
10 inserting the following:

11 “(1) **IN GENERAL.**—If an alien is lawfully
12 present in the United States, is a national of a for-
13 eign state designated under subsection (b) (or in the
14 case of an alien having no nationality, is a person
15 who last habitually resided in such designated state),
16 and meets the requirements of subsection (c), the
17 Attorney General, in accordance with this section—
18 ”.

19 (b) **ALIENS ELIGIBLE FOR TEMPORARY PROTECTED**
20 **STATUS.**—Section 244(c)(1)(A) of the Immigration and
21 Nationality Act (8 U.S.C. 1254a(c)(1)(A)) is amended by
22 striking the matter preceding clause (i) and inserting the
23 following:

24 “(A) **NATIONALS OF DESIGNATED FOR-**
25 **EIGN STATES.**—Subject to paragraph (3), an

1 alien who is a national of a state designated
2 under subsection (b)(1) (or in the case of an
3 alien having no nationality, is a person who last
4 habitually resided in such designated state) and
5 is lawfully present in the United States meets
6 the requirements under this paragraph only
7 if—”.

8 **SEC. 104. PENALTIES AND SIGNATURE REQUIREMENTS.**

9 (a) **PENALTIES FOR FALSE STATEMENTS IN APPLI-**
10 **CATIONS.**—Any person who files an initial or renewal ap-
11 plication for provisional protected presence under section
12 101 of this division and knowingly and willfully falsifies,
13 misrepresents, conceals, or covers up a material fact or
14 makes any false, fictitious, or fraudulent statements or
15 representations, or makes or uses any false writing or doc-
16 ument knowing the same to contain any false, fictitious,
17 or fraudulent statement or entry, shall be fined in accord-
18 ance with title 18, United States Code, imprisoned not
19 more than 5 years, or both.

20 (b) **SIGNATURE REQUIREMENTS.**—

21 (1) **IN GENERAL.**—Except as provided in para-
22 graph (2), an applicant under section 101 of this di-
23 vision shall sign his or her application with an origi-
24 nal signature.

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1 (2) EXCEPTION.—A parent or legal guardian
2 may sign an application for a child or for an appli-
3 cant whose physical or developmental disability or
4 mental impairment prevents the applicant from
5 being competent to sign. Such application shall in-
6 clude evidence of parentage or legal guardianship.

7 **SEC. 105. RULEMAKING.**

8 Notwithstanding section 553 of title 5, United States
9 Code, not later than 1 year after the date of the enactment
10 of this Act, the Secretary of Homeland Security shall issue
11 interim final regulations to implement this division, which
12 shall take effect immediately upon publication in the Fed-
13 eral Register.

14 **SEC. 106. RULE OF CONSTRUCTION.**

15 Except as specifically provided, nothing in this divi-
16 sion may be construed to create any substantive or proce-
17 dural right or benefit that is legally enforceable by any
18 party against—

19 (1) the United States;

20 (2) any agency or officer of the United States;

21 or

22 (3) any other person.

1 **DIVISION L—PROTECTION OF**
2 **CENTRAL AMERICAN MINORS**

3 **SEC. 101. SHORT TITLE.**

4 This division may be cited as the “Central American
5 Minors Protection Act of 2019”.

6 **SEC. 102. PURPOSE.**

7 The purpose of this division is to establish an asylum
8 processing program outside of the United States that—

9 (1) provides an alternative method of seeking
10 protection in the United States from persecution for
11 minor nationals of El Salvador, of Guatemala, and
12 of Honduras; and

13 (2) reduces the incentive for such persons to
14 make the dangerous journey to the United States
15 southern border to request asylum.

16 **SEC. 103. ADMISSION OF ELIGIBLE CENTRAL AMERICAN**
17 **ALIENS AS ASYLEES.**

18 (a) APPLICATIONS.—

19 (1) IN GENERAL.—Section 208(a)(2) of the Im-
20 migration and Nationality Act (8 U.S.C. 1158(a)(2))
21 is amended by adding at the end the following:

22 “(F) AUTHORITY FOR CERTAIN CENTRAL
23 AMERICAN MINORS TO APPLY FOR ASYLUM.—

24 “(i) IN GENERAL.—Notwithstanding
25 any other provision of law, including para-

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1 graph (1), and except as provided in clause
2 (ii), a national of El Salvador, Guatemala,
3 or Honduras who is younger than 18 years
4 of age and is outside of the United States
5 as of the date of the enactment of the Cen-
6 tral American Minors Protection Act of
7 2019 shall be ineligible for asylum un-
8 less—

9 “(I) the alien submits an applica-
10 tion for asylum outside of the United
11 States at a Designated Application
12 Processing Center in Central America;

13 “(II) the United Nations High
14 Commissioner for Refugees or a non-
15 governmental organization designated
16 by the Secretary of Homeland Secu-
17 rity has referred the alien to the Sec-
18 retary of Homeland Security after de-
19 termining that the alien is likely to be
20 eligible for asylum;

21 “(III) not later than 90 days
22 after the date on which the alien was
23 referred by the United Nations High
24 Commissioner for Refugees or the
25 designated nongovernmental organiza-

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1 tion under subclause (II), the alien
2 submits an application for asylum at
3 a Designated Application Processing
4 Center, in accordance with the re-
5 quirements and procedures established
6 by the Secretary of Homeland Secu-
7 rity pursuant to this section;

8 “(IV) the alien has not been con-
9 victed of a Federal, State, or local
10 criminal offense (excluding a State or
11 local offense for which an essential
12 element was the immigration status of
13 the alien) punishable by imprisonment
14 for a term exceeding 1 year or a simi-
15 lar foreign offense;

16 “(V) the alien has not been re-
17 moved from the United States;

18 “(VI) the alien is not subject to
19 an outstanding final order of removal;

20 “(VII) the Secretary of Home-
21 land Security has determined that the
22 alien is not a public safety or national
23 security risk;

24 “(VIII) the alien has not had an
25 application for asylum denied;

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1 “(IX) the alien is younger than
2 18 years of age on the date on which
3 the asylum application is filed;

4 “(X) the alien has a qualified
5 parent or guardian in the United
6 States capable of taking custody and
7 care of the minor upon arrival in the
8 United States; and

9 “(XI) the alien is otherwise eligi-
10 ble to apply for and receive asylum
11 under subsections (a)(2) and (b)(2).

12 “(ii) EXCEPTION.—Notwithstanding
13 clause (i), paragraph (1) shall apply to a
14 national of El Salvador, of Guatemala, or
15 of Honduras if the alien is present in the
16 United States before the date of the enact-
17 ment of the Central American Minors Pro-
18 tection Act of 2019.

19 “(iii) TIME LIMIT.—The time limit
20 under subparagraph (B) shall not apply to
21 nationals of El Salvador, of Guatemala, or
22 of Honduras who are described in clause
23 (i).”.

24 (2) SUNSET.—The amendment made by para-
25 graph (1) shall remain in effect until the date that

1 is 3 years after the date of the enactment of this
2 Act.

3 (b) ELIGIBILITY.—

4 (1) IN GENERAL.—Section 208(b) of the Immi-
5 gration and Nationality Act (8 U.S.C. 1158(b)) is
6 amended—

7 (A) in paragraph (1)—

8 (i) by redesignating subparagraph (B)
9 as subparagraph (C); and

10 (ii) by inserting after subparagraph
11 (A) the following:

12 “(B) ELIGIBILITY OF CERTAIN CENTRAL
13 AMERICAN MINORS FOR ASYLUM.—

14 “(i) IN GENERAL.—The Secretary of
15 Homeland Security may grant asylum to a
16 minor national of El Salvador, of Guate-
17 mala, or of Honduras who submits an ap-
18 plication under subsection (a)(2)(F)(i)(I)
19 if—

20 “(I) the alien is otherwise eligible
21 for asylum under subparagraph (A),
22 except that the alien does not need to
23 be outside of his or her country of na-
24 tionality;

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1 “(II) a grant of asylum to the
2 alien would not cause the number of
3 asylum grants in a fiscal year to ex-
4 ceed the number set forth in clause
5 (iii)(II); and

6 “(III) the Secretary of Homeland
7 Security determines that—

8 “(aa) the alien warrants a
9 grant of asylum; and

10 “(bb) such grant is con-
11 sistent with the national interest.

12 “(ii) DESIGNATED APPLICATION
13 PROCESSING CENTERS.—

14 “(I) ESTABLISHMENT.—Not
15 later than 240 days after the date of
16 the enactment of the Central Amer-
17 ican Minors Protection Act of 2019,
18 the Secretary of State shall establish
19 Designated Application Processing
20 Centers, with the consent of the coun-
21 try in which such centers will be lo-
22 cated, if necessary.

23 “(II) LOCATIONS.—

24 “(aa) IN GENERAL.—The
25 Secretary of State shall ensure

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1 that not fewer than 1 Designated
2 Application Processing Center is
3 established in each of the fol-
4 lowing countries:

5 “(AA) Belize.

6 “(BB) Costa Rica.

7 “(CC) El Salvador.

8 “(DD) Guatemala.

9 “(EE) Honduras.

10 “(FF) Mexico.

11 “(GG) Nicaragua.

12 “(HH) Panama.

13 “(bb) SELECTION.—The
14 Secretary of State, in consulta-
15 tion with the Secretary of Home-
16 land Security, shall select the lo-
17 cation of each Designated Appli-
18 cation Processing Center de-
19 scribed in item (aa).

20 “(III) DUTIES OF THE SEC-
21 RETARY OF STATE.—The Secretary of
22 State shall ensure that any minor na-
23 tional of El Salvador, Guatemala, or
24 Honduras is permitted—

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1 “(aa) to apply to a Des-
2 gnated Application Processing
3 Center for asylum under this
4 subparagraph; and

5 “(bb) if the alien applying
6 for asylum is an unaccompanied
7 alien child (as defined in section
8 462(g)(2) of the Homeland Secu-
9 rity Act of 2002), to have legal
10 counsel present at any interview
11 at no expense to the United
12 States Government.

13 “(IV) ADJUDICATION BY ASYLUM
14 OR REFUGEE OFFICERS.—Applica-
15 tions submitted to a Designated Ap-
16 plication Processing Center under this
17 subparagraph shall be adjudicated by
18 asylum or refugee officers.

19 “(iii) MAXIMUM NUMBER OF REFER-
20 RALS AND GRANTS OF ASYLUM.—

21 “(I) REFERRALS.—The number
22 of aliens whom the Secretary of
23 Homeland Security may accept for
24 processing under this subparagraph

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1 may not exceed 50,000 in any fiscal
2 year.

3 “(II) ASYLUM GRANTS.—The
4 Secretary of Homeland Security may
5 not grant asylum to more than 15,000
6 aliens under this subparagraph in any
7 fiscal year.

8 “(iv) NO JUDICIAL REVIEW.—Not-
9 withstanding any other provision of law
10 (statutory or nonstatutory), including sec-
11 tion 2241 of title 28, United States Code,
12 or any other habeas corpus provision, and
13 sections 1361 and 1651 of such title, no
14 court or immigration judge shall have ju-
15 risdiction to review a determination of the
16 Secretary of Homeland Security under
17 clause (i).”;

18 (B) in paragraph (3), by striking subpara-
19 graph (C).

20 (2) SUNSET.—The amendment made by para-
21 graph (1)(A) shall remain in effect until the date
22 that is 3 years after the date of the enactment of
23 this Act.

1 **SEC. 104. APPLICATION FEES.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-
3 rity shall—

4 (1) collect a fee from each alien submitting an
5 application under section 208(a)(2)(F)(i)(I) of the
6 Immigration and Nationality Act (8 U.S.C.
7 1158(a)(2)(F)(i)(I)) for the purpose of receiving,
8 docketing, processing, and adjudicating such applica-
9 tion; and

10 (2) shall deposit all fees collected under para-
11 graph (1) into the Immigration Examinations Fee
12 Account under section 286(m) of such Act (8 U.S.C.
13 1356(m)).

14 (b) AMOUNT.—The fee required under subsection (a)
15 shall be based upon—

16 (1) a consideration of the amount necessary to
17 deter frivolous applications; and

18 (2) the cost of processing the application.

19 (c) SUNSET PROVISION.—This section shall remain
20 in effect until the date that is 3 years after the date of
21 the enactment of this Act.

22 **SEC. 105. TERMINATION OF ASYLUM STATUS PURSUANT TO**
23 **RETURN TO HOME COUNTRY.**

24 Section 208(e) of the Immigration and Nationality
25 Act (8 U.S.C. 1158(e)) is amended—

26 (1) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by inserting “the Secretary of Homeland
3 Security or” before “the Attorney General”;

4 (B) in subparagraph (D), by striking “or”
5 at the end;

6 (C) in subparagraph (E), by striking the
7 period at the end and inserting “; or”; and

8 (D) by adding at the end the following:

9 “(F) the alien, since receiving asylum sta-
10 tus, has returned to the country of the alien’s
11 nationality (or, in the case of an alien having
12 no nationality, returns to any country in which
13 such alien last habitually resided), unless—

14 “(i) the Secretary of Homeland Secu-
15 rity or the Attorney General, in the Sec-
16 retary’s or Attorney General’s sole and
17 unreviewable discretion and pursuant to
18 such rules and regulations as each may
19 adopt, determines that the alien had a
20 compelling reason for the return; and

21 “(ii) the alien seeks a waiver de-
22 scribed in clause (i) before departing from
23 the United States or upon returning to the
24 United States.”; and

1 (2) in paragraph (3), by striking “section
2 212(a) and 237(a)” and inserting “sections 212(a)
3 and 237(a)”.

4 **SEC. 106. FRIVOLOUS ASYLUM APPLICATIONS.**

5 Section 208(d) of the Immigration and Nationality
6 Act (8 U.S.C. 1158(d)) is amended—

7 (1) in paragraph (4)—

8 (A) in the matter preceding subparagraph
9 (A), by inserting “the Secretary of Homeland
10 Security or” before “the Attorney General”;

11 (B) in subparagraph (A), by striking “and
12 of the consequences, under paragraph (6), of
13 knowingly filing a frivolous application for asy-
14 lum; and”;

15 (C) in subparagraph (B), by striking the
16 period at the end and inserting “; and”; and

17 (D) by adding at the end the following:

18 “(C) ensure that a written warning ap-
19 pears on the asylum application that—

20 “(i) advises the alien of the con-
21 sequences of filing a frivolous application;
22 and

23 “(ii) serves as notice to the alien of
24 the consequences of filing a frivolous appli-
25 cation.”; and

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1 (2) in paragraph (6)—

2 (A) by striking “paragraph (4)(A)” and in-
3 serting “paragraph (4)(C)”;

4 (B) by striking “If the” and inserting the
5 following:

6 “(A) IN GENERAL.—If the Secretary of
7 Homeland Security or the”;

8 (C) by adding at the end the following:

9 “(B) EXAMPLES.—For purposes of sub-
10 paragraph (A) and paragraph (4), an applica-
11 tion for asylum is frivolous if—

12 “(i) the application—

13 “(I) contains a deliberately fab-
14 ricated material element;

15 “(II) is supported by a fabricated
16 or false document or other piece of
17 evidence;

18 “(III) is wholly unfounded in
19 credibility even if not deliberately fab-
20 ricated;

21 “(IV) was filed, in whole or in
22 part, for a purpose other than seeking
23 protection from persecution, including
24 being filed to obtain work authoriza-
25 tion or being filed to be placed in re-

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1 removal proceedings in order to seek an-
2 other type of relief from removal;

3 “(V) was filed solely to delay re-
4 moval from the United States rather
5 than due to a genuine fear of persecu-
6 tion; or

7 “(VI) is clearly foreclosed by ap-
8 plicable law, including failure to com-
9 ply with the time limit under section
10 208(a)(2)(B); or

11 “(ii) the application is withdrawn un-
12 less the alien—

13 “(I) wholly disclaims the applica-
14 tion and withdraws it with prejudice;

15 “(II) is eligible for, and agrees to
16 accept, an agreement to voluntary de-
17 part the United States within 30 days
18 at his or her own expense, in accord-
19 ance with section 240B(a);

20 “(III) withdraws any and all
21 other applications for relief or protec-
22 tion with prejudice; and

23 “(IV) waives his or her right to
24 appeal and any rights to file, for any

1 reason, a motion to reopen or recon-
2 sider.

3 “(C) WORK AUTHORIZATION.—The fact
4 that an alien may receive work authorization
5 following the filing of an asylum application, by
6 itself, is insufficient to show that the applica-
7 tion was filed for that purpose.

8 “(D) EFFECT OF WARNING.—An alien who
9 has filed an application containing the warning
10 required under section 208(d)(4) need not be
11 given any further opportunity to account for
12 any issues with his or her claim prior to the
13 entry of a frivolous finding.

14 “(E) ELIGIBILITY FOR OTHER RELIEF.—A
15 finding under this paragraph that an alien filed
16 a frivolous asylum application does not preclude
17 the alien from seeking—

18 “(i) withholding of removal under sec-
19 tion 241(b)(3); or

20 “(ii) withholding of removal or defer-
21 ral of removal pursuant to Article 3 of the
22 Convention Against Torture and Other
23 Cruel, Inhuman, or Degrading Treatment
24 or Punishment, done at New York, Decem-
25 ber 10, 1984.

1 “(F) PERMITTED DISCLOSURES.—Notwith-
2 standing any other provision of law, information
3 contained in an asylum application and infor-
4 mation supporting that application may be dis-
5 closed—

6 “(i) as part of an investigation to
7 evaluate the allegations contained in the
8 application;

9 “(ii) as part of the process to adju-
10 dicate the application;

11 “(iii) as part of any criminal inves-
12 tigation or proceeding; and

13 “(iv) for any purpose as part of any
14 proceeding arising under this Act.”.

15 **SEC. 107. RESTRICTIONS ON ASYLEE AND REFUGEE AD-**
16 **JUSTMENT OF STATUS.**

17 (a) TERMINATION OF REFUGEE STATUS.—Section
18 207(c)(4) of the Immigration and Nationality Act, 8
19 U.S.C. § 1157(c)(4), is amended—

20 (1) by striking “the Attorney General pursuant
21 to such regulations as the Attorney General may
22 prescribe if the Attorney General” and inserting
23 “the Attorney General or the Secretary of Homeland
24 Security, pursuant to such regulations as the Attor-

1 ney General or the Secretary may prescribe, if the
2 Attorney General or the Secretary”; and

3 (2) by inserting “, or has been convicted of a
4 felony at any time after being admitted as a ref-
5 ugee” before the period at the end.

6 (b) TERMINATION OF ASYLUM.—Section
7 208(c)(2)(B) of the Immigration and Nationality Act (8
8 U.S.C. 1158(c)(2)) is amended inserting “or has been con-
9 victed of a felony at any time after receiving asylum sta-
10 tus” before the semicolon at the end.

11 (c) ADJUSTMENT OF STATUS.—Section 209(b) of the
12 Immigration and Nationality Act (8 U.S.C. 1159(b)) is
13 amended—

14 (1) in paragraphs (1), (2), and (3), by striking
15 the comma at the end of each paragraph and insert-
16 ing a semicolon;

17 (2) in paragraph (4), by striking “, and” and
18 inserting a semicolon;

19 (3) in paragraph (5), by striking the period at
20 the end and inserting “; and”; and

21 (4) by adding at the end the following:

22 “(6) has not been convicted of a felony.”.

23 (d) INADMISSIBILITY.—Section 212(a)(10) of the Im-
24 migration and Nationality Act (8 U.S.C. 1182(a)(10)) is
25 amended by adding at the end the following:

1 “(F) FORMER ASYLEES.—Any alien who
2 was granted asylum under section 208 and
3 whose asylum status has been terminated pur-
4 suant to subsection (c)(2) of such section is in-
5 admissible.”.

6 (e) DEPORTABILITY.—Section 237(a)(1) of the Im-
7 migration and Nationality Act (8 U.S.C. 1227(a)(1)) is
8 amended by inserting after subparagraph (E) the fol-
9 lowing:

10 “(F) TERMINATION OF REFUGEE STATUS
11 OR ASYLUM STATUS.—An alien is deportable if
12 the alien—

13 “(i) was granted refugee status and
14 such status was terminated pursuant to
15 section 207(c)(4); or

16 “(ii) was granted asylum status and
17 such status was terminated pursuant to
18 section 208(c)(2).”.

19 **SEC. 108. ENSURING SAFE AND PROMPT RETURN OF MI-**
20 **NORS TO NONCONTIGUOUS COUNTRIES.**

21 Section 235 of the Public Law 110–457 (8 U.S.C.
22 1232) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (2)—

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1 (i) in the paragraph heading, by strik-
2 ing “SPECIAL RULES FOR CHILDREN FROM
3 CONTIGUOUS COUNTRIES” and inserting
4 “RULES FOR REUNITING UNACCOMPANIED
5 ALIEN CHILDREN.—”;

6 (ii) in subparagraph (A), in the mat-
7 ter preceding clause (i), by striking “who
8 is a national or habitual resident of a
9 country that is contiguous with the United
10 States shall be treated in accordance with
11 subparagraph (B)” and inserting “shall be
12 treated in accordance with subparagraph
13 (B) or subsection (b), as applicable”;

14 (iii) in subparagraph (C)—

15 (I) in the subparagraph heading,
16 by striking “CONTIGUOUS COUNTRY
17 AGREEMENTS” and inserting “AGREE-
18 MENTS WITH FOREIGN COUNTRIES”;

19 and

20 (II) in the matter preceding
21 clause (i), by striking “countries con-
22 tiguous to the United States” and in-
23 serting “Canada, El Salvador, Guate-
24 mala, Honduras, Mexico, and any

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1 other country the Secretary deter-
2 mines to be appropriate.”; and

3 (iv) by adding at the end the following

4 “(D) SPECIAL RULE.—

5 “(i) IN GENERAL.—The Secretary of
6 Homeland Security may repatriate an un-
7 accompanied alien child who does not wish
8 to withdraw his or her application for ad-
9 mission to his or her country of nationality
10 or last habitual residence after the child
11 has been interviewed by an immigration of-
12 ficer with specialized training in inter-
13 viewing child trafficking victims, who shall
14 be in plain clothes and may not carry a
15 weapon during such interview.

16 “(ii) REMOVAL PROCEEDINGS.—If the
17 immigration officer determines that it is
18 more probable than not that the unaccom-
19 panied alien child will be trafficked on re-
20 turn to his or her country of nationality or
21 last habitual residence or more probable
22 than not that the unaccompanied alien
23 child could establish eligibility for asylum
24 under section 208 of the Immigration and
25 Nationality Act (8 U.S.C. 1158), the unac-

1 accompanied alien child shall be placed in re-
2 moval proceedings under section 240 of the
3 Immigration and Nationality Act (8 U.S.C.
4 1229a).

5 “(iii) RULE OF CONSTRUCTION.—Any
6 repatriation of an unaccompanied alien
7 child under this subparagraph shall not
8 constitute a removal.”;

9 (B) by striking paragraph (3);

10 (C) by redesignating paragraphs (4) and
11 (5) as paragraphs (3) and (4), respectively; and

12 (D) by amending paragraph (3), as reded-
13 igned, to read as follows:

14 “(3) SCREENING.—Before returning a child to
15 the child’s country of nationality or of last habitual
16 residence, the child shall be interviewed in accord-
17 ance with paragraph (2)(D).”; and

18 (2) in subsection (c)(4), by striking the first
19 sentence and inserting the following: “The Secretary
20 of Health and Human Services shall ensure that
21 custodians receive legal orientation presentations
22 provided through a legal orientation program admin-
23 istered by the Department of Health and Human
24 Services or other appropriate agency.”.

1 **SEC. 109. APPLYING BARS TO CREDIBLE FEAR INTERVIEWS.**

2 Section 235(b)(1)(B)(v) of the Immigration and Na-
3 tionality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by
4 adding at the end the following: “An alien cannot establish
5 eligibility for asylum under section 208 if he or she is sub-
6 ject to a limitation or condition under subsection (b)(2)
7 of such section or a regulation promulgated under such
8 subsection.”.

9 **SEC. 110. INCREASE OF LIMITATIONS PERIOD FOR ASYLUM**

10 **FRAUD.**

11 Section 3291 of title 18, United States Code, is
12 amended by inserting “and section 1546,” after “to 1544,
13 inclusive,”.

14 **SEC. 111. TECHNICAL AMENDMENTS.**

15 Section 208 of the Immigration and Nationality Act
16 (8 U.S.C. 1158) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2)(D), by inserting “the
19 Secretary of Homeland Security or” before “the
20 Attorney General”; and

21 (B) in paragraph (3), by inserting “the
22 Secretary of Homeland Security or” before “the
23 Attorney General”;

24 (2) in subsection (b)(2)—

25 (A) by inserting “the Secretary of Home-
26 land Security or” before “the Attorney Gen-

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1 eral” each place such term appears (other than
2 in subparagraph (A)(v)); and

3 (B) in subparagraph (A)(v), by striking
4 “the Attorney General determines, in the Attor-
5 ney General’s discretion,” and inserting “the
6 Secretary of Homeland Security or the Attorney
7 General determines, in the sole discretion of the
8 Secretary or the Attorney General, as applica-
9 ble,”;

10 (3) in subsection (c)—

11 (A) in paragraph (1), by striking “Attor-
12 ney General” each place it appears and insert-
13 ing “Secretary of Homeland Security”; and

14 (B) in paragraph (3), by inserting “the
15 Secretary of Homeland Security or” before “the
16 Attorney General”; and

17 (4) in subsection (d)—

18 (A) in paragraph (1), by inserting “Sec-
19 retary of Homeland Security or the” before
20 “Attorney General” each place it appears;

21 (B) in paragraph (2), by striking “Attor-
22 ney General” and inserting “Secretary of
23 Homeland Security”; and

24 (C) in paragraph (5)—

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1 (i) in subparagraph (A), by striking
2 “Attorney General” and inserting “Sec-
3 retary of Homeland Security”; and

4 (ii) in subparagraph (B), by inserting
5 “Secretary of Homeland Security or the”
6 before “Attorney General”.

7 **SEC. 112. RULEMAKING.**

8 Notwithstanding the requirements under section
9 553(b) of title 5, United States Code, not later than 240
10 days after the date of the enactment of this Act, the Sec-
11 retary of Homeland Security and the Attorney Generally
12 shall publish, in the Federal Register, interim final rules
13 to implement this division.